United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158 WASHINGTON, THURSDAY, SEPTEMBER 20, 2012 No. 128

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 20, 2012.

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

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

MORNING-HOUR DEBATE

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

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

REMEMBERING RICKY WRIGHT

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

Mr. CONAWAY. Mr. Speaker, I rise today to recognize a good and decent man, a loyal servant of Texas and my friend, Ricky Wright. Ricky Wright passed away Wednesday, August 1, after a tremendous battle with cancer. Words cannot adequately express the sorrow and disbelief that Susan and I feel, along with every member of our team, at these difficult times.

I met Ricky when I first started running for Congress, and since that time, Ricky has been at my side as a mentor, confidant, and a close friend. While Ricky was employed as my district director, he served the people of District 11.

This service to his neighbors was a task he lived every day. Ricky routinely logged hundreds of miles a week, drove to every corner of District 11. Through his work, he touched the lives of thousands of Texans. There was no problem in our district that was too small for his attention or too big for his talents.

During these travels, Ricky never once met a stranger. With his easy smile and open demeanor, Ricky would make everyone feel like they'd been his friend for a lifetime. But during all these travels and meetings, too many to count, he never forgot that his home was Comanche, Texas.

Comanche is ever much a part of Ricky as his fingers and his toes. It was the community he was raised in, the community that taught him the character and morals that would guide his life. Perhaps that is also where he inherited his stubborn streak. Ricky had a confidence in the possibilities that could be, in spite of the limited vision of those around him. You could see this in him every day as he quietly refused to yield to mediocrity or to compromise his principles.

It was his stubbornness that set Ricky apart from the crowd, and that's where I believe he was most comfortable, just a little further up the path, showing the rest of us the way. Today, Ricky is still just a little further up the path showing us the way as he showed us how he carried himself in the face of those deep difficulties toward the end of his life.

We'll remember Ricky as he would want to be remembered, a faithful friend, a tireless worker whose hopeful, idealistic, daring, and decent way of life inspired us all. To those of us who knew him and worked with him, he was like family, and his loss will be felt every time we gather together without him. He'll never be replaced or forgotten, and I ask you for your prayers for Ricky and his family and those of us who loved him.

I miss my friend.

STILL FIGHTING FOR THE RIGHT TO VOTE

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

Mr. BLUMENAUER. Mr. Speaker, there have been two struggles to make American democracy work. First was who would be eligible to vote. Originally, only those who were white, male, property owners over 21, voted, perhaps a quarter of the population.

More than three-quarters of a century later, having fought the civil war, African Americans were granted the franchise. It would be another two-thirds of a century before voting rights were extended to women.

Finally, in a battle that I was proud to be a part of as a college student, campaigning and testifying before Congress, we adopted the XXVI amendment, extending the voting rights to young people at age 18.

But there's always been another battle: Who amongst the theoretically eligible voters are actually able to cast their ballot and have it counted?

It's no secret the States in the Old South waged a brutal extra-legal war to prevent newly enfranchised African Americans from voting. The discrimination, intimidation and violence are well-chronicled; and it's why, almost a century after African Americans were given the legal right to vote, we still need the Voting Rights Act of 1965 to really give them the vote supposedly guaranteed under the Constitution.

Despite the Voting Rights Act, and two centuries of struggle, there's still

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a battle today. Part of the Republican game plan for 2012 is to make voting difficult or impossible for some of the same groups who have long suffered discrimination, who are now seriously disadvantaged by new voter suppression laws that have been passed by Republicans in States like Ohio, Pennsylvania, and Florida.

Because voter fraud is a Federal offense, with serious legal consequences, even jail time, improperly cast ballots are virtually nonexistent in the United States. There are far more votes that are lost due to malfunctioning voting machines, mistakes and sleight-of-hand by local elected officials who are either inept or cheating than are all the cases that have been documented nationwide.

Texas has another effort to pass aggressive voter ID legislation, but they can find only five documented incidents of voter fraud in 13 million ballots cast in the last two elections.

In Pennsylvania, there have been fewer cases than you can count on your fingers, yet up to a million people may be denied the right to vote because of these legal changes.

Millions of poor, elderly, minority and student voters don't have passports or driver's licenses; some don't even have birth certificates. They may face the modern version of a poll tax, and that's unconscionable.

The media and courts are pushing back on some of the more outrageous behaviors, like Ohio's Secretary of State, John Husted, who was called out and forced to back down after he tried to limit early voting in counties with Democrats in the majority, while expanding them in Republican counties.

Come election day, the problems will still persist. There is a solution: pry partisan fingers off the controls of a varied election process. We shouldn't be treating the precious right to vote as a game where partisan advantage comes at the expense of our civil rights.

Oregon has been involved for 25 years with what is no longer an experiment but a display of a better way: vote by mail. Each registered voter in the Oregon is mailed a ballot to their residence 19 days before the election. They are given well over 400 hours to examine the ballot, make their decision on the issues and individuals, and return it by mail or in person.

Oregonians don't worry about people gaming voting machines, closing precincts early, having long lines for working people at the end of the day, or mysteriously running out of ballots at precincts that are likely to vote against you. In Oregon, there's no problem with illegal voting. Everybody has access to the ballot, and results are processed in a timely fashion.

It's shameful that, after more than two centuries of struggle for the right to vote, we're still playing games with people's opportunity to exercise that hard-won privilege upon which our democratic tradition rests.

I will be championing the Oregon solution of vote by mail to make the process simpler, more reliable, most important, fairer, while saving money in the process. I hope these blatant attempts at manipulation and discrimination backfire so that the next Congress and the administration are positioned to do something about it.

A country that prides itself as the oldest democracy deserves for the democratic process to work.

STILL NO FARM BILL

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from South Dakota (Mrs. NOEM) for 5 minutes.

Mrs. NOEM. Mr. Speaker, this is the second-to-the-last day that we'll be here and be in session before we head home to our districts, and we still do not have a farm bill that gives certainty to our producers and our ranchers across the country. In a little over a week, the 2008 farm bill is going to expire.

While many of these programs will continue into the future for months ahead, we have an opportunity to actually save money and give other producers certainty as they begin planning for the coming years.

Last week, I sat down and I visited with Mike and Lori. They're producers from near the town of Huron, South Dakota. They raise corn, soybeans, and beef cattle. And this year was particularly difficult for them in light of the drought situation that producers in South Dakota were facing.

□ 1010

Thankfully, they had programs such as crop insurance that helped them manage their risk in such a difficult year. They wrote me a letter on the importance of the farm bill, and I want to read a portion of that letter to you:

> We are experiencing a severe drought in our area this year. We put up half the hay that we normally do. Dugouts are starting to dry up, and crop yields will be down significantly. Crop insurance will be extremely important to offset lost crop production and lost revenue due to poor crop conditions. Crop insurance is a vital part of providing stability to our income and allowing us to stay a viable family farm dedicated to growing a safe, affordable food supply for a growing world.

They went on in their letter to describe exactly what this means to their family at home:

> We have a 6-year-old son and a 4-year-old daughter. We tell them daily how important our jobs are as farmers, how we are truly feeding the world. They are taking true pride and ownership of that, and passing a good farm bill only helps stabilize their dreams, their futures—and ours.
>
> A 5-year farm bill gives us the stability to plan ahead for our operation long term. With the limited time Congress has to pass a farm bill before the current one expires, I would encourage lawmakers to look to rural America and realize how much work we can get done in a week. We know that, if the farm bill is made a priority, there is still enough time to get one passed. Thank you again for your work, and we urge Congress to pass a farm bill now.

This past week, I was traveling through the middle of our State, in an area that has been hit particularly hard by the drought. I stopped at a truck stop and visited with many producers who were there filling up with fuel and getting supplies to head back out to the field. You see, right now in South Dakota, producers are planting a winter wheat crop, and they're having to make the decision: Do they put that crop into dry ground, or do they wait and see if they get a farm bill and crop insurance into the future so that they have the certainty to make sure that their risk is managed?

Many of those producers were electing not to plant. They were waiting to see if they could get rain and get a program that would actually keep their families in business. Some were putting it in the ground, showing that they truly are brave producers who have little faith that the skies will open up and that next year will be different.

I tell you that they and Mike and Lori and other producers across the State of South Dakota and across this country who have been particularly hit in these tough times are looking to us here in Congress to provide them certainty during this drought. The farm bill is one of the reasons that our family farmers are able to stay in business during tough years. Many other programs in the farm bill give them the stability and certainty, which, in turn, gives every American the certainty in having a reliable, affordable food supply.

I ran for Congress to bring more common sense to this place and to be an efficient and effective leader for South Dakota. We have an opportunity to get a farm bill done this year that provides a safety net and real reforms for our producers and cost savings for the taxpayers. While the clock hasn't run out yet, I think it is important that we get our work done on time, and I am disappointed that it hasn't been scheduled for a vote.

SEPT. 11, 2012.

Hon. KRISTI NOEM,
Cannon House Office Building,
Washington, DC.

DEAR REP. NOEM: Thank you for the opportunity to meet with you during our trip to Washington, D.C., to talk about passing the farm bill. My husband, Mike, and I are both third-generation farmers. We have a diversified crop and beef cattle operation 25 miles southwest of Huron, S.D., where we raise corn, soybeans and 250 head of cattle.

We are experiencing a severe drought in our area this year. We put up half the hay that we normally do, dugouts are starting to dry up and crop yields will be down significantly. Crop insurance will be extremely important to offset lost crop production and lost revenue due to poor crop conditions. Crop insurance is a vital part of providing stability to our income and allowing us to stay a viable family farm dedicated to growing a safe, affordable food supply for a growing world. We were fortunate to have utilized the EQIP Program to install two water

sources in two pastures to provide drinking water for our cattle which has been vital during this drought. We were also able to participate in the Stewardship Program through NRCS. Those conservation practices helped retain subsoil moisture which has been critical in the drought conditions we've faced.

We have a 6-year-old son and 4-year-old daughter. We tell them daily how important our jobs are as farmers, how we are truly feeding the world. They are taking true pride and ownership of that and passing a good farm bill only helps stabilize their dreams and ours.

A five-year farm bill gives us the stability to plan ahead for our operation long term. With the limited time Congress has to pass a farm bill before the current one expires, I would encourage lawmakers to look to rural America and realize how much work we can get done in a week. We know that if the farm bill is made a priority, there is enough time to get this bill passed. Thank you again for your work and we urge Congress to pass a farm bill now.

Sincerely,

MIKE AND LORI PESKEY,
Iroquois, S.D.

CREATE A STEM VISA PROGRAM

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

Mr. GUTIERREZ. Mr. Speaker, today we will vote on a Republican proposal to provide green cards to certain immigrants and to cut the same number of green cards available to other legal immigrants.

How do we determine who gets more green cards and who gets fewer?

For my Republican friends, that's easy. They will provide more green cards to a very narrow number of immigrants they can tolerate—smart immigrants who have been educated in U.S. colleges and universities. They will make other legal immigrants—ones they can't tolerate—pay for that increase.

Meanwhile, Democrats have introduced bills that would also provide green cards to the immigrants who have been educated in U.S. colleges and universities. Our Democratic proposal, however, does not take green cards away from other deserving immigrants who want to come legally and contribute to this country.

On our side of the aisle, we respect all immigrants. Our bill recognizes the value of all of them to our economy and, indeed, to our future. We should not educate some of the world's most talented people in the STEM fields—that's science, technology, engineering, and math—and then send them away to work in foreign lands to compete against us.

Democrats strongly support providing these visas as a way of helping the U.S. economy and creating jobs, not just for the immigrants but for the U.S. workers they will employ and the economic activity they will generate. Democrats want progress. We want visas for STEM graduates. We will work in a bipartisan manner with Republicans to get it done. It's a smart policy, and it's a just policy. Let me be clear. There is no economic reason—no budget reason, no jobs reason—to punish other immigrants because we give out STEM visas. Absolutely none. Let me try to make it simple.

Let's pretend we're not talking about immigrants, because any time some of my Republican friends hear the word ''immigrants,'' they immediately want to punish someone. So let's say, instead of immigrants, we're talking about a family of three children, of three honest and hardworking children. One child wants to go to college to become an industrial engineer, and another wants to go to college to become a math professor. The third—a diligent, industrious child—doesn't want to go to college. Let's say he wants to start a landscaping business. He wants to work with the land and get his hands dirty.

The Republican plan is simple—to help the kids going to college and to cut the other kid off. He's out. Tough luck. He's not smart enough for this family. The Democratic plan is just as simple. We need scientists, engineers and mathematicians, but we need other workers, too—construction workers, machinists, chefs, entrepreneurs. We need immigrants from all over the world—from every continent, including Africa. Everyone who works hard helps our economy, so let's be helpful to everyone. That's the Democratic belief, but that's not the Republican plan today.

Maybe we shouldn't be surprised. After all, this proposal comes from a party whose Presidential nominee doesn't care about 47 percent of America. Call it the Mitt Romney deadbeat doctrine in which half of all Americans are freeloaders. Maybe that's all we need to know about this Republican plan. I suppose, in the Republican world, STEM visas are for the half of America that works, and the other visas are for the deadbeats that Mitt Romney doesn't care about—you know, the freeloaders like your parents on Social Security or your son or daughter with that student loan or the Pell Grant—or like my parents, who came from Puerto Rico with only an elementary school education, but who worked hard every day and put two kids through college and one of them in the Congress of the United States. Yes, those deadbeats. If my parents had needed visas to come to this country today under this new plan, they would never have gotten a chance.

We are changing the rules about who can—and more importantly—about who cannot come to America. So unless you view the world through Mitt Romney's ''us versus them'' vision of America, there is no reason to cut visas today. None. I want to stand up for the ZOE LOFGREN provision of immigration—the Democratic vision of immigration. We're not divided into a country where people who gather at a fancy country club and write $50,000 checks to political candidates are good and where the people who stand to run and serve them the food are bad. America is not half deadbeats. We are one America, and we have a chance to prove it today.

Democrats are offering a sensible plan that doesn't divide us. It values all work from all immigrants. It achieves our common goal of creating a STEM visa program, keeping more scientists and engineers right here in America, making us stronger. In Mitt Romney's world, if you help one person, you have to punish another. I think that's wrong. I urge my colleagues to pass a fair and sensible plan to create a STEM visa program, and let's do it without punishing a single person.

IN HONOR OF LIEUTENANT COLONEL CHRISTOPHER RAIBLE, A FALLEN SOLDIER

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

Mr. MURPHY of Pennsylvania. This morning, I rise with a heavy heart, but on behalf of a grateful Nation, to honor a soldier born and raised in southwestern Pennsylvania, who gave his life on September 14 in service to our country.

This week, he returned to his home, the United States, where he will be laid to rest. Lieutenant Colonel Christopher Raible, commanding officer of Marine Attack Squadron 211, died in the assault on Camp Bastion, which is connected to the American-run base Camp Leatherneck, in Helmand Province, Afghanistan. It was a despicable attack by the Taliban that not only took the life of this dedicated, respected, and brave marine but that also resulted in the worst loss of U.S. military aircraft since the Vietnam war.

But this morning, I rise so my colleagues, my constituents at home in Westmoreland County, and the entire Nation will know more about this courageous marine known as ''Otis,'' who commanded a Marine Harrier jet squadron.

After graduating at the top of his class from Norwin High School, where he was a starting defensive back for the Knights, Lieutenant Colonel Raible earned his degree in civil engineering from Pittsburgh's prestigious Carnegie Mellon University. Following his college graduation, Raible joined the United States Marine Corps, and by 1998 had become a naval aviator. A natural leader, Raible rose to the rank of lieutenant colonel last summer, having received numerous military honors along the way, including a Meritorious Service Medal, 10 Strike-Flight awards, and a Navy and Marine Corps Commendation Medal, to name just a few.

In support of Operation Enduring Freedom and Operation Iraqi Freedom, Raible deployed many times to serve our Nation. Colonel Raible commanded the only Marine Harrier squadron in

Afghanistan in which he flew over 2,000 hours in Harrier aircraft.

□ 1020

A southwestern Pennsylvanian at heart, it should come as no surprise that Otis was known, while seated in the cockpit, to listen to the Steelers while flying in the skies over Iraq. But more than anything, Lieutenant Colonel Raible was a father, a husband, and a son; a proud dad of three children, ages 11, 9, and 2. Otis so loved and was loved by his family.

As his mother Belvina of North Huntingdon, Pennsylvania, said, her son died defending all that he held dear. ''He was the best of the best,'' she said. Indeed, Mrs. Raible, he was.

Today, we as a Nation say ''thank you'' to Lieutenant Colonel Raible and to his entire family. We're so grateful for your service and for your sacrifice protecting our freedom. Through your service, you have made your family and your Nation better. Through your sacrifice, you have made America stronger. Through your courage, you have made America proud.

Many times, I'm sure you soared above the clouds where you could touch the face of God. Now you rest in his loving arms for eternity. Thank you, Colonel. Our Nation thanks you, as well.

THE PUERTO RICO POLITICAL STATUS PLEBISCITE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Puerto Rico (Mr. PIERLUISI) for 5 minutes.

Mr. PIERLUISI. On November 6, the U.S. territory of Puerto Rico will hold a plebiscite on the island's political future. Voters will be asked if they want to continue the current status or to seek a new status. Voters will also be asked to express their preference among the three alternatives to the current status recognized as legally and politically viable by the Federal Government and international law: independence, nationhood in free association with the United States, and statehood.

This plebiscite is different from previous plebiscites in Puerto Rico. It will be the first time that island residents have an opportunity to answer ''yes'' or ''no'' to the question of whether they support the status that Puerto Rico has had since 1898. This question has inherent value in a democracy where a government's legitimacy is based on the consent of the governed. And this plebiscite will only include those status options identified as valid by Congress and the White House. True self-determination is a choice among options that can be implemented, not an exercise in wishful thinking.

If a majority of voters express satisfaction with the current status, Puerto Rico's status would not change at this time. Likewise, if there is majority support to change the current status but not majority support for one of the three alternatives, Puerto Rico's current status would also continue. However, if the majority votes against the status quo and in favor of statehood, free association, or independence, Congress and the President should take action that honors that choice.

Top Democratic and Republican leaders have indicated they will take the results of this plebiscite seriously. That is as it should be. The United States is the greatest democracy in history and a champion of peaceful self-determination around the world. Consistent with this principle, I am confident that Federal officials will respect the choice made by their Federal citizens from Puerto Rico if they express a clear desire to change the island status.

Now I want to speak directly to the men and women I represent in Congress. This plebiscite will have a real impact on you, your family, and the future of the island we love. It is important that you make your voice heard and your vote count.

It is well-known that I oppose the current status and advocate for statehood for Puerto Rico. Whether it is called ''territory,'' ''commonwealth,'' or ''colony,'' the current status denies us the most fundamental rights in a democracy: the right to choose the leaders who make our national laws, and the right to equal treatment under those laws. In my view, the current status is an affront to our dignity.

In my office hangs a framed photo of servicemembers from the island who have lost their lives since 2001. They're the latest in a long line of Puerto Rican patriots who have fought and fallen for this Nation. This photo inspires me, but it also makes me sad. I cannot understand how we, such a proud people, can voluntarily submit to a status that makes us second-class citizens in the country that we have defended for generations.

I realize that after nearly 115 years, the prospect of change can be unsettling, but I also know that there is nothing more powerful than an idea whose time has come. We deserve better than what we have, and the time has come for us to seek a new status that will empower us to realize our full potential.

Among the alternatives to the current status, I believe statehood is the right choice. Independence and free association are worthy options, but both would place at risk our U.S. citizenship and Federal support under programs like Medicare, Medicaid, and Social Security for future generations of Puerto Ricans. Because I believe the overwhelming majority of Puerto Ricans are opposed to breaking or substantially weakening the strong political, social, and economic bonds that have formed between Puerto Rico and the United States, I think the only viable alternative to the status quo is statehood. At this critical moment in history, we should aspire to perfect our union, not to sever it.

The current status is about second-class citizenship, which we should rise up to reject. Independence and free association are about separation, which would diminish the opportunities available to our children and grandchildren. Statehood is about equal treatment. It would deliver to Puerto Rico what all free people deserve: full voting rights, full self-government, and full equality under the law.

This November, I hope that the U.S. citizens of Puerto Rico will send a clear message to Congress that they're ready to make a change.

IN HONOR OF OFFICER BRADLEY FOX

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

Mr. FITZPATRICK. Mr. Speaker, I rise this morning to honor the life and memory of Pennsylvania Police Officer Bradley Fox.

Brad Fox was a 5-year veteran of the Plymouth Township Police Department in Montgomery County, Pennsylvania.

Having grown up in my home of Bucks County, Officer Fox graduated from William Tennent High School and went on to serve his country for 10 years in the United States Marine Corps.

A well-decorated soldier, Officer Fox received, among other accolades, the Navy and Marine Corps Achievement Medal, the Combat Action Ribbon, and the National Defense Service Medal.

Upon returning from his military service, Officer Fox joined his local police force in Montgomery County, where he built a life for himself, his wife, Lynsay, their daughter, and a second child who is on the way.

On the night of Thursday, September 13, the family, friends, and fellow officers of Brad Fox received the phone call they hoped would never come. Officer Fox was responding to a report of a hit-and-run in his suburban Philadelphia township. As he was investigating the incident, both Officer Fox and his canine companion were ambushed by the suspect and attacked, which left Officer Fox fatally wounded.

Yesterday afternoon, I attended the burial services for Officer Fox at the Washington Crossing National Cemetery in Bucks County. The show of support from the local law enforcement community and the people of southeastern Pennsylvania as a whole was inspiring and it was heartfelt.

To see that in such a short lifetime this father, husband, brother, son, veteran, and police officer had touched so many lives was a testament to the kind of person that Brad Fox was. He dedicated his entire life to service to his community and to his country and should serve as an example to every one of us.

Every day in Montgomery County and in Bucks County and in communities across this great Nation, law enforcement officers, firefighters, and

paramedics are working to preserve the public safety. These men and women wake up every morning and head to work not knowing what dangers they may encounter during their shift. The loss of Officer Brad Fox serves as a somber reminder of the risks our police officers face each and every day.

Here in our Nation's capital, just a few miles from where I stand at this very moment, is the National Law Enforcement Officers Memorial. Etched into this memorial are the names of countless men and women who gave their lives in service to their communities. Sadly, Officer Brad Fox will join that roll of honor.

Also carved on the memorial are quotes which capture the spirit of those honored there, including one from former President George H.W. Bush, which reads:

> Carved on these walls is the story of America, of a continuing quest to preserve both democracy and decency, and to protect a national treasure that we call the American Dream.

There can be no doubt that Officer Bradley Fox did his part in his quest to preserve the American Dream. Our country owes a debt of gratitude to Officer Fox and to his family for the sacrifice he made and they made to keep his community a safe place to work and to live and to raise a family.

□ 1030

A WORLD AT PEACE, FOR OUR GRANDCHILDREN AND THEIR GRANDCHILDREN

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

Ms. WOOLSEY. Mr. Speaker, in April of the year 2004, I rose in this Chamber to speak for 5 minutes about my conviction that the war in Iraq was a dangerous, immoral policy, and it was hurting America and our national security.

Since then, I've delivered a similar message nearly every day that it was possible when we were in session, and once the Iraq war finally drew to a close, I moved on to focus on the ongoing military occupation of Afghanistan, which soon will be in its 11th year, costing us more than 2,000 American lives and more than half a trillion dollars and counting.

Today is my 440th 5-minute Special Order calling for an end of these wars and the safe return of our troops to their families right here at home. I'm not proud of having reached that number. I would much prefer that the speeches were no longer necessary.

But since I'm retiring from the House at the end of this year, my 20th year in Congress, one of my biggest disappointments is that we haven't shown the leadership, the courage, and the resolve to finally secure peace.

We are still mired in this Afghanistan conflict, even though the evidence is overwhelming that it's doing more harm than good, even though it's emboldening terrorists and insurgents rather than defeating them, even though it's breeding resentment of America instead of winning hearts and minds. We are still mired in this conflict, even though a clear majority of the American people no longer want any part of it.

I will not return to the House in 2013, so this will be one of my final opportunities to press this point. But as long as our troops remain in harm's way, and as long as this dreadful policy continues, I will continue to speak out and speak up.

I know there are many proud and fearless opponents of this war on both sides of the aisle who will continue to lead this effort right here in Congress. Time and time again what I have advocated is not just an end to these wars, but the beginning of a new approach to combating terrorism and keeping America safe.

We need to lead with American cooperation and compassion around the world, not American weapons and brute force. We need SMART Security, a plan that puts the focus on development and diplomacy. We need a strategy that gives people hope and improves their lives instead of invading and occupying their lands.

This is not only the humane approach, Mr. Speaker, it's also the more pragmatic one, the one that will truly advance our national security goals, and it's a lot more cost-effective. Helping people costs pennies on the dollar compared to waging war. A lot of people have said to me over the years, WOOLSEY, your problem is that you think we can have a perfect world. Well, consider me guilty as charged.

I don't believe there is anything wrong with idealism and ambitious goals because I'm absolutely certain that if we don't strive for a perfect world, we won't ever come close to providing a safe, secure, and peaceful world for our grandchildren and their grandchildren, and that's our job here in Congress.

ENERGY CLOSURES AND LAYOFFS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this week another American energy-producing company announced plant closures and worker layoffs, citing the Obama administration's authoritarian regulatory regime in part as a rationale for its decision.

Yesterday Alpha Natural Resources announced closures of eight coal mines in three States, one of which is located in the Fifth Congressional District of Pennsylvania, which I'm proud to represent. Company officials, in announcing the closures, cited ''a regulatory environment that's aggressively aimed at constraining the use of coal.''

The decision will result in layoffs of 1,200 workers and an immediate 400 jobs lost in Virginia, West Virginia, and Pennsylvania.

The fact that the coal industry is facing tough times isn't news. They have other energy competitors, including natural gas, and challenges with coal transport costs, energy, and labor costs. The issue that's newsworthy is the additional burden being placed on American employers during such difficult and tough economic times.

The administration's announced intentions to eliminate coal, our most abundant natural resource, from our fuel mix, with no clear plan to replace it with any effective alternative, has taken a significant toll on employers and individuals across my home State.

Here are several news headlines of closures and layoffs in my home district from the past several months:

September 18 headline: ''Alpha Natural Resources closing eight coal mines.'' Twelve hundred companywide layoffs and an immediate 400 jobs cut in Virginia, West Virginia, and my home State of Pennsylvania.

August 30 headline: ''Another round of Joy workers laid off,'' The Derrick:

> In August, Joy Mining Manufacturing in Franklin, Venango County, Pennsylvania, posted another round of employee layoffs, and 43 employees were notified they had been furloughed from their jobs. The week before that, 19 others were laid out. Joy Mining is the largest private-sector employer in Venango County.

February 9 headline: ''Local Officials Respond to Shawville Power Plant Closure'':

> GenOn Energy has about 80 employees at its plant in Shawville, Clearfield County, and contributes roughly $225,000 dollars annually in local taxes. GenOn offers jobs not only through its plant but through Amphfire coal and trucking firms, which means a loss of 100 to 200 workers in it is next several years.

January 26 headline: ''FirstEnergy Shutting Down 6 Sites in Ohio, Pennsylvania, and Maryland'':

> In January, FirstEnergy announced that the new environmental regulations led to a decision to shut down six older coal-fired power plants in Ohio, Pennsylvania, and Maryland, affecting more than 500 employees.

Coal operations are closing, forcing more workers into unemployment as countless indirect coal jobs have been put at risk because of the President's unwavering commitment to end coal. Our most abundant natural resource is a source of domestic energy.

In the aftermath of all these closures and job losses in my district, along with numerous across my State and the country, it is becoming increasingly clear that this administration expects the consumers of Pennsylvania to bear the costs of a poorly thought out, poorly defined, and poorly explained environmental agenda.

But it's not just a war on coal, it's a war on electricity and jobs. The shuttering of a record number of coal-fired power plants threatens thousands of

the 555,270 direct and indirect coal-related jobs that help supply America with nearly half of its generated electricity and pay $36 billion in wages.

The nonpartisan U.S. Energy Information Administration has all but confirmed the President's aggressive push against coal development with a report detailing a record number of coal-fired power plants to be closed this year, largely because of the burdensome regulations and other compliance costs. That's why this week the U.S. House will pass H.R. 3049, to push back on the President's commitment to end coal as a source of domestic energy and protect the countless jobs that have been lost or put at risk as a result of his politics.

H.R. 3049 includes the following package of bills: The Coal Miner Employment and Domestic Energy Infrastructure Protection Act, which bars the Environmental Protection Agency from issuing any regulation before December 31, 2013, that would adversely affect coal mining employment.

The Coal Residuals Reuse and Management Act, which establishes State-level permitting programs for the storage of coal combustion residuals under the Solid Waste Disposal Act, which is now primarily used to regulate the management of municipal solid waste landfills and sewage landed fills.

□ 1040

The Energy Tax Prevention Act, which prevents the EPA from regulating greenhouse gases and any effort to address climate change.

The Clean Water Cooperative Federalism Act, which prohibits the EPA from issuing a new or revised water quality standard when a State standard has already been approved by the EPA.

The Transparency in Regulatory Analysis of Impacts on the Nation Act, or the TRAIN Act, which creates an interagency committee to examine the effects of current and proposed Federal regulations on U.S. energy and manufacturing industries, U.S. global competitiveness, U.S. and energy prices.

Again, it's not just a war on coal; it's a war on the use of carbon-based fuels—coal, oil, natural gas—which supply over 80 percent of our energy.

CONDEMNING VIOLENCE AGAINST SIKH COMMUNITY

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

Ms. CHU. I rise today as a proud cosponsor of House Resolution 785, condemning the hate crimes, bullying, and brutal violence perpetrated against Sikh Americans and all acts of violence against Sikh Gurdwaras in the United States. In the face of unrelenting and unprovoked violence, it is clear that action must be taken.

The Sikh community has a long history of contributing to this Nation. Sikh farmers shaped California's agriculture industry, farming a third of the land and providing nature's bounty for others to enjoy. The very first Asian American to be elected to the U.S. Congress was a Sikh American, Dalip Singh Saund, elected in California in 1957. And Sikh temples all across the country have shown their beautiful spirit by giving free food, called langar, to everybody in the neighborhood who is hungry. And yet time and time again we see the good deeds of Sikh Americans met with undue violence from others. And in the wake of 9/11, this behavior spiked sharply. Just days after the attacks took place—as the soot still lingered over Manhattan and smoke still smoldered from a field in Pennsylvania—Balbir Singh Sodhi became the first victim of misplaced retaliation. He was in the gas station he had worked his entire life to own when a gunman shot at him and took his life.

Through the years the violence has not abated. Last year, in northern California, Surinder Singh and Gurmej Atwal, two elderly Sikh Americans, were doing what they always did every afternoon, taking a walk in the neighborhood, when suddenly they were shot. They were murdered in cold blood, but not for money or jealousy or revenge. They were murdered because of their turbans. And then there were the overwhelmingly shocking events of August 5 of this year in Oak Creek, Wisconsin. The Sikh community was peacefully preparing meals for Sunday prayer inside their gurdwara. But that peace was shattered without warning at the hands of a gunman filled with hate and rage. He fired indiscriminately and without cause, and when the smoke cleared, six innocent people lay dead. Although it has been more than a decade since 9/11, hysteria and stereotyping are still far too common. We must combat the growing wave of violence and intolerance that threatens the safety and civil liberties of the Sikh American community.

Today, while the FBI tracks the overall number of hate crimes taking place, it doesn't even record attacks specifically on Sikhs, despite the fact that we've seen over and over again that Sikhs are singled out over and over again because of their appearance and faith. That's why this resolution not only denounces the violence befalling this community; we're calling on the Department of Justice to finally begin documenting and quantifying hate crimes committed against Sikh Americans. As many as three out of four Sikh boys endure torment and bullying from their peers. And so we're urging educators across the Nation to help end the epidemic of bullying against Sikh youths. We're urging law enforcement officers in every locality to do all they can to prevent violence against this and all communities.

America was founded on the principles of religious freedom, acceptance, and tolerance. Let's make sure that every American can live safely and in peace. Let's make sure that every American is protected.

TIME TO RETHINK OUR FOREIGN AID

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

Mr. POE of Texas. Over the last week, we have watched as anti-American groups throughout the world have killed Americans, attacked our embassies, had protests, burned the American flag, and destroyed our property in many parts of the world. These events and events that have preceded them bring up that question again that these countries that we give aid to seem to be countries where there is violence against America. So I want to spend a few minutes talking about the aid Americans, when they write that check to the government, our government, spend all over the world.

This is a map of countries in the world that the United States of America taxpayers give assistance to worldwide. You'll see there are three colors. The red are colors that the United States gives foreign aid to. And you can see that's most of the countries in the world—and it is most of the countries. There are 191 countries in the world. Sometimes there are 193, depending on whether those last two are really countries or not. And American taxpayers give money to 158 of them. So you see those that are in the red. The green represents countries that we give military aid to. And the few little blue countries—a couple in Europe, a couple in Africa—those are countries we don't give any money to. By far, the minority. So you see the massive world as we know it, American money goes to most of it.

Now you notice over here there's a red block in this part of the world. And I'm sure, Mr. Speaker, you would recognize this massive country here. That's Russia. Yes, American aid goes to Russia. And did you know even though China controls so much of our debt, American money, yes, goes to China as well.

So maybe we need to rethink how we do this. With all the problems we've got in the United States, the taxpayers are writing checks for countries throughout the world. And here's how we vote on foreign aid. And I suspect the Senate does it the same way. We put all the countries in a list and in a bill and the State Department usually submits an amount of money they would like us to give to this country. And then this House votes ''up'' or ''down'' on all 158 countries.

Now maybe we ought to do business a little better. Maybe we should vote country by country. Some say, Oh, it'll take too long. Hey, we're talking about American money here. It wouldn't take very long at all. I think that if we voted ''up'' or ''down'' country per country, most of these countries are not going to get any aid from the United States in a bipartisan way. Of course, probably Israel would. And 80 percent of the money given to Israel is spent back in the United States. I

think most Members support Israel. Maybe one or two other countries.

Let's vote ''up'' or ''down'' country by country. And some of these countries that we've had unrest in in the last couple of weeks—like Libya, like Egypt—maybe we need to reevaluate the money we send to them. At the very least, what we ought to do in countries like Libya and Egypt, and in some of these other countries that are destroying American property as we speak, who have looted, pillaged, and destroyed our embassies, like in Egypt, the money that we're going to give them in aid, take a portion of it out to help rebuild the embassies that are in that country and pay for the property damage, and probably even take money out we've given to Libya and pay reparations to the four Americans that were killed in Libya.

Let's use some common sense when we're spending money overseas. And maybe we shouldn't be trying to go all over the world and play nice with people. We've had a foreign aid problem since before I was born. We continue to give money to countries in the hope that they will like us. Well, how's that working for you? Not too good, is the way that I see it.

Mr. Speaker, we don't need to continue to support countries like Pakistan. I'm astonished we will still give money to Pakistan. They harbored Osama bin Laden. They put in prison the informant that told us where he was hiding. I believe some of the money we give Pakistan ends up in the hands of the Taliban and corrupt military government. But yet we keep paying them.

This summer the House did vote to cut $625 million from Pakistan. But yet when the CR came through last week—the continuing resolution—that money is back in, going to Pakistan. Pakistan is just one of many examples, Mr. Speaker. We don't need to pay these countries to hate us. We don't need to pay them to betray us. They will do it for free.

And that's just the way it is.

□ 1050

VOTER DISENFRANCHISEMENT

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

Mr. GRIJALVA. Mr. Speaker, this week marks the United States Constitution's 225th anniversary.

Our Constitution is a product of realistic compromise and intelligent consensus—a trait, I might add, sorely missing in this Chamber.

It lays out the central principles for a democratic government and the rights that citizens can expect to enjoy in that government. With the inclusion of six voting rights amendments, we have formed a more solid democracy.

The voting rights amendments fundamentally changed our system of government—outlawing poll taxes in Federal elections, giving ordinary Americans the right to elect their Senators, allowing the citizens of our Nation's Capital to vote for President, and guaranteeing that all Americans—regardless of race, religion, gender, or age—would enjoy these protections.

With these protections and these amendments, we affirmed the inherent values of our Constitution and our democracy.

The right to vote is still, to this day, the essential piece of our democracy.

Think about it. To deny an eligible voter the opportunity to vote is to undermine the very freedom that defines us as a Nation. The right to vote is essential to our democracy.

However, while the marches of student demonstrators and religious leaders once drove electoral reform in the United States, a new and dark movement is sweeping across the country. State lawmakers have been pushed by corporate interests and driven by a cynical point of view that says: We must deny other people the right to vote in order to continue to keep our power, and we must target those groups and individuals who may not agree with our point of view. With this cynical selective process, we keep power and we only concentrate on the people and extend the privileges to those that agree with our point of view.

New voter laws that are now being proposed and have passed in State legislatures make voter registration more difficult and cumbersome, cut the availability of early voting, and require voters to present current government-issued identifications as a prerequisite to casting a ballot. These efforts threaten the integrity of our democratic system and are very clearly targeted.

The new restrictions on voting would disproportionately burden African Americans, Latinos, Asian Americans, young voters, and Americans new to the political process.

Plain and simple, these restrictive voter laws threaten to disenfranchise young, poor, minority, and elderly voters who lack formal government-issued IDs despite the fact that it is more likely that an American will be struck and killed by lightning than he would impersonate another voter at the polls. We know exactly what these voter suppression laws mean.

In Texas, a Federal court recently found that the Texas voter ID law violated the Voting Rights Act because it made it harder for African Americans and Latinos to vote. The court stated that evidence conclusively shows that the cost of obtaining a qualified ID will fall more heavily on the poor, and a disproportionate number of African Americans and Latinos in Texas live in poverty.

In Pennsylvania, a July 5 Philadelphia Inquirer article reported that 758,000 registered voters in Pennsylvania do not have an ID, a new State law requirement for voting. That figure represents 9.2 percent of the State's voters that could be stopped from voting.

A report by the Brennan Center for Justice found that allegations of widespread voter fraud often proved greatly exaggerated. Moreover, these claims of voter fraud are frequently used to justify policies that do not solve the alleged wrongs but could well disenfranchise legitimate voters.

In some States, veterans' ID cards won't be sufficient as a photo ID to vote.

In the last 12 months in my State of Arizona, there has been an accelerated effort to suppress the vote. These new efforts represent a coordinated effort clearly designed to suppress the vote of those people who need to make sure that their government is paying attention to their needs.

People of color, women, young people literally risked, and some lost, their lives to gain the right to vote in this Nation of ours. Throughout its history, our country has tried to remove obstacles to voter participation, making the right to vote accessible to all eligible citizens.

We cannot turn our back on that fundamental right. Our legacy as a Nation demands better of us.

SUICIDE PREVENTION MONTH

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

Mr. AUSTRIA. Mr. Speaker, thank you for this opportunity to publicly recognize September as Suicide Prevention Month.

As a member of the Military Mental Health and Suicide Prevention Caucus, my goal is to increase awareness and aid in the prevention of suicide.

Although suicide affects thousands of Americans each year, I would like to take a moment to focus specifically on our veterans and the men and women who are currently serving in our United States military.

Suicides are increasing at an alarming rate this year for our soldiers, sailors, airmen, and marines. Recent data shows that suicides are occurring at a rate of approximately one per day for the military. This makes suicide the second-leading cause of death for our troops, surpassed only by combat.

The Army, in particular, has seen a 22 percent suicide increase when comparing the first 7 months in both 2011 and 2012.

But these are not just numbers and statistics. These are real soldiers and real families impacted by this growing tragedy.

This increase became very personal for me again last weekend when I attended a memorial dedication for Lance Corporal Bobby Wiley. Lance Corporal Wiley was a Lima Company marine and the son of my classmate and friend. As a result of Bobby's death, a loving family and Nation grieve with loss.

On behalf of Bobby and his family, I stand before you today to briefly discuss this growing trend and associated symptoms, as well as highlight prevention efforts within my district and nationwide by both the Departments of Defense and Veterans Affairs.

More than 2 million troops have served in the wars in Iraq and Afghanistan, and that's a lot of people who have seen war up close and personal. It can affect some of them adversely when they come back home.

In fiscal year 2009 alone, 1,868 veterans of these wars made suicide attempts.

Faced with the stigma of post-traumatic stress disorder, unemployment rates tipping 12 percent for our veterans, and a loss of the military camaraderie, many veterans report feeling purposeless upon returning home.

We are aware of three conditions that contribute to many of the suicides of our veterans, and they are post-traumatic stress disorder, PTSD; traumatic brain injury, TBI; and depression. We know that veterans with these three medical conditions are at a higher risk of succumbing to suicide behavior.

As friends and family members of our veterans and those serving our country, there are some things that we can do: first, recognize the symptoms that could lead to serious problems; understand where and how to get assistance while still part of the military; and know the availability of treatment after service.

As members of the Veterans' Affairs Subcommittee, my colleagues and I on both sides of the aisle have had the opportunity to meet and discuss some of these very important issues, and I'm pleased with Secretary of the VA Shinseki's recent outreach efforts such as Stand By Them and Side By Side.

The purpose of the joint DOD and VA Stand By Them campaign and public service announcement, Side By Side, is to increase awareness with focus on support networks for military members.

Detection and treatment are key components required for resolution. Those closest to the military member can often see signals of distress before the member recognizes it himself or herself. The quicker the detection, the quicker the treatment.

Yesterday, I joined back in my home district Director Costie and Dr. Napp at the Dayton VA Medical Center to bring awareness to Suicide Prevention Month. With a large geographic span of responsibility in my district, the Dayton VA Medical Center provides services to veterans from 16 counties.

□ 1100

During the joint press conference at the VA, we announced the ongoing efforts and helped in the promotion of the VA and DOD programs. I know communities across our Nation are doing similar awareness and education programs.

As our young men and women are fighting to protect our freedoms, while they're often faced with multiple and lengthy employments, exposed to stressful situations in combat—including death—we cannot look the other way and hope that these issues disappear. The reality is we are faced with a growing number of PTSD, TBI, depression, and suicide within our military and veterans. This is a real problem. And if we can alleviate one of the symptoms and causes of suicide, PTSD, we may see a change in the current trendline before the problem becomes completely systemic across our fighting force.

Let me just say, as members of the grateful communities to which our brave men and women return, we need to do whatever is possible to recognize these veterans at risk and help them get the assistance they need.

NEW MEXICO CENTENNIAL RESOLUTION

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

Mr. LUJÁN. Mr. Speaker, I rise today to celebrate a proud milestone in the history of the great State of New Mexico. This year marks the centennial anniversary of the ''Land of Enchantment.''

Filmmakers have spent years documenting the history and beauty of New Mexico, sharing the importance of our acequias, stories of history and tradition in ''Canes of Power,'' stories and tales told by Rudolfo Anaya, and art and landscapes captured by Georgia O'Keefe.

New Mexico has a long and rich heritage that is rooted in the shared history of a diverse population, a history that respects diversity and language, a land whose State constitution was drafted and adopted in both English and Spanish. And while Santa Fe, the City of Faith, holds the distinction as the oldest capital city in the country, celebrating 400 years last year, statehood came later in 1912, when a territory known for its beautiful scenery, natural wonders, and pristine landscapes was admitted into the Union as the 47th State.

New Mexico is blessed with rich cultural landmarks: Chaco Canyon, Bandelier, the Taos Gorge and Blue Lake, and the Plaza in Santa Fe. Thousands of visitors each year travel to learn of the unique traditions and spirit that make New Mexico such a special place with blue skies, sunsets and sunrises and starry nights you won't find anywhere else in the world.

The Land of Enchantment is home to a diverse population that can trace its roots back to Spanish, Mexican, and Native American cultures, amongst others. As home to one of the richest indigenous tribal populations in the United States, New Mexico is proud of the influences and contributions of the 19 Pueblo Nations, two Apache Nations, and the Navajo Nation. These diverse cultures coming together to share a common bond of calling New Mexico home has served as a source of strength for our State, as the influence of art, agriculture, and architecture can be felt to this very day.

During the past 100 years, New Mexico has had a proud tradition of service to our country. In World War II, Navajo Code Talkers contributed to victory for the Allied Forces, while many native sons of New Mexico sacrificed in the Battle of Bataan. In the Korean Cold War, Hiroshi Miyamura of Gallup was awarded the Medal of Honor for his distinguished service. Most recently, Santa Fe native Sergeant Leroy Petry earned the Medal of Honor for his courageous actions in the face of great danger in Afghanistan. And in every war in between, New Mexicans have proudly defended our Nation and answered the call of duty when they were needed most.

New Mexico has also served our Nation as a center for scientific innovation and research. Los Alamos and Sandia National Laboratories have been home to a number of scientific endeavors that have been important priorities for our Nation.

Mr. Speaker, as New Mexico celebrates 100 years of statehood, we're reminded of how special this beautiful land we call home is. As a native New Mexican, it is with great pride in our past and hope for our future that I come to this floor to recognize the enduring contributions of New Mexicans during the course of our State's history.

A special love for our land and water helps shape our lives. A land of faith and family, culture and tradition—and, Mr. Speaker, the best chili found anywhere in the world—ours is a special story, an American story, one passed from one generation to the next, with our most precious lessons coming from our elders: our parents and our grandparents. In the words of my parents, Ben and Carmen, when they send me off on any journey when I depart from home: Y que Dios les bendigan—may God bless you.

SEQUESTRATION TRANSPARENCY ACT

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

Ms. BONAMICI. Mr. Speaker, during the month of August, I had held several town hall meetings throughout my district in Oregon. In these meetings, I've done a summary of the work that we're doing here in Congress and then opened the floor for questions from and discussions with my constituents.

Without fail, in every town hall meeting at least one person would ask about the partisan rancor and the gridlock that's come to characterize Washington. They would ask me: Can you tell us something that's bipartisan that you've done, something where you've worked together, some achievement that everyone's agreed on.

Now, in responding to them, I've often discussed a piece of legislation that's very important to the debate on budget priorities and the so-called ''fiscal cliff''; that's the Sequestration Transparency Act. This bill passed the Budget Committee by voice vote and was later approved in the House, with only two in opposition. After the Senate passed it with unanimous consent, the President signed it into law. So this was truly a bipartisan effort, a statement by almost every one of us working together that we're concerned about the impact that sequestration might have on our constituents, and an effort to get more information about the true harm that that sequestration will cause.

Now, following the administration's recent report detailing those cuts that would come under sequestration, I am even more concerned than before, and my constituents are concerned. And I know constituents all across this country are concerned as well. Mr. Speaker, there is bipartisan concern about the impact that sequestration might have, and yet we haven't been able to come to a bipartisan consensus to avoid it.

We've identified a problem; now we must identify a solution. This should be a balanced solution, working together, and I look forward to working with all of my colleagues on both sides of the aisle to arrive at that solution. It's a solution for my district in Oregon, for all of the great State, and, importantly, for all of this great Nation.

RECESS

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

Accordingly (at 11 o'clock and 8 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

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

PRAYER

Rabbi Steven Weil, Orthodox Union, New York, New York, offered the following prayer:

Master of the Universe, today we stand before You in this hallowed Hall, grateful for the freedoms we have been granted here, grateful for the men and women in this room who You imbued with wisdom and blessed with the courage to make the difficult decisions that will impact the destiny of all humanity.

Allow the Members of Congress to be Your partners in making a more perfect world, and grant them the insight and the vision to always be mindful of the responsibilities they bear. We implore You to guide and strengthen them so that they can do what must be done to save the world from those who wish to perpetrate terrorism and evil.

Dear God, enable them to do what must be done to plant the seeds for a brighter and more prosperous economic future. Dear God, support them in providing our children with a strong education to meet the challenges of tomorrow. Thank You for giving us such wonderful shepherds and allowing us to be their cherished flock.

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 Texas (Mr. POE) come forward and lead the House in the Pledge of Allegiance.

Mr. POE of Texas led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

VOICE OF TEXAS: ELIZABETH FROM HOUSTON, TEXAS

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

Mr. POE of Texas. Mr. Speaker, Elizabeth from Houston wrote me this about her business:

> My immigrant parents came to the United States legally. They had to learn English. My dad worked very hard. He opened several bars and restaurants, hired wait staff, cooks, bartenders, and cleaning people. There was never a dime of government assistance. Hard work, long hours, and sleepless nights were the norm for all of us. I learned their work ethic early, and I also have worked very hard for my family. No welfare, no government handouts.
>
> This is my country, and I love this country as much as my parents did. But I do not respect the current President or his administration. They want to be in charge of all of us, from cradle to grave. That is not the American way. That is exactly what my parents and grandparents fled from. Please take us back to the right way.

Mr. Speaker, Elizabeth's family did it the right way—and without Big Government getting in the way. They built their American Dream all on their own.

And that's just the way it is.

ALL THE APPEARANCES OF A SWINDLE

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

Mr. KUCINICH. Did Peabody Energy Company deliberately unload a bad investment on public power organizations serving 217 cities and villages across the Midwest? Congress must find out because Peabody Energy lured public power organizations into contracts that forced municipal utilities to pay up to twice the market rate for electricity. At a time when private funding could not be had for new coal-fired utilities, Peabody Energy unloaded 95 percent of its investment onto public power customers in what became an almost triple cost overrun, with a coal mine that lasts 22 years, instead of 30 years as promised, and an ashfill that was supposed to last 23 years, and will last only 12 to 14 years.

The contract which municipals are tied into forces them to pay for power 42 percent above the market rate, whether the plant is producing energy or not. Billions of dollars were issued for bond financing for the project, and utility customers are vulnerable to huge costs for debt retirement. Wall Street wouldn't invest in the project, so Peabody went to Main Street, and now millions of public power customers will pay sky-high electric rates in what has all the appearances of a swindle.

SEQUESTRATION TRANSPARENCY REPORT SHOWS LACK OF LEADERSHIP

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

Mr. WILSON of South Carolina. Mr. Speaker, on Friday, the administration released a report on how the President plans to implement the $600 billion defense sequester, threatening servicemembers, military families, and veterans. Politico explained it ''shed little new light on the sword of Damocles.'' This report, required by the passage of the Sequestration Transparency Act, arrived 1 week late, confirming that the President and the liberal-controlled Senate have refused to take sequestration as a top priority.

Today, the House Armed Services Committee held a hearing to receive testimony from key government officials who will implement sequestration. Based upon the minimal information provided, it's clear the administration has not made appropriate plans for the drastic budget cuts, even though the White House is responsible for proposing the disastrous proposal. House Republicans have voted five times, led by Chairman BUCK MCKEON, to replace sequestration with commonsense reforms to avoid the threat to national security or destroying jobs. I urge the President and the Senate to begin working with the House before it's too late.

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

UNFINISHED BUSINESS IN THIS CONGRESS

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

Mr. COURTNEY. Mr. Speaker, the great Hall of Fame Coach Vince Lombardi once said that ''Winners never quit, and quitters never win.''

I was reminded of that quote when the House Republican leadership announced last Friday that they are canceling all session days for the month of October, despite the fact that we have an unfinished farm bill, postal reform bill, Violence Against Women Act, the Cybersecurity Act, we have a fiscal cliff looming for middle class families on January 1, and a sequestration on January 2.

It is true there are passionate differences between the two sides about how we resolve these problems, but you don't resolve it by going home for 7 weeks. As Coach Lombardi said: ''Winners never quit, and quitters never win.''

The American people deserve better than a 7-week recess with these challenges facing the American people. It's time for this leadership of this House to cancel their order and get back to work and solve the problems of our Nation.

GOODLETTSVILLE LITTLE LEAGUE BASEBALL TEAM

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

Mrs. BLACK. From a small town in middle Tennessee, 13 young men recently became the 2012 Little League World Series U.S. Champions. These All-Stars from Goodlettsville, Tennessee, played with sportsmanship and talent beyond their years. In the U.S. championship game, Goodlettsville racked up 21 runs to become the first Tennessee team in history to clinch a U.S. title. This achievement is a testimony to their dedication and perseverance—qualities that will serve them well throughout their life.

They have made their hometown, their parents, their coaches, and their Congressman very proud. I am confident that this achievement is just the beginning of more great things to come from each of them.

Congratulations, boys.

CONSTITUTION WEEK/VOTER SUPPRESSION

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

Ms. WOOLSEY. Mr. Speaker, I would like to say that my team came in second to Tennessee. Tennessee was the only team that beat them—but beat them twice. They did a stand-up job. So did our kids in Petaluma.

Mr. Speaker, on Monday, I took part in a moving naturalization ceremony as 50 new people from 20 different countries took the oath that made them Americans—225 years to the day that the Founders signed the U.S. Constitution.

Mr. Speaker, there's no constitutional right more precious than the right of self-governance. These new Americans were excited for the very opportunity to vote in this upcoming election. That's why we should do everything possible to ensure that every eligible American can do just that. Unfortunately, several States are throwing up barriers to voter participation, restricting ballot access to silence peoples' voices.

Mr. Speaker, guess who is disenfranchised by strict photo ID requirements and the like? It's not Republicans. It's communities of color and low-income families.

□ 1210

WSU SALUTES

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

Mr. BISHOP of Utah. Mr. Speaker, Weber State University is honoring people, and I wish to mention four individuals who are being honored by the university.

State Representative Gage Froerer and State Senator Scott Jenkins will be receiving the Shurtliff Award for contributions to education. Both of them have done much for their particular communities, as well as Weber State and their outreach campus in Davis County.

Receiving the prestigious President's Award will be Nolan Karras, a cum laude graduate from Weber State who also served as speaker of the house in Utah and was instrumental in Weber State attaining the status of university level.

In addition to that, he has benefited the community as well as the education system in Utah ever since by being on the board of regents in Utah.

The second nominee will also be one who has been called one of the brightest minds in Utah politics, Spencer Stokes, a 1995 graduate from Weber State who has done much in his community as the commissioner as well as an advocate, and who's also, I have to admit, gone over to the dark side and is a staffer for the Senate right now as the chief of staff for a Utah Senator, but we will forgive him for that.

These four individuals have done much for the community, done much for their common county, Weber County, and the State of Utah, and are really deserving, very deserving of these honors they are being given by Weber State University today, and I wish to honor them as well.

DO-NOTHING CONGRESS

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

Ms. CHU. Mr. Speaker, at the end of what Republicans consider to be a grueling work week consisting of 2½ whole days, Republicans are heading home once again to take the next 2 months off.

The Republican-led ''Do-Nothing Congress'' was in session for a grand total of 8 days this month, and it took 5 weeks off before that.

During their time here in Washington, Republicans made sure to vote to end Medicare as we know it, increase costs for seniors, and give tax breaks to millionaires and companies that ship jobs overseas.

But on addressing the ongoing jobs crisis in this country, they did nothing. On providing tax cuts for the middle class and small business, they did nothing. On working towards a bipartisan solution to the looming fiscal cliff, they left the American people hanging by continuing to do nothing.

The hardworking men and women who call this country home deserve so much better. They certainly deserve better than nothing.

STEM JOBS ACT OF 2012

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

Mr. YODER. Mr. Speaker, I rise today in support of H.R. 6429, the STEM Jobs Act of 2012. This pro-growth, pro-jobs legislation will create a smarter and more focused immigration system for our country by prioritizing new immigrant visas for the best and brightest foreign students of American universities in the science, technology, engineering, and math fields.

These fields are the fastest-growing segments of our economy, and retention of these highly skilled American-trained innovators is critical to future economic growth in our country.

Rather than giving the boot to students who are American-educated at our best universities, like the University of Kansas, in these advanced fields of study, we should work together to ensure these bright minds can stay here and continue helping to boost our goal of competitiveness rather than returning to their home nation to work against us.

Mr. Speaker, by working together in bipartisan fashion to prioritize these students in our national immigration policy, we can boost job creation and improve our economy by allowing the U.S. to retain some of the best and brightest minds.

PORT INFRASTRUCTURE

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

Mr. HIGGINS. Mr. Speaker, this week, The Washington Post reported that unless America doubles its spending on port infrastructure, we are on track for export losses of $270 billion by 2020 because our ports do not have sufficient capacity. That translates into a $697 billion drop in the American economy and a loss of 738,000 jobs.

But ports are not the only area where our anemic infrastructure investment has become a drag on the American economy. We will lose hundreds of billions of dollars of growth over the next 5 years because of our inability to move goods and people efficiently.

Congress just passed a bill to spend $52 billion on roads and bridges in this country, all we can afford according to some Members of Congress. But somehow we found money to spend $150 billion rebuilding the roads and bridges of Iraq and Afghanistan.

I have introduced a bill, a 5-year, $1.2 trillion investment in roads and bridges, ports, and transit airports because it's time to do nation-building right here at home.

NEW MEXICO

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

Mr. PEARCE. Mr. Speaker, New Mexico is celebrating its centennial this year, 100 years as a State. It's not one of the oldest States, but it's one of the richest in diversity, history, and cooperation, home to 19 individual pueblos, two Apache Indian tribes, numerous Navajo chapters.

The Spanish came north out of Mexico in the 16th century looking for the seven cities of gold. We're still looking for those today. We did find black gold under the east side of the State and in the northwest corner.

New Mexico is home to an agriculture industry that is second to none. It shows the earliest existence of humans there. Clovis Man is named for a town in the east side of New Mexico where they were discovered.

Santa Fe is the oldest capital in America, formed in 1610.

But that's not where the richness of New Mexico is. It is in our traditions, traditions of hard work, traditions of faith, family, freedom, and service to others. Those are the values I learned when my parents came to New Mexico. They went broke in Texas, came to New Mexico, and built a family there. That's the richness of New Mexico.

Mr. Speaker, I commend New Mexico on its 100 years.

CAMP ASHRAF AND CAMP LIBERTY

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

Mr. SIRES. Mr. Speaker, last month I joined 78 bipartisan Members of Congress in asking Secretary of State Clinton to ensure that Iraq meets its obligations and protects the 3,400 Iranian dissidents living in Camp Ashraf and Camp Liberty.

Residents of Camp Liberty are members of the MEK.

In recent days, another 680 Ashraf residents have been relocated to Camp Liberty under a resettlement plan backed by the United States. It is important that we support these residents as they seek to liquidate tens of millions of dollars of their assets left behind at Camp Ashraf.

A major problem of the relocation plan is that as long as the MEK remains on the U.S. list of foreign terrorist organizations, its members at Liberty will not be able to find countries which accept them.

The Department of State is currently under court order to make its decision on the MEK case by October 1, 2012. It is my hope that the Department of State removes the MEK from the foreign terrorist organization list immediately, as it is the legal, moral, and humane thing to do.

SWIPE FEES

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

Mr. WELCH. Mr. Speaker, 1 year ago, Congress took action finally to reform out-of-control debit card swipe fees charged to our small businesses and customers every time they swipe a debit card. For years, the card companies and big banks have essentially been ripping folks off, overcharging them on swipe fees. With no one watching just because they could, they were charging the highest fees in the world, running up billions of dollars in profits but all at the expense of small businesses and consumers. That's just too much. There is no justification for this.

A year ago, Congress finally took action on the debit cards. That's good for our economy and fair to our small merchants. But we need to do more.

Abuses continue in credit card swipe fees. The credit card companies and the big banks should step back and have a business model where they charge a fair price for an important service but not rip off their customers.

□ 1220

GUN CONTROL

(Mr. BISHOP of New York asked and was given permission to address the House for 1 minute.)

Mr. BISHOP of New York. Mr. Speaker, I rise to commemorate the tragic passing of Neil Godleski, nephew of my friend and constituent, Suzanne Murphy of Southampton, New York.

Neil was a rising senior at Catholic University. He was fatally shot on August 22, 2010, while riding his bicycle home from a restaurant where he worked as a waiter. He was 31 years old and had returned to college with plans to pursue a career in science. His assailant was a 16-year-old boy who shot him six times with a .38 caliber handgun and then robbed him.

Suzanne's family has been wrenched with grief over the sudden end of this young man's life. While no vigil or memorial could ever begin to take away the pain of this loss, Suzanne has found a way to channel her grief and focus her energy. She has become an advocate for gun control.

When roughly 100,000 Americans are killed or wounded each year, reasonable people can agree that we can achieve evenhanded policies that protect Americans from senseless gun violence that do not infringe on any American's right to possess a firearm.

Mr. Speaker, I applaud Suzanne's efforts to reach out and bring awareness to the problem of gun safety. We must not let her nephew become just another chilling statistic in the battle to make our community safer, leaving another family struggling to get past the pain and the loss.

DO-NOTHING HOUSE REPUBLICANS

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

Mr. CARNAHAN. Mr. Speaker, President Harry Truman of Missouri famously labeled the Republican Congress of 1948 the ''Do-Nothing Congress.'' But to call this Congress the do-nothing Congress would be an insult to the 1948 Congress that was 10 times more productive than this Congress.

With the House recessing on the 21st, this is the earliest Congress has left to campaign in an election year in 52 years. The GOP-led 112th Congress has achieved the lowest approval rating ever—nearly 9 out of 10 Americans say they disapprove of this Congress.

Maybe we should feel lucky that Congress hasn't been here, because when they have been here, they voted to end Medicare as we know it and give tax breaks to millionaires over the middle class. They have left town without passing middle class tax cuts, the farm bill, the Violence Against Women Act, and responsible debt reduction. And they have voted for corporations that ship jobs overseas instead of passing the American Jobs Act.

Let's stop calling this the do-nothing Congress. This is worse than the ''Do-Nothing Congress.''

DYSFUNCTIONAL HOUSE OF REPRESENTATIVES

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

Mr. MORAN. Mr. Speaker, I want to talk about the number 47, not as in the percentage of Americans, the soldiers and students and elderly and working poor, many of whom are paying more in total taxes than Mr. Romney is paying on his tens of millions of dollars in annual income but who, nevertheless,

he seems to consider to be slackers. No, I'm talking about 47 as in the number of days left before the election, in the context of the fact that we have 1 more day that we will be in session. The most basic and fundamental responsibilities our constituents sent us to Washington to address are being left totally unresolved. Never have I seen a House of Representatives so unproductive and so dysfunctional, and I served during the so-called ''Gingrich Revolution.''

The fact is that today the House Republican leadership and too many of its rank-and-file Members seem to think that economic stimulus, which is vitally needed in this economy, is a dirty word, and that the Federal Government is some kind of alien enterprise. Their approach is to do nothing, and that's what we've done for the last 2 years—nothing.

RECOGNIZING LYNNE YOSHIKO NAKASONE

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

Ms. HANABUSA. Mr. Speaker, I rise today to recognize Lynne Yoshiko Nakasone of Honolulu, Hawaii.

The National Endowment for the Arts has named Sensei Nakasone a 2012 National Heritage Fellow for her contributions to the folk and traditional arts. This prestigious lifetime achievement award honors Sensei Nakasone's lifetime commitment to Okinawan classical dance—which is also referred to as Ryukyu dance—and embodies her accomplishments by identifying her as one of our country's living treasures.

It was at the young age of 6 that Sensei Nakasone began to master this technique of dance. Sensei Nakasone is originally from Naha, Okinawa, but has resided in Hawaii since her marriage to her loving husband, Clarence, in 1955. In 1956, Sensei Nakasone founded the Hoge Ryu Hana Nizi no Kai Nakasone Dance Academy in Honolulu, and for over five decades has been teaching, performing, and choreographing creative dances. Her performing skills are legendary, but it is her aloha spirit that endures the test of time and her passion, knowledge, and kindness that have touched countless individuals over the years.

There is no doubt in my mind that Sensei Nakasone is deserving of this award, for she has dedicated her life towards preserving the Okinawan culture while positively impacting others and contributing to the diversity and uniqueness of our culture in the United States of America.

FISCAL CLIFF

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

Mrs. DAVIS of California. Mr. Speaker, last week the San Diego Chamber of Commerce sent its largest ever delegation of community and business leaders to Washington. They came because they know Washington can help them spur the economy, innovate, and employ local workers if we can all get on the same page.

What grand request did they have for this Congress to help make progress happen? Well, just that we do our job: that we roll up our sleeves, work together across party lines, and find a sensible, not an arbitrary, balance of cuts and spending.

Yes, Mr. Speaker, this country is facing some hard choices, and, yes, there is division in this Chamber, but we do not need to add to the serious challenges facing American businesses and families by sitting on the sidelines watching a completely manmade disaster explode upon our economy.

Let's work together to come to decisions now. The American economy should not be facing a fiscal cliff; it should be receiving a fiscal roadmap. By actually doing our jobs, we can make the jobs of our hardworking constituents a little easier.

Our job is not done, Mr. Speaker. Cancel the congressional recess.

CELEBRATING NEW MEXICO'S CENTENNIAL

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

Mr. HEINRICH. Mr. Speaker, I rise today to join my colleagues in celebrating New Mexico's centennial. We are proud to introduce a resolution honoring the 100 years since New Mexico became a State on January 6, 1912.

Home to some of the earliest human settlements in North America, New Mexicans have spent this year celebrating our State's remarkable history, our tremendous cultural diversity, and our meaningful contributions to the Nation and the world. From the fertile Rio Grande Valley, to the vast Chihuahuan Desert, to the peaks of the Sangre de Cristo Mountains, New Mexico's natural beauty is unsurpassed. From Pope to Geronimo, from Conrad Hilton to Jeff Bezos, from Nancy Lopez to Brian Urlacher, from Georgia O'Keefe to Rudolfo Anaya, from Dennis Chavez to Dolores Huerta, and from countless other New Mexicans, our impact on America's past, present, and future cannot be overstated.

As we continue to celebrate our centennial year, I join with all New Mexicans in honoring our unique heritage and our bright future.

PERSONAL RESPONSIBILITY

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

Mr. YARMUTH. Mr. Speaker, my colleagues from across the aisle like to talk a lot about personal responsibility, but their decision to adjourn Congress for nearly 2 months shows how little they actually understand the concept.

Congress is facing serious deadlines right now, and we should be dealing with the problems the American people sent us here to solve. Instead, Republican leadership has decided that we should go home without doing any of it and taking with us one of the worst report cards in American history.

For more than a year now, Republicans have ignored a plan to create 2.6 million new jobs and protect another 1.6 million existing jobs. They won't even bring it to the floor for a vote. Right now we could bring to the floor and send to the President's desk a bill that would protect tax cuts for 98 percent of the American people and 97 percent of small businesses, but instead we're going home.

Republicans seem content to take our country off the fiscal cliff, which will hobble our economy, raise taxes on millions of working families, and once again shift the responsibility of our deficit to those who can least afford it.

Mr. Speaker, Republicans can't preach personal responsibility if they're not willing to accept it themselves.

□ 1230

HISPANIC HERITAGE MONTH

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

Mr. COSTA. Mr. Speaker, from September 15 to October 15, we honor the heritage and many contributions of the Latino community nationwide.

The story of Hispanic Americans is truly an American story. In America, if you work hard, play by the rules and dream big, there is no limit to what you can achieve. From the hard work of immigrants and their children, to the arts and education, to nearly 1 million Latino veterans who have proudly served in uniform, Hispanics have played a vital role in shaping our Nation.

While we have made great contributions, there is still more work to be done to address issues that affect the communities, such as health care disparities and improving high school graduation rates.

We all do not share the same roots, but we all share the same goals, in giving the next generation of Americans the opportunities to achieve the American Dream. That American Dream is part and parcel of what we celebrate and honor during the Hispanic Heritage Month.

REMOVAL OF REPRESENTATIVE MCNERNEY AS COSPONSOR OF H.R. 5864

Ms. SLAUGHTER. Mr. Speaker, I ask unanimous consent to remove Representative MCNERNEY of California as a cosponsor of H.R. 5864, the Invasive Fish and Wildlife Prevention Act.

The SPEAKER pro tempore (Mr. WOMACK). Is there objection to the request of the gentlewoman from New York?

There was no objection.

PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 118, DISAPPROVING RULE RELATING TO WAIVER AND EXPENDITURE AUTHORITY WITH RESPECT TO THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM; PROVIDING FOR CONSIDERATION OF H.R. 3409, STOP THE WAR ON COAL ACT OF 2012; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM SEPTEMBER 22, 2012, THROUGH NOVEMBER 12, 2012

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 788 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 788

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 118) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided among and controlled by the chair and ranking minority member of the Committee on Ways and Means and the chair and ranking minority member of the Committee on Education and the Workforce; and (2) one motion to recommit.

SEC. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3409) to limit the authority of the Secretary of the Interior to issue regulations before December 31, 2013, under the Surface Mining Control and Reclamation Act of 1977. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this resolution and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Natural Resources, the chair and ranking minority member of the Committee on Energy and Commerce, and the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-32. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. On any legislative day during the period from September 22, 2012, through November 12, 2012, —

(a) the Journal of the proceedings of the previous day shall be considered as approved;

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment; and

(c) bills and resolutions introduced during the period addressed by this section shall be numbered, listed in the Congressional Record, and when printed shall bear the date of introduction, but may be referred by the Speaker at a later time.

SEC. 4. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3 of this resolution as though under clause 8(a) of rule I.

SEC. 5. Each day during the period addressed by section 3 of this resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

SEC. 6. Each day during the period addressed by section 3 of this resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII.

SEC. 7. Each day during the period addressed by section 3 of this resolution shall not constitute a calendar or legislative day for purposes of clause 7(c)(1) of rule XXII.

POINT OF ORDER

Ms. MOORE. Mr. Speaker, I respectfully raise a point of order against H. Res. 788 because the resolution violates section 426(a) of the Congressional Budget Act.

The resolution contains a waiver of all points of order against consideration of the bill, which includes a waiver of section 425 of the Congressional Budget Act which causes a violation of section 426(a).

The SPEAKER pro tempore. The gentlewoman from Wisconsin makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentlewoman has met the threshold burden under the rule, and the gentlewoman from Wisconsin and a Member opposed each will control 10 minutes of debate on the question of consideration. Following debate, the Chair will put the question of consideration as the statutory means of disposing of the point of order.

The Chair recognizes the gentlewoman from Wisconsin.

Ms. MOORE. I thank you so much, Mr. Speaker.

I raise this point of order, not necessarily out of concern for unfunded mandates, although there are some in the underlying bills under consideration here today, H.J. Res. 118 and H.R. 3409. Rather, I am here today because this is the only opportunity to voice my adamant opposition to the TANF-related resolution of disapproval, H.J. Res. 118, given the strict closed terms of our debate today.

My goal here today, Mr. Speaker, is to be a voice of reason, and certainly a voice of truth in this debate, because we are all undoubtedly about to hear an astonishing array of half truths and, Mr. Speaker, even lies about the Temporary Assistance For Needy Families program or TANF—the lie, for example, that the TANF program was this raving success that took people out of poverty, gave them dignity and put them in good jobs. Well, what it really did was to really kick poor people off the rolls.

You know, under President Clinton, 1996, when we passed the original TANF bill, it was a time of prosperity; and those people, primarily women, who would normally get off the rolls within 2 years, found jobs which were readily available. But even more, primarily women, just simply languished in poverty as a permanent underclass.

□ 1240

Despite the creation of the so-called ''safety net'' under TANF, many, many women have languished in poverty and are still in poverty today. We're not just talking about the poor. We're talking about deep poverty.

Mr. Speaker, did you know that between 1996 and 2011 the numbers of U.S. households living on less than $2 per person per day—the measure of extreme poverty as defined by the World Bank for developing nations—has more than doubled from 636,000 to 1.46—nearly 1.5—million people and that the number of children in extremely poor households has also doubled from 1.4 million up to 2.8 million children living in poverty—children, by the way, who cannot work? We are talking about the poorest of the poor. These numbers are startling given that we are talking about the United States of America, not some Third World country.

Now let's get to the big lie that these resolutions relate to. The Republicans claim that the work requirements have been gutted under the Health and Human Services' guidance. These lies have already been debunked by the

media, by Fact Check checkers, even by the original architects of TANF—for example, by Ron Haskins.

Apparently, our colleagues find it convenient to ignore the facts; but, of course, we have heard throughout this election cycle that the GOP is not going to be dictated by facts. Sadly, I'm not at all surprised that we are forced to engage in this TANF battle on the House floor. I knew that the GOP would challenge the administration's proposal at the earliest opportunity; but, frankly, House Republicans' timing on this could not be worse.

Do you think that the American people are demanding more attacks on the poor from your party this week or that doubling down on a strategy of vilifying the poor is a wise choice—trotting out the mythical, lazy welfare queen who doesn't want to take responsibility for her own life, who is part of the 47 percent who would rather have a so-called ''government handout'' than a job?

I think that the insistence on considering this bill at this moment in history when we should be considering critical issues like the farm bill for our drought-ridden States or the Violence Against Women Act—or how about this one, Mr. Speaker, the American Jobs Act?—rather than political message bills is remarkably tone deaf. TANF was written at a time when our labor market and our economy were radically different than they are today.

I didn't support TANF in 1996, but I certainly don't support it now that I have seen what it has done. It has become a hollow shell of a safety net program. It is not going to be allowed to evolve with the times, and it is now nothing short of completely broken. TANF recipients have been poorly served by the program, which too often locks people into a cycle of poverty through rigid guidelines and red tape while allowing them no access to real opportunity. In its current form, the program makes it extremely hard to move from welfare to work, which is supposedly the goal of the program, an honorable goal of the program.

Mr. Speaker, check this out: States can meet their work requirements even if none—zero—of their recipients find a job. States are only measured by whether or not recipients participate in certain activities for a set number of hours, like if they just job search and never find a job.

Not only are we not moving people from welfare to work in this program, but we are not allowing people any opportunity to get the education and training they might need to compete in the labor market or to learn valuable skills. We are trapping them in so-called ''job-search activities'' that are poorly designed and add up to nothing. TANF just does not provide real opportunities that could translate into better lives for beneficiaries. There are others who are unable to get help at all because the program is not designed to allow them in the door.

Shockingly, States are rewarded for simply lowering their caseloads rather than for moving people into jobs. There is, indeed, an incentive for States to create barriers that prevent the individuals and families with the highest need from even participating. We've heard the horror stories of people who have been kicked off TANF or who couldn't get in in the first place and of the desperate things they've had to do to feed and shelter and clothe their children.

By now, those of us who have been paying even the bare minimum of attention realize that the Republicans have been playing politics with the Obama administration's waiver program and have been playing fast and loose with reality. I would venture to guess that every Member in this Chamber knows the truth, that Republicans and Democratic Governors have been requesting increased flexibility in implementing the welfare reform for many years.

In fact, in 2005, no fewer than 29 Republican Governors asked for increased waiver authority, and given my limited time, I will only name a few of them. We have such socialist Governors like Mississippi Governor Haley Barbour, Texas Governor Rick Perry. How about Arkansas Governor Mike Huckabee and none other than—drum roll, please—Massachusetts Governor Mitt Romney?

Like these Governors, I wholeheartedly endorse the idea of allowing States the flexibility to craft welfare systems that meet the specific needs of their job markets and their participants. I know—and I know that many of you know, though you refuse to acknowledge it—that the waiver proposal from the Department of Health and Human Services would meaningfully strengthen our ability to move people from welfare to work.

May I inquire, Mr. Speaker, as to how much time I have remaining.

The SPEAKER pro tempore. The gentlewoman from Wisconsin has 40 seconds remaining.

Ms. MOORE. I was once one of those 47 percent—a welfare recipient. I have seen firsthand the successes and failures of this safety net in my community and across the Nation. I support the administration's strategic efforts to guarantee that TANF is a more effective program. I encourage all of my colleagues to reject H.J. Res. 118, this resolution of disapproval, and to, instead, work together to build a strong workforce and economy.

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

Mr. BISHOP of Utah. Mr. Speaker, I rise to claim the time in opposition to the point of order and in favor of the consideration of the resolution.

The SPEAKER pro tempore. The gentleman is recognized for 10 minutes.

Mr. BISHOP of Utah. Mr. Speaker, the question before the House is: Should the House consider H. Res. 788? While the resolution waives all points of order against the consideration of H.J. Res. 118 and H.R. 3409, the committee is not aware of any points of order, and the waiver is basically prophylactic in nature.

We heard a lot of emotional and interesting points as to the basis of the bill that could be debated if, indeed, this rule were to be passed. I don't think it is actually the time right now in a point of order to go over the benefits of the bill or the detriments of whatever may happen if the bill, itself, is actually debated. There is time for that.

We do know that the number of individuals receiving welfare has dropped by 57 percent, that poverty amongst all single mothers has fallen by 30 percent, that the poverty amongst black children has dropped to its lowest level since 2001, and that employment and earnings amongst single mothers have increased significantly.

□ 1250

But that's all debate to the bill, which still has to go through the rule debate, and we're not talking about that. This is a procedural issue.

We could talk about the fact that in '93 the Ways and Means Committee did say that waivers granted after the date of enactment may not override provisions in the TANF law that concern further mandatory work retirements. But, once again, that would be the kinds of things that we should be talking about in the debate of the bill, which will come after the debate on the rule, which will come after our discussion of this procedural point of order.

So, actually, the merits of what the bill is is not the same thing as the purpose of the procedural point of order. The procedural point of order still has to be based on the idea of unfunded mandates within the rule.

The Congressional Budget Office believes that H.R. 3409 would impose an intergovernmental mandate as defined in the Unfunded Mandates Reform Act. However, based on the information for EPA and a small number of public entities would be required to comply with the bill's requirement, the CBO estimates that the cost of those entities to comply would fall below the Unfunded Mandates Reform Act's annual threshold for intergovernmental mandates. It's a threshold that is set and adjusted for inflation.

So the Congressional Budget Office states that H.J. Res. 118 also contains no intergovernmental or private sector mandates as defined by the Mandates Reform Act. That is the basis of the point of order. The bottom line is there is no violation of both an unfunded mandate within the rule or in the bills themselves.

The rest of the discussion is actually to the merits of the legislation and is appropriate at the time as we are debating that legislation.

So, Mr. Speaker, although I really have this great desire to use the full 10 minutes of discussion here, the bottom line still——

Ms. MOORE. Will the gentleman yield whilst he has too much time?

Mr. BISHOP of Utah. No, thank you.

Ms. MOORE. Will the gentleman yield to a question?

Mr. BISHOP of Utah. I appreciate the honor. Will the gentlewoman from Wisconsin let me finish the statement?

Ms. MOORE. I am asking you if you would yield to a question, not for me to speak.

Mr. BISHOP of Utah. I appreciate the interruption, but let me finish here. And probably not. Let's get on with the issue at hand here.

The point of order basically, Mr. Speaker, is still specious. It is in order to allow the House to continue its scheduled business for the day because the issue of the point of order is the unfunded mandate, not the other merits towards the legislation.

So I do urge Members to vote ''yes'' on the question of consideration. We will have an additional hour to discuss anything you wish to on the rule debate, as well as a whole lot of time on the merits of the bill when we debate the bill itself.

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

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

The question is, Will the House now consider the resolution?

The question of consideration was decided in the affirmative.

The SPEAKER pro tempore. The gentleman from Utah is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentlelady from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members have 5 legislative days during which they may revise and extend their remarks.

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

There was no objection.

Mr. BISHOP of Utah. This resolution provides for a closed rule for the consideration of H.J. Res. 118, the congressional disapproval waiver of work requirements, and provides 1 hour of general debate, with 30 minutes equally divided and controlled by the chair and the ranking minority member of the Committee on Ways and Means and 30 minutes equally divided and controlled by the chair and the ranking minority member of the Committee on Education and the Workforce.

This rule also provides for a structured debate for consideration of H.R. 3409, the Coal Miner Employment and Domestic Energy Infrastructure Protection Act, and provides for 1 hour of general debate, with 20 minutes equally divided and controlled by the chair and the ranking minority member of the Committee on Natural Resources, 20 minutes equally divided and controlled by the chair and the ranking minority member of the Committee on Energy and Commerce, and 20 minutes equally divided and controlled by the chair and the ranking minority member of the Committee on Transportation and Infrastructure.

Finally, this rule makes in order a number of important amendments on both sides of the aisle. If staff doesn't change my mind, I believe there are 13—7 Republican and 6 Democrat—amendments which is as close as you can get with an uneven number to a fair rule. So it is a fair rule.

Mr. Speaker, now speaking towards the merits of this particular resolution, I would like to make special mention of Congressman JOHNSON, who is the base sponsor of H.R. 3409, the Coal Miner Employment and Domestic Energy Infrastructure Protection Act. He definitely has been one of the leaders in this entire area of the issue of coal as it is used in energy. Not only is it important to his constituents, but this is an important issue for the entire country. And I want to recognize Mr. JOHNSON as having been tireless in committee, asking questions that go to the core of this particular issue, providing amendments, and then finally culminating with his bill which deals with how we actually can use coal to further our energy needs in this particular country. Representative JOHNSON is a freshman who has learned fast and is a true champion for inexpensive energy that will expand our economy and create jobs for American citizens.

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

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

This week marks the last time the Chamber will meet until the middle of November. As we depart, the majority walks away with the dubious distinction of having presided over a session of Congress that is widely called the least productive in history. This Congress has achieved that distinction because, although bipartisan consensus is needed to pass any bill into law, the majority has spent the last 2 years pursuing an extreme and partisan agenda. In fact, they have repeatedly spurned potential bipartisanship in order to vote on ideological legislation that will never become law.

In week after week, the majority has refused to help our Nation's drought-stricken farmers. With the Senate-approved farm bill sitting on the table and a bipartisan outcry to pass a 5-year farm bill growing, the majority has decided to neglect our Nation's farmers and allow the farm bill to expire without even attempting to pass a bill at any time in the House.

An expiration of the farm bill means that dairy farmers in my part of the country, western New York, and throughout the United States will lose what little safety net they have. Yet, when faced with the choice of passing a compromised farm bill or pursuing an all-or-nothing partisan agenda or, as we're doing today, passing bills that have already passed the House just because they liked them so much they wanted to see them again, the majority chose the latter.

In western New York, farmers don't need the majority to play partisan games. They need a 5-year farm bill, and they need it now.

Unfortunately, the bills we consider today offer more of the same. Both the bills before us today are little more than extreme and partisan messaging documents designed to benefit politicians running for office, not the American citizen struggling to get by. Take, for example, H.R. 3409, the Coal Miner Employment and Domestic Energy Infrastructure Protection Act. That's a fine title there. Four out of the five titles in this bill, as I had said a minute ago, four out of the five bills in this measure have already been voted on by the House, but they were too partisan and extreme to pass the Senate. They will not yet again pass the Senate; therefore, it is simply a waste of time today.

It costs a lot of money to bring all the Members of Congress back to Washington from the four corners of the United States, and to come back to repass bills that have already passed that will never go beyond this House cannot be called anything else but a colossal, disastrous waste of time.

Among other things, the bill would roll back decades of environmental protections, endanger the public's health, and prevent our country from addressing the growing threat of climate change. The majority knows that such extreme proposals will not pass into law, but they are moving forward anyway in order to serve political campaigns. Similar sentiments appear to be driving the consideration of the second proposal, the TANF disapproval resolution.

□ 1300

This bill is based upon a premise that has been proven false by multiple fact-checking organizations, including The Washington Post Fact Checker. Indeed PolitiFact, an nonpartisan project of the Tampa Bay Times, has concluded that ''by granting waivers to States, the Obama administration is seeking to make welfare-to-work efforts more successful, not end them.''

Despite that, we're going to bring up the bill today to cure something that does not exist. It is astounding that at a time when we could be voting on a jobs bill, Republicans have instead chosen to block an Obama administration proposal that would help States put more people back to work and, indeed, has been requested by those States' Governors.

Perhaps most telling is the fact that even as we consider these bills, the majority also refuses to consider legislation to address serious national crises.

Yesterday at a meeting of the Rules Committee, they blocked five amendments that would address those issues.

First they brought an amendment by Representative BOSWELL to vote on the bipartisan Senate farm bill. They had another chance yesterday to bring the farm bill up before we all go home. Then they brought an amendment by Representative MOORE to reauthorize the Violence Against Women Act, which expires in days and a bipartisan bill, if ever there was one, because I was one of the coauthors of the bill. That has been routinely authorized by both parties until this year.

Finally, they blocked amendments by my colleagues, Representatives LEVIN, CONNOLLY, and BLUMENAUER to pass tax cuts for the middle class, to extend a production tax credit for renewable energy producers, wind energy, and to consider legislation to address the financial crisis facing the postal service.

The majority was given a chance to bring all of its proposals to the floor, but they walked away and went forward with the messaging before us today. So we will pass today four bills that have been passed previously.

I asked my colleagues in the majority: Which is more important, to provide relief to the drought-stricken farmers or voting to deny climate change? Which is more important, passing a symbolic resolution based upon a false premise or providing tax cuts to the middle class? Which is more important, passing self-proclaimed messaging documents, or working together to provide for the millions of Americans in need? If you would ask a farmer in Monroe County, New York, if they would rather have Congress pass a dead-on-arrival messaging bill or act on a bipartisan farm bill, I know and you know what they would choose.

In closing, what we are considering today are choices made by the majority, a choice to pursue an extreme and bipartisan agenda that they knew would never become law. In so doing, they have failed to provide results for the American people that lead to the least productive Congress in the history of our Nation.

I urge my colleagues to reconsider the choices that have been brought here today and the legislation that we are about to consider. In the process, I hope we can finally end the political games and return to the responsibility of governing.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I hope you will forgive me if I try to limit myself to what is actually in the resolutions and the bills that we are presenting today as far as the Rules Committee is concerned.

There is, though, a common thread that runs through the two resolutions that happen to be here and deals with the definition of what is administrative and what is legislative. Even if the current administration seems to have a problem in making that definition of what is administrative, we in Congress need to clearly understand what is our legislative responsibility.

Our good friend, LOUIE GOHMERT of Texas, always says that he who learns the lessons of history will find some other way to screw it up. That's probably true. I don't want to sound like an old history teacher, but I am. I do want to say that there are some things that we in Congress should be doing to learn from our past history.

John Page, in 1771, a Congressman from Virginia, was on the House floor when it was determined while the House was debating whether they stuck around to actually determine where postal routes should be. People wanted to go, and, more importantly, the people trusted the President. The question was, Why don't we just let the President do it all?

It was John Page who stood up and said, and I move to adjourn and leave all objects of legislation to his, the President's, sole consideration and direction. He shamed Congress into doing their job of writing the legislation and not allowing the executive branch, the administration, simply to do everything by fiat. We sometimes have forgotten that.

In the TARP language, we put in language like, the Secretary of the Treasury will be able to purchase troubled assets on such terms and conditions as are determined by the Secretary; or authorize any purchase on which the Secretary determines, promotes financial market stability; or the Secretary is authorized to take such action as the Secretary deems necessary to carry out all authorities in this particular act.

That is legislative authority that we passed on to the executive branch. That was a tragic mistake. We should not incorporate that tragic mistake, wider now, by simply allowing the executive branch to take on responsibilities and authorities of their own free will and volition.

We have this same situation once again in the history of this country. We had a President of the United States who wrote a book about Congress without ever visiting Congress itself, who said what the Founding Fathers realized, in which their effort to have vertical separation of power between State and national government—what we call federalism—and horizontal separation of powers between the three branches, which we call the separation of powers—and every public school student is taught that—they were put in there so that individual liberty, which I always consider to be individual choices and options in running their lives, would be protected against the concentration of power in one branch or another.

Now, this former President of the United States called this separation of powers political witchcraft. He said it was wrong to try and separate powers perplexingly subdivided and distributed to be hunted down in out-of-the-way corners. An earlier President than him thought, you know, the President of the United States is elected by everybody, Congress by a few people, the courts by none. Therefore, ignore the courts, which has some appeal, but at the same time the President should speak for the government.

This other President, coming back later, built upon that so he increased the role and power of the executive branch under the concept the President is the President of the whole people and, therefore, he has the ability to transcend separation of powers.

His effort to improve democracy was to eliminate democracy and instead ensure that the decisions were not made by the people or the voice or representatives of the people, but by experts, experts who were serving in the administrative branches. We, if you like that concept, call it the administrative state. If you don't, we call it ''nanny government.'' Nonetheless, that was the concept.

One of the other Presidents that came shortly before him said there will be little permanent good that can be done by any party if we fail to regard the States as anything other than a convenient unit for local government. He said there is no harm by concentrating power in the hands of one individual. He also said that he would not be content with keeping his talents undamaged in a napkin. That's perhaps why the Speaker of the House at the time said he had no more use for the Constitution than a tomcat has for a marriage license.

The bottom line of what happened in the history is that all of a sudden we found that the Founding Fathers who believed in people and believed in the legislative branch, listening to John Locke, who said you cannot transfer the power of the legislature to another branch, those type of people decided at that time that the people should not be running their own affairs, that government experts should be making that policy.

To be honest, when we're talking about the first resolution that deals with TANF, the welfare issue, I don't care if the waiver is the greatest thing since sliced bread, it is still extra-constitutional and it should not be used and Congress should not allow it to take away what is the role of Congress, and only Congress, to establish these issues and set these boundaries.

In the other bill that we're talking about, we're talking about prohibiting future actions by entities, in this case, specifically the EPA, which would destroy jobs, increase the cost of our utilities that would cause greater costs of lighting homes and heating homes, especially for those who have the least ability to do so.

Congressmen and Congresswomen must stand up and insist that Congress create these standards and create these options, not being made by executive

fiat. That is the very purpose of why we are here.

The first President, to whom I referred, ended up with a legacy of many programs implemented which we still today find controversial. He was labeled by historians as an arrogant President at that time who refused to talk to Congress. Because of that, he lost some of his last, most precious programs in an effort to try and go around Congress rather than working with Congress.

□ 1310

Now, Mr. Speaker, that's why this resolution is before us and why these two separate bills are here. Both of them attempt to set the record straight and show that it is Congress' responsibility to set the rules and the guidelines. It is not an administrative prerogative. And we as Congress need to step forward and say we are the ones who do this. We should not allow it to be done by anyone else, regardless of why it's being done or the merits of why it's being done. It's our job.

We should learn from history. We should be more like John Page and try and make sure the Congress does these types of issues and makes these types of decisions and less like Presidents later on who thought the President speaks for everybody and the President has every right to transcend separation of powers and do it for himself. That's the basis of these two bills. That's the important issue. We should learn the lesson of history.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentlelady.

Republicans are saying that there is a war on coal. They even named this bill the End the War on Coal Act. But the only battle coal is losing is in the free market to natural gas, to wind, to solar.

Just 4 years ago, coal generated 51 percent of our electricity. Now it is down to 35 percent of our electricity. Have the lights gone off? No. And that's because coal has been replaced in the free market by natural gas, which has risen from 21 percent to 30 percent of all electrical generation in our country. And by the way, the same thing is true for wind. Wind has gone from 1 percent of electrical generation to 4 percent of electrical generation.

That's your answer. That's what's happening. The marketplace has moved to natural gas—another fossil fuel, by the way—and wind. And why have they done so? Natural gas is cheaper than coal. It's more plentiful now because of fracking technologies. And the market has moved.

What is happening? What is happening is that natural gas prices have gone down 66 percent in the last 4 years. That is the shift from coal over to natural gas. That's the arithmetic. You're a consumer, you see a product, it does the same thing as the other product, and it's dropped 66 percent in price. The arithmetic says I go and get that product if it's going to ensure that my home is heated, that my air conditioning goes on. It's just arithmetic. Coal is losing to natural gas.

So when the Republicans say there is a war on coal, in a market sense, yes, there is a war. In the same sense that when we started carrying BlackBerries, it was a war on the black rotary-dial phone; in the same sense that when we started using Macs and PCs, it was a war on typewriters; in the same sense that the horseless carriage was a war on horses; in the same sense that refrigerators were a war on salted meats; in the same sense that the telegraph was a war on carrier pigeons.

These aren't wars. It's innovation. It's competition. It's natural gas versus coal. All we're saying as Democrats is let the free market work. You're here saying, No, protectionism. Protectionism against the natural gas industry winning this battle in the marketplace. By the way, natural gas is also winning the battle in the marketplace against home heating oil. Tens of thousands of people are shifting from home heating oil over to natural gas. Why? It's cheaper. The same thing is true in the production of petrochemicals and fertilizers. Industries are moving away from oil as the component part of moving over to natural gas. Why is that? It is cheaper. It's across-the-board.

Do you understand this, Republicans? It's arithmetic. It's simple. It's easy to understand. It's not the policies of the Obama administration. If you want to blame someone, blame ADAM SMITH for the ruthless, Darwinian, paranoia-inducing market system that we've adopted where utilities and private citizens and the petrochemical industry move toward a product which is cheaper, more available here in the United States, a domestic industry that is here.

Instead, this is a Republican Congress which has 302 anti-environmental votes, which they've cast in just a year and 8 months. That's 302 anti-environmental votes. That's what they're all about. This whole thing is an excuse to lower the protection against pollution coming from coal that damages the health of children, the health of our environment all across our country, when they're just losing a battle to natural gas in the marketplace.

They get an F on Medicare this Congress, F on tax breaks, F on jobs, F on urgent priorities, F on women, and an F on environment. It's just an excuse because they don't like what is going on in the marketplace. And it's a shame because they tout themselves as that party. Simultaneously, you know what they do? They're killing the wind tax break—killing it because it's up to 4 percent of electricity and keeping the exact same amount in for ExxonMobil and the oil companies to produce oil. Now how can you call that a plan of all-of-the-above?

All of this tilts the playing field, tilts the competition in the marketplace. You can't give tax breaks to oil and take them away from wind and say you're all-of-the-above. You can't say you want to tilt the playing field toward coal as natural gas is winning in the marketplace and say you're in favor of all-of-the-above. You are not. You are not.

So, ladies and gentlemen, I ask for a ''no'' vote on this rule and a ''no'' vote on these bills as they come to the floor of the House. It is anti-market policy on steroids as they bring it out here on the House floor.

Mr. BISHOP of Utah. With gratitude for the last speech, which was such a stirring support of fracking, which has made gas so plentiful and useful in this country, I yield 2 minutes to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. I thank the gentleman from Utah.

The bill we are considering today is very simple: It's a bill that protects one of the Nation's most abundant and cheap energy sources—coal—and ensures that some of the highest-paid family wage jobs in the country are saved.

I want to focus on title I of H.R. 3409 that limits the authority of the Secretary of the Interior to issue new burdensome regulations under SMCRA until the end of 2013. This title will put a short timeout on the recklessly rushed rulemaking by the administration that has resulted in millions of wasted dollars and confusion by all parties regarding the current management of coal by the Office of Surface Mining. This rulemaking has been an unmitigated disaster, with the administration attempting to compress what ordinarily would take 36 months into 15 months. When news got out about how many jobs would be lost under these proposed rules, the administration fired the independent contractor who provided the analysis.

The administration's own analysis is that 7,000 direct mining jobs would be lost and an additional 29,000 people would fall below the poverty level in the Appalachian basin alone. The proposed rules would have a negative economic impact in 22 States.

How in the world can a President who gives lip service to creating jobs allow his bureaucrats to kill jobs in coal States?

This bill will simply give OSM a timeout so they can hear and address the concerns raised by the cooperating agencies, coal mining States and tribes, and citizens. It will allow States time to read the hundreds of pages of materials in months rather than days. The current rulemaking by OSM is an out-of-control process with no regard for mine workers and their families who depend on these jobs.

I urge my colleagues to support the resolution and the Johnson bill.

Ms. SLAUGHTER. Mr. Speaker, I am glad to yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in opposition to this political resolution that aims to wrongly characterize the administration's position on Temporary Assistance to Needy Families. This is a waste of our time.

The purpose of the administration's waiver proposal is to allow States to test alternative and innovative strategies that are designed to improve employment outcomes for needy families. As the Department of Health and Human Services has said repeatedly, waivers will only be approved if a State can prove that there is an effective transition from welfare to work. In essence, that they are putting more people to work.

Is the majority now against putting people to work? Or are they against states' rights? If so, they may want to tell their Presidential candidate. In 2005, Mitt Romney and 28 other Republican Governors wrote a letter requesting more ''flexibility to manage their TANF programs'' and ''increased waiver authority.''

□ 1320

This is exactly what the administration's waiver proposal does. For 2 years now, instead of working with us to create jobs, instead of passing middle class tax cuts, instead of passing the Violence Against Women Act, instead of passing responsible deficit reduction and to help us to try to get the economy moving again, the urgent priorities that we should be working on right now, this majority has continually put forward politically motivated resolutions.

You know, I would just say to you that the American people cannot afford a do-nothing Republican Congress that refuses to act on issues critical to the middle class, critical to small businesses, critical to farmers, critical to women. They need to expect better leadership from us.

I urge my colleagues to oppose this resolution. We need to get work done, not politically motivated resolutions.

Mr. BISHOP of Utah. I am pleased to yield 3 minutes to the chairman of the Science Committee, the gentleman from Texas (Mr. HALL).

Mr. HALL. Mr. Speaker, I rise in strong support of the rule and H.R. 3409, the Stop the War on Coal Act. This may sound a little strange to a guy from an oil and gas State, but we have an awful lot of coal.

This bill takes a number of simple, commonsense, and long overdue steps to rein in the Obama administration's out-of-control EPA, which is waging all-out war on American energy. Coal is at the heart of that war. Anyone who fails to believe such a war exists should speak to the people of Mount Pleasant, Texas, in my congressional district.

EPA's Cross-State Air Pollution Rule threatened 500 jobs at two coal-fired power plants in Mount Pleasant. Fortunately, the courts threw out this rule in August after finding that EPA went well beyond the law in its efforts to regulate coal out of existence.

We know EPA will go back to the drawing board. H.R. 3409 adds needed protections for any future proposal and, in doing so, protects jobs not only in my State, but in coal-producing States and coal-using States all around the country.

The bill also blocks future efforts to attack coal through other regulations, most notably the EPA's effort to enact economywide restrictions on greenhouse gas emissions. These rules are based on shaky science and would raise the cost of energy for all Americans. They should never see the light of day.

I want to mention my support for two amendments made in order under this rule. They will be offered by members of the Science, Space, and Technology Committee, which I chair. These amendments address serious problems with EPA science that the committee highlighted during the 112th Congress; specifically, Congressman DAN BENISHEK's amendment that requires that an analysis of the cost of regulations explicitly evaluate the potential negative health effects of regulations. Energy and Environment Subcommittee Chairman ANDY HARRIS' amendment would require that the scientific data EPA uses to justify its regulations is peer reviewed and made publicly available.

These amendments reinforce and strengthen the transparency and openness provisions in H.R. 3409. I urge Members to support these amendments, the rule, and the underlying bill as well.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, as one who believes in the value of work, I voted for the 1996 law to transform welfare to workfare. Now as the ranking Democrat on the subcommittee overseeing this law, I want to strengthen reform and assure that every able-bodied American who can work is working, you know, people like Mitt Romney's father, who long ago was on a form of welfare himself before he became wealthy. Those are the kind of people that should be working.

Unfortunately, Republicans talk work for everyone else, but when it comes to doing the work here in Congress, well, they don't quite measure up to it.

It's just like the expired Federal education law. They have been in power here for over 20 months, and we wouldn't need any changes or waivers in the law if they'd done their job to renew workfare.

The real question here is not whether we emphasize work but how, how we achieve the most effective ways to get more people working.

This administration has simply responded to Republican Governors and some Democrats who are seeking more flexibility and less bureaucratic paperwork, who sought better ways to get more people working.

Even the Republican staff director who wrote the original 1996 reform law and who recently surveyed 42 State TANF directors says that these Republican attacks are ''exaggerated.''

So, why in the world would Republicans be here today, when there is so much other work that this Congress has failed to do, presenting what is really an antiwork resolution masquerading as prowork?

Well, I think it's because particularly during this week, such a very difficult and troubling week for Mitt Romney, they're a little desperate. They think they can hoodwink enough Americans to turn on their neighbors by falsely dividing us—dividing us between makers and takers, between manufacturers and moochers, between producers and parasites. That is not America.

Whenever they bump into an inconvenient fact like what actually is involved in this legislation, they just ignore it. They have made this Congress largely a fact-free zone.

When confronted with reality, they hold up those signs that say ''believe.'' They left a word off. It really should say ''make believe,'' because that's what's at stake here, the fantasy that they bring us on all aspects of this measure. Fantasy is a mighty poor way to govern America.

Mr. BISHOP of Utah. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I'm glad to yield 2 minutes to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. Mr. Speaker, I rise in opposition to the rule and the underlying bill, the polluters' bill of rights.

I understand that my Republican friends are trying to improve the coal industry's outlook, and I imagine that most industries would benefit if Congress simply eliminated their obligation to help keep the public safe.

We hear a lot about the immorality of leaving our children with mountains of debt, and I completely agree with that. I support measures to responsibly reduce the debt. But bills like this one are piling another form of debt on our children. We are leaving them to deal with the consequences of letting coal companies pollute the air that our children breathe and the water that they drink.

Our failure to take comprehensive action on global climate change is already profoundly immoral. It is a disgrace that we refuse to sacrifice on behalf of our grandchildren. I fail to understand the perverse notion that my colleagues on the other side share that somehow global climate change is a laughable matter that we can sweep under the rug instead of an unprecedented threat to the health of our children and to the security of our Nation.

How many more millions of tons of greenhouse gases would my Republican colleagues like in our atmosphere before they're concerned? How much less

polar ice? How many more cases of preventable cancer should American children develop?

I offered an amendment to slow down the bill's assault on America's environmental laws until scientists could verify that what this Congress seeks to accomplish would not increase cases of preventable cancer among our most vulnerable: children, seniors, and those with chronic conditions.

Regrettably, the House will not even have a chance to vote. It must be too inconvenient for my colleagues to have to tell their constituents that they value these coal companies above sick children.

Well, I've got news for my colleagues. Ignoring the consequences of our actions does not make them go away. These rules are in place because the American people demand safe air and water. They expect the electricity that powers their homes is not produced in a way that makes tumors grow in their loved ones.

We should focus on building a Nation, a secure economic future in this Nation. That means investing in clean energy industries instead of catering to special interests.

□ 1330

Moving forward with clean energy is the least we can do. Passing this bill is the worst thing we can do. I urge my colleagues to reject the bill.

Mr. BISHOP of Utah. I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, we have no further requests for time, except one more. And we want to defeat the previous question.

I'm going to offer an amendment which proposes that Congress will not adjourn until the President passes the middle class tax cut into law. Additionally, I want to make in order the amendment that will extend the renewable energy tax credit. These tax credits are directly responsible for creating more American jobs. Allowing them to expire will mean fewer manufacturing jobs at home and more jobs sent overseas to China. We cannot afford to leave town without extending them.

To discuss our proposal, I am pleased to yield 2 minutes to the gentleman from Iowa (Mr. BOSWELL).

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

Mr. BOSWELL. Mr. Speaker, today is Thursday, September 20. And tomorrow, I understand, the House is set to adjourn until after the election. Tomorrow, the House is set to leave town without finishing the work that the American people sent us here to do.

Now, I have no objection to increasing domestic energy production, and I think an all-of-the-above approach is a rational approach to take. However, I rise against this rule. I rise in opposition to this rule because two amendments that I had offered to the bill were not made in order by the Rules Committee. The amendments I offered were on substantive policy that my constituents are calling for, and I am here to stand up for and represent my constituents in Iowa—and, I might add, across the Nation.

One amendment would extend the wind production tax credit. Wind energy plays a significant role in electricity generation in the State of Iowa and many other States—for us about 20 percent—and the manufacturing of wind turbine components in Iowa has brought high-tech manufacturing jobs to my district. The fact that the House is set to adjourn until after the election while this industry is being forced to lay off workers because of Congress' inaction is shameful. It's something we should not do. Yesterday, it was announced we would be laying off 400, and more to come.

Another amendment I offered would have allowed the House to finally vote on a farm bill. But once again the Republican leadership of the House stopped the House from voting on a farm bill. Let me say that again: The House Republican leadership is preventing this House from working its will on a farm bill.

Mr. Speaker, apparently some House Republicans believe standing up for our farmers and ranchers across the country is not worthy of this House. This is a disgrace. Inaction on a farm bill is creating the market uncertainty that the House Republicans so often decry, and this uncertainty will only get more complicated as the House continues to kick the can down the road.

So, once again, I rise in opposition to this rule. And I call on my colleagues to defeat the previous question so that we can amend the rule and proceed to a debate that will result in the House actually doing the work our constituents sent us here to do.

Mr. BISHOP of Utah. Mr. Speaker, I have some empathy for the gentleman from Iowa, but I will have to say that one of the reasons that those amendments were not made in order was, quite frankly, because both of them were nongermane to the base bill, and that becomes a concept.

One of the reasons that Ms. SLAUGHTER speaks on wishing to stay here until we pass middle class tax cuts—and I think I can approve of that because, actually, when we considered H.R. 8, the Rules Committee took an extraordinary step of waiving the rules of the House—including CutGo and other budget-related points of order—so an amendment could be given by Mr. LEVIN, and he could have an opportunity to present that amendment. That amendment was debated, and it was rejected on a bipartisan vote of the House in August.

Unlike the amendment, then H.R. 8 passed the House with a bipartisan vote, which means the House has voted for a middle class tax cut. We have done our duty. It is one of the myriad of bills that is sitting over on the Senate side waiting for them to do something so that we can proceed to a conference committee.

So I actually approve of what the gentlelady from New York is saying because basically we've done it, and we did it on August 1.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I do have a late entry here. I would like to yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank my friend for yielding.

Mr. Speaker, 102 days from today, every American who pays income taxes will face a substantial tax increase; 102 days from now, the estate plans of small business people will be blown asunder because of the changes in the Tax Code that will automatically occur; 102 days from now, workers at defense plants, medical research institutions, and other very important functions in our country will lose their jobs because of an across-the-board spending cut called a sequester. The response of the majority to this looming problem is to leave town.

Now, I must confess that, given the majority's propensity to end the Medicare guarantee and provide tax cuts to millionaires, perhaps them leaving town does have a certain appeal. But under these circumstances—where there is a significant problem in our country, where farmers all across the country have no idea under what rules they will be running their farms and their businesses because a farm bill that received broad support from Democrats and Republicans on the Agriculture Committee has not made its way to the floor—in light of all this trouble, amidst all the stress of the American economy, the plan for the majority is to leave town tomorrow until after the election. This is irresponsible in two ways.

First, I think we have a duty to act before the election so the voters of this country can assess where we stand and whom they want to have represent them in the years ahead. And second, the problems of American families will not be put on hold during the 6 or 7 weeks that we're back in our districts politicking. Then we'll all come back after the election—many people will be in what's called a lame duck status where they're not coming back—and we will compress all of these decisions into 5 or 6 weeks. This is just not the proper way to legislate. It's not the proper way to govern our affairs.

So I would urge Members to oppose the previous question, which has the effect of putting on the floor legislation that would guarantee a tax cut, tax relief for middle class people, as well as the creation of jobs in our country because of clean energy. Now, you can agree or disagree with those propositions, but I don't think any of us disagrees with the proposition that in the face of these very real crises for the American people, we're just getting on

the plane, getting on the bus, getting on the train and leaving town. It's the wrong thing to do.

We should oppose the previous question and vote ''no.''

Mr. BISHOP of Utah. I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, may I inquire through my colleague if he has any other requests for time?

Mr. BISHOP of Utah. I actually don't think I have any other speakers. I may be surprised in the next few minutes, as will be the case.

Ms. SLAUGHTER. It happens.

Mr. BISHOP of Utah. It happens, yes.

Ms. SLAUGHTER. Then I am prepared to close, and I yield myself such time as I may consume.

Mr. Speaker, I sincerely regret that today we will consider legislation that has no chance of becoming law. Our constituents send us here with an expectation that we will work together and deliver results. That doesn't mean that they expect us to abandon all of our principles, but it does mean that while we engage in fierce debate, we do so in the spirit of collaboration and at the end of the day we come together to produce bipartisan legislation that will address the major issues that are facing our country.

For the last 2 years, the majority has actively avoided such bipartisan legislating, and as a result we face a mounting number of issues that demand our attention. Sadly, none of those pressing issues are addressed in today's bills.

So I urge my colleagues to oppose today's rule and the underlying legislation. It is time we put aside political games and address the pressing national issues facing this country.

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

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

There was no objection.

Ms. SLAUGHTER. I urge my colleagues to vote ''no'' on the previous question, to defeat the previous question, and I urge a ''no'' vote on the rule.

I yield back the balance of my time.

□ 1340

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

In our discussion of this particular rule today, we have, as oftentimes is the case, wandered far and wide.

I would point out to one of the speakers who was just up there saying that we should stay here doing the sequestration act, dealing with the sequestration issue, the House did. On May 10, we passed the Sequestration Replacement Act. Once again, it's sitting over in the Senate. To wait here until we do the middle class tax cuts, we did that in August. It's waiting over on the Senate to do something.

We have issues that are significant in the two that are before us. If we're talking about welfare in some particular way, whether the rule that was made coming out of the executive branch was appropriate or not, we could go back and say why it was done. It is true the President, in 1997 and once again in 1998, said he would not have supported the legislation that created the system that we have. It's also true that in The Washington Post editorial, they made comments that said the Obama administration is waiving the Federal requirement that ensures a portion of able-bodied TANF recipients must engage in work activities. If this is not getting welfare reform, it's difficult to imagine what would be.

But even if the substance of that was inaccurate, the fact that it was done by regulation, by rulemaking coming from the administrative branch, puts us in suspect category. Rules should not be establishing what is our priority; it should be laws made on this body. If you want to change it, if you want to do waivers, it should be coming from this particular body.

The other half of it deals with coal. This is a Nation with the largest coal reserves in the world. We have 500 years of potential electricity at cheap rates coming from coal. A coal plant today is as much as 99 percent cleaner than one built 40 years ago, and yet rules and regulations that have been promulgated or are being threatened to promulgate are one of those that impede the ability of building new plants.

There is no valid reason why the American coal industry should be suffering at the hands of overzealous Washington regulators or why workers are being laid off in the Midwest, in Virginia, Pennsylvania, Ohio, West Virginia, and other places; although, today, it was again announced that there will be 1,200 coal mining jobs that will be eliminated across central Appalachia by a company, one company.

And once again, there is the kind of unfair regulations that are taking place. It is true that H.R. 3409 is cobbled together with other bills that have passed this body, but I would remind you that each of those four that have already passed this body were passed on a bipartisan vote, with anywhere between 16 and 37 Democrats, depending on the bill, joining with Republicans to pass those. And, when put together in a package with H.R. 3409, presents a good package to make sure that we are in favor of cheap energy, energy that will drive and build our economy and provide jobs for those who need those particular jobs.

I went historically in a while earlier because I wanted to say that we have faced these types of situations in the past, where the question was: Should the President make the rules or regulations or should Congress actually pass legislation?

The President to whom I referred ended his tenure in a somewhat bitter way, refusing to work with Congress, instead, trying to go around Congress, which produced, at that time, a historic deadlock between the Presidency and the Congress.

This is a Nation of laws. Laws are made here. It's not a Nation of rules. And if the rules and regulations are going to have the effect on the future and are going to have an effect on the American people, they should not be done by executive fiat. Whether you like them or not, they should not be done in that manner. It should be done here legislatively.

That's the purpose of both of these issues that are tied together in this rule; that's the thread that comes together—whether or not we actually believe Congress should be doing the job of creating the standards and the rules, or we're willing to simply abrogate our responsibility, our power, our options to some other body.

And I would hope that as Congress we would be very careful and considerate about what our responsibility is, and we would take very seriously any encroachment on the role of law that is given to us by the Constitution. It was the vision of the Founding Fathers that this should be the body that makes those decisions, not the executive branch.

This is a good bill, these are good bills, and this is a fair rule.

We haven't even talked about the amendments that were made in order, but they do cover, in fact, we did have one statement about the amendment that was not made in order, and I half wish—the Member is no longer here, but his issue of concern is covered in another amendment that is made in order and will be discussed on this floor.

So it is a fair rule. It will have a vigorous debate. And there are two good bills that would be brought before this body that I hope sincerely pass. I do urge their adoption, and I sincerely urge the adoption of this rule that will move us forward.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 788 OFFERED BY MS. SLAUGHTER OF NEW YORK

At the end of the resolution, add the following new sections:

SEC. 8. Immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the resolution (H. Res. 746) prohibiting the consideration of a concurrent resolution providing for adjournment or adjournment sine die unless a law is enacted to provide for the extension of certain expired or expiring tax provisions that apply to middle-income taxpayers if called up by Representative Slaughter of New York or her designee. All points of order against the resolution and against its consideration are waived.

SEC. 9. Immediately after House Resolution 746 is no longer pending, Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 15) to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families. All points of order against consideration of

the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 10. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 9 of this resolution.

SEC. 11. Notwithstanding any other provision of this resolution, the amendment printed in section 12 shall be in order as though printed as the last amendment in the report of the Committee on Rules accompanying this resolution if offered by Representative Boswell of Iowa or a designee. That amendment shall be debatable for one hour equally divided and controlled by the proponent and an opponent.

SEC. 12 The Amendment referred to in section 11 is as follows:

At the end of the Rules Committee Print, add the following new title:

TITLE VI—EXTENSION OF RENEWABLE ENERGY CREDIT SEC. 601. EXTENSION OF RENEWABLE ENERGY CREDIT.

(a) WIND.—Paragraph (1) of section 45(d) of the Internal Revenue Code of 1986 is amended by striking ''January 1, 2013'' and inserting ''January 1, 2017''. (b) BIOMASS, GEOTHERMAL, SMALL IRRIGATION, LANDFILL GAS, TRASH, AND HYDROPOWER.—Each of the following provisions of section 45(d) of such Code is amended by striking ''January 1, 2014'' and inserting ''January 1, 2017'':

(1) Clauses (i) and (ii) of paragraph (2)(A).

(2) Clauses (i) (I) and (ii) of paragraph (3)(A).

(3) Paragraph (4).

(4) Paragraph (6).

(5) Paragraph (7).

(6) Subparagraphs (A) and (B) of paragraph (9).

(7) Subparagraph (B) of paragraph (11).

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

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

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

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

Mr. BISHOP of Utah. Mr. Speaker, I yield back the balance of my time and move the previous question on the resolution.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 238, nays 179, not voting 12, as follows:

[Roll No. 587]

YEAS—238

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carney
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
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
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
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)

NAYS—179

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
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
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
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—12

Akin
Filner
Gallegly
Granger
Jackson (IL)
Jenkins
Johnson (IL)
Renacci
Ross (AR)
Ryan (WI)
Speier
Sullivan

□ 1406

Messrs. GEORGE MILLER of California, DAVIS of Illinois, and TONKO changed their vote from ''yea'' to ''nay.''

Messrs. GINGREY of Georgia and LABRADOR changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. CARNEY. Mr. Speaker, during rollcall vote No. 587 on Previous Question H. Res. 788, I mistakenly recorded my vote as "yea" when I should have voted "nay."

I ask unanimous consent that my statement appear in the RECORD following rollcall vote No. 587.

Mr. FILNER. Mr. Speaker, on rollcall 587, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

The SPEAKER pro tempore (Mr. QUAYLE). The question is on the resolution.

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 233, nays 182, not voting 14, as follows:

[Roll No. 588]

YEAS—233

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
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
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
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
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Price (GA)
Quayle
Reed
Rehberg
Reichert
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—182

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
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)
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wittman
Woolsey
Yarmuth

NOT VOTING—14

Akin
Filner
Gallegly
Granger
Heinrich
Jackson (IL)
Jenkins
Johnson (IL)
Posey
Renacci
Ross (AR)
Ryan (WI)
Speier
Sullivan

□ 1420

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 588, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Mr. Speaker, on Thursday, September 20, 2012 I had a delay on my American Airlines flight 1342 from Chicago to Washington, D.C. due to mechanical difficulties. I missed procedural votes on ordering the Previous Question and the Adoption of the rule for Welfare Work Requirements and Stop the War on Coal.

Had I been present, I would have voted "yea" on the above stated bills.

DISAPPROVING RULE RELATING TO WAIVER AND EXPENDITURE AUTHORITY WITH RESPECT TO THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM

Mr. CAMP. Mr. Speaker, pursuant to House Resolution 788, I call up the joint resolution (H.J. Res. 118) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by

the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 788, the joint resolution shall be considered as read.

The text of the joint resolution is as follows:

H.J. RES. 118

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program (issued July 12, 2012, as the Temporary Assistance for Needy Families Information Memorandum Transmittal No. TANF–ACF–IM–2012–03, and printed in the Congressional Record on September 10, 2012, on pages S6047–S6050, along with a letter of opinion from the Government Accountability Office dated September 4, 2012, that the Information Memorandum is a rule under the Congressional Review Act), and such rule shall have no force or effect.

The SPEAKER pro tempore (Mr. SIMPSON). Debate shall not exceed 1 hour, with 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means, and 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce.

The gentleman from Michigan (Mr. CAMP), the gentleman from Michigan (Mr. LEVIN), the gentleman from Minnesota (Mr. KLINE), and the gentleman from California (Mr. GEORGE MILLER) each will control 15 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

GENERAL LEAVE

Mr. CAMP. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.J. Res. 118.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.J.Res 188, a resolution to disapprove of the Department of Health and Human Services rule waiving the work requirements in the Temporary Assistance for Needy Families, or TANF, cash welfare program. The requirement that 50 percent of a State's welfare caseload work, or prepare for work, was a central part of the bipartisan 1996 welfare reforms signed into law by President Clinton. Those reforms were overwhelmingly successful in reducing welfare dependency and poverty while increasing work and earnings. Unfortunately, President Obama said that he would have opposed such reforms had he been in Congress at that time. And so on July 12 of this year the Obama administration issued an ''information memorandum'' to waive the welfare work requirements in a blatant end-run around the current Congress.

The administration's action is unlawful on two fronts. First, the welfare work requirements are contained in a section of the Social Security Act, section 407, that may not be waived according to that law. Second, the nonpartisan Government Accountability Office determined that the administration's ''information memorandum'' qualifies as a rule and therefore should have been officially submitted to the Congress for review before being issued. It was not.

Just yesterday, GAO released another report that found that HHS has never before issued any TANF waivers in the history of the program, including involving the TANF work requirements. More importantly, they found that when previous HHS Secretaries were asked about the possibility of waiving work requirements, HHS responded that ''the Department does not have authority to waive any of these provisions.'' That was the conclusion of the Clinton administration, the Bush administration, and at least, to date, the Obama administration.

When it comes to welfare work requirements, I guess we can say President Obama was for them before he was against them. Unfortunately, for the President, the American people do not agree with his original and most recent position on this issue. A recent survey shows that 83 percent support a work requirement as a condition for receiving welfare. And for good reason. The work requirement and other 1996 reforms are responsible for increasing employment of single mothers by 15 percent from 1996 to 2000, and decreasing welfare caseloads by 57 percent over the last decade-and-a-half.

But inexplicably, these results don't sit well with the Obama administration. They refuse to acknowledge their mistake and rescind their memorandum. That's why we've brought this resolution to the floor today.

Mr. Speaker, I urge my colleagues on both sides of the aisle to preserve the successful welfare work requirements and join me in passing this resolution.

I reserve the balance of my time.

Mr. LEVIN. I yield myself 3 minutes.

This bill has one purpose: to provide a fig leaf of credibility for a political attack ad that has no credibility whatsoever. Every independent fact checker has said the attack ad on the President is false. Governor Romney's claim that President Obama is eliminating work requirements for welfare recipients has been called ''a pants on fire'' lie and given four Pinocchios for dishonesty.

□ 1430

The Republican staffer, Ron Haskins, who helped draft the 1996 welfare law says the charge is baseless. I quote:

> The idea that the administration is going to overturn welfare reform is ridiculous.

Here are the facts. Any demonstration project allowed under the guidance announced by HHS would have to be designed to increase the employment of TANF recipients, would be subject to rigorous evaluation, and would be terminated if it failed to meet employment goals.

The whole administration effort is about promoting ''more work, not less,'' as eloquently stated by President Clinton, who led efforts on welfare reform.

The administration heard from State officials that if they're allowed to focus more on outcomes and less on paperwork, they can put more people to work. So HHS said to the States, including Republican Governors who asked for this: Prove it.

We may hear the majority state that HHS does not have the authority to provide waivers, but that's not the conclusion reached by the nonpartisan CRS. In fact, CRS said the current HHS waiver initiative is ''consistent with prior practice.''

And now we've heard Republicans say that TANF waivers have never been provided before now, even when requested. But here's what the GAO said about past requests:

> States were not asking for waivers to test new approaches through experimental, pilot, or demonstration projects, which would be necessary in order to get a waiver under section 1115.

In other words, in the past, States weren't asking for the waivers that HHS is allowed to provide under the law and is now offering.

At the end of the day this debate isn't about process or even policy. It's about politics, pure politics, indeed, impure politics.

This is the same Republican Party that passed their own much broader versions of welfare waivers in 2002, 2003, and 2005.

Let me read to you what the Congressional Research Service said about those bills:

> The legislation would have had the effect of allowing TANF work participation standards to be waived.

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

Mr. LEVIN. I yield myself an additional 30 seconds.

Guess who voted three times for the waiver of the work participation requirement in TANF? Not only the chairman of Ways and Means, but the chairman of the Budget Committee and Governor Romney's running mate, PAUL RYAN.

We should be debating today issues that matter in terms of action today, a credible jobs plan.

Instead, House Republicans, who are doing nothing on these issues, are doing something totally political, a disservice to this great institution.

I reserve the balance of my time.

Mr. CAMP. I yield myself 30 seconds only because the gentleman referred to me.

I will just say that the issue that he refers to was actually to extend the work requirements to other programs, which actually would have increased the work requirements.

Let me just say, I'm glad my friend brought up the fact checkers, because The Washington Post fact checker calls the Democrats' claims of increasing work ''a stretch,'' stating that it is not clear that ''the net result is that more people on welfare will end up working,'' and actually gave the ''eloquent speech'' by President Clinton my friend referenced two Pinocchios for saying that it would increase work by 20 percent.

At this time I would yield 2 minutes to the distinguished gentleman from Minnesota (Mr. PAULSEN), a Member of the Ways and Means Committee.

Mr. PAULSEN. Mr. Speaker, I rise today in support of H.J. Res. 118. This is a resolution that will protect welfare work requirements from executive overreach, ensuring that welfare recipients must continue to work in order to qualify for benefits.

As acting chairman of the Human Resources Subcommittee, I just want to talk real quickly about how this resolution accomplishes two very simple objectives.

First, the resolution simply affirms congressional authority over welfare programs by invalidating the overreaching HHS rule.

Back in July, HHS unilaterally granted itself the authority to rewrite the work requirements, claiming that they can approve or disapprove work rules at the State level. But that's just not how Congress intended this to work.

Both the nonpartisan Government Accountability Office and the Congressional Research Service agree that this HHS proposal is far more than guidance to States. It constitutes a new rule that must first be submitted to Congress for review before it can take effect.

Secondly, Mr. Speaker, this resolution lets States know where Congress stands on the importance of strong work requirements.

The 1996 welfare reform law, which first created these strong work requirements, was a historic bipartisan achievement. The result was a program that heavily emphasizes engaging welfare recipients in work and pro-work activities. Before the HHS guidance, States knew what the rules were. However, in the wake of this new HHS rule, it's not clear what the rules are now.

HHS seems intent now to simply make up the rules as they go along. That's what an anonymous HHS official told The Washington Post recently, describing how this policy of waiving work requirements was evolving in an ''iterative process.''

The administration's defense that these changes will strengthen the work requirements is not reassuring because it just doesn't make sense. If States want to engage more welfare recipients in work for more hours and with tougher penalties for failing to work, there's nothing that stops them from doing so under current law. They don't need a waiver to apply to do any of that.

Simple logic simply says that the HHS guidance is about weakening, not strengthening, work requirements for welfare recipients.

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

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

Mr. PAULSEN. Mr. Speaker, we cannot allow HHS to circumvent Congress and undermine welfare work requirements.

I urge my colleagues to support the resolution.

Mr. LEVIN. I now yield 1½ minutes to the distinguished gentleman from New York, CHARLES RANGEL.

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

Mr. RANGEL. Mr. Speaker, I thank you for allowing me this opportunity to participate in the Republican Presidential campaign, because that's exactly what this is.

I saw a commercial with a white guy with leather gloves on working and sweating, and, oh, God. It looked like America to me except they had something in there about President Obama wanting people who didn't want to work, that all they had to do was ask for a welfare check, and I think it had something like ''I paid for this commercial,'' or something like, ''I'm proud of it.''

This is the first time I've seen a standing committee manipulate itself to give credibility to a guy who just really doesn't know what this business is all about.

I never thought I'd be in the well talking about States' rights, but I do recognize there are different employment needs of people in Alaska and people in Hawaii, people in New York, people in Mississippi. They just don't all have the same job opportunity.

And the whole idea of asking for Governors, Republican and Democrat, to have the flexibility not to fill out forms, but to say, What's working? How are they putting people to work?

But I think the most important thing that we're forgetting is that not having a job and facing your family each and every day is more than not having a paycheck; it is not having self-esteem.

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

Mr. LEVIN. I yield the gentleman an additional 10 seconds.

Mr. RANGEL. To believe that people who are used to working hard, having dignity, having pride in their kids, just because the candidate for President made another mistake, that we're going to have to now legislate something to show that we think he makes any sense on that issue, it is wrong, and it ain't going nowhere.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. GRAVES).

Mr. GRAVES of Georgia. Mr. Speaker, we're here today to head off at the pass President Obama's and the administration's attempt to gut the welfare reform work requirements. Americans don't want something for nothing. Americans want to work. Why? Because it's the American way.

But this issue is bigger than welfare. It's a skirmish in a war over America's future, the direction we're going in.

Now, under this President's watch just here in the last, what, 3½ years, the number of able-bodied adults receiving food stamps has doubled. The Federal debt is up by $5 trillion, spending on welfare up 41 percent. More debt and greater dependency. It's the wrong vision for America.

□ 1440

Now, what's happened here in the last several years—I guess the last 3 years—is opportunity has diminished.

There's a clear choice right now, Mr. Speaker. It's a choice between two futures. We can continue down this path of debt and dependency, or we can choose a different path, and that's one of opportunity and prosperity. So I thank the gentleman for bringing this bill forward because the choice before America is very clear, and we choose opportunity and prosperity for every American.

Mr. LEVIN. I yield myself 15 seconds.

I hope everybody heard that last statement. It shows someone coming down and essentially endorsing, in a broad way, the 47 percent statement, the horribly misguided statement of the Governor of Massachusetts—former Governor.

I now yield 1½ minutes to the very distinguished gentleman from Massachusetts (Mr. NEAL).

Mr. NEAL. I thank the gentleman.

Mr. Speaker, this is a paid political broadcast brought to you by the majority side of the Ways and Means Committee.

I chaired the Democratic Party position in 1996 on welfare reform. I voted for it and supported the work requirement at the behest of President Clinton. The idea was to provide child care, transportation assistance, educational assistance and child support payments, and to balance that with a work requirement. But most importantly, at the request of names like Tommy Thompson and Bill Weld, John Engler and George Pataki, their request was that in the crucible of State opportunity, that they would position themselves with some flexibility to play out the work requirement. We never moved away from the 5-year requirement.

Their suggestion was simply: let us determine how we get to the 5-year requirement through some experimentation.

So what we're doing here today is trying to offer a criticism of the President 6½ weeks before an election based upon misinformation that borders on being malevolent because of the content of what is being attempted here.

Welfare reform worked overwhelmingly, and it worked because it was a compromise in the end, but not to understate the role that Republican Governors played in bringing this issue to that experiment.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to a distinguished member of the Ways and Means Committee, the gentleman from Illinois (Mr. ROSKAM).

Mr. ROSKAM. I thank the chairman.

I for the life of me don't understand why our friends on the other side of the aisle are defensive about this. This is nothing to defend. This is to say the White House made an error in engaging substantively in downgrading work requirements for welfare. And rather than being defensive about it, say, look, they messed up. Let's not defend them; let's make sure that they don't color outside the lines.

This is not some abstract thing, Mr. Speaker. There are very serious voices that have come out, and they've made this argument that the following things are work and should be included, Mr. Speaker, under the work definitions for welfare, things like: bed rest, personal care activities, massage, exercise, journaling, motivational reading, smoking cessation, weight-loss promotion, participation in parent/teacher meetings, and helping a friend or relative with household tasks or errands.

So there are some folks that are making the argument that if you go help your neighbor rake the lawn, then somehow that's work under the welfare-to-work requirement. This is not some abstract thing. This is not something that the GOP is looking for. This is a sense of clarity that most Americans said, look, we recognize that if people need help, they should get help, but not to be manipulated through absurd definitions that are coming from who knows where—some States with a straight face that actually want to manipulate this to their benefit.

This is an area where everybody should come together. This should pass with a voice vote. This is an admonition to the White House to say: don't do this; do not weaken these work requirements. Instead, make sure that they're fast and solid and that they move people to work. But don't subsidize massage therapy and pump a lot of sunshine and tell hardworking Americans that that's work because it's not.

Let's do the right thing. Let's pass this quickly.

Mr. LEVIN. I yield myself 30 seconds.

Those statements, indeed, are an insult, an insult. That isn't what the administration has in mind. I read a letter from the Governor of Utah to the Secretary of HHS. In discussion with HHS officials, Utah suggested that:

> We be evaluated on the basis of the State's success in placing our customers in employment, while also using a full participation model. This approach would require some flexibility at the State level and the granting of a waiver.

That's what this is about. Don't massage the truth.

I now yield 1½ minutes to the distinguished gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. I thank the gentleman for yielding, and I rise in opposition to this political poppycock.

I've got a real personal interest in this issue in this legislation. When I was in the State senate, I wrote California's welfare reform legislation, and the work requirement was a major part of that. It was a bipartisan effort in California. It was signed by a Republican Governor, Pete Wilson; and today it's still being followed by Democratic Governor Jerry Brown.

Welfare reform has worked. Fifteen years later, the program caseload in California is roughly 60 percent of what it was in 1998—even in the face of this terrible recession that we're looking at today. Waivers were an important part of that, as they are in every State across the Nation. Those waivers allow flexibility to Governors to run Federal programs in the most effective and the most efficient way possible. One size does not fit all, and that's why we have these waivers. In this case, they work because they move more people from welfare to work, and that's what we want.

This bill should be roundly defeated.

Mr. CAMP. At this time, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY of Georgia. I thank the gentleman for yielding, and I rise in strong support of H.J. Res. 118.

The Department of Health and Human Services, in July, essentially stripped many of the provisions of the 1996 Welfare Reform Act in regard to TANF, Temporary Assistance for Needy Families, and they should not do that. They absolutely should not do that.

This resolution, of course, calls for action under the Congressional Review Act—our authority, Mr. Speaker, as Members of Congress to say, no, you cannot do this, HHS, by any kind of executive order, and we are going to challenge it. Because people, sometimes, yes, they do need a little bit of a nudge to get off welfare and onto work; but in the final analysis, these individuals have the pride of having a job. There is nothing that compares to that. And as long as you have that opportunity, I think most individuals—and as I say, some may need a little bit of a nudge—but most people would gladly embrace that opportunity.

So that's what this is all about. We're just simply saying we want to make sure that the provisions—in a very bipartisan way—President Clinton, in agreeing with Congress to have that welfare reform, it was worked out very carefully. We as a Congress will not permit those provisions to be stripped out of welfare to work. So, please, my colleagues on both sides of the aisle, join me in supporting H.J. Res. 118.

Mr. Speaker, I rise today in support of H.J. Res. 118, a bill expressing Congress's disapproval of the administration's waiving of TANF work requirements.

This legislation would utilize the Congressional Review Act to restore the welfare to work requirements of the 1996 welfare reform law that the Department of Health and Human Services unilaterally stripped in July. When President Clinton signed welfare reform into law, he said, "First and foremost, it should be about moving people from welfare to work." Mr. Speaker, the administration has absolutely no justification to waive the reforms required by this bipartisan law.

Welfare to work requirements have proven to lower poverty levels, increase earnings, and reduce government dependence. This legislation will restore the reforms that are an integral part of helping people become independent and self-sufficient.

Mr. Speaker, I urge my colleagues to support H.J. Res. 118 because we cannot allow the Administration to roll back key features of the 1996 reforms.

□ 1450

Mr. LEVIN. I now yield 1½ minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, the resolution before us today is an exercise in hypocrisy.

Mr. Speaker, just a few days ago, before coming down to D.C., we had a commemoration for Monsignor Vincent Puma, who started rehab for drug addicts and for those folks addicted to alcohol. One of his famous statements—he only passed 6 months ago—was: Treat each person with dignity.

With all of this talk and all that you've done, you not only make a political farce out of this—because I've heard a lot of political partisanship, which is not allowed on this floor apparently, supposedly—but you know what you do? You make people, the great majority of people who legitimately—legitimately—are on welfare and have sought a job—and have sought a job—you make them feel less than human.

But Monsignor said treat everybody, every person with dignity, and that's what this is all about.

And for you to put this sham up here in front of us only adds to the disgrace. But only if States show they will use that flexibility to increase workforce. It says it right in the law, quote and unquote.

Never mind that this is a policy that you folks on the other side of the aisle—including Mitt Romney, when he was back in Massachusetts, and our colleague, Congressman RYAN—have asked for.

I will quote the letter written by the Republican Governors Association in 2005, 8 years, at least, after the welfare reform was signed. Here's Governor Romney.

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

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind the Members to direct their remarks to the Chair.

Mr. PASCRELL. We're going to start with me?

The SPEAKER pro tempore. The Chair would remind Members to direct their remarks to the Chair.

Mr. PASCRELL. This is what Governor Romney signed in 2005, Mr. Speaker:

> Increased waiver authority, allowable work activities, availability of partial work credit, and the ability to coordinate State programs are all important aspects of moving recipients from welfare to work.

I didn't say it; you didn't say it; he didn't say it. Governor Romney signed the letter.

The administration's policy has nothing to do with waiving the work requirement. If anything, you're increasing the work requirement, if you read the rules and not conjecture.

This resolution would block Governors across the country from putting more people back to work. How do you like those fish?

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

Mr. LEVIN. It's now my pleasure to yield 2 minutes to the distinguished gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. I thank my friend and colleague, the ranking member, for yielding me this time.

With just days to go before the majority adjourns until after the election, there are numerous pressing bills we should be completing, but it seems that nothing will stop my colleagues on the other side of the aisle from the opportunity to spend time criticizing our President with a political stunt bill once again.

I would think that an effort to move at least 20 percent more—that's 20 percent more—people from welfare to work would be applauded by my colleagues on the other side of the aisle. That's right, an increase in employment among TANF recipients under the proposal by the President. But, instead, that bill we're considering today actually stops people from moving towards work.

Now, I know there has been a resistance to passing a jobs bill by this majority, but this is absolutely ridiculous. It's one thing not to have a jobs bill on the floor, but to have a bill on the floor that would actually say ''don't incentivize more people to find work opportunity'' just really is ridiculous.

The truth is my colleagues on the other side of the aisle seem much more interested in attacking the President than in truly working to improve programs and policies, as evidenced by the unfinished work that they are leaving behind.

I hope my colleagues will see through this charade on both sides of the aisle and will all vote ''no'' on this bill so we can get back to work on serious issues and not political gamesmanship.

Mr. CAMP. I continue to reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, could you tell us the time that's left for us?

The SPEAKER pro tempore. The gentleman from Michigan (Mr. LEVIN) has 2½ minutes remaining. The gentleman from Michigan (Mr. CAMP) has 4 minutes remaining.

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

Mr. CAMP. I have no further speakers. I believe I have the right to close. I'm prepared to close when the gentleman is through with his speakers.

Mr. LEVIN. I yield myself the balance of my time.

You know, I think the public should ask why this resolution, why trying to provide some kind of a smokescreen for an ad that has been called a ''pants on fire lie'' and ''four Pinocchio's dishonest,'' why do that? I think the reason is very clear. This is manipulating the truth to try, I think, to appeal to the worst instincts.

I worked with Ron Haskins on welfare reform, and he says this, I quote: ''There is no plausible scenario on which it''—he means this ad—''really constitutes a serious attack on welfare reform.''

He goes on to say, ''the idea''—I repeat this—''that the administration is going to try to overturn welfare reform is ridiculous.''

And then he says, ''Republicans are the ones who talk about giving the States more flexibility. Now, all of a sudden, the States shouldn't get the flexibility because they are going to mess it up? It doesn't make sense.''

But it's worse than nonsense. It's pernicious. The ad is pernicious, and it's beneath the dignity of this House for Republicans in the House who are doing nothing on major issues to do something to try to protect the former Governor of Massachusetts, their candidate for President.

This House deserves much better than becoming a political plaything, a political plaything. It won't happen. Despite this vote, it won't happen.

I yield back the balance of my time.

Mr. CAMP. Mr. Speaker, I yield myself the balance of the time.

When the bipartisan welfare reform bill was passed in 1996 and ultimately signed by President Clinton, the work requirement was a key part of that welfare bill. And the work requirement is this: that at least 50 percent of the caseload has to be engaged in work. And the principle was that, if you're able-bodied, you ought to be working if you're going to be receiving Federal benefits.

Now, the statute named 12 different things that qualify as work. Most of us think of work as going actually to employment, but there are 12 things. And a couple of them, let me just say, such as job search and job readiness actually, under current law, qualify for work. Vocational training and education qualifies for work as long as it doesn't exceed 1 year.

Also put into the statute was a clear statement that the work requirement could not be waived, because changing the paradigm on welfare was absolutely critical. And as I said in my opening statement, it has been important to reducing welfare caseloads, to bringing people to independence, to reducing child poverty. Those were all critical goals that have been met.

Let me read what Dr. Haskins, the Staff Director of the Ways and Means Committee—and I was on the Ways and Means Committee; I helped write the welfare bill; I was on the conference committee—said at that time, in terms of waivers. ''Waivers''—and this is the committee report.

Waivers granted after the date of enactment may not override provisions of the TANF law that concern mandatory work requirements.

That's because this was such an important part of the change that we were trying to bring to welfare. And it's been very successful, some might say the most successful social change that has occurred.

□ 1500

So every administration since then, whether it was the Clinton administration or the Bush administration or even at the beginning of the Obama administration, recognized that work requirements could not be waived. There is plain language in the statute in section 407 that says the work requirement cannot be waived.

Then here comes the Obama administration, through an information memorandum, that now both the GAO and the Congressional Research Service say is really a rule; and I would like to place in the RECORD both the letter of September 4 and the September 12 Congressional Research Service memorandum, both which say that the administration action was a rule.

The full CRS report I am inserting in the RECORD is available online at http://waysandmeans.house.gov/uploadedfiles/evaluating__whether__the__tanf__information__memorandum__is__a__rule__under__the__cra__redacted__5.pdf

Now comes the administration saying, Well, we don't have to go to Congress to change the law. Even though Congress voted on this in a bipartisan way and this was a critical piece of major legislation, we're just going to send in an information memorandum and have unelected bureaucrats change the law of the land.

People who sort of referee things around here, like the GAO and CRS, said, No. Hold it. Stop. This is not an information memorandum. This is a rule.

If an administration wants to promulgate a rule, there are certain criteria that they have to follow. The reason is that unelected people are making law. So, in order to do that, they have to inform the Congress, and they have to do certain things, none of which the administration did. Let me read a piece of this information memorandum:

Projects that test systematically extending the period in which vocational education training or job search-readiness programs count toward participation rates, either generally or for particular subgroups, such as an extended training period.

Under the law I just said, vocational training can only last a year. This information memorandum reads you can be in training for longer than a year. Number one, that is weakening the work requirement. Number two, they did not follow the law by notifying the Congress. They need to go back, and they need to issue a rule.

Frankly, if this is that important to them, come engage the Congress. There has been no consultation. There has not been one staff person from HHS who has come up and had an opportunity to brief any of us on this. I am willing to work with the administration. I'd like to hear their ideas. I'd like to have that opportunity to do so. I think it is regrettable that we've gotten to this point, but we've gotten to this point because there has been a mistake. They made a mistake, and they need to withdraw that.

I urge that we support the resolution. This is too important to have unelected bureaucrats make the law of the land.

I yield back the balance of my time.

GOVERNMENT
ACCOUNTABILITY OFFICE,
Washington, DC, September 4, 2012.

Hon. ORRIN HATCH,
Ranking Member, Committee on Finance, U.S. Senate.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means, House of Representatives.

By letter of July 31, 2012, you asked whether an Information Memorandum issued by the Department of Health and Human Services (HHS) on July 12, 2012 concerning the Temporary Assistance for Needy Families (TANF) program constitutes a rule for the purposes of the Congressional Review Act (CRA). The CRA is intended to keep Congress informed of the rulemaking activities of federal agencies and provides that before a rule can take effect, the agency must submit the rule to each House of Congress and the Comptroller General. For the reasons discussed below, we conclude that the July 12, 2012 Information Memorandum is a rule under the CRA. Therefore, it must be submitted to Congress and the Comptroller General before taking effect.

BACKGROUND

The Temporary Assistance for Needy Families block grant, administered by the U.S. Department of Health and Human Services, provides federal funding to states for both traditional welfare cash assistance as well as a variety of other benefits and services to meet the needs of low-income families and children. While states have some flexibility in implementing and administering their state TANF programs, there are numerous federal requirements and guidelines that states must meet. For example, under section 402 of the Social Security Act, in order to be eligible to receive TANF funds, a state must submit to HHS a written plan outlining, among other things, how it will implement various aspects of its TANF program. More specifically, under section 402(a)(1)(A)(iii) of the Social Security Act, the written plan must outline how the state will ensure that TANF recipients engage in work activities. Under section 407 of the Social Security Act, states must also ensure that a specified percentage of their TANF recipients engage in work activities as defined by federal law.

In its July 12 Information Memorandum, HHS notified states of HHS' willingness to exercise its waiver authority under section 1115 of the Social Security Act. Under section 1115, HHS has the authority to waive compliance with the requirements of section 402 in the case of experimental, pilot, or demonstration projects which the Secretary determines are likely to assist in promoting the objectives of TANF. In its Information Memorandum, HHS asserted that it has the authority to waive the requirement in section 402(a)(1)(A)(iii) and authorize states to "test approaches and methods other than those set forth in section 407," including definitions of work activities and the calculation of participation rates. HHS informed states that it would use this waiver authority to allow states to test various strategies, policies, and procedures designed to improve employment outcomes for needy families. The Information Memorandum sets forth requirements that must be met for a waiver request to be considered by HHS, including an evaluation plan, a set of performance measures that states will track to monitor ongoing performance and outcomes, and a budget including the costs of program evaluation. In addition, the Information Memorandum provides that states must seek public input on the proposal prior to approval by HHS.

ANALYSIS

The definition of "rule" in the CRA incorporates by reference the definition of "rule" in the Administrative Procedure Act (APA), with some exceptions. Therefore, our analysis of whether the July 12 Information Memorandum is a rule under the CRA involves determining whether it is rule under the APA and whether it falls within any of the exceptions contained in the CRA. The APA defines a rule as follows:

"[T]he whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the organization, procedure, or practice requirements of an agency and includes the approval or prescription for the future of rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services or allowances therefor or of valuations, costs, or accounting, or practices bearing on any of the foregoing[.]"

This definition of a rule has been said to include "nearly every statement an agency may make."

The CRA identifies 3 exceptions from its definition of a rule: (1) any rule of particular applicability; (2) any rule relating to agency management or personnel; or (3) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties. 5 U.S.C. 804(3).

The definition of a rule under the CRA is very broad. See B–287557, May 14, 2001 (Congress intended that the CRA should be broadly interpreted both as to type and scope of rules covered). The CRA borrows the definition of a rule from 5 U.S.C. 551, as opposed to the more narrow definition of legislative rules requiring notice and comment contained in 5 U.S.C. 553. As a result, agency pronouncements may be rules within the definition of 5 U.S.C. 551, and the CRA, even if they are not subject to notice and comment rulemaking requirements under section 553. See B–316048, April 17, 2008 (the breadth of the term "rule" reaches agency pronouncements beyond those that require notice and comment rulemaking) and B287557, cited above. In addition to the plain language of the CRA, the legislative history confirms that it is intended to include within its purview almost all rules that an agency issues and not only those rules that must be promulgated according to the notice and comment requirements in section 553 of the APA. In his floor statement during final consideration of the bill, Representative McIntosh, a principal sponsor of the legislation, emphasized this point:

"Although agency interpretive rules, general statements of policy, guideline documents, and agency policy and procedure manuals may not be subject to the notice and comment provisions of section 553(c) of title 5, United States Code, these types of documents are covered under the congressional review provisions of the new chapter 8 of title 5.

Under section 801(a), covered rules, with very few exceptions, may not go into effect until the relevant agency submits a copy of the rule and an accompanying report to both Houses of Congress. Interpretive rules, general statements of policy, and analogous agency policy guidelines are covered without qualification because they meet the definition of a 'rule' borrowed from section 551 of title 5, and are not excluded from the definition of a rule."

On its face, the July 12 Information Memorandum falls within the definition of a rule under the APA definition incorporated into the CRA. First, consistent with our prior decisions, we look to the scope of the agency's action to determine whether it is a general statement of policy or an interpretation of law of general applicability. That determination does not require a finding that it has general applicability to the population as a whole; instead, all that is required is that it has general applicability within its intended range. See B–287557, cited above (a record of decision affecting the issues of water flow in two rivers was a general statement of policy with general applicability within its intended range). Applying these principles, we have held that a letter released by the Centers for Medicare and Medicaid Services to state health officials concerning the State Children's Health Insurance Program (SCHIP) was of general applicability because it extended to all states that sought to enroll children with family incomes exceeding 250 percent of the federal poverty level in their SCHIP programs, as well as all states that had already enrolled such children. Similarly, the July 12 Information Memorandum is of general, rather than particular, applicability because it extends to all states administering Temporary Assistance for Needy Families (TANF) programs that seek a waiver for a demonstration project.

Next we must determine whether the action is prospective in nature, that is, whether it is concerned with policy considerations for the future and not with the evaluation of past conduct. In B–316048, we held that the SCHIP letter was intended to clarify and explain the manner in which CMS applies statutory and regulatory requirements to states that wanted to extend coverage under the SCHIP programs. Similarly, the July 12 Information Memorandum is concerned with

authorizing demonstration projects in the future, rather than the evaluation of past or present demonstration projects. Specifically, the Information Memorandum informs states that HHS will use its statutory authority to consider waiver requests, and sets out requirements that waiver requests must meet. Accordingly, it is designed to implement, interpret, or prescribe law or policy.

In addition, the Information Memorandum does not fall within any of the three exclusions for a rule under the CRA. As discussed above, the Information Memorandum applies to all states that administer TANF programs, and therefore is of general applicability, rather than particular applicability. The Information Memorandum applies to the states, and does not relate to agency management or personnel. Finally, the Information Memorandum sets out the criteria by which states may apply for waivers from certain requirements of the TANF program. These criteria affect the obligations of the states, which are non-agency parties.

GAO has consistently emphasized the broad scope of the definition of ''rule'' in the CRA in determining the applicability of the CRA to an agency document. Other documents deemed to be rules include letters, records of decision, booklets, interim guidance, and memoranda. See, for example, B–316048, April 17, 2008 (a letter released by the Centers for Medicare & Medicaid Services of HHS concerning a State Children's Health Insurance Program measure, to ensure that coverage under a state plan does not substitute for coverage under group health plans, described by the agency as a general statement of policy, was a rule) and B–287557, May 14, 2001 (a ''record of decision'' issued by the Fish and Wildlife Service of the Department of the Interior in connection with a federal irrigation project was a rule).

Finally, the cases where we have found that an agency pronouncement was not a rule involved facts that are clearly distinguishable from the July 12 Information Memorandum.

We requested the views of the General Counsel of HHS on whether the July 12 Information Memorandum is a rule for purposes of the CRA by letter dated August 3, 2012. HHS responded on August 31, 2012, stating that the Information Memorandum was issued as a non-binding guidance document, and that HHS contends that guidance documents do not need to be submitted pursuant to the CRA. Furthermore, HHS notes that it informally notified Congress by providing notice to the Majority and Minority staff members of the House Ways and Means Committee and Senate Finance Committee on the day the Information Memorandum was issued.

We cannot agree with HHS's conclusion that guidance documents are not rules for the purposes of the CRA and HHS cites no support for this position. The definition of ''rule'' is expansive and specifically includes documents that implement or interpret law or policy. This is exactly what the HHS Information Memorandum does. It interprets section 402(a) and section 1115 to permit waivers for a demonstration program HHS is initiating. We have held that agency guidance, including guidance characterized as non-binding, constitutes a rule under the CRA. See B–281575, cited above. In addition, the legislative history of the CRA specifically includes guidance documents as an example of an agency pronouncement subject to the CRA. A joint statement for the record by Senators Nickles, Reid, and Stevens, submitted to the Congressional Record upon enactment of the CRA, details four categories of rules covered by the definition in section 551. These categories include formal rulemaking under sections 556 and 557, notice-and-comment rulemaking under section 553, statements of general policy and interpretations of general applicability under section 552, and ''a body of materials that fall within the APA definition of a 'rule' . . . but that meet none of procedural specifications of the first three classes. These include guidance documents and the like.'' Finally, while HHS may have informally notified the cited Congressional committees of the issuance of the Information Memorandum, informal notification does not meet the reporting requirements of the CRA.

CONCLUSION

We find that the July 12 Information Memorandum issued by HHS is a statement of general applicability and future effect, designed to implement, interpret, or prescribe law or policy with regard to TANF. Furthermore, it does not come within any of the exceptions to the definition of rule contained in the CRA. Accordingly, the Information Memorandum is a rule under the Congressional Review Act.

We note that this opinion is limited to the issue of whether the Information Memorandum is a rule under the CRA. We are not expressing an opinion on the applicability of any other legal requirements, including, but not limited to, notice and comment rulemaking requirements under the APA, or whether the Information Memorandum would be a valid exercise or interpretation of statutes or regulations.

Accordingly, given our conclusions above, and in accordance with the provisions of 5 U.S.C. §801(a)(1), the Information Memorandum is subject to the requirement that it be submitted to both Houses of Congress and the Comptroller General before it can take effect.

If you have any questions concerning this opinion, please contact Edda Emmanuelli Perez, Managing Associate General Counsel at (202) 512–2853.

LYNN H. GIBSON,
General Counsel.

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

I rise today in strong support of H.J. Res. 118, a resolution disapproving the Obama administration's attempt to roll back successful welfare reforms. The resolution we are considering today is quite simple. It preserves bipartisan policies that serve low-income families, and it reins in this latest example of executive overreach by this administration.

In 1996, a Republican Congress worked with a Democratic President to fix a broken welfare system. By promoting work as a central focus of helping individuals achieve self-sufficiency, this bipartisan achievement reduced poverty and strengthened the income security of millions of needy families. The success of the law is a testament to the power of work and personal responsibility as well as what we can achieve when both sides work together in good faith. Unfortunately, the bipartisan spirit of welfare reform has been tarnished by the Obama administration's decision to waive the historic work requirements, ending welfare reform as we know it.

While this action is troubling, it isn't surprising. The President has a track record of weakening work requirements in other Federal programs, including with unemployment benefits and food stamps. The results have been disappointing. A memo by the Congressional Research Service notes the number of able-bodied adults on food stamps doubled—that's right, doubled—after the President suspended the program's work requirement, and now we are supposed to believe a similar experiment will help families on welfare.

This is also not the first time the President has been guilty of executive overreach. The Obama administration has coerced States to adopt its education agenda through conditional waivers, ignoring congressional efforts to reauthorize the law. Now States and schools face more uncertainty than ever about the future of our Nation's education system, and they remain tied to a broken law. Additionally, the President has announced which immigration laws he will and will not enforce, and has installed unconstitutional, nonrecess recess appointments to the National Labor Relations Board.

Despite all of these heavy-handed attempts to advance the President's agenda, 23 million workers are still searching for a full-time job, and 46 million Americans are still living in poverty. Too many of our fellow citizens are unemployed and trapped in poverty, not because of failed welfare policies but because of President Obama's failed leadership. If the President had ideas for enhancing flexibility in welfare policies, he must submit those proposals to Congress and work with us to change the law. He has not done that. Instead, he has chosen to adopt a controversial waiver scheme that rewrites law through executive fiat.

The good news is we have an opportunity today to tell the President: Stop. Stop rewriting Federal law behind closed doors. Stop promoting schemes that undermine personal responsibility and that encourage government dependency. Stop advancing failed policies, and start working with Congress on positive solutions that will grow our economy and great jobs. The American people desperately need and expect as much from their elected leaders.

I urge my colleagues to support H.J. Res. 118 and to take a stand against the President's effort to roll back reforms that continue to lift families out of the poverty.

I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 4 minutes.

The House meets today to spend time debating a resolution that is on a purely fabricated problem. Rather than focusing on the real problems facing American families, we are, instead, focusing on a resolution of disapproval—a resolution that does not create a single job.

In July, the administration announced a waiver process under the welfare law that would allow Governors to use innovative approaches to move more welfare recipients into employment. Immediately, Washington Republicans claimed the waiver would

gut the welfare reform; but fact checker after fact checker has publicly discredited attempts to characterize the waiver as going soft on work requirements, and we are still waiting for the majority to show us exactly where the administration's waiver proposal eliminates the work requirement.

Even the Republican staff director of the Ways and Means Committee subcommittee at the time of the 1996 welfare reform law says that these claims are false. In fact, the administration has even clarified the rules, writing that no State will get a waiver unless it shows an increase in employment of 20 percent.

Actually, the Republican position here is fairly consistent. They haven't done anything here to create new jobs. They're against welfare recipients getting jobs, and they're against Governors increasing employment opportunities by 20 percent. So I guess we now know, in these last waning days of session, that the Republican Party here is against all jobs. No matter who is standing in line for the jobs, they're against those jobs even though the Republican Governors have petitioned for the right to change the welfare law so they can put more people to work. The administration says you can do that if you put 20 percent more people to work. Imagine putting 20 percent more people to work on the welfare rolls of California or New Jersey or Texas, but the Republicans say no.

The Republican Governors and Democratic Governors asked for this authority in 2002, 2003, and 2005, and the House passed a much broader waiver authority in trying to give the Governors, if you will, State flexibility. That's what they were asking for, but now all of a sudden, in this political year, their candidate is running a little behind, so we see this as an effort to try to attack the President of the United States for doing exactly what the Republican Governors and what the Republicans in Congress have done and have voted on and passed.

As President Clinton says, it takes brass to denounce something that you, yourself, have already supported. The hypocrisy doesn't stop there, but you've got to have a lot of hypocrisy when you're defending a candidate who believes in everything and stands for nothing.

Just weeks before the administration announced its waiver process, the Republican Workforce Investment bill was reported out of my committee. The mantra of the Republicans all through that bill and all through the consideration over the last couple years has been ''State flexibility.'' Well, they accomplished it in this bill. It provides so much State flexibility that the State with an approved unified workforce training plan can, at the State's discretion, eliminate all work requirements from TANF. It passed out of the Education and the Workforce Committee on a partisan vote, with all Republicans supporting that effort to let Governors eliminate all work requirements.

So this debate is a little bit behind the times and is probably not dealing with the serious problem, which is the reauthorization of the Republican Workforce Incentive Act. What a difference a few weeks and a convention make, and here we are using the valuable time of this House before we go to adjournment to carry out a political prank—a manufactured problem, a fabricated problem—based upon fabricated facts. Yet still we don't see ourselves dealing with the questions of middle class tax cuts, and we don't see ourselves dealing with jobs bills that we've been asking for time and again while this Congress has been in session.

□ 1510

It's a sad way to end this session of the Congress of the United States without providing the access to those jobs that this Congress could have been providing throughout this entire year to strengthen the economy. Then again, as the Senate leader has said, they don't want to work with this President. They want him to fail. And for him to fail, that means the American people can't have jobs. That's the goal here.

With that, I reserve the balance of my time.

Mr. KLINE. Mr. Speaker, I'm pleased now to yield 2 minutes to a distinguished member of the committee, the gentlelady from North Carolina (Ms. FOXX).

Ms. FOXX. Mr. Speaker, I want to thank the chairman for yielding time.

Mr. Speaker, it is unfortunate that our colleagues across the aisle are attempting to paint Republicans as inconsistent on welfare work requirements to distract from their position in favor of undermining successful welfare reforms. They suggest that the Workforce Investment Improvement Act, WIIA, that I offered with my colleagues, Representatives BUCK MCKEON and JOE HECK, would gut the 1996 TANF work requirements. That is so far from the truth.

WIIA would neither contradict nor supplant the 1996 work requirements. The WIIA legislation allows Governors to reduce the number of redundant taxpayer subsidized employment and job training programs and offer real assistance to the millions of Americans who are unemployed and suffering because of the policies of this administration. WIIA would reduce inefficiencies and have States administer these programs, not undermine welfare reform. Republicans have a clear record of strengthening the work requirements at the heart of the 1996 welfare reform bill, and we have a record of working with a Democrat President to accomplish that reform.

I urge my colleagues to stand with us and with the 83 percent of Americans who want to see welfare's work requirements upheld by voting in favor of this resolution.

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentleman from Maryland (Mr. HOYER).

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

Mr. HOYER. Mr. Speaker, I'm sure America has been watching the ads. The ads say that black is white, and they say it over and over and over and over again. And they hope the American people believe that black is white.

But it's not enough for them to say it on ads, now they bring it to this floor in the last 7 hours of the session of Congress before the election. Are we dealing with jobs? No. Are we dealing with violence against women? No. Are we dealing with farmers who are in distress? No. Are we dealing with middle class tax cuts? No. Are we dealing with postal reform as the postal department goes broke? No. What are we doing? We are trying to reaffirm an ad that some people are spending tens of millions of dollars on to misrepresent the facts.

Mr. Speaker, black is not white. I can say it one time, a hundred times, a thousand times: black is black, and white is white. This action the administration has taken is to produce more jobs, more work to get more people back to work. How? To respond to Republican Governors and Democratic Governors who say, I have a better way of doing it. By the way, that's what you proposed when you were in charge and we had President Bush in office on at least the three occasions that the chairman has just mentioned.

White is not black, and black is not white.

Mr. Speaker, the bill before us today exemplifies the do-nothing Republican Congress. Once again, Republicans are choosing to focus on a political message over serious issues like jobs, middle class tax cuts, or the farm bill. Instead, we're here today discussing a Republican bill that misrepresents the facts in an attempt to simply score political points. How sad for the American people.

At issue is the Temporary Assistance for Needy Families program which was created in 1996 when Republicans and Democrats worked together to achieve welfare reform. So you understand on that side of the aisle, I was a Democrat who voted for welfare reform. I was a Democrat who said we ought to expect people to work if they can work. I'm also a Democrat that says we have to help people when through no fault of their own they can't work or have lost work.

The previous speaker talked about how we weren't concerned about jobs. In the Bush administration, 4.4 million jobs were lost in the last 12 months of the Bush administration. Over the last 30 months, we've created 4.6 million jobs. I ask you, who cares about jobs? Who creates jobs? There were, of course, 22 million jobs created in the Clinton administration. We heard a lot of talk about that at our convention. I didn't hear anything about the Bush administration at the Republican convention. George Bush was not there, he was not mentioned, and the record was

certainly hidden. We care about jobs. We care about people getting to work. We also care about helping people. We can do both.

Defeat this bill.

Black is not white, and white is not black.

Mr. KLINE. Mr. Speaker, at this time, I'm pleased to yield 3 minutes to a member of the committee, the subcommittee chair, the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Thank you, Mr. Chairman.

There has been 8 percent unemployment for 43 straight months. I think the record speaks for itself.

I come from the great State of Michigan, where a Governor, like a number of others in this great country, now is trying to do everything possible to undermine the malaise that is going on with lack of employment in this country because of the wrong approach to helping people with the dignity of work.

In the eighties and nineties in Michigan, we struggled with high unemployment. We struggled with a welfare system that was putting people really in servitude, and in many cases against their own will and their own desires. They wanted to work.

I still have at my home office copies of leaflets that were handed to people coming from other States to Michigan because it said you can cross the line and immediately get welfare assistance with no work requirements and no residency requirements. We struggled with that.

Then in 1994, under a Republican administration and through the efforts of many of us, we put through what we called ''workfare-edufare reform'' and promoted the dignity of individuals with an opportunity to work. We saw amazing results begin to take place not overnight, but almost. We heard testimonies of people who were formerly on welfare assistance saying, I didn't really think it would work, but I can now say on my own I am paying for my own way and my kids. I have got an education. I have got work now that gives me dignity. And I'm moving forward.

We've continued on with that. And now here, when Governors have asked for some flexibility with TANF—not asking for the removal of work requirements—we're going to do that. Well, I said ''no,'' and I'm glad our committee has said ''no,'' and we've moved forward with this resolution that speaks to the dignity and the value of individuals, but also of the work experience, the educational experience, and training for that.

We don't want to move backwards. We don't want to put further roadblocks in the way of achieving all that America and its dream can be. We don't have to. We can support a resolution like this. We can spur our President, this administration, on to doing the right thing for the right people. That's the American people, people that will work with dignity and achieve things for the future.

This country is great. Let's work together. Let's pass this resolution, H.J. Res. 118.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

□ 1520

Mr. ANDREWS. I thank my friend for yielding. Ladies and gentlemen of the House, this resolution repeals a rule that doesn't exist and ignores some problems that really do exist.

The policy from the Department of Health and Human Services says this: if a Governor thinks he or she has a better way to move people from welfare to work as two Republican Governors have asked for since that time, they can get a waiver from some of the rules in the welfare law if, and only if, they move more people from welfare to work than they otherwise would have done. The bill that the majority did report out of committee abolishes the work requirement.

In fact, the only way to save the work requirement is to let this rule go into effect. That's the illusionary rule they are trying to repeal for the real problems that concern us, though.

If you're a small business person that would like to have a tax cut when you create jobs, the House is ignoring that problem because we're not voting on that bill today. If you're a teacher or a police officer who's been laid off in the last 2 years, the House is ignoring your problem because we're not voting on that bill today.

If you're an engineer or construction worker who would like to go to work building roads or bridges or trains, the House is ignoring your problem because we're not voting on that bill today.

This resolution repeals an imaginary rule at a time of real, acute, and serious problems for the American people. The majority does have a plan to deal with those problems. They're going home for 6½ weeks. The American people shouldn't have to wait for 6½ weeks to solve these problems.

We should vote down this bill, stay on the job and pass jobs legislation that really helps the American people and a farm bill that helps American farmers.

Mr. KLINE. Mr. Speaker, I yield 2 minutes to a member of the committee, the subcommittee chairman of the Health Subcommittee, the gentleman from east Tennessee, Dr. ROE.

Mr. ROE of Tennessee. I thank the chairman for yielding.

Mr. Speaker, I rise today in support of H.J. Res. 118. This resolution will express Congress's disapproval of the Obama administration's attempt at weakening bipartisan welfare reform and prevent the administration from implementing their plan to waive the work requirements of the current law.

Sixteen years ago, a Republican-led Congress worked with President Clinton to fix a broken welfare system, a bipartisan law that resulted in the Temporary Assistance for Needy Families block grant. Our ranking member said there is about a 20 percent requirement to increase work, and I think that's a great idea. But how do you define work?

Well, the GAO in 2005 issued a report that said some States counted work as such activities as bed rest, personal care, massage, exercise, journaling, motivational reading, smoking cessation, weight-loss promotion, helping a friend with a household task or running errands.

That makes a mockery of work, and that doesn't pass the laugh test. Independents, Democrats, and Republicans in our area of the country know what work is, and that isn't it.

Since then, since the passage of the law, a number of individuals have dropped off the welfare, a 57 percent decrease. The poverty level among single women dropped by 30 percent while their income and earnings increased. More than 80 percent of the people in this country support work requirements in the welfare reform bill, and this legislation ensures that the hard work of the 104th Congress and President Clinton isn't weakened by the Obama administration.

Let me speak to my friend, Mr. ANDREWS, for just a moment. It's a great idea to hire teachers and firefighters. I've done that as a mayor of a city of 60,000 people. Democrats have it just backwards. What you do is you create a work environment with decreased regulations and decreased government interference where the private sector can go out and create the jobs that create the taxes that pay for all of these services that we want.

That's what we did. It works, and that's a very basic difference in philosophy.

Mr. GEORGE MILLER of California. I yield 2½ minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Well, here we are, Mr. Speaker, 24 hours before the majority closes shop and sends us home for 7 weeks, and what are we debating?

Are we talking about creating jobs for families who are struggling to make ends meet and wondering what happened to the American Dream? No, of course not. Instead, we're taking up yet another divisive partisan measure that will do nothing to kick-start the economy or help people who have been kicked in the teeth by this recession.

The Obama administration's TANF waivers promote work. They allow States the flexibility. For example, they allow States to consider education as work, providing education and training, to move people off welfare so that they can find jobs that actually pay a living wage so they can support their families.

Mr. Speaker, I've been on public assistance. I know what it's like. It's a bad, bad feeling. It doesn't make you proud. I did it because I had to, certainly not because I wanted to.

I would wake up in the middle of the night frozen in fear of what would happen if one of my three children, they were 1, 3 and 5 years old, got ill. What if they broke an arm. They were rowdy little kids. What if they grew out of their shoes before I planned to buy new shoes? It was a very scary time.

The day that I went off welfare was the day that I celebrated because I didn't need it. I could stand on my own two feet. But I guess we shouldn't be surprised by this debate. The majority party's current standard bearer has said he believes 47 percent of the American people are essentially—and that would have been me back there with my children—freeloaders and parasites who don't take responsibility for themselves. That's outrageous and it is class warfare.

Denigrating the poor and the middle class is a favorite strategy on the right. It should be creating jobs, but it doesn't seem to be the way they go.

I would like to suggest, Mr. Speaker, that we stop all this tomfoolery and we think about the people in this country. We know we have a job to do, and that job should be done before we leave here.

Mr. KLINE. Mr. Speaker, may I inquire as to how much time remains on each side.

The SPEAKER pro tempore. The gentleman from Minnesota has 5½ minutes remaining, and the gentleman from California has 3½ minutes remaining.

Mr. KLINE. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from South Carolina (Mr. GOWDY).

Mr. GOWDY. I thank the chairman. Mr. Speaker, some of our colleagues on the other side of the aisle wish to change the law, and that's fine. They just need to do it navigating this testy little thing we call the Constitution and respect the separation of powers between the various branches.

Mr. Speaker, I want to read the proposed rule to you in part: HHS has the authority to waive compliance with this work requirement and authorize the State to test approaches and methods other than those set forth in section 407, including definitions of work activities and engagement, specify limitations and verification procedures.

Then the next sentence, Mr. Speaker, is essentially this, and I'll paraphrase it; it's by the HHS Secretary: trust us, trust us that we're going to have the right motives when we weigh what Congress has expressly said to do.

To my lawyer friends on the other side, I would ask you this, why do we have something called substantive due process and procedural due process? I'll tell you why, Mr. Speaker. Because the way things are done matters. For my friends who prefer literature, the end does not justify the means.

We have separation of branches under our system of government. Among my many limitations, Mr. Speaker, is an inability to deign the motives of other people. Their motives may be laudatory. I don't know that. I know this. We have a process in this country which must be followed, and this President has repeatedly said if Congress won't do it, I will do it alone.

Mr. Speaker, the answer to that is, no, sir, you will not. In a democracy you will not do it alone, whether it's the NLRB or EPA or most recently HHS with the health care mandate or now with this.

□ 1530

There has been an erosion of Congress' authority and we have ceded it to the executive branch. And I will say this to my colleagues on the other side of the aisle. Mr. Speaker, the sun does not always shine on the same people all the time. There will come a time where there will be a Republican chief executive. So I would be careful about ceding this body's responsibility to the executive branch. And when that time comes, when there is a Republican President, I will stand up for the right of Congress to make the laws and not the executive branch, just as I am now.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is all interesting, except the fact is there's nothing in what the Secretary of Health and Human Services has proposed that's inconsistent with the Republican position over the years, with the Bush administration position over the years, with the Clinton administration position over the years and the Obama administration position over the years, and that is that when they passed historic welfare reform there would be an authority in there so, as the Governors lived with this over time, they could make adjustments. And that's why we keep reciting to the various instances when Governors have asked for this—29 Governors of both parties, a couple of Republican Governors recently—asking for this authority, because they thought they had a better way to put it to work.

It's rather interesting today that one of the questions is whether or not we would extend the education time so people can get the proper credentials, the proper training for a job. Many people have been unemployed now for a couple of years from a job that may not be coming back and the skills they have need to either be updated or they have to learn new skills to get the job that's available in their locality or maybe a ways down the road.

It's also interesting that the Business Roundtable is in Washington this week talking about this exact problem: How do we develop those new skills because of the skills mismatch that exists in this country today for hundreds of thousands of jobs that are available, but apparently the skills are not there?

Now, I wonder if that skills training so that that person can get a job in a good industry and a good job, what if that takes 13 months as opposed to 12 months or what if it takes 8 months instead of 6 months? Why don't we live with the Governors having the flexibility if they believe that's the economic plan for their arrangement?

We see consortiums now, because of the Higher Ed Act, coming together—community colleges, State universities, manufacturing consortiums, employer consortiums—developing the programs to develop the skills for the American workforce. And some of that is inconsistent with the requirements under this law, and that's why Governors who want to move to the future came and asked for that relief. And that waiver authority exists in the Social Security Act. That waiver authority is explicitly for this purpose.

But in the name of politics, we're going to deny those States that are struggling, those Governors that are struggling, with the ability to do this. And under the rules, as the memorandum has suggested, they would have to show a very substantial increase in moving people from welfare to work. Supposedly, that's the goal of everybody who's a Member of this body, but politics is has overwhelmed that.

If you had these concerns, we could have fixed it and moved on with getting people off of welfare to work. But we will leave here with some kind of political statement, a hollow political victory that means nothing except that those people will still be waiting to get off of welfare and go to work. The Governors will still be waiting to implement the program to get them off of welfare and go to work. And the Congress will go home.

In the face of the desperate need of these people to acquire these skills to improve their talents, to provide for these families, to feed their kids, to educate them, to provide for health care, the Congress will go home. It won't give the Governors this authority because it'll look bad for their Presidential candidate. They won't give the Governors this authority because they can score a point here. Those Governors weren't trying to score a point. They were trying to score some jobs. They were trying to score some jobs for their citizens.

But political games are going to win out here because the clock is running out on this Congress. So we could have helped those Governors. You could have tweaked this so you could have said you change from what President Obama wanted, and we could have gone on and people could have had opportunity in America. You keep saying you're for it, you just don't get around to providing it.

I yield back the balance of my time.

Mr. KLINE. I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman is recognized for 3 minutes.

Mr. KLINE. I have got a number of issues to address here. We've heard so much in a relatively short period of time here.

We heard from some of our colleagues that we haven't brought a jobs

bill. My colleagues on both sides of the aisle know very well that we have brought many jobs bills. In fact, over 30 of them have passed this House—most of them in a bipartisan way—and are sitting in the Senate. We just don't happen to believe that trillions more of borrowed money to jump-start the economy is a jobs bill. That's been proven to fail. This, in fact, is a jobs bill because we want people on welfare to get to work.

And so we've heard that, no, this information memorandum, which has been now correctly determined to be a rule—an information memorandum designed to bypass Congress—will in fact weaken the work requirements. And so how do we draw that conclusion? From a number of things.

One, we're very concerned about the definition of ''work.'' We've heard the number, 20 percent increase. It actually means instead of 1.5 percent of people leaving with a ''job'' that we still haven't quite defined, apparently, we'd have 1.8 percent. Not an overwhelming number. And then we have the nonpartisan, ever-present Congressional Budget Office that has joined us with this opinion. Under the memorandum:

> CBO expects the penalties for States that don't meet the work requirements specified in the Social Security Act would be reduced.

It sounds like waiving work requirements to me. And they go on:

> Thus, CBO estimates that enacting Resolution 118 would reduce direct spending by $59 million over the 2012–2022 period, as some States would pay increased penalties to the Federal Government for failing to meet the work requirements.

The work requirements in section 407, which the Congress explicitly said may not be waived.

And we heard from the other side that Republicans in the committee, including the chairman, voted for the Workforce Investment Improvement Act, which waives all work requirements. We disagree with that. We disagree with that. Even the CRS concedes that the purpose of the provision in that bill is to reduce administrative inefficiencies, not to gut welfare reform.

But we have some disagreement. It could be controversial. In an open system, an open process, we can address that question when it comes to the floor of the House; and if there is confusion, we can make it crystal clear that we do not want to waive work requirements that have been so important to the success of welfare reform. We're here today because the President decided he would exercise power he does not have in order to waive welfare work requirements Congress has said must not be waived.

I urge my colleagues to join me in support of this important piece of legislation, and I yield back the balance of my time.

Mr. CONNOLLY of Virginia. Mr. Speaker, is it possible that I missed some fundamental shift in philosophy during the Republican Convention last month? I thought my Republican colleagues actually favored states' rights and empowering our governors. I thought my Republican colleagues wanted to eliminate ''job killing'' government regulations. I thought my Republicans colleagues were focused on the economy and putting people back to work.

Well, the Obama Administration's proposal to grant waivers to states under the Temporary Assistance for Needy Families program would do those very things. It will reduce some of the more burdensome regulations associated with TANF, it will provide states with the flexibility they have been seeking to pursue more innovative strategies, and it will set a standard requiring participating states to move 20% MORE people from welfare to work.

That sounds like a JOBS bill to me . . . and a bipartisan one no less. Republican governors from Utah and Nevada recently requested these waivers, and 29 Republican Governors, including Governor Romney, have sought this kind of flexibility in the past. If that weren't enough, some of my Republican colleagues even voted to grant similar waivers when they were proposed by fellow Republicans in 2002, 2003 and 2005.

So why then are my Republican colleagues not supporting this common-sense, bipartisan proposal? Because it undermines their election-year narrative for attacking the President—a narrative on this very issue that multiple fact checkers have labeled as bogus.

This resolution of disapproval is nothing more than an exercise in crass political cynicism. If my Republican colleagues were serious about helping the economy, we'd be celebrating this as a bipartisan accomplishment that will put more people back to work. Instead they will vote against their own principles just to deny this President any semblance of a victory . . . even if it means keeping people out of work. You know, I had a friend who once said, ''If you're going to be a phony, at least be sincere about it.'' No wonder the American people view this Republican Congress with such disdain. I urge my colleague to reject this resolution.

Ms. RICHARDSON. Mr. Speaker, I rise today in strong opposition of H.J. Res. 118. This resolution expresses opposition to a condition that does not exist. Republicans, led by their presidential nominee, have been spreading the falsehood that the Obama administration has weakened the work requirement of the Welfare Reform Act of 1996, one of the landmark achievements of the Clinton administration. The claim is false, and has been conclusively refuted by the foremost authority on welfare reform, former President Bill Clinton himself.

Here is what really happened. When some Republican governors asked for waivers to try new ways to put people on welfare back to work, the Obama administration listened. The administration agreed to give waivers to those governors and others only if they had a credible plan to increase employment by 20 percent, and they could keep the waivers only if they did increase employment. As noted by President Clinton, the waivers actually ''ask for more work, not less.''

The claim that the administration weakened welfare reform's work requirement is just not true. This is simply a political stunt for the fall campaign that wastes precious time that could be spent working together on solutions for the real problems confronting American families like creating jobs and strengthening the economy.

Mr. Speaker, it seems to me that H.J. Res. 118 is purely a messaging bill and not a bill for the American people. This is an effort to distract Americans from the Republicans' dismal job record. Republicans should be passing the administration jobs package, middle class tax cuts, and a comprehensive deficit deal to stop sequestration instead of engaging in this election-year maneuvering as they leave town. This bill is a waste of time and shouldn't have been introduced on the floor. I strongly oppose H.J. Res. 118 and urge my colleagues to do so as well.

Mr. DINGELL. Mr. Speaker, I rise today in strong opposition to the resolution of disapproval before us today. Yet again, the House is wasting valuable time considering a resolution that is not about good policy, or helping Americans get back to work, but about political games and rhetoric driven by half-truths.

In July of this year, the U.S. Department of Health and Human Services (HHS) issued a memo outlining a program for the consideration of state proposals for alternative job placement performance measures for Temporary Assistance for Needy Families (TANF) recipients. This was in direct response to the requests from at least 29 states who wanted more flexibility on how they measured work participation among recipients. Many of these states requested a waiver so they could focus on more outcome-based measures, rather than job placement rates. The memo released by HHS outlines the conditions that must be met by a state to receive a waiver: a clear and detailed explanation of how the alternative proposal would increase employment by 20 percent, as well as show that there are clear, measurable goals for work placement.

However, my Republican colleagues would have you believe that the administration is gutting the work requirements under TANF. Not so. It should be obvious to any honest man who is not blind that this proposal does not waive the work requirements. In fact, it is the administration's effort to test more effective strategies for moving families from welfare to work while giving the states the flexibility to test which strategies they think will work best for their residents. As President Clinton said, ''The requirement was for more work, not less.''

We hear on the floor of this body, day in and day out, about how onerous federal reporting requirements are to the states, and how federal reporting requirements do not account for the unique needs of each of our states. Yet here the administration is directly responding to this request for flexibility and my colleagues run to the floor waving around a dead-on-arrival resolution of disapproval. In my experience, when the administration has heard your complaints and takes the steps necessary to address these complaints you claim victory.

As our economy has struggled so have American families. Many of these families have ended up on TANF through no fault of their own. These families are not looking for a hand-out from the federal government; they want a hand-up. The proposal put forth by HHS will help the states provide these families with a hand-up, while still retaining the integrity of welfare-to-work requirements under TANF.

I urge my colleagues to reject this baseless and nakedly political resolution. Let's do the business of the American people in an honest, thoughtful, and proper way. I would remind my Republican colleagues that you are entitled to your own opinion, but you are not entitled to your own facts. The facts are that the administration's proposal would increase work requirements and increase the ability of Americans to get back to work. And here my Republican colleagues are irresponsibly attempting to block that action. Shame.

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

Pursuant to House Resolution 788, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

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

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of House Joint Resolution 118 will be postponed.

Pursuant to clause 1(c) of rule XIX, further consideration of the joint resolution (H.J. Res. 118) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program, will now resume.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

Mr. GEORGE MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

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ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion 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.

Any record vote on the postponed question will be taken later.

STEM JOBS ACT OF 2012

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6429) to amend the Immigration and Nationality Act to promote innovation, investment, and research in the United States, to eliminate the diversity immigrant program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6429

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 ''STEM Jobs Act of 2012''.

SEC. 2. IMMIGRANT VISAS FOR CERTAIN ADVANCED STEM GRADUATES.

(a) WORLDWIDE LEVEL OF IMMIGRATION.—Section 201(d)(2) of the Immigration and Nationality Act (8 U.S.C. 1151(d)(2)) is amended by adding at the end the following:

''(D)(i) In addition to the increase provided under subparagraph (C), the number computed under this paragraph for fiscal year 2013 and subsequent fiscal years shall be further increased by the number specified in clause (ii), to be used in accordance with paragraphs (6) and (7) of section 203(b), except that—

''(I) immigrant visa numbers made available under this subparagraph but not required for the classes specified in paragraphs (6) and (7) of section 203(b) shall not be counted for purposes of subsection (c)(3)(C); and

''(II) for purposes of paragraphs (1) through (5) of section 203(b), the increase under this subparagraph shall not be counted for purposes of computing any percentage of the worldwide level under this subsection.

''(ii) The number specified in this clause is 55,000, reduced for any fiscal year by the number by which the number of visas under section 201(e) would have been reduced in that year pursuant to section 203(d) of the Nicaraguan Adjustment and Central American Relief Act (8 U.S.C. 1151 note) if section 201(e) had not been repealed by section 3 of the STEM Jobs Act of 2012.

''(iii) Immigrant visa numbers made available under this subparagraph for fiscal year 2013, but not used for the classes specified in paragraphs (6) and (7) of section 203(b) in such year, may be made available in subsequent years as if they were included in the number specified in clause (ii), but only to the extent to which the cumulative number of petitions under section 204(a)(1)(F), and applications for a labor certification under section 212(a)(5)(A), filed in fiscal year 2013 with respect to aliens seeking a visa under paragraph (6) or (7) of section 203(b) was less than the number specified in clause (ii) for such year. Such immigrant visa numbers may only be made available in fiscal years after fiscal year 2013 in connection with a petition under section 204(a)(1)(F), or an application for a labor certification under section 212(a)(5)(A), that was filed in fiscal year 2013.

''(iv) Immigrant visa numbers made available under this subparagraph for fiscal year 2014, but not used for the classes specified in paragraphs (6) and (7) of section 203(b) during such year, may be made available in subsequent years as if they were included in the number specified in clause (ii), but only to the extent to which the cumulative number of petitions under section 204(a)(1)(F), and applications for a labor certification under section 212(a)(5)(A), filed in fiscal year 2014 with respect to aliens seeking a visa under paragraph (6) or (7) of section 203(b) was less than the number specified in clause (ii) for such year. Such immigrant visa numbers may only be made available in fiscal years after fiscal year 2014 in connection with a petition under section 204(a)(1)(F), or an application for a labor certification under section 212(a)(5)(A), that was filed in fiscal year 2014.''.

(b) NUMERICAL LIMITATION TO ANY SINGLE FOREIGN STATE.—Section 202(a)(5)(A) of such Act (8 U.S.C. 1152(a)(5)(A)) is amended by striking ''or (5)'' and inserting ''(5), (6), or (7)''.

(c) PREFERENCE ALLOCATION FOR EMPLOYMENT-BASED IMMIGRANTS.—Section 203(b) of such Act (8 U.S.C. 1153(b)) is amended—

(1) by redesignating paragraph (6) as paragraph (8); and

(2) by inserting after paragraph (5) the following:

''(6) ALIENS HOLDING DOCTORATE DEGREES FROM U.S. DOCTORAL INSTITUTIONS OF HIGHER EDUCATION IN SCIENCE, TECHNOLOGY, ENGINEERING, OR MATHEMATICS.—

''(A) IN GENERAL.—Visas shall be made available, in a number not to exceed the number specified in section 201(d)(2)(D)(ii), to qualified immigrants who—

''(i) hold a doctorate degree in a field of science, technology, engineering, or mathematics from a United States doctoral institution of higher education;

''(ii) agree to work for a total of not less than 5 years in the aggregate for the petitioning employer or in the United States in a field of science, technology, engineering, or mathematics upon being lawfully admitted for permanent residence; and

''(iii) have taken all doctoral courses in a field of science, technology, engineering, or mathematics, including all courses taken by correspondence (including courses offered by telecommunications) or by distance education, while physically present in the United States.

''(B) DEFINITIONS.—For purposes of this paragraph, paragraph (7), and sections 101(a)(15)(F)(i)(I) and 212(a)(5)(A)(iii)(III):

''(i) The term 'distance education' has the meaning given such term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

''(ii) The term 'field of science, technology, engineering, or mathematics' means a field included in the Department of Education's Classification of Instructional Programs taxonomy within the summary groups of computer and information sciences and support services, engineering, mathematics and statistics, and physical sciences.

''(iii) The term 'United States doctoral institution of higher education' means an institution that—

''(I) is described in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) or is a proprietary institution of higher education (as defined in section 102(b) of such Act (20 U.S.C. 1002(b)));

''(II) was classified by the Carnegie Foundation for the Advancement of Teaching on January 1, 2012, as a doctorate-granting university with a very high or high level of research activity or classified by the National Science Foundation after the date of enactment of this paragraph, pursuant to an application by the institution, as having equivalent research activity to those institutions that had been classified by the Carnegie Foundation as being doctorate-granting universities with a very high or high level of research activity;

''(III) has been in existence for at least 10 years;

''(IV) does not provide any commission, bonus, or other incentive payment based directly or indirectly on success in securing enrollments or financial aid to any persons or entities engaged in any recruitment or admission activities for nonimmigrant students or in making decisions regarding the award of student financial assistance to nonimmigrant students; and

''(V) is accredited by an accrediting body that is itself accredited either by the Department of Education or by the Council for Higher Education Accreditation.

''(C) LABOR CERTIFICATION REQUIRED.—

''(i) IN GENERAL.—Subject to clause (ii), the Secretary of Homeland Security may not approve a petition filed for classification of an alien under subparagraph (A) unless the Secretary of Homeland Security is in receipt of a determination made by the Secretary of Labor pursuant to the provisions of section 212(a)(5)(A), except that the Secretary of Homeland Security may, when the Secretary deems it to be in the national interest, waive this requirement.

''(ii) REQUIREMENT DEEMED SATISFIED.—The requirement of clause (i) shall be deemed satisfied with respect to an employer and an alien in a case in which a certification made under section 212(a)(5)(A)(i) has already been obtained with respect to the alien by that employer.

''(7) ALIENS HOLDING MASTER'S DEGREES FROM U.S. DOCTORAL INSTITUTIONS OF HIGHER EDUCATION IN SCIENCE, TECHNOLOGY, ENGINEERING, OR MATHEMATICS.—

''(A) IN GENERAL.—Any visas not required for the class specified in paragraph (6) shall be made available to the class of aliens who—

''(i) hold a master's degree in a field of science, technology, engineering, or mathematics from a United States doctoral institution of higher education that was either part of a master's program that required at least 2 years of enrollment or part of a 5-year combined baccalaureate-master's degree program in such field;

''(ii) agree to work for a total of not less than 5 years in the aggregate for the petitioning employer or in the United States in a field of science, technology, engineering, or mathematics upon being lawfully admitted for permanent residence;

''(iii) have taken all master's degree courses in a field of science, technology, engineering, or mathematics, including all courses taken by correspondence (including courses offered by telecommunications) or by distance education, while physically present in the United States; and

''(iv) hold a baccalaureate degree in a field of science, technology, engineering, or mathematics or in a field included in the Department of Education's Classification of Instructional Programs taxonomy within the summary group of biological and biomedical sciences.

''(B) LABOR CERTIFICATION REQUIRED.—

''(i) IN GENERAL.—Subject to clause (ii), the Secretary of Homeland Security may not approve a petition filed for classification of an alien under subparagraph (A) unless the Secretary of Homeland Security is in receipt of a determination made by the Secretary of Labor pursuant to the provisions of section 212(a)(5)(A), except that the Secretary of Homeland Security may, when the Secretary deems it to be in the national interest, waive this requirement.

''(ii) REQUIREMENT DEEMED SATISFIED.—The requirement of clause (i) shall be deemed satisfied with respect to an employer and an alien in a case in which a certification made under section 212(a)(5)(A)(i) has already been obtained with respect to the alien by that employer.

''(C) DEFINITIONS.—The definitions in paragraph (6)(B) shall apply for purposes of this paragraph.''.

(d) PROCEDURE FOR GRANTING IMMIGRANT STATUS.—Section 204(a)(1)(F) of such Act (8 U.S.C. 1154(a)(1)(F)) is amended—

(1) by striking ''(F)'' and inserting ''(F)(i)'';

(2) by striking ''or 203(b)(3)'' and inserting ''203(b)(3), 203(b)(6), or 203(b)(7)'';

(3) by striking ''Attorney General'' and inserting ''Secretary of Homeland Security''; and

(4) by adding at the end the following:

''(ii) The following processing standards shall apply with respect to petitions under clause (i) relating to alien beneficiaries qualifying under paragraph (6) or (7) of section 203(b):

''(I) The Secretary of Homeland Security shall adjudicate such petitions not later than 60 days after the date on which the petition is filed. In the event that additional information or documentation is requested by the Secretary during such 60-day period, the Secretary shall adjudicate the petition not later than 30 days after the date on which such information or documentation is received.

''(II) The petitioner shall be notified in writing within 30 days of the date of filing if the petition does not meet the standards for approval. If the petition does not meet such standards, the notice shall include the reasons therefore and the Secretary shall provide an opportunity for the prompt resubmission of a modified petition.''.

(e) LABOR CERTIFICATION AND QUALIFICATION FOR CERTAIN IMMIGRANTS.—Section 212(a)(5) of such Act (8 U.S.C. 1182(a)(5)) is amended—

(1) in subparagraph (A)—

(A) in clause (ii)—

(i) in subclause (I), by striking '', or'' at the end and inserting a semicolon;

(ii) in subclause (II), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

''(III) holds a doctorate degree in a field of science, technology, engineering, or mathematics from a United States doctoral institution of higher education (as defined in section 203(b)(6)(B)(iii)).'';

(B) by redesignating clauses (ii) through (iv) as clauses (iii) through (v), respectively;

(C) by inserting after clause (i) the following:

''(ii) JOB ORDER.—

''(I) IN GENERAL.—An employer who files an application under clause (i) shall submit a job order for the labor the alien seeks to perform to the State workforce agency in the State in which the alien seeks to perform the labor. The State workforce agency shall post the job order on its official agency website for a minimum of 30 days and not later than 3 days after receipt using the employment statistics system authorized under section 15 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.).

''(II) LINKS.—The Secretary of Labor shall include links to the official websites of all State workforce agencies on a single webpage of the official website of the Department of Labor.''; and

(D) by adding at the end the following:

''(vi) PROCESSING STANDARDS FOR ALIEN BENEFICIARIES QUALIFYING UNDER PARAGRAPHS (6) AND (7) OF SECTION 203(b).—The following processing standards shall apply with respect to applications under clause (i) relating to alien beneficiaries qualifying under paragraph (6) or (7) of section 203(b):

''(I) The Secretary of Labor shall adjudicate such applications not later than 180 days after the date on which the application is filed. In the event that additional information or documentation is requested by the Secretary during such 180-day period, the Secretary shall adjudicate the application not later than 60 days after the date on which such information or documentation is received.

''(II) The applicant shall be notified in writing within 60 days of the date of filing if the application does not meet the standards for approval. If the application does not meet such standards, the notice shall include the reasons therefore and the Secretary shall provide an opportunity for the prompt resubmission of a modified application.''; and

(2) in subparagraph (D), by striking ''(2) or (3)'' and inserting ''(2), (3), (6), or (7)''.

(f) GAO STUDY.—Not later than June 30, 2017, the Comptroller General of the United States shall provide to the Congress the results of a study on the use by the National Science Foundation of the classification authority provided under section 203(b)(6)(B)(iii)(II) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(6)(B)(iii)(II)), as added by this section.

(g) PUBLIC INFORMATION.—The Secretary of Homeland Security shall make available to the public on the official website of the Department of Homeland Security, and shall update not less than monthly, the following information (which shall be organized according to month and fiscal year) with respect to aliens granted status under paragraph (6) or (7) of section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)), as added by this section:

(1) The name, city, and State of each employer who petitioned pursuant to either of such paragraphs on behalf of one or more aliens who were granted status in the month and fiscal year to date.

(2) The number of aliens granted status under either of such paragraphs in the month and fiscal year to date based upon a petition filed by such employer.

(3) The occupations for which such alien or aliens were sought by such employer and the job titles listed by such employer on the petition.

(h) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2012, and shall apply with respect to fiscal years beginning on or after such date.

SEC. 3. ELIMINATION OF DIVERSITY IMMIGRANT PROGRAM.

(a) WORLDWIDE LEVEL OF DIVERSITY IMMIGRANTS.—Section 201 of the Immigration and Nationality Act (8 U.S.C. 1151) is amended—

(1) in subsection (a)—

(A) by inserting ''and'' at the end of paragraph (1);

(B) by striking ''; and'' at the end of paragraph (2) and inserting a period; and

(C) by striking paragraph (3); and

(2) by striking subsection (e).

(b) ALLOCATION OF DIVERSITY IMMIGRANT VISAS.—Section 203 of such Act (8 U.S.C. 1153) is amended—

(1) by striking subsection (c);

(2) in subsection (d), by striking ''(a), (b), or (c),'' and inserting ''(a) or (b),'';

(3) in subsection (e), by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(4) in subsection (f), by striking ''(a), (b), or (c)'' and inserting ''(a) or (b)''; and

(5) in subsection (g), by striking ''(a), (b), and (c)'' and inserting ''(a) and (b)''.

(c) PROCEDURE FOR GRANTING IMMIGRANT STATUS.—Section 204 of such Act (8 U.S.C. 1154) is amended—

(1) by striking subsection (a)(1)(I); and

(2) in subsection (e), by striking ''(a), (b), or (c)'' and inserting ''(a) or (b)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2012, and shall apply with respect to fiscal years beginning on or after such date.

SEC. 4. PERMANENT PRIORITY DATES.

(a) IN GENERAL.—Section 203 of the Immigration and Nationality Act (8 U.S.C. 1153) is amended by adding at the end the following:

''(i) PERMANENT PRIORITY DATES.—

''(1) IN GENERAL.—Subject to subsection (h)(3) and paragraph (2), the priority date for any employment-based petition shall be the date of filing of the petition with the Secretary of Homeland Security (or the Secretary of State, if applicable), unless the filing of the petition was preceded by the filing

of a labor certification with the Secretary of Labor, in which case that date shall constitute the priority date.

''(2) SUBSEQUENT EMPLOYMENT-BASED PETITIONS.—Subject to subsection (h)(3), an alien who is the beneficiary of any employment-based petition that was approvable when filed (including self-petitioners) shall retain the priority date assigned with respect to that petition in the consideration of any subsequently filed employment-based petition (including self-petitions).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to aliens who are a beneficiary of a classification petition pending on or after such date.

SEC. 5. STUDENT VISA REFORM.

(a) IN GENERAL.—Section 101(a)(15)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)) is amended to read as follows:

''(F) an alien—

''(i) who—

''(I) is a bona fide student qualified to pursue a full course of study in a field of science, technology, engineering, or mathematics (as defined in section 203(b)(6)(B)(ii)) leading to a bachelors or graduate degree and who seeks to enter the United States for the purpose of pursuing such a course of study consistent with section 214(m) at an institution of higher education (as described in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) or a proprietary institution of higher education (as defined in section 102(b) of such Act (20 U.S.C. 1002(b))) in the United States, particularly designated by the alien and approved by the Secretary of Homeland Security, after consultation with the Secretary of Education, which institution shall have agreed to report to the Secretary of Homeland Security the termination of attendance of each nonimmigrant student, and if any such institution fails to make reports promptly the approval shall be withdrawn; or

''(II) is engaged in temporary employment for optional practical training related to such alien's area of study following completion of the course of study described in subclause (I);

''(ii) who has a residence in a foreign country which the alien has no intention of abandoning, who is a bona fide student qualified to pursue a full course of study, and who seeks to enter the United States temporarily and solely for the purpose of pursuing such a course of study consistent with section 214(m) at an established college, university, seminary, conservatory, academic high school, elementary school, or other academic institution or in a language training program in the United States, particularly designated by the alien and approved by the Secretary of Homeland Security, after consultation with the Secretary of Education, which institution of learning or place of study shall have agreed to report to the Secretary of Homeland Security the termination of attendance of each nonimmigrant student, and if any such institution of learning or place of study fails to make reports promptly the approval shall be withdrawn;

''(iii) who is the spouse or minor child of an alien described in clause (i) or (ii) if accompanying or following to join such an alien; or

''(iv) who is a national of Canada or Mexico, who maintains actual residence and place of abode in the country of nationality, who is described in clause (i) or (ii) except that the alien's qualifications for and actual course of study may be full or part-time, and who commutes to the United States institution or place of study from Canada or Mexico.''.

(b) ADMISSION.—Section 214(b) of the Immigration and Nationality Act (8 U.S.C. 1184(b)) is amended by inserting ''(F)(i),'' before ''(L) or (V)''.

(c) CONFORMING AMENDMENT.—Section 214(m)(1) of the Immigration and Nationality Act (8 U.S.C. 1184(m)(1)) is amended, in the matter preceding subparagraph (A), by striking ''(i) or (iii)'' and inserting ''(i), (ii), or (iv)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to nonimmigrants who possess or are granted status under section 101(a)(15)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)) on or after such date.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from California (Ms. ZOE LOFGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on H.R. 6429 currently under consideration.

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

There was no objection.

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

When it comes to STEM fields—science, technology, engineering, and math—American universities set the standard. Our STEM graduates create the innovations and new businesses that fuel our economic growth and create jobs.

Many of the world's top students come to the U.S. to obtain advanced STEM degrees. But what happens to these foreign students after they graduate? Under the current system, we educate scientists and engineers only to send them back home where they often work for our competitors.

We could boost economic growth and spur job creation by enabling American employers to hire some of the best and brightest graduates of U.S. universities. These students become entrepreneurs, patent holders, and job creators.

The STEM Jobs Act makes available 55,000 immigrant visas a year for foreign graduates of American universities with advanced degrees in STEM fields.

Three-quarters of likely voters strongly support such legislation, and a wide range of trade associations have endorsed this legislation as well. These include the Institute for Electrical and Electronics Engineers, the U.S. Chamber of Commerce, Compete America, the Information Technology Industry Council, and the Society for Human Resource Management.

To protect American workers, employers who hire STEM graduates must advertise the position; and if a qualified American worker is available, the STEM graduate will not be hired.

This bill makes our immigration system smarter by admitting those who have the education and skills America needs. STEM visas are substituted for Diversity Visas which invite fraud and pose a security risk.

The STEM Jobs Act generates jobs, increases economic growth, and benefits American businesses. What more do we want?

Let's put the interest of our country first and support this legislation.

I reserve the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield myself such time as I may consume.

For more than a decade, I've been working to increase high-skilled visas for foreign students with advanced STEM degrees from America's greatest research universities. I'm fortunate enough to see firsthand the new technologies, the new companies, the new jobs they create every day in my district in the Silicon Valley. For that reason, it pains me greatly that I cannot support this bill.

First, although this bill ostensibly seeks to increase STEM visas, it appears to have another, in my opinion, more sinister purpose—to actually reduce legal immigration levels. The bill does it in two ways.

On its face, the bill eliminates as many visas as it creates by killing the Diversity Visa Program which benefits immigrants from countries that have low rates of immigration to the United States. But the bill also discreetly ensures that many of the new visas will go unused by preventing unused visas after 2014 from flowing to other immigrants stuck in decades-long backlogs. This is not the way our immigration system works.

I believe the only reason the bill is written in this fashion is to satisfy anti-immigrant organizations that have long lobbied for reduced levels of immigration.

My colleagues on the other side of the aisle are fond of saying that while they are opposed to illegal immigration, they are very much in favor of legal immigration. But this bill shows the opposite.

Supporters of legal immigration would not have killed one immigration program to benefit another, nor would they agree to a Grover Norquist-style no-new-immigration pledge that will continue to strangle our immigration system for years to come.

Agreeing to zero-sum rules now means never helping the almost 5 million legal immigrants currently stuck in backlogs.

The Republican bill also expressly allows for-profit and online schools to participate. While the bill contains language limiting immediate participation, it unquestionably opens the door to future participation.

I cannot support a bill that will allow such schools to essentially sell visas to rich, young foreigners.

The vast majority of Democrats in this Chamber strongly support STEM visas. I've introduced a bill that creates STEM visas without eliminating other visas or including for-profit colleges. It has the support of the Black, Hispanic, and Asian Caucus chairs. Bring that to the floor, and you'll see strong support from Democrats. It should also get strong Republican support.

Republicans in the past, including very conservative Members, have supported STEM legislation that does not eliminate other types of visas. In the 110th Congress, I introduced a bill that did just that with very conservative Republicans such as Texas Members JOHN CARTER and PETE SESSIONS as cosponsors. If they can support new STEM visas without offsets, so can Republicans today.

There is a unique opportunity here to craft a balanced, bipartisan bill that can pass the Senate; but our majority has instead chosen to jam through a partisan bill that has no chance of becoming law, solely, I think, to score political points.

It seems the only reason they have chosen to pursue this strategy right before an election is an attempt to appear more immigrant friendly than their record proves them to be and perhaps to curry favor with high-tech groups.

But this is an anti-immigration bill, and it only sets back the high-skilled visa cause.

I believe if we take a step back and work in good faith on a bipartisan basis, we can pass a STEM bill with overwhelming support. I am eager to work with my colleagues on the other side of the aisle to do just that. It's the right thing to do for the district I represent, and for our country. But this flawed bill is one I cannot support.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, before yielding to the gentleman from Texas (Mr. HALL), I'm going to yield myself 1 minute.

Mr. Speaker, the gentlewoman from California said at least two things that are completely inaccurate. Let me correct those statements.

First, she said this bill is going to reduce immigration and that that was somehow the intent behind the bill. The gentlewoman from California practiced immigration law, and she knows better than to say this. Under this bill, and she knows this to be the case, individuals in other employment categories who are waiting for other types of employment visas can switch over and apply for these STEM visas if they are master's or Ph.D. holders in the STEM fields. There's no limit on those. I expect every year that the number of visas that are not used directly will be used by these individuals in other employment-based categories.

I want to make the point, too, that America is the most generous country in the world. We admit almost 1 million people legally every year. That's far more than any other nation, and it may well be as many as every other country combined.

The purpose of this bill is not to increase or decrease immigration, and I want to make that point, and also the fact that most Americans agree with this. Gallop recently reported that four out of five Americans do not want to increase the levels of immigration. Only 4 percent believe that the number of immigrants now entering the U.S. is too low. This bill reflects what the American people want.

Lastly, in regard to for-profit schools, the gentlewoman made light of that and seemed to think that this bill was going to be abused by those types of institutions.

First of all, any institution, even if they are profit-making—and why do so many Democrats oppose profits and free enterprise? I don't know—but any profit-making institution, if they otherwise qualify, which is to say if they grant doctorates or master's in STEM fields and if they are a research university as deemed by the Carnegie Institute of Higher Education, yes, they'll qualify. But I want to say to the gentlewoman from California, today, none of those for-profit institutions would qualify.

□ 1550

If they somehow meet the qualifications in the future, why wouldn't we want them to be eligible to have their graduates—master's and Ph.D. only—apply for these STEM visas?

I am happy now to yield 2 minutes to the chairman of the Science Committee, the gentleman from Texas (Mr. HALL).

Mr. HALL. Mr. Speaker, I commend my good friend from Texas, Chairman SMITH, for his leadership on the bill today.

As a member of the Science Committee since first elected in 1980, I've heard repeatedly of talented foreign students who receive advanced degrees from American universities who would like to stay in the United States and put those degrees to work and are simply not permitted to do so. So they return home to their home country and ended up competing with us.

Likewise, I hear from industry, particularly the technology industry, that they have ample jobs to fill, but there are not enough qualified Americans to fill those jobs. If this is true, we want those jobs filled by Americans and are working to improve STEM education in the country. But absent that talent now, and with many of these companies already seeking employees overseas, then it seems to me we should take advantage of the opportunity in front of us and help those foreign students who have received their education in the U.S. remain in the U.S.

I have expressed to the chairman that I remain hopeful that qualified Americans should always fill available jobs first, and I understand provisions are in place to ensure this. I further appreciate his willingness to reach a consensus on broadening institution eligibility. We must remember that a large number of well-respected institutions across the country only grant degrees as high as a masters, and qualified graduates from those universities should also be eligible.

In closing, I support the bill before us today, with the assurance that the chairman will continue to work with the Science Committee and with me as we move forward.

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent to allow the ranking member of the full committee to control the remainder of the time.

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

There was no objection.

Mr. CONYERS. Mr. Speaker, it is with great pleasure that I thank the gentlelady from California (Ms. LOFGREN) and yield her such time as she may consume.

Ms. ZOE LOFGREN of California. I will be brief. I do feel the need to address the issue that the chairman has raised; I think he misunderstands the issue.

We have, in U.S. universities, graduating in STEM fields 10,000 Ph.D. and 30,000 masters degrees a year. Assuming that all 40,000 want to stay in the United States—and that is not a valid assumption—we will not use up all of the 50,000 visas. It is true that the EB2s might apply, but many of them did not go to American universities. So the easiest way to make sure these visas are not eliminated is to do what happens in all the rest of the immigration EB categories, which is to allow those visas to flow.

Finally, I just have to say I have never once been asked by a high-tech company to have some online university be the awarder of the Ph.D. It's not a demand, it's not an interest that anybody in the technology field has ever expressed to me.

Mr. CONYERS. Mr. Speaker, I would now proudly yield 3 minutes to our distinguished whip, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

Mr. Speaker, in order to compete in today's global economy, we need to attract the best and brightest math and science students from around the world. I think we all agree on that.

American technology and Internet companies—which are far and away the best in the world—are in dire need of more highly educated engineers and scientists. We're just not producing enough here. In the long term, we need to educate more Americans in STEM fields, but we also must increase the number of STEM visas so that our businesses can hire the top international graduates of American universities.

This could be a broadly bipartisan bill. It could pass easily. But once

again, unfortunately, we have chosen a good bill and inserted a partisan poison pill, making it impossible to pass the Senate or attract broad bipartisan support. How sad it is that that's been the history of this Congress. That poison bill is, of course, the elimination of the Diversity Visa Program, which ensures that individuals from a broad array of countries have the opportunity to seek a better life here in America. The Statue of Liberty, with her torch raised, is being brought down just a little bit.

We don't know where our next great innovators will come from, and we ought to not close the doors on those who have been waiting patiently to have their number called in some far off corner of the world. That lottery is not only their salvation, but also our benefit. It's part of what makes America great.

I call on the Republican leadership to withdraw this bill and instead take up the bill introduced by my friend, the gentlewoman from California, Representative LOFGREN, which accomplishes the objective I think we all want to accomplish. That version would create opportunities through a new STEM visa program without taking current opportunities away. I commend Ms. LOFGREN for her work on this issue and for helping to sustain that yearning for America that still moves the hearts of millions around the world.

In light of what I have just said, Mr. Speaker, I would ask the gentleman from Texas if he will yield for the purpose of allowing me to make a unanimous consent to amend his bill by striking all after the enacting clause and replacing the text with that of the gentlewoman from California's alternative, H.R. 6412, the Attracting the Best and Brightest Act of 2012. I tell my friend that will accomplish the objectives that you've talked about and I've talked about in getting high-tech people, the availability, for our companies here in America. They need them, we want them, we ought to get them; and we ought to do it in a bipartisan way.

This is an opportunity for bipartisanship that unfortunately has not come as often as we would like. I would ask my friend to allow me to make that unanimous consent, that we agree to that. And I guarantee the gentleman we will get very substantial numbers of votes on this side of the aisle for that proposition, and I hope on your side as well.

Would the gentleman yield for that unanimous consent? The gentleman has been instructed not to yield to me for that unanimous consent, I understand? I regret that your side of the aisle wouldn't give me that opportunity for America—for America and our high-tech businesses.

Mr. SMITH of Texas. Mr. Speaker, on the way to yielding to the majority leader of the House, I'd like to respond very quickly to what the gentleman from Maryland just said.

I want to make, again, the points that the Diversity Visa invites fraud, and absolutely means that we would have a security risk if we were to continue it.

I want to quote the assistant Secretary of State. The assistant Secretary of State for Visa Services has testified that Diversity Visa fraud includes:

> Multiple entries, fraudulent claims to education or work experience, pop-up spouses or family members, relatives added after the application is submitted, and false claims for employment or financial support in the United States.

The State Department's Inspector General has testified that the Diversity Visa program:

> Contains significant risk to national security from hostile intelligence officers, criminals and terrorists attempting to use the program for entry into the United States as permanent residents.

We've already had one individual who was admitted on a Diversity Visa try to blow up the World Trade Center in 1993. He killed six people and injured hundreds of people. That's why this program is not good for this country.

I'm more than happy to yield 1 minute to the gentleman from Virginia (Mr. CANTOR), the majority leader for the House of Representatives.

Mr. CANTOR. I thank the gentleman from Texas for his leadership on this bill.

Mr. Speaker, since we were elected to the majority, the House Republicans have put forward solutions to spur job creation and economic growth by, frankly, focusing on and helping small businesses get off the ground to grow and hire. We've worked hard to drive small business job creation and innovation by enacting patent reform, the JOBS Act, and the removal of regulatory and tax burdens that are impeding small businesses' growth.

The STEM Jobs Act we are voting on today is part of our commitment to help small businesses, to help them create jobs by ensuring that top foreign students in American universities have the opportunity to launch or work for American businesses.

The bipartisan STEM Jobs Act takes 55,000 visas currently awarded based on a lottery and instead awards them to foreign graduates of U.S. universities with advanced degrees in science, technology, engineering, and mathematics. This legislation provides students with the opportunity to stay here in America where they can contribute to the American economy rather than leaving for other countries, taking their venture capital with them to compete against America and her businesses.

□ 1600

I want to thank the gentleman from Texas, Chairman SMITH, as well as Congressman HENRY CUELLAR for introducing this legislation. I'd also like to note that Congressman BOB GOODLATTE of Virginia and Congressman RAÚL LABRADOR from Idaho have also been instrumental in getting us here.

But there's a reason why we in America are the world's leading innovators and have within our borders the world's leading innovators and why they choose to launch their companies here. Our Nation offers immense opportunities to those who come to our shores.

My grandparents, just like so many others who immigrated to America, knew what foreign students know today: that America has always been a place which puts a premium on ensuring that, no matter who you are or where you're from, everyone here should have the opportunity to go and achieve and earn success.

According to the Partnership for a New American Economy, 40 percent of Fortune 500 companies were founded by immigrants or their children. So we must start to take advantage of our status as a destination for the world's best and brightest. We must continue to do that. We want job creation and innovators to stay here and help us compete.

Over the past two decades, the number of international graduate students enrolled in our Nation's top-notch universities has grown. But, as the Congressional Research Service shows, the percentage of these students who gain visas has largely remained the same since 1990. The STEM Jobs Act says to our foreign graduates, You choose America and America chooses you.

More talent in our workforce will mean more innovation, more start-ups, more entrepreneurship, more jobs and a better economy. It's time our visa system adopted this commonsense advancement. It's time for us to pass this bill, Mr. Speaker, and I hope there is a broad bipartisan base of support when the vote occurs.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 1 minute to JUDY CHU, an active member of the Judiciary Committee who, additionally, heads the Asian Pacific Caucus.

Ms. CHU. I rise today in opposition to this bill which will further damage our already broken immigration system. I strongly support increasing visas for STEM foreign students so they can stay, work, and innovate here. But while this bill claims to do that, it actually reduces the number of overall visas available and lets unused STEM visas disappear by 2014.

The bill also gets rid of 50,000 legal immigrant visas each year under the Diversity Visa Program, which gives every immigrant, no matter their background, a chance of immigrating to the United States and is so important to immigrants who don't fall into other categories.

Supporters of legal immigration should not have to kill other immigration programs to help our economy maintain its competitive edge. This is not a zero-sum game.

Anyone in support of fair legal immigration should oppose this bill. And I urge both sides to come together to work on a bipartisan STEM visa bill

that will help keep our economy competitive without making our backlogged immigration system worse.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ISSA), who is the chairman of the Government Oversight Committee.

Mr. ISSA. Mr. Speaker, for 12 years, my greatest ambition here in Congress has been my membership in Judiciary and my activities of trying to bring real immigration reform that's a plus to our country.

My district has two notable areas: one, the agricultural areas that so desperately need a guest worker program; the other, throughout San Diego and Orange County, the high-tech areas that in many ways rival the best in the world, that, in fact, run out of H–1Bs on the day that they're offered. So I support the STEM skills reform because it's necessary.

But let me just go through two or three things quickly that are so obvious here in this debate.

One is: People who are detractors from this say, We'd love to have it; we simply want an expansion in the total number of immigrants. Let's understand, America allows more people to immigrate to our shores than the entire rest of the world, combined, does to theirs. We're already the most generous, and there has to be a number and that number has been set.

Secondly, it doesn't take away from anyone who has a valid need or reason to come here. It's not going to limit reunification. It's not going to limit those who have been tortured or in some other way affected in their foreign country.

But I think the most telling one is the CBO, our independent, nonpartisan organization that, in fact, has said that making this change will save over $1 billion in costs from the dependency that many diversity candidates prove to have, in spite of the regulations saying they shouldn't.

And lastly, and the most important one, as an employer of a high-tech company, a founder and employer for many years, America has to be like every high-tech company. You are always open to hire somebody who will make your company grow. America will grow in four jobs or more for each person who applies and receives one of these visas. That is about getting the economy going again and jobs happening again.

Mr. CONYERS. Mr. Speaker, I yield myself as much time as I may consume.

I thank you, because there's only one problem separating the two views that have been presented by both sides of the aisle here this afternoon. But the proposal of those on the other side, of steamrolling through today, simply does not provide for new visas for STEM graduates. Instead, it completely eliminates diversity visas, a longstanding legal immigration program. And, as surely everyone understands on both sides of the aisle, we strongly oppose a zero-sum game that trades one legal immigration program for another. I heard someone suggest that.

The elimination of the Diversity Visa Program will drastically decrease immigration from African countries. It's as simple as that. In recent years, African immigrants have comprised approximately 40 to 50 percent of the Diversity Visa Program's annual beneficiaries. And so we just say simply: That is not fair. There's no point in us having to swallow this poison pill. And I can assure you that there's no intention that that be done.

Second, the Diversity Visa Program plays an important foreign policy role for the United States. As a former Ambassador testified the year before last at a Judiciary Committee hearing:

> The program engenders hope abroad for those that are all too often without it—hope for a better life, hope for reunification with family in the United States, and hope for a chance to use their God-given skills and talent.

And so I ask my colleague to please consider how we can move the STEM issue forward without eliminating the Diversity Visa Program.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE), a senior member of the Judiciary Committee and an original cosponsor of this legislation.

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman from Texas, the chairman of the committee, for his fine work on this legislation, and I rise in support of it.

You know, this House has twice passed through the entire House legislation eliminating the visa lottery program—55,000 visas, not given based upon family reunification needs, not given based upon job shortages in the United States, but based upon pure luck. And it's unfair to people from more than a dozen countries around the world that stand in long lines, on waiting lists, and then watch somebody have their name drawn out of a computer at random, with no particular job skills, no ties in this country, and they get to go right past them into a green card in the United States.

□ 1610

So, if you're from Mexico, you're not eligible for the visa lottery program. If you're from Canada, you're not eligible for the visa lottery program. If you're from China or India or the Philippines or from more than a dozen countries, you are not eligible for this program at all.

Let me just say that far more people with far greater contributions to make to our economy, to our system, will benefit from using those visas for STEM—for science, for technology, for engineering, and math. In fact, most African immigrants to the U.S. do not come through the diversity program, and many will benefit from a STEM visa program. There are more than 3,000 students from Nigeria alone who are studying in STEM fields in the United States. They will be able to stay in the U.S. because of the STEM Jobs Act.

This is a good proposal that is fair to people who want to come to this country to better their lives for themselves but to also help the United States in these difficult economic times find people who are needed here or who have legitimate family reunification needs, not simply based on pure luck. Our immigration system is in need of more reform than this, but this is great reform, and I urge my colleagues to pass this legislation.

Mr. CONYERS. Mr. Speaker, I am pleased now to yield 2 minutes to the former chairman of the Education and Labor Committee, the distinguished gentleman from California, GEORGE MILLER.

Mr. GEORGE MILLER of California. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to this partisan bill. It's unfortunate. Maintaining this country's advantage in science and technology is an important issue, and it should not be a partisan issue. Democrats have long supported efforts to increase STEM careers in this country and to address the question of STEM visas.

We all recognize how important these careers are to the future economic strength of this country. We could be working together in a bipartisan way to address these issues in a fair and thoughtful manner, but this bill does not do that. Instead of working together, the majority has chosen a partisan route.

This route puts American workers' wages at risk at a time when they can ill afford it. It allows a dangerous race to the bottom that will drive wages down for American workers. It allows employers to pay visa holders less than the actual wages paid to similarly situated workers at those employers. A U.S. worker and a visa holder could be working right next to one another, doing the same work, and the foreign worker is cheaper. We know what this will mean for U.S. workers' pay and job opportunities. Depressing families' wages is not what our country needs. That's why I joined with Congresswoman LOFGREN on legislation that would require a visa holder to be paid at least the actual wage being paid to a U.S. worker with similar experience.

I also have deep concerns that this partisan bill is also a payoff for predatory for-profit education institutions. The Republican bill includes language that specifically allows for-profit institutions to participate in this program. Why is that? Tech and other high-skilled employers have not been pushing to get more foreign graduates from for-profit schools. This provision would allow these institutions to find new, potentially lucrative revenue streams for their shareholders without regard

to the actual needs of the American labor market.

Mr. Speaker, the American people have made it clear that they are fed up with the powerful special interests gaming the system to increase their bottom line. They are fed up with partisan exercises meant to gain political advantage during an election cycle. It is no surprise that for 2 years this Congress had an opportunity to have a full and open debate on this very important issue but that the Republicans have chosen partisanship, obstruction, and polarization over moving this country forward. That's why we see this bill at the last minute, and that's why we see this bill requiring a two-thirds vote.

Mr. SMITH of Texas. Under this bill, the employers have to pay the prevailing wage. I don't know from where the gentleman got his information.

Mr. Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. GRIFFIN), a distinguished and active member of the Judiciary Committee.

Mr. GRIFFIN of Arkansas. I rise today in support of the STEM Jobs Act, and I thank Chairman SMITH for his leadership.

Mr. Speaker, I want to tell you about some job creators in my district who would benefit from this bill. Welspun Tubular, which made the pipes for the Keystone pipeline, needs advanced STEM graduates to train workers. Power Technology needs highly skilled workers to design, develop, and manufacture laser products. These companies have struggled to find the specific talent they need, and this bill would help them create jobs.

We are currently educating highly skilled Ph.D.'s and masters and are sending them back home to compete against us after they graduate. That's like Arkansas recruiting the best college football players from Texas, training them on our offense and sending them back to Texas to compete against us. That doesn't make any sense. Let's fix it. Let's pass this bill.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. GUTIERREZ) as few have worked harder on this with ZOE LOFGREN.

Mr. GUTIERREZ. Thank you so much.

It might appear like we are having a debate about whether we should send STEM graduates—those with advanced degrees in science, technology, engineering, and math—to faraway lands to work for companies to compete against us, but this debate is not about that because, on the need for STEM visas, there is no debate. The real debate we are having today, in creating STEM visas, is whether to shut the door to opportunity to others who contribute to the United States of America.

I haven't seen one letter from Google, Yahoo!, Apple, Intel or the high-tech industry that says to eliminate 25,000 to 30,000 visas to those from Africa and give them to the high-tech industry. I haven't seen one letter that says that, and they know that. It's just something they want to do, and they want to poison this well with what I think is bad policy. Based on the immigrant stories we heard from almost every speaker at the Republican and Democratic conventions, I would guess all of us here would welcome to the U.S. any decent, hardworking person with enough heart and guts to pursue his biggest dreams, but that's not what this bill does. I wish it did.

Imagine if those millions who passed through Ellis Island had been given a test when they arrived. If they were gifted in science and math, they were in. If they were simply hardworking men or women in search of better lives, prepared to sweat and toil in the fields or in our factories, they wouldn't have been good enough under this bill. Think about it. Where would we all be if we had to pass that test—the Pelosis and the Palazzos, the Boehners and the Blumenauers, the Schakowskys and the Lipinksis, the Kennedys and the Kuciniches, the Romneys and—yes—the Rubios?

When my parents came from Puerto Rico, they didn't need a visa. They just had a sixth-grade education and a ninth-grade education. Under this bill, they would say, Not here and not in this America. You're not welcome. My mom worked in a factory, and my dad drove a cab, and they worked hard every day. They worked hard every day to make this. They sent their children to college, and one of them today serves in the Congress of the United States.

The SPEAKER pro tempore (Mr. LATOURETTE). The time of the gentleman has expired.

Mr. CONYERS. I yield the gentleman 30 more seconds.

Mr. GUTIERREZ. They lived the story of America. They came with nothing but hopes, and they played by the rules and achieved great things, not necessarily for themselves but for their children and now their grandchildren.

Has America benefited? Could we attract the smartest and the brightest? Yes. But America is also a better Nation because we attract those with the most heart and soul to make something of themselves. Let's defeat that bill so we can continue that great American tradition.

Mr. SMITH of Texas. I yield myself 30 seconds.

Mr. Speaker, no one is hurt more by the diversity visa program than unemployed Hispanics and black Americans. The unemployment rate for Hispanics with only a high school education is almost 14 percent. The unemployment rate for African Americans with only a high school education is almost 19 percent. The diversity visa program forces these unemployed Americans to compete for very scarce American jobs with those other individuals who don't have more than a high school education. Why do we want to do this to our own people?

I yield 2 minutes to the gentleman from Idaho (Mr. LABRADOR), an original cosponsor of this legislation who is very active on this subject.

Mr. LABRADOR. I rise today in support of the STEM Jobs Act of 2012. This bill addresses one of the bipartisan issues we ought to be able to solve here in the House of Representatives.

Both President Obama and Governor Romney have spoken about the need to reform our immigration system in order to keep more of the best and the brightest minds in America. I am very pleased to have worked with Chairman SMITH on this bill, and I want to thank him for his leadership. I also want to thank Mr. GOODLATTE and the majority leader for their commitment to bringing this jobs bill to the floor.

The future of our economy is in the STEM fields. New printers from Hewlett-Packard, new semiconductors from Micron, and new phones from Apple all rely on retaining the world's best and brightest students and on harnessing their ingenuity to create jobs here in America. Even in an economic downturn, there aren't enough U.S.-born graduates to meet the needs of high-tech employers. Right now, foreign-born students are benefiting from our education system and are then going home to compete with us.

□ 1620

This legislation allows us to retain their skills and innovation. We know that every American with an advanced STEM degree creates two to three new American jobs. We are replacing a broken, inefficient visa program with one that works, rewards innovation, and makes jobs for our economy.

Mr. Speaker, I heard the other side talk about this bill all day today. This other side controlled the House, the Senate, and the Presidency for 2 years and did nothing to improve the immigration system. They didn't pass immigration bills, yet the President campaigns on the issue of immigration reform. Once again, faced with actually passing a bill that improves the immigration system, they're making a stand against immigration reform and against economic growth.

Let me clarify one thing. I have a great deal of respect for Congresswoman LOFGREN. She and I have talked about this issue for the entire 1½ to 2 years that I've been here in Congress, and I recognize that she's been a leader on this issue over the years. I'm also an immigration attorney. I've been an immigration attorney for 15 years. I must clarify that unused diversity visas have never rolled over, and to oppose this bill on those grounds is just proof that this is more about politics than policy.

Mr. CONYERS. Mr. Speaker, I would like to gain the previous speaker's attention. The House, of which you are a Member, passed the DREAM Act 216–208, and we enjoyed the support of eight Republican Members.

Mr. Speaker, I now yield 1½ minutes to a senior member of the Judiciary Committee, SHEILA JACKSON LEE.

Ms. JACKSON LEE of Texas. Mr. Speaker, I'm most grateful. Thank you very much.

To the Speaker and to my colleague from Texas, this is the perfect infrastructure for collaboration and bipartisanship. We have worked together on this issue, and we have confronted the issue that I mentioned to Congresswoman LOFGREN on which we will continue to work, which is to ensure the outreach to Historically Black Colleges and Hispanic-serving colleges for the engineers and scientists who are prepared to work in America's technology industry, and I expect that that will happen. I am supportive of STEM visas to provide for the infrastructure of workers for the dynamic technology, Silicon Valley software, Austin, Texas, and beyond to be able to be vibrant and thriving.

But as I just left the President of Malawi, a woman who has inspired Malawians to look to the future, and as they look to the future, we have said that we want to ensure that America has a future with the continent. To remove the diversity visas that create diversity, to take away opportunities from a continent that, by and large, has been an ally and friend to the United States, whose African citizens have come to be reunited with families, who have generated outstanding businesses, from South Africans, to Kenyans, to Guineans, to those from Cote d'Ivoire and those from Nigeria—in my town, Nigerians have created the most successful brand of small businesses from being seamstresses to doctors and lawyers and others.

I cannot vote for a bill that will allow us to remove the component for diversity visas as an exchange or substitute for this kind of approach. We must have balanced and comprehensive immigration reform.

Mr. SMITH of Texas. Mr. Speaker, let's put our own unemployed Hispanics and black Americans first. They should come first.

Mr. Speaker, I yield 45 seconds to the gentleman from California (Mr. BILBRAY), who is the chairman of the Immigration Reform Caucus.

Mr. BILBRAY. Mr. Speaker, I rise today in strong support of this piece of legislation.

All over America, Americans are having to make priority decisions in their families. The fact is this Congress needs to make some priority decisions. It is not only the right, but the responsibility, of this Congress and this Nation to make sure that our immigration policy is good for America first and foremost.

This bill will replace a failed system that actually gambled with America's future by having a lottery. It replaces it with bringing good scientists in. Let me just give you the numbers from just recently.

This is going to create 55,000 jobs. Do we want to have 6,000 Iranians coming here or do you want 6,000 scientists and researchers coming in? Do we want to set aside an area where we have over 2,000 Moroccans being given a set-aside for their country rather than treating individuals that have proven that they have an asset that we need in this country?

The real issue here is, Mr. Speaker, whether we are willing to correct a mistake of the past to move forward with a fair system that judges individuals based on their merit, not based on the country that they're coming from.

Mr. CONYERS. Mr. Speaker, I yield the gentlelady, Ms. SHEILA JACKSON LEE, 25 seconds.

Ms. JACKSON LEE of Texas. If we pass the American Jobs Act, we will help Hispanic youngsters, Anglo youngsters, African American youngsters, and all Americans.

However, what an insult to America's values to suggest that those who come to this country to give by way of a legal process, diversity visas, are not contributing. I do not want to insult anyone who comes with the idea of helping America. That means wherever they've come from: Africa, Iran, elsewhere.

If they come for a good reason through the diversity visa to reunite with their family, that is the American way. Immigration by law, that is the American way.

Mr. CONYERS. Mr. Speaker, I'm pleased to yield 1½ minutes to the very patient Member from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Speaker, I rise to strongly oppose H.R. 6429, the Republican STEM proposal before the House today under suspension of the rules.

As the ranking member of the Subcommittee on Higher Education and Workforce and vice chair of the Congressional Hispanic Caucus, I urge my colleagues on both sides of the aisle to join me and members of the Congressional Hispanic Caucus, the Congressional Black Caucus, and the Asian American Caucus in strongly opposing this Republican STEM proposal, misguided legislation that would curtail legal immigration to the United States.

As a proud cosponsor of this bill, I support this legislation because it would allow advanced STEM graduates to remain in the United States and contribute to our Nation's scientific discovery and technological innovation, increasing our Nation's global competitiveness. This bill reduces backlogs for STEM-degree recipients by attracting and retaining critical talent and creating a new EB–6 green card category for persons with advanced degrees in STEM from research universities in the United States.

I must underscore that this bill does not eliminate or weaken our immigration programs to increase STEM visas. This bill targets only the best and the brightest foreign students. Unlike the Republican proposal, this legislation, H.R. 6412, does not allow foreign graduates of for-profit colleges to receive STEM visas, including degrees earned by mail or over the Internet.

In closing, I urge my colleagues to strengthen our Nation's global competitiveness.

Mr. Speaker, I rise to strongly oppose H.R. 6429, the Republican STEM proposal, before the House today under suspension of the rules.

As Ranking Member of the Subcommittee on Higher Education and Workforce Training and Vice Chair of the Congressional Hispanic Caucus (CHC), I urge my colleagues, on both sides of the aisle, to join me and members of the Congressional Hispanic Caucus, the Congressional Black Caucus, and the Congressional Asian Pacific American Caucus in strongly opposing the Republican STEM proposal, misguided legislation that would curtail legal immigration to the United States.

Instead, I encourage my colleagues in this chamber to support H.R. 6412, "The Attracting the Best and the Brightest Act of 2012" sponsored by Representative ZOE LOFGREN.

As a proud cosponsor of this bill, I support this legislation because it would allow advanced STEM graduates to remain in the United States and contribute to our Nation's scientific discovery and technological innovation, increasing our Nation's global competitiveness.

This bill reduces backlogs for STEM "degree recipients by attracting and retaining critical talent and creating a new "EB–6 green card category for persons with advanced degrees in science, technology, engineering, and mathematics (STEM) from research universities in the United States.

I must underscore that this bill does not eliminate or weaken other immigration programs to increase STEM visas. While H.R. 6412 provides the same number of STEM visas (50,000) as the Republican proposal, it does so without eliminating the long-standing Diversity Visa program, which ensures diversity among new immigrants and provides one of the few legal pathways to enter the United States.

This bill targets only the best and the brightest foreign students, and requires that these individuals have an advanced degree from an accredited public or nonprofit university classified by the National Science Foundation as a research institution or as otherwise excelling in STEM instruction.

Unlike the Republican proposal, this legislation H.R. 6412 does not allow foreign graduates of "for-profit colleges" to receive STEM visas, including degrees earned by mail or over the internet.

H.R. 6412 includes a provision which provides wage protections for U.S. workers and requires that the offered wage to the STEM graduate meets or exceeds the actual wage paid to U.S. workers with similar levels of experience.

The Republican proposal does not include this provision and does not adequately ensure that American workers are protected.

In closing, I urge my colleagues to strengthen our Nation's global competitiveness by opposing the misguided Republican STEM proposal and cosponsoring H.R. 6412, "The Attracting the Best and Brightest Act of 2012."

Mr. SMITH of Texas. Mr. Speaker, I yield 45 seconds to the gentleman from Arizona (Mr. FLAKE), who has long been active on the subject of immigration.

Mr. FLAKE. I thank the gentleman for yielding, Mr. Speaker.

I rise in strong support of the STEM Jobs Act.

For the past three Congresses, I've worked on this issue with the introduction of the STAPLE Act, which would do much the same as this bill does, as well as support for other pieces of legislation that do what this piece of legislation does, which is allow those who are trained in our universities here to contribute to the U.S. economy.

We all know that it's not government that creates jobs, that the job of government is to enable the private sector to create jobs. I can think of no better way than to allow the private sector access to the brainpower and knowledge of those who have been trained in our universities to stay here and help create jobs.

This is a good piece of legislation. It's one of the few pieces of immigration legislation that has bipartisan support. I urge its adoption.

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

Mr. SMITH of Texas. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. ROYCE), who is also chairman of the Foreign Affairs Terrorism Subcommittee.

Mr. ROYCE. Mr. Speaker, I urge my colleagues to support the STEM Jobs Act. It is time to alter the current immigration system. It is time to substantially increase the proportion of new entrants with high levels of education and skills.

Today, we are educating many of the best and brightest from around the world, and then, ironically, we're sending them back to work for our competitors. This makes no sense.

□ 1630

Skilled immigrants can contribute to a rising U.S. standard of living. They bring capital, they bring ideas, and they produce new companies. With this bill, we can help grow innovation, and we can create jobs in the U.S. We've got plenty of examples of IT firms in California that are founded by immigrants from China and India that were educated in our institutions.

Let's pass this bill and help our economy grow.

Mr. SMITH of Texas. Mr. Speaker, I yield 45 seconds to the gentleman from Pennsylvania (Mr. ALTMIRE), who is a member of the Education and the Workforce Committee.

Mr. ALTMIRE. Mr. Speaker, while I would have preferred the Lofgren approach, I rise in support of the STEM Jobs Act because it's critical to keeping America competitive in the global economy. The United States has the best institutions of higher education in the world, particularly when it comes to the STEM fields.

Yet U.S. businesses frequently express concerns over the availability of qualified workers to perform jobs that are available and need to be filled once we educate and train these students for jobs. We send them back to their home countries to compete against us. This simply makes no sense.

By passing this bill, we will help ensure that the best and brightest in the world aren't working for our competitors abroad, but that America keeps that talent here at home and they play on our team instead of competing against us.

Mr. SMITH of Texas. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. LUNGREN), who is chairman of the House Administration Committee and a senior member of the Judiciary Committee.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, let's remember where we are. Up until 1965, we had a quota system that essentially gave advantages to certain countries to get their people in here versus others.

We removed that in 1965. We went to a worldwide quota system based on the fact that everyone around the world would have an equal chance to get to the United States based on their talents and their reason for coming here.

In about 1981, there was a cry that we weren't getting enough Irish coming in here. Tip O'Neill—I recall, I was here on the floor at this time—Tip O'Neill and Teddy Kennedy worked together to create the Diversity program that allowed anybody to apply for it at 12:01 a.m. one morning.

What do you know, only the Irish knew about it. We got essentially Irish in. That worked for a while. Then we changed it so that they and others were no longer allowed, and we only allowed certain countries in. We're going back to a quota system by country. It doesn't make sense. It ought to be a worldwide quota system.

In addition, I would just say that most African American immigrants in the U.S. do not come through the Diversity program. We have many who are engaged in the STEM program study here. Just 3,000 from Nigeria alone would be able to participate.

Mr. CONYERS. Mr. Speaker, I yield the balance of my time to the distinguished gentlewoman from California, Ms. ZOE LOFGREN.

Ms. ZOE LOFGREN of California. Mr. Speaker, I think this is a disappointing day at a time when we look for leadership on the part of the majority to bring us together. Instead, we have a partisan bill before us.

We have 54 cosponsors on the bill that we've introduced. The remarkable thing is that we have support across the entire breadth of the Democratic Caucus for STEM visas. The things that have been said about the Diversity Visa today are simply wrong.

They remind me of the warnings we got a short while ago about the ''terror babies'' who would somehow emerge after 21 years. It's absurd.

We need to vote against this bill, but I think we can quickly reconvene and get to the bipartisan effort that this country deserves.

Mr. SMITH of Texas. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the STEM Jobs Act spurs economic growth and spurs job creation by enabling American employers to hire some of the best and brightest foreign students who graduate from American universities. The American public, American employers, and the high-tech community all support this bipartisan piece of legislation.

I urge my colleagues to vote for jobs, vote for innovation, and vote for economic growth. Let's put the interests of America first.

I yield back the balance of my time.

Mr. MANZULLO. Mr. Speaker, as a proud original co-sponsor of the STEM Jobs Act, I urge my colleagues to support this carefully-crafted legislation. The American economy faces many challenges today, from burdensome regulations to uncertainty over taxes. One of our biggest challenges, especially in the manufacturing sector, is the skills gap—a lack of highly trained workers with the expertise to perform certain manufacturing jobs, or a shortage of scientists and engineers to develop new technologies. Manufacturing in America relies on innovation and skill, but too many factories slow down, too many opportunities are missed, and too many jobs are lost because of this skills gap. And worse, America's universities train and educate some of the most promising scientists and engineers from around the world, but our immigration laws force us to send them away to compete against American companies.

It makes no sense to educate foreign students in the fields of science, technology, engineering, and mathematics, only to send them overseas once they complete their studies. Rather than force these innovators and experts to join companies overseas to be in direct competition with American high-technology manufacturing firms, we should keep innovation and entrepreneurship here at home. The STEM Jobs Act will allow these bright minds who study at top American universities and are already in this country legally under a student visa, the option to stay and work for American companies, build our economy, and help create American jobs.

Mr. Speaker, this bill will not increase the total number of green cards offered to immigrants, and it will not allow foreign workers to take jobs that Americans are available to do. Instead, the STEM Jobs Act makes our immigration laws smarter and guarantees that these green cards are available only to fill jobs that Americans can't fill. This bill will enhance America's competitiveness in the global marketplace and will lead to the economic growth and job creation that American workers need.

Mr. BACA. Mr. Speaker, I rise today to voice my strong opposition to H.R. 6429, the misnamed STEM Jobs Act.

Make no mistake about it, this bill is designed to reduce legal immigration to the United States.

H.R. 6429 doesn't just increase STEM visas, it also eliminates the Diversity Visa program—a legal immigration program that makes visas available to immigrants from countries that have low rates of immigration to the United States.

It is wrong to force Congress to eliminate one immigration program, in an effort to support another.

This misguided legislation also eliminates rollover provisions for unused visas.

Unfortunately, H.R. 6429 lets unused visas go to waste, and forces legal immigrants to continue to suffer in long backlogs.

In addition, I have serious concerns that this legislation automatically allows for-profit and on-line schools to participate in the new STEM green card program.

It's not too late for my Republican colleagues to change course, and sit down with Democrats to work on a bipartisan bill that strengthens the STEM visa program without limiting legal immigration.

I urge my colleagues to stand in solidarity and vote ''no'' on this attempt to reduce legal immigration.

Ms. HIRONO. Mr. Speaker, I rise in opposition to H.R. 6429, the misnamed STEM Jobs Act of 2012.

The ability our nation to attract the world's best and brightest has contributed greatly to the creation of American jobs and the success of American businesses large and small. However, many foreign students who graduate from our best universities in the science, technology, engineering and mathematics (STEM) fields become victims of a broken visa system. The absence of specific visas for graduates in these critical fields has resulted in long wait times and forces many to move back home, taking their valuable skills out of the American economy. Clearly, the time has come for change.

Unfortunately, H.R. 6429 isn't the change we need. It follows the pattern of the Republicans' approach of giving with one hand while taking with the other. This bill would create STEM visas at the expense of eliminating the Diversity Visa Program. Diversity visas provide a legal path for people from countries with low rates of immigration to the United States. Half the recipients are from Africa and almost a third are from Asia.

Democrats and Republicans agree that we should establish a STEM visa program, but unfortunately Republicans inserted a poison pill in this bill that guarantees it will not pass. It is also clear that the Senate will not take up the bill with this provision included.

We in Hawaii know that diversity is a strength. Hawaii has been enriched by the diverse immigrants who call it home, hailing from places like the Philippines, Japan, Samoa, Portugal, and around the Pacific Rim. While I believe we should be looking for ways to encourage the best and brightest to come to our shores and create American jobs, we don't need to do it at the expense of the Diversity Visa Program.

As an immigrant, I know the promise America offers and the hopes of those who come to our shores seeking a better life. That's why I support efforts to improve our immigration system and encourage those with needed skills to come and work for our businesses. Furthermore, a strong economic foundation depends on a world class American education system that prepares the young people of our country to compete in the STEM fields. I am convinced we can find a way to come together to create a fair STEM Visa Program and to strengthen our STEM education so more Americans can get these jobs.

H.R. 6429 is a flawed bill, and I urge my colleagues to oppose it.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 6429.

The question was taken.

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

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

The yeas and nays were ordered.

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

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: passage of House Joint Resolution 118; the motion to suspend the rules and pass H.R. 6429; and the motion to suspend the rules and pass H.R. 5987.

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

DISAPPROVING RULE RELATING TO WAIVER AND EXPENDITURE AUTHORITY WITH RESPECT TO THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM

The SPEAKER pro tempore. The unfinished business is the vote on passage of the joint resolution (H.J. Res. 118) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program, on which the yeas and nays were ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The vote was taken by electronic device, and there were—yeas 250, nays 164, not voting 15, as follows:

[Roll No. 589]

YEAS—250

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
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
Loebsack
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Lynch
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
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)

NAYS—164

Ackerman
Altmire
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Israel
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

Lowey
Luján
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
Meeks
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
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
Sires
Slaughter
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—15

Akin
Davis (IL)
Filner
Gallegly
Granger
Jackson (IL)
Jenkins
Mack
Platts
Richmond
Ross (AR)
Schmidt
Speier
Sullivan
Towns

□ 1656

Messrs. COURTNEY and CRITZ changed their vote from ''yea'' to ''nay.''

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

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MACK. Mr. Speaker, on rollcall No. 589 I was unavoidably detained. Had I been present, I would have voted "yea."

Mr. PLATTS. Mr. Speaker, on rollcall No. 589 I was inadvertently delayed in an official meeting and arrived on the House floor after the vote had been closed. Had I been present, I would have voted "yea."

Stated against:

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

STEM JOBS ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 6429) to amend the Immigration and Nationality Act to promote innovation, investment, and research in the United States, to eliminate the diversity immigrant program, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 257, nays 158, not voting 14, as follows:

[Roll No. 590]

YEAS—257

Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Austria
Bachmann
Bachus
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berman
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carney
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cohen
Cole
Conaway
Cooper
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
DeFazio
Dent
DesJarlais
Diaz-Balart
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Himes
Hochul
Huelskamp
Huizenga (MI)
Hunter
Hurt
Issa
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
Kind
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
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
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)

NAYS—158

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Connolly (VA)
Conyers
Costa
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
DeGette
DeLauro
Denham
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Hastings (WA)
Heinrich
Higgins
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
Meeks
Miller (NC)
Miller, George
Moore
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rogers (KY)
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—14

Akin
Davis (IL)
Filner
Gallegly
Granger
Hultgren
Jackson (IL)
Jenkins
Ross (AR)
Shuster
Simpson
Speier
Towns
Waters

□ 1703

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 590, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

MANHATTAN PROJECT NATIONAL HISTORICAL PARK ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5987) to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 237, nays 180, not voting 12, as follows:

[Roll No. 591]

YEAS—237

Aderholt
Amodei
Andrews
Baca
Bachmann
Bachus
Baldwin
Barber
Barrow
Barton (TX)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonamici
Bonner
Bono Mack
Boren
Boswell
Brady (PA)
Braley (IA)
Buchanan
Buerkle
Burton (IN)
Butterfield
Calvert
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Coble
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
DeLauro
Denham
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Dreier
Duncan (TN)
Ellmers
Engel
Eshoo
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gardner
Garrett
Gingrey (GA)
Gonzalez
Gosar
Graves (MO)
Green, Gene
Grijalva
Grimm
Guinta
Guthrie
Hahn
Hall
Harper
Harris
Hastings (WA)
Hayworth
Heck
Heinrich
Higgins
Himes
Hinojosa
Hochul
Holden
Holt
Hoyer
Israel
Issa
Johnson (IL)
Johnson, Sam
Kaptur
Keating
Kildee
Kind
King (IA)
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lipinski
Loebsack
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maloney
Marino
Markey
Matheson
McCarthy (NY)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moran
Murphy (CT)
Myrick
Nadler
Noem
Nunes
Nunnelee
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pitts
Platts
Posey
Price (NC)
Quigley
Rahall
Rehberg
Reichert
Reyes
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Sánchez, Linda T.
Sarbanes
Schiff
Schilling
Schock
Schrader
Schwartz
Serrano
Sessions
Shimkus
Shuler
Simpson
Sires
Slaughter
Smith (NE)
Smith (TX)
Smith (WA)
Stearns
Sutton
Terry
Thornberry
Tierney
Tipton
Turner (OH)
Van Hollen
Walden
Walz (MN)
Wasserman Schultz
Waxman
Welch
Wilson (FL)
Wilson (SC)
Wolf
Womack
Woodall
Young (FL)

NAYS—180

Ackerman
Adams
Alexander
Altmire
Amash
Austria
Barletta
Bartlett
Bass (CA)
Benishek
Bilbray
Bishop (NY)
Blumenauer
Boustany
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Bucshon
Burgess
Camp
Cassidy
Chabot
Chaffetz
Chu
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Conyers
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Dent
Doyle
Duffy
Duncan (SC)
Edwards
Ellison
Emerson
Farenthold
Flake
Foxx
Franks (AZ)
Garamendi
Gerlach
Gibbs
Gibson
Gohmert
Goodlatte
Gowdy
Graves (GA)
Green, Al
Griffin (AR)
Griffith (VA)
Gutierrez
Hanabusa
Hanna
Hartzler
Hastings (FL)
Hensarling
Herger
Herrera Beutler
Hinchey
Hirono
Honda
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Jackson Lee (TX)
Johnson (OH)
Johnson, E. B.
Jordan
Kelly
King (NY)
Kingston
Kucinich
Labrador
Landry
Lankford
Latta
Lee (CA)
Lewis (GA)
LoBiondo
Lofgren, Zoe
Long
Lummis
Mack
Manzullo
Marchant
Matsui
McCarthy (CA)
McCollum
McDermott
McGovern
Meehan
Meeks
Miller (FL)
Moore
Mulvaney
Murphy (PA)
Napolitano
Neal
Neugebauer
Nugent
Olson
Olver
Palazzo
Paul
Pence
Petri
Pingree (ME)
Poe (TX)
Polis
Pompeo
Price (GA)
Quayle
Rangel
Reed
Renacci
Ribble
Richardson
Richmond
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ross (FL)
Royce
Rush
Ryan (OH)
Sanchez, Loretta
Scalise
Schakowsky
Schmidt
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sewell
Sherman
Shuster
Smith (NJ)
Southerland
Stark
Stivers
Stutzman
Sullivan
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tonko
Tsongas
Turner (NY)
Upton
Velázquez
Visclosky
Walberg
Walsh (IL)
Waters
Watt
Webster
West
Westmoreland
Whitfield
Wittman
Woolsey
Yarmuth
Yoder
Young (AK)
Young (IN)

NOT VOTING—12

Akin
Filner
Gallegly
Granger
Jackson (IL)
Jenkins
Johnson (GA)
Jones
Ross (AR)
Ryan (WI)
Speier
Towns

□ 1711

Messrs. OLSON, SCOTT of South Carolina, Ms. SEWELL and Mr. DUFFY changed their vote from ''yea'' to ''nay.''

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 591, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

STOP THE WAR ON COAL ACT OF 2012

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 3409.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 788 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3409.

The Chair appoints the gentleman from Ohio (Mr. LATOURETTE) to preside over the Committee of the Whole.

□ 1716

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3409) to limit the authority of the Secretary of the Interior to issue regulations before December 31, 2013, under the Surface Mining Control and Reclamation Act of 1977, with Mr. LATOURETTE in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and amendments specified in House Resolution 788 and shall not exceed 1 hour equally divided among and controlled by the chair and ranking minority member of the Committee on Natural Resources, the chair and ranking minority of the Committee on Energy and Commerce, and the chair and ranking minority member of the Committee on Transportation and Infrastructure.

The gentleman from Washington (Mr. HASTINGS), the gentleman from Massachusetts (Mr. MARKEY), the gentleman from Michigan (Mr. UPTON), the gentleman from California (Mr. WAXMAN), the gentleman from Florida (Mr. MICA), and the gentleman from West Virginia (Mr. RAHALL) each will control 10 minutes.

The Chair recognizes the gentleman from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. I yield myself as much time as I may consume.

Mr. Chairman, in his 2008 campaign, President Obama plainly declared the policies he supports would bankrupt American coal production. Since taking office, the Obama administration has waged a multi-front war on coal, on coal jobs, on the small businesses in the mining supply chain, and on the low cost energy that millions of Americans rely on.

Mr. Chairman, amazingly the Obama administration has repeatedly tried to deny that they've launched a war on coal, yet the facts are stubborn things. Just this week, Alpha Natural Resources announced the closure of 8 coal mines that will cost over 1,200 good-paying jobs. Aggressive regulations were specifically cited by the company for the closure of these mines.

New regulations opposed by the Obama EPA threaten to shut down the Navajo Generating Station, a coal-fired power plant in Arizona. This would cost hundreds of jobs and eliminate millions of dollars in revenue for Navajo tribal economic development, education, and basic services.

□ 1720

These lost jobs aren't random events. They are the direct result of the policies and actions of the Obama administration. These are the outcomes of their regulatory war on coal.

For more than a year and a half, the Natural Resources Committee has been aggressively investigating one of the Obama administration's most covert but outrageous fronts in this war—a decision by the Interior Department to rapidly rewrite a regulation governing coal mining near streams.

Within days of taking office, the Obama administration simply threw out the Stream Buffer Zone Rule that had undergone 5 years of environmental analysis and public review. They used a short-circuited process to hire a contractor to write this new regulation. When the news media revealed the official analysis of this rewrite and of the new Obama regulation showing that it would cost 7,000 jobs and cause economic harm in 22 States, the administration fired the contractor and continued to charged ahead.

To date, the committee's investigation has exposed gross mismanagement of the rulemaking process, potential political interference, and the widespread economic harm this regulation would cause. The Interior Department refuses to comply with congressional subpoenas to produce documents and information that would fully reveal how and why this regulation was being rewritten. An interim report by the committee was issued today that details the specific findings and information uncovered in this investigation. The report is available at the committee's Web site at naturalresources.house.gov.

Mr. Chairman, it's not a matter of if the new Obama regulation will be imposed, but when. Television cameras overheard President Obama whispering to the Russian Prime Minister that he will have more flexibility after the election. It doesn't take a canary in the coal mine—no pun intended—to figure out the Interior Department's new Stream Buffer Zone regulation on coal is being held back and concealed until after the November election, which is when this President would have more flexibility to unleash its job-destroying impacts.

That's why Congress must act now to stop this. This new regulation must be halted. Title I of today's bill, the Stop the War on Coal Act, is authored by our colleague from Ohio (Mr. JOHNSON), and it prohibits the Obama administration from issuing this new regulation. It allows time to responsibly undertake an open, transparent rulemaking that fairly accounts for job and economic impacts.

President Obama's war on coal is real. The lost jobs are already happening, and thousands more are at risk. Americans' energy costs are already too high, and the war on coal will drive them even higher. So I urge my colleagues on both sides of the aisle and from all regions in the country to support this bill and to stop these red tape attacks on American jobs and on American-made energy.

With that, I reserve the balance of my time.

Mr. MARKEY. Mr. Chairman, I yield myself such time as I may consume.

I rise in opposition to this bill. The Republicans are saying that there is a war on coal, but the only battle coal is losing is in the free market—to natural gas, to wind and to solar. Just 4 years ago, coal generated 51 percent of the electricity in the United States. Now it is down to 35 percent. When you add up hydropower, the renewables, natural gas, and the other gases, you get 44 percent of our electricity sector.

Just like Governor Romney says he has given up on 47 percent of Americans, the House Republicans have given up on 44 percent of our electricity sector. Just like their politics grips tightly to the past, their energy policies hold fast to the energy technologies and the fuels of yesterday, like coal and oil.

The free market has been replacing coal with natural gas, which has grown from 21 percent of our electricity generation back in 2005 and 2006, and has now risen to 30 percent of all electrical generation in the United States. Natural gas. It's not a war, it's a revolution. What has happened is, simultaneously, coal has come down to 35 percent. Surprising, isn't it? The numbers look like they match up pretty perfectly, especially if you add up the rise from 1 percent to 4 percent of the electricity in the United States which has been generated by wind over the last 5 years. That's what's happening, ladies and gentlemen.

All the rest of this I don't understand, to be honest with you. It's almost like the Republicans are rejecting the free market as it is now operating as the country is moving to natural gas. I understand the coal State Members have to stand up and defend this change in the marketplace, but I don't understand why my other Republican friends would reject those free market principles.

Why is this switch from coal to natural gas happening? It's because natural gas is cheaper. Natural gas prices have decreased by 66 percent since 2008. It is cheaper to produce new electricity from natural gas than from coal. This isn't a conspiracy—it is a competition—but Republicans say that there is a war on coal. Well, in a market sense, that war is now being won. When I was a boy, I had to go down into the basement with my father to shovel the coal. That's how we kept our house warm. Then my mother said let's move to home heating oil, and so my father had the home heating oil come. That was a revolution. And now there is another revolution going on.

Up in the Northeast, for example, because of the low price of natural gas, 1.4 million Northeast households have switched from oil to natural gas over the last decade. And why is that? Again, it costs $2,238 to heat your home through the winter with home heating oil, and it costs $629 to heat your home with natural gas. That's why they're switching. The same thing is happening in the petrochemical industry. They're switching from oil over to natural gas. In the fertilizer industry, they're switching from oil over to natural gas. The price is low. They are moving in that direction. That's the larger story that is occurring—the natural gas revolution in the United States of America.

So, ladies and gentlemen, I just urge all of you to understand that this is not the Obama administration in a war against coal. That is not what is going on. There is a paranoia-inducing, Darwinian marketplace revolution that is taking place—led by natural gas, followed by wind—that is changing the makeup of the electricity marketplace in our country. Only when you understand and admit this will we be able to have a real debate out here, because all the rest of this is really just meant to be political, in order to harm the President in the election of 2012, when the real harm to coal is being done in the marketplace.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 2 minutes to the chairman of the House Appropriations Committee, the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. I thank the chairman for yielding.

During his 2008 election campaign, President Obama had the audacity to set an energy goal to bankrupt the coal industry. Unfortunately, this is one promise the President is keeping. Coal mines are closing, miners are being sent home—our strategic energy advantage thrown away for windmills and Solyndras.

Mr. Chairman, I know miners. Day in and day out, they make real personal sacrifices—often doing difficult and, at times, dangerous jobs—not only to look out for their families but to keep our homes lit, to support their local churches, to keep our local businesses flourishing, and to help the American economy. Coal is not America's energy problem; it is America's energy solution.

Sadly, for the last 3 years, this administration has brought forth an onslaught of job-killing regulations, overstepped authority—three times condemned by the Federal court, and deadlocked the mine permitting process—all with the thinly veiled purpose of driving coal from the energy marketplace.

In Kentucky, the results are in. In my region, more than 2,000 coal miners have lost their jobs this year, and dozens of local support businesses are downsizing as a result.

□ 1730

The story is the same in Virginia, West Virginia, and Pennsylvania, where last week, 1,200 more workers were given pink slips. It's time for this to stop, Mr. Chairman. This war on coal is real. It threatens the way of life of these small town communities with rich legacies and real people, our countrymen.

Mr. Chairman, I'm proud to stand in support of coal miners and coal communities and support the Stop the War on Coal Act, H.R. 3409. It sends a clear message that the Obama policies are wrongheaded not only for coal, but for our country.

I urge passage to put coal miners back to work.

Mr. MARKEY. I yield the remainder of our time to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Chairman, I thank my colleague, the ranking member on the committee.

This Republican-led House has already cast 302—soon to be more—anti-environmental votes in this Congress. In our last week in session before the election in November, our eighth day in session since the beginning of August, the majority now wants to use this precious time when we should be dealing with the Nation's economic problems. Instead, we are planning to consider legislation on the floor that will add to this total of anti-environmental votes.

No, there is no war on coal, not by the Obama administration or anyone else. Mr. MARKEY has explained the market forces at work. But there clearly has been a concerted effort. One out of every five votes we've taken in this Congress has been to reduce protections on our air, on our water, on our open spaces, et cetera.

This bill includes a coal ash title that endangers the health and safety of thousands of communities, provisions that would increase the levels of toxic mercury, lead, and cancer-causing toxins in the air and water. There are provisions in this bill that gut the Clean Air Act.

Why the House would waste precious time redebating these bills and voting on them once again is a mystery to me and I think must be a mystery to anyone who is observing the behavior of this House of Representatives. It only underscores the fact that the House Republican majority is more focused on passing message bills than addressing the real issues that face our Nation.

The remaining new title of this bill consists of a bill that was approved in the Resources Committee back in February. It purports to halt an ongoing effort by the Obama administration to rewrite a so-called ''midnight regulation'' that was adopted by the Bush administration on mountaintop removal mining. This Bush midnight mountaintop removal rule weakened a Reagan-era regulation by increasing the ability of the mining companies to dump mining waste in streams. Yes, believe it or not, they want to weaken those protections. It's another provision of this bill before us today.

The Obama administration has signaled that it intends to revise the Bush administration regulation to better protect local communities, to better protect public health, to better protect the water. However, this effort is only at the very early stages, and the Obama administration has not even issued a proposed rule. This is unnecessary, going in the wrong direction, and weakening environmental protections for this country.

Those are reasons enough to oppose this bill.

Mr. HASTINGS of Washington. Mr. Chairman, how much time is remaining on both sides?

The CHAIR. The gentleman from Washington has 3½ minutes, and the gentleman from Massachusetts has 1½ minutes.

Mr. HASTINGS of Washington. I would be more than happy to yield 3 minutes to the author of the legislation that is encompassed in title I of this bill, the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Mr. Chairman, I thank the chairman for yielding me the time.

My colleague just commented on the Bush administration's rewrite of the Stream Buffer Zone rule that took 5 years. He qualified that as a ''midnight rewrite.'' My goodness, that was a really long night. It took 5 years to do it.

Today, I rise in strong support of legislation that I've sponsored to stop the administration's job-destroying war on coal. This legislation is in direct response to the President's ongoing rewrite of the Stream Buffer Zone rule, a rule that, according to the administration's own estimates, would cost at least 7,000 direct jobs and potentially tens of thousands of direct and indirect jobs.

Mere days after assuming office, President Obama set out to rewrite this rule that will cost tens of thousands of jobs, cut coal production by up to 50 percent in America, and cause electricity rates to skyrocket even higher than the President has already pushed them.

As we all know, the average utility bill for the middle class has risen over $300 a year because of this President's radical environmental policies. The last thing the middle class needs is their utility bills to go even higher. However, if the story ended there, it would be bad enough, but it doesn't end there. It actually gets much worse.

The President's administration has deliberately tried to hide the truth about the cost of this rule to the American public. In fact, a Presidential appointee asked the contractors working on the rule to lie about the job loss numbers so the administration could convince the American public that this rule was good public policy. Thankfully, the contractors were men and women of character and would not lie for the administration. The President's administration then fired those contractors.

The Natural Resources Committee has subpoenaed the administration for documents and audio recordings relating to the rule. Not surprisingly, as we have seen many times before, the President has failed to live up to his campaign promise of leading the most open and transparent government ever, because he has not allowed the administration to turn over the documents that we've asked for because he knows they will hurt his reelection prospects.

This legislation is not about a sloppy and unethical rules process. This legislation is about saving tens of thousands of jobs for hardworking Americans, and it's about providing reliable and affordable energy resources for hardworking taxpayers and businesses all across America.

Throughout the country, hardworking coal miners and utility plant workers are losing their jobs because of this President's radical environmental policies. Just this week, hundreds of coal miners were told they would lose their jobs because of the President's anticoal stance. Just today, a utility company announced that they would close a coal-fired power plant and hundreds more workers would lose their jobs. These job losses are in addition to the thousands of Ohioans in eastern and southeastern Ohio that have lost their jobs because of the President's radical policies.

The CHAIR. The time of the gentleman has expired.

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

Mr. JOHNSON of Ohio. This legislation will bring a stop to the administration's war on coal by not only stopping the job-destroying rewrite of the Stream Buffer Zone rule, but it also contains four bipartisan bills that have already been passed through the House.

I urge all of my colleagues to support this job-saving legislation.

Mr. MARKEY. Mr. Chair, I yield the balance of my time to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank the gentleman from Massachusetts.

Mr. Chairman, this legislation is drafted so broadly that it's likely to cause real damage. It would prevent the Interior Department from issuing nearly any new regulation under the Surface Mining Control and Reclamation Act. The bill would prevent the Interior Department from undertaking any of a number of actions that it is considering to ensure that mining operations are safe for the workers and for the public and for our environment. I filed an amendment to narrow the scope of this title, but the majority would not make it in order.

Furthermore, H.R. 3409 would completely paralyze the Office of Surface Mining, which is responsible for protecting the citizens and workers, and we should not limit this agency when it comes to worker safety.

□ 1740

This bill would threaten public health by blocking the critical Clean Air Act regulations that limit dangerous air pollutants, as I said earlier, including mercury in the air that we breathe.

This is an irresponsible bill; it is unnecessary. We have important work to do to shore up this economy and to create jobs. Why in the world we are doing this is beyond anybody's reasonable explanation.

Mr. HASTINGS of Washington. I yield myself the balance of my time, and I will do my best to capsulize.

Mr. Chairman, it was the President, when he was a candidate, that said that his policies, if enacted, would cost coal jobs.

For nearly 4 years we have seen evidence of that, and the latest example of that was when Alpha Coal Company laid off 1,200 people, citing the regulations that the President said he would promulgate. This is a good bill. I urge its adoption.

I yield back the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I yield myself such time as I may consume.

I am going to say that I'm a little bit shocked that people would be so critical of this bill and saying that this bill is not important.

All of us know that President Obama, when he was running for President, made the comment that if he was elected President, you could build a coal-power plant, but he would bankrupt the industry.

Our friends on the other side of the aisle say, well, coal is having problems today because natural gas prices are going down. Let's let the free market work, and coal is losing out because of these natural gas prices.

The truth of the matter is, if natural gas prices were higher than they had been in the history of America, under this administration, if they finalize the greenhouse gas regulation, you cannot build a new coal-powered plant in America. One of the things that this bill does is it simply says, no, you're not going to regulate the greenhouse gases with this regulation.

The second thing that it does is this administration has been more aggressive than any in recent history on regulating the coal industry. The second thing that we do is we simply require the Department of Commerce to lead an interagency committee that will complete analysis of key EPA rules and regulations and the impact that they have on jobs in America, on our ability to compete in the global marketplace, on the energy prices, on energy reliability, and on the benefits.

What is so radical about that? An interagency task force to simply examine the cost of this cumulation of the impact of the regulations on energy prices, impact on global competitiveness, impact on energy reliability. What is so radical about that?

Then, finally, the third thing that it does is we say we're going to establish minimum Federal requirements for the management of coal ash. Coal ash has been used in America for 50 years or more to build highways and to be used in concrete. All we're saying is we're going to set a minimum Federal standard, and we're going to let the States enforce it through enforceable permits. Then EPA can get into the action if they want to if the State fails to act.

I don't view this as anything radical. If you go to any coal mine today, and you tell people that work in those coal mines that this administration is not harming their ability to work, I think you would be facing a losing argument.

One of the things that upsets me most about all these regulations is that when Lisa Jackson comes to testify, she talks about all of the benefits from a health perspective. I would be the first to acknowledge our air today is cleaner than it has ever been and all of us can take pleasure in that and feel very proud about the effectiveness that the Clean Air Act has given us.

The important thing today is to recognize that there are diminishing returns in these additional regulations.

If you look at the cost to the coal miner and his family when they lose their health care, the EPA does not look at the impact that that will have, the costs that that will have to society; but they look at models, and they determine that maybe next year they're going to prevent 1 million people from having asthma, which is quite subjective.

This is a reasonable piece of legislation that simply tries to slow down EPA, particularly at a time when our economy is weak, when we're trying to create jobs, not lose jobs, and when we're trying to be and remain competitive in the global marketplace with countries like China that are stepping up the use of their coal when we're sitting here with a 225-year reserve of coal.

I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, I yield myself such time as I may consume.

Over the past 2 years, this Republican House has amassed the most anti-environment record in the history of Congress.

During this period, the Republican House has voted more than 300 times on the floor to weaken long-standing public health and environmental protections, block important environmental standards, and even halt environmental research. It's an appalling record.

I remember a time when there was bipartisan support for protecting the environment. Some of our best allies were Republicans like former Science Committee Chairman Sherwood Boehlert. It would have been unthinkable then to bring a bill that eviscerates the Clean Air Act and the Clean Water Act to the floor. But those days are apparently over.

Our last order of business before the election in 2012 is this bill, H.R. 3409. This is the single worst anti-environment bill to be considered during the most anti-environment House of Representatives in history. Under the guise of protecting coal mining jobs, House Republicans have resurrected their most extreme anti-environmental bills.

This new Frankenstein legislation is a sweeping attack on environmental protections, many of which had nothing to do with coal. It's an all-out assault on America's bedrock environmental protections.

Since 1970, when Richard Nixon was the President of the United States, the U.S. has had a national policy that air should be safe enough for people to breathe. The Republican bill that we're considering today would overturn this policy and cut the heart out of the Clean Air Act by allowing air quality standards to be set on the basis of polluter profits rather than health. This would reverse decades of progress in cleaning up our air. The gentleman that just last spoke on the floor said it was great, he likes the fact that we have cleaner air, but enough is enough.

□ 1750

The standards that we see being changed would no longer be based on health.

The bill also nullifies EPA's rules to require power plants to finally reduce their emissions of toxic mercury, which can cause brain damage and learning disabilities in infants and children. Blocking reductions in toxic air pollution means more heart attacks, more asthma attacks, more emergency room visits, and more premature deaths. Well, we've had enough of those kinds of clean air. Why have we've got to go backwards and allow toxic pollution to do harm to so many people?

But the bill doesn't stop there. It would overturn the Obama administration's historic vehicle fuel efficiency and carbon pollution standards. These standards are supported by the auto industry because they provide the industry with regulatory certainty and a single, national program. The standards will boost our energy independence by saving over 2 million barrels of oil a day. They will save consumers thousands of dollars at the pump over the life of a vehicle. The savings to American consumers will be equivalent to lowering gasoline prices by $1 per gallon.

These standards that the Republican bill would overturn are a victory for the auto industry, consumers, and the environment. They have nothing to do with coal. But House Republicans are targeting them anyway.

The legislation would prohibit EPA from taking any action to reduce dangerous carbon pollution. It codifies climate science denial by overturning EPA's scientific finding that carbon pollution endangers health and welfare. The premise of title II of this bill is that climate change is a hoax. The bill even eliminates the existing requirement that oil refineries, chemical plants, and other large polluters disclose how much carbon pollution they are releasing.

The signs that climate change is already occurring are all around us. The recent wildfires, drought, and heat

waves are exactly the types of extreme weather events that scientists have been predicting for years. The House Republican solution to the greatest environmental challenge of our time is to bury their heads in the sand and pretend it isn't happening. And they call this bill a moderate, not extreme, one.

This assault on the Nation's environmental laws will be the last order of business before the House adjourns for the election. It won't go anywhere in the Senate. It is a partisan, political bill that is distracting us from dealing with the real problems facing our Nation, like creating jobs and strengthening our economy.

We should stay here, Mr. Chairman, and do some real work for a change. This political bill is the wrong direction for America.

I urge my colleagues to oppose this legislation, and I reserve the balance of my time.

Mr. WHITFIELD. May I ask how much time we have remaining on our side?

The Acting CHAIR (Mr. WOODALL). The gentleman from Kentucky has 4½ minutes remaining.

Mr. WHITFIELD. Thank you.

At this time I yield 1 minute to the gentlelady from Tennessee (Mrs. BLACKBURN), who's a valuable member of the Energy and Commerce Committee.

Mrs. BLACKBURN. I thank the gentleman from Kentucky for his good work on this piece of legislation.

Mr. Chair, there is a war being waged on energy and on coal in this country. But it's not coming from another country; it is coming from our own government. And we see this taking place every day.

Here are a few facts. The United States produces 35 percent of the world's coal, which is more than any other country in the entire world. Most Americans think that we should be using our natural resources to improve the quality of life and to benefit our citizens. And indeed we should. We have more than 250 billion tons of recoverable coal here in this country.

Coal produced about 42 percent of all the electricity that was generated in the U.S. last year. Shutting down the coal industry might sound like a good idea at the Sierra Club meeting, but it doesn't make any sense. This legislation is needed because it puts the brakes on the EPA. I encourage my colleagues to support the bill.

Mr. WAXMAN. I continue to reserve the balance of my time.

Mr. WHITFIELD. I yield 1 minute to the gentleman from West Virginia (Mr. MCKINLEY).

Mr. MCKINLEY. I rise today in an effort to stop this administration's war on coal. Those who believe that there is no war on coal are in dangerous denial. The actions of this administration against coal have caused massive uncertainty in the marketplace.

Obama's war on coal has come in waves. First, with the retroactive retracting of mine water permits, shutting down a coal mine. New source performance standards, shutting down all new coal mine construction. Utility MACT is shutting down all existing powerhouses. Boiler MACT; particulate matter; stream buffer rule; treating coal ash as a hazardous material; cross-state air pollution; slow-walking over 900 coal mining permits.

I'm here to support the coal ash provision with this. The majority in the House and the Senate have already four times passed this concept. They support this issue.

This is not a war on coal, though. It's a war on the communities that mine coal. When you shut down a coal mine, you shut down concrete block suppliers, timber cribbing, machinists who maintain the motors and equipment, and electrical workers.

Mr. WAXMAN. Mr. Chairman, may I inquire how much time remains on each side?

The Acting CHAIR. The gentleman from California has 3¾ minutes remaining. The gentleman from Kentucky has 2½ minutes remaining.

Mr. WAXMAN. We have an additional speaker who is on his way, so I continue to reserve the balance of my time.

Mr. WHITFIELD. At this time I yield 1 minute to the gentleman from Oklahoma (Mr. SULLIVAN), who's the vice chairman of the Energy and Power Subcommittee.

Mr. SULLIVAN. Thank you, Chairman WHITFIELD.

Mr. Chair, I rise today in strong support of H.R. 3409, the Stop the War on Coal Act. This bill would help reverse the negative impact of President Obama's coal policies and protect American jobs from overregulation by the EPA.

The Obama administration is trying to regulate what they don't have the votes to legislate, and it's costing American jobs. Just this week, Alpha Natural Resources announced the elimination of 1,200 jobs due to the Obama administration's hostility towards the coal industry. The relief this bill provides cannot come soon enough.

One of the main provisions of the bill is the TRAIN Act. It's bipartisan legislation I authored and the House passed last year. The TRAIN Act forces EPA to conduct an in-depth cost benefit analysis of their most expensive power sector regulations so the American people can fully understand how the EPA's train wreck of regulations is impacting our economy.

At its heart, the TRAIN Act simply asks these questions:

What do these EPA regulations mean for the ability to compete in a global marketplace?

Will electricity prices climb, and by how much?

How would higher electricity prices and power plant closures affect jobs in the U.S. economy?

This is the right thing to do. I urge the passage of this measure.

Mr. WAXMAN. I continue to reserve the balance of my time.

Mr. WHITFIELD. At this time I yield 1 minute to the gentleman from Kansas (Mr. POMPEO), a member of the Energy and Commerce Committee.

Mr. POMPEO. Thank you, Mr. Chairman.

When you think of coal and jobs, you don't necessarily think of Kansas. But in Kansas we depend on affordable, abundant energy to build airplanes, to grow crops—all of the things that come with affordable energy. This legislation stopping the President's war on coal is important to jobs not only in coal country, but in Kansas and everyplace. We're trying for economic growth all across the country.

It's simply implausible to imagine how you can regulate an industry and try and shut down any new coal-fired power plants, and then try and take money and subsidize it and think you've got good energy policy all across America. It should come as no surprise that we have 23 million people out of work, economic growth under 2 percent, and these EPA regulations that continue, one on top of another, are a primary cause of that.

I urge my colleagues to support this legislation.

Mr. WHITFIELD. We have no further requests for time, and I reserve the balance of my time to close.

The Acting CHAIR. The gentleman from Kentucky has 45 seconds remaining.

Mr. WAXMAN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from the State of New Jersey, an important member of our committee, the ranking member of the Health Subcommittee, FRANK PALLONE.

□ 1800

Mr. PALLONE. Mr. Chairman, I rise today to speak in opposition to H.R. 3409, another in a string of bills put forth by the most anti-environment House in the history of Congress.

I would like to specifically reference title V of the legislation, which bars EPA from reviewing permits that allow mining companies to dump the material they blast off the top of mountains into streams and valleys.

Last year, EPA issued a decision to reject proposed disposal of mountaintop mining waste into West Virginia streams on the Spruce Mine No. 1 property.

Let me stress that this was an extremely rare action taken by EPA, and the first time it has used the Clean Water Act to overturn an approved mining permit.

This mine would have dumped 110 million cubic yards of coal mine waste into nearby streams, burying more than 6 miles of high-quality streams in Logan County and causing permanent damage to the ecosystem.

The surface mining in the steep slopes of Appalachia has disrupted the biological integrity of an area about

the size of Delaware, buried approximately 2,000 miles of streams with mining waste, and contaminated downstream areas with toxic elements.

People have been drinking the byproducts of coal waste from mountaintop removal for more than two decades. Rather than clean and clear water running out of their faucets, the people of Appalachia are left with orange or black liquid instead.

But this is not just about the environment. It's about public health. The health problems caused by exposure to these chemicals and heavy metals include cancer, organ failure, and learning disabilities. Not only that, but there are multiple cases of children suffering from asthma, headaches, nausea, and other symptoms likely due to toxic contamination from coal dust.

This is environmental injustice, Mr. Chairman. My colleagues on the other side of the aisle will claim EPA is killing jobs, and I disagree. What EPA is doing is protecting the people of Appalachia from exposure to toxic chemicals that are harming them.

We must put a stop to the dangerous practice of mountaintop removal mining, and I'm the lead sponsor of the Clean Water Protection Act, which would do just that.

I urge my colleagues to oppose this harmful legislation.

Mr. WAXMAN. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman and my colleagues, there is no war on coal. If coal is not able to compete with cheaper natural gas, that's not the government's fault. That's the market. That's the way it works. Do we blame the government for the failure of typewriter manufacturers to stay in business because they've been replaced by computers?

Coal is not going to go out of business.

The President said in his Statement of Administration Policy:

> To be clear, the administration believes that coal is and will remain an important part of our energy mix for decades to come. For that reason, since 2009, the administration has committed nearly $6 billion in advanced coal research, development and deployment and continues to work with industry on important efforts to demonstrate advanced coal technologies.

Let me just tell you what the American Heart Association, the American Lung Association, American Public Health Association, Asthma and Allergy Foundation of America, Health Care Without Harm, National Association of County and City Health Officials, Physicians for Social Responsibility, and Trust for America's Health say. They say:

> With such dramatic consequences for public health and enormous costs from air-pollution-related illnesses, we urge you to stand up to the pressure of big polluters and reject H.R. 3409 for what it is, a war on lungs.

That has no place at the top of Congress's legislative agenda.

Coal has had a pretty good deal. They've never had to carry the full cost of burning coal because they have never had to pay for the external consequences to human health and the environment.

But their failure in the market is because of lower competition.

I yield back the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I yield myself the balance of my time.

America would not be where it is today economically without the use of coal. I think all of us recognize that.

I would like to just read a couple of statements from recent court decisions about EPA.

The court called EPA's rationale magical thinking and its stunning power for an agency to arrogate to itself. It says, EPA acted arbitrarily and capriciously and in excess of its statutory authority.

The President says different things at different times. When he was a candidate last time, he said that he would bankrupt the coal industry. When he's a candidate today, he says he supports the coal industry. But his administration, through the EPA, shows clearly that they oppose coal.

The proposed greenhouse gas regulations, if finalized, would prohibit the building of a coal-power plant in America.

I yield back the balance of my time.

Mr. GIBBS. Mr. Chairman, I yield myself such time as I may consume.

I rise in strong support of H.R. 3409, the Coal Miner Employment and Domestic Infrastructure Protection Act. Almost four decades ago, when Congress enacted the Clean Water Act, Congress established a system of cooperative federalism by making the Federal Environmental Protection Agency, the EPA, and the States partners in regulating the Nation's water quality and allocated the primary responsibilities for dealing with the day-to-day water pollution control matters to the States.

For most of these almost-four decades, this system of cooperative federalism between the EPA and the States has worked quite well. However, in recent years, the EPA has begun to use questionable tactics to usurp the States' role under the Clean Water Act in setting water quality standards and to invalidate legally issued permits by the States.

The EPA has decided to get involved in the implementation of State standards, second-guessing States with respect to how standards are to be implemented and even second-guessing EPA's own prior determinations that a State standard meets the minimum requirements of the Clean Water Act.

The EPA also has inserted itself into the States' and the Army Corps of Engineers' permit issuance decision and is second-guessing States' and other agencies' permitting decisions.

EPA's actions increasingly are amounting to bullying the States and are unprecedented.

Title V of H.R. 3409 is the text of H.R. 2018, a bill that has already been approved by the House of Representatives overwhelmingly in a bipartisan vote. Title V of H.R. 3409 will clarify and restore the long-standing balance that has existed between the States and the EPA as co-regulators under the Clean Water Act and preserve the authority of the States to make determinations relating to their water quality standards and permitting.

The language in title V was carefully and narrowly crafted to preserve the authority of States to make decisions about their own water quality standards and permits without undue interference or second-guessing from the EPA bureaucrats in Washington with little or no knowledge of local water quality conditions.

Title V reins in EPA from unilaterally issuing a revised or new water quality standard for a pollutant whenever a State has adopted, and EPA already approved, a water quality standard for that pollutant.

Title V restricts the EPA from withdrawing its previous approval of a State's NPDES water quality permitting program, or from limiting Federal financial assistance for a State water quality permitting program on the basis that the EPA disagrees with that State.

Further, title V restricts the EPA from objecting to NPDES permits issued by a State. Moreover, title V clarifies that the EPA can veto an Army Corps of Engineers Clean Water Act section 404 permitting decision when the State concurs with the veto.

These limitations apply only in situations where the EPA is attempting to contradict and unilaterally force its own one-size-fits-all Federal policies on a State's water quality program.

By limiting such overreaching by the EPA, title V in no way affects EPA's proper role in reviewing States' permits and standards and coordinating pollution control efforts between the States.

□ 1810

The EPA just has to return to a more collaborative role it has long played as the overseer of the State's implementation of the Clean Water Act.

Detractors of this legislation claim that the bill only intends to disrupt the complementary roles of EPA and the States under the Clean Water Act, and eliminate EPA's ability to protect water quality and public health in downstream States from actions in upstream States.

In reality, these detractors want to centralize power in the Federal Government so it can dominate water quality regulation in the States. Implicit in their message is that they do not trust the States in protecting the quality of their waters and the health of their citizens.

Title V of H.R. 3409 returns the balance, certainty, and cooperation between States and the Federal Government in regard to the environment that our economy, job creators, and permit holders have been begging for.

I urge passage of H.R. 3409 and reserve the balance of my time.

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

I rise in support of the Stop the War on Coal Act, or as I prefer to call it, the ''Defense of Coal Miners Jobs Act.''

It has already been made clear on this floor that America's coal industry is under siege. Coal companies themselves have been very upfront about the chief source of their troubles, their lost revenues, mine closures, and layoffs. According to coal company officials and their own corporate financial statements, the biggest factor negatively affecting coal of late has been economic—involving declining demand in metallurgical coal, softness in the thermal coal market, a slowdown in the worldwide economy, milder than expected weather, and the resulting growth in coal stockpiles—all, of course, amplified by the low cost of natural gas. But when these factors began to evolve, already darkly looming over coal were the ever-tightening constrictions of the Clean Water Act—that regulatory perpetual motion machine from which rule after rule has rolled out with no regard for the condition of the economy or the effect those regulations would have on the livelihoods of American families.

Meanwhile, long-running legal skirmishes—lawsuit on top of lawsuit—challenging coal mine permitting in my home State had, for decades, unfairly and inhumanely left coal miners and their families constantly looking over their shoulders, waiting to be told that their mine was shutting down and their paychecks were stopping.

And then along came the current EPA leadership and what may be the most flagrantly offensive tactic aimed squarely at undoing coal. This agency has singled out what I believe it saw as a politically expendable region of the country and imposed a wholly new permitting regime.

This EPA has run roughshod over my State and others in central Appalachia to impose its own ideological agenda. It usurped the legal authorities of other Federal agencies. It brazenly misused and abused its regulatory powers to put a stranglehold on coal mine permitting in these States. This is not just my assessment; this is the assessment of the courts, which found:

> The EPA has overstepped its statutory authority under the Clean Water Act and infringed on the authority afforded by law to the States.

I know quite possibly better than anyone else on this floor today how the regulatory arm of the government can wreak havoc on the people we represent. I know because the real front lines of this war are not here in Washington; they run through the hills and hollows of southern West Virginia, throughout our coal fields, through our very vein. The true soldiers in this war are our coal miners, who simply want to do their jobs. They want to earn an honest living and decent benefits for themselves and their families.

Now, I've been proud to stand in this body for over three decades, to stand in the trenches and fight with our coal miners, and I'm not about to break ranks with them one iota. In defense of our coal miners, along with Chairman MICA of our Transportation Committee and myself, we drafted H.R. 2018, the Clean Water Cooperative Federalism Act, which is a key part of this bill we consider today, as Chairman GIBBS knows well and has been helpful with as well.

I have, as well, supported the other measures that comprise this legislation when they passed the House as standalone bills, with the exception of the base bill to which they have been attached, as it has not been considered on the floor on its own.

I stand here now on this floor in support of this bill to once again defend our coal miners and their families in my State of West Virginia. Coal miners have risen up against their government before—just look at the history. They've marched on Washington before; we've heard their voices. If this EPA continues to turn a blind eye to the law to impose its anti-coal views, if it continues to unlawfully mess with our miners to cut off their paychecks and cut short their dreams, then I have a message for the EPA from the folks back home: You've not heard the last from us. You've not heard the last at all.

American workers want to work. Jobs are hard to come by these days. This government ought not to be a party to eliminating the ones that still exist. So in defense of our coal miners' jobs, I urge my colleagues to join me in supporting this bill, and I reserve the balance of my time.

Mr. GIBBS. Mr. Chairman, we have no more speakers. I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, let me just say that the bottom line is that the coal industry, as do all industries, needs regulatory stability. As the only sitting Member of this body who was a conferee on the bill which became SMCRA—the Surface Mining Control and Reclamation Act—I well recall that our goal back in 1977, when that legislation passed, was to create a dovetailing between coal production and environmental protection. My own State of West Virginia at that time was—and still is—a leader in surface mine reclamation.

Our industry was doing the job. Indeed, under SMCRA, we almost achieved that goal until recent years, when an activist EPA sought to usurp all authorities of other agencies—be it the Corps of Engineers or the Office of Surface Mining under the Department of the Interior. SMCRA should run the permitting process. Water quality permits should then follow, not vice versa.

So, again, I urge support of this bill. And I point to how we have been able to do it in West Virginia—effectively reclaim our land, provide jobs for our people, and have an environmentally sound environment in which our people are proud and in which jobs are provided—and good-paying jobs, I might add—for the people of West Virginia and all of our Appalachian States.

So I would urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. GIBBS. Mr. Chairman, I will conclude and yield myself the balance of my time.

I want to thank my colleague from West Virginia, who is understanding of what's happening in the United States Environmental Protection Agency, the revocation of the permits.

As a freshman here in Congress, I've been here not quite 2 years, and I have witnessed one of the most egregious things I have ever seen—I call it un-American. I think maybe I will just talk for a couple of minutes here and give the example of what happened with that, which just blew me away when I learned what happened.

We had an operation in the State Mr. RAHALL represents that went through 10 years of an environmental impact study—did everything they did, went beyond what they needed to do. In 2007, they were granted their permits and they started the operation up, the mining operation. In 2010, when this administration came into power, they revoked their permits. And I was arguing then that they didn't have the authority under the Clean Water Act to revoke the permit 3 years later, especially when there was no due reason, no cause.

We held hearings on this in my committee. What we discovered is that the State of West Virginia EPA did not support those actions, and the Army Corps of Engineers stated that there were no problems at the operation, there were no permit violations. So this is the first time in American history, I believe, that a permit to be in business was revoked when there were no permit violations.

□ 1820

Now, this sets a very dangerous precedent because lots of entities, not just in the coal industry, but lots of entities have to have a permit from the government to be in business. And if the government can come in and take your permit for no true cause, real cause, not in violation of the permit, who's going to invest? How are we going to grow this economy?

This is all about jobs and growing the economy. And so this is why it's so important that title V of this bill needs to be passed.

I want to applaud Mr. RAHALL and his support of that because he understands what the workers in his State are going through, and as we saw this week, all the thousands of layoffs of coal miners because there is a war on coal, and it's a war on our economy and it lessens our opportunity and, in essence, our freedoms.

So I urge Members to support this bill, and I yield back the balance of my time.

Ms. SCHAKOWSKY. Mr. Chair, I rise in opposition to H.R. 3409, the ''Stop the War on Coal Act.'' This legislation represents the wish list of our Nation's worst polluters. It would do nothing to make our country more energy independent, but it would strip Americans of basic clean air and clean water protections. Several provisions of the bill have previously been considered by the Energy and Commerce Committee, on which I serve, and they are no better than when they were first introduced. They would all have a devastating impact on human health and the environment.

H.R. 3409 would eliminate tailpipe standards to reduce carbon pollution from model year 2017–2025 vehicles, bar EPA from requiring power plants and refineries to reduce carbon pollution, and undo requirements for power plants and refineries to disclose their carbon pollution. Those provisions would make our air dirtier without promoting job growth or energy independence.

The bill would delay the enforcement of the Mercury and Air Toxics and Cross-State Air Pollution standards. The Mercury and Air Toxics Standard will prevent 4,500 cases of acute bronchitis, 12,000 emergency room visits, 120,000 cases of aggravated asthma and more than 6,800 premature deaths annually. The Cross-State Air Pollution Rule will prevent 19,000 cases of acute bronchitis, 15,000 nonfatal heart attacks, 400,000 cases of aggravated asthma, and 34,000 deaths per year. Every year these regulations are delayed, over 40,000 preventable deaths will occur.

In 2008, the Kingston coal ash disaster dumped over one billion gallons of coal ash into the Emory River, contaminating drinking water with arsenic, chromium, selenium, lead, and mercury. The EPA submitted two options for regulating of coal ash disposal to prevent a similar disaster in the future. H.R. 3409 would require a standard weaker than either recommendation made by the EPA. It would allow states to regulate coal ash landfills by the same standards we use for ordinary household garbage, subjecting millions of Americans to increased risk of cancer, neurological disorders, birth defects, reproductive failure, asthma, and other complications.

This legislation would allow states to veto EPA water quality decisions even when a water source is heavily polluted. It would also restrict EPA from requiring improvements to state water quality standards when they fail to protect public health. Waterways cross state boundaries, and the effects of one state's lax regulations can have terrible consequences not just to their populations, but also to states downstream.

We have a responsibility to our children and grandchildren to protect the air they breathe and the water they drink. Legislation like H.R. 3409 puts the priorities of a few selfish corporate polluters ahead of hundreds of millions of Americans. I strongly oppose this bill and urge my colleagues to join me in voting against final passage.

Mr. GEORGE MILLER of California. Mr. Chair, I rise today to oppose this bill because it's a mere political message—not a solution for the Nation's coal mining communities.

Simply put: Jobs are being lost in the coalfields because natural gas is cheaper.

Adopting this bill will do nothing to change those market forces.

Likewise, this bill has nothing to do with protecting coal miners or ensuring they return home safely after their shift.

It's been more than two years since 29 miners died in the Upper Big Branch mine. And for more than two years, families who lost a loved one in the mine have demanded congressional action.

They want to ensure that the system does not let unscrupulous mine owners cover up unsafe conditions.

All they want is to be sure that no other family will have to go through what they did.

Well, more than two years and four investigative reports later, this Congress still has not acted.

I've met plenty of miners in my day. They're smart enough to see through this stunt.

I urge my colleagues to vote ''no'' on this bill, and turn our attention to job creation and job safety.

Mr. QUIGLEY. Mr. Chair, it's like we're stuck in some sort of time warp—a Groundhog Day to end all Groundhog Days.

This House has voted 302 times to block action to address climate change, to halt efforts to reduce air and water pollution, to undermine protections for public lands and coastal areas, and to weaken the protection of the environment in other ways.

But, not everybody's got their head in the sand. Richard Muller, a physicist at the University of California, Berkeley, and a prominent climate change skeptic, recently announced a change in his stance on the issue.

''Call me a converted skeptic,'' he wrote this July. ''Three years ago I identified problems in previous climate studies that, in my mind, threw doubt on the very existence of global warming. Last year, following an intensive research effort involving a dozen scientists, I concluded that global warming was real and that the prior estimates of the rate of warming were correct. I'm now going a step further: Humans are almost entirely the cause.''

The debate is over. Climate change is real. But this bill ignores sound science, and would actually speed up climate change rather than slow it down. This bill, despite sound science, tells us that we should decrease ozone standards nationally, and increase the risk of skin cancer.

This bill, despite sound science, tells us that the new CAFE standards—supported by the Alliance of Automobile Manufacturers, the automobile industry, states and others—aren't worth the 2.2 million barrels of oil per day that would be saved; or worth the $1 per gallon consumer savings that would be achieved by 2025.

Denying climate science, eliminating the EPA's ability to reduce carbon pollution, killing the high-paying, long-term green industry jobs we're working so hard to create, endangering public health by allowing coal ash and mountaintop mining removal materials to pollute our valleys and streams—these are not new topics to this Congress.

These are all bills we've passed before, bills that have no hope in the Senate, no hope on the President's desk, and no hope to do any good for this country. What would be new is a solution-oriented policy discussion surrounding the extension of the Production Tax Credit, or PTC, which provides tax incentives for clean, renewable energy sources.

I oppose today's bill, as I've opposed these devastating measures in the past, and will continue to fight to bring the PTC successfully across the finish line.

If this so-called ''war on coal'' was really all about jobs, then we'd be leaving in place important rules like the Mercury Air Toxics Standard, which actually creates jobs, as do all of the rules that pertain to pollution controls—jobs in expert science industries.

But we've become so focused on repeal, repeal, repeal, that we fail to listen to utility and energy industry experts who tell us that their bottom line is being impacted by this fervor to eliminate rules and regulations for fair play.

We fail to listen to nearly 100 prominent economists—including Nobel Prize winners Joseph Stiglitz, Kenneth Arrow and Robert Solow—who tell us we've got the tools of job creation at hand.

''The Antiquities Act of 1906,'' these economic leaders wrote in a letter to the President last fall, ''would establish new national parks and monuments that can be one of the quickest ways to spur local hiring and build productive communities.''

When the Antiquities Act of 1906 was established, Teddy Roosevelt was fighting with Congress over the importance of preserving the Grand Canyon as a national park.

Way back when, the fight was whether to preserve the canyon or mine it for zinc, copper, asbestos and the like. Sounds a lot like today. A similar threat loomed over the Canyons this year, where international and domestic mining companies were clamoring for the rights to extract uranium from the nearby national forest.

That was, until the President and Secretary Salazar instated a plan to ban new uranium and other mining claims on 1 million acres of federal lands bordering the Grand Canyon for the next 20 years. It is my humble estimation that President Roosevelt would approve these efforts, and so do I.

''We regard attic temples and Roman triumphal arches and Gothic cathedrals as a priceless value,'' Roosevelt wrote. ''But we are, as a whole, still in that low state of civilization where we do not understand that it is also vandalism wantonly—to destroy or to permit the destruction of what is beautiful in nature, whether it be a cliff or forest, or a species of mammal or bird.''

Mountaintop mining, ocean acidification, epidemic rates of asthma—this destruction of nature is economic destruction at best, and vandalism at worst. Land, water, air—our economy, our lives—they're all at stake today.

I oppose this bill, I oppose this sentiment to cast aside rules and laws that preserve and protect, and I ask my colleagues to join me in the fight for green, clean energy.

Mr. DINGELL. Mr. Chair, the definition of insanity is doing the same thing over and over again and expecting a different result each time. We have voted over 30 times to repeal the health care law. We have already voted on a number of provisions in the bill before us. Each time the Republican majority has forced through legislation with little to no bipartisan support and each time the Senate has refused to consider any one of those bills.

Where are the jobs bills? Where are the new ideas from the Republican majority? How much time have we wasted this Congress on legislation that will never be considered by the Senate and would never be signed by the President?

A partisan agenda is not what this country needs; what we need are investments in innovative technologies and sources of energy so America does not fall further behind countries such as China, Korea, Germany, and others

who are subsidizing innovative energy technology.

This bill and the bills we've already voted on this package are simply veto bait that does nothing to help working families, invest in innovative technology, or boost our manufacturing industry.

The majority of the bill before us today deals with the Clean Air Act. In passing the Clean Air Act Amendments of 1990, which a number of my Republican colleagues in this House cosponsored, the Energy and Commerce Committee held over 70 hearings during a 10 year period and 21 more during the 101st Congress. A total of seven House Committees participated in the Conference Committee. My point in saying all of this is that any changes to the Clean Air Act must include vigorous debate, not just with the people we agree with, but also those we disagree with. It must also include careful analysis of the Clean Air Act and what problems it creates and what this Committee and Congress should do about these problems. To my colleagues I would say if there is a problem, we should use the limited time we have to address the question of what are the problems and what are the alternatives or solutions.

Just because members disagree with some of the actions taken by the EPA recently doesn't mean we need to defund and dismantle the EPA. As I have said a number of times, the Clean Air Act alone has reduced key pollutants by 60 percent since 1970 while at the same time the economy grew by over 200 percent. We can maintain a healthful environment while creating jobs and growing businesses without going back to the days of undrinkable water and unbreathable air.

We cannot simply be the House of "no." We can and we must do better for the sake of our country. I must ask my Republican colleagues, is your priority this Congress to build partisan talking points or build a stronger American economy that can compete in the global economy of the 21st century? I hope it is the latter because I know I was elected to do the work of the people and I hope my colleagues on the other side of the aisle will start doing the same.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–32. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 3409

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Stop the War on Coal Act of 2012''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; Table of contents.

TITLE I—LIMITATION ON AUTHORITY TO ISSUE REGULATIONS UNDER THE SURFACE MINING CONTROL AND RECLAMATION ACT OF 1977

Sec. 101. Limitation on authority to issue regulations under the Surface Mining Control and Reclamation Act of 1977.

TITLE II—NO GREENHOUSE GAS REGULATION UNDER THE CLEAN AIR ACT

Sec. 201. No regulation of emissions of greenhouse gases.

Sec. 202. Preserving one national standard for automobiles.

TITLE III—TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON NATION

Sec. 301. Committee for the Cumulative Analysis of Regulations that Impact Energy and Manufacturing in the United States.

Sec. 302. Analyses.

Sec. 303. Reports; public comment.

Sec. 304. Additional provisions relating to certain rules.

Sec. 305. Consideration of feasibility and cost in establishing national ambient air quality standards.

TITLE IV—MANAGEMENT AND DISPOSAL OF COAL COMBUSTION RESIDUALS

Sec. 401. Management and disposal of coal combustion residuals.

Sec. 402. 2000 Regulatory determination.

Sec. 403. Technical assistance.

Sec. 404. Federal Power Act.

TITLE V—PRESERVING STATE AUTHORITY TO MAKE DETERMINATIONS RELATING TO WATER QUALITY STANDARDS

Sec. 501. State water quality standards.

Sec. 502. Permits for dredged or fill material.

Sec. 503. Deadlines for agency comments.

Sec. 504. Applicability of amendments.

Sec. 505. Reporting on harmful pollutants.

Sec. 506. Pipelines crossing streambeds.

Sec. 507. Impacts of EPA regulatory activity on employment and economic activity.

TITLE I—LIMITATION ON AUTHORITY TO ISSUE REGULATIONS UNDER THE SURFACE MINING CONTROL AND RECLAMATION ACT OF 1977

SEC. 101. LIMITATION ON AUTHORITY TO ISSUE REGULATIONS UNDER THE SURFACE MINING CONTROL AND RECLAMATION ACT OF 1977.

The Secretary of the Interior may not, before December 31, 2013, issue or approve any proposed or final regulation under the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.) that would—

(1) adversely impact employment in coal mines in the United States;

(2) cause a reduction in revenue received by the Federal Government or any State, tribal, or local government, by reducing through regulation the amount of coal in the United States that is available for mining;

(3) reduce the amount of coal available for domestic consumption or for export;

(4) designate any area as unsuitable for surface coal mining and reclamation operations; or

(5) expose the United States to liability for taking the value of privately owned coal through regulation.

TITLE II—NO GREENHOUSE GAS REGULATION UNDER THE CLEAN AIR ACT

SEC. 201. NO REGULATION OF EMISSIONS OF GREENHOUSE GASES.

Title III of the Clean Air Act (42 U.S.C. 7601 et seq.) is amended by adding at the end the following:

''SEC. 330. NO REGULATION OF EMISSIONS OF GREENHOUSE GASES.

''(a) DEFINITION.—In this section, the term 'greenhouse gas' means any of the following:

''(1) Water vapor.

''(2) Carbon dioxide.

''(3) Methane.

''(4) Nitrous oxide.

''(5) Sulfur hexafluoride.

''(6) Hydrofluorocarbons.

''(7) Perfluorocarbons.

''(8) Any other substance subject to, or proposed to be subject to, regulation, action, or consideration under this Act to address climate change.

''(b) LIMITATION ON AGENCY ACTION.—

''(1) LIMITATION.—

''(A) IN GENERAL.—The Administrator may not, under this Act, promulgate any regulation concerning, take action relating to, or take into consideration the emission of a greenhouse gas to address climate change.

''(B) AIR POLLUTANT DEFINITION.—The definition of the term 'air pollutant' in section 302(g) does not include a greenhouse gas. Notwithstanding the previous sentence, such definition may include a greenhouse gas for purposes of addressing concerns other than climate change.

''(2) EXCEPTIONS.—Paragraph (1) does not prohibit the following:

''(A) Notwithstanding paragraph (4)(B), implementation and enforcement of the rule entitled 'Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards' (as published at 75 Fed. Reg. 25324 (May 7, 2010) and without further revision) and implementation and enforcement of the rule entitled 'Greenhouse Gas Emissions Standards and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles' (as published at 76 Fed. Reg. 57106 (September 15, 2011) and without further revision).

''(B) Implementation and enforcement of section 211(o).

''(C) Statutorily authorized Federal research, development, demonstration programs and voluntary programs addressing climate change.

''(D) Implementation and enforcement of title VI to the extent such implementation or enforcement only involves one or more class I substances or class II substances (as such terms are defined in section 601).

''(E) Implementation and enforcement of section 821 (42 U.S.C. 7651k note) of Public Law 101–549 (commonly referred to as the 'Clean Air Act Amendments of 1990').

''(3) INAPPLICABILITY OF PROVISIONS.—Nothing listed in paragraph (2) shall cause a greenhouse gas to be subject to part C of title I (relating to prevention of significant deterioration of air quality) or considered an air pollutant for purposes of title V (relating to permits).

''(4) CERTAIN PRIOR AGENCY ACTIONS.—The following rules and actions (including any supplement or revision to such rules and actions) are repealed and shall have no legal effect:

''(A) 'Mandatory Reporting of Greenhouse Gases', published at 74 Fed. Reg. 56260 (October 30, 2009).

''(B) 'Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act', published at 74 Fed. Reg. 66496 (December 15, 2009).

''(C) 'Reconsideration of Interpretation of Regulations That Determine Pollutants Covered by Clean Air Act Permitting Programs', published at 75 Fed. Reg. 17004 (April 2, 2010) and the memorandum from Stephen L. Johnson, Environmental Protection Agency (EPA) Administrator, to EPA Regional Administrators, concerning 'EPA's Interpretation of Regulations that Determine Pollutants Covered by Federal Prevention of Significant Deterioration (PSD) Permit Program' (December 18, 2008).

''(D) 'Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule', published at 75 Fed. Reg. 31514 (June 3, 2010).

''(E) 'Action To Ensure Authority To Issue Permits Under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions: Finding of Substantial Inadequacy and SIP Call', published at 75 Fed. Reg. 77698 (December 13, 2010).

''(F) 'Action To Ensure Authority To Issue Permits Under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions: Finding of Failure To Submit State Implementation Plan Revisions Required for Greenhouse Gases', published at 75 Fed. Reg. 81874 (December 29, 2010).

''(G) 'Action to Ensure Authority To Issue Permits Under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions: Federal Implementation Plan', published at 75 Fed. Reg. 82246 (December 30, 2010).

''(H) 'Action to Ensure Authority to Implement Title V Permitting Programs Under the Greenhouse Gas Tailoring Rule', published at 75 Fed. Reg. 82254 (December 30, 2010).

''(I) 'Determinations Concerning Need for Error Correction, Partial Approval and Partial Disapproval, and Federal Implementation Plan Regarding Texas Prevention of Significant Deterioration Program', published at 75 Fed. Reg. 82430 (December 30, 2010).

''(J) 'Limitation of Approval of Prevention of Significant Deterioration Provisions Concerning Greenhouse Gas Emitting-Sources in State Implementation Plans', published at 75 Fed. Reg. 82536 (December 30, 2010).

''(K) 'Determinations Concerning Need for Error Correction, Partial Approval and Partial Disapproval, and Federal Implementation Plan Regarding Texas Prevention of Significant Deterioration Program; Proposed Rule', published at 75 Fed. Reg. 82365 (December 30, 2010).

''(L) Except for actions listed in paragraph (2), any other Federal action under this Act occurring before the date of enactment of this section that constitutes a stationary source permitting requirement or an emissions standard for a greenhouse gas to address climate change.

''(5) STATE ACTION.—

''(A) NO LIMITATION.—This section does not limit or otherwise affect the authority of a State to adopt, amend, enforce, or repeal State laws and regulations pertaining to the emission of a greenhouse gas.

''(B) EXCEPTION.—

''(i) RULE.—Notwithstanding subparagraph (A), any provision described in clause (ii)—

''(I) is not federally enforceable;

''(II) is not deemed to be a part of Federal law; and

''(III) is deemed to be stricken from the plan described in clause (ii)(I) or the program or permit described in clause (ii)(II), as applicable.

''(ii) PROVISION DEFINED.—For purposes of clause (i), the term 'provision' means any provision that—

''(I) is contained in a State implementation plan under section 110 and authorizes or requires a limitation on, or imposes a permit requirement for, the emission of a greenhouse gas to address climate change; or

''(II) is part of an operating permit program under title V, or a permit issued pursuant to title V, and authorizes or requires a limitation on the emission of a greenhouse gas to address climate change.

''(C) ACTION BY ADMINISTRATOR.—The Administrator may not approve or make federally enforceable any provision described in subparagraph (B)(ii).''.

SEC. 202. PRESERVING ONE NATIONAL STANDARD FOR AUTOMOBILES.

Section 209(b) of the Clean Air Act (42 U.S.C. 7543) is amended by adding at the end the following:

''(4) With respect to standards for emissions of greenhouse gases (as defined in section 330) for model year 2017 or any subsequent model year new motor vehicles and new motor vehicle engines—

''(A) the Administrator may not waive application of subsection (a); and

''(B) no waiver granted prior to the date of enactment of this paragraph may be construed to waive the application of subsection (a).''.

TITLE III—TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON NATION

SEC. 301. COMMITTEE FOR THE CUMULATIVE ANALYSIS OF REGULATIONS THAT IMPACT ENERGY AND MANUFACTURING IN THE UNITED STATES.

(a) ESTABLISHMENT.—The President shall establish a committee to be known as the Committee for the Cumulative Analysis of Regulations that Impact Energy and Manufacturing in the United States (in this Act referred to as the ''Committee'') to analyze and report on the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, in accordance with sections 302 and 303.

(b) MEMBERS.—The Committee shall be composed of the following officials (or their designees):

(1) The Secretary of Agriculture, acting through the Chief Economist.

(2) The Secretary of Commerce, acting through the Chief Economist and the Under Secretary for International Trade.

(3) The Secretary of Labor, acting through the Commissioner of the Bureau of Labor Statistics.

(4) The Secretary of Energy, acting through the Administrator of the Energy Information Administration.

(5) The Secretary of the Treasury, acting through the Deputy Assistant Secretary for Environment and Energy of the Department of the Treasury.

(6) The Administrator of the Environmental Protection Agency.

(7) The Chairman of the Council of Economic Advisors.

(8) The Chairman of the Federal Energy Regulatory Commission.

(9) The Administrator of the Office of Information and Regulatory Affairs.

(10) The Chief Counsel for Advocacy of the Small Business Administration.

(11) The Chairman of the United States International Trade Commission, acting through the Office of Economics.

(c) CHAIR.—The Secretary of Commerce shall serve as Chair of the Committee. In carrying out the functions of the Chair, the Secretary of Commerce shall consult with the members serving on the Committee pursuant to paragraphs (5) and (11) of subsection (b).

(d) CONSULTATION.—In conducting analyses under section 302 and preparing reports under section 303, the Committee shall consult with, and consider pertinent reports issued by, the Electric Reliability Organization certified under section 215(c) of the Federal Power Act (16 U.S.C. 824o(c)).

(e) TERMINATION.—The Committee shall terminate 60 days after submitting its final report pursuant to section 303(c).

SEC. 302. ANALYSES.

(a) SCOPE.—The Committee shall conduct analyses, for each of the calendar years 2016, 2020, and 2030, of the following:

(1) The cumulative impact of covered rules that are promulgated as final regulations on or before January 1, 2013, in combination with covered actions.

(2) The cumulative impact of all covered rules (including covered rules that have not been promulgated as final regulations on or before January 1, 2013), in combination with covered actions.

(3) The incremental impact of each covered rule not promulgated as a final regulation on or before January 1, 2013, relative to an analytic baseline representing the results of the analysis conducted under paragraph (1).

(b) CONTENTS.—The Committee shall include in each analysis conducted under this section the following:

(1) Estimates of the impacts of the covered rules and covered actions with regard to—

(A) the global economic competitiveness of the United States, particularly with respect to energy intensive and trade sensitive industries;

(B) other cumulative costs and cumulative benefits, including evaluation through a general equilibrium model approach;

(C) any resulting change in national, State, and regional electricity prices;

(D) any resulting change in national, State, and regional fuel prices;

(E) the impact on national, State, and regional employment during the 5-year period beginning on the date of enactment of this Act, and also in the long term, including secondary impacts associated with increased energy prices and facility closures; and

(F) the reliability and adequacy of bulk power supply in the United States.

(2) Discussion of key uncertainties and assumptions associated with each estimate.

(3) A sensitivity analysis.

(4) Discussion, and where feasible an assessment, of the cumulative impact of the covered rules and covered actions on—

(A) consumers;

(B) small businesses;

(C) regional economies;

(D) State, local, and tribal governments;

(E) low-income communities;

(F) public health;

(G) local and industry-specific labor markets; and

(H) agriculture,

as well as key uncertainties associated with each topic.

(c) METHODS.—In conducting analyses under this section, the Committee shall use the best available methods, consistent with guidance from the Office of Information and Regulatory Affairs and the Office of Management and Budget Circular A–4.

(d) DATA.—In conducting analyses under this section, the Committee—

(1) shall use the best data that are available to the public or supplied to the Committee by its members, including the most recent such data appropriate for this analysis representing air quality, facility emissions, and installed controls; and

(2) is not required to create data or to use data that are not readily accessible.

(e) COVERED RULES.—In this section, the term ''covered rule'' means the following:

(1) The following published rules (including any successor or substantially similar rule):

(A) The Clean Air Interstate Rule (as defined in section 304(a)(4)).

(B) ''National Ambient Air Quality Standards for Ozone'', published at 73 Fed. Reg. 16436 (March 27, 2008).

(C) ''National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters'', published at 76 Fed. Reg. 15608 (March 21, 2011).

(D) ''National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers'', published at 76 Fed. Reg. 15554 (March 21, 2011).

(E) ''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'', published at 77 Fed. Reg. 9304 (February 16, 2012).

(F) ''Hazardous and Solid Waste Management System; Identification and Listing of Special Wastes; Disposal of Coal Combustion Residuals From Electric Utilities'', published at 75 Fed. Reg. 35127 (June 21, 2010).

(G) ''Primary National Ambient Air Quality Standard for Sulfur Dioxide'', published at 75 Fed. Reg. 35520 (June 22, 2010).

(H) ''Primary National Ambient Air Quality Standards for Nitrogen Dioxide'', published at 75 Fed. Reg. 6474 (February 9, 2010).

(I) ''National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants'', published at 75 Fed. Reg. 54970 (September 9, 2010).

(2) The following additional rules or guidelines promulgated on or after January 1, 2009:

(A) Any rule or guideline promulgated under section 111(b) or 111(d) of the Clean Air Act (42 U.S.C. 7411(b), 7411(d)) to address climate change.

(B) Any rule or guideline promulgated by the Administrator of the Environmental Protection Agency, a State, a local government, or a permitting agency under or as the result of section 169A or 169B of the Clean Air Act (42 U.S.C. 7491, 7492).

(C) Any rule establishing or modifying a national ambient air quality standard under section 109 of the Clean Air Act (42 U.S.C. 7409).

(D) Any rule addressing fuels under title II of the Clean Air Act (42 U.S.C. 7521 et seq.) as described in the Unified Agenda of Federal Regulatory and Deregulatory Actions under Regulatory Identification Number 2060–AQ86, or any substantially similar rule, including any rule under section 211(v) of the Clean Air Act (42 U.S.C. 7545(v)).

(f) COVERED ACTIONS.—In this section, the term ''covered action'' means any action on or after January 1, 2009, by the Administrator of the Environmental Protection Agency, a State, a local government, or a permitting agency as a result of the application of part C of title I (relating to prevention of significant deterioration of air quality) or title V (relating to permitting) of the Clean Air Act (42 U.S.C. 7401 et seq.), if such application occurs with respect to an air pollutant that is identified as a greenhouse gas in ''Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act'', published at 74 Fed. Reg. 66496 (December 15, 2009).

SEC. 303. REPORTS; PUBLIC COMMENT.

(a) PRELIMINARY REPORT.—Not later than March 31, 2013, the Committee shall make public and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Environment and Public Works of the Senate a preliminary report containing the results of the analyses conducted under section 302.

(b) PUBLIC COMMENT PERIOD.—The Committee shall accept public comments regarding the preliminary report submitted under subsection (a) for a period of 120 days after such submission.

(c) FINAL REPORT.—Not later than September 30, 2013, the Committee shall submit to Congress a final report containing the analyses conducted under section 302, including any revisions to such analyses made as a result of public comments, and a response to such comments.

SEC. 304. ADDITIONAL PROVISIONS RELATING TO CERTAIN RULES.

(a) CROSS-STATE AIR POLLUTION RULE/TRANSPORT RULE.—

(1) EARLIER RULES.—The rule entitled ''Federal Implementation Plans: Interstate Transport of Fine Particulate Matter and Ozone and Correction of SIP Approvals'', published at 76 Fed. Reg. 48208 (August 8, 2011), and any successor or substantially similar rule, shall be of no force or effect, and shall be treated as though such rule had never taken effect.

(2) CONTINUED APPLICABILITY OF CLEAN AIR INTERSTATE RULE.—In place of any rule described in paragraph (1), the Administrator of the Environmental Protection Agency (in this section referred to as the ''Administrator'') shall continue to implement the Clean Air Interstate Rule.

(3) ADDITIONAL RULEMAKINGS.—

(A) ISSUANCE OF NEW RULES.—The Administrator—

(i) shall not issue any proposed or final rule under section 110(a)(2)(D)(i)(I) or section 126 of the Clean Air Act (42 U.S.C. 7410(a)(2)(D)(i)(I), 7426) relating to national ambient air quality standards for ozone or particulate matter (including any modification of the Clean Air Interstate Rule) before the date that is 3 years after the date on which the Committee submits the final report under section 303(c); and

(ii) in issuing any rule described in clause (i), shall base the rule on actual monitored (and not modeled) data and shall, notwithstanding section 110(a)(2)(D)(i)(I), allow the trading of emissions allowances among entities covered by the rule irrespective of the States in which such entities are located.

(B) IMPLEMENTATION SCHEDULE.—In promulgating any final rule described in subparagraph (A)(i), the Administrator shall establish a date for State implementation of the standards established by such final rule that is not earlier than 3 years after the date of publication of such final rule.

(4) DEFINITION OF CLEAN AIR INTERSTATE RULE.—For purposes of this section, the term ''Clean Air Interstate Rule'' means the Clean Air Interstate Rule and the rule establishing Federal Implementation Plans for the Clean Air Interstate Rule as promulgated and modified by the Administrator (70 Fed. Reg. 25162 (May 12, 2005), 71 Fed. Reg. 25288 (April 28, 2006), 72 Fed. Reg. 55657 (October 1, 2007), 72 Fed. Reg. 59190 (October 19, 2007), 72 Fed. Reg. 62338 (November 2, 2007), 74 Fed. Reg. 56721 (November 3, 2009)).

(b) STEAM GENERATING UNIT RULES.—

(1) EARLIER RULES.—The proposed rule entitled ''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'' published at 76 Fed. Reg. 24976 (May 3, 2011), and any final rule that is based on such proposed rule and is issued prior to the date of the enactment of this Act, shall be of no force and effect, and shall be treated as though such proposed or final rule had never been issued. In conducting analyses under section 302(a), the Committee shall analyze the rule described in section 302(e)(1)(E) (including any successor or substantially similar rule) as if the preceding sentence did not apply to such rule.

(2) PROMULGATION OF FINAL RULES.—In place of the rules described in paragraph (1), the Administrator shall—

(A) issue regulations establishing national emission standards for coal-and oil-fired electric utility steam generating units under section 112 of the Clean Air Act (42 U.S.C. 7412) with respect to each hazardous air pollutant for which the Administrator finds such regulations are appropriate and necessary pursuant to subsection (n)(1)(A) of such section;

(B) issue regulations establishing standards of performance for fossil-fuel-fired electric utility, industrial-commercial-institutional, and small industrial-commercial-institutional steam generating units under section 111 of the Clean Air Act (42 U.S.C. 111); and

(C) issue the final regulations required by subparagraphs (A) and (B)—

(i) after issuing proposed regulations under such subparagraphs;

(ii) after consideration of the final report submitted under section 303(c); and

(iii) not earlier than the date that is 12 months after the date on which the Committee submits such report to the Congress, or such later date as may be determined by the Administrator.

(3) COMPLIANCE PROVISIONS.—

(A) ESTABLISHMENT OF COMPLIANCE DATES.—In promulgating the regulations under paragraph (2), the Administrator—

(i) shall establish a date for compliance with the standards and requirements under such regulations that is not earlier than 5 years after the effective date of the regulations; and

(ii) in establishing a date for such compliance, shall take into consideration—

(I) the costs of achieving emissions reductions;

(II) any non-air quality health and environmental impact and energy requirements of the standards and requirements;

(III) the feasibility of implementing the standards and requirements, including the time needed to—

(aa) obtain necessary permit approvals; and

(bb) procure, install, and test control equipment;

(IV) the availability of equipment, suppliers, and labor, given the requirements of the regulations and other proposed or finalized regulations; and

(V) potential net employment impacts.

(B) NEW SOURCES.—With respect to the regulations promulgated pursuant to paragraph (2)—

(i) the date on which the Administrator proposes a regulation pursuant to paragraph (2)(A) establishing an emission standard under section 112 of the Clean Air Act (42 U.S.C. 7412) shall be treated as the date on which the Administrator first proposes such a regulation for purposes of applying the definition of a new source under section 112(a)(4) of such Act (42 U.S.C. 7412(a)(4));

(ii) the date on which the Administrator proposes a regulation pursuant to paragraph (2)(B) establishing a standard of performance under section 111 of the Clean Air Act (42 U.S.C. 7411) shall be treated as the date on which the Administrator proposes such a regulation for purposes of applying the definition of a new source under section 111(a)(2) of such Act (42 U.S.C. 7411(a)(2));

(iii) for purposes of any emission standard or limitation applicable to electric utility steam generating units, the term ''new source'' means a stationary source for which a preconstruction permit or other preconstruction approval required under the Clean Air Act (42 U.S.C. 7401 et seq.) has been issued after the effective date of such emissions standard or limitation; and

(iv) for purposes of clause (iii), the date of issuance of a preconstruction permit or other preconstruction approval is deemed to be the date on which such permit or approval is issued to the applicant irrespective of any administrative or judicial review occurring after such date.

(C) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to restrict or otherwise affect the provisions of paragraphs (3)(B) and (4) of section 112(i) of the Clean Air Act (42 U.S.C. 7412(i)).

(4) OTHER PROVISIONS.—

(A) ESTABLISHMENT OF STANDARDS ACHIEVABLE IN PRACTICE.—The regulations promulgated pursuant to paragraph (2)(A) of this section shall apply section 112(d)(3) of the Clean Air Act (42 U.S.C. 7412(d)(3)) in accordance with the following:

(i) NEW SOURCES.—With respect to new sources:

(I) The Administrator shall identify the best controlled similar source for each source category or subcategory.

(II) The best controlled similar source for a category or subcategory shall be the single source that is determined by the Administrator to be the best controlled, in the aggregate, for all of the hazardous air pollutants for which the Administrator intends to issue standards for such source category or subcategory, under actual operating conditions, taking into account the variability in actual source performance, source design, fuels, controls, ability to measure pollutant emissions, and operating conditions.

(ii) EXISTING SOURCES.—With respect to existing sources:

(I) The Administrator shall identify one group of sources that constitutes the best performing 12 percent of existing sources for each source category or subcategory.

(II) The group constituting the best performing 12 percent of existing sources for a category or subcategory shall be the single group that is determined by the Administrator to be the best performing, in the aggregate, for all of the hazardous air pollutants for which the Administrator intends to issue standards for such source category or subcategory, under actual operating conditions, taking into account the variability in actual source performance, source design, fuels, controls, ability to measure pollutant emissions, and operating conditions.

(B) REGULATORY ALTERNATIVES.—For the regulations promulgated pursuant to paragraph (2) of this section, from among the range of regulatory alternatives authorized under the Clean Air Act (42 U.S.C. 7401 et seq.), including work practice standards under section 112(h) of such Act (42 U.S.C. 7412(h)), the Administrator shall impose the least burdensome, consistent with the purposes of such Act and Executive Order No. 13563 published at 76 Fed. Reg. 3821 (January 21, 2011).

SEC. 305. CONSIDERATION OF FEASIBILITY AND COST IN ESTABLISHING NATIONAL AMBIENT AIR QUALITY STANDARDS.

In establishing any national primary or secondary ambient air quality standard under section 109 of the Clean Air Act (42 U.S.C. 7409), the Administrator of the Environmental Protection Agency shall take into consideration feasibility and cost.

TITLE IV—MANAGEMENT AND DISPOSAL OF COAL COMBUSTION RESIDUALS

SEC. 401. MANAGEMENT AND DISPOSAL OF COAL COMBUSTION RESIDUALS.

(a) IN GENERAL.—Subtitle D of the Solid Waste Disposal Act (42 U.S.C. 6941 et seq.) is amended by adding at the end the following:

"SEC. 4011. MANAGEMENT AND DISPOSAL OF COAL COMBUSTION RESIDUALS.

''(a) STATE PERMIT PROGRAMS FOR COAL COMBUSTION RESIDUALS.—Each State may adopt and implement a coal combustion residuals permit program.

''(b) STATE ACTIONS.—

''(1) NOTIFICATION.—Not later than 6 months after the date of enactment of this section (except as provided by the deadline identified under subsection (d)(3)(B)), the Governor of each State shall notify the Administrator, in writing, whether such State will adopt and implement a coal combustion residuals permit program.

''(2) CERTIFICATION.—

''(A) IN GENERAL.—Not later than 36 months after the date of enactment of this section (except as provided in subsections (f)(1)(A) and (f)(1)(C)), in the case of a State that has notified the Administrator that it will implement a coal combustion residuals permit program, the head of the lead State agency responsible for implementing the coal combustion residuals permit program shall submit to the Administrator a certification that such coal combustion residuals permit program meets the specifications described in subsection (c).

''(B) CONTENTS.—A certification submitted under this paragraph shall include—

''(i) a letter identifying the lead State agency responsible for implementing the coal combustion residuals permit program, signed by the head of such agency;

''(ii) identification of any other State agencies involved with the implementation of the coal combustion residuals permit program;

''(iii) a narrative description that provides an explanation of how the State will ensure that the coal combustion residuals permit program meets the requirements of this section, including a description of the State's—

''(I) process to inspect or otherwise determine compliance with such permit program;

''(II) process to enforce the requirements of such permit program;

''(III) public participation process for the promulgation, amendment, or repeal of regulations for, and the issuance of permits under, such permit program; and

''(IV) statutes, regulations, or policies pertaining to public access to information, such as groundwater monitoring data;

''(iv) a legal certification that the State has, at the time of certification, fully effective statutes or regulations necessary to implement a coal combustion residuals permit program that meets the specifications described in subsection (c); and

''(v) copies of State statutes and regulations described in clause (iv).

''(C) UPDATES.—A State may update the certification as needed to reflect changes to the coal combustion residuals permit program.

''(3) MAINTENANCE OF 4005(C) OR 3006 PROGRAM.—In order to adopt or implement a coal combustion residuals permit program under this section (including pursuant to subsection (f)), the State agency responsible for implementing a coal combustion residuals permit program in a State shall maintain an approved program under section 4005(c) or an authorized program under section 3006.

''(c) PERMIT PROGRAM SPECIFICATIONS.—

''(1) MINIMUM REQUIREMENTS.—

''(A) IN GENERAL.—A coal combustion residuals permit program shall apply the revised criteria described in paragraph (2) to owners or operators of structures, including surface impoundments, that receive coal combustion residuals.

''(B) STRUCTURAL INTEGRITY.—

''(i) ENGINEERING CERTIFICATION.—A coal combustion residuals permit program shall require that an independent registered professional engineer certify that—

''(I) the design of structures is in accordance with recognized and generally accepted good engineering practices for containment of the maximum volume of coal combustion residuals and liquids appropriate for the structure; and

''(II) the construction and maintenance of the structure will ensure dam stability.

''(ii) INSPECTION.—A coal combustion residuals permit program shall require that structures that are surface impoundments be inspected not less than annually by an independent registered professional engineer to assure that the design, operation, and maintenance of the surface impoundment is in accordance with recognized and generally accepted good engineering practices for containment of the maximum volume of coal combustion residuals and liquids which can be impounded, so as to ensure dam stability.

''(iii) DEFICIENCY.—

''(I) IN GENERAL.—If the head of the agency responsible for implementing the coal combustion residuals permit program determines that a structure is deficient with respect to the requirements in clauses (i) and (ii), the head of the agency has the authority to require action to correct the deficiency according to a schedule determined by the agency.

''(II) UNCORRECTED DEFICIENCIES.—If a deficiency is not corrected according to the schedule, the head of the agency has the authority to require that the structure close in accordance with subsection (h).

''(C) LOCATION.—Each structure that first receives coal combustion residuals after the date of enactment of this section shall be constructed with a base located a minimum of 2 feet above the upper limit of the water table, unless it is demonstrated to the satisfaction of the agency responsible for implementing the coal combustion residuals permit program that—

''(i) the hydrogeologic characteristics of the structure and surrounding land would preclude such a requirement; and

''(ii) the function and integrity of the liner system will not be adversely impacted by contact with the water table.

''(D) WIND DISPERSAL.—

''(i) IN GENERAL.—The agency responsible for implementing the coal combustion residuals permit program shall require that owners or operators of structures address wind dispersal of dust by requiring cover, or by wetting coal combustion residuals with water to a moisture content that prevents wind dispersal, facilitates compaction, and does not result in free liquids.

''(ii) ALTERNATIVE METHODS.—Subject to the review and approval by the agency, owners or operators of structures may propose alternative methods to address wind dispersal of dust that will provide comparable or more effective control of dust.

''(E) PERMITS.—The agency responsible for implementing the coal combustion residuals permit program shall require that the owner or operator of each structure that receives coal combustion residuals after the date of enactment of this section apply for and obtain a permit incorporating the requirements of the coal combustion residuals permit program.

''(F) STATE NOTIFICATION AND GROUNDWATER MONITORING.—

''(i) NOTIFICATION.—Not later than the date on which a State submits a certification under subsection (b)(2), the State shall notify owners or operators of structures within the State of—

''(I) the obligation to apply for and obtain a permit under subparagraph (E); and

''(II) the groundwater monitoring requirements applicable to structures under paragraph (2)(A)(ii).

''(ii) GROUNDWATER MONITORING.—Not later than 1 year after the date on which a State submits a certification under subsection (b)(2), the State shall require the owner or operator of each structure to comply with the groundwater monitoring requirements under paragraph (2)(A)(ii).

''(G) AGENCY REQUIREMENTS.—Except for information described in section 1905 of title 18, United States Code, the agency responsible for implementing the coal combustion residuals permit program shall ensure that—

''(i) documents for permit determinations are made available for public review and comment under the public participation process described in subsection (b)(2)(B)(iii)(III);

''(ii) final determinations on permit applications are made known to the public; and

''(iii) groundwater monitoring data collected under paragraph (2) is publicly available.

''(H) AGENCY AUTHORITY.—

''(i) IN GENERAL.—The agency responsible for implementing the coal combustion residuals permit program has the authority to—

''(I) obtain information necessary to determine whether the owner or operator of a structure is in compliance with the coal combustion residuals permit program requirements of this section;

''(II) conduct or require monitoring and testing to ensure that structures are in compliance with the coal combustion residuals permit program requirements of this section; and

''(III) enter, at reasonable times, any site or premise subject to the coal combustion residuals permit program for the purpose of inspecting structures and reviewing records relevant to the operation and maintenance of structures.

''(ii) MONITORING AND TESTING.—If monitoring or testing is conducted under clause (i)(II) by or for the agency responsible for implementing the coal combustion residuals permit program, the agency shall, if requested, provide to the owner or operator—

''(I) a written description of the monitoring or testing completed;

''(II) at the time of sampling, a portion of each sample equal in volume or weight to the portion retained by or for the agency; and

''(III) a copy of the results of any analysis of samples collected by or for the agency.

''(I) STATE AUTHORITY.—A State implementing a coal combustion residuals permit program has the authority to—

''(i) inspect structures; and

''(ii) implement and enforce the coal combustion residuals permit program.

''(J) REQUIREMENTS FOR SURFACE IMPOUNDMENTS THAT DO NOT MEET CERTAIN CRITERIA.—

''(i) IN GENERAL.—In addition to the groundwater monitoring and corrective action requirements described in paragraph (2)(A)(ii), a coal combustion residuals permit program shall require a surface impoundment that receives coal combustion residuals after the date of enactment of this section to—

''(I) comply with the requirements in clause (ii)(I)(aa) and subclauses (II) through (IV) of clause (ii) if the surface impoundment—

''(aa) does not—

''(AA) have a liner system described in section 258.40(b) of title 40, Code of Federal Regulations; and

''(BB) meet the design criteria described in section 258.40(a)(1) of title 40, Code of Federal Regulations; and

''(bb) within 10 years after the date of enactment of this section, is required under section 258.56(a) of title 40, Code of Federal Regulations, to undergo an assessment of corrective measures for any constituent identified in paragraph (2)(A)(ii) for which assessment groundwater monitoring is required; and

''(II) comply with the requirements in clause (ii)(I)(bb) and subclauses (II) through (IV) of clause (ii) if the surface impoundment—

''(aa) does not—

''(AA) have a liner system described in section 258.40(b) of title 40, Code of Federal Regulations; and

''(BB) meet the design criteria described in section 258.40(a)(1) of title 40, Code of Federal Regulations; and

''(bb) as of the date of enactment of this section, is subject to a State corrective action requirement.

''(ii) REQUIREMENTS.—

''(I) DEADLINES.—

''(aa) IN GENERAL.—Except as provided in item (bb), subclause (IV), and clause (iii), the groundwater protection standard for structures identified in clause (i)(I) established by the agency responsible for implementing the coal combustion residuals permit program under section 258.55(h) or 258.55(i) of title 40, Code of Federal Regulations, for any constituent for which corrective measures are required shall be met—

''(AA) as soon as practicable at the relevant point of compliance, as described in section 258.40(d) of title 40, Code of Federal Regulations; and

''(BB) not later than 10 years after the date of enactment of this section.

''(bb) IMPOUNDMENTS SUBJECT TO STATE CORRECTIVE ACTION REQUIREMENTS.—Except as provided in subclause (IV), the groundwater protection standard for structures identified in clause (i)(II) established by the agency responsible for implementing the coal combustion residuals permit program under section 258.55(h) or 258.55(i) of title 40, Code of Federal Regulations, for any constituent for which corrective measures are required shall be met—

''(AA) as soon as practicable at the relevant point of compliance, as described in section 258.40(d) of title 40, Code of Federal Regulations; and

''(BB) not later than 8 years after the date of enactment of this section.

''(II) CLOSURE.—If the deadlines under clause (I) are not satisfied, the structure shall cease receiving coal combustion residuals and initiate closure under subsection (h).

''(III) INTERIM MEASURES.—

''(aa) IN GENERAL.—Except as provided in item (bb), not later than 90 days after the date on which the assessment of corrective measures is initiated, the owner or operator shall implement interim measures, as necessary, under the factors in section 258.58(a)(3) of title 40, Code of Federal Regulations.

''(bb) IMPOUNDMENTS SUBJECT TO STATE CORRECTIVE ACTION REQUIREMENTS.—Item (aa) shall only apply to surface impoundments subject to a State corrective action requirement as of the date of enactment of this section if the owner or operator has not implemented interim measures, as necessary, under the factors in section 258.58(a)(3) of title 40, Code of Federal Regulations.

''(IV) EXTENSION OF DEADLINE.—

''(aa) IN GENERAL.—Except as provided in item (bb), the deadline for meeting a groundwater protection standard under subclause (I) may be extended by the agency responsible for implementing the coal combustion residuals permit program, after opportunity for public notice and comment under the public participation process described in subsection (b)(2)(B)(iii)(III), based on—

''(AA) the effectiveness of any interim measures implemented by the owner or operator of the facility under section 258.58(a)(3) of title 40, Code of Federal Regulations;

''(BB) the level of progress demonstrated in meeting the groundwater protection standard;

''(CC) the potential for other adverse human health or environmental exposures attributable to the contamination from the surface impoundment undergoing corrective action; and

''(DD) the lack of available alternative management capacity for the coal combustion residuals and related materials managed in the impoundment at the facility at which the impoundment is located if the owner or operator has used best efforts, as necessary, to design, obtain any necessary permits, finance, construct, and render operational the alternative management capacity during the time period for meeting a groundwater protection standard in subclause (I).

''(bb) EXCEPTION.—The deadlines under subclause (I) shall not be extended if there has been contamination of public or private drinking water systems attributable to a surface impoundment undergoing corrective action, unless the contamination has been addressed by providing a permanent replacement water system.

''(iii) SUBSEQUENT CLOSURE.—

''(I) IN GENERAL.—In addition to the groundwater monitoring and corrective action requirements described in paragraph (2)(A)(ii), a coal combustion residuals permit program shall require a surface impoundment that receives coal combustion residuals after the date of enactment of this section to comply with the requirements in subclause (II) if the surface impoundment—

''(aa) does not—

''(AA) have a liner system described in section 258.40(b) of title 40, Code of Federal Regulations; and

''(BB) meet the design criteria described in section 258.40(a)(1) of title 40, Code of Federal Regulations;

''(bb) more than 10 years after the date of enactment of this section, is required under section 258.56(a) of title 40, Code of Federal Regulations, to undergo an assessment of corrective measures for any constituent identified in paragraph (2)(A)(ii) for which assessment groundwater monitoring is required; and

''(cc) is not subject to the requirements in clause (ii).

''(II) REQUIREMENTS.—

''(aa) CLOSURE.—The structures identified in subclause (I) shall cease receiving coal combustion residuals and initiate closure in accordance with subsection (h) after alternative management capacity for the coal combustion residuals and related materials managed in the impoundment at the facility is available.

''(bb) BEST EFFORTS.—The alternative management capacity shall be developed as soon as practicable with the owner or operator using best efforts to design, obtain necessary permits, finance, construct, and render operational the alternative management capacity.

''(cc) ALTERNATIVE MANAGEMENT CAPACITY PLAN.—The owner or operator shall, in collaboration with the agency responsible for implementing the coal combustion residuals permit program, prepare a written plan that describes the steps necessary to develop the alternative management capacity and includes a schedule for completion.

''(dd) PUBLIC PARTICIPATION.—The plan described in item (cc) shall be subject to public notice and comment under the public participation process described in subsection (b)(2)(B)(iii)(III).

''(2) REVISED CRITERIA.—The revised criteria described in this paragraph are—

''(A) the revised criteria for design, groundwater monitoring, corrective action, closure, and post-closure, for structures, including—

''(i) for new structures, and lateral expansions of existing structures, that first receive coal combustion residuals after the date of enactment of this section, the revised criteria regarding design requirements described in section 258.40 of title 40, Code of Federal Regulations, except that the leachate collection system requirements described in section 258.40(a)(2) of title 40, Code of Federal Regulations do not apply to structures that are surface impoundments;

''(ii) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria regarding groundwater monitoring and corrective action requirements described in subpart E of part 258 of title 40, Code of Federal Regulations, except that, for the purposes of this paragraph, the revised criteria shall also include—

''(I) for the purposes of detection monitoring, the constituents boron, chloride, conductivity, fluoride, mercury, pH, sulfate, sulfide, and total dissolved solids; and

''(II) for the purposes of assessment monitoring, establishing a groundwater protection standard, and assessment of corrective measures, the constituents aluminum, boron, chloride, fluoride, iron, manganese, molybdenum, pH, sulfate, and total dissolved solids;

''(iii) for all structures that receive coal combustion residuals after the date of enactment of this section, in a manner consistent with subsection (h), the revised criteria for closure described in subsections (a) through (c) and (h) through (j) of section 258.60 of title 40, Code of Federal Regulations; and

''(iv) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria for post-closure care described in section 258.61 of title 40, Code of Federal Regulations, except for the requirement described in subsection (a)(4) of that section;

''(B) the revised criteria for location restrictions described in—

''(i) for new structures, and lateral expansions of existing structures, that first receive coal combustion residuals after the date of enactment of this section, sections 258.11 through 258.15 of title 40, Code of Federal Regulations; and

''(ii) for existing structures that receive coal combustion residuals after the date of enactment of this section, sections 258.11 and 258.15 of title 40, Code of Federal Regulations;

''(C) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria for air quality described in section 258.24 of title 40, Code of Federal Regulations;

''(D) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria for financial assurance described in subpart G of part 258 of title 40, Code of Federal Regulations;

''(E) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria for surface water described in section 258.27 of title 40, Code of Federal Regulations;

''(F) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria for recordkeeping described in section 258.29 of title 40, Code of Federal Regulations;

''(G) for landfills and other land-based units, other than surface impoundments, that receive coal combustion residuals after the date of enactment of this section, the revised criteria for run-on and run-off control systems described in section 258.26 of title 40, Code of Federal Regulations; and

''(H) for surface impoundments that receive coal combustion residuals after the date of enactment of this section, the revised criteria for run-off control systems described in section 258.26(a)(2) of title 40, Code of Federal Regulations.

''(d) WRITTEN NOTICE AND OPPORTUNITY TO REMEDY.—

''(1) IN GENERAL.—The Administrator shall provide to a State written notice and an opportunity to remedy deficiencies in accordance with paragraph (2) if at any time the State—

''(A) does not satisfy the notification requirement under subsection (b)(1);

''(B) has not submitted a certification under subsection (b)(2);

''(C) does not satisfy the maintenance requirement under subsection (b)(3);

''(D) is not implementing a coal combustion residuals permit program that—

''(i) meets the specifications described in subsection (c); or

''(ii)(I) is consistent with the certification under subsection (b)(2)(B)(iii); and

''(II) maintains fully effective statutes or regulations necessary to implement a coal combustion residuals permit program; or

''(E) does not make available to the Administrator, within 90 days of a written request, specific information necessary for the Administrator to ascertain whether the State has complied with subparagraphs (A) through (D).

''(2) REQUEST.—If the request described in paragraph (1)(E) is made pursuant to a petition of the Administrator, the Administrator shall only make the request if the Administrator does not possess the information necessary to ascertain whether the State has complied with subparagraphs (A) through (D) of paragraph (1).

''(3) CONTENTS OF NOTICE; DEADLINE FOR RESPONSE.—A notice provided under this subsection shall—

''(A) include findings of the Administrator detailing any applicable deficiencies in—

''(i) compliance by the State with the notification requirement under subsection (b)(1);

''(ii) compliance by the State with the certification requirement under subsection (b)(2);

''(iii) compliance by the State with the maintenance requirement under subsection (b)(3);

''(iv) the State coal combustion residuals permit program in meeting the specifications described in subsection (c); and

''(v) compliance by the State with the request under paragraph (1)(E); and

''(B) identify, in collaboration with the State, a reasonable deadline, by which the State shall remedy the deficiencies detailed under subparagraph (A), which shall be—

''(i) in the case of a deficiency described in clauses (i) through (iv) of subparagraph (A), not earlier than 180 days after the date on which the State receives the notice; and

''(ii) in the case of a deficiency described in subparagraph (A)(v), not later than 90 days after the date on which the State receives the notice.

''(e) IMPLEMENTATION BY ADMINISTRATOR.—

''(1) IN GENERAL.—The Administrator shall implement a coal combustion residuals permit program for a State only if—

''(A) the Governor of the State notifies the Administrator under subsection (b)(1) that the State will not adopt and implement a permit program;

''(B) the State has received a notice under subsection (d) and the Administrator determines, after providing a 30-day period for notice and public comment, that the State has failed, by the deadline identified in the notice under subsection (d)(3)(B), to remedy the deficiencies detailed in the notice under subsection (d)(3)(A); or

''(C) the State informs the Administrator, in writing, that such State will no longer implement such a permit program.

''(2) REVIEW.—A State may obtain a review of a determination by the Administrator under this subsection as if the determination was a final regulation for purposes of section 7006.

''(3) OTHER STRUCTURES.—For structures located on property within the exterior boundaries of a State for which the State does not have authority or jurisdiction to regulate, the Administrator shall implement a coal combustion residuals permit program only for those structures.

''(4) REQUIREMENTS.—If the Administrator implements a coal combustion residuals permit program for a State under paragraph (1) or (3), the permit program shall consist of the specifications described in subsection (c).

''(5) ENFORCEMENT.—

''(A) IN GENERAL.—If the Administrator implements a coal combustion residuals permit program for a State under paragraph (1)—

''(i) the authorities referred to in section 4005(c)(2)(A) shall apply with respect to coal combustion residuals and structures for which the Administrator is implementing the coal combustion residuals permit program; and

''(ii) the Administrator may use those authorities to inspect, gather information, and enforce the requirements of this section in the State.

''(B) OTHER STRUCTURES.—If the Administrator implements a coal combustion residuals permit program for a State under paragraph (3)—

''(i) the authorities referred to in section 4005(c)(2)(A) shall apply with respect to coal combustion residuals and structures for which the Administrator is implementing the coal combustion residuals permit program; and

''(ii) the Administrator may use those authorities to inspect, gather information, and enforce the requirements of this section for the structures for which the Administrator is implementing the coal combustion residuals permit program.

''(f) STATE CONTROL AFTER IMPLEMENTATION BY ADMINISTRATOR.—

''(1) STATE CONTROL.—

''(A) NEW ADOPTION AND IMPLEMENTATION BY STATE.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subsection (e)(1)(A), the State may adopt and implement such a permit program by—

''(i) notifying the Administrator that the State will adopt and implement such a permit program;

''(ii) not later than 6 months after the date of such notification, submitting to the Administrator a certification under subsection (b)(2); and

''(iii) receiving from the Administrator—

''(I) a determination, after providing a 30-day period for notice and public comment that the State coal combustion residuals permit program meets the specifications described in subsection (c); and

''(II) a timeline for transition of control of the coal combustion residuals permit program.

''(B) REMEDYING DEFICIENT PERMIT PROGRAM.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subsection (e)(1)(B), the State may adopt and implement such a permit program by—

''(i) remedying only the deficiencies detailed in the notice provided under subsection (d)(3)(A); and

''(ii) receiving from the Administrator—

''(I) a determination, after providing a 30-day period for notice and public comment, that the deficiencies detailed in such notice have been remedied; and

''(II) a timeline for transition of control of the coal combustion residuals permit program.

''(C) RESUMPTION OF IMPLEMENTATION BY STATE.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subsection (e)(1)(C), the State may adopt and implement such a permit program by—

''(i) notifying the Administrator that the State will adopt and implement such a permit program;

''(ii) not later than 6 months after the date of such notification, submitting to the Administrator a certification under subsection (b)(2); and

''(iii) receiving from the Administrator—

''(I) a determination, after providing a 30-day period for notice and public comment, that the State coal combustion residuals permit program meets the specifications described in subsection (c); and

''(II) a timeline for transition of control of the coal combustion residuals permit program.

''(2) REVIEW OF DETERMINATION.—

''(A) DETERMINATION REQUIRED.—The Administrator shall make a determination under paragraph (1) not later than 90 days after the date on which the State submits a certification under paragraph (1)(A)(ii) or (1)(C)(ii), or notifies the Administrator that the deficiencies have been remedied pursuant to paragraph (1)(B)(i), as applicable.

''(B) REVIEW.—A State may obtain a review of a determination by the Administrator under paragraph (1) as if such determination was a final regulation for purposes of section 7006.

''(3) IMPLEMENTATION DURING TRANSITION.—

''(A) EFFECT ON ACTIONS AND ORDERS.—Actions taken or orders issued pursuant to a coal combustion residuals permit program shall remain in effect if—

''(i) a State takes control of its coal combustion residuals permit program from the Administrator under paragraph (1); or

''(ii) the Administrator takes control of a coal combustion residuals permit program from a State under subsection (e).

''(B) CHANGE IN REQUIREMENTS.—Subparagraph (A) shall apply to such actions and orders until such time as the Administrator or the head of the lead State agency responsible for implementing the coal combustion residuals permit program, as applicable—

''(i) implements changes to the requirements of the coal combustion residuals permit program with respect to the basis for the action or order; or

''(ii) certifies the completion of a corrective action that is the subject of the action or order.

''(4) SINGLE PERMIT PROGRAM.—If a State adopts and implements a coal combustion residuals permit program under this subsection, the Administrator shall cease to implement the permit program implemented under subsection (e)(1) for such State.

''(g) EFFECT ON DETERMINATION UNDER 4005(C) OR 3006.—The Administrator shall not consider the implementation of a coal combustion residuals permit program by the Administrator under subsection (e) in making a determination of approval for a permit program or other system of prior approval and conditions under section 4005(c) or of authorization for a program under section 3006.

''(h) CLOSURE.—

''(1) IN GENERAL.—If it is determined, pursuant to a coal combustion residuals permit program, that a structure should close, the time period and method for the closure of such structure shall be set forth in a closure plan that establishes a deadline for completion and that takes into account the nature and the site-specific characteristics of the structure to be closed.

''(2) SURFACE IMPOUNDMENT.—In the case of a surface impoundment, the closure plan under paragraph (1) shall require, at a minimum, the removal of liquid and the stabilization of remaining waste, as necessary to support the final cover.

''(i) AUTHORITY.—

''(1) STATE AUTHORITY.—Nothing in this section shall preclude or deny any right of any State to adopt or enforce any regulation or requirement respecting coal combustion residuals that is more stringent or broader in scope than a regulation or requirement under this section.

''(2) AUTHORITY OF THE ADMINISTRATOR.—

''(A) IN GENERAL.—Except as provided in subsections (d) and (e) and section 6005, the Administrator shall, with respect to the regulation of coal combustion residuals, defer to the States pursuant to this section.

''(B) IMMINENT HAZARD.—Nothing in this section shall be construed as affecting the authority of the Administrator under section 7003 with respect to coal combustion residuals.

''(C) ENFORCEMENT ASSISTANCE ONLY UPON REQUEST.—Upon request from the head of a lead State agency that is implementing a coal combustion residuals permit program, the Administrator may provide to such State agency only the enforcement assistance requested.

''(D) CONCURRENT ENFORCEMENT.—Except as provided in subparagraph (C), the Administrator shall not have concurrent enforcement authority when a State is implementing a coal combustion residuals permit program.

''(E) OTHER AUTHORITY.—The Administrator shall not have authority to finalize the proposed rule published at pages 35128 through 35264 of volume 75 of the Federal Register (June 21, 2010).

''(3) CITIZEN SUITS.—Nothing in this section shall be construed to affect the authority of a person to commence a civil action in accordance with section 7002.

''(j) MINE RECLAMATION ACTIVITIES.—A coal combustion residuals permit program implemented by the Administrator under subsection (e) shall not apply to the utilization, placement, and storage of coal combustion residuals at surface mining and reclamation operations.

''(k) DEFINITIONS.—In this section:

''(1) COAL COMBUSTION RESIDUALS.—The term 'coal combustion residuals' means—

''(A) the solid wastes listed in section 3001(b)(3)(A)(i), including recoverable materials from such wastes;

''(B) coal combustion wastes that are co-managed with wastes produced in conjunction with the combustion of coal, provided that such wastes are not segregated and disposed of separately from the coal combustion wastes and comprise a relatively small proportion of the total wastes being disposed in the structure;

''(C) fluidized bed combustion wastes;

''(D) wastes from the co-burning of coal with non-hazardous secondary materials, provided that coal makes up at least 50 percent of the total fuel burned; and

''(E) wastes from the co-burning of coal with materials described in subparagraph (A) that are recovered from monofills.

''(2) COAL COMBUSTION RESIDUALS PERMIT PROGRAM.—The term 'coal combustion residuals permit program' means all of the authorities, activities, and procedures that comprise the system of prior approval and conditions implemented by or for a State to regulate the management and disposal of coal combustion residuals.

''(3) CODE OF FEDERAL REGULATIONS.—The term 'Code of Federal Regulations' means the Code of Federal Regulations (as in effect on the date of enactment of this section) or any successor regulations.

''(4) PERMIT; PRIOR APPROVAL AND CONDITIONS.—The terms 'permit' and 'prior approval and conditions' mean any authorization, license, or equivalent control document that incorporates the requirements and revised criteria described in paragraphs (1) and (2) of subsection (c), respectively.

''(5) REVISED CRITERIA.—The term 'revised criteria' means the criteria promulgated for municipal solid waste landfill units under section 4004(a) and under section 1008(a)(3), as revised under section 4010(c).

''(6) STRUCTURE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'structure' means a landfill, surface impoundment, or other land-based unit which may receive coal combustion residuals.

''(B) DE MINIMIS RECEIPT.—The term 'structure' does not include any land-based unit that receives only de minimis quantities of coal combustion residuals if the presence of coal combustion residuals is incidental to the material managed in the unit.''.

(b) CONFORMING AMENDMENT.—The table of contents contained in section 1001 of the Solid Waste Disposal Act is amended by inserting after the item relating to section 4010 the following:

''Sec. 4011. Management and disposal of coal combustion residuals.''.

SEC. 402. 2000 REGULATORY DETERMINATION.

Nothing in this title, or the amendments made by this title, shall be construed to alter in any manner the Environmental Protection Agency's regulatory determination entitled ''Notice of Regulatory Determination on Wastes from the Combustion of Fossil Fuels'', published at 65 Fed. Reg. 32214 (May 22, 2000), that the fossil fuel combustion wastes addressed in that determination do not warrant regulation under subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.).

SEC. 403. TECHNICAL ASSISTANCE.

Nothing in this title, or the amendments made by this title, shall be construed to affect the authority of a State to request, or the Administrator of the Environmental Protection Agency to provide, technical assistance under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

SEC. 404. FEDERAL POWER ACT.

Nothing in this title, or the amendments made by this title, shall be construed to affect the obligations of the owner or operator of a structure (as defined in section 4011 of the Solid Waste Disposal Act, as added by this title) under section 215(b)(1) of the Federal Power Act (16 U.S.C. 824o(b)(1)).

TITLE V—PRESERVING STATE AUTHORITY TO MAKE DETERMINATIONS RELATING TO WATER QUALITY STANDARDS

SEC. 501. STATE WATER QUALITY STANDARDS.

(a) STATE WATER QUALITY STANDARDS.—Section 303(c)(4) of the Federal Water Pollution Control Act (33 U.S.C. 1313(c)(4)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) by striking ''(4)'' and inserting ''(4)(A)'';

(3) by striking ''The Administrator shall promulgate'' and inserting the following:

''(B) The Administrator shall promulgate''; and

(4) by adding at the end the following:

''(C) Notwithstanding subparagraph (A)(ii), the Administrator may not promulgate a revised or new standard for a pollutant in any case in which the State has submitted to the Administrator and the Administrator has approved a water quality standard for that pollutant, unless the State concurs with the Administrator's determination that the revised or new standard is necessary to meet the requirements of this Act.''.

(b) FEDERAL LICENSES AND PERMITS.—Section 401(a) of such Act (33 U.S.C. 1341(a)) is amended by adding at the end the following:

''(7) With respect to any discharge, if a State or interstate agency having jurisdiction over the navigable waters at the point where the discharge originates or will originate determines under paragraph (1) that the discharge will comply with the applicable provisions of sections 301, 302, 303, 306, and 307, the Administrator may not take any action to supersede the determination.''.

(c) STATE NPDES PERMIT PROGRAMS.—Section 402(c) of such Act (42 U.S.C. 1342(c)) is amended by adding at the end the following:

''(5) LIMITATION ON AUTHORITY OF ADMINISTRATOR TO WITHDRAW APPROVAL OF STATE PROGRAMS.—The Administrator may not withdraw approval of a State program under paragraph (3) or (4), or limit Federal financial assistance for the State program, on the basis that the Administrator disagrees with the State regarding—

''(A) the implementation of any water quality standard that has been adopted by the State and approved by the Administrator under section 303(c); or

''(B) the implementation of any Federal guidance that directs the interpretation of the State's water quality standards.''.

(d) LIMITATION ON AUTHORITY OF ADMINISTRATOR TO OBJECT TO INDIVIDUAL PERMITS.—Section 402(d) of such Act (33 U.S.C. 1342(d)) is amended by adding at the end the following:

''(5) The Administrator may not object under paragraph (2) to the issuance of a permit by a State on the basis of—

''(A) the Administrator's interpretation of a water quality standard that has been adopted by the State and approved by the Administrator under section 303(c); or

''(B) the implementation of any Federal guidance that directs the interpretation of the State's water quality standards.''.

SEC. 502. PERMITS FOR DREDGED OR FILL MATERIAL.

(a) AUTHORITY OF EPA ADMINISTRATOR.—Section 404(c) of the Federal Water Pollution Control Act (33 U.S.C. 1344(c)) is amended—

(1) by striking ''(c)'' and inserting ''(c)(1)''; and

(2) by adding at the end the following:

''(2) Paragraph (1) shall not apply to any permit if the State in which the discharge originates or will originate does not concur with the Administrator's determination that the discharge will result in an unacceptable adverse effect as described in paragraph (1).''.

(b) STATE PERMIT PROGRAMS.—The first sentence of section 404(g)(1) of such Act (33 U.S.C. 1344(g)(1)) is amended by striking ''The Governor of any State desiring to administer its own individual and general permit program for the discharge'' and inserting ''The Governor of any State desiring to administer its own individual and general permit program for some or all of the discharges''.

SEC. 503. DEADLINES FOR AGENCY COMMENTS.

Section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) is amended—

(1) in subsection (m) by striking ''ninetieth day'' and inserting ''30th day (or the 60th day if additional time is requested)''; and

(2) in subsection (q)—

(A) by striking ''(q)'' and inserting ''(q)(1)''; and

(B) by adding at the end the following:

''(2) The Administrator and the head of a department or agency referred to in paragraph (1) shall each submit any comments with respect to an application for a permit under subsection (a) or (e) not later than the 30th day (or the 60th day if additional time is requested) after the date of receipt of an application for a permit under that subsection.''.

SEC. 504. APPLICABILITY OF AMENDMENTS.

The amendments made by this title shall apply to actions taken on or after the date of enactment of this Act, including actions taken with respect to permit applications that are pending or revised or new standards that are being promulgated as of such date of enactment.

SEC. 505. REPORTING ON HARMFUL POLLUTANTS.

Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator of the Environmental Protection Agency shall submit to Congress a report on any increase or reduction in waterborne pathogenic microorganisms (including protozoa, viruses, bacteria, and parasites), toxic chemicals, or toxic metals (such as lead and mercury) in waters regulated by a State under the provisions of this title, including the amendments made by this title.

SEC. 506. PIPELINES CROSSING STREAMBEDS.

None of the provisions of this title, including the amendments made by this title, shall be construed to limit the authority of the Administrator of the Environmental Protection Agency, as in effect on the day before the date of enactment of this Act, to regulate a pipeline that crosses a streambed.

SEC. 507. IMPACTS OF EPA REGULATORY ACTIVITY ON EMPLOYMENT AND ECONOMIC ACTIVITY.

(a) ANALYSIS OF IMPACTS OF ACTIONS ON EMPLOYMENT AND ECONOMIC ACTIVITY.—

(1) ANALYSIS.—Before taking a covered action, the Administrator shall analyze the impact, disaggregated by State, of the covered action on employment levels and economic activity, including estimated job losses and decreased economic activity.

(2) ECONOMIC MODELS.—

(A) IN GENERAL.—In carrying out paragraph (1), the Administrator shall utilize the best available economic models.

(B) ANNUAL GAO REPORT.—Not later than December 31st of each year, the Comptroller General of the United States shall submit to Congress a report on the economic models used by the Administrator to carry out this subsection.

(3) AVAILABILITY OF INFORMATION.—With respect to any covered action, the Administrator shall—

(A) post the analysis under paragraph (1) as a link on the main page of the public Internet Web site of the Environmental Protection Agency; and

(B) request that the Governor of any State experiencing more than a de minimis negative impact post such analysis in the Capitol of such State.

(b) PUBLIC HEARINGS.—

(1) IN GENERAL.—If the Administrator concludes under subsection (a)(1) that a covered action will have more than a de minimis negative impact on employment levels or economic activity in a State, the Administrator shall hold a public hearing in each such State at least 30 days prior to the effective date of the covered action.

(2) TIME, LOCATION, AND SELECTION.—A public hearing required under paragraph (1) shall be held at a convenient time and location for impacted residents. In selecting a location for such a public hearing, the Administrator shall give priority to locations in the State that will experience the greatest number of job losses.

(c) NOTIFICATION.—If the Administrator concludes under subsection (a)(1) that a covered action will have more than a de minimis negative impact on employment levels or economic activity in any State, the Administrator shall give notice of such impact to the State's Congressional delegation, Governor, and Legislature at least 45 days before the effective date of the covered action.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) COVERED ACTION.—The term ''covered action'' means any of the following actions taken by the Administrator under the Federal Water Pollution Control Act (33 U.S.C. 1201 et seq.):

(A) Issuing a regulation, policy statement, guidance, response to a petition, or other requirement.

(B) Implementing a new or substantially altered program.

(3) MORE THAN A DE MINIMIS NEGATIVE IMPACT.—The term ''more than a de minimis negative impact'' means the following:

(A) With respect to employment levels, a loss of more than 100 jobs. Any offsetting job gains that result from the hypothetical creation of new jobs through new technologies or government employment may not be used in the job loss calculation.

(B) With respect to economic activity, a decrease in economic activity of more than $1,000,000 over any calendar year. Any offsetting economic activity that results from the hypothetical creation of new economic activity through new technologies or government employment may not be used in the economic activity calculation.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 112–680. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered 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.

AMENDMENT NO. 1 OFFERED BY MR. MARKEY

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112–680.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, strike the period at line 12 and insert a semicolon, and after line 12 insert the following:

unless it is found by the Secretary of Interior, in consultation with Secretary of Health and Human Services, that such a rule would reduce the prevalence of pulmonary disease, lung cancer, or cardiovascular disease or reduce the prevalence of birth defects or reproductive problems in pregnant women or children.

The Acting CHAIR. Pursuant to House Resolution 788, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MARKEY. Mr. Chairman, I yield myself as much time as I may consume.

With just 1 more day left until Congress recesses until the election, the Republican majority has decided that, instead of dealing with real problems facing Americans by passing a jobs package dealing with the looming fiscal cliff or providing tax certainty to middle class families, we will instead debate a bill that deals with an imaginary war on coal, fabricated by Republicans in order to justify their real war on the environment, the most anti-environment Congress in history.

In reality, this bill just represents a war on us. It's the Republicans in Congress making clear that their priority is not protecting the well-being of the American people. The Republican majority has already acted on four out of the five titles in this bill, and the Senate has rejected every single one of them. The President has vowed to veto every single one of them.

The only new title that is presented is one aimed at preventing the administration from moving forward with a rule that does not yet even exist, that would limit coal mining companies from dumping tons of their toxic mining waste directly into streams and rivers.

The ironic part is that, according to CBO, this bill won't even prevent the administration from doing that. But it does prevent the administration from undertaking any action that would ensure that mountaintop mining operations are safe for workers and safe for the health of those who live and work nearby.

Mr. Chairman, I would like to, at this point, reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I claim the time in opposition.

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

Mr. HASTINGS of Washington. I yield 3 minutes to the gentleman from Ohio (Mr. JOHNSON), the author of title I of this legislation.

Mr. JOHNSON of Ohio. Thank you, Mr. Chairman, for yielding.

You know, it absolutely amazes me that our colleagues on the opposite side of the aisle can honestly, and with a straight face, stand up and say that this Republican-led House has not put forth jobs bills. There have been 40 jobs bills sent to the Senate from this House already. This is another jobs bill that is prepared to be sent to the Senate.

I want to also remind my colleague that the Stream Buffer Zone rule that we're talking about here today, it took 5 years to put that rule in place. The administration went after that rule with a vengeance, without even seeing what the rule would do in terms of providing the protections that they're so adamantly arguing about right now.

Instead, they used an environmental lawsuit to go after the coal industry and to undermine job creators all across America, and it's driving up America's energy prices. It's irresponsible. It's wrong. This amendment is only meant to distract the public from the job-killing policies of this administration.

The gentleman from Massachusetts knows all too well that SMCRA was not written nor intended to deal with health issues. The gentleman's amendment would change the stated goal and reason for SMCRA completely and would duplicate laws and mandates that are already in the Federal code.

The other side of the aisle also seems to think that they are the only Members of this body that are concerned about public health and the environment. Nothing could be further from the truth.

I grew up on a two-wheel wagon rut mule farm, and I know the importance of having a clean and vibrant environment. I also have kids and grandkids, and I want to ensure that our generation leaves them with an environment healthier than the one our generation inherited; however, this legislation today is about balancing job creation and economic prosperity with sensible environmental regulations. This amendment does neither of those things, and I urge all of my colleagues to defeat this amendment.

Mr. MARKEY. Mr. Chairman, I yield myself as much time as I may consume.

So the Republicans say that this legislation is all about creating jobs. They say that we will save money by passing this disastrous bill. But the numbers just don't add up.

According to the Environmental Protection Agency, mountaintop mining has already buried nearly 2,000 miles of streams with mining waste that leaches dangerous heavy metals into that water. One study puts the cost of reclaiming a stream impacted by this type of mining at as much as $800 per linear foot.

If we do a little arithmetic, $800 multiplied by 5,280 feet in 1 mile, multiplied by the 2,000 miles of streams already buried, that's $8.5 billion. That's what it would cost to clean that up. And that's just to clean up the streams that have already been decimated.

But that's not the only cost included in this provision. We also have the cost to health, the cost to children.

Studies have shown that communities located near mountaintop mining sites have as much as a 42 percent increase in infants born with birth defects. These communities also have a 16 percent higher risk of giving birth to a child with low birth weight, a factor that is closely associated with fetal death, inhibited cognitive development, and chronic diseases later in life.

And that's not all. Communities located near mountaintop mining sites also have significantly higher rates of lung disease, cardiovascular disease, pulmonary disease, and a higher likelihood that these diseases will kill them.

Mr. Chairman, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I'd advise my friend from Massachusetts that we're prepared to close if he is prepared to close on his side.

Mr. MARKEY. Could I inquire from the Chair how much time is remaining on either side?

The Acting CHAIR. The gentleman from Massachusetts has 1½ minutes remaining. The gentleman from Washington State has 2½ minutes remaining.

Mr. MARKEY. I yield myself the remainder of my time.

While it is impossible to put a dollar figure completely on the suffering that those families will feel, one study has put the public health burden from premature deaths in the Appalachian communities at $74 billion per year. Now, that's arithmetic that even Governor Romney would understand. In fact, when he was Governor of the great State of Massachusetts, he stood in front of a coal plant, and here's what he said. He said, ''I will not create jobs or hold jobs that kill people, and that plant kills people.''

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My amendment is simple. It says, if the Secretary of the Interior is allowed to issue a rule that would protect pregnant women and children from adverse reproductive outcomes or birth defects or would reduce the prevalence of cardiovascular disease, pulmonary disease or lung cancer, that that rule can go into effect.

I urge all Members of this body to support this amendment, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I yield the balance of my time to the author of title I, the gentleman from Ohio (Mr. JOHNSON).

The Acting CHAIR. The gentleman is recognized for 2½ minutes.

Mr. JOHNSON of Ohio. I thank you, Mr. Chairman, for yielding me the balance of the time.

It is mindboggling to sit here and listen to this. I've got to remind us again that we are talking about an administration that before they even came into office said they were going to bankrupt the coal industry. That's one promise that they have kept. It's an administration whose Vice President said in 2007 that coal is more dangerous than high fructose corn syrup and terrorists. That's the kind of reasoning that we are getting out of this administration.

My colleague was quick to try and hold a math class here. Let's talk about a different set of numbers.

Let's talk about the 7,000 direct jobs that are going to be cut—that are going to be lost—if this rule goes forward. Let's talk about the thousands of indirect jobs that are going to be lost as a result of this rule going forward. Let's talk about the 50 percent reduction in coal production across America when America is still dependent upon coal for the very energy that it needs to fuel the manufacturing that America does. Let's talk about those numbers if we want to talk about what it's going to do to America if this rule goes forward.

Let's talk about the thousands of people who are going to be hurt when their families don't have jobs to go to. Let's talk about the checkbooks at the end of the month that don't balance because of increased, skyrocketing utility rates, and now Mom and Dad can't pay the bills, and they can't go buy a new pair of tennis shoes because they've got an electricity bill that's going off the charts.

When we talk about something that's going to hurt the middle class, this rule is what will hurt the middle class. It's irresponsible. This amendment does nothing to move America forward. I urge my colleagues to oppose this amendment.

Mr. HASTINGS of Washington. I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 2 OFFERED BY MR. BUCSHON

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112–680.

Mr. BUCSHON. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I (page 3, after line 12) add the following:

SEC. ___. PUBLICATION OF SCIENTIFIC STUDIES FOR PROPOSED RULES.

(a) REQUIREMENT.—Title VI of the Surface Mining Control and Reclamation Act of 1977 (16 U.S.C. 1291 et seq.) is amended by adding at the end the following:

''PUBLICATION OF SCIENTIFIC STUDIES FOR PROPOSED RULES

''SEC. 722. (a) REQUIREMENT.—The Secretary, or any other Federal official proposing a rule under this Act, shall publish with each rule proposed under this Act each scientific study the Secretary or other official, respectively, relied on in developing the rule.

''(b) SCIENTIFIC STUDY DEFINED.—In this section the term 'scientific study' means a study that—

''(1) applies rigorous, systematic, and objective methodology to obtain reliable and valid knowledge relevant to the subject matter involved;

''(2) presents findings and makes claims that are appropriate to, and supported by, the methods that have been employed; and

''(3) includes, appropriate to the rule being proposed—

''(A) use of systematic, empirical methods that draw on observation or experiment;

''(B) use of data analyses that are adequate to support the general findings;

''(C) reliance on measurements or observational methods that provide reliable and generalizable findings;

''(D) strong claims of causal relationships, only with research designs that eliminate plausible competing explanations for observed results, such as, but not limited to, random-assignment experiments;

''(E) presentation of studies and methods in sufficient detail and clarity to allow for replication or, at a minimum, to offer the opportunity to build systematically on the findings of the research;

''(F) acceptance by a peer-reviewed journal or critique by a panel of independent experts through a comparably rigorous, objective, and scientific review; and

''(G) consistency of findings across multiple studies or sites to support the generality of results and conclusions.''.

(b) CLERICAL AMENDMENT.—The table of contents at the end of the first section of such Act is amended by adding at the end of the items relating to such title the following:

''Sec. 722. Publication of scientific studies for proposed rules.''.

The Acting CHAIR. Pursuant to House Resolution 788, the gentleman from Indiana (Mr. BUCSHON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. BUCSHON. Mr. Chairman, coal provides affordable domestic energy that supports millions of direct and indirect jobs. In my State of Indiana, 90 to 95 percent of all electrical power comes from coal. This keeps the costs of energy down, and it attracts millions of jobs to my State through our manufacturing industry.

This amendment would require that the Secretary or any other Federal official proposing a rule under this act publish with each rule the scientific studies the Secretary or other official relied on in developing the rule. This amendment is simple, and it will ensure that rules being issued are based on valid scientific studies that can be peer reviewed and replicated.

This amendment should be supported by everyone in this body who values sound science and who wants to ensure transparency with the rulemaking process. Federal agencies are promulgating more rules each year that control greater aspects of our personal and professional lives. Often these rules are pages long, instituted with little or no congressional input, and can have a devastating effect on job creation and our economy.

It is important for all Federal agencies to provide to the public the science and research behind proposed rules. It enables the scientific community and the general public to scrutinize how unelected Washington, D.C., bureaucrats are writing rules that increase costs for businesses and hurt our economy.

I have personally met with numerous government officials, such as those from the Mine Safety and Health Administration, and have discussed their rulemaking process. More than once, I have been told that proposed rules related to the coal industry are based on scientific studies and data—most recently, the underground coal mine dust regulation. I have asked to see these studies both in private meetings and in committee hearings, and I have never been provided with the scientific data that they say supports the new rule.

As a scientist and medical doctor, nobody understands the importance of good science more than I. Whether it is in medicine or whether it relates to public policy, good science makes for good policies. It's important for the Members of this body and the American people to be able to review the science and the studies that contribute to Federal rulemaking and to know that every rule and regulation is based upon sound science.

I urge my colleagues to support this amendment, requiring that we have a transparent rulemaking process that allows every concerned American to review the science behind a proposed rule.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. BUCSHON. I yield to the gentleman.

Mr. HASTINGS of Washington. I appreciate the gentleman's amendment. I think it adds a great deal to this legislation. Too often, we overlook common sense, and that's precisely what the gentleman's amendment does, so I support his amendment.

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

Mr. MARKEY. I rise to claim the time in opposition.

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

Mr. MARKEY. Mr. Chairman, I yield myself such time as I may consume.

I actually have no problem with the gentleman's amendment. If he wants to require the publication of scientific studies used to develop regulations, I am just fine with that. I'm sure he knows, of course, that this is already a Federal requirement, but I don't object to the redundancy of an amendment's passing that says they should do something that they do already.

But I do want to take a moment to talk about the Republican war on science, because this bill that we are debating today is their battle plan. The essence of today's bill is that science and facts do not matter and that, when science and facts become inconvenient, we can just repeal them.

Take the provision of this bill that legislatively overturns a scientific finding that greenhouse gas pollution is dangerous, which is a decision that was made based on 2 full years of work and on a 200-page synthesis of major scientific assessments, including assessments performed by the U.S. Global Change Research Program and the Intergovernmental Panel on Climate Change's Fourth Assessment Report. In fact, the U.S. Court of Appeals in Washington recently rejected challenges to EPA's scientific endangerment finding, saying that EPA used an ''ocean of evidence'' to support its decision that it was ''unambiguously correct'' in its determination and that ''EPA is not required to reprove the existence of the atom every time it approaches a scientific question.''

Republicans decided that peer-reviewed science was inconvenient because that analysis was what started the pretend ''war on coal.'' So we have to vote again and again and again to eliminate all of that science.

This bill tells EPA to ignore the science that air pollution causes lung disease and that mercury damages children's developing brains. In fact, it tells EPA, Don't even look at the science; look at the costs. If controlling air pollution is expensive, then we shouldn't do it even if it would save lives. It says, no matter what EPA learns about the sludge that comes out of coal-fired power plants, no matter how high the concentrations of poisonous arsenic, mercury or chromium and that no matter what EPA learns about how these materials find their way into our drinking water, EPA is not allowed to scientifically determine that material to be hazardous.

This bill turns a blind eye to science. The only time Republicans value science is when science can be used as a weapon. When science can be used to delay regulations, when endless analysis can be used to create paralysis, the Republicans suddenly value science. The Republican majority doesn't like that every respected scientific entity over the last decade has concluded that greenhouse gases cause climate change.

Their solution: repeal the science.

Republicans aren't happy that the Secretary of Health and Human Services has issued a report that finds that formaldehyde causes cancer. Sure, the World Health Organization already determined that 17 years ago.

□ 1840

Their solution: We should study it again. We should allow a National Academy of Sciences review so that we can prevent the administration from taking any action to protect the public against dangerous formaldehyde. In fact, there has already been a rider to the health appropriations bill that does just that, while also stripping funding for any subsequent reports on cancer. It is a strategy taken right out of the American Chemical Council's playbook. It is act one of Big Coal's comedy of errors.

We've seen it over and over again on the House floor: first deny the science; second, delay the regulations by legislating a new scientific study to review the first science the industry doesn't like; and third, deter efforts to protect the health and security of millions of Americans by requiring yet another third party to review the scientific study that was just legislated and postponing regulatory action until after that is complete.

This bill isn't about the war on coal. It's about the Republicans' war on science. That's why we're out here. It continues unabated today.

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

Mr. BUCSHON. May I inquire as to how much time I have?

The Acting CHAIR. The gentleman from Indiana has 2 minutes remaining.

Mr. BUCSHON. Mr. Chairman, my amendment addresses timing. Timing is important when it comes to this issue because the public needs to know and this Congress needs to know what the science is before the rule is finalized, not after the rule has already been essentially finalized and the public comment period has passed.

I had direct experience with this recently with the coal dust regulation. After the rule was essentially finalized, I asked for the data myself and was denied the data claiming that there would be HIPAA violations if they released scientific data on black lung disease, for example, that this coal dust regulation was based on, which is not true. I'm a physician, and there are scientific studies released every day in journals across America that show X-rays and other things of patients without names on them, and they don't violate HIPAA regulations.

I think the timing of this is important because if the rule is finalized, even if you see the science, it makes it very difficult to overturn the rule and the opportunity has passed for peer review and congressional review of the science behind a proposed rule.

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

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

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. WAXMAN

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112–680.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, lines 18 to 21, strike subparagraph (B) (and redesignate the following subparagraphs accordingly).

The Acting CHAIR. Pursuant to House Resolution 788, the gentleman from California (Mr. WAXMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. WAXMAN. Mr. Chairman, this bill is 80 pages of one reckless assault after another on public health and environmental protections. It is probably the single worst anti-environment bill in the most anti-environment House of Representatives in history.

The bill continues the Republican war on science and head-in-the-sand approach to climate change, which is the biggest environmental challenge of our time. This bill attempts to legislate away the scientific findings by the Environmental Protection Agency that emissions of carbon pollution endanger public health and welfare by contributing to climate change. I have news for my Republican colleagues: You can rewrite the Clean Air Act, but you can't change the laws of nature.

In June, the D.C. court of appeals upheld EPA's endangerment finding in a unanimous decision led by the Reagan-appointed Chief Judge Sentelle. The court stated that ''EPA's interpretation of the governing Clean Air Act provisions is unambiguously correct.'' The court dismissed every challenge to the adequacy of the scientific record supporting the EPA's findings.

Now that the courts have decisively rejected the Republican arguments against the endangerment findings, House Republicans want to change the law. But denying scientific reality is not going to change climate change.

My amendment is very simple. It strikes the language in the bill that would repeal the endangerment finding. It does not fix the other egregious anti-environment provisions of the bill, but at least Congress would not be doubling down on science denial. When the Energy and Commerce Committee first produced the language in title II of the bill last year, here's what one of the world's preeminent science journals, ''Nature,'' wrote about the votes to deny the existence of climate change:

It's hard to escape the conclusion that the U.S. Congress has entered the intellectual wilderness, a sad state of affairs in a country that has led the world in many scientific arenas for so long. Misinformation was presented as fact, truth was twisted, and nobody showed any inclination to listen to scientists, let alone learn from them. It has been an embarrassing display, not just for the Republican Party but also for Congress.

What this amendment would do is to accept the scientific consensus, support our amendment, and restore the findings as they should be in this bill. It does not change the bill, except for the findings that, I think, are embarrassing to this institution and don't deserve to be in this legislation.

With that, I reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I rise to claim time in opposition to the gentleman's amendment.

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

Mr. WHITFIELD. I would say to the gentleman that we can accept all of the scientific evidence.

When the Administrator of the EPA, Lisa Jackson, came to the committee, she was asked the question: What will happen if other countries don't do the same thing that we're doing? In other words, what's going to happen if other countries don't regulate greenhouse gases? She said the benefits for Americans will be very small, if anything, if that happens. EPA even conceded in its own analysis of its automobile regulations that it estimates it will reduce the Earth's future temperature by one one-hundredth of a degree in 90 years.

So let's just do a balancing act here. We have a regulation proposed which, when finalized, would prohibit the building of any coal-powered plant in America, and the administrator of EPA says that the regulation would be ineffective unless other countries joined in.

With that, I respectfully request the defeat of the gentleman's amendment, and I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman and my colleagues, I ask for support of this amendment. Let's not have the House of Representatives take a position on a bill upholding findings that are inaccurate, go against the scientific consensus, and put our head in the sand about the whole problem of climate change.

I know that many of the people that don't want to deal with climate change are going to be coming to us, asking us to bail out their farmers for the crop losses. We're going to have people coming in and asking those of us from other parts of the country to help pay for the other climate disasters. We're Americans, and we try to take care of each other, but we also owe it to this country to try to prevent the damage that we're seeing and will only increase in the years ahead if we do nothing about climate change, and certainly if we deny the very reality of the carbon emissions that are causing greenhouse gases, global warming, and climate change.

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

Mr. WHITFIELD. I've already stated my reasons to oppose the amendment, and I would urge everyone to vote in opposition to the gentleman's amendment.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 4 OFFERED BY MR. KELLY

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112–680.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 202 of the Rules Committee Print, strike ''Section 209(b) of the Clean Air Act'' and insert the following:

(a) FINDING.—Congress finds that the emissions of greenhouse gases from a motor vehicle tailpipe are related to fuel economy.

(b) REPORT REQUIRED.—Not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall submit a report to the Congress that, notwithstanding section 201, assumes the implementation and enforcement of the final rule entitled ''2017 and Later Model Year Light-Duty Vehicle Greenhouse Gas Emissions and Corporate Average Fuel Economy Standards'' (issued on August 28, 2012) and estimates—

(1) the total number of jobs that will be lost due to decreased demand by year caused by the rule;

(2) the number of additional fatalities and injuries that will be caused by the rule; and

(3) the additional cost to the economy of the redundant regulation of fuel economy and greenhouse gas emissions by the Environmental Protection Agency and State agencies for model years 2011 through 2025.

(c) CONSULTATION.—Other than to gather basic factual information, the Secretary of Transportation shall not consult with the Administrator of the Environmental Protection Agency or any official from the California Air Resources Board in fulfilling the requirement described in subsection (b).

(d) AMENDMENT TO THE CLEAN AIR ACT.—Section 209(b) of the Clean Air Act

The Acting CHAIR. Pursuant to House Resolution 788, the gentleman from Pennsylvania (Mr. KELLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. KELLY. Mr. Chairman, I yield 2 minutes to my friend from Texas (Mr. CARTER).

□ 1850

Mr. CARTER. I thank the gentleman for yielding.

This amendment would require the Secretary of Transportation to submit a report to Congress estimating: one, the number of jobs lost from the rule; two, the fatalities and injuries caused

by the rule; three the cost to the economy caused by the rule. And it prohibits the Department of Transportation from consulting with the Environmental Protection Agency or the California Air Resources Board to complete the project.

What we really have here is a situation of executive overreach. We have seen a lot from the Obama administration along those lines. He told us when Congress doesn't act, he will.

Well, the EPA has never been involved in fuel standards for the industry. This has been the job that the Congress authorized the Department of Transportation to do through the CAFE standards, Corporate Average Fuel Economy standards, not the EPA. California has State standards that they have established, but that doesn't make them the sole authority on the right standards.

What this rule will do is raise the average cost of a car by $3,000. It will cost 160,000 jobs by the Department of Transportation's own flawed analysis. It will cost industry and consumers $210 billion, the most expensive rule ever for the automobile industry.

This rule will price 7 million Americans out of the new car market. It will end the cars that are priced under $15,000. It will reduce vehicle safety mainly by reducing the weight and producing lighter vehicles, which are more susceptible to fatal collisions.

Finally, and most importantly to the State of Texas, this will reduce access to pickup trucks and other work vehicles, which are abundant in our State. This is overreach by the government.

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

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

Mr. MARKEY. Mr. Chairman, I yield myself such time as I may consume.

There is a tremendous revolution going on in the United States right now that the Kelly amendment would cut right to the heart of.

Between 2017 and 2025, as fuel economy standards in America would rise to 54.5 miles per gallon just because of those additional 8 years of higher fuel economy standards, we would back 2 million additional barrels of oil per day out of the United States. How much is that?

Well, let me just give you an idea. There is conversation about whether or not there might be a war with Iran. Well, the United States imports 1.8 million barrels of oil per day out of the Persian Gulf, 1.8 million barrels a day.

This amendment would kill the efforts, which the auto industry has accepted, to back out 2 million barrels of oil per day by increasing the fuel economy standards between 2017 and 2025. This is one of the most anti-national security amendments that we could ever have out here on the House floor. Combined with the dramatic increase in CO_2 that would go into the atmosphere—an additional 6 billion metric tons of CO_2 would go up into the atmosphere if this amendment passed. Now, how much CO_2 is that? That's as much CO_2 as the entire United States emitted in the year 2010 in our country.

If you look at these two issues in combination, you look at the fact that the auto workers endorsed the increase in fuel economy standards, the auto industry endorses the increase in fuel economy standards, it's not unlike this myth that's been created that it's anything other than the marketplace that is the problem that the coal industry is principally having with natural gas coming as a substitute across the country, and the petrochemical industry, and the utility industry, and consumers choosing it for home heating rather than oil.

Well, the same thing is happening here. Where's the problem? Who wants this change? The auto industry doesn't want it. The auto workers don't want it. Clearly it's a huge national security issue. And the auto industry enjoyed last year and is repeating this year record sales as their fuel economy standards go up.

So I would just say that if you care about national security, you really don't want to change the law tonight that backs out 2 million barrels of oil per day, that the industry that is living under the regulation supports. That makes no sense at all as we're getting briefed in secret this afternoon about al Qaeda all across the Middle East, all across North Africa. Why would we do this?

I reserve the balance of my time.

Mr. KELLY. Mr. Chairman, I yield myself such time as I may consume.

This is a subject I know a little bit about because my family actually has been in the business since 1953.

I find it unique that really just inside the Beltway we're able to pick and chose winners and losers, and we're able to tell people, you know what, you're not able to drive what you want to drive, and you're not able to use the source of energy that you want to use. You know why? Because we know better.

I tell you what: the track record here doesn't show me that you really know better—a $16 trillion business in the red, and it continues? I would look at the President. I think he has got a war on wheels.

The big thing about America is you were always able to pick the car you wanted to use. You could drive it anywhere you wanted. You could do anything you want. In this country you can leave here and drive to California if you want. You don't have to worry about it.

This amendment only asks us to do something that's common sense. I know that's hard to understand here. I have been here for 20 months, I'm still trying to figure it out, and I've pretty much got it down now.

When you take things away from people and replace them with something that they don't want, let me tell you what happens. When you raise the price of a car, what it does is take off the ability for somebody at the entry level to buy a car.

Now, the unintended consequences in this town are absolutely astounding. We talk about the loss of jobs. We talk about the loss of jobs, not just the people who build the cars but how about the people who make the tires. How about all the different elements that go into a car, all the different things that go into a car? We have a direct effect on these people being successful.

You have to get these cars lighter. When you make them lighter, what do you do? There's a safety impact there. The losses that we continue to put on our job creators is staggering here. I think the reason why is because most of the people here have never been a job creator. They have been debt creators.

They love coming up with legislation that the average American couldn't begin to figure out. They scratch their head and they raise their shoulders and say, how is this happening? I say it's happening by irresponsible legislation, or if we can't legislate it, let's just regulate it.

We understand what CAFE is all about. I was there when it first started. I understand, it was about dependence on foreign oil. The administration says, you know what, though? If you do this 54.5 miles per gallon, you know what? You'll save $8,000 in fuel. Now what they don't tell you is you have to drive 224,000 miles to reach that, but that's just a little detail. Why would we even worry about the details when we know so well what we're doing here? My goodness, it's evident.

Now there is a war on wheels. There's a war on fossil fuels, there's a war on just about everything here that would help a job creator create a job. Then we tell these people, look, we want you in here with both feet, we want you in the game. And all I say to these folks is, you know what? You need to get some skin in the game too. I want to see your noses bloodied a little bit when you come out with these ridiculous regulations.

I tell you what, as a job creator I'm being tired of being water-boarded by our own government. I'm tired of being told that you're going to have to meet these standards. How did you come up with those standards? Well, we have got some fuzzy science that we will bring in.

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

Mr. KELLY. Now I will just close with this. We can continue this silliness, or we can get America back to work. My suggestion is get Americans back to work.

Mr. MARKEY. May I inquire of the Chair how much time I have remaining?

The Acting CHAIR. The gentleman from Massachusetts has 2 minutes remaining.

Mr. MARKEY. Let me just say this again, don't quote me. I'm going to

give you Dan Akerson, the CEO of General Motors. This is what he said about the standards that this amendment would repeal here tonight: Not only would it end our ability to back out 2 million barrels of oil a day that we would import from the Persian Gulf, but the CEO of General Motors says that these standards were a ''win for American manufacturers.''

□ 1900

Hear what I'm saying? The CEO of General Motors said these regulations are a win for the manufacturers of automobiles in the United States. It's not my quote. That's the CEO of General Motors. What's good for General Motors is good for America. I don't know if you've ever heard that. But let me tell you, he's not alone. It's also Ford, Chrysler, BMW, Honda, Hyundai, Jaguar, Land Rover, Kia, Mazda, Mitsubishi, Nissan, Toyota, Volvo, as well as the United Auto Workers, the State of California consumer groups, and environmental organizations. Everyone agrees on this.

So where is the opposition coming from? Who doesn't like this? Why are we having a debate here? There's no point in trying to repeal something that enhances dramatically our national security, saves consumers—because it will be 54.5 miles a gallon by the time it ends. That means since the car goes twice as far on a gallon, instead of $4 a gallon, it's only $2 a gallon. That's a big savings for everyone every time they fill up their tank. We know that the technology is there because that's every ad that we see on television every night now. It's for the new hybrid. It's for the new technology that they're all touting.

So it's all there. The industry supports these regulations that they're seeking to repeal. So it's just ideological. They don't like the government. The Republican paradox is they don't like the government, but they have to come to Washington in order to make sure it doesn't work. Here, the private sector says it's working.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 5 OFFERED BY MR. MARKEY

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112–680.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title II of the Rules Committee Print, add the following new section:

SEC. 203. REDUCING DEMAND FOR OIL.

Notwithstanding any limitation on agency action contained in the amendment made by section 201 of this Act, the Administrator of the Environmental Protection Agency may use any authority under the Clean Air Act, as in effect prior to the date of enactment of this Act, to promulgate any regulation concerning, take any action relating to, or take into consideration the emission of a greenhouse gas to address climate change, if the Administrator determines that such promulgation, action or consideration will increase North American energy independence by reducing demand for oil.

The Acting CHAIR. Pursuant to House Resolution 788, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MARKEY. My amendment is very simple: If you want to keep America on its current path towards North American energy independence by 2020, then let us ensure that EPA uses the authority to reduce demand for oil that this bill rescinds.

In 1985, after the first-ever fuel economy standards mandated by Congress were implemented, we imported only a quarter of our oil. But after the Republicans and the auto industry spent decades blocking further standards from being set, that number skyrocketed to a staggering 57 percent of our oil being imported on the day in 2009 when George Bush walked out of the White House. We were importing 57 percent of our oil. And remember, we put 70 percent of all the oil we consume in our country into gasoline tanks.

Well, 57 percent is a lot to be dependent upon foreign oil, especially at this perilous time in our Nation's history—paid for with money that supports Iran's nuclear program, roadside bombs in Iraq, rockets for Hezbollah and Hamas, and hate-filled Wahhabi teachings in Saudi Arabia.

We broke that destructive cycle when the Democrats passed, and to his credit, President Bush signed, the 2007 energy bill that included the energy bill that I coauthored to require new fuel economy standards to be set. President Obama accelerated the implementation and used the Clean Air Act to require additional reductions in demand for oil, and we are now back down to importing only 45 percent of our oil.

Got that arithmetic? Fifty-seven percent imported oil on the day George Bush walked out of the White House in January 2009 and 45 percent dependence today. Good job, President Obama. Let's stay on that path.

That was not accomplished by launching a war on the auto industry, because 13 major auto companies support these standards. The unions support the standards, environmental organizations.

By repealing these standards, Republicans have launched a war against every single resident of this country whose hard-earned paycheck gets poured into their gas tanks and have to pay for the defense budget to have all of that protection over in the Middle East to ensure that that oil from that dangerous part of the world comes into our country.

And let's be very clear: If the Obama administration is allowed to continue with all of its energy policies, we will be 95 to 99 percent North American energy independent by the year 2020. That is something we should not get off the path for.

I reserve the balance of my time.

Mr. WHITFIELD. I rise to claim time in opposition to the gentleman's amendment.

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

Mr. WHITFIELD. I stand in opposition to the gentleman's amendment very simply because we know that the Clean Air Act—under the greenhouse gas regulations as proposed by EPA, it will be impossible to build a new coal-powered plant in America. Because of that, we're going to lose a lot of jobs in this country.

At this time, I yield the balance of my time to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY. I thank the gentleman.

It's intriguing. And again, I've actually not just talked the talk; I've walked the walk. I'm always fascinated by these facts and figures that we throw around, and we talk about all the things that we're doing and we talk about General Motors.

The General Motors that I understand, the General Motors that my father started with in 1936 as a parts picker, was not the same General Motors that told me in 2009 I could no longer be a dealer, because it wasn't the same General Motors. You see, General Motors kind of went by the wayside and a new General Motors came into view.

And as we talk about all these folks that fell in line with what the administration wanted, of course they did. Who do they owe the money to? Who got bailed out in this great auto bailout? Who are the people whose jobs were saved? Who were the people whose pensions were made full and who was left hanging?

So we can talk about all these wonderful things that happened, and these are flights of fancy. This gets to be a little bit silly to me when the company that agreed to these new standards was beholden to the people who put them forward. It wasn't good enough that we already had standards on the books. No, no, no, no, 32½ miles a gallon aren't enough. We've got to get to 54½ miles a gallon. Why is that? Because that's what we want. We've got to get California involved. We've got to get the EPA involved. We've got to get everybody else involved.

I go back to day one when it was a CAFE standard and the idea was to get away from dependence on foreign oil.

We can talk about this and we can pretend that these things didn't happen. We can pretend that General Motors went bankrupt—and the idea of taking money from the government was to keep General Motors from going bankrupt. Amazingly, they went bankrupt. And isn't it something that a company the size of General Motors could emerge from bankruptcy in 11 days? My gosh, that's fantastic. Not only did they emerge, but you know what they were able to keep? They were able to keep carry-forward tax losses. That usually doesn't happen in normal bankruptcy. But we can game that a little bit.

So when we talk to these other manufacturers and we say we'll give a carrot here, but we also got a little stick that goes with it, yeah, they went along with it. But look who went along with it. The board of directors was not elected by shareholders. It was appointed by the administration.

Now these flights of fancy are a little bit funny inside here, but for a guy that actually walked that walk and had a dealership taken away from him—not because I couldn't run it but because the administration decided under the new General Motors that I wasn't going to be a dealer anymore—that's hard to take. My dad started in 1953, worked very hard to get there. We actually did build it. I mean, we physically built it ourselves. And now to be told, Well, we've made a decision; you're not going to.

Now, this energy stuff gets a little bit weird to me. And I know the President likes to take credit for all the things that the Bush administration did. The fact of the matter is permitting has been stopped. And what I would encourage all Members to do is go out in the field, talk to the people in the coal business, talk to people in the oil business, talk to people that are having a tough time staying open because they can't get a permit. Now you can get a permit, but you just have to wait in line a long time to get it.

These things, again, this is common sense. And if we can't come together in this House and do what's right for the people of the United States, then there's something dramatically wrong. We've got tremendous natural resources. You just have to take advantage of it.

Mr. MARKEY. I yield myself the balance of my time.

The Acting CHAIR. The gentleman is recognized for 2½ minutes.

Mr. MARKEY. Again, let me make this very clear. The increase in the fuel economy standards that we're debating here were the fuel economy standards that George W. Bush signed into law in December of 2007.

□ 1910

That was George W. Bush. The increase in the fuel economy standards that we're talking about here tonight are all supported by General Motors and Ford, all the major 13 auto manufacturers in the United States. The standards that we're talking about that the Republicans want to repeal are supported by the United Auto Workers and by all of the major environmental groups.

Where is the fight? It's George Bush and General Motors and the environmental groups. You are all saying that you want Washington to work. You're all saying you want partisanship to be put aside. How can you look past something here that is the perfect example of how the whole system should work?

You know, Bill Clinton said it right at the Democratic convention. It's all about the arithmetic. The D in the automobile is to drive forward; the R is for the reverse. The R's are the Republicans; the D's want to continue to move forward. They're trying to put this country in reverse here tonight, reverse a consensus that was established when George Bush was President that we had to do something about imported oil, and this is the act that we all agreed that we had to take.

So what does this legislation portend for our country? Well, jobs saved: 1 million plus; gas pump savings: double the gas mileage means the consumers' costs are cut in half no matter where they drive in these new, more efficient vehicles; and energy independence. When it's all said in done, it's 3.1 million barrels of oil per day, and we can tell the Middle East we don't need their oil any more than we need their sand.

I'm missing something in this debate. I still haven't heard why you would want to repeal something that helps our country on so many fronts and at the same time reduces, by 6 billion metric tons, the amount of CO_2 that goes into the atmosphere that is dangerously warming our planet while America is going to sell 14 million new vehicles this year, the most since 2007, since the recession started, under this new law.

I urge adoption of the Markey amendment, and I yield back the balance of my time.

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

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

The Acting CHAIR. The amendment is agreed to.

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

Mr. MARKEY. If I may inquire, I do not think that that objection was, in fact, made in a timely fashion, Mr. Chairman.

The Acting CHAIR. The gentleman from Michigan was on his feet seeking recognition in a timely manner.

A recorded vote is requested.

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

AMENDMENT NO. 6 OFFERED BY MR. BENISHEK

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112–680.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 15, line 16, insert '', including health effects associated with regulatory costs'' before the semicolon.

The Acting CHAIR. Pursuant to House Resolution 788, the gentleman from Michigan (Mr. BENISHEK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. BENISHEK. Mr. Chairman, I yield myself such time as I may consume.

My amendment is very simple. It's a single line that adds, at line 15, ''including the health effects associated with the regulatory costs.''

It's a simple principle. Regulations cost money to implement. No one will dispute that. In fact, when the EPA or any other Federal agency wants to issue a new regulation, it's legally obligated to let Americans know both the costs and the benefits of these proposed rules. However, due to a narrow interpretation of this obligation, the EPA often avoids measuring all aspects of the full costs of its proposed regulations, including the impact of jobs lost and the adverse health effects of those lost jobs.

Why is this important? I'm a doctor, and there's near universal agreement among doctors, scientists, and statisticians that joblessness and higher energy prices result in negative health outcomes—including suicide, respiratory illness, and a much higher likelihood of early deaths.

Despite this, the EPA never admitted that there was a simple negative health effect resulting from its heavy-handed air quality regulations.

Dr. Harvey Brenner of the University of North Texas has found that a substantial reduction in coal-powered electricity could cause between 170,000 and 300,000 premature deaths.

A 2011 study by the Stony Brook University found that the risk of premature death was 63 percent higher for people who experienced an extended period of unemployment.

According to a 2012 report by the American Legislative Exchange Council, Michigan will rank as the fifth worst hit State impacted by the EPA's most recent onslaught. Total job losses in the State could reach almost 15,000.

To make matters worse, while employment is decreasing, the electricity rates would be increasing, potentially by as much as 30 percent. Not only would EPA regulations be responsible for Michigan residents losing their jobs and paying more for electricity, it's estimated the State could lose $1.9 billion in manufacturing output by 2015,

as well as suffer a loss of $1.7 billion in the State and local government revenue.

Let's talk a little bit more about the families in Michigan.

We know that the 54 percent of Michigan families that earn $50,000 or less a year currently spend 23 percent of their after-tax income on energy and that Michigan families earning $10,000 a year or less devote 85 percent of their income to energy.

As for jobs, a recent study on the economic impact of lakes-seaway shipping found that waterborne commerce sustains almost 27,000 jobs in Michigan. In 2008, over 16 million tons of coal were delivered to Michigan ports, most via the Soo Locks in my district.

Although the amount of mercury emitted from U.S. power plants has been cut in half since 2005, the Obama administration continues to insist on implementing harsh new regulations that will not only increase energy prices, but they allow marginal benefits. For example, the EPA already admits that virtually all, more than 99 percent of the claimed benefits of the Utility MACT rule will come from reductions in particulate matter that is already regulated under separate regulations.

Families in my district simply can't afford these burdensome regulations, and they deserve an administration that will be truthful about the real economic and health impact of any regulations they propose.

I urge Members to support my amendment which, again, is simple. The underlying bill creates an interagency committee to assess the cumulative impacts of current and pending environmental regulations. My amendment would simply require this committee to evaluate the health effects associated with the regulatory costs.

Like everyone, I want clean air and water. I grew up on the Great Lakes. I believe those of us who call northern Michigan ''home'' are blessed to live near three of the five Great Lakes. Anyone who visits our area is able to enjoy the clear blue waters of our vast lakes that stretch from horizon to horizon. I would never vote for a bill that would endanger such a national treasure.

My friends across the aisle will make all kinds of claims, but the truth is this: This bill does not affect the authority under the Clean Air Act to regulate mercury and other hazardous air pollutants but, rather, will help ensure that those regulations are cost effective and use improved processes.

Right now, my constituents need jobs, not more regulations. Our Federal agencies need to consider the full costs, both health and economic, of proposed regulations.

Mr. Chairman, I thank you for my time, and I urge my colleagues to vote for my amendment and the underlying bill.

I reserve the balance of my time, if there's any left.

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

Mr. MARKEY. Mr. Chairman, I claim the time in opposition.

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

Mr. MARKEY. I thank the Chair.

I yield myself such time as I may consume just to say that this amendment just makes a terrible bill even worse. The bill requires a new interagency committee to conduct an impossible study of EPA rules that haven't even been proposed using data that doesn't even exist. This amendment requires additional nonexistent information to be included in the study.

My colleague's amendment would require an interagency committee to examine what he calls the health effects of regulatory costs. This is ironic since the Republicans have shown little interest in discussing the health effects of the legislative monstrosity which we are debating today.

I urge my colleagues to oppose this amendment and to oppose the bill, and I yield back the balance of my time.

□ 1920

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

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. HARRIS

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 112–680.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 21, line 18, strike ''and''.

Page 22, line 2, strike the period and insert a semicolon.

Page 22, after line 2, insert the following:

(iii) shall not issue any proposed or final rule under section 109 of the Clean Air Act (42 U.S.C. 7409) that relies upon scientific or technical data that have not been made available to the public; and

(iv) shall not issue any proposed or final rule under section 109 of the Clean Air Act (42 U.S.C. 7409), unless the accompanying regulatory impact analysis, as required under Executive Order 12866, is peer reviewed in a manner consistent with the Office of Management and Budget's ''Final Information Quality Bulletin for Peer Review'' and the third edition of the Environmental Protection Agency's ''Peer Review Handbook''.

The Acting CHAIR. Pursuant to House Resolution 788, the gentleman from Maryland (Mr. HARRIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. HARRIS. Mr. Chairman, the sad fact is that the Environmental Protection Agency bases its regulations on data and modeling that is often withheld from the public. My amendment simply requires that the Environmental Protection Agency make available to the public the data that regulations are based on and to follow its own guidelines and submit regulatory impact analyses to peer review. It's my hope that transparency, sound science and peer review are principles that everyone can support.

For example, it is frequently claimed that the Clean Water Act generates benefits that outweigh costs by a 30–1 ratio, but almost 90 percent of these claimed benefits are based on two studies whose underlying data has never been made public. I can verify this firsthand because for the last year I've asked the administration at committee hearings and on the record for this information and have been repeatedly rebuffed. This is not an acceptable way to run a regulatory agency that impacts our country's health, economy, unemployment—as we heard from the gentleman from Michigan—and ability to compete internationally.

Both President Obama's senior science adviser and the head of EPA's independent science advisory board agreed with me at recent hearings that the scientific data used by the government to justify its regulatory actions should be made publicly available. EPA also states in its own Peer Review Handbook that ''one important way to ensure decisions are based on defensible science is to have an open and transparent peer review process.'' Unfortunately, when EPA conducts a cost-benefit analysis for these major Clean Air Act rules, they are not subjected to peer review.

Mr. Chairman, we live in a world where people increasingly expect direct access to information. Government regulations should be able to withstand public scrutiny. If the benefits outweigh the costs, then prove it; and if you believe that a government regulation is justified, then you should have nothing to hide.

I respectfully request support for my amendment, and I reserve the balance of my time.

Mr. MARKEY. Mr. Chairman, I rise in opposition to this amendment.

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

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

This amendment would prevent EPA from using important high-quality scientific research when setting standards to protect public health and save lives. This amendment establishes an entirely new requirement when EPA sets national ambient air quality standards—the scientific health-based standards that essentially tell us how much pollution is safe to breathe. Under this amendment, EPA cannot use any study in setting these air quality standards unless the study's underlying data has been made public.

Why is this a problem? Because data sets underlying peer-reviewed scientific studies are the private property of the scientists that gathered them. In many cases, those data sets may include confidential business information, or personal information such as

an individual's health records. And the public availability of underlying data is not relevant to the quality of a study. Publication of data sets is not required by peer review journals and such publication is not a common practice in the scientific community.

EPA cannot require scientists to give up their private property when they publish their peer-reviewed studies, so in many cases this amendment would block EPA from using relevant, high-quality studies. This policy has long been on the industry's wish list, and we just have to make sure that we don't make it possible for them to put it on the books as a law. This is not because of the data quality concerns or transparency concerns, but because all of these studies conclusively show that air pollution kills people, which is the very subject they do not want to be able to debate.

This is a very dangerous amendment, and I urge my colleagues to vote ''no.''

I yield back the balance of my time.

Mr. HARRIS. Mr. Chairman, what's there to hide? As I said, if a regulation is justified, why should the government hide data from the public in their justification of a regulation?

Mr. Chairman, I've done scientific studies. I've been the peer reviewer on scientific studies. If I have a question about data, I ask for it and I get it and I review it myself. This is the same access the public should have.

Nobody wants dirty air, nobody wants dirty water; but if we're going to pass job-killing regulations, we better be sure that that is sound science it's based on. That's what this amendment does, and I urge support.

I yield back the balance of my time.

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

The amendment was agreed to.

Mr. HARRIS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. POMPEO) having assumed the chair, Mr. WOODALL, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3409) to limit the authority of the Secretary of the Interior to issue regulations before December 31, 2013, under the Surface Mining Control and Reclamation Act of 1977, had come to no resolution thereon.

FEDERAL RESERVE

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

Mr. WOODALL. Mr. Speaker, I appreciate you coming in tonight and allowing me to have the time.

I'm going to get a little outside of my comfort zone tonight, Mr. Speaker. You talk about the 20 months you and I have been on the job here in this body. We've talked a lot about tax policy. And I feel like we're going to have a conversation. I think, as we stand in this Chamber a year from today, we will have signed fundamental tax reform into law. I'm excited about seeing this body do that.

I think about health care reform. As we stand here today, I feel like this time next year, we will have much more freedom in our health care system. I feel like we'll have skin in the game in our health care system. That's a conversation that America has had and will continue to have.

But a conversation America has not been having, Mr. Speaker, is one about the Federal Reserve and what the Federal Reserve is doing to help with jobs and the economy. We talk about that here on the floor of the House on a regular basis: What are we doing to help jobs and the economy?

As you know, Mr. Speaker, we have about 30 bills sitting over in the Senate that we've passed here in the House that would stimulate the economy, that would help American workers get back to work, but the Senate has failed to act. And in the absence of action by the Senate and in the absence of being able to move legislation to the President's desk, the economy continues to flounder.

□ 1930

The President has orchestrated about $800 billion worth of stimulus programs, but that has not gotten the economy back on track. Not only did we not get unemployment down, it continued to rise under that stimulus program. And so what we have, and so if you folks in America talk about it, we have an independent Federal Reserve that engages in monetary policy, and these days, in economic stimulation.

I want to point, Mr. Speaker, to an article by—well, I'll call him Dr. Phil Gramm. I mean, in fact, he's Senator Phil Gramm, from the great State of Texas, but he was born in the great State of Georgia and got his Ph.D. from the University of Georgia, his Ph.D. in economics. And he had an article in The Wall Street Journal just this past week, and I want to tell you what it said.

Phil Gramm writes this, Senator Gramm writes this, Dr. Gramm writes this:

> Since mid-September of 2008, the Federal Reserve balance sheet has grown to $2.8 trillion, from $924 billion, as it purchased massive amounts of U.S. Treasury's and mortgage-backed securities. To finance these purchases, the Fed increased currency and bank reserves, base money. That kind of monetary expansion would normally be a harbinger of inflation. However, the bank's holding the excess reserves, rather than lending them out, and with velocity, the rate with which money turns over, generating national income at a 50-year low and falling, the inflation rate has stayed close to the Fed's 2 percent target.

Now, Mr. Speaker, I work hard. I study hard. I get through paragraph one of Dr. Gramm's editorial, I'm already getting confused because we don't spend enough time talking about velocity of the money supply. We don't spend enough time talking about what the Federal Reserve's doing in terms of purchasing the bonds. And we don't spend enough time talking about monetary expansion.

But let me get into some terms that we do talk about more, Mr. Speaker. The second paragraph of the editorial. While the Fed considered its previous rounds of easing, QE1, QE2 and Operation Twist, the argument was consistently made that the cost of such actions was low because inflation was nowhere on the horizon.

That same argument is now being made as the central bank contemplates QE3 during the Federal open market committee meetings on Wednesday and Thursday. Inflation is not, however, the only cost of these unconventional monetary interventions. As investors try to predict the timing and effect of Fed policy on financial markets and on the economy, monetary policy adds to the climate of economic uncertainty and status already caused by current fiscal policy. There will be even greater costs when the economy begins to grow, and the Fed, to prevent inflation, has to reverse course and sell bonds and securities to the public.

Now, I'm not going to say that's still perfectly clear, Mr. Speaker. But I am going to say, we're starting to talk about QE1, QE2, now QE3 because that open market committee met and decided to proceed with QE3, and Operation Twist. Now what are these terms, and why don't we talk about them more often?

Let me just go briefly, Mr. Speaker, to the Federal Reserve Act. Just to be clear, section 2(a), monetary policy objectives, this is what, we, the Congress, Mr. Speaker, have charged the Federal Reserve with. And I'll quote from the statute:

> The Board of Governors of the Federal Reserve System and the Federal Open Market Committee, shall maintain long-run growth of the monetary and credit aggregates commensurate with the economy's long-run potential to increase production, so as to promote effectively the goals of maximum employment, stable prices, and moderate long-term interest rates.

Now, when folks want to know what it is the Federal Reserve does, this is the congressional mandate: increase production so as to promote efficiently—effectively, pardon me—the goals of maximum employment, stable prices, and moderate long-term interest rates.

Now, Mr. Speaker, I'm not a Ph.D. economist, but I've taken a few economics classes over the years. And what I would tell you is I have always imagined that full employment and stable prices and moderate long-term interest rates are often in conflict with one another.

You know, when you want to stimulate the economy, you try to lower interest rates so folks borrow more

money, so folks create more jobs. You want to put more money in the hands of our small business owners, our job creators, want to create jobs with other people's money when interest rates are low so that we can bring unemployment low.

When interest rates go higher, folks borrow less money. When they borrow less money, perhaps unemployment goes up.

These are conflicting goals, but we've tasked the Federal Reserve with both of those. And I want you to see, Mr. Speaker, what that brings us to today.

I've got a chart here, and you're not going to be able to see it from where you stand, but it's the last 5 years of the Federal Reserve balance sheet. And I'd be interested to take a poll here, Mr. Speaker, folks back in their office watching on TV: how many folks have taken a look at the Federal Reserve's balance sheet? I don't mean take a look in the last 10 days, I mean who's taken a look in the last quarter?

Maybe in calendar year 2012, Mr. Speaker. How many folks have taken a look at the balance sheet in 2012? Maybe not even 2012. What about this session of Congress? What about this new decade? How many folks have taken a look at the Federal Reserve balance sheet? Because what you see at the Federal Reserve balance sheet, Mr. Speaker, is a dramatic change.

You're not going to be able to see these numbers here, but they run from zero on the balance sheet up to $1 trillion, up to $2 trillion, up to $3 trillion. You know, we throw trillions around in this town, Mr. Speaker, like they're nothing. A trillion's a big number. It's a million millions.

And historically, if you go back, and you see it here on the chart, 2007, 2008, going back into 2006, in general, the Federal Reserve, in order to keep liquidity in the economic system, in order to make sure that our financial system doesn't have fits and starts, kind of lubricates that system, makes sure everything's moving at the proper pace, keeps just under about $1 trillion on its balance sheet, the debt that it buys, money that it's lending.

It will buy Treasurys to keep that market fluid. It has a window that it will lend to banks to keep that market fluid.

And what we see here, represented by this beige line here, is that going back into 2007 and 2008, most of that balance sheet was comprised of this traditional activity, with a little bit of lending to financial institutions.

Now, you remember, Mr. Speaker, when folks got so scared back in 2008 and we started to talk about TARP and the bank bailouts, we were going into the fall of that year and wondering if fiscal calamity was on the horizon. And this Congress passed, before you and I got here, measures to expand our aid to financial institutions, to increase that lubrication to make sure that dollars continued to flow.

And so you see it represented here on this gray line, Mr. Speaker, as the Federal Reserve's balance sheet expanded with loans to banking institutions.

Now, I don't mean expanded a little. Traditionally we're here, just about $800 billion. Within the period of one quarter, we more than doubled that to $2.2 trillion, almost tripled it.

Now, hear that again. This is an institution that exists to keep markets fluid, to prevent hiccups in our financial process, to make sure, again, full employment, long-term interest rates are stable, price stability. Tripled its balance sheet almost overnight in the name of protecting us from an economic collapse.

And the balance sheet has not just stayed there since the fall of 2008, it's grown even larger. But the components have begun to change, and that's why it's important to begin this conversation, Mr. Speaker. Again, I'm not a Ph.D. economist. I don't claim to have all the answers. But what I do claim to know is, we're not spending enough time, as a Nation, talking about the role of the Federal Reserve.

You know, the Federal Reserve's an independent agency. It's supposed to make decisions on its own. Whenever someone complains to me, Mr. Speaker, about what's going on with the Federal Reserve, I say, I understand that you have some concerns with the Federal Reserve, but the only thing worse than an independent Fed Chairman making these decisions would be a Republican Party chairman and a Democratic Party chairman making these decisions. I mean, we've made it outside of Congress to keep partisanship out of it, to try to do the best economic thing instead of the best political thing.

But this is what's happened on our watch. The Fed has tripled the size of its balance sheet. First it was loans to bank, represented here by gray. Then it turned to liquidity in other credit markets, demonstrated by this blue, and then it turned to mortgage-backed securities and long-term American debt.

Now what does that mean?

□ 1940

That means that the Fed decided that no one wanted to buy mortgage-backed securities in this country and that, in the collapse of Fannie Mae and Freddie Mac, uncertainty took over in the marketplace, and it began to slow and, in fact, began to bind up as those mortgage-backed securities either began to fail or ceased to move, and so they began to buy them in record numbers represented here. It started out as just a little. Now it's over $1 trillion in mortgage-backed securities going through 2010. Couple that then with long-term bond purchases—American debt.

Here we have an American banking institution, the Federal Reserve, buying American debt. Now, don't think too hard about that. Don't think too hard about what it means when the folks who control your money supply begin to buy your debt so that you begin to pay your interest to the Federal Reserve, which then returns all of its profits back to the government. You begin to see you're taking it out of your left pocket and you're putting it into your right pocket—taxing the one hand and paying the other hand. It gets circular in a hurry, and it puts us, as a Nation, on the hook for these actions.

Again, in 5 years—2007 to 2012—and really, the fall of 2008 to 2012—4 years, 48 months—we tripled the size of the Federal Reserve's balance sheet and changed its composition from what has historically been traditional security holdings and loans to banking institutions to making those the two smallest parts of the chart and making long-term debt and mortgage-backed securities the largest part of the chart. That's what we've heard from the Federal Open Market Committee, Mr. Speaker, is that we're going to continue that program to the tune of about $40 billion a month.

These aren't actions that have no consequences. I'm looking here at yesterday's Wall Street Journal, and the headline is this: ''Governments Brace for Currency Onslaught Ahead of QE3.'' Again, ''QE'' stands for ''quantitative easing.'' It's talking about pumping more liquidity into the marketplace—trying to keep the lubrication going in the American economy—and it's the expansion of the balance sheet. We have some charts that show what happened after QE1 and what happened after QE2 and Operation Twist. This was in yesterday's Wall Street Journal. It was not an editorial, but it was from their reporting pages.

The Wall Street Journal says this:

> In the previous round of Fed quantitative easing, which was dubbed QE2, the dollar weakened significantly. In the 13 months from June 2010—when expectations of more Fed stimulus first began to rise—until the $600 billion bond-buying program wound up the following summer, the Wall Street Journal Dollar Index—a measure of the dollar's value against a basket of major currencies—lost 18 percent of its value.

I just want you to think about that for a moment. We're here arguing about what's going to happen with the fiscal cliff, and, of course, the House has acted to prevent taxes from rising on all American families come January. The Senate has not yet acted. We're trying to push that bill through the Senate, and we're trying to get the President on board. We're trying to prevent tax increases—a major part of what we do in this body and a major focus of the American taxpayer.

All you have to do is to go back to December 2010, which was when Speaker NANCY PELOSI was running this U.S. House, when Majority Leader HARRY REID was running the United States Senate, when President Obama was sitting in the White House, and when a big election had just been held in November of 2010. That election brought 99 new freshmen to this body. It turned over a tremendous number of Members, which was the largest number we'd seen in decades, and America said, I

don't have any more money to give Washington. I'm voting ''no'' on new taxes.

So what happened?

In the lame duck session—November and December of 2010—Speaker NANCY PELOSI, Majority Leader HARRY REID, and President Barack Obama came together and extended the Bush tax rates for an additional 2 years. They refused to raise taxes on the American people because the American people had just had a giant referendum in the November election, and Washington responded. Folks who hated the Bush tax rates—who demonized the Bush tax rates, from whom I've never heard a nice thing said about the Bush tax rates—came together to extend those tax rates for 2 additional years. Why? Because the American people demanded it.

In reading from yesterday's Wall Street Journal—call it causative, call it correlated, call it coincidental—in 13 months of QE2, $600 billion of bond-buying, the value of the American dollar against world currencies fell by 18 percent, which is, in effect, an 18 percent instant tax on every single dollar in every single American pocket in this country.

If you're not thinking through that, I mean, here is the story. You're going to Walmart to buy those Chinese tennis shoes for your kids. Now, when the American dollar—the value of what a dollar buys on the world marketplace—falls 18 percent, that means the cost of those Chinese sneakers rises by that same amount because the dollar is worth less and foreign currencies are worth more. It helps U.S. exports, because what we've produced here becomes worth less and it makes it easier for foreign companies and corporations and nations to buy it, but it makes all of our savings, all of the dollars in our pockets, worth less, too. This is 18 percent, Mr. Speaker, in 13 months.

You and I were not in Congress at that time, but I wonder: How many letters do you think folks got, Mr. Speaker? How many phone calls do you think came in to say, ''I'm watching the activities of the Federal Reserve. I've been studying their balance sheet. I'm deeply engaged in the actions of the $600 billion bond-buying program and QE2, and I see that the value of the dollar against a market basket of world currencies is falling by 18 percent, and I want Congress to fix it''?

Now, Mr. Speaker, you and I were not here, but if this House of Representatives had raised taxes by 18 percent on every American family, there would have been a riot. Phones would have lit up. Mailboxes would have been jammed packed. Email accounts would have been pumped full as American consumers would have said this is not the right direction for America. But who is talking about it when the Federal Reserve creates exactly that same impact through monetary policy? Again, I'm not saying it's right or wrong. We have to make these decisions as a Nation. What I'm saying is there hasn't been enough debate on that topic.

Let me go on. Again, this is from yesterday's Wall Street Journal:

> The dollar followed a similar but slower path leading to the QE3 announcement last week. The Wall Street Journal Dollar Index hit a 22-month high in July.

That means that our dollar was valued high against a market basket of world currencies, which meant spending a dollar bought more goods than it historically buys. It's a 22-month high. It bought more goods in July than it bought in any other month over 22 months.

The Wall Street Journal goes on:

> It then started to slide gradually before dropping sharply once Fed Chairman Ben Bernanke signaled the Central Bank's plan at his speech in Jackson Hole, Wyoming, on August 31. The index is now 6 percent off its July high.

From July to September, every dollar in every American pocket and in every community across this land is worth 6 percent less than it was just 3 months ago.

How many letters have you gotten, Mr. Speaker? How many letters have you received from your constituents to say that every single dollar they're earning in their paychecks, that every single penny in their children's piggybanks, that every single bank account, that every single stock purchase—that every single dollar of wealth we have in this country—now buys 6 percent less?

Again, Ben Bernanke is a bright guy. Alan Greenspan before him was a bright guy. We have this independent Federal Reserve so that we can have really smart people who are studied, schooled—decade upon decade—in the economics of our land and of our world make these decisions. But they impact us, and we're not having that national discussion about what that impact is. This is 6 percent in just the past 3 months.

□ 1950

We talk a lot about Social Security and Medicare, and certainly there's an impact on our seniors, Mr. Speaker, with both of those major programs that we've all paid into out of our paychecks all of our lives. But what about folks on a fixed income? Because, again, part of this Federal Reserve policy, there is the expansion of the balance sheet side, and there's also the controlling of the interest rate side. Of course, we've pushed interest rates low.

What I have here, Mr. Speaker, is a chart of interest rates in this country that is kind of a 10-year bond yield. It is a number that is looked at around the globe. This chart goes from January of 2009 up to September 2012. What you see in green is the beginning of quantitative easing, QE1 in green. You see the end of QE1 in red. As we begin to put more and more and more money into the marketplace, lubricate that marketplace more and more and more, the cost of borrowing money went higher and higher and higher until QE1 ends and interest rates collapse. Then we announce QE2. Here in green you see where QE2 begins. You see in red where QE2 ends. As soon as QE2 ends, interest rates collapse. Operation Twist begins.

Here we are with average 10-year yields, Mr. Speaker, going back over the last 3 years. This is what we're usually paying for money. This is what we're paying for money right now. These are the lowest interest rates we've seen—well, not just in a generation, Mr. Speaker—in decades. Let me go on.

This is that dollar index that I talked about, that market basket of world currencies. How much is a dollar worth? Again, let's look. QE1 begins, the value of a dollar spikes briefly. Throughout QE1, the value of a dollar collapses and rises towards the end of QE1. As soon as QE1 ends, the value of a dollar spikes again—QE2. Again QE2 begins. By the time QE2 ends, we see the dollar valued substantially less.

What's the discussion around the family dinner table, Mr. Speaker? You can't find a household in this Nation that hasn't had a discussion about their tax bill. I daresay you wouldn't find many households in this Nation that haven't had a discussion about the regulatory burden that is being placed on them by the Federal Government today, the challenges of going out and creating a business or building a new job because of the regulatory burden.

But how many folks are sitting around the dinner table talking about this small group of men and women, the Federal Open Market Committee, the chairman of the Federal Reserve, and what they're doing that both obligates Americans and impacts our fiscal and economic future, and what they're doing to try to create those jobs and keep interest rates low for America today?

This is the chart that concerns me the most, Mr. Speaker, because we're borrowing at record low interest rates. The Federal Reserve is doing a lot of buying of American debt too. Again, I talked about the left hand and the right hand, and we're paying ourselves because we're borrowing from ourselves and lending to ourselves. These are all just clicks of the mouse these days. It's not dollars that are changing hands. We're just clicking the mouse.

What happens borrowing a trillion dollars a year, Mr. Speaker? You and I are working hard to curtail that. Of course, discretionary spending in the 20 months you and I have been here, we reduced 2010. When we went into 2011, we came lower than 2011. When we went into 2012, we now sent a continuing resolution to the Senate that brings us even lower in 2013. We're in 2012. We're absolutely saving those dollars one dollar at a time, but we're still borrowing a trillion tax dollars a year. Whose buying that debt, Mr. Speaker?

In the early 1970s, it would have been us. That's been the history of this

country. We, the American people, buy our debt. Thrift was valued, and we take our hard-earned dollars, we take those dollars we've accumulated as families through our thrift, and we buy American bonds with them. We reinvest in America. And when America pays interest on those bonds, that interest comes back to us as American families.

But over the past four decades, that's begun to change dramatically. The mix of who's buying those bonds has moved from American families and American institutional investors and is drifting aggressively towards foreign purchasers.

That's just the way it is. We don't have any thrift in this country anymore. No one is saving money in this country anymore. American has debt it has to sell. It can't sell it to American families because American families don't have jobs and don't have money, so they've got to sell it to foreigners: China, Germany, Japan. That's the way the economy is today, Mr. Speaker.

I've represented those lines here. This is a percent of GDP. That's what this chart is. This is a baseline here, zero percent of GDP. It goes back to the year 2000. We're just looking at the last decade. It comes out to 2012. The question is: Year over year, who's buying Treasury securities? Is it the private sector, individuals, and institutional investors? That's the green line. Is it foreign investors? That's the blue line. Or is it the Federal Reserve?

Again, I don't know who is following those things day to day, Mr. Speaker. It's not coming up at town hall meetings. It's not coming up around family dinner tables. But the Federal Reserve, if you follow this black line here, the net change in what they were buying in terms of Federal Treasurys, it's pretty close to zero here. This black line representing the Federal Reserve is zero in 2001, 2002, and 2003. The foreign nations begin to buy more here, American consumers begin to buy a little more here, they sold more here, the foreigners bought more there. But here's that black line, the baseline, the Federal Reserve going right on out.

Look at what happens in 2009, 2010, and 2011. That black line spikes. As we go into 2011, I want you to see, Mr. Speaker, that black line crosses the green and the red line. Why are these lines getting so tall? Because America is selling so much debt. You've got to remember that. When President Bush was in the White House when debts were considered then massive at that time, we were under $400 billion a year. We were trying to sell $400 billion a year in government-backed securities on the world market.

Beginning late in 2008 and going into 2009 and into 2010 and into 2011, we began to sell over a trillion dollars a year. The number of debt instruments that we had to sell in the world marketplace tripled, if not quadrupled. So you see that spike, and everyone has to buy more of our debt. Individuals are buying more in the green line, foreign nations and foreign investors are buying more with the blue line, and the Federal Reserve begins to buy more, as you see, in the black line.

Starting in late 2010 and going into 2011, you see the black line come out on top, that the net change in the ownership of Treasurys has shifted away from all private and governmental investors combined around the globe, and now the biggest shift in each month is our Federal Reserve buying our own debt, us taking the money out of one pocket, putting it in the other, taking the debt instrument out of your pocket, putting it back in the other.

What's the impact of that, Mr. Speaker, on the long-term American economy when we can't find enough dollars on the planet, we can't find enough buyers on the planet to invest in American debt? So we the American Federal Reserve have to buy that American debt—again, just a click of the mouse—because no one else is.

What if the Federal Reserve closed the doors tomorrow, Mr. Speaker? Could we even sell it? I understand the Federal Reserve competing in that marketplace. It helps to keep interest rates low, right? When demand is high for debt, interest rates are lower. The Federal Reserve would have stopped that demand. What's the real cost of borrowing in this country? We don't know.

We have four times higher debt today than we did in the late 1990s, by 1997. Four times more debt today than we did in 1997, and yet we pay less in interest on the national debt as a percent of GDP today than we did then. Why? Because of record low interest rates. Why do we have record low interest rates? Because we are exerting every fiber of energy that the Federal Reserve can muster to keep those interest rates low. I'll show you a chart of those interest rates later. But they are the largest purchaser of our debt.

There is some good news in that, and I want to shift just a moment from the Federal Reserve to the Treasury Department. Again, the Federal Reserve, Mr. Speaker, is an independent doing its own thing. The Treasury Department is completely funded by this Congress, completely involved in oversight under this Congress and direction by the administration.

We are experiencing record low interest rates today.

□ 2000

There is so much uncertainty in our future and, again, I'm trying to highlight how some of that has been created by the Federal Reserve just so that America begins to have that conversation. The good news is the folks over at Treasury, the public folks over at Treasury, the Bureau of Public Debt and Treasury have begun to extend the maturity, average maturity rate, of our debt.

Now, what does that mean? Well, you remember reading about all the folks in the mortgage market who got caught by those teaser rate loans. The rates were low on year one, but they went up in year two and folks couldn't afford the payments on year two and the interest rate jumped—teaser rates.

Well, right now we're financing America's debt at teaser rates. We're borrowing at the lowest rates in history. When we go out and we start selling debt instruments, we're not selling everything as a 30-year bond, where nobody is going to come looking for the principal for another 30 years. We sell that in 28-day instruments, 1 month, 3 months, 6 months. Short-term instruments finance the plurality of our debt.

Now, what does that mean? That means we have tremendous interest rate risk. Whatever the debts are in our families at home, Mr. Speaker, if we have those amortized over a long period of time, then we know exactly what our payments are going to be. If we're involved in short-term teaser rates, then we could have the rug pulled out from under us tomorrow.

To the Treasury's credit, go back to 1980 here, average maturity of debt, when interest rates have gotten lower, Treasury has begun to lock American debt in for longer and longer maturities. Back in October of 2008, when we were just dumping debt on the marketplace as fast as we could because we were spending at the highest deficit levels in American history—again, four times the previous levels, as George Bush was leaving office—we had to sell it to anybody who was willing to buy it.

The maturity rate, just the average maturity rate just collapsed, collapsed. We've been battling back from that time, 48 months in October of 2008. Again, that's average, 2008. What were we talking about then, Mr. Speaker? About $13.5 trillion in public debt that, on average, was due in 4 years or less.

There is a thing about that, because there's no surplus here. We're still borrowing more, but every 4 years the entire amount of debt comes due, that's the average. The entire debt turns over every 4 years. We're not only borrowing a trillion more each year; we've got to pay back the $13 trillion we already borrowed that we're then refinancing by selling additional debt.

To the Treasury's credit, we're extending that timeline one month at a time, one day at a time. Here in May of 2012, we've already pushed out the average maturity date 32 percent. It's up to 64 months there over the summer to try to lock in these low interest rates to give America some interest rate protection, to reduce our interest rate exposure.

You can't throw money around the way this Nation is throwing money around and think inflation isn't going to get you. It's not a question for economists, Is inflation coming? The question is when is it coming and how bad is it going to be. It's coming.

The laws of economics are sound. It's coming. When is it coming? How bad's

it going to be? Our Federal Reserve tries to manage that for us with our Treasury Department locking in those longer-term rates now.

Let me just say that we've begun that discussion in Congress. I think we need to begin that discussion, Mr. Speaker, in living rooms around the country. It's not just a congressional discussion, of course. It's a discussion that the American people need to have.

Who are we as a Nation? What are we mortgaging away in our tomorrow to try to help our today? Is what we're doing making today easier? Perhaps it is. But giving the risk of what it does to tomorrow, is it worth that risk? We're not having that conversation. We're leaving those decisions to the independent Federal Reserve. We're leaving those decisions to the Federal Market Committee.

That was a different choice that we made when the balance sheet of the Federal Reserve was $800 billion, still a big number, but $800 billion. Now it's four times larger. We're working on that here in Congress, Mr. Speaker. It began with the Federal Reserve Transparency Act; and that's a bill, a bipartisan bill, 274 cosponsors in the House. When we finally brought it to the House floor, it passed 327–98.

That's big. You talk about all the things we don't agree on here in Congress, you talk about party-line votes that divide us right down the middle—3–1 Congress voted to pass the Federal Reserve Transparency Act.

Now, does that say the Federal Reserve is doing a bad job? No, that's not what this bill says. What this bill says is the Federal Reserve is doing a lot. It's doing a lot that we never anticipated when we created the Federal Reserve.

There comes a time the American people need to be involved in that process and we, as their Representatives, need to be involved in that process. This is Dr. RON PAUL from Texas who has been pushing this idea for years and years and years. In this Congress, as he prepares to retire at the end of this year, the House finally had a vote and passed it by a large margin.

There is another bill in the House that has 48 cosponsors right now. It has not moved out of committee, and it's called the Sound Dollar Act. It's H.R. 4180. Again, it's looking at some of these questions going back to be that Wall Street Journal article I showed in the beginning, 6 percent devaluation of our currency in the last 3 months. As the Federal Reserve began to act on QE2, an 18 percent devaluation in our currency.

Golly, you work hard all your life, you think, God the stock market is too risky for me. I have seen it collapse, more than once: tech bubble collapse; builders, real estate collapse; September 11, 2001 collapse. Too risky, I just can't do it. I'm going to take my dollar, and I'm going to put it in a federally insured banking institution so that I know when I go to take that dollar out, it's going to be there.

Well, that's true. But is it still going to be worth a dollar when you take it out? The answer turns out to be no.

If this government wants your money, we can come and we can tax you, Mr. Speaker. We can take 20 percent of everything you own, brand-new tax, 20 percent of all the wealth anyone has in America. Yes, $10, we're going to take $2 of it.

That's not going to pass this body, and it shouldn't. It's crazy. Through monetary policy, we can achieve that very same effect and nary a voter said a word.

I'm not telling you it's bad for America. I'm not telling you the folks of the Federal Reserve are out to get America. I'm not saying that at all. These are conscientious men and women who love this country and who are trying to make sure, in line with their Federal mandates, that they are keeping an eye on inflation, that they are keeping an eye on interest rates, that they are keeping an eye on full employment. These are contradictory goals, and they have got to keep them all in the same basket and try to succeed on all fronts.

But the beneficiary, if they succeed, is the American taxpayer. The one who bears the burden if they fail is the American taxpayer. The one that's not involved in the discussion right now about whether it's the right thing to do or the wrong thing to do is the American taxpayer.

I believe this November, Mr. Speaker, we are going to have the largest voter turnout in American history, and I'm thrilled about it because I still believe in America. I still believe in Americans.

When more Americans turn out to have their voice heard, we're going to end up with the right answer. I don't have any idea what the American people are going to decide because at the polls they're still trying to make up their mind in some cases.

But when more of us are involved, we're going to end up with a better decision for America at the end of the day. We need to get those voices involved in Federal Reserve policy.

This chart, Mr. Speaker, is one of my favorites. It goes back to 1962. We go deep, deep, deep into history. I say deep, deep, deep because I'm in my forties; this is before I was born. So I call that deep, deep, deep into history. If you were born before 1962, it might not seem like that far to you, but it's 50 years, Mr. Speaker, of American interest rate policy.

We see here the end of the Carter years and the beginning of the Reagan years before the Reagan tax cuts had a chance to take effect and get the economy back on track. We're talking about sky-high interest rates, but over 50 years of American history, 50 years of American history through Vietnam, through the oil embargoes, through Carter, Reagan, Bush, and Clinton. You look way out to the end of this chart, Mr. Speaker, 2012. You see a collapse in the average 10-year interest rate to the lowest levels that most of us have ever seen in our lifetimes.

□ 2010

These are the interest rates that America ordinarily pays. But we're manipulating the system to pay the lowest interest rates in history. At the same time, we're borrowing the most money in history. The laws of economics tell you that's not what goes on with supply and demand. If there's more demand for debt and less supply and folks to buy, interest rates are supposed to go up. We have more demand than ever before. We have less supply of buyers than ever before in the world marketplace. And yet interest rates are at their lowest level in history.

There's going to come a time, Mr. Speaker, that we're going to have to pay the piper. This is normalcy. This is historical normalcy. What we're experiencing today is temporary, and, by definition, has to be. The same thing is true on 30-year interest rates. In fact, it's even more dramatic. This goes back to 1977, Mr. Speaker, out to 30-year interest rates today. The 30-year U.S. Government interest rate down around 3 percent, Mr. Speaker. Who is it, Mr. Speaker, who wants to trade away $1 today with the agreement that they'll get $1.03 back next year. And that same deal over the next 30 years. Who thinks that dollar is only going to devalue 3 cents a year going out over time?

As I close, I want to make it clear there's a lot of shin-kicking that goes on in this town. I'm not trying to kick the shins of the Federal Reserve. I've got a lot of constituents who think I should. I've got a couple of constituents who think I shouldn't. But what I don't have enough of are voices across the Nation demanding that we take a look at it.

I recommend this article to you. September 11, 2012, again, written by Senator Phil Gramm. That's Phil Gramm of the Gramm-Rudman-Hollings Act. Do you remember that? That was our last serious effort at deficit reduction. This is a gentleman who has been concerned about free markets and American job creation and American debt for a generation. He served here in the House, served in the United States Senate. He crafted, again, some of the biggest budget bills, most progressive, most opportune when it came to seizing the moments to try to change the fiscal direction of the country for the better. He's writing on September 11 about our fiscal future and what's happening at the Federal Reserve.

I'll close with the same way that he closed. He said:

> Some day, hopefully next year, the American economy will come back to life. Banks will begin to lend, the money supply will expand, and the velocity of money will rise. Unless the Fed responds by reducing its balance sheet, inflationary pressure will build rapidly. At that point, the cost of our current monetary policy will be all too clear.
>
> Like Mr. Obama's stimulus policy, Mr. Bernanke's monetary policy expansion will

ultimately have to be paid for. The Fed softened the recession by its decisive actions during the panic of 2008. But the marginal benefits of its subsequent policy have almost certainly been small. We may find the policies that had little positive impact on the recovery today will have high costs, indeed, when they must be reversed in a full-blown expansion.

There's not a man or woman in this country, Mr. Speaker, who's registered to vote who's not thinking about their tax bill, who's not thinking about the economy, who's not thinking about job creation, and who's not going to go to the polls and vote accordingly. Mr. Speaker, I encourage you to encourage your constituents, as I'm going to encourage mine, don't just think about tax policy. Think about monetary policy. What we're doing here in Washington to cut budgets, that's what we'll call fiscal policy. What the Federal Reserve is doing with its balance sheet and with interest rate, that's going to be monetary policy. And it makes a difference. The decisions we make today have to be paid for tomorrow. Perhaps it's the right thing to do today, but if it happens in secret, if it happens unbeknownst to the American taxpayer, the American job creator, the American jobholder, who will ultimately have to foot that bill, then it's not the right course of action for America.

Let's have this debate. Let's talk about it in the light of day. And let's make that decision, Mr. Speaker. Balance those costs and those benefits and do what we know will be best for the American family for another generation to come.

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

NANNY-STATE GOVERNMENT

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

Mr. KING of Iowa. Mr. Speaker, it is my honor and privilege to address you here on the floor of the United States House of Representatives and take up some of the issues that I think are so important to the dialogue before us here and the American people to consider as they listen to our discussion.

A number of things weigh on me as I come to the floor tonight. And one of them is something that I think is emerging in the consciousness of the American people, Mr. Speaker, in a way that really wasn't there before this administration took office, and that is the massive growth of the nanny state here in the United States of America.

We've watched as regulation after regulation have crept in on our regular lives, and some of the things that I've spoken about with you in the past fall down along those lines. For example, the curlicue light bulb. The idea that the Federal Government could ban our 100-watt light bulbs and prohibit us from buying our patriotic Edison light bulbs and require us instead to substitute for those curlicue mercury-laden light bulbs.

Now I'll point out, Mr. Speaker, that I have a good number of those—I'll call them modern—light bulbs in my house. I put them where they make sense. And where they don't make sense, I put in the patriotic Edison bulbs. If I need quick light to walk into a room for just a minute, I want to have an Edison bulb there, not a curlicue, so it lights up right away. I can shut it off right away. It's not on much. It doesn't cost much electricity. If I'm going to have a bulb that's going to be on for quite a long time, then I want to have the energy-efficient bulb. That's a simple decision that a consumer can make—and especially a well-informed consumer. But when you end up with a one-size-fits-all that comes from the Federal Government, you end up with a lot of bad decisions so that it all fits into one formula. That's the light bulb.

Another one is shower heads. Several months ago, the Federal Government fined three companies for selling shower heads that let too much water out. Think of that. Too much water. One size fits all. The water supply in let's say Buffalo, up by Niagara, is different than the water in someplace like Tucson; different than someplace like New Orleans or Florida or Iowa. And so we have one-size-fits-all on shower heads. And here's the brilliant presumption on the part of the nanny state Federal Government: the conclusion that in all cases water is going to be more valuable than time. So people can stand under that shower head and wait for their feet to get wet because over the broad calculation of 300 million people you will save some gallons of water that are more valuable to the mind of the nanny state—certainly, more valuable in the mind of the nanny state—than the time that it takes for someone to stand there and wait to get wet.

Here's another one. The 55 mile-an-hour speed limit that was imposed a long time ago in this country under the belief that if we all drove 55 miles an hour we would save gas and that would help our energy independence and keep us less dependent upon foreign oil. So the Federal Government dialed the speed limit down to the ''double nickle,'' as we called it, and everybody in the country drove 55 for a long time, even on the interstates, with the misguided idea that gas was always worth more than time.

So one day, Mr. Speaker, I was driving down the road in Iowa at 55 miles an hour and I came through this intersection on a county road and I could look in my mirror and see a mile in my mirror, not a car in sight. A lot of cornfields. Looked right, looked left. I could see a mile in either direction. I could see a mile ahead of me. I could cover 4 miles of road by looking out three windows and into a mirror.

And there I am driving down the road looking at cornfields, which I love to look at, at 55 miles an hour. I thought, Why am I doing this? Well, it must be the nanny state that has imposed this on me. And I picked up my phone and called—now there's a law against that in the nanny state—but I called my secretary in one of our offices and said, I want to know how many passenger miles are traveled on the rural roads in Iowa each year. Can you get me that number? She came back to me a little later and said, I can't give you the passenger miles but I can give you the vehicle miles on rural roads.

So I did one of those little calculations on my calculator that works out like this: if we all drove 65 miles an hour instead of 55 miles an hour, that's 10 miles an hour faster. You calculate how much sooner you arrive at your destination by driving 10 miles an hour faster.

□ 2020

Then you calculate that each one of us on the day we were born was granted the actuarial number—at that time I figured it at 76 years—when you figure those hours that you have in your lifetime at 76 years and then you figure out how many hours you spend unnecessarily looking out the windshield at 55 miles an hour, and you calculate the lifespan, and you divide it into the time saved and the miles that are traveled on rural roads in Iowa each year. And it came down to this: that if we drive 65 instead of 55, we will have saved 79.64 lifetimes of living, in other words, getting to our destination, doing something productive. That has value too.

That calculation wasn't made by the nanny state. The nanny state only calculated gas is always worth more than time.

Not so in Germany where people get out on the Autobahn and drive as fast in some locations as they have the nerve to drive under the idea that you get them out on the highway, you get them off the highway, you get them out of the way where they're not going to be congesting traffic, and you get people engaged in doing their regular living in life.

That's the speed limit, the shower nozzles, the curlicue light bulbs, all examples of the nanny state.

But, Mr. Speaker, the examples of the nanny state have surpassed the imagination of almost every one of us that has common sense.

When I look at what has come out of the U.S. Department of Agriculture, for example, the rule that cooperated with the Department of Labor, worked in conjunction with the Department of Labor, and I asked this question under oath of one of the Under Secretaries of the Department of Labor before the Small Business Committee, did the U.S. Department of Agriculture work in cooperation with the Department of Labor to produce these rules that would regulate farm youth labor? The answer was, yes, they worked in cooperation with the Department of Agriculture.

Ag is supposed to know about what goes on in farm families. So Ag worked with Labor and produced rules that said to parents you can no longer control your own children or manage your own children or entrust them to go to work for the neighbors even if those neighbors are aunts or uncles or grandparents of these children.

So they wrote the rule that would prohibit farm youth, other than those that are working right there on a family farm for their parents, outside of that zone, farm youth were prohibited under the rule from being more than 6 feet off the ground so they could go out and climb a tree, but they couldn't go out there and get up on a scaffold and paint the undereaves of the machine shed, for example.

They were prohibited from being engaged in any kind of herding of livestock in a confinement. So they couldn't walk into a hog building, for example, and have any engagement there. They couldn't herd livestock even outdoors from horseback or from any motorized vehicle.

So you'd say to kids, you can't ride horses out here if it has anything to do with what's work. You might be able to do it recreationally, but not with work.

I remember a rule coming at me from a convenience store several years ago, and all they wanted to do was just sell sandwiches and pizza and gas and do those things that come out of a regular convenience store.

The Department of Labor went into the community and interviewed the high school students that were working there, learning a good work ethic, by the way, how to count change, how to hold up their end of the workload.

They interviewed them and they asked them questions. For example, Have you ever worked after 7 o'clock on a school night? One or two of them said, yes, once or twice, and there were two violations of working after 7 o'clock on a school night.

Then it was, Have you ever operated the pizza dough maker? Well, no. None of them had operated the pizza dough maker, but once or twice, one or two of them said, yes, I washed the pizza dough maker, but I didn't operate it.

These kinds of silly things came out of the Department of Labor, and they levied a significant fine against this good family convenience store operation because they alleged that these youth had violated the rule on working past 7 o'clock on a school night and that they had not operated the pizza dough maker, but they had washed it. That little egg beater inside there that turns, they had washed that. That was too much of a risk for a 15-year-old to have their hands on something like that, surely.

So they concluded that the rule reads: operator otherwise use. So washing the pizza dough maker turned into ''otherwise use,'' and levy a fine against this family operation.

Why would anybody stay in business if they had the nanny state gestapo hunting down their employees, interviewing them in their home, these kids that don't have any idea why the Federal Government's sticking their nose into something like this, a completely safe and harmless operation regulated by the Department of Labor when we've got all kinds of laws that can't be enforced and aren't enforced. We've got people doing that.

Or here's another thing that is idiocy on the part of our child labor laws and that is that a 17-year-old young man cannot get on the lawnmower and cut the grass around the gas station if he's working for somebody else. Violates the rule. But he can get in a car that runs 120 miles an hour and turn the radio up and put his girlfriend over there next to him and drive down the road with one hand, talking and laughing. I didn't say he was driving 120, I might point out, for those people who are willfully ignorant, Mr. Speaker, a car that has the capability of going that fast. We'd hand that vehicle over to somebody that's that age, but they can't run the lawnmower. This is going on just constantly.

But the USDA farm labor piece of this thing has gone way too far. And I know they just withdrew the rule, not because they changed their mind, but because there's a political liability involved. I want to keep turning up that political liability so they don't get any more crazy ideas out of that place.

But to pass a rule that farm youth can't be over 6 feet off the ground, that they can't herd livestock in confinement, that they can't herd livestock from horseback or from the seat of any motorized four-wheeler quad, that we would call it, that's all banned specifically by this rule. Right down to the point where HSUS must have been in the room writing these rules, because they also wrote rules that the youth cannot be around anything to do with livestock that inflicts pain upon the livestock.

Now, there are a number of things that happen that are painful to a newborn baby, I might add, Mr. Speaker, as well as to animals, that's for their best interest and best good, most of it.

But if a 15-year-old girl can go get her ears pierced without having any permission from her parents and presumably that inflicts pain upon those earlobes, I'm told it does, but that same girl who can opt into her own earpiercing cannot watch while a calf is being ear-tagged because the nanny state has decided that somehow that would damage her psyche to be around that operation.

This is nanny state run amok. It's a reach of the Federal Government into all of these aspects of our lives that's just so completely intolerable for a free people, and we need to push back, Mr. Speaker; and so we are pushing back on some of this.

But the one that stands out, I think, the most, it emanates from the First Lady, Michelle Obama. In the lame duck session in 2010, the discredited Congress here and, I'll say, down the hallway in the Senate, passed a bill out of there. It's called the Healthy, Hunger-Free Kids Act, Mr. Speaker.

The Healthy, Hunger-Free Kids Act was written and passed to satisfy the wishes of the First Lady who had the Let's Move Initiative to get our youth in shape. Now, that on its face is okay, and it's probably pretty good that we inspire our youth to get some exercise. After all, that is a big part of the problem with overweight youth.

It's been well publicized that 30 percent of our youth are overweight. Now, I haven't gone back to question that number. It seems to be a number that's accepted. But if it could be a higher number, I think we'd probably hear that out of the White House.

Thirty percent of our youth are overweight, and there's your consensus number, true or not.

Clear back when Bob Gates was the Secretary of Defense under Barack Obama, Mr. Speaker, he made the statement that since 30 percent of our youth are overweight, it is a national security issue because we can't recruit enough troops to go through basic training and be able to keep them trained up into shape, to keep our Nation ready for whatever might threaten us because youth obesity was prohibiting our national security.

Now, that causes me to pause, Mr. Speaker, when the Secretary of Defense has all of these things to worry about, and you've got everything from missile defense to our ground troops and multiple places in the world where we have a presence and where we need a presence and threats all over the globe and the Secretary of Defense is making a political statement that 30 percent of our youth are overweight and national security is at stake, so therefore we need to do something to cut down on the weight of these kids.

So, I think how is it that we can't recruit enough people in our military, even if there are 30 percent that are overweight and the other 70 percent don't fill the ranks enough voluntarily. Wouldn't you go ahead and take somebody that's 5 or 10 or 15 or 20 or 50 pounds overweight, put them into basic training and just say you didn't make weight so you're still in basic training and we'll keep you in basic training until you do make weight?

□ 2030

That is not that complicated. How can a nation conclude that it's a national security issue, that we can't solve that problem.

You take an 18-year-old young man or woman, and if they're 30 percent overweight—and maybe that's 30 pounds overweight—it doesn't damage their skeletal system or their muscular system or their nervous system; it's just a matter of carrying too much weight around, and you shrink that down and they're good to go. If that wasn't the case, there wouldn't be so many healthy people around here that

formerly were obese. They turn themselves around, they get a good diet and exercise plan, they get slim—and a lot of them stay slim for life—and they live healthy and happy thereafter. And I'm glad to see that. That's what we should do. But we can't be a nation that throws up our hands and says America is in danger because we haven't addressed childhood obesity. That is over-hype.

I sat down with some food retailers shortly after Mrs. Obama brought her initiative to get people to lose weight in this country, and they said to me: We're going to take 1.5 trillion calories off the diets of our young people, and in doing so our goal is that they will lose weight and get back in shape. And so how are you going to do that? And their answer was: Well, there is this Power Bar that kids like, and it's 150 calories. We're going to reduce the calories in it down to 90. And then in the single-serving Dorito bags, we're going to take a couple of chips out of there, and then that way we're going to fool these kids into eating fewer calories because they must have a habit that they're going to only eat one Power Bar and they're only going to eat one single-serving bag of Doritos.

Mr. Speaker, it's pretty simple: These kids aren't overweight because there were too many calories in the Power Bar or one or two too many chips in the single-serving Dorito bag; they're overweight because they have a voracious appetite, and they don't exercise enough. You cannot fool them by giving them a 90-calorie Power Bar; they will eat two of them and consume not 150 calories but 180 calories. And you can't fool them by taking a couple of chips out of the Dorito bag. They'll just open another bag of Doritos. That's the reality of real life. And somehow we get this myopic vision out of the nanny state that there's a way to trick people into getting slimmer.

This gets so bad, Mr. Speaker, that in marking up the previous farm bill in 2007, usually they like to bring somebody in to call for more food stamps that's maybe suffering from malnutrition, or at least they've been hungry part of lives. They couldn't, apparently, find any witnesses like that any longer because the food stamps have been pushed out so hard in this country that they seem to be ubiquitously available. And so they brought in Janet Murguia, the president of La Raza—that's the organization ''The Race.'' This was in March of 2007. She testified that one of the growing problems of obesity is that even though most people know where their next meal is coming from, they don't know where all their meals are coming from. Therefore, they tend to overeat, and when they overeat they become obese. So if we would just give them an unlimited amount of food stamps, then they wouldn't be so concerned about this food insecurity. They would eat less, lose weight, and all would be well with the world.

That is a bizarre thought, Mr. Speaker. I can't embrace that way of thinking. I didn't even know how to argue against it. It caught me so far off balance that people are overweight because they don't have enough food stamps, so we'll give them more food stamps and they will lose weight. I deal with this kind of irrational irrationality here in this Congress constantly. It's no wonder that people call for a voice of common sense in this place.

So, Mr. Speaker, that's the food stamp argument, the nanny state argument. But it takes me to the school lunch program. The school lunch program is out of control. It is this Healthy, Hunger-Free Kids Act, which is the First Lady's bill, that regulates the diet of every kid going to school in America. I went into lunch at Remsen-Union here this week to sit down with them. First I gave them a program on the Constitution—they were great, and I look forward to going back there, I hope. Good, good, young people.

When I finished up, I said, Now it's lunchtime. I'm going to go eat your lunch. And they said, oh, you're not going to really, are you? Sure, I did. I sat down. And not picking on their program, it's rationed by the United States Department of Agriculture. They did not have the authority granted to them specifically in the Healthy, Hunger-Free Kids Act to ration calories to our kids, but that's exactly what they've done, Mr. Speaker. They've reached into and grabbed an authority that didn't exist and decided to opt into rationing calories to our kids in all of these schools.

So for the first time in the history of this country—we've had nutrition standards, nutrition minimums; you don't give them less nutrition, you don't give them fewer calories than this standard—and that standard has been published, and it's well known among our school lunch program. But Michelle Obama's Healthy, Hunger-Free Kids Act, as interpreted by Secretary of Agriculture Tom Vilsack, sets caps on calories that kids can get to eat.

So, for example, a high school football player, a senior high school, for example, 250-pound lineman—growing, robust, active, working out every day—is rationed to 600 calories for breakfast, 850 calories for lunch. That's 1,450 calories. Now, if you give them another dose of, say, 800 calories for supper, you'll fall far short of the calories he needs to maintain his exercise level and his weight.

For me, I need 2,841 calories a day to maintain my weight. That's the formula, and that's also something in practice that I've measured and charted on a spread sheet; 2,841. If you put me on that diet, the ration that the Department of Agriculture is giving these kids, every 8 days, if I'm constricted to that diet—and that's granting 850 calories for a third meal of the day—I would lose a pound every 8 days. I'm past my growth spurt. They exercise a lot more than I do—or at least they should. That's how misguided this is.

Same number of calories for a kindergartner as for a fifth-grader. I believe the minimum number is 550 calories. And so a 30-pound kindergartner—which would be a small one—versus a 120-pound fifth grader—which would be a large one—get the same amount of calories. Generally, a fifth-grader is twice as large as a kindergartner. They get the same amount of calories, and it's capped.

Another thing that is so bad about this, Mr. Speaker, is that the youth that come in that have the money can go ahead and buy extra food a la carte. So they'll go back, if they've got the money, and buy an extra hot dog and go back and fill themselves up. But these kids that are on free and reduced lunches don't have that money in their pocket, and they're sitting there watching their better-off friends go back for a whole second helping, or the second helpings that they like. It is stigmatizing these kids that are on free and reduced lunch. It should not be. It sets up the wrong scenario in our schools.

This Healthy, Hunger-Free Kids Act says this: The USDA has the right ''to set nutritional standards for all foods regularly sold in schools during the school day, including vending machines, the a la carte lunch lines, and school stores.''

That's what the bill says. The Department of Agriculture and Secretary Vilsack have decided they're going to cap the calories. It doesn't give the specific authority; they just decided they're going to cap the calories so that—now, here's the formula: 30 percent of kids are overweight by their estimate, so 100 percent of them go on a diet. That's the mentality of the nanny state, Mr. Speaker.

And where does this food come from? Agriculture, of course. We have been working to push a farm bill through this Congress for a long time. About a year ago last May, I and my staff and a number of others began putting together a bill. As we went out into the Ag community and asked them for their input on what they'd like to see and what changes in the bill, one thing that came back that stood out above all others is we need a good risk management program. That means crop insurance is the centerpiece of it. I set about to hold that together, and we did the research and laid the foundation. And so far we've held that crop insurance, I think, together pretty well, Mr. Speaker. But that's the crop insurance piece.

Many other pieces—the nutrition side of this. We've gone from 19 million people on food stamps to up now to 47 million people on food stamps. That, Mr. Speaker, is a number that creates expanded dependency in the country. The intention of the President and his party. An expanded dependency class votes more for them.

□ 2040

An independency class votes more for us guys. So they have pushed food stamps out into people. They've spent millions of dollars advertising food stamps so more people sign up on the SNAP program; and in doing so, they expand the dependency people, those that rely on government. That's been part of the mistake. We set about reforming that.

We have a tattoo parlor with a neon light that says we take EBT cards. So, food stamp money goes for tattoos.

We also have a fellow that bailed himself out of jail with his EBT card. They're being sold for cash and discounted.

That's some of the things that are going on. We need to tighten that up, and the House Ag Committee tightened it up. We tightened it up to reduce those dollars going in so that the people that should not be receiving the food stamps are less likely to get them, and that saved about $16 billion out of the duration of this program, Mr. Speaker. That's one of the reforms in the farm bill.

Holding the risk management program together for agriculture and reducing the waste and the fraud and the corruption in food stamps was an important thing. That's what the House Ag Committee bill is about, Mr. Speaker, and I want to see it come to the floor, the committee product come to the floor. I'd like to see it come to the floor just under a closed rule. Let's vote it up or down and let's see where it goes. If it fails, it fails. Then we can go back to the drawing board. If we fail to try, that will be labeled a failure.

I came to this city this week to make that point over and over again, Mr. Speaker. We need to move a farm bill out of this House of Representatives. And I recognize that procedurally, at this point, as I stand here tonight, that is an impossibility under the rules of this House. So the best that we can hope for is to bring a farm bill to the floor as soon as we come back after the election.

I've asked the Speaker to do this. I've asked the majority to do this. I'm working closely in direct cooperation with the chairman of the Ag Committee, FRANK LUCAS of Oklahoma, who has done a stellar job on bringing a good bill out of committee and preparing it for floor action. He was an utter maestro in putting that bill together, and the work that was done by the chairman and many others, including Ranking Member PETERSON, Democrats and Republicans, resulted in a bill coming out of the Ag Committee that only had 11 ''no'' votes, and it was a bipartisan support for the bill. The opposition was also bipartisan, but it was only 11. So whatever the bar was, however high it was, we've cleared the bar.

We need to bring a bill to the floor. We need to provide that kind of stability and predictability to the ag community so that they can plan next year's crops and plan their lives.

What comes out of this House and out of this Congress and is signed by the President affects land prices, equipment purchases, land sales, farm rentals, the whole configuration, a lot of it is looking down on this farm bill.

So let's get it done. I'm looking for that full 100 percent commitment to bring the bill up to the floor when we come back. We've gotten a strong statement out of the Speaker that that's what will happen. I'm looking for reinforcement on that statement before we gavel out tomorrow, Mr. Speaker.

But it's essentially important to us that we know which direction we're going on agriculture. It isn't so critical, the policy standpoint, between now and December 31, but knowing, for planning purposes, is valuable. And if we get to, say, December 31 without a farm bill, then we do have a problem on our hands.

In the meantime, it's my strongest urging that we hear that kind of commitment from the Speaker and the other leadership, that we'll take this bill up and take it to the floor. It's a strong message now. I'd like to see it become a full commitment before we leave this House tomorrow afternoon to go back for our elections.

So, Mr. Speaker, I have vented myself to some degree. I think I've helped inform this body about the nanny state that threatens to subsume this God-given American liberty and issued my urging that we move a farm bill and that we get a commitment to do so when we come back in November.

I appreciate your attention and the work that we've done here together as Democrats and Republicans and how we've reflected the voice of the American people. After the election, I hope we get the kind of help in the Senate that we received in the House in 2010.

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

HOUSE BILLS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates, he had approved and signed bills of the following titles:

June 29, 2012:

H.R. 6064. An Act 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.

July 6, 2012:

H.R. 4348: An Act to authorize funds for Federal highways, highway safety programs, and transit programs, and for other purposes.

July 9, 2012:

H.R. 33. An Act to amend the Securities Act of 1933 to specify when certain securities issues in connection with church plans are treated as exempted securities for purposes of that Act.

H.R. 2297. An Act to promote the development of the Southwest waterfront in the District of Columbia, and for other purposes.

July 18, 2012:

H.R. 3902. An Act to amend the District of Columbia Home Rule Act to revise the timing of special elections for local office in the District of Columbia.

July 23, 2012:

H.R. 4155. An Act to direct the head of each Federal department and agency to treat relevant military training as sufficient to satisfy training or certification requirements for Federal licenses.

July 26, 2012:

H.R. 3001. An Act to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

July 30, 2012:

H.R. 205. An Act to amend the Act titled 'An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases', approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior, and for other purposes.

August 3, 2012:

H.R. 2527. An Act to require the Secretary of the Treasury to mint coins in recognition and celebration of the National Baseball Hall of Fame.

August 6, 2012:

H.R. 1627. An Act to amend title 38, United States Code, to furnish hospital care and medical services to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune, to improve the provision of housing assistance to veterans and their families, and for other purposes.

August 7, 2012:

H.R. 5872. An Act to require the President to provide a report detailing the sequester required by the Budget Control Act of 2011 on January 2, 2013.

August 10, 2012:

H.R. 1369. An Act to designate the facility of the United States Postal Service located at 1021 Pennsylvania Avenue in Hartshorne, Oklahoma, as the ''Warren Lindley Post Office''.

H.R. 1560. An Act to amend the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act to allow the Yslets. del Sur Pueblo Tribe to determine blood quantum requirement for membership in that tribe.

H.R. 1905. An Act to strengthen Iran sanctions laws for the purpose of compelling Iran to abandon its pursuit of nuclear weapons and other threatening activities, and for other purposes.

H.R. 3276. An Act to designate the facility of the United States Postal Service located at 2810 East Hillsborough Avenue in Tampa, Florida, as the ''Reverend Abe Brown Post Office Building''.

H.R. 3412. An Act to designate the facility of the United States Postal Service located at 1421 Veterans Memorial Drive in Abbeville, Louisiana, as the ''Sergeant Richard Franklin Abshire Post Office Building''.

H.R. 3501. An Act to designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the ''SPC Nicholas Scott Hart Post Office''.

H.R. 3772. An Act to designate the facility of the United States Postal Service located at 150 South Union Street in Canton, Mississippi, as the ''First Sergeant Landres Cheeks Post Office Building''.

H.R. 5986. An Act to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United

States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

August 16, 2012:

H.R. 1402. An Act to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicle; in parking areas under the jurisdiction of the House of Representatives at no net cost to the Federal Government.

H.R. 3670. An Act to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

H.R. 4240. An. Act to reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

September 20, 2012:

H.R. 6336. An Act to direct the Joint Committee on the Library to accept a statue depicting Frederick Douglass from the District of Columbia and to provide for the permanent display of the statue in Emancipation Hall of the United States Capitol.

SENATE BILLS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following date, he had approved and signed bills of the Senate of the following titles:

June 27, 2012:

S. 404. An Act to modify a land grant patent issued by the Secretary of the Interior.

S. 684. An Act to provide for the conveyance of certain parcels of land to the town of Alta, Utah.

S. 997. An Act to authorize the Secretary of the Interior to extend a water contract between the United States and the East Bench Irrigation District.

July 9, 2012:

S. 3187. An Act to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish userfee programs for generic drugs and biosimilars, and for other purposes.

July 18, 2012:

S. 2061. An Act to provide for an exchange of land between the Department of Homeland Security and the South Carolina State Ports Authority.

July 26, 2012:

S. 2009. An Act to improve the administration of programs in the insular areas, and for other purposes.

July 27, 2012:

S. 2165. An Act to enhance strategic cooperation between the United States and Israel, and for other purposes.

August 3, 2012:

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

August 10, 2012:

S. 270. An Act to direct the Secretary of the Interior to convey certain Federal land to Deschutes County, Oregon.

S. 271. An Act to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon, and for other purposes.

S. 679. An Act to reduce the number of executive positions subject to Senate confirmation.

S. 739. An Act to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the Senate at no net cost to the Federal Government.

S. 1959. An Act to require a report on the designation of the Haqqani Network as a foreign terrorist organization and for other purposes.

S. 3363. An Act to provide for the use of National Infantry Museum and Soldier Center Commemorative Coin surcharges, and for other purposes.

August 16, 2012:

S. 3510. An Act to prevent harm to the national security or endangering the military officers and civilian employees to whom Internet publication of certain information applies, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles.

S. 3245. An act to extend by 3 years the authorization of the EB–5 Regional Center Program, the E-Verify Program, the Special Immigrant Nonminister Religious Worker Program, and the Conrad State 30 J–1 Visa Waiver Program.

S. 3552. An act to reauthorize the Federal Insecticide, Fungicide, and Rodenticide Act.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 44 minutes p.m.), the House adjourned until tomorrow, Friday, September 21, 2012, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

7904. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — End-User Exception to the Clearing Requirement for Swaps (RIN: 3038-AD10) received August 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7905. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Swap Transaction Compliance and Implementation Schedule: Clearing Requirement Under Section 2(h) of the CEA (RIN: 3038-AD60) received August 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7906. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Olives Grown in California; Increased Assessment Rate [Doc. No.: AMS-FV-11-0093; FV12-932-1 FR] received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7907. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Milk in the Mideast Marketing Area; Order Amending the Order [Doc. No.: AO-11-0333; AMS-DA-11-0067; DA-11-04] received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7908. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Specialty Crops; Import Regulations; New Pistachio Import Requirements [Doc. No.: AMS-FV-09-0064; FV09-999-1 FR] received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7909. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Cotton Board Rules and Regulations: Adjusting Supplemental Assessment on Imports [Doc. #: AMS-CN-11-0091] received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7910. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — National Organic Program (NOP); Sunset Review (2012); Correction [Doc. No.: AMS-NOP-09-0074; NOP-09-01FR] (RIN: 0581-AC96) received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7911. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — National Organic Program; Amendments to the National List of Allowed and Prohibited Substances (Crops, Livestock and Processing) [Document Number: AMS-NOP-11-0058; NOP-11-09FR] (RIN: 0581-AD15) received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7912. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Tomatoes Grown in Florida; Increased Assessment Rate [Doc. No.: AMS-FV-11-0080; FV11-966-1 FR] received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7913. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Livestock Mandatory Reporting Program; Establishment of the Reporting Regulation for Wholesale Pork [Doc. No.: AMS-LS-11-0049] (RIN: 0581-AD07) received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7914. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Dinotefuran; Pesticide Tolerances [EPA-HQ-OPP-2011-0433; FRL-9359-6] received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7915. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Polyoxin D zinc salt; Amendment to an Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2011-1028; FRL-9360-6] (RIN: 2070) received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7916. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cyprodinil; Pesticide Tolerances [EPA-HQ-OPP-2011-0394; FRL-9359-7] received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7917. A letter from the Acting Director, Office of Management and Budget, transmitting the OMB's Sequestration Update Report to the President and Congress for Fiscal Year 2013; to the Committee on Appropriations.

7918. A letter from the Under Secretary, Department of Defense, transmitting Report on the Assessment of Industrial Base for Night Vision Image Intensification Sensors, pursuant to Public Law 112-81, section 854(b) (125 STAT. 1521); to the Committee on Armed Services.

7919. A letter from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting a report pursuant to Section 1014 of the Dodd-Frank Wall Street Reform and Consumer Protection Act; to the Committee on Financial Services.

7920. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National

Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa-9(c),and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995; to the Committee on Financial Services.

7921. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corportations's final rule — Risk-Based Capital Guidelines: Market Risk (RIN: 3064-AD70) received September 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7922. A letter from the Acting Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule — Audit Requirements for Third Party Conformity Assessment Bodies [CPSC Docket No.: CPSC-2009-0061] received September 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7923. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — D&C Red No. 6 and D&C Red No. 7; Change in Specification; Confirmation of Effective Date [Docket No.: FDA-2011-C-0050] received September 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7924. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — World Trade Center Health Program; Addition of Certain Types of Cancer to the List of WTC-Related Health Conditions [Docket No.: CDC-2012-0007; NIOSH-257] (RIN: 0920-AA49) received September 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7925. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Health Information Technology: Standards, Implementation Specifications, and Certification Criteria for Electronic Health Record Technology, 2014 Edition; Revisions to the Permanent Certification Program for Health Information Technology (RIN: 0991-AB82) received August 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7926. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; New Hampshire; Hot Mix Asphalt Plants [EPA-R01-OAR-2012-0620; A-1-FRL-9719-1] received August 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7927. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; New Hampshire; Regional Haze [EPA-R01-OAR-2008-0599; A-1-FRL-9716-7] received August 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7928. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Tennessee; Knoxville; Fine Particulate Matter 2002 Base Year Emissions Inventory [EPA-R04-OAR-2010-0153(a); FRL-9717-5] received August 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7929. 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; Connecticut, Massachusetts, and Rhode Island; Reasonable Further Progress Plans and 2002 Base Year Emission Inventories [EPA-R01-OAR-2008-0117; EPA-R01-OAR-2008-0107; EPA-R01-OAR-2008-0445; FRL-9672-5] received August 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7930. 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; Nevada; Regional Haze State and Federal Implementation Plans; BART Determination for Reid Gardner Generating Station [EPA-R09-OAR-2011-0130; FRL 9700-4] received August 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7931. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Oregon; Regional Haze State Implementation Plan [EPA-R10-OAR-2012-0344; FRL-9718-9] received August 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7932. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District [EPA-R09-OAR-2011-0571; FRL-9691-1] received August 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7933. 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; Michigan; PSD and NSR Regulations [EPA-R05-OAR-2011-0826; FRL-9725-6] received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7934. A letter from the Director, Regulatory Management Divison, Environmental Protection Agency, transmitting the Agency's ''Major'' final rule — 2017 and Later Model Year Light-Duty Vehicle Greenhouse Gas Emissions and Corporate Average Fuel Economy Standards [EPA-HQ-OAR-2010-0799; FRL-9706-5; NHTSA-2010-0131] (RIN: 2060-AQ54; RIN 2127-AK79) received September 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7935. 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; West Virginia; Amendments to West Virginia's Ambient Air Quality Standards [EPA-R03-OAR-2011-0958; FRL-9725-4] received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7936. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; California; Determinations of Attainment for the 1997 8-Hour Ozone Standard [EPA-R09-OAR-2011-0492; FRL-9726-6] received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7937. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri; Maximum Allowable Emission of Particulate Matter from Fuel Burning Equipment Used for Indirect Heating [EPA-R07-OAR-2012-0466; FRL-9726-2] received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7938. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Virginia; Revisions to the State Implementation Plan Approved by EPA Through Letter Notice Actions [EPA-R03-OAR-2012-0280; FRL-9724-8] received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7939. 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 the Pulp and Paper Industry [EPA-HQ-OAR-2007-0544; FRL-9684-7] (RIN: 2060-AQ41) received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7940. A letter from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of: Special Access for Price Cap Local Exchange Carriers; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services [WC Docket No.: 05-25] (RM-10593) received September 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7941. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Interim Staff Guidance; Japan Lessons Learned Project Directorate (JLD) Compliance with Order EA-2012-051, Reliable Spent Fuel Pool Instrumentation JLD-ISG-12-03 received September 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7942. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-53, pursuant to the reporting requirements of Section 3(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

7943. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-119, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7944. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-100, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7945. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-114, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7946. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-105, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7947. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-079, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7948. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-090, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7949. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-129, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7950. A letter from the Director, International Broadcasting Bureau, Broadcasting Board of Governors, transmitting Fiscal Year 2012 Federal Activities Inventory Reform Act submission; to the Committee on Oversight and Government Reform.

7951. A letter from the Associate General Counsel, Department of Agriculture, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7952. A letter from the Deputy Chief, National Forest System, Department of Agriculture, transmitting the Department's report on the detailed boundary of the Wild and Scenic Rivers Au Sable, Bear Creek, Manistee, and Pine in Michigan, pursuant to 16 U.S.C. 1274; to the Committee on Natural Resources.

7953. A letter from the Deputy Chief, National Forest System, Department of Agriculture, transmitting the Department's report on the exterior boundary of White Solomon Wild and Scenic River, pursuant to 16 U.S.C. 1274; to the Committee on Natural Resources.

7954. A letter from the Deputy Chief, National Forest System, Department of Agriculture, transmitting the Department's report on the exterior boundary of the McKenzie Wild and Scenic River, pursuant to 16 U.S.C. 1274; to the Committee on Natural Resources.

7955. A letter from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — 2012-2013 Refuge-Specific Hunting and Sport Fishing Regulations [Docket No.: FWS-R9-NWRS-2012-0022] (RIN: 1018-AY37) received September 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7956. A letter from the Federal Register Liaison Officer, Department of Commerce, transmitting the Department's final rule — CPI Adjustment of Patent Fees for Fiscal Year 2013 [PTO-C-2011-0007] (RIN: 0651-AC55) received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7957. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — L & S Industrial & Marine, Inc. v. United States received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7958. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Guidance on Pension Funding Stabilization under the Moving Ahead for Progress in the 21st Century Act (MAP-21) [Notice 2012-61] received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7959. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2012-56] received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7960. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Per Capita Payments from Proceeds of Settlements of Indian Tribal Trust Cases [Notice 2012-60] received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7961. A letter from the Chairman, Railroad Retirement Board, transmitting the Annual Report of the Railroad Retirement Board for Fiscal Year ending September 30, 2011; jointly to the Committees on Transportation and Infrastructure and Ways and Means.

7962. A letter from the Chairman, Railroad Retirement Board, transmitting the Board's budget request for fiscal year 2014, in accordance with Section 7(f) of the Railroad Retirement Act; jointly to the Committees on Appropriations, Transportation and Infrastructure, and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 4965. A bill to preserve existing rights and responsibilities with respect to waters of the United States, and for other purposes; with an amendment (Rept. 112–681). Referred to the Committee of the Whole House on the state of the Union.

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 5961. A bill to provide reasonable limits, control, and oversight over the Environmental Protection Agency's use of aerial surveillance of America's farmers; with an amendment (Rept. 112–682). Referred to the Committee of the Whole House on the state of the Union.

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 4278. A bill to amend the Federal Water Pollution Control Act with respect to permit requirements for dredged or fill material (Rept. 112–683). Referred to the Committee of the Whole House on the state of the Union.

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 2541. A bill to amend the Federal Water Pollution Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements; with an amendment (Rept. 112–684). Referred to the Committee of the Whole House on the state of the Union.

Mr. KING of New York: Committee on Homeland Security. H.R. 3563. A bill to amend the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to modernize and implement the national integrated public alert and warning system to disseminate homeland security information and other information, and for other purposes; with an amendment (Rept. 112–685, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 3563 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. OLSON (for himself, Mrs. BLACKBURN, Mr. GENE GREEN of Texas, and Mr. MATHESON):

H.R. 6444. A bill to amend the Clean Air Act to require the Administrator of the Environmental Protection Agency to establish a system for the certification of the validity of credits to be used for compliance with the renewable fuel program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. THOMPSON of Pennsylvania (for himself, Mr. LOEBSACK, Mr. MARINO, Mr. WEST, and Mr. JONES):

H.R. 6445. A bill to amend title II of the Social Security Act to provide that the waiting period for disability insurance benefits shall not be applicable in the case of a recovering service member; to the Committee on Ways and Means.

By Mr. ROSKAM (for himself and Mr. LANCE):

H.R. 6446. A bill to create incentive for innovative diagnostics by improving the process for determining Medicare payment rates for new tests; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HONDA (for himself and Mr. HINOJOSA):

H.R. 6447. A bill to improve quality and accountability for educator preparation programs; to the Committee on Education and the Workforce.

By Mr. PRICE of North Carolina (for himself, Mr. VAN HOLLEN, Mr. JONES, Mr. LARSON of Connecticut, Mr. BRADY of Pennsylvania, Ms. ESHOO, and Mr. SARBANES):

H.R. 6448. A bill to amend the Internal Revenue Code of 1986 to reform the system of public financing for Presidential elections, to establish a system of public financing for Congressional elections, to promote the disclosure of disbursements made in coordination with campaigns for election for Federal office, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas (for himself, Mr. BARTLETT, Mr. BURTON of Indiana, Mr. WALSH of Illinois, Mr. ROSS of Florida, Mr. POSEY, Mr. DUNCAN of South Carolina, and Mr. PEARCE):

H.R. 6449. A bill to establish an air travelers' bill of rights, to implement those rights, and for other purposes; to the Committee on Homeland Security.

By Mr. COSTELLO (for himself and Mr. SHIMKUS):

H.R. 6450. A bill to facilitate and expedite the review of proposed improvements to Federal flood control projects to be constructed by local sponsors, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LANDRY:

H.R. 6451. A bill to direct the Secretary of Transportation to ensure that on-duty time does not include waiting time at a natural gas or oil well site for certain commercial motor vehicle operators, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LANDRY:

H.R. 6452. A bill to provide limitations on United States assistance, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AMODEI:

H.R. 6453. A bill to facilitate planning, permitting, administration, implementation, and monitoring of pinyon-juniper dominated landscape restoration projects within Lincoln County, Nevada, and for other purposes; to the Committee on Natural Resources.

By Mrs. BIGGERT:

H.R. 6454. A bill to amend the Department of Energy High-End Computing Revitalization Act of 2004 to improve the high-end computing research and development program of the Department of Energy, and for other purposes; to the Committee on Science, Space, and Technology.

By Ms. BROWN of Florida:

H.R. 6455. A bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Science, Space, and Technology, the Judiciary, Ways and Means, Foreign Affairs, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCSHON (for himself, Mr. QUIGLEY, Mr. CARNEY, Mr. BOSWELL, Mr. HULTGREN, Mr. GUINTA, Mr. CARSON of Indiana, Mr. BURTON of Indiana, Mr. BONNER, Mr. PENCE, Mr. FARENTHOLD, Mr. SCHILLING, Mr. RENACCI, Mr. CRAWFORD, Mrs. SCHMIDT, Ms. HERRERA BEUTLER, Mr. LANKFORD, Mr. LOBIONDO, Mr. SOUTHERLAND, Mr. YOUNG of Indiana, and Mr. GIBBS):

H.R. 6456. A bill to amend title 49, United States Code, to permit a State to issue a commercial driver's license to a member of the Armed Forces whose duty station is located in the State; to the Committee on Transportation and Infrastructure.

By Mr. CARSON of Indiana (for himself, Ms. NORTON, Mr. GRIJALVA, and Mr. RANGEL):

H.R. 6457. A bill to provide grants to enhance the most effective freezing methods to improve access to affordable and locally produced specialty crops; to the Committee on Agriculture.

By Mr. CARSON of Indiana:

H.R. 6458. A bill to require institutions of higher education to provide students with information from the Occupational Employment Statistics program and the Occupational Outlook Handbook of the Bureau of Labor Statistics, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CASSIDY (for himself, Mr. BOUSTANY, Mr. HARPER, Mr. PALAZZO, Mr. ALEXANDER, Mr. LANDRY, Mr. RICHMOND, Mr. NUNNELEE, and Mr. SCALISE):

H.R. 6459. A bill to provide tax relief with respect to the Hurricane Isaac disaster area; to the Committee on Ways and Means, and in addition to the Committee on Appropriations, 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. ELLISON (for himself and Mr. PETERS):

H.R. 6460. A bill to modify provisions of law relating to refugee resettlement, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Foreign Affairs, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FUDGE:

H.R. 6461. A bill to prevent childhood obesity; to the Committee on Energy and Commerce.

By Mr. GARDNER (for himself, Mr. MATHESON, and Mr. TIPTON):

H.R. 6462. A bill to amend the Internal Revenue Code of 1986 to facilitate water leasing and water transfers to promote conservation and efficiency; to the Committee on Ways and Means.

By Mr. GINGREY of Georgia:

H.R. 6463. A bill to amend title 31, United States Code, to require the President to submit with the budget an estimate of the deficit using generally accepted accounting principles; to the Committee on the Budget.

By Mr. HECK:

H.R. 6464. A bill to direct the Secretary of Veterans Affairs to accept certain documents as proof of service in determining the eligibility of an individual to receive amounts from the Filipino Veterans Equity Compensation Fund, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HUNTER (for himself, Mr. JONES, Mr. CAMPBELL, Mr. WESTMORELAND, and Mrs. MYRICK):

H.R. 6465. A bill to restrict COPS funding for States that grant driver's licenses to certain illegal immigrants; to the Committee on the Judiciary.

By Mr. KISSELL:

H.R. 6466. A bill to amend title XVIII of the Social Security Act to exempt certain hospice programs from the limitation applicable to payments for hospice care under the Medicare program, and for other purposes; to the Committee on Ways and Means.

By Mr. LANGEVIN (for himself, Mr. MILLER of North Carolina, Mr. CICILLINE, Ms. BONAMICI, and Mr. SIRES):

H.R. 6467. A bill to require a portion of closing costs to be paid by the enterprises with respect to certain refinanced mortgage loans, and for other purposes; to the Committee on Financial Services.

By Mr. MARKEY (for himself, Mr. BLUMENAUER, and Mr. PASCRELL):

H.R. 6468. A bill to amend the Internal Revenue Code of 1986 to clarify that tar sands are crude oil for purposes of the Federal excise tax on petroleum; to the Committee on Ways and Means.

By Mr. MCKEON:

H.R. 6469. A bill to direct the Secretary of the Interior, acting through the Bureau of Land Management, to conduct a study of the legal and administrative steps necessary to carry out the goals of H.R. 4332, the Soledad Canyon High Desert, California Public Lands Conservation and Management Act of 2009 of the 111th Congress; to the Committee on Natural Resources.

By Mr. MULVANEY (for himself, Mr. SCHRADER, Mrs. SCHMIDT, Mr. DUNCAN of Tennessee, Mr. DUNCAN of South Carolina, Mr. SOUTHERLAND, Mr. GUTHRIE, and Ms. CHU):

H.R. 6470. A bill to define urban rodent control for purposes of clarifying the control of nuisance mammals and birds carried out by the Wildlife services program of the Animal and Plant Health Inspection Service and by the private sector, and for other purposes; to the Committee on Agriculture.

By Mr. MURPHY of Connecticut:

H.R. 6471. A bill to amend title 10, United States Code, to provide for the employment of an additional instructor for units of the Junior Reserve Officers' Training Corps in which a large percentage of the student population is enrolled; to the Committee on Armed Services.

By Mr. NEAL (for himself, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. BLUMENAUER, Mr. KIND, and Mr. ELLISON):

H.R. 6472. A bill to amend the Internal Revenue Code of 1986 to expand the availability of the saver's credit, to make the credit refundable, and to make Federal matching contributions into the retirement savings of the taxpayer; to the Committee on Ways and Means.

By Mr. POSEY:

H.R. 6473. A bill to designate the facility of the United States Postal Service located at 500 North Brevard Avenue in Cocoa Beach, Florida, as the ''Richard K. Salick Post Office''; to the Committee on Oversight and Government Reform.

By Mr. ROSS of Florida:

H.R. 6474. A bill to adopt the seven immediate reforms recommended by the National Commission on Fiscal Responsibility and Reform to reduce spending and make the Federal government more efficient; to the Committee on Ways and Means, and in addition to the Committees on Oversight and Government Reform, House Administration, Rules, 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. RUPPERSBERGER (for himself and Mr. YOUNG of Alaska):

H.R. 6475. A bill to authorize the Secretary of Commerce, through the National Oceanic and Atmospheric Administration, to establish a constituent-driven program that collects priority coastal geospatial data and supports an information platform capable of efficiently integrating coastal data with decision support tools, training, and best practices to inform and improve local, State, regional, and Federal capacities to manage the coastal region; to the Committee on Natural Resources.

By Ms. LINDA T. SÁNCHEZ of California:

H.R. 6476. A bill to amend title XVIII of the Social Security Act to provide for coverage of certified adult day services under the Medicare program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIRES:

H.R. 6477. A bill to strengthen America's financial infrastructure, by requiring prefunding for catastrophe losses using private insurance premium dollars to protect taxpayers from massive bailouts, and to provide dedicated funding from insurance premiums to improve catastrophe preparedness, loss prevention and mitigation, and to improve the availability and affordability of homeowners insurance coverage for catastrophic events, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 6478. A bill to amend the Denali Commission Act of 1998 to reauthorize and modify the membership of the Denali Commission, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BACHUS (for himself and Ms. SEWELL):

H. Con. Res. 138. Concurrent resolution recognizing Birmingham, Alabama, as the home to the first and longest running celebration of Veterans Day; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAVES of Missouri (for himself, Mr. SCHILLING, Mr. SCHRADER, Mr. CRITZ, Mr. TIPTON, and Mr. MULVANEY):

H. Res. 793. A resolution expressing support for the designation of a ''Small Business Saturday'' and supporting efforts to increase awareness of the value of locally owned small businesses; to the Committee on Small Business.

By Mr. ANDREWS:

H. Res. 794. A resolution requiring the House of Representatives to take any legislative action necessary to verify the ratification of the Equal Rights Amendment as part of the Constitution when the legislatures of an additional three States ratify the Equal Rights Amendment; to the Committee on the Judiciary.

By Mr. HUNTER (for himself and Mr. RUPPERSBERGER):

H. Res. 795. A resolution supporting the goals and ideals of Red Ribbon Week; to the Committee on Energy and Commerce.

By Mrs. MCCARTHY of New York:

H. Res. 796. A resolution supporting efforts to raise awareness of, improve education on, and encourage research on inflammatory breast cancer; to the Committee on Energy and Commerce.

By Mr. MICHAUD (for himself and Mr. HARPER):

H. Res. 797. A resolution celebrating the 50th anniversary of the enactment of Public Law 87-788, commonly known as the McIntire-Stennis Cooperative Forestry Act; to the Committee on Agriculture.

By Mr. PETERSON:

H. Res. 798. A resolution expressing support for the designation of the third week in October as National School Bus Safety Week and for the designation of Wednesday of that week as National School Bus Drivers Appreciation Day; to the Committee on Education and the Workforce.

By Mr. TURNER of Ohio (for himself, Mr. CHABOT, Mrs. SCHMIDT, Mr. JORDAN, Mr. LATTA, Mr. JOHNSON of Ohio, Mr. AUSTRIA, Mr. TIBERI, Mr. LATOURETTE, Mr. STIVERS, Mr. RENACCI, and Mr. GIBBS):

H. Res. 799. A resolution expressing the sense of the House of Representatives that it is not a violation of the Equal Protection Clause of the Fourteenth Amendment for a State to extend particular consideration to members of the uniformed services and overseas citizens to ensure that such individuals are able to exercise their rights to vote in elections for public office; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WEST (for himself and Mr. SHIMKUS):

H. Res. 800. A resolution expressing support for designation of November 2012 as Stomach Cancer Awareness Month; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska (for himself and Mr. DINGELL):

H. Res. 801. A resolution recognizing America's hunters, anglers, trappers, recreational boaters, recreational shooters, industry, State fish and wildlife agencies, and the United States Fish and Wildlife Service for their leading role in restoring healthy populations of fish, wildlife, and other natural resources; to the Committee on Natural Resources.

MEMORIALS

Under clause 3 of Rule XII, memorials were presented and referred as follows:

281. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to Resolution urging the President and the Congress to support the Self-Determination and Democratic Independence of Nagorno-Karabakh; to the Committee on Foreign Affairs.

282. Also, a memorial of the House of Representatives of the State of California, relative to Assembly Joint Resolution No. 22 respectfully disagreeing with the majority opinion and decision of the United States Supreme Court in Citizens United v. Federal Election Commission; to the Committee on the Judiciary.

283. Also, a memorial of the House of Representatives of the State of California, relative to Assembly Joint Resolution No. 22 respectfully disagreeing with the majority opinion and decision of the United States Supreme Court in Citizens United v. Federal Election Commission; to the Committee on the Judiciary.

284. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 24 urging the members of California's Congressional Delegation to sign on as cosponsors of the proposed Student-to-School Nurse Ratio Improvement Act of 2012; jointly to the Committees on Education and the Workforce and Energy and Commerce.

285. Also, a memorial of the House of Representatives of the State of California, relative to Assembly Joint Resolution No. 6 requesting that the Congress and the President enact the Filipino Veterans Fairness Act of 2011; to the Committee on Veterans' Affairs.

286. Also, a memorial of the House of Representatives of the State of California, relative to Assembly Joint Resolution No. 6 requesting that the Congress and the President enact the Filipino Veterans Fairness Act of 2011; to the Committee on Veterans' Affairs.

287. Also, a memorial of the House of Representatives of the State of California, relative to Assembly Joint Resolution No. 24 urging the members of California's Congressional Delegation to sign on as cosponsors of the proposed Student-to-School Nurse Ratio Improvement Act of 2012; jointly to the Committees on Education and the Workforce and Energy and Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Ms. KAPTUR introduced a bill (H.R. 6479) for the relief of Humaira Khalid Lateef, Muhammad Nadeem Aslam, Maheen Nadeem, and Daniyal Muhammad Nadeem; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. OLSON:

H.R. 6444.

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

Article 1, Section 8, Clause 3—The Congress shall have Power To . . . regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes (Commerce Clause)

By Mr. THOMPSON of Pennsylvania:

H.R. 6445.

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 14 of the United States Constitution which gives Congress the power ''to make Rules for the Government and Regulation of the land and naval Forces.''

By Mr. ROSKAM:

H.R. 6446.

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

Article I, Section 8, Clause 1 states The Congress shall have Power To provide . . . for the . . . general Welfare of the United States.

By Mr. HONDA:

H.R. 6447.

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. PRICE of North Carolina:

H.R. 6448.

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

Congressional power to provide for public financing of presidential campaigns arises under the General Welfare Clause, Art. I, Sec. 8, of the Constitution. In Buckley v. Valeo, 424 U.S. 1, 91 (1976), the Supreme Court upheld the congressional power to enact public financing of presidential elections under this Clause. The Supreme Court stated with regard to the provisions in the Federal Election Campaign Act Amendments of 1974 establishing a presidential public financing system, ''In this case, Congress was legislating for the 'general welfare'—to reduce the deleterious influence of large contributions on our political process, to facilitate communication by candidates with the electorate, and to free candidates from the rigors of fundraising.''

By Mr. POE of Texas:

H.R. 6449.

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

Amendment 4, clause 1, of the United States Constitution states that ''the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.''

By Mr. COSTELLO:

H.R. 6450.

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

Article one

By Mr. LANDRY:

H.R. 6451.

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, The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. LANDRY:

H.R. 6452.

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 1 of the United States Constitution, 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 our United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. AMODEI:
H.R. 6453.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States)

By Mrs. BIGGERT:
H.R. 6454.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18

By Ms. BROWN of Florida:
H.R. 6455.
Congress has the power to enact this legislation pursuant to the following:
Article 1, section 8 of the United States Constitution, this bill is authorized by Congress' power to provide for the common Defense and general Welfare of the United States.

By Mr. BUCSHON:
H.R. 6456.
Congress has the power to enact this legislation pursuant to the following:
Clause 3, of Section 8, of Article I.

By Mr. CARSON of Indiana:
H.R. 6457.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8, clause 1 of the United States Constitution grants Congress the implied power to provide grants to enhance the most effective freezing methods to improve access to affordable and locally produced specialty crops.

By Mr. CARSON of Indiana:
H.R. 6458.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of section 8 of Article 1 of the Constitution.

By Mr. CASSIDY:
H.R. 6459.
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 of the United States Constitution.

By Mr. ELLISON:
H.R. 6460.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 4

By Ms. FUDGE:
H.R. 6461.
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. GARDNER:
H.R. 6462.
Congress has the power to enact this legislation pursuant to the following:
Clause 1, Section 8 of Article I of the United States Constitution which reads:
''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 and Imposts and Excises shall be uniform throughout the United States.''

By Mr. GINGREY of Georgia:
H.R. 6463.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 9, Clause 7, specifically, ''. . . a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.''

By Mr. HECK:
H.R. 6464.
Congress has the power to enact this legislation pursuant to the following:
The power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution, to make all laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other powers vested by the Constitution in the Government of the United States, or in any Department or officer thereof.

By Mr. HUNTER:
H.R. 6465.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8, clause 4—''to establish laws of naturalization. . .''

By Mr. KISSELL:
H.R. 6466.
Congress has the power to enact this legislation pursuant to the following:
Commerce Clause: Article 1, Section 8, Clause 3

By Mr. LANGEVIN:
H.R. 6467.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3
Article I, Section 8, Clause 18

By Mr. MARKEY:
H.R. 6468.
Congress has the power to enact this legislation pursuant to the following:
Section 8 of Article I of the United States 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. MCKEON:
H.R. 6469.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. MULVANEY:
H.R. 6470.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 14. ''To make Rules for the Government and Regulation of the land and naval Forces.''
Article I, Section 8, Clause 18. ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''
This bill provides rules for the Government, specifically, for the Wildlife Services program of the Animal and Plant Health Inspection Service. This law is necessary and proper for carrying out the power to make rules for the proper operation of a division of the government of the United States.

By Mr. MURPHY of Connecticut:
H.R. 6471.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8

By Mr. NEAL:
H.R. 6472.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of Section 8 of Article I and the 16th Amendment to the U.S. Constitution.

By Mr. POSEY:
H.R. 6473.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 7 (power to establish Post Offices) and Article 1, Section 8, Clause 18 (the Necessary and Proper Clause).

By Mr. ROSS of Florida:
H.R. 6474.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8: ''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.''

By Mr. RUPPERSBERGER:
H.R. 6475.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 Commerce Clause

By Ms. LINDA T. SÁNCHEZ of California:
H.R. 6476.
Congress has the power to enact this legislation pursuant to the following:
Article One of the United States Constitution, section 8, clause 18:
The Congress shall have Power—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof
or
Article One of the United States Constitution, Section 8, Clause 3:
The Congress shall have Power—To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes;

By Mr. SIRES:
H.R. 6477.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8.

By Mr. YOUNG of Alaska:
H.R. 6478.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1 of the United States Constitution.

Ms. KAPTUR:
H.R. 6479.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 4

ADDITIONAL SPONSORS

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

H.R. 192: Mr. SMITH of Washington, Mr. BACA, Mr. RUSH, Ms. BROWN of Florida, Mr. VAN HOLLEN, Ms. WILSON of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. FUDGE, Mr. PRICE of North Carolina, Mr. ISRAEL, and Ms. BONAMICI.
H.R. 262: Mr. GOODLATTE.
H.R. 273: Mr. MCGOVERN, Mr. JOHNSON of Illinois, Ms. BONAMICI, Mr. PLATTS, Mr. GRIFFIN of Arkansas, and Mr. WOMACK.
H.R. 303: Mrs. NOEM.
H.R. 333: Mrs. NOEM.

H.R. 376: Mr. FITZPATRICK.
H.R. 640: Mr. MICHAUD.
H.R. 719: Mr. WALSH of Illinois.
H.R. 835: Mr. RICHMOND, Mr. BILBRAY, and Mr. COOPER.
H.R. 890: Ms. MCCOLLUM.
H.R. 1041: Mr. LONG.
H.R. 1066: Ms. BASS of California.
H.R. 1106: Mr. LANGEVIN, Mr. MCINTYRE, and Ms. DELAURO.
H.R. 1112: Mr. HULTGREN.
H.R. 1186: Mr. YODER.
H.R. 1206: Mr. ADERHOLT.
H.R. 1338: Mr. SCHIFF.
H.R. 1344: Mr. PERLMUTTER.
H.R. 1370: Mr. HALL, Mr. TURNER of New York, Mr. FARENTHOLD, Mr. JOHNSON of Illinois, Mr. PALAZZO, Mr. MANZULLO, Mr. AMODEI, Mr. JORDAN, Mrs. ADAMS, and Mr. NEUGEBAUER.
H.R. 1375: Ms. BROWN of Florida.
H.R. 1385: Mr. KIND.
H.R. 1397: Mr. RUSH and Ms. HAYWORTH.
H.R. 1418: Mr. THOMPSON of California.
H.R. 1426: Ms. MCCOLLUM.
H.R. 1449: Mr. ISSA.
H.R. 1639: Mr. DONNELLY of Indiana.
H.R. 1653: Mrs. BLACKBURN.
H.R. 1672: Mr. HASTINGS of Florida and Mr. COFFMAN of Colorado.
H.R. 1777: Mr. HENSARLING.
H.R. 2032: Mrs. LOWEY.
H.R. 2040: Mr. GRIFFITH of Virginia and Mr. DESJARLAIS.
H.R. 2086: Ms. BONAMICI.
H.R. 2108: Mr. HULTGREN.
H.R. 2134: Mr. COURTNEY.
H.R. 2135: Ms. BROWN of Florida.
H.R. 2316: Mr. COHEN.
H.R. 2367: Mr. REED.
H.R. 2402: Mrs. LUMMIS, Mr. POE of Texas, Mr. BRADY of Texas, Mr. GOODLATTE, Mrs. MCMORRIS RODGERS, and Mr. OLSON.
H.R. 2492: Mr. HECK, Mr. LOEBSACK, Mr. BILBRAY, and Mr. GARY G. MILLER of California.
H.R. 2600: Ms. LINDA T. SÁNCHEZ of California, Mr. ROGERS of Kentucky, Mr. BOREN, Mr. DAVID SCOTT of Georgia, and Ms. LORETTA SANCHEZ of California.
H.R. 2697: Mrs. BIGGERT.
H.R. 2704: Mrs. CHRISTENSEN, Mr. CLARKE of Michigan, and Mr. RANGEL.
H.R. 2721: Mr. HIGGINS.
H.R. 2831: Ms. ROS-LEHTINEN.
H.R. 3068: Mr. HERGER.
H.R. 3102: Mr. DEFAZIO.
H.R. 3238: Mr. KIND.
H.R. 3423: Mr. LONG, Mr. RUPPERSBERGER, Mr. LATTA, Mr. SOUTHERLAND, Mr. WEBSTER, Mr. BUCHANAN, Mr. MCDERMOTT, Mr. CLAY, Mr. STUTZMAN, and Mr. GIBBS.
H.R. 3497: Mr. BUCSHON, Ms. MCCOLLUM, Mr. RUNYAN, and Mr. DOLD.
H.R. 3526: Mr. MCINTYRE and Ms. DEGETTE.
H.R. 3586: Mr. HULTGREN.
H.R. 3619: Mr. CICILLINE.
H.R. 3625: Mr. MCGOVERN, Mr. CARSON of Indiana, and Mr. MARKEY.
H.R. 3627: Ms. BALDWIN.
H.R. 3656: Mr. HALL.
H.R. 3661: Mr. BENISHEK.
H.R. 3705: Mr. HOLT and Mr. SESSIONS.
H.R. 3712: Mr. BISHOP of New York.
H.R. 3831: Mr. KISSELL.
H.R. 4007: Mr. KING of New York.
H.R. 4165: Mr. BARROW.
H.R. 4170: Mr. LANGEVIN.
H.R. 4173: Mr. WELCH and Mr. RANGEL.
H.R. 4209: Mrs. CAPITO, Mr. DAVIS of Illinois, Mr. TOWNS, and Mr. MARKEY.
H.R. 4228: Mr. DUNCAN of South Carolina.
H.R. 4250: Mr. BARTLETT and Mr. CARNEY.
H.R. 4373: Mr. BISHOP of Utah, Mr. GRAVES of Missouri, and Mr. BLUMENAUER.
H.R. 4605: Mr. YOUNG of Alaska.
H.R. 5647: Ms. SCHWARTZ.
H.R. 5796: Mr. SHIMKUS.
H.R. 5845: Mr. KING of New York.
H.R. 5888: Mr. CASSIDY.
H.R. 5914: Mr. BURTON of Indiana and Mr. AMODEI.
H.R. 5937: Mr. ANDREWS, Mrs. MCMORRIS RODGERS, Mrs. MCCARTHY of New York, and Mr. RUNYAN.
H.R. 5943: Mr. DANIEL E. LUNGREN of California, Mr. KINZINGER of Illinois, Mr. DESJARLAIS, and Mr. AMODEI.
H.R. 5959: Mr. POLLS.
H.R. 5969: Mr. WITTMAN.
H.R. 5970: Mr. WITTMAN.
H.R. 5977: Mr. SHERMAN.
H.R. 5998: Mr. WITTMAN.
H.R. 6038: Mr. STARK, Mr. ROTHMAN of New Jersey, Ms. LEE of California, Ms. HAYWORTH, Mrs. BIGGERT, and Mr. THOMPSON of California.
H.R. 6087: Mr. MORAN.
H.R. 6092: Mr. HEINRICH.
H.R. 6097: Mr. NEUGEBAUER.
H.R. 6101: Mr. MICHAUD and Ms. MCCOLLUM.
H.R. 6107: Ms. CLARKE of New York and Mr. FORTENBERRY.
H.R. 6110: Mr. CRITZ and Mr. DEFAZIO.
H.R. 6149: Mr. GEORGE MILLER of California.
H.R. 6150: Mr. VAN HOLLEN.
H.R. 6151: Mr. COLE.
H.R. 6155: Mr. FILNER.
H.R. 6187: Mr. HASTINGS of Florida.
H.R. 6247: Mr. MCCLINTOCK and Mrs. NOEM.
H.R. 6273: Ms. BORDALLO.
H.R. 6275: Mr. POLIS.
H.R. 6310: Mr. HINCHEY, Ms. SUTTON, and Mr. LARSON of Connecticut.
H.R. 6335: Ms. WOOLSEY and Mr. PAUL.
H.R. 6342: Mr. GRIFFITH of Virginia.
H.R. 6345: Mr. LONG.
H.R. 6364: Mr. HUIZENGA of Michigan.
H.R. 6397: Mr. HENSARLING, Mrs. MYRICK, Mr. CANSECO, Mr. CALVERT, Mr. HUELSKAMP, Mr. CHABOT, Mr. ROSS of Florida, Mr. WALSH of Illinois, Mr. BURTON of Indiana, and Mr. BARTLETT.
H.R. 6409: Mr. GRIJALVA.
H.R. 6411: Mr. MCDERMOTT, Mr. GRIJALVA, and Mr. KUCINICH.
H.R. 6412: Ms. HANABUSA, Mr. DEUTCH, Ms. BORDALLO, Mr. NADLER, Ms. SLAUGHTER, Mr. PRICE of North Carolina, Mr. HIMES, Ms. BERKLEY, Mr. QUIGLEY, Ms. DEGETTE, Ms. NORTON, Mr. WAXMAN, Ms. BONAMICI, Mr. LEWIS of Georgia, Mr. THOMPSON of California, Mr. CONNOLLY of Virginia, Ms. TSONGAS, and Mr. LANGEVIN.
H.R. 6416: Mrs. NOEM, Mr. RUNYAN, Mr. DENHAM, and Mr. CANSECO.
H.R. 6418: Mr. GRAVES of Missouri, Mr. ROSS of Florida, Mr. WALSH of Illinois, Mr. BURTON of Indiana, Mr. FRANKS of Arizona, Mr. ROE of Tennessee, Mr. GOHMERT, and Mr. WALBERG.
H.R. 6428: Mr. BISHOP of New York, Mr. SHERMAN, and Mr. CICILLINE.
H.R. 6429: Mr. BROUN of Georgia and Mr. BILIRAKIS.
H.R. 6438: Mr. WALSH of Illinois, Mrs. BIGGERT, Mr. GUINTA, Mr. RUNYAN, Mr. JOHNSON of Ohio, Mr. LOBIONDO, Mr. TERRY, Mrs. MYRICK, Mr. BILBRAY, Mr. WITTMAN, Mr. RIGELL, and Mr. LOEBSACK.
H.R. 6439: Mr. REICHERT.
H.J. Res. 110: Mr. POSEY and Mrs. NOEM.
H.J. Res. 115: Mr. COOPER.
H. Con. Res. 129: Mrs. CAPPS and Mr. FINCHER.
H. Res. 295: Mr. BILBRAY.
H. Res. 298: Mr. THOMPSON of California.
H. Res. 387: Mr. WALSH of Illinois.
H. Res. 682: Mr. CONNOLLY of Virginia, Mr. LYNCH, Mrs. MALONEY, and Mr. QUIGLEY.
H. Res. 716: Mr. MICHAUD.
H. Res. 732: Mr. GRIFFIN of Arkansas, Mr. CARTER, and Mr. LANKFORD.
H. Res. 745: Mr. FALEOMAVAEGA, Mr. SULLIVAN, Mr. ROYCE, Mr. MEEKS, Mr. GALLEGLY, Mr. ALEXANDER, Mrs. BLACKBURN, Mr. PALAZZO, Mr. CONAWAY, Mr. CUELLAR, Mr. LATTA, Mr. NUNNELEE, Mr. STEARNS, Mr. TERRY, Mr. TOWNS, Mr. MCCAUL, and Mrs. BONO MACK.
H. Res. 759: Mrs. CAPPS.
H. Res. 763: Mr. PITTS, Mrs. HARTZLER, and Mr. LANKFORD.

DELETION 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. 5864: Mr. MCNERNEY.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

61. The SPEAKER presented a petition of Association of Pacific Island Legislatures, Guam, relative to Resolution No. 31-GA-10 supporting the Guam-NMI Visa-Waiver program to include Russia and China; to the Committee on the Judiciary.

62. Also, a petition of California State Lands Commission, California, relative to Resolution supporting H.R. 5831; to the Committee on Transportation and Infrastructure.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158 WASHINGTON, THURSDAY, SEPTEMBER 20, 2012 No. 128

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by the Reverend Dr. Douglas Gerdts, Senior Pastor of First and Central Presbyterian Church in Wilmington, DE.

The guest Chaplain offered the following prayer:

Would you pray with me, please.

Holy God, little can be said that doesn't add to the cacophony of prayer that arises from humanity. Surely from this august Chamber the volume and intensity is at times deafening. Yet these, O God, are the servants of the people and of You. So like Solomon we pray, ''Here's what we want: Give us a God-listening heart so we can lead Your people well, discerning the difference between good and evil. For who on their own is capable of leading Your good people?''

Who indeed, O God.

Our prayer this morning is quiet and simple: Instill wisdom and compassion, the quest for peace and the drive for justice, the humility to recognize our ignorance and the grace to welcome another's point of view, and the awe of the responsibility conveyed upon us and the gratitude to relish our part in shaping the future. Most of all, let us never think that we travel this road alone, for who on their own is capable of leading Your good people?

Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 20, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, I yield to my friend from Delaware and ask that I be recognized when he finishes his remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Delaware is recognized.

WELCOMING THE GUEST CHAPLAIN

Mr. COONS. Mr. President, I rise today to express my gratitude to Leader REID and to Chaplain Black, to all of us in the Chamber, and my gratitude to the Reverend Dr. Douglas Gerdts. It is my honor and privilege to welcome him to our Chamber this morning as one of Delaware's strongest and finest faith leaders.

Reverend Gerdts leads the congregation at First and Central Presbyterian Church in Wilmington. Each time I join with him on Sunday mornings, I am uplifted by the stirring music, I am challenged by his passionate sermons, and I leave engaged for the week, rooted in my faith and moved forward by his words and by his leadership.

But Reverend Gerdts' leadership extends far beyond the walls of his church. It touches those most in need in our community. The church literally opens its doors every Saturday, welcoming in homeless Delawareans as well as welcoming in schoolchildren who need smaller class sizes and better instruction to succeed.

I have had the pleasure of knowing Reverend Gerdts for more than a dozen years. In my own service in county government I knew him as chair of the Diversity Commission, and he helped lead the charge for equality and civil unions in Delaware last year. He has made a real and lasting contribution to our community. He and his wonderful wife Walle are part of what makes Delaware a great place.

As he shared with us in his prayer, he is exactly the sort of person who, through a listening heart, has become a powerful and effective servant leader of faith in my home community.

My thanks to the Chaplain for allowing guest Chaplains, and my thanks to Rev. Doug Gerdts for his friendship, his faith, and his leadership.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, the Senator from Delaware has been such a great addition to the Senate. He is well respected on both sides of the aisle, and he is a man of spiritual quality. Among his other attributes, he has a divinity degree from Yale University. Without elaborating, I am just so pleased he is my friend and a Member of the Senate.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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SCHEDULE

Mr. REID. Mr. President, the Senate is now considering the motion to proceed to H.J. Res. 117, which is the continuing resolution, postcloture. The next 2 hours will be equally divided between the two leaders or their designees with the Republicans controlling the first half and the Democrats the second half.

At 2 p.m., all postcloture time will be yielded back and there will be a rollcall vote on the motion to proceed to the continuing resolution.

I am hoping we can reach an agreement on our unfinished business and avoid a weekend session and a session in the early part of next week.

MEASURE PLACED ON THE CALENDAR—S. 3576

Mr. REID. Mr. President, S. 3576 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for a second time.

The assistant legislative clerk read as follows:

A bill (S. 3576) to provide limitations on United States assistance, and for other purposes.

Mr. REID. I would object to any further proceedings with respect to this bill at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

HISPANIC HERITAGE MONTH

Mr. REID. Mr. President, this month I join more than 52 million Latinos in Nevada and across the country to celebrate Hispanic Heritage Month.

Each year Hispanic Heritage Month is an opportunity to honor the contributions of a population that is so important to our national identity—a community that has contributed to our country's progress for centuries.

We see those contributions in every facet of our society: on the battlefield and in the boardroom, in the courtroom and the classroom, at the art gallery and in the recording studio, and on the playing field. In Nevada Hispanic influence is evident in the name of our State—Nevada, snowcapped Las Vegas, and the meadows.

Today, more than one-quarter of Nevada's population is Hispanic. Nationwide, Latinos are expected to make up 60 percent of the population growth in the coming decades. To ensure our country thrives, we need to make sure its Hispanic population thrives as well.

That is why President Obama and Democrats in Congress have fought for the policies that are making the Hispanic community stronger and more prosperous. Despite opposition, we have made progress on economic and educational issues that are important to Latinos and to all Americans. The Recovery Act, which included tax cuts for working families and improvements in unemployment insurance, kept more than 2 million Hispanics out of poverty.

Unlike Governor Romney, we know Americans who access the employment benefits they have earned while working are not ''victims'' who are unwilling to take ''personal responsibility'' for their lives. ''Victims'' is Mitt Romney's word; ''personal responsibility'' are his words.

Democrats secured tax credits for more than 8 million Hispanic children and their families. Mitt Romney, on the other hand, believes tax credits for working parents struggling to make ends meet are a hand out, not a hand up.

Democrats fought to give small business loans to almost 9,000 Hispanic-owned businesses. Under a Romney administration, loans for small businesses would be a thing of the past—one more remnant of the dependency culture he loathes.

Mitt Romney was caught on tape telling wealthy donors he would be winning this election if he was Latino. That is what he said. But we know Mitt Romney's problem isn't that he is not Hispanic; his problem is that he opposes the commonsense policies that are good for Hispanic families.

Republicans have been paying lip-service to concerned Hispanic families in the months leading up to election day. Democrats are helping Hispanic families tackle the challenges they face every day.

To us, Hispanic Heritage Month isn't just about recognizing the incredible contributions Hispanic Americans make to our Nation; it is also about building a brighter future for Hispanic Americans in our Nation.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

NEED FOR NEW LEADERSHIP

Mr. MCCONNELL. Mr. President, we all understand there is an election going on around here in a few months, but I would like to remind my colleagues on the other side that we also have a job to do right now. We have multiple crisis-level issues to deal with. Yet our Democratic friends don't seem to want to do a thing. Never before—never before—has a President and a Senate done so little to confront challenges so great.

We have a $16 trillion debt. Democrats haven't bothered to pass a budget in 3 years. Every single American will get hit with a massive tax hike in just 3 months if we don't act to prevent it.

Democrats are saying we shouldn't do anything about it; just go off the cliff. Go off the cliff, and let's see what happens. The defense budget is about to suffer automatic cuts that the President's own Defense Secretary—the Defense Secretary in this administration—has described as devastating. But Democrats can't be bothered to figure out a way to avoid them.

The Middle East is in turmoil. We remain at war in Afghanistan and with al-Qaida, and Senate Democrats have not even bothered to pass the Defense authorization bill.

Gas prices have more than doubled over the past 4 years—doubled in just 4 years. Democrats responded by conspiring with the President to make sure a domestic pipeline didn't get built. They just let the debt grow, let taxes go up, let the defense cuts stand, and let gas prices get higher and higher. They don't pass a budget, don't pass any spending bills, don't do anything that involves making tough choices; just sit around and kill time in the hopes that the voters will focus on the other guys instead.

Look, our constituents didn't send us here to watch the clock or to offer running commentary on the Senate floor. They sent us here to make a difference. We have jobs to do. It is about time we did them. In these very challenging times, Americans deserve leadership. Never before—never before—has a President and a Senate majority party done so little when our challenges were so great. There is no excuse for it.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the next 2 hours shall be equally divided and controlled between the two leaders or their designees with the Republicans controlling the first half of the time.

The minority leader.

Mr. MCCONNELL. Mr. President, we have a number of colleagues who will be speaking this morning during our 1-hour morning business time. Given the number of speakers, I ask the Chair to help remind colleagues when they have consumed roughly 1 minute, and I thank the Chair for doing so.

The ACTING PRESIDENT pro tempore. The Chair will do so.

The Senator from Tennessee.

SENATE LEADERSHIP

Mr. ALEXANDER. Mr. President, some say the reason for a do-nothing Senate—or the cure for it—is that we need to change the rules. I say we need a change in behavior, and I wish to offer a single example.

We have a big spending and borrowing problem: 42 cents out of every dollar we are borrowing. We are headed off a fiscal cliff. The minority leader has described that.

The Australian Foreign Minister has said the United States of America is

one budget deal away from restoring its global preeminence, so one would think we would have a budget. Then one would think we would deal with the appropriations bills which are the basic work of the Senate.

I and others on both sides of the aisle came to the floor earlier this year to compliment the majority and minority leaders for their decision to bring all 12 appropriations bills to the floor. The committee did its work; 11 of the 12 have been reported to the floor. The House did its work; 11 of the 12 were reported to the floor, and 6 were passed. But the majority leader said we are not going to consider any appropriations bills—no appropriations bills.

Being elected to the Senate and not being allowed to vote on appropriations bills is like being invited to join the Grand Ole Opry and not being allowed to sing. We need a Republican majority. If we have one we can have a budget, and if we have one we will bring appropriations bills to the floor. We will debate them, we will amend them, we will vote on them, and we will do our jobs.

Thank you, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

Mr. THUNE. Mr. President, there is no question that the premier issue for most Americans is jobs and the economy. It is the issue that is on the minds of all Americans. They are pocketbook issues that impact middle-class Americans all across the country.

For the past 3½ years, the President and the Democrats here in the Senate have failed to provide the leadership America needs to make a stronger middle class. Middle-class Americans continue to face a bleak economic picture on this President's watch. We have seen gas prices more than double—the highest level in September that we have ever seen for the month of September. Middle-class income is down by nearly $4,000 since the President took office. Just last week, a Kaiser Family Foundation study came out indicating worker health insurance costs have increased by 29 percent since the President took office. The President promised to lower health care costs by $2,500 per family. Instead, average family premiums have increased by over $3,000 since he took office.

Republicans have solutions to grow the economy and to help the middle class, strengthen the middle class. We support commonsense solutions such as increasing domestic energy, reforming our Tax Code, and stopping the job-killing regulations that are killing our small businesses. We hope to have the opportunity to work on those solutions for America's future.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. ENZI. Mr. President, the President, the administration, and the Senate majority have failed to govern during a crucial time for our Nation. There is a willingness to kick our problems down the road, with the hopes that the next election will suddenly inspire action. Rome burned while Nero fiddled. We have had enough fiddling.

The President's answer to jobs and the economy was to have his failed budget. Three times it was voted on without a single vote in favor—not even a single Democrat in favor.

Over 23 million Americans are unemployed or underemployed. Government regulations and redtape stunt business growth. That is not leadership, that is being asleep at the wheel. Their answer to jobs is a bill with a good title and a poison pill that comes right to the floor, and it is set up so the poison pill cannot be amended out, and then they wonder why the bill does not pass. That is politics. That is not legislating.

What is their plan for America? We have yet to see one. The lack of a budget shows they do not have a plan, and inaction remains the status quo. Republicans are prepared to lead today and in the future.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. COLLINS. Mr. President, when I talk to employers in my State about what Washington could do to get people back to work, they inevitably point to the flood of excessive regulation as a major barrier. Many of us have offered proposals to reform the regulatory process. Even the President's own Jobs Council has put forth ideas such as strengthening cost-benefit analysis. This just makes common sense. But, regrettably, the Senate has failed to act. Meanwhile, the burden of Federal regulation grows ever larger. Right now, Federal agencies are at work on 2,700 new rules. These rules will go on top of a pile of regulations measuring millions of pages. If we want to put people back to work, we have to cut the redtape that is strangling our job creators.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

Mr. BOOZMAN. Mr. President, if you look at any objective measure, whether it is unemployment numbers, gas prices, middle-class income, college tuition, manufacturing production, home values, and the list goes on and on, we are clearly not headed in the right direction. So what is the cause of this? The primary cause is lack of leadership coming from the administration and from the leadership in the Senate. The administration's policies have led to the worst recovery since World War II.

Over 23 million people are unemployed or underemployed. One of the main reasons they cannot find work is the economic uncertainty Washington has created, stopping the hiring process. Our businesses are frozen. As a former small business owner, I understand firsthand how economic uncertainty hampers business growth. If you do not know what your taxes are going to be, if you do not know what your energy costs are going to be, if you do not know what your health costs are going to be, the last thing in the world you are going to do is hire a bunch of people.

Thank you, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

Mr. BLUNT. Mr. President, the No. 1 job of this Congress domestically should have been more private sector jobs. The President's long-held view of redistribution as a goal for the government is not going to accomplish that. What is going to accomplish that is more opportunity, more independence, as my friend from Arkansas just said, more certainty, more American energy.

These problems are big, but they are not necessarily that complicated. We just have to have the willpower to deal with them. This Congress has not done that. This Senate, more importantly, has not done that. The House has passed bills. The House has passed a budget. The House has passed appropriations bills. The House has passed bills to get regulation under control. The Senate has not.

I hope when we get back here—we should stay and do those things, but when we get back, we need to be focused on the No. 1 job for the country today, which is more American jobs.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. DEMINT. Mr. President, President Obama, when you took office almost 4 years ago, you promised to create jobs and reduce our deficit. Yet 4 years later we have fewer Americans working than in the last 30 years and we have historic debt and deficits. Now you say raising taxes will solve our problems. But those who create jobs disagree.

Yesterday a businessman from South Carolina came to Washington to present a very simple proposition. He had built his business from his garage to 150 workers, putting every dime he could back into his business. His plan was to add 25 workers next year if we keep taxes the same but to do nothing if we follow your plan to raise taxes.

Mr. President, if you really want to create jobs, help our economy, and reduce our deficit, stop threatening to raise taxes.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. PORTMAN. Mr. President, we have just heard from a number of my colleagues about issues with our jobs and the economy. We have heard about the $16 trillion deficit. Unemployment has been over 8 percent for over 43 months. These are unprecedented problems. We have again learned a lesson we have learned time and time again in America: You cannot tax and regulate your way to prosperity.

Republicans in the Senate have provided an alternative. As this chart shows, this is the Republican Senate jobs plan. All 47 Republican Senators have supported it. We have introduced legislation that incorporates these

ideas, and yet we have not gotten a hearing on the Senate floor.

It is pretty simple. We believe we ought to live within our means. Fiscal discipline is part of getting the economy back on track. Reforming the Tax Code to spur economic growth—we know we can create millions of new jobs in this country by getting the Tax Code straightened out. The economic situation will not be improved in this country until we deal with regulatory relief. My colleagues have talked about that. Our ideas include having a more competitive force, changing the worker retraining program in this country, improving education to have a competitive workforce, increasing exports to create more jobs but also to level the playing field, powering America's economy by using the energy in the ground in America, and, finally, commonsense approaches to health care to get the costs down. These are the solutions that Republicans have offered that have not gotten a fair hearing on this floor for us to begin to turn this economy around and get America back on track.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. HATCH. Mr. President, today I join my colleagues in expressing my disappointment in President Obama, in his failure to provide real leadership when our Nation needed it the most. While his failures can be observed across the board, when it comes to taxes and the impending fiscal cliff, the President has put our entire economy in jeopardy in order to serve his own political interests.

At the end of this year, the bipartisan tax relief signed into law not only by President Bush but by President Obama as well is set to expire. Virtually every taxpayer in America will see their taxes go up if Congress and the President do not act to steer us away from this fiscal cliff. Objective analysts, including the CBO, have stated that if we were to let the tax relief expire under current economic conditions, it would likely lead to another recession. Yet, rather than working with the Republicans to extend the tax relief and to aid our recovery, the President has once again sought to divide the American people by using the top marginal tax rate as political football.

In 2010 the President acknowledged that raising taxes in the midst of a weak economic recovery was bad policy. That is why at that time he signed into law the full extension of the 2001 and 2003 tax relief. Aside from the fact that the economy is in worse shape now than it was then, the only thing that has changed between 2010 and 2012 is that the President is now facing the voters, and that means appealing to his base, which is committed to raising taxes. The President has put class warfare and his own political future ahead of the immediate and long-term interests of our economy. This is the high-water mark of failed leadership for this administration. Our country is at a moment of deep economic uncertainty, and America's citizens and taxpayers deserve more than the President's decision to prioritize electoral politics over sound fiscal policy.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Mr. President, as the Chairs of the debt commission—Simpson and Bowles—told the Budget Committee, this Nation has never faced a more predictable financial crisis. I would say this Nation has never faced a more difficult financial challenge. We have deep, systemic demographic problems. They need to be addressed. Yet today marks the 1,240th day since the Democratic leadership in the Senate adopted a budget. For 3 years, in a time of financial crisis, the Senate's Democratic majority has failed to comply with the U.S. Code that requires us to bring up a budget and bring it to the floor of the U.S. Senate.

Politico observed on May 15:

> Democratic leaders have defiantly refused to lay out their own vision for how to deal with federal debt and spending.

I believe that is a colossal failure of leadership, a failure of fundamental responsibility, and puts them in a position, in my opinion, of being unable to ask to be returned to leadership in this Senate.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. Mr. President, as the distinguished ranking member of the Budget Committee pointed out, it has been more than 3 years since the democratically controlled Senate has passed a budget. That should be a national scandal. During the same time, we have considered the President's proposed budgets, which have been voted down unanimously—that is, Republicans and Democrats both realize that the President's proposed budgets are unserious attempts to solve some of our most serious challenges. The President could not get a single vote from his own political party for his own plan because it does not include serious efforts to preserve and protect Social Security and Medicare and put us on a sound fiscal path without job-killing tax increases.

When Republicans regain the majority in the Senate, we will pass a budget, we will reduce the deficit, we will tackle our long-term debt, and we will help grow the American economy by getting our boot off the neck of the small businesses and the job creators in our country.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. CORKER. Mr. President, this year we will spend over $3.5 trillion, 60 percent of which is taxpayer money, 40 percent is borrowed. Over the next 10 years we will spend $45 trillion. We have not had a budget in this body for 1,240 days. Not only is this dysfunctional—and America looks at us as a dysfunctional body—it is an embarrassment. The fact is that we are one fiscal reform package away from being able to focus on being a great nation again. Yet many around the world look at us as a nation in decline, which affects everything from people hiring and producing jobs in this country to the activities we see overseas as they relate to our foreign relations.

What we need in this Nation is new leadership in November that has the courage and the will to address the most major issue this Nation faces, which is fiscal reform. With that, we will put this malaise in the rearview mirror and again be able to focus on being a great nation.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. ISAKSON. Mr. President, for 3 consecutive fiscal years, the leadership in the Senate majority party has consciously decided not to bring a budget to the floor of the Senate. Do you know what the result has been? We have spent $10.6 trillion and increased our debt over $4 trillion, while the American people have cut their debt, cut their spending, and gotten their house in order during our worst recession since the Great Depression.

It is time that the leadership of the Senate took a lesson from the American people. Let's get back to the business of America. Let's get a budget to the floor. Let's balance our budget.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

Mr. JOHANNS. Mr. President, think about it—$5 trillion of new debt under this President. So when he submits a budget plan, what happens to it? On the floor of this Senate, the President's budget plan did not get a single vote. No Republican, no Democrat, no Independent supported the President. What happened on the House side? The same identical thing—no Republican, no Democrat, no Independent supported the President's plan. Many are working on this. Simpson-Bowles is a good example. Many of my colleagues have been working to find a way forward on our budget issues. And what happens on the floor of the Senate? No budget. Four years, no budget.

When Republicans come to the majority, we will pass a budget, we will work to balance our budget. That is where we are headed.

The ACTING PRESIDENT pro tempore. The Senator from Wisconsin.

Mr. JOHNSON of Wisconsin. Mr. President, in 1987, our total Federal debt stood at $2.3 trillion. It took us 200 years as a Nation to incur $2.3 trillion in debt. Last year, with the debt ceiling debate, we increased our debt limit by a little more than $2 trillion. We will blow through that limit in less than 2 years. The President of the United States has put forward four budgets. He has yet to submit any proposals to save either Social Security or Medicare. We are facing the most predictable financial crisis in our Nation and our President refuses to lead, this Senate refuses to lead. America hungers for leadership.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. LEE. Mr. President, it is bad enough that this Senate's Leadership, led by the Democrats, has not passed a budget in 3½ years. What is even worse than that is the fact they have not offered a budget in this Congress. They have not voted for or supported a single budget in this Congress. We have had, of course, one budget voted on in the Senate during this Congress, written by a Democrat. That was the President's plan, which received zero votes from his own party, zero votes from the Republican Party last year and this year.

If we are able to come to the table, if we are to come to a compromise, we have to have offers on both sides. We have to have a plan on both sides. So all the calls for civility, all the calls for a compromise fall on deaf ears unless or until we have two willing parties at the table with proposals they are willing to offer.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Mr. President, the American people are asking two big questions: Why has the Senate not acted to stop the $4½ trillion tax hike that will occur on January 12 unless we act; and, second, why has the Senate not voted to replace the across-the-board defense cuts that will devastate our national security? The unfortunate answer is because Senate Democrats and the Obama administration are too afraid to tackle, let alone vote on, the tough issues in an election year.

For Americans outside the Beltway, the consequences are very serious. The Congressional Budget Office tells us that failure to avoid this fiscal cliff will shrink the economy next year and push unemployment above 9 percent. That means 2 million jobs will be lost and we will be back in recession.

The House has acted. Election year or not, there is no excuse for the Senate to not follow the House's action, its lead, to avoid the job-killing consequence of this fiscal cliff.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. SNOWE. Mr. President, it is astounding to me that after putting the Nation through the self-inflicted travesty of last year's debt ceiling debacle that we are facing another manufactured crisis this year. With a fiscal cliff that never would have existed if the Senate had remained in session, had fewer recesses, and maximized every legislative day, based on the job we were elected to do, as I have argued virtually throughout this entire Congress.

According to a recent study, illustrated by this chart, deferring last year's debt ceiling to the eleventh hour in August produced the highest level of policy uncertainty of any event that occurred over the last 20 years. That includes 9/11, the financial crisis, the fall of Lehman, and the Iraq war.

We have now heard from CBO as well as Fed Chairman Bernanke. Both have indicated we could trigger another recession next year if we fail to address the fiscal cliff. Yet here we are in the Senate in September scheduled to adjourn sometime this week for nearly 2 months after just returning from a 5-week break. When I was running for reelection in 2000 when the Republicans were in the majority, we had our last vote on November 1 and did not adjourn until November 3, a few days before the election.

I call on the majority leader to have us remain in session to lay the groundwork for a bipartisan solutions on these monumental issues. I have urged this in a letter I sent last April, because it is absolutely pivotal for this country. If we had not had the policy uncertainty of 2006 through 2011, we would have 2½ million more jobs in America today.

The Senate has wasted years, 2 precious years in the life of America with intransigence and inaction. America deserves better.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. COBURN. Mr. President, the problems in front of our country are not unsolvable. As a matter of fact, every one of them is solvable. Our country has a history of doing hard things. What we lack is leadership to call us to do those hard things. We find ourselves at a point in time when the greatest threat to our Nation is our debt and our economy. We are risking our future, not only our future economically, but our future of liberty. What we have had, I would remind my colleagues, is a history in the Senate of doing hard things. Under the leadership of Senator REID, the Senate has not attempted to do hard things. What it has attempted to do is abandon the tasks that should be in front of us.

America deserves better. It deserves better leadership. It deserves leadership based on bringing this country together rather than dividing this country. Not having a fiscal plan to solve the greatest issues in front of our country is an absolute failure of leadership. Where is the Senate majority leader's, where is the President's plan to solve our problems?

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, the fact is our economy could be booming right now, should be booming right now. The history of this country is that after a serious recession, the economy comes roaring back. That is exactly what should be happening right now. In fact, our economy should be creating more jobs than there are people to fill them. But that is not what is happening because of the failed leadership of the Democratic majority in control of this body and the President of the United States.

Our economy cannot come back the way it should as long as the threat of a complete fiscal disaster looms over it. As long as everybody who might even be contemplating launching a new business or expanding an existing business knows this government is running trillion dollar deficits as far as the eye can see with no willingness to address this, then people will not make that investment. They will not expand their business. They will not hire that next worker.

It is long past time that the Democratic leadership in this body accepts its responsibility to address this problem, pass a budget, get our fiscal house in order so this economy can grow again and Americans can get back to work.

The ACTING PRESIDENT pro tempore. The Senator from North Carolina.

Mr. BURR. Mr. President, 2 years ago we extended the 2010 tax rates. Over a year ago, we passed the Budget Control Act, which will trigger sequestration unless we pass a budget reduction plan. The point is we have known about the fiscal cliff for a long time, and there has been no shortage of warnings about the dire economic consequences of doing nothing. But that is, in fact, what this body has done, nothing. So let me say this. There is a reason President Obama and my colleagues on the other side of the aisle are targeting the Romney plan and the Ryan plan and the Republican plan. It is because they do not have a plan. They do not even have an excuse for what this body has not done.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. MORAN. Mr. President, we talk about plans and budgets. The reality is these bigger concepts that we discuss in our Nation's capital have real consequences on the everyday lives of Americans. I spoke a few weeks ago to a Rotary club in Junction City, KS, and the local CPA was in the audience. We got to questions and answers, and he said: Senator, I have a question for you. This is a softball. What is the estate tax rate going to be next year?

It is embarrassing not to be able to answer the simple questions about what is going to happen in people's lives. People are having to make decisions. That certified public accountant, that lawyer, that financial planner needs to be able to explain to that farmer in Kansas, to that rancher, to that small business owner what the Tax Code is going to look like.

We are facing a point in time in which we have no opportunities to tell someone what the Tax Code is going to be in 3 months. That is embarrassing. When people ask me what is necessary to get Washington, DC, to work together for us to solve the country's problems and move forward, the answer is we desperately need leadership, someone who shows us the way, encourages us to come together. It has been lacking. It is embarrassing to me for the nearly 2 years I have been a Member of the Senate not to see that leadership exhibited in the United States of America.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, this week my home State of Mississippi received the sobering news that its economy had slipped back into recession. Frankly, I'm concerned that my State might be a harbinger for the rest of the country.

Despite national efforts to create new jobs and opportunities, our economy is not getting significantly better. It is a problem in most States. Unemployment has remained over 8 percent for more than 3 years despite spending nearly a trillion dollars with the President's 2009 stimulus package.

Investments and small business growth have languished with a weak economy and with tax policies and Federal regulations that seem to have made matters worse. The course we are on is simply not good enough. We urge the Senate to make a strong stand. Let's get together. Let's push a simple, easy-to-follow game plan for economic recovery.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. McCAIN. Mr. President, last night I came to the floor to object to a 1-hour debate on a measure that would have had Draconian effects on our relations with countries in the Middle East. I am not opposed to that measure or debating it. But I said I would think it would be important to have an amendment. The majority leader of the Senate said: The day of amendments here is over. The majority leader of the Senate said: The day of amendments in this body is over.

Is there a more telling description of how this body has deteriorated and degenerated over the years?

I see my friend from Maine here. It is a far cry from the day we first came, when other majority leaders would allow debate, amendments, and carry out the functions the people ask us to, and that is with vigorous debate and discussion. The day of amendments in this body is over.

So as we debated a bill for veterans jobs programs, of which six are already existing, the majority leader, for the first time in 50 years—for the first time in 50 years in this body—we are not taking up the Defense authorization bill. We are in a war. We continue to have attacks on American citizens. America's national security is at risk. And we cannot even do enough for the men and women who are serving to pass legislation that is so vital to their future and their ability to defend this Nation? Shameful.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, our troops are fighting and being attacked in Afghanistan. Iran marches toward the capability of having a nuclear weapon. Terrorists have been murdering our diplomats. Innocent civilians are being murdered in Syria by a despotic regime. The world is a dangerous place.

President Obama, stop leading from behind. President Obama, lead this effort. Right now our military faces devastating cuts about which your own Secretary of Defense has said we would be shooting ourselves in the head, that we would be undermining our national security for generations. We have heard what is happening in the world. Lead. Be the Commander in Chief. Your leadership has been absent. You have been AWOL on this critical issue and our troops and our Nation deserve better.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, lucky you to be presiding today.

We live in interesting times. You can receive a Nobel Peace Prize for not being somebody else. Now, 4 years later almost after the Nobel Peace Prize has been awarded, where do we stand as a Nation? In case you have not heard, bin Laden is dead. That is good. That is a great accomplishment. The President should take pride in that. We should all celebrate the death of that evil man. But that is not foreign policy. Is anybody deterred from attacking America's interest in the Middle East because bin Laden is dead? Is anybody saying: I better not go over the wall of that Embassy in Egypt because we killed bin Laden? There is no coherent foreign policy at a time when we need one.

Four years later, after a charm offensive and an apology tour that has not worked, our enemies are on steroids and our friends are unsure about who we are. I will make a prediction: If this continues, the world is going to devolve into chaos, because at a time when we need to be certain, we are unsure. The Iranians are not taking anything we say seriously and the Russians and the Chinese have corrupted the U.N. So much for restarting.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I rise to state the Senate's lack of leadership in addressing sequestration will have long-term effects on our Nation's robust intelligence community which had to be rebuilt after 9/11. These budget cuts will make it very difficult for the intelligence community to keep Americans safe in future years.

America hungers for leadership and, unfortunately, the Senate lacks leadership from the majority on these issues that affect the safety of all Americans.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I rise to urge the Senate to fully investigate the circumstances regarding the attack upon our U.S. consulate in Benghazi and the torture and killing of our Ambassador, the deaths of three American patriots and the following attacks and deaths involving marines in Afghanistan.

Americans are watching a conflagration of an estimated one-half million jihadists in over 30 countries, burning portraits of our President, American flags, and threatening attacks upon our consulates and embassies while shouting ''Death to America.'' No, Mr. President and my colleagues, the war against terrorism is not over. We find out now, 10 days later, that al-Qaida was involved in the planned attack in Benghazi, and dangerous protests continue in Pakistan and throughout the Muslim world.

This morning, the Commandant of our Marine Corps informed the Capitol Hill marines there are 153 marine units at the ready to protect U.S. consulates and embassies at the direction of the State Department. They should be deployed, and he believes the current danger may well last decades.

The sobering truth hurts. Was there actionable intelligence prior to this attack? If there was not, why not, especially given recent intelligence reports, press reports and testimony by Matthew Olsen, National Counterterrorism Center Director.

We are on a merry-go-round of excuses with this administration. There is no strong horse or weak horse. It is a merry-go-round that has to stop.

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

Mr. RISCH. Mr. President, today we have heard a lot about the financial condition of this country, and certainly that is foremost on the minds of everyone. It is in the forefront. But in addition, there are national security issues in the world, and, unfortunately, they have been pushed to the back page because of the condition of this country. But I wish to talk for a minute about the national security of the United States. It is something we need to focus on no matter what is happening domestically.

I wish to focus on one small part of our national security. Certainly, we have issues going on in 30 different countries, and a number of those have our embassies under siege. We have had an ambassador killed in recent weeks. This is a foreign policy that is in shambles. In the Middle East, it is a foreign policy of apology, it is a foreign policy of appeasement, it is a foreign policy of dithering and looking the other way. This cannot go on.

Iran continues down a course which is going to force a confrontation with Israel. Israel is the most reliable ally America has—certainly in the region and perhaps in the world. We need a President who will stand and be clear and be firm about what is going to happen if Iran keeps going down the road it is going. That is not happening. It needs to happen.

We need to change foreign policy from a policy of apology to a policy of leadership.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, the events of this past week are a very clear and direct reminder to us of the need to choose to end our Nation's dependence on imported oil. I will remind my colleagues this is our choice. It is

within our power to free ourselves from reliance on OPEC oil.

In these past few months, I have had an opportunity to visit our oil resources in the Gulf of Mexico, in North Dakota with Bakken shale, up in Alaska with the offshore as well as ANWR, and National Petroleum Reserve out in the Marcellus shale. We have learned one thing for sure: There is no scarcity of resources in this country. Technological breakthroughs allow us to access these resources in a safe and reliable manner.

This administration may talk a good game on oil production, but words and actions are entirely different. Our problems result from a federal government that has actions and inactions that indefinitely delay, if not prohibit, in many cases, access to our energy resources.

We are not running out of energy. What we are running out of are excuses for continued reliance on OPEC.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, just yesterday, the White House went out and applauded the fact that Saudi Arabia is producing more oil. The President goes to Brazil and tells the President of Brazil we want to be their No. 1 customer. This is at the same time this White House is blocking American energy projects and American energy jobs.

Held hostage by environmental extremists, this President continues to block and cause people to lose jobs in the United States. Earlier this week, the No. 3 coal producer in the country announced the layoff of 1,200 workers. So not only are Americans who are working in American energy losing their jobs, the President's policies continue to block new jobs from being created. The President continues to stand in blockade of the Keystone XL Pipeline, which would bring back thousands of good-paying, family-wage jobs. Yet the President says no.

HARRY REID, the majority leader, stands at that desk and he blocks over a dozen bills passed by the House of Representatives that are good American energy jobs that will put people back to work.

Republicans stand ready to produce more American energy, which will put people back to work, will stimulate our economy, and will help lower energy costs for American families. The American people deserve better than they are getting from the Democratic majority in the Senate and from the Democratic President of the United States.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Mr. President, the price of gasoline at the pump is double what it was 4 years ago. The majority in this Senate has done nothing to address that problem, and this administration has done nothing to address that problem. In fact, we are moving in the wrong direction.

The President's 5-year lease plan for offshore leases is half what the previous plan was. Production in the gulf is down following his imposed moratorium and it is beginning to go down further. It has gone from 1.55 million barrels a day in 2010 to 1.32 in 2011, and it is still headed down to 1.23 in this year. Two years before the moratorium, the Energy Information Administration, where all these numbers come from, said it would be 1.76 million barrels a day this year.

We are the most energy rich country in the world, but this Senate majority, this administration will not allow us to access our own resources for our own good.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, look at what is going on in the Middle East. We have more than 20 countries demonstrating with anti-American protests. Look at countries such as Egypt, Libya, Syria, and Yemen. Look at what is going on in Iraq. Yet at the same time we continue to import our energy from the Middle East. So look at what is going on in the Middle East at the same time we are dependent on them for our energy, when we can produce that energy right here at home and work with our closest friend and ally in the world—Canada—and when we can create American jobs.

This is an opportunity. We can produce more energy in this country. We can create jobs. We can get this economy going, and we don't have to be dependent on the Middle East. It just takes the will to move forward with the energy plan we have proposed, but we need an administration that will work with us to advance that energy plan.

Gas prices, which affect every working person, every consumer, every family, every business in this country, for the month of September are the highest they have ever been for any month of September. What does that do to American pocketbooks?

This is an opportunity. This is an opportunity we need to reach out and grab with both hands. The only question I can ask is: Why aren't we? Why isn't this Senate acting on that right now and why isn't this administration working with us? Why do veterans have to come back from the Middle East and go to Canada to get a job to work on something such as the Keystone Pipeline? Because the administration is blocking it in this country. The question I have is: Why?

We need to get going on this right now. The American people deserve that.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

Mr. COATS. Mr. President, Americans have endured 4 years of the worst recession in the last 70 years in this country. We have 23 million Americans either unemployed or underemployed, and millions more have simply given up finding a job. What is the President's response in the face of all this? Reject every plan presented by Republicans and, instead, spend $5 trillion of borrowed money leading—so-called leading—our country into decline and ultimately into bankruptcy.

What is the Democratically led Senate's response? Avoid all efforts to formulate a plan to address this problem and to vote and debate on that plan on one of the most critical—if not the most critical—issues facing this country in its history. The American public is desperate for new leadership, both from the White House and from the Senate—leadership that is absolutely necessary if we are to restore our Nation to growth and prosperity and get our people back to work.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi.

Mr. WICKER. Mr. President, yesterday the New York Times said this: ''The 112th Congress is set to enter the Congressional record books as the least productive body in a generation.''

This is true, and the responsibility falls squarely at the feet of the Democratic Senate leadership. The Senate has taken just 193 recorded votes this year. The Senate has been more than 3 years since passing a budget. The majority leader has shut off the right to amend a record number of times. The majority leader has filled the amendment tree a record 66 times—more than his 6 predecessors in the Senate who did it a total of 40 times. The majority leader has shut off the right to debate. He calls up a bill, he files cloture on it, and then he has the audacity to call that a filibuster.

In short, the Democrats have failed to pass a budget, have failed to do a single appropriations bill, and have failed to consider a Defense authorization bill when we have troops in harm's way. America needs new leadership.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Mr. President, a number of our colleagues have already spoken about the huge problems we face and the President's complete failure to lead. We have a $16 trillion debt, millions out of work, the biggest tax hike in history looming, and our military faces crippling across-the-board cuts.

The Nation and the world need strong American leadership and robust political institutions to meet these challenges. But the President, with a lot of help from the Democratically controlled Senate, has deliberately chosen inaction. Why?

Over the past 2 years, the Democratic Senate has seen itself as an extension of the President's reelection campaign rather than a forum for solving the Nation's problems. Everything it has and hasn't done is meant to help the President, not the American people. So our problems have only gotten worse. And the Senate has of course completely broken down as an institution, as described by the Senator from Mississippi.

Democrats haven't passed a budget in more than 3 years despite the fact that, as Senator SESSIONS pointed out, the law literally requires it. It doesn't say, Don't pass a budget if it is hard; don't pass a budget if you have to negotiate with the House; don't pass a budget if you have to vote. It says, Pass a budget.

We haven't passed a single appropriations bill, I say to my friend, the senior Senator from Mississippi. Apparently all these people on the Appropriations Committee are completely irrelevant. Senator ALEXANDER pointed out they did their work but are never going to bring up a single bill.

By the way, it is not just the Appropriations Committee. All Senators are on committees. Does any Senator remember the last time they actually marked up a bill? Most committees are not marking up bills and not offering amendments. So I guess the new rule is: No amendments in committee and no amendments on the floor.

There are a lot of Senators around here of both parties wondering what their job is. I was elected by the people of my State. What is this job I have? I am on committees that don't do anything. Nobody votes on amendments. All the legislation we have, if we have any, is written in the majority leader's office.

Senator ISAKSON or Senator ENZI pointed out that all we do is vote on bills that have fancy titles and a poison pill and, of course, only one vote. Because you know, if you get on the bill, there won't be any amendments. So a lot of Members wonder why they are here. They fought hard for these jobs, defeated intelligent, well-funded opponents, got here ready to go to work, and nothing happens. And it is not just 1 week or a month or 6 months, but 2 years.

As Senator MCCAIN pointed out, no Defense authorization bill. We had managed to get around to doing that, no matter what our differences were, for half a century. This Democratically controlled Senate gives do-nothing Congresses a bad name. It is a complete disgrace. Never before has a Senate and a President done less to address such great challenges that we have.

I know I can speak for every single member of the Republican Conference in the Senate. Regardless of our philosophical differences with our friends on the other side, we take our jobs seriously. We think the people who sent us here expected us to function, and we intend to do so.

So if the American people decide they want to make a change, the commitment I make to them is the Republican Conference is going to pass a budget. It may be hard; we may have to twist a few arms; there may be some people who don't want to do it. We may have to do it on a partisan basis if our friends on the other side don't want to join with us. But the law doesn't say, Don't do it if it is hard. It says, Do it.

The Appropriations Committee deals with the discretionary budget of the U.S. Government. It ought to be allowed to do its job. Not everybody is going to vote for every bill, but we are going to function.

We owe it to the American people to do, at the very least, the basic work of government. Of course, we have problems beyond the basic work of government. Certainly we were going to have differences after the 2010 election—which could best be described as a national restraining order.

The American people took a look at what this government did under this President's leadership over the first 2 years, and they said, We have had enough of that. They flipped the House of Representatives and made us a more robust minority in the Senate. They understood we weren't going to do any more of what we did the first 2 years. They were not interested in any more of that. But that is not an excuse for not doing anything. They said, We don't want to do any more of all this new stuff that was done in 2009 and 2010, the massive spending and debt and the takeover of health care and the nationalization of the student loan bills.

But they didn't send us here to do nothing. They assumed we would at least do the things we ought to be able to agree on—the basic work of government. It is embarrassing.

For the sake of this institution and for the sake of our country, we need to straighten out this place. We need an attitude change. This is not about the rules. The rules have remained largely the same over the years. This is about us. And this problem can be fixed. All we have to do is decide to operate differently. No matter who is up or who is down, there are basic things this institution owes the American people; that is, to get the basic work of government done.

So the pledge we make to the American people, if they decide they want to try new leadership in the Senate, is we will do these things even if they are hard.

Beyond the basics, let me say to our friends on the other side, we have big problems we are never going to be able to solve without some bipartisan commitment to do it. We are drowning in a sea of debt. We know we cannot save this country unless we make the entitlement programs fit the demographics of our country.

We have a lot of other problems. We have taxes, we have sequester. But the way I tend to think of that is those are the chairs on the Titanic. You can rearrange the chairs—figure out the tax problems, figure out the sequester problems—but the ship is still going down unless we make our entitlement programs meet and fit the demographics of our country. We probably won't be able to do that one party only. It is time for some statesmen to show up.

We have had an election every 2 years since 1788, right on schedule. At any point in American history, people could have said, Oh, we can't do that; there is an election coming up. There is always an election coming up in America. That is what we do. The fact that we have an election coming up is not an excuse for not tackling the tough problems.

So no matter what the American people decide this November, no matter what they decide, the problems are there. And our commitment to the American people is, if we are in the majority, we will do the basic work of government; and our hand will be out to our colleagues on the other side and whoever the President of the United States is.

It is time to tackle the biggest problems in the country, the most predictable crisis in American history.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, has the Republicans' time expired?

The ACTING PRESIDENT pro tempore. The Republicans have 3 minutes remaining.

Mr. MCCONNELL. I will yield back the remainder of our time.

The ACTING PRESIDENT pro tempore. The majority leader.

SELF-CREATED RESULTS

Mr. REID. Mr. President, I haven't been able to watch all the speeches by my friends on the other side of the aisle, but I have watched enough to understand what is going on. This has been a remarkable show of hubris or arrogance from the Republican side of the aisle.

One after another, the Republicans have stood to complain about how the Senate hasn't gotten a lot done. The Presiding Officer has been one of the leaders in having a more effective Senate, because my friend, the Presiding Officer, has watched what the Republicans have done. We are going to do something about it. The Presiding Officer knows that, I know that.

What they have done is the very definition of chutzpah. The nerve. What nerve. They are complaining about a result that they themselves created. They have created the fact that we haven't gotten anything done. They are good at it. A bill that would allow veterans to get jobs, they stopped it on a technicality. They have conducted filibuster after filibuster, blocking one bill after another, and then they complain the Senate can't pass anything when they are the ones holding things up. The record is pretty detailed and deep, and I am not going to cover it all today because, really, it is significant.

I said here yesterday, I have been the leader for 6 years. I may be off 1 or 2, but I have had to file motions to overcome 382 filibusters in 6 years. I know the Senate has changed a little bit since Lyndon Johnson was the majority leader, but during the 6 years he was the majority leader, he had to file cloture once. To think that they are here complaining we are not getting

anything done when they are the ones who caused it? And we start from this point.

I have to say, I appreciate the Republican leader being so candid and honest with the American people when he stood at the beginning of this Congress and said his No. 1 goal was to stop President Obama from being reelected. That is what he said. And they have legislated accordingly, stopping us from doing the most important things for this country. Measures to create jobs, they have stopped. Measures to stop jobs from being lost, they have stopped. They have done it so many times.

How about this: We have lost approximately 1 million teachers, firefighters, and police officers because of Republicans stopping us from get things done, really hurting State and local government. So we over here thought it would be a good idea that we stop these significant layoffs of teachers, firefighters, and police officers. We want to make sure it is paid for and we agree it should be paid for. So we said, Okay, no more layoffs of teachers, firefighters, and police officers, and we are going to pay for it. How are we going to pay for it? Anyone making more than $1 million a year would have to pay a surtax of three-tenths of 1 percent. Every Republican voted against that.

The Veterans Jobs bill I just talked about. The cyber security bill. The Pentagon has said the most important issue facing this country is cyber security. The National Security Agency: The most issue facing this country? Cyber security. We know, they know, the Republicans know, because they were down at the same demonstration I had of our intelligence agency showing what would happen if a cyber security attack took place in the Northeast just dealing with the power grid. We know it can happen.

I have heard Senator FEINSTEIN, the chairman of our Intelligence Committee, say several times it is not a question of if, it is a question of when. The Republicans blocked a cyber security bill, stopped it.

They have conducted filibuster after filibuster, blocking one bill after another. They blocked a bill to stop outsourcing jobs—more than once.

On all these TV ads that you see, we thought it would be kind of a good idea that the American people knew who was paying for these ads. But, no, twice they said let's keep them secret—Crossroads USA or whatever name they have there, all these names that sound so good. But I think we would be better served if people knew the ads were being paid by the Koch brothers or Sheldon Adelson from Las Vegas or Simmons from Texas who is boasting about giving $34 million to defeat President Obama. And that is what the Republican leader wants.

On the passage of several small business jobs bills, one July 12, just a month or two ago; the motion to proceed to paycheck fairness, violence against women—they stopped us from going to conference on that. On April 16 they blocked a motion to proceed to a bill to reduce the deficit by imposing a minimum tax rate on high-income taxpayers, the Buffett rule, Warren Buffett. He wants to make sure he pays a tax rate comparable to his secretary's. That is what we wanted. They defeated that.

They blocked many bills dealing with unnecessary tax subsidies for these large oil companies. They have held up hundreds of measures out of the Energy Committee—hundreds. It used to be we would pass those just matter-of-factly.

Senator STABENOW had an amendment to decrease taxes on American businesses. She wanted to do that by extending expiring energy tax credits for energy that has created hundreds of jobs in America.

They blocked the nomination for weeks and weeks of Richard Cordray to be the Director of the Bureau of Consumer Financial Protection. They blocked judge after judge. They blocked a motion to proceed to a bill to put workers back on the job while rebuilding and modernizing American infrastructure. It creates jobs.

They blocked motions to proceed to a bill to keep teachers and first responders—in addition to the one I just talked about—and other ones. They blocked a bill to reauthorize the Economic Development Administration. This has been something we have done for 25, 30 years. They blocked it.

We wanted to reduce the deficit by doing something about these outlandish subsidies we give Big Oil—blocked it. We were trying to do a bill to create jobs. We spent weeks because they wanted to dictate what women could do dealing with contraception.

Then they have this little—this little deal with the House Republicans. If we work and are able once in a while to get something done over here, such as a postal bill to save our postal system, then the Republicans block it in the House. The farm bill—reduces the debt by $23 billion—they have this deal with the House and now they blocked that. China currency? The same thing; they blocked it over in the House.

The record is very clear. The party of trying to defeat President Obama has done everything they can to make the economy look as bad as it can because they think if the economy is really bad, it is going to help them defeat President Obama.

The middle class—we know how they feel about the middle class. That was exemplified by statements that came out in the last few days by the Presidential nominee.

This morning, as I said, I wasn't able to listen to everything, but I listened to enough. One party stands for obstruction and the rich. The big lie—listen to this: How many times did we have the Republicans come to this floor and say: They have not passed a budget?

I have served in this Congress for 30 years, and I have admired two people very much for their knowledge of certain things. One person I have admired dealing with the finances of this country more than anyone else is someone with whom I came to the Senate 26 years ago, KENT CONRAD. KENT CONRAD has come here and time and time again said: Yes, we did not pass a budget resolution because we did not need to. We passed a law. That is why the CR is going forward. We passed a law that set numbers for us.

It is a big lie for them to come here and say we have not passed a budget. It is a lie. It is untruthful.

My friend with whom we have served in Congress, we came the same day, the senior Senator from Arizona, I have said before, and I will say it again: I admire him. I admire his service to our country. But for him to come and say that the Senate is not working well because of the Democrats, that is one of the big lies.

We have tried to legislate. They are holding up virtually everything we try to do, including the Defense authorization bill. I have been waiting for months for them to come to me with an agreement. This is part of the big game they are playing to try to make us look bad when they are the cause of it. They are the reason we have not done this legislation. We can't. We have spent weeks on matters that we would have done before in a matter of an hour or 20 minutes.

Republicans are complaining about a result that they themselves caused. The Defense authorization bill—we are going to come back after the election, and we will get that done with their help.

Here is the issue with Republicans, here is why suddenly they are all upset. They have been upset for some time, but really this week has been something that would upset nearly everyone because—we thought the Olympics were over, but yesterday we saw it in full go.

We had Republicans running to break marathon records, sprint records to get away from their Presidential nominee because it makes it a little hard for them to have somebody running for President representing their party who says: I only have to worry about half the people in this country.

We are going to continue to work to the best we can to move forward with the legislation we believe is important. We are going to come back after the election, during the lameduck. Hopefully, they will decide at that time maybe they have something better to do than try to make the President of the United States look bad.

We are a very fortunate country. We have a two-party system that is the envy of the rest of the world. These parliamentary governments, they work for months and weeks and sometimes longer than that to try to form a government. We don't have to do that. We are a government of laws, and we have a system that works pretty well.

But we know, based on some academic work that has been done—it is not just me talking. We have two of the foremost experts who have watched this country for more than 40 years—Thomas Mann from the Brookings Institute and Norm Ornstein from the conservative Enterprise Institute—who have said the problem with the government today is the Republicans. They said they have been here for 40 years and have never seen anything like it. I haven't seen anything like it, and I have been here 30 years.

We used to work together. When I came to the Senate we had Republican Senators and Democratic Senators. We joined hands and we got things done. But now, because they are being led by someone who believes the most important thing to do is to defeat Obama, we are getting nothing done and they are following him like lemmings off the cliff.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, one of the greatest orators in the history of English-speaking people was Winston Churchill. I can't tell you how many times I have read and reread his speeches and heard his great efforts to summon the courage of the British people during World War II.

In one respect the speech earlier this morning by Senator MCCONNELL was Churchillian, in the tradition of Winston Churchill, because they once said to Winston Churchill: What do you think history will have to say about you? He said:

> I'm not worried about what history has to say about me because I'm going to write the history.

This morning Senator MCCONNELL decided to write the history of the Senate session. Unfortunately, his version was a little bit different than the memory of most of us in terms of what has actually happened.

This we do remember: In the beginning of the Obama Presidency, a short time after the President had been sworn in and asked to try to take this failing economy and put it back on its feet, when we were losing 750,000 jobs a month, when businesses were failing, when American families were losing one-third of the value of their savings, when the stock market was plummeting, when we ran the risk of a global fiscal crisis, when we were sending $800 billion to the biggest banks in America to save them from their own greed and stupidity—at that time the Republican leader, Senator MCCONNELL, said: ''My highest priority is to make sure that Barack Obama is a one-term President.'' His highest priority.

That is a fact. That is on the record. That is on tape if you want to see it. And he lived up to that in terms of his own ambition as the Republican leader.

When the President came up with a stimulus bill to turn this economy around, we had three Republicans who would join us, three of them. What happened to those three Republicans?

One of them, Senator Specter of Pennsylvania, was then threatened with defeat in the Republican primary for joining in a bipartisan effort to save the economy. He switched parties, came over to the Democratic side, and said: It isn't the Republican Party I remember. Another, Senator SNOWE of Maine, announced her retirement a few months back and said: I can't take the partisanship and division. The third, Senator COLLINS, still survives. Those three were the only three who would stand up with the President to try to get this economy back on track.

When it came to health care reform, after months of effort by Senator BAUCUS to bring in Republicans to craft the bill, Senator GRASSLEY, who was leading the effort on the Republican side, went back to Iowa in August, had a town meeting and said: I am finished. No more bipartisan negotiation on health care reform. And they would not give us a single vote, not one vote to pass health care reform.

The same thing was true when it came to Wall Street reform to put in oversight to avoid another fiscal crisis generated by the perfidy of greed on Wall Street.

Time and time again the Republicans refused to stand with us. To my left is Senator CONRAD of North Dakota. He has been our chairman of the Budget Committee. He put in a sincere, bipartisan, good-faith effort to deal with the deficit—with Senator Judd Gregg, a Republican of New Hampshire, a man who commanded respect on his side of the aisle, as Senator CONRAD does as well. They came up with a notion. Here is what it was.

We would create a commission that would investigate the deficit crisis, and if 14 of the 18 members of the commission voted to go forward it would come immediately to the floor for a vote.

We had a lot of Senators who were cosponsoring that. Democrats and Republicans finally said that will break the logjam. Then we called it on the floor. I ask Senator CONRAD, does my memory serve me correctly that the Republican leader, Senator MCCONNELL, who was a cosponsor of this deficit commission, along with six other Republican Senators, changed their votes on the floor and defeated the very bill they had cosponsored to deal with our Nation's deficit?

The Senator didn't hear that this morning, did he? All the speeches from the other side about dealing with the deficit. Perhaps Senator MCCONNELL and those six other Senators, those remaining, would like to explain why they reversed course and said no; they didn't want to be part of the effort. But it happened. It happened for certain.

As Senator REID came to the Senate floor and explained, they have broken all records in the Senate for filibusters. Boy, I tell you what: If you have a cable TV at home and you have C–SPAN on it and you turn on the Senate, I know a lot of people across America are calling into the cable channel providers and asking for a refund. Why in the world do we have this channel where nothing happens except an occasional mention of a Senator's name during a quorum call? Does anyone know why? There were 382 filibusters on the Republican side; 382 delays in the Senate. What sort of issues are they filibustering? I just saw one this week. It was a veterans jobs bill. A veterans jobs bill was the subject of a 2-week filibuster. It was a bill which should have passed by voice vote. If every Senator who went back home for a Fourth of July parade, grabbed the flag and walked down the middle of the street and said how much they loved the veterans would have voted for it, we would have passed it. Instead, they filibustered it. It was one of 382 filibusters.

I am glad Senator CONRAD is here to explain this whole budget resolution issue. He can do it better than anyone. I will tell the Senator I took a look this morning at the 30 Senators on the Republican side who got up to speak and about 10 of them talked about the fact that there was no budget, that we didn't have a budget this year, and we don't have a budget next year. I then looked at the votes on the Budget Control Act. Those same 10 Senators voted for the Budget Control Act, a law which controls the budget for 2 years.

I am calling for an official investigation by the attending physician to see if there is something in the coffee urn in the Republican cloakroom causing amnesia so that these Senators would come to the floor and forget they voted for the Budget Control Act and make speeches like they didn't or never heard of it.

Let me say something about entitlements. Senator MCCONNELL spoke to the issue of entitlements. He is right; it is an important part of what we need to do to right this ship to deal with our deficit. It would have been part of the conversation for the Conrad-Gregg commission, which seven Republican Senators torpedoed, including the Republican majority leader. We can go through the bills, as the majority leader has, and talk about the efforts we have made.

We have passed bills on a bipartisan basis. We passed a postal reform bill to ensure that the best postal service in the world survives. We passed it with a bipartisan vote—dead in the House.

We passed a transportation bill. Senator BOXER and INHOFE put it together. It was a strong bipartisan vote to build the infrastructure of America. It passed in the Senate. It died in the House.

We passed a farm bill with Senator STABENOW of Michigan and Senator ROBERTS of Kansas. It was a bipartisan farm bill that gave us a good architecture for the future of farm programs and reduced the deficit by $23 billion. We passed it on a bipartisan basis in the Senate. It died in the House of Representatives. The tea party faction in the House will not allow it to go forward.

Senator REID also made the point earlier. What was the first Republican amendment on the Transportation bill? Think about this for a second. It was the first Republican amendment on the Transportation bill. They wouldn't let us move forward to that bill unless we considered an amendment which would reduce the opportunity for women across America to have access to family planning. That was on the Transportation bill. Now they are arguing that we are finding ways to slow down the Senate? The Blunt amendment was defeated, but it is an indication of the political gamesmanship that has gone on at the expense of the important bills such as the Transportation bill.

The last point I wish to make is this: We know that if we are going to thrive in this country, the middle-class working families in this country need a chance.

The Senators on this side of the aisle, as well as President Obama, want to give working and middle-income families a tax break. We passed a bill so they will have a tax reduction to help them as they struggle from paycheck to paycheck. We sent it over to the House of Representatives, where it is never going to be taken up for a vote. That is the sad reality.

So as the Republicans came to the floor this morning and gave us this grand vision of when they were in control, they tried to rewrite history. Maybe Churchill is capable of doing that, but I would say the Republican Senators failed to meet that challenge this morning.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWN of Ohio). The Senator from North Dakota.

Mr. CONRAD. First, I thank my colleagues, Senator REID, our leader, and Senator DURBIN for their kind words. I very much appreciate those kind words. I also must say I am a little taken aback by what I heard earlier on the floor from some of my Republican colleagues because it truly does represent an attempt to rewrite history, the history I have lived in my 26 years in the Senate.

I announced a little more than a year and a half ago that I would not seek reelection, so I don't have a political ox to gore. But I am here to report what I have seen after 26 years of service. Let me start by saying our Republican colleagues at the leadership level decided early on that their strategy to be successful was to stop things from passing in the Senate. It is very clear that has been their strategy. That is why we have seen more than 380 filibusters in this body, which is completely unprecedented in the history of the Senate.

The Republican leader made it very clear years ago that his highest priority was to defeat for reelection President Obama. He did not say his top priority was to solve the problems of the country. He did not say his top priority was to get our economy back on track. He did not say his top priority was to address the deficits and debt of the Nation. He did not say his top priority was to improve the security position of the United States. He said his top priority was to defeat President Obama. Shame on him. That should never be the top priority of a leader in this body, Republican or Democratic. The top priority ought to be to help solve the problems the country confronts.

I am a little cranky because many of my colleagues know my wife and I have a little dog named Dakota that is suffering from cancer. Last night we were up from 12:30 until 5:30 as he was bleeding internally. So I must say I am a little cranky after having been up most of the night, and I got a lot crankier when I heard colleagues say things they know are not true.

When they say there is no budget for the United States, they know that is not true. How do I know it is not true, and that there is a budget? Because I remember what we voted on, and it is in writing. It is a law. It is called the Budget Control Act. The Budget Control Act passed last year and contained the budget for 2012 and 2013. Some say that is not a budget. Let's look to the language of the law itself and see what it says.

Here is what it says: For the purpose of enforcing the Congressional Budget Act of 1974, including section 300 of that Act, and enforcing budgetary points of order in prior concurrent resolutions on the budget, the allocations, aggregates, and spending levels set shall apply in the Senate in the same manner as for a concurrent resolution on the budget.

What they are trying to do is mislead the American people by saying we have not passed a budget resolution. What they failed to tell people is that instead of a budget resolution, we passed a budget law. What is the difference? A resolution is purely a congressional document. It never goes to the President for his signature. So instead of a resolution, we passed a budget law called the Budget Control Act. It set out spending limits not just for 2012 and 2013, it actually set out on the discretionary side of the budget limits for 10 years.

In fact, the Budget Control Act, in many ways, is more extensive than any budget resolution could provide. It has the force of law, unlike the budget resolution that is not signed by the President. It set discretionary caps on spending for 10 years instead of the 1 year normally set in a budget resolution. It provided enforcement mechanisms, including a 2-year provision allowing budget points of order to be enforced. It created a reconciliation-like supercommittee process to address entitlement and tax reforms. It said if the special committee could not agree on reforming the entitlement programs and the tax system of the United States, there would be an additional $1.2 trillion in spending cuts.

Let's add it up. The Budget Control Act first cut $900 billion from the discretionary accounts over 10 years. Then it said if the supercommittee didn't reform the tax system and entitlement system of the country, there would be another $1.2 trillion cut from the discretionary accounts over the next 10 years. That is a total of $2.1 trillion in spending cuts over the next 10 years. That is the biggest package of spending cuts in the history of the United States. That is a fact.

The Budget Control Act set the spending limits for 2012 and 2013 and further set limits for 8 years beyond that. So when they say there is no budget resolution, what they fail to tell people is there is a budget law.

It is interesting if we compare and contrast what their side presented as their priorities in a budget because Mr. RYAN, their candidate for Vice President, came before the House of Representatives and laid out his budget blueprint. What does that do? First of all, it extends all the Bush-era tax cuts.

Think about this. Here we have a circumstance in which the revenue of our country is at or near a 60-year low. The first thing the Ryan budget does is extend all the Bush-era tax cuts, even those for the very highest income. Then it says that is not enough for the wealthiest among us. So the Ryan budget, after extending all the Bush era-tax cuts, goes and provides another $1 trillion of tax cuts for the wealthiest among us.

I have nothing against wealthy people. I hope all Americans have the opportunity to become wealthy; that would be my fondest hope. That was why I was drawn to public service. What could I do that would strengthen the economy of the United States? It has always been my top priority. It is what I truly believe is essential to our democracy. But in a circumstance in which we are borrowing 40 cents of every $1 we spend, and then to say the answer is more and more tax cuts for the very wealthiest among us and try to pay for it by shredding the social safety net that is critically important to those who are the least fortunate among us, frankly, I think that fails the moral test. I think that fails any moral test of government.

The Ryan budget, which our colleagues have endorsed, would give, on average, those earning over $1 million a year an additional tax reduction of $265,000 a year.

I know if I were listening to this I would say, How can it be that someone earning over $1 million can get a $265,000 tax cut, because that is about all they would pay in taxes. Remember, we are talking about the average for those earning over $1 million a year, so we are talking about not just people who earn $1 million a year but people who earn hundreds of millions of dollars a year. And the average tax cut provided in the Ryan budget for those folks is another $265,000 a year.

What does Ryan do in order to offset that massive additional tax cut for the

very wealthiest among us? Well, here is an interesting quote from a former top economic adviser to Ronald Reagan, a man named Bruce Bartlett, who was a top economic adviser to Ronald Reagan. Here is what he said about the Ryan budget that our colleagues here have endorsed:

Distributionally, the Ryan plan is a monstrosity. The rich would receive huge tax cuts while the social safety net would be shredded to pay for them. Even as an opening bid to begin budget negotiations with the Democrats, the Ryan plan cannot be taken seriously. It is less of a wish list than a fairy tale utterly disconnected from the real world, backed up by make-believe numbers and unreasonable assumptions. Ryan's plan isn't even an act of courage; it's just pandering to the Tea Party. A real act of courage would have been for him to admit, as all serious budget analysts know, that revenues will have to rise well above 19 percent of GDP to stabilize the debt.

Those are not my words. Those are the words of a top economic adviser to President Ronald Reagan.

The Ryan plan is a monstrosity.

If anybody seriously studies the Ryan budget they would have to conclude that Mr. Bartlett is correct, because Mr. RYAN cuts taxes in a very dramatic way for the richest among us. Let me be clear. The first thing he does is extend all the Bush-era tax cuts. Then, on top of that, he cuts the top rate from 35 percent to 25 percent. That provides over $1 trillion of additional tax cuts for the wealthiest among us. And they refuse to do anything to close the tax loopholes that are allowing certain wealthy people to avoid paying taxes in this country entirely.

I have shown on the floor of the Senate many times a picture of a five-story building in the Cayman Islands called the Ugland House. The Ugland House claims to be the home of 18,000 companies. A little five-story building in the Cayman Islands claims to be the home of 18,000 companies. I say that is the most efficient building in the world. Can you imagine 18,000 companies operating out of a little five-story building down in the Cayman Islands?

All those companies claim they are doing business out of that little building for a reason. They claim they are doing business out of that little building in the Cayman Islands because they don't want to pay taxes in the United States. So here is what they do, and it is very clever. Through paper manipulations, they show the profits of certain subsidiaries of their companies in the Cayman Islands rather than in the places where they actually earned the profits. Why would they do that? Because the Cayman Islands doesn't have a corporate income tax. So by showing their profits in the Cayman Islands, even though in truth they were never earned in the Cayman Islands—through accounting gimmicks they show their profits in the Cayman Islands and they aren't taxed. They avoid paying here what they legitimately owe here. What does that mean? That means all the rest of us get stuck paying for ourselves and them.

I said earlier the Ryan budget fails the moral test, and it is not just my judgment that it fails the moral test. How can one justify cutting taxes dramatically for the wealthiest among us and then turn around and shred Medicare, which is what the Ryan budget did? The Ryan budget he initially proposed changed Medicare's finances over time so that instead of Medicare paying 75 percent of health care costs for seniors who are eligible, the Ryan budget, over time, would switch that so Medicare would pay 32 percent. To be clear, under the Ryan plan, we would wind up with a situation in which the majority of one's health care costs, if one is eligible for Medicare, would be paid by that person, not by Medicare. That is to make up for the massive tax cuts he gives the wealthiest among us.

Here is what the Catholic bishops said. The Catholic bishops say the Ryan budget fails the moral test. I agree with the Catholic bishops. This is what they said in the Washington Post in 2012:

A week after House Budget Committee Chairman PAUL RYAN said that his Catholic faith inspired the Republicans' cost-cutting budget plan, the Nation's Catholic bishops reiterated their demand that the Federal budget protect the poor and said the GOP measure fails to meet these moral criteria.

In any moral test that I know of in any religion, we don't take from those who have the least to give it to those who have the most. I don't know of any religion that practices that as an article of faith—that we take from those who have the least to give to those who have the most.

Anybody who knows me knows I am pretty conservative. I come from a business family. I have a master's in business administration. Throughout my career, I have been someone who has been judged as fiscally conservative, someone who believes deeply in balancing budgets. I was the grandfather of the Bowles-Simpson Commission; served on it proudly. I was one of the 11 votes for its product—5 Democrats, 5 Republicans, 1 independent.

By the way, when our colleagues said this morning we haven't worked in a bipartisan way—well, I have spent 5 years working in a bipartisan way trying to get our debts and deficit under control. Senator Gregg, the ranking Republican on the Budget Committee, and I proposed the Bowles-Simpson Commission. We served on it. We voted for it. I subsequently served in the group of six, three Democrats, three Republicans, who were given the assignment by our colleagues to come up with a plan to reduce the deficit. We worked for a year and a half to try to find a bipartisan solution. We have had the Biden group. We have had the supercommittee, all bipartisan efforts that have gone on for years to try to produce an agreement. So my friends saying there hasn't been an effort, that is not true.

What is true is when our friends on the other side were in charge, they brought this economy to the brink of financial collapse. That is the truth. Anybody who doubts it can simply go back to the end of the Bush administration and see where the country was. The stock market was collapsing. The housing market was collapsing. The financial system was collapsing. That is what President Obama inherited. He did not create those crises; he inherited them. At the time President Obama came into office, the economy was shrinking at a rate of almost 9 percent a year. We were losing 800,000 jobs a month. Now the economy is growing at a rate of about 2 percent a year, and we are gaining about 200,000 jobs a month. That is a dramatic turnaround.

So when they ask the question: Are we better off now than 4 years ago? Undeniably, we are better off. Undeniably, we are better off. We have gone from an economy shrinking at a rate of more than 8 percent to one growing at a rate of 2 percent. We have moved from a time when we were losing 800,000 jobs a month to a time when we are gaining about 200,000 jobs a month. We have gone from a circumstance in which the stock market was plunging to a circumstance in which the stock market has about doubled during the time of President Barack Obama. President Obama inherited two wars, a war on terror, a financial system that was collapsing, a financial system that had seen, under the previous President, the debt double; foreign holdings of U.S. debt were tripling; and this President has ended the slide and has us going back in the right direction, and with precious little help from the other side.

I ask the American people before they cast their votes to think back to the final days of the Bush administration. I will never forget as long as I live being called to an emergency meeting in this building with the Secretary of the Treasury of the Bush administration, the Chairman of the Federal Reserve, the leaders, Republicans and Democrats, in the House and the Senate, and being told by the Secretary of the Treasury and the Bush administration and the Chairman of the Federal Reserve that if they did not act, they expected a financial collapse within days—a financial collapse within days. Those were in the final months of the Bush administration. That is what President Barack Obama inherited.

The hard fact is that when our colleagues were in charge of everything—they had the House, the Senate, and they controlled the White House—they brought this country to the brink of financial collapse. That is a fact. Thank goodness this President, acting with this Congress, was able to draw us back from the brink, but we have a long way to go. We have a long way to go. It is going to take everybody working together to pull us out of the ditch completely.

I have been part of major efforts for the last 5 years—bipartisan efforts—including Bowles-Simpson, the group of six; right now the group of six has been

expanded to the group of eight. We have been working nonstop, hundreds of hours of discussions, on a bipartisan plan—four Democrats, four Republicans—to be enacted when we return, to get America back on track. That is what is required here.

What we saw this morning from our colleagues on the other side is not the answer; it is the problem. The same old tired political gamesmanship is not going to cut it. What we desperately need is Republicans and Democrats working together to solve America's problems. That is what we owe the American people. I very much hope when we return after this election that colleagues on both sides will be prepared to act in that spirit.

I thank the Chair and I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I am very proud to follow Chairman CONRAD on the floor at this time. There is no person in the U.S. Senate who has worked harder on a budget compromise than Senator CONRAD has. There is no person who has put out the hand of bipartisan friendship and cooperation more than Senator CONRAD has. There is no person who has experienced more frustration of having that hand rejected and slapped away than Senator CONRAD has, and there is no person who has contained that frustration and continued to work forward and seek resolution in a dignified way than Senator CONRAD has.

The Senate Republicans who took to the floor this morning to criticize Democrats for failing to pass a budget and deal with the impending sequester and tax cuts expiration failed to note that Senate Democrats have, in fact, passed a budget law and a bill that extends the tax cuts for 98 percent of Americans and 97 percent of small businesses. It is to protect the 2 percent and the 3 percent at the top of the income level that Republicans have refused to allow that bill protecting 98 percent of Americans and 97 percent of small businesses from tax increases from going forward.

Senate Democrats also support a balanced approach to replacing the sequester and reducing the deficit. What they didn't talk much about but which is very important in this discussion is the Republican Ryan plan for the budget.

This past May, 41 of our Senate Republican colleagues voted in favor of a radical transformation of the America we know. And the Republican-controlled House passed this budget—a budget that would devastate the middle class. The plan would end Medicare as we know it for future retirees. It would reopen the Medicare prescription drug doughnut hole that we closed for current retirees. It would slash investments that America's children depend on, from Head Start to Federal college aid; and it would give the average million-dollar earner a new additional tax cut of, on average, $285,000 each in that million-dollar-plus earner cohort.

The blockade here that is preventing moving beyond the sequester is by Republicans, particularly in the House, refusing to proceed in any reasonable way and, instead, demanding these damaging radical cuts for the middle class.

Let's look a little bit behind the curtain of campaign rhetoric and examine the harm—the personal real-life, real-person harm—that the Ryan budget would inflict on millions of middle-class families and retirees.

In what is one of the extraordinary examples of ''say one thing, but do another'' rhetoric, Mr. RYAN, in his recent nomination acceptance speech, said that ''the greatest of all responsibilities, is that of the strong to protect the weak. The truest measure of any society is how it treats those who cannot defend or care for themselves.''

His budget, of course, visibly does exactly the opposite. It slashes taxes for the most well off, while decimating the programs on which struggling families and retirees rely.

Do not take my word for it. Following the House passage of this Ryan budget, the Conference of Catholic Bishops said:

> Congress faces a difficult task to balance needs and resources and allocate burdens and sacrifices.
>
> Just solutions, however—

The bishops said—

> must require shared sacrifice by all, including raising adequate revenues, eliminating unnecessary military and other spending, and fairly addressing the long-term costs of health insurance and retirement programs. The House-passed budget resolution fails to meet these moral criteria.

That is what the Conference of Catholic Bishops said. I will state again: ''The House-passed budget resolution fails to meet these moral criteria.''

That is not me speaking. That is the Conference of America's Catholic Bishops.

So let's start our look behind the curtain, the curtain of the budget that fails this moral test—that Governor Romney said was ''marvelous,'' to use his word—let's start with the budget's tax theories.

The Ryan budget would lower the top tax rates for both corporations and the highest earning individuals from 35 percent to 25 percent.

According to a Joint Economic Committee analysis, this would result in an average tax cut of $285,000 for Americans earning $1 million a year and more. At the same time, middle-income taxpayers making between $50,000 and $100,000 would see their taxes go up—go up—by $1,300 because middle-class deductions are stripped away to pay for the high-end cuts.

RYAN would also shift, at the corporate level, to a so-called territorial tax system, which would mean that companies that ship jobs and operations overseas would no longer have to pay any U.S. taxes on their overseas profits.

Democrats have tried repeatedly to offer tax incentives to companies that bring jobs home to the United States. And nobody in this body has worked harder on bringing jobs home to the United States than the Presiding Officer, the Senator from Ohio, Mr. BROWN.

Well, the Ryan plan would do exactly the opposite. It would tell big corporations that if they move their business operations overseas, they will never pay taxes on those again. The Ryan plan is really a jobs bill for China, for India, for Korea, not for America. It is an offshoring rewards act.

In addition to those upside down tax changes that harm the middle class and raise their taxes to cut taxes for the highest earners in this country, in addition to its inducements to offshore more jobs instead of bringing them home, the Ryan budget would slash $2.9 trillion from our health care programs. Beginning for workers who retire in 2023, Mr. RYAN would convert Medicare to a voucher system, which, according to the nonpartisan Congressional Budget Office, would ultimately add an estimated $6,000 in annual out-of-pocket costs that our retirees, our seniors would have to fork over.

It is hard to imagine how future seniors living on a fixed Social Security income will be able to maintain health care coverage with these substantial increases in out-of-pocket costs that Mr. RYAN's budget envisions.

If the Republicans are saying they will not make the deal that spares us the sequester unless that deal puts an end to Medicare as we know it, holding Medicare hostage, well, it then takes some ''brass''—to use President Clinton's phrase—to say: We are for the sequester.

The Ryan budget does not stop there. It would repeal the Affordable Care Act and take away access to affordable health insurance for millions of Americans of all ages. And, of course, repealing the Affordable Care Act hits seniors again by reopening that dreaded Medicare prescription drug doughnut hole that we worked so hard to close and that is closed over time in the Affordable Care Act.

In 2011 alone, the Affordable Care Act helped nearly 15,000 people in my home State of Rhode Island save an average of $554 by beginning to close the doughnut hole—millions of dollars out of the pockets of Rhode Island seniors.

That made a big difference for people such as Olive, who wrote to me from Woonsocket. Her husband fell into the doughnut hole last July. Thanks to the new law, Olive and her husband received a discount on their prescription drugs. They saved $2,400. If the Ryan budget passed, they would be stuck paying that full cost again: $2,400 right out of the pockets of Olive and her husband and into the pockets of the drug companies. Gee, who would be for that around here?

In fact, under the Ryan budget, the average senior would be stuck with

$4,200 in additional out-of-pocket prescription costs—a huge transfer of wealth from America's seniors to the big drug companies.

Repealing the Affordable Care Act would not just harm seniors, it would also mean that insurance plans would no longer have to cover young adults up to age 26 on their parents' plans. This moves over 3 million young Americans—just getting out of college, still looking for that first job that has health insurance coverage—back on to the rolls of the uninsured.

The radical Ryan budget would also hurt young people by slashing Pell grants, making college less affordable. Students and graduates are already struggling to pay a record trillion dollars that Americans now owe in outstanding student loans, and the Ryan plan would force students to take on even greater debt burdens.

On top of these specific cuts, the Ryan budget takes an additional $1 trillion in unspecified discretionary spending cuts. Domestic discretionary funding is the money that is used to keep the government operating each year—FBI agents investigating cases, Border Patrol agents working our borders, doctors and nurses treating veterans at the VA, employees mailing out Social Security checks, and many other important programs and functions.

It is already at its lowest level as a share of GDP since the 1950s. It is hard to imagine any Federal investment—whether it is education or housing or highways or law enforcement, you name it—not being jeopardized by such Draconian cuts.

That is why President Reagan's—President Reagan's—former economic adviser said about this Ryan budget plan:

> The Ryan plan is a monstrosity.

Ronald Reagan's economic advisor said: ''The Ryan plan is a monstrosity.''

> The rich would receive huge tax cuts while the social safety net would be shredded to pay for it. . . . It is less of a wish list than a fairy tale utterly disconnected from the real world, backed up by make-believe numbers and unreasonable assumptions.

If that is what Ronald Reagan's economic advisor thought about it, think what regular people might think about it.

> Ryan's plan isn't even an act of courage; it's just pandering to the Tea Party.

But that is what is being held hostage on this sequester.

I hope when the election season is over, no matter who wins, that Republicans will work with us—without insisting on a monstrosity, without insisting on the end of Medicare—on a balanced and reasonable plan to reduce the deficit. With a record national debt, now is no time for more tax giveaways to billionaires, as Mr. RYAN proposes, but, rather, it is the time to ensure an America where everyone gets a fair shot, everyone pitches in their fair share, and we go forward as a country together, as we always have in our best days.

I thank the Chair and I yield the floor.

The PRESIDING OFFICER. The senior Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, I caught some of the dog-and-pony show that Republicans put on this morning on the floor of the Senate, and I thought it was pretty indicative of their approach to this entire Congress—all politics, no participation. Someone must have reminded them this morning that they are 47 days away from an election and that for the last 624 days of this Congress, they have done nothing but say no.

But I am here to say that an hour of speeches on the Senate floor cannot erase an entire Congress of obstruction. In fact, the Republicans' show this morning reminded me of a move I have seen many times before as a former preschool teacher and as a mom who has watched a lot of kids go through school. It reminded me how on the very last day of school before summer there was always one student who had not done their homework all year long, and on that last day they showed up on their best behavior, homework in hand, hoping to leave a good impression. They thought maybe this last-ditch effort could help them avoid a bad grade.

Unfortunately, it does not work that way.

So let me assure Republicans of one thing: Their record of obstruction and their refusal to compromise will not go away at the eleventh hour. One-minute speeches on the day before they go to face voters cannot paper over 100 filibusters. It will not change the fact that almost 2 years ago the Senate minority leader revealed that his No. 1 priority was—not working to get Americans back to work, it was not bringing our economy back from the brink, it was not ensuring that America remained a leader at home and abroad, no—to defeat President Obama, it was playing politics, just as we saw this morning.

There has been, seemingly, no group of Americans—well, with the exception of millionaires and billionaires—who have been spared in the Republicans' efforts to achieve their goals—not our teachers, not our college students, not our farmers, not construction workers, not first responders, not even our Nation's veterans have been spared their efforts to destroy the work of this Congress.

There was no better example of that than yesterday here on the floor of the U.S. Senate. The Veterans Jobs Corps bill that we brought to the floor included 12 provisions to help veterans find jobs.

Eight of them. Let me repeat that. Eight of those provisions were Republican ideas. This bill was fully paid for. It was based on existing grant programs that are putting Americans to work. It would have allowed the veterans to serve their communities. It would have given unemployed veterans the self-esteem that a job provides. It would have allowed them to support their families and help ease that transition back home.

That bill came at a time when one in four young veterans today is out of work. It came at a time when our military and veteran suicide rates are outpacing combat deaths and when more and more, as we all know, veterans are coming home today. The American Legion supported it. The Iraq and Afghanistan Veterans of America supported it. The problem was, it seemed, President Obama supported it. So we know from everything we have seen and attempted on the Senate floor, no matter how good or bad of an idea, no matter which struggling American would benefit, it seems that if the President supports it, you can pretty much guarantee Senate Republicans will not.

That is the legacy the Senate Republicans are going to take home to voters, the legacy that when middle-class American families needed their help the most, they refused to compromise to get things done; that when Americans were hurting, they put politics before people; that they set a goal of not participating, and they followed through on that at every single turn. No amount of snappy speeches is going to change that. No last-minute appeals for leniency will change that record.

In fact, it is ironic that this morning all of the Republican Senators showed up on the floor because for the last 2 years, when the American people have needed them the most, they have been absent.

The PRESIDING OFFICER. The Senator from Florida.

THE MIDDLE EAST

Mr. RUBIO. Mr. President, I come to the floor of the Senate to talk briefly about an amendment on which we may or may not get a vote. It is an amendment by my colleague, Senator PAUL. It really is directly related to the issues that have happened around the world in the last week and a half. We certainly watched in horror as our Ambassador, a fantastic and honorable American, along with three of his colleagues in the American consulate in Benghazi, was murdered last week. So I wanted to talk briefly about that because it really is an important moment in our foreign policy in the region.

Let me begin by expressing our deep condolences for that loss. All the members of the families of those folks who have died over there, our hearts are with them, our prayers are with them. We thank them for their brave service to our country and to the cause of freedom.

We have the right to be angry. The American people are angry and rightfully so. For years we have been investing our taxpayer dollars in aid to that region, and yet we turn on the television and we see these protests

against us. On one hand, every single year we send billions of dollars and hundreds of millions of dollars to help people in the region. We help them to stand and fight for themselves, to get rid of dictators. Then we turn on the television and we see people attacking our embassies or burning images of our President and burning our flag and chanting anti-American slogans. So the American people are both confused and angry. How can this be happening? But I think it is important for us that while we have the right to be angry, we should still remain smart in our foreign policy.

What I would like to talk about today is what it means to have a smart foreign policy, a pro-American foreign policy in that region of the world given these factors we are facing.

The amendment on which Senator PAUL is asking for a vote would condition foreign aid to three particular countries. Let me begin my conversation by saying that this is a complicated issue, and not all these countries are the same. Let me contrast two of them, for example.

Let's talk about Egypt for a moment. Now, of course, the Egyptian people got rid of a dictator. They had an election. It was a very close election that was won by the current President, Mursi, who comes from the Muslim Brotherhood. But Egypt has a well-organized security apparatus, a well-organized and well-funded security apparatus. Egypt has the capability to conduct counterterrorism in Egypt. Egypt has the capability, they have the people and the resources to protect our Embassy in Egypt. They have no excuse for not doing that, if they fail to do that, because they are able to do it.

What was really troubling to me about Egypt, however, was that President Mursi, rather than immediately condemning the attack against the United States and the murder of our Ambassador, his first reaction was to condemn a YouTube video. That is what we are talking about here—a YouTube video. Anybody can make a YouTube video.

Now, there is a belief, by the way, in the Muslim world that because in their countries, if you produce a YouTube video or any movie, for that matter, your government had to approve it—they think, well then in America, your government must have approved it as well. But that is not true, and their leaders know better. The leaders of these countries know better. Some of these leaders in the Egyptian Government were educated in this country. They know full well that anyone can make a YouTube video. But instead of standing and explaining that to their people, they go along with this stuff. They say one thing in Arabic to their people and another thing to the rest of the world in English.

There is a long pattern of double-playing behavior that we should not stand for and should not tolerate. It is, in my mind, unacceptable that a full 2 days went by before the Egyptian Government clearly condemned the attack on Benghazi and clearly condemned these actions against America.

Contrast that with Libya for a moment. Libya had an election as well where two-thirds of the Libyan people rejected the Islamists and they elected pro-Western, pro-modern, pro-progress leaders to their government. But, unlike Egypt, Libya does not have the ability to protect our consulate as well. They did not inherit from Qadhafi a well-organized security apparatus. In fact, it was one of the reasons why I argued for a more forceful American engagement in Libya. I did not want the conflict to last that long. That protracted and long conflict in Libya—what it did is it created more time and more space for these independent militias—these are literally independent gangs who got their hands on weapons and fought in this revolution against Qadhafi, but now the central government cannot get these groups to give up their arms because to do so would be to give up their power. That is why having this go on for as long as it did is a terrible idea. The fact is, though, the Libyans do not even have control over large portions of the country. There are entire areas of Libya that the government does not control.

There is an increasing body of evidence that shows that what happened in Benghazi was not an anti-American protest, it was not as a result of a YouTube video; it was an orchestrated anti-American terrorist attack by terrorists—not by Libya, not by Libyans, by terrorists.

In addition to evidence that this was a terrorist attack, not a Libyan anti-American uprising, look at the reaction in Libya since the attack. I wish the media in the United States would give more coverage to the Libyans in the streets protesting the terrorists, holding up signs apologizing.

Our Ambassador in Benghazi was loved by the Libyan people, especially the people of Benghazi, who credited him for saving their lives when Muammar Qadhafi's troops were on the outskirts of the city about to massacre them. I wish more attention were paid to that. I wish more attention were paid to the ceremonies that are happening today in Tripoli honoring—our Under Secretary William Burns is there honoring the service of Ambassador Stevens. The demonstrations in Benghazi are going to occur tomorrow honoring him as well.

I am not saying everyone in Libya is pro-American. I am saying we have a government in Libya that is trying to do the right thing. There is open source reporting in the press today. Fifty American FBI agents are there now investigating this. Those are the actions of a cooperative government. They are trying to help us, but they just do not have the resources to do it well. Cutting off aid to them does not make sense to me.

On the one hand, we are demanding that they protect our embassies. They are saying: We want to, but we do not have the resources to do it. On the other hand, we are threatening to take away their resources.

So not all these countries are the same.

There are a lot of misconceptions floating around out there. I have heard some people say: You know what, maybe we were better off with dictators in the Middle East because they could maintain order. Let me tell you, that is a false choice. Here is why. These dictators were no friends of America.

Let me give you an example of Egypt, where people now say: Well, this stuff did not happen when Mubarak was there. No, it happened but in a different way. Let me tell you about the deal Mubarak and other dictatorial leaders in the region cut with extremists. Here is the deal they cut with extremists: As long as you do not do anything against us, you can do anything you want anywhere in the world. Conduct all the terrorism you want. Attack Americans. Blow up a train in Spain. Do whatever you want, just do not do it here. Do it in your country. If you do it in our country, we will cut your head off. If you do it somewhere else, that is not our business.

That is the deal these dictators cut with extremists.

It was not a coincidence that there were Egyptians involved in the 9/11 plot. These were not Egyptians who came from poor families; they came from prominent and distinguished families in Egypt, which leads me to the second point. These dictators allow anti-Americanism, because—imagine if you lived in a dictatorial country—you are not allowed to protest the government. You are not allowed to protest your leaders. There are only two things you are allowed to protest—America and Israel. So that is what everybody does. It is almost a relief valve for frustration. Then they have a state-controlled media that feeds into anti-Americanism. Do you know that there were media outlets in Egypt under Mubarak and even now that tell the people in Egypt that in America denying the Holocaust is a crime? Denying the Holocaust is dumb, it is outrageous, but it is not a crime in America. Yet they spread these lies, these anti-American lies through the region. Of course there are people in the region who hate us because our so-called dictatorial friends and allies have allowed anti-Americanism to grow and be fostered because it has helped them hold on to the power.

So these dictators are not good for the region, not good for America. And the choice should not be between dictators and democracy. The second fallacy is, well, we will just have an election and everything will be better. That is not true either. Democracies can elect people who do not like us too. So this is not an easy issue to confront, but disengaging from the region is not the solution.

Now, I do not have a magic solution. I have only been here in the Senate for about a year and a half, so these are issues I am engaging in for the first time over the last year, but here are my opinions given what I have learned in the first 2 years I have been here, some points I would like to make.

The first is that we should expect more. We should expect more from leaders in the region. We should expect Mursi and the Muslim Brotherhood and others to stand up to people and say: Look, we understand you are upset about this video, but you do not have the right to burn down an embassy. By the way, in America the government does not control these videos. Anyone can make a YouTube video. They are a free society.

No. 2, we should expect them to say the same things in Arabic as they are saying in English. Do not express condolences and outrage in English on the attack against America but in Arabic completely ignore it and only talk about the YouTube video.

We should expect more from them. They want a true partnership. They want American and Western aid. They want tourists to return. They want economic interchange between our two countries. We should expect more from them.

Here is the second point. This stuff is not happening because of a video, because people are upset. You know what, let me explain something to you. For radical Islam, our entire culture is offensive. They are not just offended about a YouTube video. They are offended that women serve in the Senate. They are offended that women drive. They are offended that little girls get to go to school. In some of these countries, converting to Christianity is punishable by death. So our whole culture is offensive to them, not just a YouTube video.

Here is the third point we have to accept. This is a critical moment not just for America, this is a critical moment for the Muslim world, where they have to decide what kind of future they want for themselves. Is this the future they want, a future isolated from the world, a future isolated from the promises of the 21st century, or do they want a different future? I know there are millions of people in the Muslim world who do not want this future, but they are afraid to speak up. They are intimidated from speaking up because of these radical forces that need to be defeated.

This brings me to my last point. We need to be very clear. We will support those who want a better future, like we should have supported the Green Revolution in Iran when brave young Iranians took to the streets to protest a fraudulent election, and instead of taking their side, the President disengaged and said nothing. We will support those who want a new future and a better future for their region. We are not asking them to abandon their religion or their beliefs, but they have to respect ours. We are not asking them to walk away from the Koran, but they have to respect our beliefs and tolerate our beliefs as well. We will support those who are willing to do that. We want to work with them. It benefits no one to have violence and destruction in the region. But we also have to accept the hard cold fact that there are people, there are radical Islamists in that part of the world with whom you can never and will never be able to reason. They are never going to change their minds. They are never going to come around. They are never going to one day all of a sudden change their behavior because we engaged them more, because we give more speeches at their universities. They are radical Islamists, violent people. It is a very clear choice: Either they win or we win. And the sooner we accept that, the better off we are going to be.

So we have to accept that on the one hand there are millions of people in that region who want a new and better future. We will side with them. We will support their aspirations. We will work with their hopes for civilian leadership and peace and economic prosperity. But for those who are radical Islamists, whose view is they want to conquer and bring under their control everyone who is not who they are, we have to defeat them. I wish it weren't the case, but it is. And the sooner we accept that, the clearer our policies are going to be.

So this is not just a critical moment for America in our foreign policy; this is a critical moment for them as well, for they are going to have to decide. If Egypt truly wants a better future for their people, one where their economy is growing and prosperous and young people can fulfill their aspirations, they are going to have to unequivocally reject this type of stuff or they will be trapped in the 18th century forever.

In Libya, they are trying to cooperate with us. They are allowing us to move forward. We should work with them and strengthen them, not abandon them.

And I didn't mention Pakistan, but that is important too. Let me just say that I think it is outrageous that doctor is being held there. I believe every charge against him is trumped up, and I think we should demand—I think it is right to condition some, if not all, of our foreign aid and cooperation with Pakistan on his status and on his release. So I hope Senator PAUL and those who support his amendment will consider, at a minimum, restructuring that amendment to recognize there is a difference between Libya and Egypt and that we should take different approaches in that regard; that we have a right to be outraged; that we have a right to be angry, but we should never abandon being smart.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mrs. HAGAN. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

CORPORAL DARRION TERRELL HICKS, PETTY OFFICER SECOND CLASS SEAN E. BRAZAS, LANCE CORPORAL CHRISTOPHER PHOENIX JACOB LEVY

Mrs. HAGAN. Mr. President, 11 years have now passed since the attacks of September 11, that horrific day that forever changed the world. Although we have killed Osama bin Laden, the fight against the al-Qaida militants is not over. Al-Qaida remains a threat to America, and the brave men and women of our Armed Forces are still fighting every day to protect our way of life.

Mr. President, I want us to honor and think about these men and women. There are over 77,000 U.S. servicemembers deployed in Afghanistan right now who remain in harm's way. These men and women willingly joined the military during a time of war. They want nothing more than to serve our country. They fight for our way of life so we don't have to and so that our children and grandchildren will not have to.

I am going to highlight three servicemen from North Carolina who have made the ultimate sacrifice. I have personally spoken with their families, and I want to share their great love of country with you because it is so important that all Americans understand our military and their families who sacrifice so much for all of us.

From my home State of North Carolina alone there are more than 6,000 of our finest sons and daughters, brothers and sisters, moms and dads deployed in Afghanistan. They are the men and women of the II Marine Expeditionary Force, 2nd Marine Division, 2nd Marine Aircraft Wing, and 2nd Marine Logistics Group from Camp Lejeune and Cherry Point. They are the men and women of the 82nd Airborne Division from Fort Bragg. They are the men and women from the National Guard and Reserve Units from North Carolina. And they are the thousands of other soldiers, sailors, airmen, and marines deployed to foreign lands to stand watch over the world and keep us safe.

Sometimes I feel as if the war is hardly an issue in the news, in daily life, anywhere, except for those who are personally affected by it. Our focus is too often drawn to the news of the elections, of the economy, of politics, of celebrities, of scandals, of the rich and famous, and of the simply bizarre. We do not hear enough about the brave souls who have lost their lives while trying to make the world safer for the rest of us, who willingly joined the military during a time of war, who want to serve our country.

We all need to pay respect, to honor, and to remember the very men and women whose commitment, dedication, and courage are what make our country safe and to respect and remember the families they left behind.

As we scale down our presence in Afghanistan and bring our service men

and women home, we must remember every day this war is still going on, and it is occurring at a tremendous cost—a cost that is disproportionately paid by the brave men and women who are fighting for the rights and privileges we enjoy.

These men and women traded their youth, and they have spent years away from family and friends. They voluntarily put their lives on the line for their friends, for their loved ones, their country, and for people they have never met—for me and for you. These men and women are the almost 50,000 wounded in action since the start of this war. They are the 336 U.S. servicemembers who have died just this past year. They are the 54 coalition forces who died in the month of August alone. They are strangers to most of us, but they are the most important person in the world to someone. They are selfless defenders of our freedom, many of whom have made the ultimate sacrifice, and many of whom are from my home State of North Carolina.

They are people such as CPL Darrion Terrell Hicks, U.S. Army, from Raleigh, NC, who died July 19, 2012, just 2 months ago. Darrion was a 2009 graduate of Broughton High School, where he was a standout student who was loved and respected by all.

Darrion always wanted to be a soldier. It was a goal he set early on and something that everyone remembers about him. It was a goal he pursued with diligence and honor. He was a model Junior ROTC student who was voted Mr. Junior ROTC by his peers. Darrion is remembered as the kind of young man a teacher wishes all of their students were like. He was a boy you wanted your children to be friends with. He became the kind of man we should all be so thankful to have in this world.

When I was speaking with his mom Tracy, she shared with me that he was the kind of boy who never gave her a problem, ever.

Corporal Hicks achieved his goal of becoming a soldier when he enlisted in the Army after graduating from high school. He loved the Army, and it seemed he had found his place in life. He loved his family, and he kept in close contact with his mother. Whenever he spoke with his mom, she would always tell him: ''Always pray. Be safe. I love you.'' To which he would respond: ''I am going to be fine. I love you, too.''

This year, Darrion was serving with the 54th Engineer Battalion, 18th Engineer Brigade as a sapper. Sappers are responsible for clearing the way for others, making the way safe for those who follow. This is what Corporal Hicks was doing when he was killed by an enemy IED. He was only 21 years old.

As one of his teachers at Broughton said:

> When we talk about Darrion, we are not talking about a teacher making an impact on a student. We're talking about a student who made an impact on the teacher.

Corporal Hicks made an impact on everyone he touched, and I think we all have something to learn from him and the life he chose to lead.

There are people such as PO2 Sean E. Brazas, U.S. Navy, from Greensboro, NC, where I have lived for the last 30 years. Sean died on May 30, 2012. Sean was your all-American boy next door. He grew up playing soccer in the same traveling soccer league in which my son played, and Sean was on the swim team.

Sean graduated from Western Guilford High School, and he could have done anything, but he wanted to do something important with his life. Sean Brazas joined the Navy after graduation and became a dog handler. He was stationed at Naval Base Kitsap in Washington State, where he met the love of his life, Allie, who was also in the Navy. When Sean met Allie, being the southern gentleman he was, he held the door open for her at the post office when they first met. Putting others first was just how he lived his life.

Sean Brazas loved being a dog handler and loved being in the Navy. His wife is now a 23-year-old widow with a young daughter Addison, whom Sean nicknamed Short-stack. They were the center of his world. His life as a sailor, devoted husband, and loving dad was rich and full and tragically short.

Petty Officer Brazas had only been in Afghanistan a short time when he died on May 30 while helping a fellow servicemember get into a helicopter when their unit was ambushed. That seems to define Sean—a man who selflessly did what he could to help others.

Sean Brazas served his country proudly because he appreciated the rights and privileges that Americans are fortunate to enjoy. He wanted to make sure his daughter never had to worry about anyone telling her what books she could read or where she could go to school or what she could become. He wanted his mom, dad, wife, and daughter to be safe.

He died a hero and now rests at Arlington with his grandfather and friends who have left the world far too soon. He died a man his dad Ed looked up to. Ed told me he hopes to be half the man his son was.

There are people such as LCpl Christopher Phoenix Jacob Levy, U.S. Marine Corps, from Ramseur, NC, who died September 10, 2011.

On 9/11, Jacob had just turned 11 years old. He had gotten a bloody nose at school, and his mom Amanda was called to bring him a change of clothes. She shared with me she was driving to his school when she heard on the radio of the first plane hitting the World Trade Center. When Amanda explained what had happened to Jacob that night, she said Jacob then said he would be in the military. He was only 11 years old at the time.

Jacob joined the Junior ROTC at Eastern Randolph High School where he was a standout runner and wrestler. He was also a proud active member of the Lumbee Tribe. That is why he has the name Phoenix, from his Indian heritage. It stands for immortality and renewal.

In 2009, Jacob fulfilled the goal he set in 2001. He enlisted in the Marine Corps and graduated from boot camp. He planned on being a marine for 20 years, retiring, and then returning to his hometown to give back to the JROTC in his community. It is clear from an early age Jacob was driven to be a part of something more than himself, to do his part for the greater good. That was just how he lived his life.

Lance Corporal Levy deployed to Afghanistan with the 3rd Battalion, 8th Marines and returned home from his first tour on Mother's Day of 2011. However, Jacob told his mom his job was not yet done; that he needed to return to his brothers in arms in Afghanistan. He then volunteered to deploy again in the fall of 2011, this time with the 1st Battalion, 6th Marines out of Camp Lejeune. It was during this deployment he was mortally wounded by a single enemy shot. He was only 21 years old.

A couple of weeks before he died, Jacob spoke with his mother for the last time. He told her not to worry about him. He asked for underwear and beef jerky. He asked her to tell everyone he loved them. Jacob left his mom, dad, stepdad and two brothers.

Jacob's Indian name Phoenix, for immortality and renewal, has proven a worthy namesake for him. Although his life was tragically short, he lives on in the lives he touched. He inspired a scholarship at his high school that will go to help others, and he was an organ donor. He helped save seven other people he had never met. He gave the loved ones of those seven strangers more time with their parent, spouse, child, or sibling.

His death resulted in an outpouring of love and support for the Levy family from the Marines of both the 3rd, 8th, and 1–6. As Jacob's mother told me: ''I may have lost one son, but I gained 30 others.'' To this day, those young men who served with Lance Corporal Levy continue to remember and look after her.

These are the people who are paying both your share and my share of the cost of freedom. These servicemembers gave their lives for us and for our country. We must not forget them: Darrion Hicks, Sean Brazas, and Jacob Levy. We must not forget their families.

We must not forget the men and women still deployed in harm's way. They come from our small towns, our big cities, and our rural areas. They are our neighbors, they are our fellow Americans, they are our heroes, and they are my fellow North Carolinians. To these men and women, to their families, we owe an eternal debt of gratitude. May God bless them, and may God bless America.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from West Virginia.

Mr. MANCHIN. Mr. President, something unusual is happening in Congress. Democrats and Republicans are agreeing on something; we appear headed toward same goal.

The problem is, what we are agreeing on is more business as usual in Washington. They want to pass yet another continuing resolution instead of a real budget solution. I can almost hear the people back home and all over this country saying, There they go again.

I can argue this both ways. A continuing resolution will let the government limp along again for another 6 months. That way, we can go home now and come back after election to fix the budget.

I haven't had anybody in West Virginia tell me that we should hurry home to campaign. I have had plenty of them tell me that we need to stay here and do the job they hired us to do. And that means fixing the budget, because our debt is piling up every day and it is choking our economy.

These continuing resolutions are supposed to be temporary, but it looks to me as though they have become a permanent way of doing business here in Congress. And let me tell you, it is a bad way of doing business. It ignores the dire circumstances of a record $16 trillion of national debt that will increase close to $1 trillion a year if we don't balance our annual budget, and do it soon. It makes me think of the goofy kid on the cover of Mad Magazine, Alfred E. Neuman, ''What? Me worry?''

I came to the Senate not quite 2 years ago, and in the time I have been here there have been 12 of these continuing resolutions. There were three in December of 2010. In 2011 there were two in March, two in April, two in September, one in November, and three in December. Now we are being asked to pass another CR to keep things going a little bit longer, for 6 more months, so we can all go home—that is the problem—so we can all go home and worry about our elections, and we are going to worry about this country's growing debt later. We have got to get home first.

Well, a baker's dozen is one too many for me. Enough is enough. I can't vote for this measure to simply kick the can any farther down the road. It can't go on. The people of West Virginia didn't send me here or send the Presiding Officer from the great State of North Carolina to do that. They sent us here to help fix our budget problems with bipartisan commonsense solutions.

That is the way we did it in West Virginia when I was Governor. We didn't pull these kinds of stunts on West Virginians. We stayed on the job until the work was done. We wouldn't leave. We stayed and worked. If it was all through the night, we would stay. If it was an extra day or an extra week, we would stay and get our work done. We came together to make decisions on what was best for our State, not best for us individually. It is time we do the same here in Washington.

We have to stop putting off what we need to do to get our fiscal house in order. It is time to cancel the flights home, it is time to roll up our sleeves and get down to the people's business, because we have reached a dangerous point in our history—a point in which our debt is threatening not just our economic standing in the world but also our national security.

I know everybody expects that we will come back after elections in a lameduck session, and we are going to rush to fix all of our fiscal problems at the last minute. But if Congress's past performance is any indication of what to expect after the election, I wouldn't expect too much. That is a shame. A lameduck session of Congress is cutting it pretty close, because we have gotten ourselves into a real bind.

The so-called fiscal cliff is real. We are looking at over $5 trillion of economic swing by the end of this year, December 31, coming up to January 1. One part of that is sequestration. I think we all remember the sequestration. That was a penalty we put on ourselves if the supercommittee did not do their job. Well, the supercommittee wasn't that super. It didn't work out the way we all thought it would. It means that what we have to do is take painful cuts. Because we said if we make the penalty strong enough and great enough, we will definitely come to the table and fix the financial problems. But we didn't do it. That was a year ago. We could have been working and fixing all that between, but here we come down to last minute and we are asking for 6 more months.

These are the kinds of meat axe spending cuts—and I will talk about that. I never did put budgets together that were across-the-board cuts. If you had to cut, you looked at it. Government can do two things with your money: It can spend your money or it can invest your money. We have done a poor job of investing. We have done a great job of spending the money. That has got to reverse and change. We can't just say, Well, across-the-board cuts. We have to look and find out and put forth priorities based on our values. And you shouldn't cut where investments should be made, but overall there will be a reduction. That can happen.

Some of our congressional leaders who put together the sequestering in order to force us are now acting as though, We really didn't mean it. It really wasn't sincere about we should do this. We knew we couldn't do it, but it sounded good back then because we really thought we would do so. Can you think what would happen to the confidence of the people in this country if we don't do what we said we were going to do? It is not a smart way to run this country.

Then they talk about cutting the defense budget. Oh, that can't be done. That can't be done. We want to make sure we have the strongest and toughest. And every one of us here supports our military to the hilt. Every man and woman in uniform should have the best equipment, the best training, and the best support this country can give them. But when you look at the ballooning costs of what has happened to our Department of Defense, most of the money spent on contracting, most of the increases on contracting—people doing the same job making three and four and five times more than a man or woman in uniform? That is not right. And they are telling me, We can't cut it? Oh, no. If we do that, you are not strong for America.

Well, I have said this: The automatic cuts go into effect January 2, as we know. Our national security budget is still over $600 million in 2013. That is more than we had in 2006, at the height of the Iraq war. In fact, even after the automatic cuts, the United States will still account for 40 percent of all military spending in the world. Forty percent of all the military spending is by our country. I promise you, we are going to make sure that America keeps the strongest defense in the world.

I have been in this body for 2 years. One of the most sobering moments I have ever had, I am sitting on the Armed Services Committee learning, as the Presiding Officer and everyone else, about the dangers we face around the world and the threats to the United States of America. The question was asked to then-Chairman ADM Mike Mullen, What is the greatest threat America faces? I am thinking I am going to hear about all the different North Africa problems we have, Iraq, Afghanistan, Iran, and on and on. He didn't hesitate, he didn't waiver. He said, ''The debt of this Nation is the greatest threat we face as America.'' He wasn't worried about our military might. He wasn't worried about a terrorist attack. He was worried about us coming apart from within.

That was perhaps my most sobering moment since coming to the Senate. And when you have the highest ranking officer of the world's most powerful military that history has ever recorded, I think you should take that seriously. I did. That alone should give everyone in Congress a sense of urgency and doing something about our out-of-whack spending. And it truly is out of whack.

If anybody is betting that we can fix our finances in a lameduck session of Congress, I will remind them that some people made the same bet on the supercommittee last year. That didn't work out too well.

In fact, we are about to leave town with a lot of unfinished work. We are not just unsure about our finances, and it is not just about finances. The 112th Congress—and I am ashamed to say this—is one of the least productive Congresses in the history of this country in terms of passing new laws. The Congress we are in right now, the 112th, passed only 173 public laws as of last month. As you recall, in our history books, President Harry Truman—who

dubbed the 80th Congress as the do-nothing Congress—passed 906 bills. I don't even know if he would have a definition of what we have done.

So a do-nothing Congress is something I am not proud of. It is clear to me that betting on Congress getting religion after the election is also a risky gamble—a gamble with America's future, a gamble with the next generation. We tried that with the supercommittee, but it failed. That is the reason we are here today facing the fiscal cliff. The sunsetting of the Bush tax cuts, the tax extenders, the end of emergency unemployment benefits, sequestration, those are all meat axe cuts, and we know that.

The Congressional Budget Office says the fiscal cliff could cut the GDP by 4 percentage points next year and send the economy back right into a recession. Look at the time we have wasted. The supercommittee fell apart almost 1 year ago, and yet here we are. Instead of voting on a real and permanent solution to our financial problems, we are getting ready to vote on yet another temporary measure that will allow us to leave before we have addressed a single one of these most critical issues.

What has happened since the supercommittee shut down with no agreement? One thing that has happened is our long-term national debt has topped $16 trillion a couple weeks ago. That is a figure that is almost impossible to wrap your mind around. But I think you can wrap your mind around this: Each one of us who lives in this great country is now in debt $50,700, every man, woman, and child.

Sixteen trillion dollars is roughly the same as our country's entire economic output for the first time in 40 years. The last time our debt was 100 percent of GDP was right after World War II. We were fighting to save our Nation, to save a society, to save a way of life. This has been self-inflicted, and we can't keep going on this way.

We have reached what the National Commission on Fiscal Responsibility and Reform called the moment of truth. The report it prepared for the President almost 2 years ago—in fact, that was the title of its report, The Moment of Truth. And while the commission faced the moment of truth with a comprehensive bipartisan plan for reducing our debt, Congress has yet to do so. Now is the time. We know how to fix things. Congress has done it before.

In the early 1990s, our economy was faltering because deficits and debt were freezing capital. But Congress sent a signal to the market that it was capable of being fiscally responsible. And it was. The result was the longest economic expansion in history: the creation of over 22 million jobs and unprecedented wealth in America, with every income bracket rising—every income bracket, not just the chosen few.

The budget framework put together by Congress and the White House led to the first balanced budget in generations and put our country on track to be debt free this year, in 2012. If we had stayed the course, we would be debt free as a United States of America right now. Let me repeat that. This year we would have been debt free.

But we got totally off track with tax cuts, two wars, and expansion of the prescription drug benefits for Medicare recipients—none of which was paid for. All great ideas, but none was paid for. And the 10-year $5.6 trillion surplus forecast in 2001 has become a debt of more than $16 trillion. That is a $22 trillion swing in less than a decade. It is unbelievable. It is mind boggling.

But we can get back on track if we follow a simple formula, roughly the same one the Bowles-Simpson debt commission recommended. We have to curtail spending, we have to have a fair revenue stream, and we have got to look at cutting the fat; and, to do that, an overhaul of our tax system so it is not only more equitable for everyone but also encourages the kind of entrepreneurship that makes our country the bedrock of the global economy.

In America, we need a tax system where everybody pays their fair share, and where American businesses are free to do what they do best: outproduce, and outinnovate competitors all around the world. To keep a bright future, we have to reform our entitlement programs so we can preserve the benefits. There is serious trouble ahead if we don't act.

Think about this. In 2016, Social Security disability is basically insolvent; 2024, Medicare insolvent; 2033, Social Security will only be able to deliver 75 cents on the dollar, a 25-percent discount.

The American people are hungry for plain talk on our debt. That is why a few weeks ago in Charleston, WV, we hosted Senator Alan Simpson and White House Chief of Staff under Bill Clinton Erskine Bowles. They packed the house, and they spoke the truth. What they were saying is, give the American people the facts, show them the options the way we did at our fiscal summit, and they will do their part to get our country back on the right track. They always have. That is what makes this country so great.

So don't sell the United States of America short. Don't sell the American people short because this is an election year. They can tell when you are dealing straight with them or when you are playing politics. Right now, there is no more time to play politics.

In fact, I got a letter yesterday from James of Clarksburg, WV, talking about the summit. Here is what he said.

> It is time for responsible Members of the Senate like you to take to the floor and tell your fellow Senators, ''It is past time for us to take responsible action to address the fiscal crisis which is our responsibility to the people who sent us here—because it is just that. There is no excuse for delaying action until after the election.

No excuse to delay it just because of an election.

James got it exactly right; there is no time to waste. I am not naive. I understand some of the choices we face are going to be hard for some of us to make. I know Republicans don't want to talk about new revenue, and I know Democrats don't want to talk about entitlement reform. But we need to start thinking more about the next generation than of ourselves, or the next generation than the next news cycle or the next flight out of Washington.

Millions of Americans are struggling in this tough economy, working overtime to pay their bills, find a job, and find a way forward for their families. They are looking to us for the leadership they need. They are looking to us for solutions. They are looking to us to come together and do what is best for the country in a balanced and practical way. They are simply looking to us to do our job, and I intend to do that to the best of my ability.

Winston Churchill once said: You can always count on Americans to do the right thing—after they have tried everything else.

I think we have tried everything else, including kicking the can down the road 12 times before. Now it is time for us to do the right thing. This temporary step is the wrong thing at the wrong time. We have work left to do, and we need to stay and do it. The people of America expect us to do better, to stand up for them, to put politics aside. The people of West Virginia can be assured that I will always stand, and I will continue to try to do the best that I possibly can for them and for the people of this great country.

I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Rhode Island.

HONORING RUSSELL TRAIN

Mr. WHITEHOUSE. Madam President, this week the conservation community mourns the passing of a great American leader, a passionate individual, and an inspiration and friend to many, Russell Errol Train.

President Nixon first named Russell Train as Under Secretary of the Department of the Interior and then as the first Chairman of the new White House Council on Environmental Quality from 1970 to 1973. Russ Train then became the Administrator of the EPA, serving there from 1973 to 1977. He was at the forefront of the legislation that became the bedrock of our country's environmental policy: the Clean Air Act, the Safe Drinking Water Act, the Endangered Species Act, the Toxic Substances Control Act—laws that keep the American public safe and that protect our American natural resources.

His desire to protect wildlife and habitat predated these years of public service. He founded the Wildlife Conservation Foundation in 1959 and then the African Wildlife Foundation. When

the World Wildlife Fund was established in the United States, he became its first President.

This week the World Wildlife Fund U.S. CEO Carter Roberts described Russell Train as ''a true national treasure and an inspiration to all of us who embrace conservation as their life's work.''

Mr. Roberts went on to say:

> Undoubtedly, Russ would prefer that we not spend a lot of time mourning his passing. He would want us to redouble our efforts to save the animals and places we care about, to solve the problems of climate change and resource scarcity, and to build leadership capacity in those countries where it is needed most.

So it is with his legacy in mind that I come to the Senate floor today, as I try to do every week, to discuss climate change, the science behind it, and the reality of the changes we are already seeing. This week I will focus on how the carbon pollution that is causing these climate changes is also affecting our oceans and causing an equally threatening problem—ocean acidification.

Sea water absorbs carbon dioxide; and when it does, chemical reactions occur that change the concentration of carbonate and hydrogen ions in a process that lowers the pH of sea water, commonly referred to as ocean acidification.

Since the Industrial Revolution, we have burned carbon-rich fuels in measurable and ever-increasing amounts, now up to 7 to 8 gigatons each year. We have raised the average parts per million of CO_2 in our atmosphere from 280 parts to 390. By the way, the range for carbon dioxide in our atmosphere for the last, say, 8,000 centuries has been 170–300 parts per million. So we are well outside of that range. Indeed, in the Arctic, measurements have already reached 400 parts per million.

The oceans of the Earth have absorbed more than 550 billion tons of carbon dioxide from the atmosphere. That is approximately 30 percent of all of our carbon dioxide emissions. The good news is that absorbing all this carbon has significantly reduced the greenhouse gas levels in our atmosphere. The bad news is that because of all this carbon absorption, the ocean pH has changed globally, representing a nearly 30-percent increase in the acidity of the ocean. By the end of the century, ocean pH is predicted to change further, leading to a 160-percent increase in acidity.

This is where we are so far. This is what is projected. This rate of change in ocean acidity is already thought to be faster than anytime in the past 50 million years. A paper published in Science this year concluded that the current rate of CO_2 emissions could drive chemical changes in the ocean unparalleled in at least the last 300 million years.

The authors of that Science study in March warned that we may be ''entering an unknown territory of marine ecosystem change.'' As the pH of sea water drops, so does the saturation of calcium carbonate, a compound critical to marine life for the construction of their shells and skeletons. Some organisms absorb calcium and carbonate directly right out of the water, others out of the food they ingest, but changes in the concentrations of these chemicals mean the building blocks become less available to make the shells of species such as oysters, crabs, lobsters, corals and the plankton that comprise the very base of the food web.

As oceans get more acidic, it gets harder and harder for these important species to thrive, and it puts at risk the economies that depend on these species.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I appreciate very much my friend from Rhode Island yielding, and I appreciate his focusing attention on something we do not focus on nearly enough—and that is a gross understatement—and that is our oceans. I admire the work he has done in so many different areas. We thought we had a path forward to do some good for oceans. It did not work out the way Senator WHITEHOUSE and I wanted. We will come back again because we have to do something about oceans. We study everything else but not our oceans, and most everything else depends on what happens in the ocean.

Mr. WHITEHOUSE. I thank the leader.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. REID. Madam President, we currently have 17 district judges on the calendar, 14 reported by voice vote. For the people within the sound of my voice, what that means is they are not controversial. Twelve will fill judicial emergencies. These are places around the country where we have judges who are tremendously overworked on these important cases.

We have heard this kind of joke: What are you trying to do, make a Federal case out of it? What that means is the Federal system is so good that people look at it as being the best there is as far as judicial activity.

I am disappointed to say my Republican friends on the other side have informed me they will not agree on votes on any of these nominees. Republicans can offer no reason for blocking these bipartisan consensus district court nominees. I understand why they didn't want us to do circuit courts—I understand that. I may disagree, but I understand that because Democrats have set boundaries in the past, as when we would no longer accept circuit court judges. But this is district court judges.

Historically, the Senate has considered district court nominees as late as October in Presidential election years. In the past five Presidential election years, Democrats have never blocked a district court nominee from receiving a vote on the Senate floor, never. But our Republican colleagues are setting new standards for obstruction, not only in all the legislation but in judges.

For the 28 district court nominees we have considered this year, I filed cloture 19 times. In other words, we have had to break a Republican filibuster on 67 percent of the district judges we have considered and confirmed. President Obama's district court nominees have been forced to wait 300 percent more than President Bush's nominees; three times more. Only two people whom the President nominated this year have been confirmed. The kind of qualified consensus nominees who in years past would have been confirmed in a matter of minutes are now taking weeks and months, languishing with no action. These votes should be routine.

There should not be a fight that delays action on important job measures. In September 2008, right before the last Presidential election, Democrats confirmed 10 of President Bush's district court nominees in 1 day. More than half of the Nation's population, 160 million Americans, live in the part of the country where there has been a judicial emergency declared. That means more than half the people in this country seek justice from courts and judges that are strained to the breaking point under a backlog so intense an emergency has been declared.

The chairman of the Judiciary Committee, of course, knows I am here. He wants to be on the Senate floor, but the time did not work. He has done a remarkably good job getting the judges out. With 1 out of every 10 Federal judgeships standing vacant, Americans can no longer wait on fair and speedy trials, and that is what they have to do. They cannot rely on them.

Republicans should work with Democrats to confirm consensus district court nominees now. Refusing to do so is irresponsible. The Senate could act today and put highly qualified judges on the Federal bench, judges supported by both Democrats and Republicans.

I hope we can get something done before we leave. I don't want to file cloture on these nominees before the end of the year. It is not the way we should be working around here. We should be working together.

I have a consent request. I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 674, 675, 676, 760, 761, 762, 818, 828, 829, 830, 832, 833, 834, 835, 875, 876, and 877; that the nominations be confirmed; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate and that no further motions be in order to any further nominations; that any statements relating to the nominations be printed in the RECORD.

Further, Madam President, before you rule, we have the gamut. We have California, Utah, Connecticut, Maryland, Florida, Oklahoma, Michigan,

New York, and Pennsylvania. That is a classic, these two Pennsylvania judges.

During the August recess the Republican Senator from Pennsylvania said that I am the reason the two judges from Pennsylvania have not been confirmed.

Try that one on for logic. He actually said publicly that I was the reason that Matthew Brann and Edward Mannion are not being confirmed, that it is my fault.

Madam President, I will finish this consent request: that the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Reserving the right to object.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Madam President, it is quite curious that my friend the majority leader is complaining about the one area I can think of over the last year and a half where the Senate has met historic norms. In other words, we have handled judicial confirmations in this Congress here in the Senate in a way that meets and in some ways exceeds historic norms. At the same time, of course, we have not done all the other things we have normally done in the past.

So far during this Presidential election year, we have confirmed 5 circuit court nominees and 29 district court nominees. That is a good record for Presidential election years. Let me look at a few. In 1996 we confirmed 18 district court nominees. This year we have confirmed 29. In 2000 we confirmed 31, in 2004 we confirmed 30, and in 2008, the last year of President Bush's tenure, only 24 district court nominees were confirmed. In fact, in 2008 Senate Democrats treated President Bush's nominees so badly that they were forced to confirm—as the majority leader bragged about—10 nominees in September of that year just to try to catch up to historical norms. So rather than bragging about doing 10 on 1 day, the reason they did 10 on 1 day is because they were so pathetically below historic norms they had to do 10 on 1 day so as to not be embarrassed by the process. If they had not done that, the Senate would have confirmed only 14 district court nominees in 2008, which is fewer than half the 29 we have already confirmed this year.

President Obama is also faring much better overall than President Bush did in his second term, which is the last time the Senate considered and confirmed two Supreme Court nominees. The reason I bring that up is because Supreme Court nominees take a lot of time and effort. President Obama, of course, did have two Supreme Court nominees confirmed during his first term.

So far the Senate has confirmed 158 of President Obama's judicial nominees. Compare that to President Bush's second term when the Senate confirmed only 122 of his judicial nominees. President Obama has had 158 confirmed; while President Bush had only 122 confirmed. So the Senate has confirmed one-third more judicial nominees than it did the last time it had to process two Supreme Court nominees.

Not only is President Obama being treated fairly in absolute terms, but the Senate is also treating him fairly relative to the number of nominees he has submitted. So far during President Obama's term, the Senate has confirmed 158 of his 205 nominees. That is a confirmation rate of 77 percent. By contrast, President Bush got only 74 percent of his nominees during his first term.

The contrast is even more revealing when we compare President Obama to President Bush's second term. During that term, President Bush got only 61 percent of his nominees confirmed. Again, President Obama got 77 percent of his nominees confirmed versus President Bush's 61 percent.

Now we are trying to get consent agreements to process the next two district court nominations that are in the queue, and we are hoping that will come about. That is the procedure we have been following. I am hopeful we can achieve that. If we do, we will have confirmed 31 district court nominees this year, which will equal the record for the most district court confirmations in a Presidential election year in recent memory. So whether it is looked at in terms of absolute confirmations or relative confirmations, this President is being treated very fairly.

I am happy to work with the majority leader, but we cannot allow the majority to jam us here at the end of this session; therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Madam President, I am not going to prolong this much, but I would say this: No matter how we try to juggle the numbers, we still have 12 emergencies. I hope my friends on the other side would at least look at some of those emergencies and see if we could get some help for those beleaguered judges out there and the court personnel. It wasn't until May 7 of this year that we were able to vote on our first nominee for this year. They were all from last year that we did before that. I hope everyone understands we have 12 judicial emergencies. If some of these nominations were confirmed, it would take that away and make life for the court system much more fair.

Mr. MCCONNELL. Madam President, there is no way to spin the math. President Obama has been treated quite fairly every way we look at it. He has certainly met the historical norms with the treatment of Presidents in Presidential years. I rest my case.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, I ask unanimous consent that I be given 3 minutes, the Senator from Indiana be given 3 minutes, and the Senator from Rhode Island then be able to continue his remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Madam President, I wanted to follow up on the Democratic and Republican leaders' conversation. This is not the first time we have seen obstruction for obstruction's sake over noncontroversial, consensus nominees to the Federal bench. It has been going on for 4 years.

In 2008 we cleared all 10 of President Bush's district court nominees pending on the floor by unanimous consent. Now, of course, we are being blocked. Well, I don't think Oliver Wendell Holmes could get unanimous consent from our Republican colleagues to be a district court judge today.

In the Western District of New York, nominee Frank Geraci has total bipartisan support. His slot has been vacant for years. We need him to fill that judicial emergency post. His nomination has been pending on the floor for more than 2 months. Why can't we confirm him today? He passed the Judiciary Committee unanimously with strong bipartisan support.

In the Southern District, another nominee, Lorna Schofield, has also been awaiting confirmation for 2 months. She also has complete and total bipartisan support. What is more, she would be the first Filipana confirmed to the Federal bench. The Southern District is one of the busiest benches in the country, and the judges hear among the most important cases, such as complex civil litigation, insider trading, terrorism. You name it, they do it. Why can't we confirm her today?

We hear one excuse after another for filibustering judges—recess appointments, funding for some area unrelated to judges, the so-called Thurmond rule, which has never applied to district court nominees.

I support the majority leader's motion for unanimous consent for these pending district court nominees, and I hope our colleagues will think about it. Before we leave this week, I hope we can come together and do what we have been doing together for decades—confirm uncontroversial judges.

I yield the floor and yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Indiana.

CYBER SECURITY

Mr. COATS. Madam President, yesterday Senator LANDRIEU, chairman of the Appropriations Homeland Security Subcommittee, and I entered a colloquy into the RECORD, and I would like to explain very briefly what it was we were attempting to do.

This is essentially to clarify a provision regarding cyber security that is incorporated in the continuing resolution, which we will be taking up here shortly. I understand there has been

confusion over section 137 as to whether the language that is now incorporated in the CR expands DHS authority or allows implementation of a potential Executive order pertaining to cyber security. The answer to that question is no, absolutely not. The provision is limited to funding improvements in the Federal Network Security Program, which provides security systems that monitor cyber attacks on Federal Government computer networks. It helps enhance the protection for those existing networks that are in place.

It is important that both the House and Senate homeland security appropriations bills included this additional funding, and it is considered so critical, it was added to the continuing resolution so that this implementation can continue without interruption. It does so because these networks are constantly under attack by individuals and groups and others who could cause real problems and real harm to our country.

So let me be very clear on the language that has been agreed on in a bipartisan basis and what the colloquy said. This provision does not intrude upon the authorizers' jurisdiction. This provision does not have anything to do with the regulation of private sector infrastructure. DHS has confirmed that in writing. And this provision does not enable a new Executive order in any way. I would be the first to object to this language if that were the case, and I believe we have now remedied any confusion that might exist over that particular language.

I am hopeful that even though we were not able to ultimately pass and incorporate workable cyber protection language, that we can continue to work together.

I wish to thank the chair of the Appropriations Homeland Security Subcommittee, Senator LANDRIEU, for joining me and clarifying this important provision included in the continuing resolution.

With that, I wish to thank my colleague from Rhode Island for allowing me the time, and unfortunately his good presentation was interrupted. I thank my colleague for the time to clarify that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I am very happy to allow my colleague from Indiana the time, and I appreciate his good work on cyber security and hope that he and I and others can work toward a legislative solution on that.

CLIMATE CHANGE

Mr. WHITEHOUSE. My topic had been the acidification of our oceans as a result of carbon pollution now up 30 percent in acidity and projected to increase 160 percent in acidity at unprecedented rates in millions of years. It has been 50 to 300 million years since we have seen this kind of dramatic change in ocean acidity. For species that use calcium carbonate to create their shells and skeletons, such as oysters, crabs, lobsters, and the little plankton that so many other species depend on as the base of the food chain, it becomes harder for these species to thrive.

These unprecedented changes I am talking about in ocean acidity are not happening alone, they are happening on top of dramatically changing ocean temperature that is also driven by carbon pollution.

Just this week on the surface of the Earth, we experienced one of the hottest summers on record. The National Oceanic and Atmospheric Administration released this statement about the northeast shelf large marine ecosystem, which extends from the Gulf of Maine down to Cape Hatteras. Here is what they said:

> During the first 6 months of 2012, sea surface temperatures . . . were the highest ever recorded. Above average temperatures were found in all parts of the ecosystem, from the ocean bottom to the sea surface and across the region . . . The annual 2012 spring plankton bloom was intense, started earlier and lasted longer than average. This has implications for marine life from the smallest creatures to the largest marine mammals, like whales. Atlantic cod continued to shift northeastward from its historic distribution center.

I don't need to tell anybody in the Northeast how important the stability of the cod fishery is right now. That historic fishery is facing significant reductions in catch limits because the population is not rebounding as expected from the reduced catches that fishermen are already contributing to try to solve this problem. Something is causing that failure to rebound, and the unprecedented environmental changes occurring in the ecosystem can't be overlooked as the culprit behind this unexplained phenomenon of failure to rebound.

NOAA cited a 2009 study published in Marine Ecology Progress Series that analyzed survey data in the region from 1987 to 2007. It found that about half of 36 fish stocks evaluated have been shifting northward for the past four decades, with some disappearing from U.S. waters as they move farther offshore.

In Narragansett Bay, in my home State of Rhode Island, average water temperatures have increased by 4 degrees. This amounts to an ecosystem shift. In fact, the bay, once dominated by bottom-dwelling fish, such as winter flounder, is now more populated by open-water species, such as squid and butterfish.

Let's look at winter flounder a little bit more closely. In the 1960s, the biomass of winter flounder in Narragansett Bay was as high as 4,500 metric tons. By 2011, it was down to just about 900. This is the total estimated biomass on the blue line. The red line is the landmass. That is what the fishermen were able to catch and bring in. As my colleagues can see, it went from 1,000 metric tons up to 2,000 metric tons and then, over time, it sagged and returned to 2,000 metric tons, and now it is left to virtually zero. This was a very productive fishery for Rhode Island fishermen and it is now virtually gone.

Past overfishing had a role to play, but so too has the dramatic temperature change and the stock's ability to recover is made all the more difficult by ongoing temperature change as well as acidification.

The changes facing our oceans do not stop at higher temperatures and greater acidity. I wish they did. But as average global temperatures rise, water expands. Water expands as it gets warmer, and new fresh water pours out of the snowpack and ice sheets of Antarctica and Greenland. Long-term data from tide gauges in our traditional sailing port of Newport, RI, show an increase in average sea level of nearly 10 inches since 1930. At these tide gauges, measurements show that the rate of sea-level rise has increased in the past two decades compared to the rate over the last century. The increase is not just happening, it is speeding up. This is consistent with reports that since 1990, sea level has been rising faster than the rate predicted by scientific models used to generate the IPCC estimates.

Global predictions for sea-level rise range from 20 to 39 inches by the year 2100, with recent studies showing that the numbers could be even higher than that due to greater than expected melting of glaciers and ice sheets.

Our Rhode Island Coastal Resources Management Council has used these predictions to estimate that by 2100, the sea level in Rhode Island could rise approximately 2 to 5 feet. For our coastal ocean State, that is a dramatic threat.

Sea-level rise and the increase in storm surges that will accompany it threaten at-risk coastal areas, whose roads, powerplants, wastewater treatment plants, and public facilities may need to be reinforced or relocated.

The natural environment there—estuaries, marshes, and barrier islands—has a role. They act as natural filtration systems and they act as buffers against storms, and they are being inundated by rising seas. In Rhode Island, local erosion rates doubled from 1990 on to 2006. Some of the freshwater wetlands near our coast are already transforming themselves into salt marsh as a result of this inundation.

Our Coastal Resources Management Council has documented places such as a beach in South Kingstown, where 160 feet of shoreline has been lost to erosion since 1951 at a rate of 3 feet per year.

In the small but vibrant coastal community of Matunuck, beaches have eroded 20 feet over the past 12 years. The town faces difficult decisions as the only road connecting the community and its restaurants and businesses

is protected by less than a dozen feet of sand. The road provides access for emergency vehicles and it lies on top of the water main. These are not easy concerns for communities with limited resources and lives and livelihoods at risk.

Geo-engineering solutions have been theorized to keep the temperature of the planet in check as a result of global climate change by blocking in various ways the heat of the Sun. These notions may seem somewhat farfetched, but even given that, they will not stop the chemical process of acidification of our oceans. Only curbing global carbon dioxide emissions can do that.

Sadly, our government in Washington these days responds more to dollars than to truth, and the dirty energy dollars are on the march this campaign season. Over the weekend, the New York Times analyzed 138 energy-related campaign ads aired on television. It estimated that over $153 million has been spent this year to promote coal, argue for more oil and gas drilling, and to attack clean energy. With nearly 7 weeks to go before this Presidential election, 2012 ads promoting fossil fuels are nearly 150 percent higher than 4 years ago, and that is with 7 weeks to go, the peak buying season.

Other disturbing details emerged from the New York Times article. Governor Romney, his PAC, and the RNC have received at least $13 million in campaign contributions from fossil fuel industry executives or related groups. Governor Romney has accepted $3 million in contributions from Oxbow, a coal company controlled by William Koch, a brother of David Koch.

Nature could not be giving us clearer warnings. Whatever higher power gave us our advanced human capacity for perception, calculation, analysis, deduction, and foresight has laid out before us more than enough information to make the right decisions. These God-given human capacities provide us everything we need to act responsibly if only we will.

But the polluting special interests appear to rule here. The party of Theodore Roosevelt, the great conservationist; the party of President Nixon, who founded the EPA; the party of John Chafee of Rhode Island, who was instrumental in the passage of the Clean Water Act and the Clean Air Act; and the party of Russell Train who, as I mentioned earlier, died this week at the age of 92 after a distinguished career in environmental protection in the Republican Party—that party has now become the servant and handmaiden—perhaps ''paid consort'' would be a better way to say it given the money involved—of polluting special interests.

All of this money can alter how Congress behaves, and all of this money can influence the laws we pass, but the laws of nature are not subject to repeal no matter how much special interest money flows into campaign coffers. The laws of chemistry don't care about the filibuster. The laws of physics don't care how Senators vote. Nature will work its will and one day there will be an accounting.

Madam President, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER (Mrs. McCASKILL). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LAUTENBERG. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE 47 PERCENT

Mr. LAUTENBERG. Madam President, this week the leader of the Republican Party—their candidate for President—was seen in a video speaking at a fundraising meeting with wealthy campaign donors in Florida. In the privacy of the event, Mitt Romney spilled to the donors there what he really thinks about nearly half of the American people. That is almost 150 million people. He disparagingly said 47 percent of Americans support President Obama simply because they do not owe Federal income taxes or they are getting benefits from a government program.

Just to make sure there is no misquote here, this is Mitt Romney's statement. He said:

> There are 47 percent who are with him—
>
> ''Him'' being President Obama
>
> who are dependent on government, who believe that they are victims. . . . my job—
>
> Mitt Romney says—
>
> is not to worry about those people. I'll never convince them that they should take personal responsibility and care for their lives.

This is coming from the leader of the Republican Party, a man who is running to represent every American—all 310 million—from the Nation's highest office. These comments are disturbing coming from anybody, but coming from him they are a disgrace. In plain English, he says that if you do not pay Federal income tax or you receive a government benefit, then you do not take responsibility personally for your life.

So who are these 47 percent for whom Mitt Romney and his Republican friends feel such contempt? They are parents who work hard every day to give their families a better future. They are seniors who helped build this country and now depend on Social Security to keep food on the table. They are veterans who risked their lives in Iraq or Afghanistan. As it says on this chart, ''Who Mitt Romney Says Doesn't 'Take Personal Responsibility And Care For Their Lives.' '' Working families with children, senior citizens, veterans. Mitt Romney seems to think they are a bunch of lazies just taking money from the wealthy. So today I want to take a closer look at some of these Americans who Mitt Romney says do not take personal responsibility and care for their lives.

Let's first look at working families. He says:

> I'll never convince them that they should take personal responsibility and care for their lives.

What kind of contemptuous statement is that? We are talking about nearly 150 million people.

Millions of parents across the country work long hours, struggling to put food on the table and clothes on their children's back. A family of four making as much as $46,000 a year often will not owe any Federal income taxes. So these families would be part of the 47 percent of Americans whom Mitt Romney accuses of being lazy and irresponsible. These families deserve our support, not our scorn. They did not ask anybody for a handout, and they certainly do not deserve Romney's condemnation.

Let's now look at another group of Americans who by Mitt Romney's definition are victims who do not take responsibility for their lives: senior citizens.

More than half of those who do not pay Federal income or payroll taxes are senior citizens on fixed incomes. He says, ''I will never convince them that they should take personal responsibility and care for their lives.'' People showing some age, they ought to take personal responsibility for their lives. Romney seems to think that because these seniors depend on Social Security they are not willing to take personal responsibility for their lives. Mitt Romney has no business lecturing these people, these Americans about personal responsibility.

These seniors worked, paid taxes their whole lives, fought to defend our Nation's freedom, and built the greatest middle class the world has ever known. It is Mitt Romney who needs a lesson from them about personal responsibility.

Let's look at another group of Americans that Romney has dismissed, troops and veterans. When we send our troops into harm's way, their combat pay is not taxed. When veterans come back injured, physically and emotionally, we don't ask them to pay taxes on their disability benefits. Should they pay taxes on these benefits in order to be honorable in Mitt Romney's eyes?

I believe they have already given their country more than their share. If you look at this picture, it tells you so much. In that hug a returning veteran gets, glad to see his family, they are glad to see him standing straight, able to communicate. Romney says, ''I can never convince them that they should take personal responsibility and care for their lives.'' Imagine that, for him to make statements such as that to include veterans. We give our veterans government benefits that they earn through their service. They get education benefits tax free under a new GI bill. Many receive health care from the VA and some get housing assistance.

Never convince them that they should take personal responsibility and care for their lives?

What would Mitt Romney say to veterans who do not owe Federal income taxes or receive a government benefit? We have seen the tape. He says: They are victims who could never be convinced to take personal responsibility for their lives. Mitt Romney must have known many who served in Vietnam during his period of maturity. Did he think of them who served in Vietnam as not doing their share, not taking personal responsibility?

I am a veteran. I take offense at that. These men and women risked everything fighting for our freedoms and our rights, and we ought to do everything we can to support them. These heroes know a great deal more than Mitt Romney about personal responsibility and sacrifice. Mitt Romney was simply saying what many in today's Republican Party truly believe. He has pulled back the curtain on their agenda. He has revealed the stark choice facing the American people. America deserves better than a Presidential candidate who dismisses the contribution that half—47 percent, to be more precise—of our fellow Americans make—they get derision and disrespect. That is hardly appropriate for a Presidential candidate to be saying.

He, after all, seeks the job that puts him in charge of the whole 310 million people in America. And yet he has the audacity to say these people are not worthy of honor, worthy of thanks, worthy of their contribution to this country? All this time it was thought that Mitt Romney just did not get it. But it turns out worse than that. He just does not care. He knows what he is saying, and he says it deliberately. He just does not care.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

THE FARM BILL

Mr. BENNET. Madam President, I wanted to come to the floor today to speak on a different subject, which is to demonstrate my support for the Sportsmen's package compiled by Senator TESTER from Montana. I know the bill was discussed on the floor last night and the request to pass this package of bipartisan bills was objected to, which is horribly unfortunate. I hope we are going to have the opportunity to vote on the measure before we leave town.

Sportsmen and women are an essential part of the fabric of our country, the fabric of my home State of Colorado. This community supports millions of jobs and contributes billions of dollars annually to our economy, and they are often the drivers of our most important conservation initiatives across our rich landscape.

While serving on the Senate Agriculture Committee, I have enjoyed working with sportsmen to craft a revamped conservation title in the farm bill. Some people forget that the farm bill conservation title is the largest single legislative vehicle for the programs and resources that help us conserve private land all across this country, all across the western United States. It enhances vital wildlife habitat across the country. Sportsmen have always played a vital role in crafting that bipartisan title. That was exactly the way they participated this time as well.

While it is not the reason I am here today—I want to talk about Senator TESTER's bill—I do want to take the chance to say once again that in my view the House of Representatives ought to pass the 5-year farm bill. We passed a bipartisan bill out of this Senate with well over 70 votes, Democrats and Republicans. On the committee we worked together for over 2 years to create the only bipartisan deficit reduction that has happened in this Congress in either the House or the Senate. We got rid of direct payments for producers, which was an important reform. We strengthened the conservation title, as I was saying earlier. There is absolutely no reason the House should not pass this bill.

Over the break, I traveled 2,500 miles around the State of Colorado, rural communities all over my State, and no one wanted to know what was going on in the Presidential election. No one wanted to talk about anything except why can't the farm bill get passed? There has never been a time in modern history that a committee in the House, in this case the House Agriculture Committee, passed out a bill in a bipartisan way and it cannot even get to the floor for a vote. That has never happened before. Something is wrong over there.

I can tell you that my farmers and ranchers in Colorado who are going through the worst drought in a generation want people to knock the politics off and pass this bill. Bipartisan, it is real deficit reduction, and it is a good bill. We are doing an incredible disservice, as I said to our farmers and ranchers, and also our sportsmen by failing to act on this bipartisan legislation.

There was a time in my life when I had the chance to live in Montana for a brief time, Senator TESTER's home State, and I thought of myself as a sportsman then. I used to fish a lot, chopped a lot of wood out there. These days I spend a lot more time on airplanes and chasing my three daughters to soccer games, but some day I will get back there. That brings me to the importance of the package, this package for our Nation's sportswomen and men. The provisions in Senator TESTER's bill represent some of the best bipartisan ideas out there to promote hunting, fishing, and recreational access, bills from both sides of the aisle that have been hanging around here for a long time and now need to get passed. The measure would require that 1.5 percent of annual Land and Water Conservation Funds go to provide public access to lands for hunting and for fishing. I am a huge supporter of the Land and Water Conservation Fund. This provision builds on the fine legacy of that program.

The bill also contains a provision that is homegrown from our sportsmen in Colorado. Section 103 provides certainty and parity for America's bow hunters, that they can cross National Park Service land with their bows to legally hunt nearby lands outside the park boundaries. This access is provided to hunters with firearms but not to hunters with bows.

I started working on this issue over 2 years ago when a Colorado bow hunter encountered a problem. After 14 years of trying, this particular hunter had finally drawn a license to hunt elk in the premium game unit in northwest Colorado. He scouted the unit, found the area he wanted to hunt and he was all set to go until Federal officials told him he could not cross a narrow strip, a very narrow strip, of Park Service land to hunt the BLM land next to it. This is despite the fact that hunters with loaded firearms can cross Park Service land legally and without applying for a permit.

The problem with this particular hunter is what brought this issue to my office. But the broader point of the provision is to provide access for our sportsmen and women. We know that we lose thousands of acres of land every day to development, some of it important wildlife habitat. We need to provide all Americans reasonable access to the land that we have set aside for preservation and wildlife habitat, bow hunters included.

That is why I was pleased to increase funding for the Voluntary Public Access Program when we marked up the farm bill. That is why I am proud to have worked with Senator TESTER to include this provision in his package that I hope we will be voting on soon.

The bow hunting provision was carefully tailored to ensure that hunting of wildlife within Park Service boundaries remains illegal. Yet the measure still provides reasonable access, which is so important to the sportsmen in Colorado and across the country.

I have received a letter of support for the Bennet-Tester bow hunting from Colorado stakeholder groups across the spectrum, including the Colorado Wildlife Federation, the Rocky Mountain Bighorn Sheep Society, Pheasants Forever, and the Bull Moose Sportsmen's Alliance, and the list goes on. I ask unanimous consent to have this letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DECEMBER 7, 2011.

Hon. MICHAEL BENNET,
Senator of Colorado, Russell Senate Office Building, Washington, DC.

DEAR SENATOR BENNET: The Credit Card Accountability Responsibility and Disclosure Act of 2009, PL 111–24, permitted concealed carry in the National Parks System

and National Wildlife Refuge System (NWRS). NPS regulations to implement the concealed carry provisions of PL 111–24 became effective on February 10, 2010 and included all firearms legal in the jurisdiction in which the park was located. Park Service regulations continue to exclude bow and arrows in the National Parks. In some locations this effectively limits bowhunter access to hunt other adjacent BLM, USFS or private lands that are otherwise open to hunting and can now be legally accessed through NPS or NWRS lands by firearms hunters.

36 CFR 2.4 d 4 allows the possibly of permitting for such access through NPS lands where it is otherwise impossible or impractical to make other access except through NPS lands. In 2009 one such request for permitting for Dinosaur National Monument was denied by the Park Superintendent, effectively denying practical bowhunter access to some BLM and state school lands. Firearms hunters may now access these lands across NPS lands without any requirement for permitting.

Similar access issues occur in several of Colorado's game management units bounding on Dinosaur National Monument. These situations likely occur at many National Parks and National Monuments both in Colorado and other states. Attempts to rectify this situation through an administrative rule making process in the Department of the Interior have been denied.

The undersigned sportsmen, representing several major sportsmen's groups and retailers in Colorado request that, barring any change in the DOI stance, legislative action be taken to give bowhunters with archery equipment equal rights in crossing NPS and NWRS as that enjoyed by those carrying firearms.

Sincerely,

Tim Mauck & Gaspar Perricone, Co-founders, Bull Moose Sportsmen's Alliance; Ivan James, Vice-Chairman for Legislation, Colorado Bowhunters Association; Robert Ong, President, Rocky Mountain Bighorn Sheep Society; John Smeltzer, President, Colorado Wildlife Federation; Dean Derby, President, Colorado Traditional Archery Society; Bob Hewson, Executive Director, Colorado Youth Outdoors; Robert Hix, Colorado Regional Director, Pheasants Forever, Inc.; Joel Webster, Director—Center for Western Lands, Theodore Roosevelt Conservation Partnership; John & Kathy Tidwell, Owners, Bear Creek Archery Inc; Michael Lewellen, President, Colorado National Wild Turkey Federation; John Gale & David Lien, Co-Chairs, Colorado Back Country Hunters and Anglers.

Mr. BENNET. The overall sporstmen's package from Senator TESTER is also widely supported, ranging from the Theodore Roosevelt Conservation Partnership to the Boone and Crocket Club to the National Rifle Association. The Tester bill represent a bipartisan package of commonsense bills that will benefit our Nation's sports men and women. I want to thank Senator TESTER for his leadership on behalf of the West and urge a ''yes'' vote.

I will simply close by saying it is my fervent hope that once this election is over, some 45 days from now, we will come back to this Chamber, Republicans and Democrats together, and work to avoid surfing over this fiscal cliff that will be so damaging to this economy.

People at home know something that people here have not yet figured out, which is even if you believe you are always right on your side or had a monopoly of wisdom on your side—which I do not, but some people seem to—even if you believed it, we cannot accomplish this meaningful deficit reduction without doing it in a bipartisan way. It is impossible to do it without doing it in a bipartisan way.

People at home actually want to see it bipartisan, frankly, because they do not believe in either party's go-it-alone strategy when it comes to the debt and deficit. So my hope is this election will clear the air, we will get back to work, and that before January we will have something convincing to say to the American public on this subject.

The PRESIDING OFFICER. The Senator from Colorado.

EMERGENCY WATERSHED PROTECTION PROGRAM

Mr. BENNET. Madam President, I see no colleagues have come to the floor, so I want to speak on one additional topic. I will be brief, because I understand we likely won't have an opportunity to address this issue before we leave town.

My colleague Senator MARK UDALL and I have been working to provide resources for the USDA's Emergency Watershed Protection Program, also known as EWP. The reason we have been doing this is that EWP resources help communities recover from wildfires, specifically watersheds that, after being burned, are unstable and risk harm to critical drinking water infrastructure and sometimes jeopardize human lives.

As many in this Chamber know, we had a number of devastating wildfires in Colorado this summer. In the communities of Fort Collins and Colorado Springs in particular, they are having trouble protecting their vital drinking water infrastructure as their watersheds recover. Despite a letter Senator UDALL and I authored to the appropriators, the House version of the continuing resolution did not contain this critical funding. That means the Senate won't be able to vote to help these communities recover. And while we are disappointed, we are going to continue to fight for these resources.

With that, Madam President, 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. BENNET. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FARM BILL

Mr. BENNET. Madam President, I see we have been joined by the Chair of the Agriculture Committee, Senator STABENOW. She has just arrived, but I wanted to report to her that before she arrived I was talking about the need to pass a farm bill and the fact that, over the break, I had traveled 2,500 miles around the State of Colorado—in rural parts of our State on the west slope and on the eastern plains—and nobody wanted to talk about anything except why we can't get a farm bill passed. It makes no sense to them. They know it was completely bipartisan here in the Senate, and they know it is the only bipartisan piece of legislation with deficit reduction any committee of either Chamber has been able to accomplish.

In the case of Colorado farmers and ranchers, we are going through the worst drought we have had in a generation, and they want to know why Washington, DC, has a completely different set of priorities than they have.

There is still time for the House to pass this bill. This is the first time in modern history a House Ag Committee has passed out a bill—in this case a bipartisan bill, though not as good, I don't think, as ours, but a step forward—that hasn't come to the floor for a vote. They cannot even get a vote.

So while the Senator is here, I wanted to thank her, and I would also say to the ranking member of the committee if he were here, for their extraordinary bipartisan effort over the last 2 years that resulted in a very fine bill. I also think their work sets a model for the way we should be approaching our work in this Chamber.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, first, I did come to the floor to talk about the urgency of the farm bill, but I also want to thank my friend and colleague from Colorado, who chairs our conservation subcommittee, for the tremendous piece of work on the conservation title in the farm bill. I thank him for all of that effort and also say to him I understand what is happening in Colorado. As he and I know, we passed disaster assistance—a permanent livestock disaster assistance program—in our farm bill, along with help for food growers in Michigan and other places.

We are totally committed in the short run to helping those who have the riskiest business in the world, which is farming and ranching in this country, but we also know what they want is the economic certainty of a 5-year farm bill. So I thank my friend for all of his efforts and in coming to the floor.

I want to say, for the record, there are 10 days until September 30—10 days until the farm bill expires and 16 million people in this country who rely on agriculture for their jobs or their livelihood are put in limbo. That is the reality of where we are.

We worked so hard, on a bipartisan basis in the Senate, to pass a farm bill,

and we did that as quickly as we could so the House would have time to act and we could actually get things done in the summer before we got involved in what would be happening in the fall, with all of the critically important end-of-the-year issues that have to be addressed. So we passed a bill in June, as we all know, on a bipartisan basis. It took a lot of work.

I continually thank everyone who was willing to hang in there with us to get this done—my ranking member, Senator ROBERTS, and our two leaders for giving us the time to do this. We worked hard and we got it done and we sent it to the House. Then the House committee went to work and they passed out a bipartisan bill. Never before, that I can remember—and I have been around here a while; this is my fourth farm bill—have we seen a situation where a bipartisan bill came out of committee and yet the House wouldn't take it up. They wouldn't take it up in July, the beginning of August, and wouldn't agree to allow us to negotiate differences over the August break to come up with a way to get this done by the end of this month.

So here we are. The House is leaving today. The Senate is leaving either today or tomorrow or the next day, and there are 10 days left on the clock to provide economic certainty for 16 million men and women whose livelihoods come from agriculture. Many of these men and women watched as their crops withered under the hot summer Sun this year, as days and weeks went by without a drop of rain in the worst drought in 50 years. Yet House Republicans are planning to leave without finishing their work on our farm bill. That is absolutely stunning to me.

The work we did in the Senate passed on a strong bipartisan vote. As I said before, the committee in the House put forward their bill on a strong bipartisan vote. If nothing happens, in 10 days we begin to see a transition over the next few months to what is called permanent law, which goes back to the 1940s.

We had over 90 different groups that came in last week. We had hundreds of farmers from around the country—farmers who got off their tractors, took their time at their own expense to fly in and say: Hey, wait a minute, When there is a job to do, you have to get it done. When the crops are ready to harvest, you don't wait a month. You have to do what you have to do when it needs to be done.

That is exactly where we are right now. They just need to do it. I am confident the chairman and the ranking member, working in a bipartisan way, could do this in 1 day. I really believe they could do this in 1 day. It is not as if there is a lot of other substantive work going on in the House. So 1 day. If they decided today: Okay, we are going to get this done before we leave, they would create a situation so our farmers, who are planning for next year, who have to go in and sit down with their banker, will know how to plan and what tools they have available. These are people who have been hit hard, have been devastated by disasters.

In every single one of the counties in Michigan, 83 out of 83 counties, there has been a disaster declaration. They are looking at us and saying: Thank you for what the Senate did, but why won't the House act? And, frankly, I don't know why the House won't act. But they should, because they are leaving an awful lot of people hanging.

We know the consequences of not acting are that we begin to unravel a set of policies that need to be in place for production agriculture, for conservation, for local food systems, for energy, and for nutrition. We know also if we step up and do what we worked so hard to do in the Senate we will get the added plus of $23 billion in deficit reduction. The only thing that has passed the Senate that has bipartisan deficit reduction is our farm bill.

We know we need to make reforms. That is why we eliminated four different subsidies, moved to a risk-based, market-based system, based on crop insurance providing tools for farmers to make sure they can make their own planning decisions, not plant for government programs, but make their own planning decisions and then have tools to support them and to manage the risks that come. We certainly know now, because we have seen this year, what kind of devastating risks may come for our farmers and ranchers across the country.

I have gone through so many times what is in our farm bill that I will not do that now, except to say we have more reform—in fact, the Wall Street Journal said there is more reform in this farm bill than any in decades. We are proud of that. We have more in deficit reduction than in anything else we have passed. We have policies for the future. We have listened to farmers who said crop insurance is the most important thing for them in being able to manage their risk. We have focused on local food systems, providing schools with the ability to purchase locally and support their local farmers. There are energy opportunities for the future and bio-based manufacturing, where we truly can make things and grow things and grow the economy and grow the middle class of this country. There is rural development, where millions of Americans live—for small towns, such as Clare, where I grew up—with the ability to fund infrastructure—water, sewer, Internet—and have a business loan financed, and all those things that go into rural development. We provide for telemedicine to create a quality of life and health for seniors and families.

All those things are involved in what we call the farm bill. All of those things were passed in the Senate. We did what I believe the American public wants us to do, and I certainly know people in Michigan want us to do—to make tough decisions, to evaluate what works and what doesn't work and to cut out the duplication. We eliminated over 100 different programs and authorizations and we streamlined. That is what folks want us to do, and we did it. Now it is time for the House to do their job.

The reality is, even though there are 10 days until the end of the month, the Speaker said they are going home with no action. So the real number is zero. We are out of time for farmers and ranchers and their families, and, frankly, for all of us. If we are fortunate enough to have lunch or breakfast today, we ought to care about the farm bill and the people who provide us with the safest, most affordable, and abundant food in the world. That is what we do in this bill. We are proud of it. And the House of Representatives should be ashamed of themselves for leaving town without supporting rural America.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. LEVIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2013—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired. The question occurs on agreeing to the motion to proceed to H.J. Res. 117.

Mr. LEVIN. 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 bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE) and the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Mr. CARDIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 67, nays 31, as follows:

[Rollcall Vote No. 195 Leg.]

YEAS—67

Akaka	Cochran	Klobuchar
Alexander	Conrad	Kohl
Baucus	Coons	Kyl
Begich	Durbin	Landrieu
Bennet	Feinstein	Lautenberg
Bingaman	Franken	Leahy
Blumenthal	Gillibrand	Levin
Blunt	Hagan	Lieberman
Boxer	Harkin	Lugar
Brown (MA)	Heller	McCaskill
Brown (OH)	Hoeven	McConnell
Cantwell	Hutchison	Menendez
Cardin	Inouye	Merkley
Carper	Johanns	Mikulski
Casey	Johnson (SD)	Murkowski
Coats	Kerry	Murray

Nelson (NE)	Sanders	Warner
Nelson (FL)	Schumer	Webb
Portman	Shaheen	Whitehouse
Pryor	Stabenow	Wicker
Reed	Tester	Wyden
Reid	Udall (CO)	
Rockefeller	Udall (NM)	

NAYS—31

Ayotte	Enzi	Risch
Barrasso	Graham	Roberts
Boozman	Grassley	Rubio
Burr	Hatch	Sessions
Chambliss	Isakson	Shelby
Coburn	Johnson (WI)	Snowe
Collins	Lee	Thune
Corker	Manchin	Toomey
Cornyn	McCain	Vitter
Crapo	Moran	
DeMint	Paul	

NOT VOTING—2

Inhofe	Kirk

The motion was agreed to.

The PRESIDING OFFICER (Mr. CARDIN). The majority leader.

Mr. REID. Mr. President, for the last several days I have been telling everyone that we needed to do a couple of things before we leave. We have to do the CR, and we have to do the sportsmen's package.

Mr. President, just a second on the sportsmen's package. If we flip through the dictionary and find the word ''bipartisan,'' part of that definition would be TESTER's sportsmen's package because it is a Republican and Democratic bill. It involves hunters, fishermen, and other sportsmen, including offroad vehicles. It is a very good piece of legislation for a group of people who are totally unrecognized most of the time. We are going to do those two things before we leave.

In order to bring us to that result, I will fill the tree and file cloture on the CR. Unless we get consent, the cloture vote on the CR will occur sometime after midnight on Saturday, at 1 a.m. or thereabouts. Once we invoke cloture on the CR, the 30 hours postcloture will run until 7:30 a.m. on Sunday, give or take an hour. We would vote at that time to pass the CR. Immediately thereafter we will vote to invoke cloture on the motion to proceed to the sportsmen's package.

So here is where that leaves us: We file cloture on the CR and the motion to proceed to the sportsmen's package. That sets up two votes for very early Sunday morning in addition to tomorrow night, Saturday morning at 1 a.m. or thereabouts. We can do those votes now and finish everything today or we can wait. The choice is clear. We end up in the same place Sunday morning or we can get there today.

I have had some Senators come to me and say, well, we are not going to vote on the sportsmen's package. Well, yes, they are. We have that set up. There is a clear path. The problem with the rest of the stuff is not our problem; it is the Republicans' problem.

I worked something out in good faith with RAND PAUL. He in good faith worked something out with me. I am not here to be a cheerleader for RAND PAUL; I am here to tell everyone what happened. Now, if the Republicans don't want to vote on that, I think it would be too bad because RAND PAUL, after all of this time—whether anyone agrees with what he wants to do or not—he and I in good faith worked something out.

We had a number of Senators come here, including the senior Senator from Arizona to name one, who said we need more time on that. I have no problem with that. Yesterday when he said he wanted more time, I said just take the hour because Senator PAUL has been here talking about this for weeks and weeks. We have heard a lot from him, and he said: I have talked a lot on this—and I am paraphrasing—and 15 minutes would be enough for me. I thought I was being generous by setting up an hour rather than 15 minutes. If the senior Senator from Arizona wants more time, I don't care. I really don't care.

Also, I had some conversations with LINDSEY GRAHAM. He and Senator LIEBERMAN have been pushing very hard on a containment resolution that deals with Iran. It is another bipartisan piece of legislation. Eighty Senators are cosponsors of it. The other 20, I bet, like it also. If not, the majority of the 20 do. It is something we overwhelmingly need to do. I think it would be good in that we are trying to work things out in Iraq, which is not stable at this time—at least not the way we want it to be. It would be nice if America had an ambassador to go to Iraq. That has been held up.

With all the problems we see with Pakistan, I think it would be a good idea if we had an American ambassador to Pakistan. That has been held up for a long time.

Again, to his credit, Senator PAUL said have a vote on the containment resolution and have a vote on the two ambassadors. He is not standing in the way of that.

Momentarily, I am going to file cloture and procedurally block any other amendments on the continuing resolution. We will vote on that whenever the Republicans want, but no later than Saturday morning at a time we will decide. When I say ''we decide,'' it is a statutory clock, and that is when it runs out. Following that, we will have a vote on final passage of the CR and a motion to proceed to TESTER's sportsmen's package. That is what we have to complete. For people to try to get out their stuff is just unfair.

I have seen newspaper accounts of Republican Senators who love the TESTER legislation. I didn't ask them; I read it in the paper. They think it is good because it is good. It is bipartisan. It does something we have been trying to do for a long time; that is, a lot of these little bills have been held up—hundreds of them. TESTER and the people who support this legislation have joined together 20 of these little bills into this one piece of legislation. It really is the right thing to do. I hope we can get this done.

Remember the choice—I repeat for the third time—is very clear. We can quickly complete everything tonight or we can come back here Saturday morning in the middle of the night sometime and early Sunday morning. We will be at the same place. Those votes are going to take place. It is up to the Republicans and what they want to do with Senator PAUL and the unanimous consent request they objected to yesterday.

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2013

Mr. REID. Mr. President, I have an amendment at the desk as it relates to H.J. Res. 117.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant bill clerk read as follows:

A resolution (H.J. Res. 117) making continuing appropriations for fiscal year 2013, and for other purposes.

AMENDMENT NO. 2844

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2844.

The amendment is as follows:

At the end, add the following new section:

SEC. _____.

This joint resolution shall become effective 5 days after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2845 TO AMENDMENT NO. 2844

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2845 to amendment No. 2844.

The amendment is as follows:

In the amendment, strike ''5 days'' and insert ''4 days''.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion which I ask the clerk to report with the permission of the Chair.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on H.J. Res. 117, a joint resolution making continuing appropriations for fiscal year 2013, and for other purposes.

Harry Reid, Daniel K. Inouye, Patty Murray, Bernard Sanders, Jeanne Shaheen, Richard J. Durbin, Sheldon Whitehouse, Debbie Stabenow, Max Baucus, Mark L. Pryor, Christopher A. Coons, Jon Tester, Michael F. Bennet,

Kay R. Hagan, Robert P. Casey, Jr., Richard Blumenthal, Ron Wyden, Barbara Boxer.

MOTION TO COMMIT WITH AMENDMENT NO. 2846

Mr. REID. Mr. President, I have a motion to commit the joint resolution with instructions, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the joint resolution, H.J. Res. 117, to the Committee on Appropriations with instructions to report back forthwith with the instructions, amendment numbered 2846.

The amendment is as follows:

At the end, add the following new section:

SEC. _____.

This joint resolution shall become effective 3 days after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2847

Mr. REID. Mr. President, I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2847 to the Instructions on the Motion to Commit.

The amendment is as follows:

In the amendment, strike ''3 days'' and insert ''2 days''.

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2848 TO AMENDMENT NO. 2847

Mr. REID. Mr. President, I now have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2848 to amendment No. 2847.

The amendment is as follows:

In the amendment, strike ''2 days'' and insert ''1 day''.

SPORTSMEN'S ACT OF 2012—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 504, S. 3525.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to proceed to the consideration of Calendar No. 504, S. 3525, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to calendar No. 504, S. 3525, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

Harry Reid, Jon Tester, Joe Manchin III, Jeanne Shaheen, Sheldon Whitehouse, Debbie Stabenow, Ron Wyden, Max Baucus, Daniel K. Inouye, Kent Conrad, Mark Pryor, Christopher A. Coons, Michael F. Bennet, Kay R. Hagan, Robert P. Casey, Jr., Richard Blumenthal, Ben Nelson.

Mr. REID. I ask unanimous consent that the mandatory quorum required under rule XXII be waived with respect to both cloture motions.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, the President pro tempore of the Senate is on the floor and seeks recognition.

The PRESIDING OFFICER. The President pro tempore.

H.J. RES. 117

Mr. INOUYE. Mr. President, today, as we near the end of the current fiscal year, the Senate is considering H.J. Res. 117, a continuing resolution to ensure that the Federal Government will remain functioning through March of next year in the absence of regular appropriations. Last Thursday, the House passed this measure by a vote of 329 to 91.

This bill provides total discretionary spending of $1.047 trillion. This is the funding level the Senate Appropriations Committee recommended on an overwhelming bipartisan vote of 27 to 2 and the level agreed to last year in the Budget Control Act, but this bill is $19 billion more than what was approved by the House in the PAUL RYAN budget. I am encouraged the House has finally repudiated its own budget. I am only sorry it has taken them this long to come to their senses. One of the primary reasons Congress now faces this CR is that the House broke this agreement on spending.

I want my colleagues to know I support this measure even though it is far from perfect. In fact, I would say it is not a good bill, but passing it is much better than allowing the government to shut down over a lack of funding.

Continuing resolutions are not new. As some of my colleagues are aware, I have served in this Senate for 49 years and 9 months. During my tenure, this Congress has completed its work and enacted all of its spending bills without needing a continuing resolution on only three occasions. In 49 years, three times. This is not a record we should be proud of, but it demonstrates how difficult it is to agree on funding for each of the thousands of Federal programs that the Appropriations Committee reviews annually. However, never before in history has the Congress passed a stopgap resolution in September to fund the entire government for half the coming fiscal year. It is unfortunate that it has come to this.

Seven months ago, as we began this legislative session, the mood was quite different. There was broad support for acting on appropriations bills. Several Members on both sides of the aisle came to the floor to speak about restoring regular order and passing all 12 appropriations bills. Both the Republican and Democratic leaders spoke in favor of considering all of these bills. The Appropriations Committee was urged to conduct a budget review as quickly as possible and report bills to the Senate for consideration, and our subcommittees embraced this challenge. We shortened our hearing schedule, conducted thousands of meetings with executive branch officials and the public, and began to mark up bills shortly after receiving our allocation from the Budget Committee.

In most years the Senate Appropriations Committee begins its markups in June. This year the committee reported its first two bills in April and had nine bills ready for floor consideration by the end of June.

By July the committee had reported out 11 bills, 9 of which were recommended with strong bipartisan votes, and by that I mean 30 to 0 or 29 to 1. Despite the work of the committee, none of those bills have been considered by the Senate. The decision by the House to break faith with the Senate and the administration on funding levels and the inclusion of outrageous legislative policy riders in their bills drained the enthusiasm for acting on those measures. But the real culprit thwarting the efforts of the committee was a handful of my colleagues who insisted on delaying the business of the Senate.

We have heard our distinguished majority leader cite the statistics. In 382 instances in the past 6 years he has been forced to file cloture to break filibusters. It is becoming very clear filibusters are crippling the Senate. This year, this Senate has been in session for 105 days. By my count, on 31 of those days the Senate has done nothing but consider motions to proceed, as we are doing with this motion, or to invoke cloture. That means nearly 30 percent of the Senate's time this year has been completely wasted.

Moreover, the Senate has only voted on amendments and legislation on 21 of those days that we were in session. On 21 out of 105 days, we actually legislated and worked. The rest of the time was spent on a backlog of nominations or breaking filibusters.

I have never experienced anything like this in my many years in the Senate. It is true that for some time the use of filibusters has been increasing, but this year it has truly exploded. I do not oppose filibusters. I believe the filibuster is one of the most critical tools Senators have to protect the rights of our constituents. This is especially

true for small States, such as Hawaii, which are at a disadvantage in the House of Representatives compared to States with very large delegations. In fact, the first speech I delivered in the Senate was in defense of the filibuster. I supported the filibuster. Times were different then.

For example, I waited until April of that year before speaking on the Senate floor, and I spoke on the filibuster. When I delivered my maiden speech, legendary Senators such as Everett Dirksen, Richard Russell, Mike Mansfield, and John Stennis were all in attendance. Truly, times have changed, but the most striking difference between then and now is that a filibuster was used very rarely in those early days and only for matters of extreme importance to Members and their States.

I did not agree with those who used the filibuster in the 1960s to try to stop civil rights legislation. I disagreed with those who used the filibuster against health care reform in 2010. But in both cases I defended the right to do so.

This year the Senate has been held up, delayed, and rendered ineffective for at least 30 percent of its time by the abuse of the filibuster. These filibusters were not to highlight important policy differences, nor were they to protect a Senator's constituents. Instead, in virtually every case it was simply to thwart the ability of the Senate to function.

So today is a sad day. The Senate is forced to take up a 6-month continuing resolution instead of acting upon regular appropriations bills. The bipartisan zeal for regular order last spring has been crushed by dilatory tactics of a few Members who have wasted the Senate's time. At some point, this body needs to alter either its behavior or its rules.

In addition to discretionary funding, this resolution also provides $99 billion for overseas contingencies as requested and necessary for the coming year. Further, it continues funding at current levels to pay for disasters under FEMA and to fight fraud, waste, and abuse in the Social Security Program. Each of these is consistent with the authorities included in the Budget Control Act.

In addition, the bill before the Senate provides only the bare minimum that is necessary to maintain the functions of our Federal Government. The administration sought approximately 78 proposals to ensure that critical programs and authorities could be continued for the next 6 months. This bill includes only about half of them because the House was unwilling to allow more.

Provisions deemed essential by the Secretary of Defense to preserve authorities for ongoing programs in support of our efforts in Afghanistan and in Iraq are not in this measure. Special provisions to allow the Department of Defense to award contracts for critical programs were denied. Additional funding to activate new Federal prisons that currently sit empty was not included.

This bill denies necessary authorities for dozens of programs. In some cases, the administration will find cumbersome work-arounds. For others it will have to slow down work on ongoing programs, and this increases costs and brings about inefficiency. Many programs will simply have to cease activity and await additional action on appropriations bills.

We urged the House to include many of the provisions requested by the administration, but they refused. The bill would have been far better had more of these requirements been met. Yet I would point out that the House has not played favorites. No department was granted the authorities it required. The Defense Department has not been singled out for special help by House Republicans. If anything, it has been treated more harshly than many other agencies.

So I support this bill because opposing it is not a responsible alternative. No one should be interested in delaying or defeating this bill. We simply cannot afford to shut down government operations.

I urge my colleagues to join me in voting for this bill which will preserve our government. It is lean and it is stripped down, but it contains the funding and minimal authorities essential to ensure that the services provided for all Americans can be continued over the coming months.

I yield the floor.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Mississippi.

Mr. COCHRAN. Madam President, this continuing resolution results from an agreement reached between the President and the congressional leadership for a 6-month, clean CR that adheres to the fiscal year 2013 spending levels set out in the Budget Control Act.

The continuing resolution does not make reductions in programs for which the President requested less money in fiscal year 2013, nor does it make cuts that have been proposed by the Congress. Neither does the resolution increase funding for programs Congress or the administration deemed to be high priorities, with a few exceptions. The continuing resolution does not contain any new oversight provisions to guide agencies, nor does it include any new riders to limit the activities of the executive branch. In short, it puts the portion of government that we call discretionary on automatic pilot. Enactment of this resolution will, for the time being, avoid a disruptive government-shutdown fight.

The resolution represents a lost opportunity. We have lost the opportunity to provide agencies with at least some certainty about funding for this fiscal year. We have lost the opportunity to make informed judgments about which programs are effective and deserving of additional resources and which programs should be reformed or terminated. Contracts will not be let in a timely and efficient manner, and acquisition and construction costs will rise with delay. The morale of the Federal workforce will suffer. Perhaps most importantly, we have lost a chance to supplant the looming sequester.

Elections have consequences, as they most certainly should, but elections should not have the consequence of rendering Congress unwilling or incapable of performing its most fundamental duties in the times leading up to those elections. In my view, the thoughtful and dutiful appropriation of funds for our national defense and other government operations is such a fundamental duty.

I deeply regret that the majority leader chose not to call up a single appropriations bill. Chairman INOUYE has shown impressive leadership of our committee in reporting 11 of the 12 bills out of our committee. Most were reported on a broad bipartisan basis. The chairmen and ranking members of the subcommittees have put a lot of time and thought into the bills. The staffs have worked very hard producing this legislation. The other body has also produced a bill. It has passed seven of the appropriations bills in the other body and I suspect would have passed the others had there been any sign of movement in the Senate.

We can only speculate as to why none of the bills have been considered here in the Senate. Other issues were deemed more pressing or expedient for one reason or another. Perhaps votes on amendments to spending bills were deemed to be politically perilous, whatever the reasons.

At a time when addressing our Nation's fiscal situation is so central to our duty as Senators, it seems more imperative than ever that Members of this body have an opportunity to offer amendments to shape the spending bills. Our problems are sufficiently large that it will require all of our good ideas to make the day-to-day operations of government as efficient and effective as possible. This might mean we have to take votes on difficult amendments. But would that really be so traumatic?

As a result of our inaction, we are compelled to pass this continuing resolution to fund the government. I would have preferred a shorter term CR in order to motivate action on the appropriations bills, but 6 months is what has been agreed to.

Proponents of this 6-month CR argue that the prospect of a government shutdown should be taken off the table so that we can focus on the complex issues facing us in the coming months. But do those issues look any more simple now that we are about to pass this CR?

All manner of taxes are scheduled to go up on January 1. Medicare reimbursement rates will be cut dramatically. The debt ceiling looms. And due

to the inability of the supercommittee to propose a debt reduction package, we are facing a budget sequester that very few people seem to think is a good idea.

Perhaps passage of this CR will help us address these pressing matters. I hope that it will. But I am not so sure it changes things that much.

Regardless of who wins what in the upcoming election, we have a great deal of unfinished business to resolve in the coming months.

None of my colleagues likely relish the prospect of voting in March—up or down—on either a trillion-dollar omnibus bill or a trillion-dollar full-year CR. Yet that is where we are headed if we continue to do nothing.

Appropriations bills are not simply opportunities to spend more money. They provide regular opportunities for effective oversight of Federal agencies. And when we take the time to bring them to the Senate floor, they provide regular opportunities for the elected representatives of all the people to shape, as well as fund the operations of the Federal Government. I hope the Senate will not continue to deny the people that opportunity.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Madam President, I believe the record should show how much we appreciate the work of the distinguished Senator from Mississippi, the vice chairman of the committee, THAD COCHRAN. We have demonstrated to our colleagues that bipartisanship works in this Senate. All they have to do is watch us operate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

REMEMBERING JENNIFER GREEN

Mr. KOHL. Madam President, I rise today with great sadness to inform the Senate that Jennifer Green, a valued member of my staff and a cherished member of the Senate family, passed away last weekend after a brief illness. It is a comfort to all who knew Jennifer that she spent her last hours in a room filled with the family she cherished so deeply, but no room on Earth would have been large enough to hold all those who mourn her, who have been touched and made better by Jennifer's beautiful smile, big heart, and easy friendship. She is sorely missed in my office, throughout the Senate, and even across the country.

Jennifer worked in my office for the past 14 years, but she served the Senate for nearly a quarter century, starting with the Sergeant at Arms when she was just 20 years old. Jennifer was often the first face visitors to my office would see. She did more than just arrange Capitol tours or point them to the nearest DC attraction; she worked out a botched hotel reservation, found a glass of water to soothe an overheated toddler, listened to worries about a failing farm, a sick grandparent, or a threatened job.

Many of my constituents arrive in the office a little overwhelmed by Washington, perhaps a little angry at Congress, but after meeting Jennifer, they left knowing they had a friend here. Jennifer put a human, caring face on the Senate—a service to this institution that affected the way hundreds, and probably thousands, of Wisconsinites viewed their government.

Of course, no one, not visitor or staff, could leave the office without an update on Jennifer's family, especially her beloved mother Beatrice Spicer, her father Floyd Spicer, her brothers and sisters, and her son Lorenzo Green. She was so proud of this fine young man, as we all are. Through Jennifer, we got to watch a mischievous little boy grow to a talented and strong man serving our country as a member of the U.S. Coast Guard. She made sure everyone got a good look at the handsome—and big—framed picture she kept in her cubicle of Lorenzo in uniform.

Jennifer made us all feel as if we were part of her wonderful family. She was always the first to ask to see the picture of a new baby, quick to drive a colleague to the doctor or listen to a staffer who lost a parent, ready to swap a recipe or dissect the Redskins' latest performance. And that was not just my experience and that of my staff—Jennifer knew just about everyone who works on the Hill. We have had a steady stream of visitors stopping by the office to share memories and express their condolences. Thank you all for the comfort that has brought our staff.

Jennifer's funeral will be held in her hometown of Princeton, WV, this Saturday. I urge anyone who wants to attend or to leave a message for the family through the funeral home to contact my office for details. We will also be organizing a memorial service for Jennifer here in the Senate in the coming weeks, and we will make sure all offices get plenty of notice so that her many friends can be there.

Everywhere you look in the Capitol, there are plaques, pictures, and statues commemorating the men and women who built this great institution, but these, like all things physical, oftentimes fade or are forgotten. Jennifer touched the heart of the Senate, the people who work here, and the people who visit. Hers is a legacy and a contribution that time cannot erase.

For everyone in my office and for the entire Senate, I offer my deepest condolences to Jennifer's dear family. I hope you can find comfort in knowing of all the good she did and the joy she brought in her time here. We will all miss her profoundly and hold her in our hearts forever.

Madam President, I ask unanimous consent to have printed in the RECORD a copy of Jennifer's obituary.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JENNIFER DENISE SPICER GREEN

Jennifer Denise Spicer Green, 46 of Lusby, MD, departed this life Saturday, September 15, 2012, at Georgetown University Hospital in Washington, DC. She was born February 23, 1966 in Princeton to the union of James F. Spicer and Beatrice Spicer and was the youngest of five children. Jennifer first accepted the Lord at Mt. Calvary Missionary Baptist Church in Princeton and after moving to Maryland she became a member of the Maple Springs Baptist Church in Suitland, MD. She was a graduate of Princeton High School and was a former employee at the Dairy Queen in Princeton. Her first government position was doorkeeper of the Senate Chamber, and she then worked as an elevator operator in the Unites States Capitol in Washington, DC. Jennifer continued her service as mail carrier under the Senate Sergeant at Arms Office for the Senate Post Office. She then became a data entry operator to U.S. Senator Paul Simon of Illinois and later accepted a position as front office receptionist with the Special Committee of Aging. During the changing of legislature, Jennifer moved to Charlotte, NC, where she worked with the American Heart Association and Gerrard Tire and Automotive. Upon moving back to Maryland, Jennifer accepted the position as receptionist with the Senate Finance Committee and then spent the last sixteen years with the office of Senator Herb Kohl of Wisconsin in the positions of Mailroom Manager, Photographer, and Intern Supervisor. During this time she also worked part time for Senator Evan Bayh of Indiana, Senator Kay Bailey Hutchinson of Texas, Senator Byron Dorgan of North Dakota, and Senator Bob Casey of Pennsylvania. She was preceded in death by her maternal and paternal grandparents. Survivors include her loving son, Lorenzo J. Green of the U.S. Coast Guard stationed in Alaska; parents, Beatrice E. Burton Spicer of Princeton and James ''Floyd'' Spicer of Atlanta, GA; step children, LaQuosha Jackson, Willard Green, Jr., Byron Green, Latonya Green, and Trea Green; three godchildren, Brittany Coleman, Mykisha Avery, and Amanda Spicer; two brothers, Joey A. Spicer and James ''Toby'' Spicer both of Princeton; two sisters, Cindy E. Townes of New Carlton, MD and Donna M. Spicer of Mooresville, NC; special cousin that was like a brother to Jennifer, John ''Dexter'' Coles of Capitol Heights, MD; faithful friend, Derrick Williams; and a host of aunts, uncles, nephews, nieces, cousins and additional friends. Funeral services will be conducted at 11:00 AM, Saturday, September 22, 2012 at the George W. Seaver Chapel of Seaver Funeral Home in Princeton with Bishop Romey Coles, Rev. Charles Stores, Rev. Jesse Woods and Rev. Terrance Porter officiating. Burial will follow at Restlawn Memorial Gardens, Littlesburg Road in Bluefield. Family and friends may call at the funeral home from 6:00 PM until 8:00 PM, Friday, September 21, 2012 and 10:00 AM until the service hour on Saturday. On line condolences may be sent by visiting www.seaverfuneralservice.com. Seaver Funeral Home in Princeton is serving the Green family.

Mr. KOHL. I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

TRIBUTE TO RYAN MCCOY

Mr. LEE. Madam President, I rise today to recognize and honor my friend Ryan McCoy, a departing member of my staff. Ryan McCoy is, in fact, much more than just a member of my staff; he has been the energy behind many of my legislative goals, and he is also a close friend. While no tribute of words could ever match the debt of gratitude he truly deserves, I would like to pay tribute in the official records of Congress to someone who fought to make a

difference both for the State of Utah and for our country.

C.S. Lewis said:

Friendship is born at that moment when one person says to another: ''What! You too? I thought I was the only one.''

My friendship with Ryan McCoy, my former legislative director, was born in that very way described by C.S. Lewis. We met back in 2009 when I was speaking to a group of Utahans about a topic near and dear to my heart: article I, section 8 of the Constitution. I spoke of my passion for the Constitution and for the principles of limited government embodied therein, and my message apparently struck something of a chord with Ryan, who had recently taken a greater interest in finding ways to restore those same principles. We spent several hours after the speech talking about what the Constitution meant to both of us. I had not always thought about running for office, but when Ryan suddenly prepared a PowerPoint presentation for me about the problems we face as a country and about the ways in which he and I, working together, could make a difference, I started thinking much more seriously about it.

When Ryan and I discussed later his leadership role in my office, his wife Kara jokingly told him that he had no idea what he was doing. But the truth is that we needed to know only one thing, just one thing: that we could make a difference. In the end, I believe that was our greatest asset. Ryan and I shared a vision for change in Washington. We knew it would not come easily, but it had to come from people who wanted to make a difference. It had to come from people who had lived in difficult economic circumstances and felt the need for change as it tugged at their own pocketbooks and at their own individual freedoms being eroded by an ever-expanding government.

At a meeting a few months after we met, Ryan spoke of the common goals we shared. He said that our movement would be based on a clear, unequivocal message that it was time to change course for our country. Ryan and I shared this vision, and Ryan knew others would catch on to it. In the nearly 2 years he served as my legislative director, he worked hard, he worked tirelessly, he worked constantly to keep us focused on these legislative goals and to keep us true to our principles.

It is safe to say that I would not be here today without the hard work and dedication of Ryan McCoy. Once here, I would never have been able to do many of the things I have done without Ryan McCoy's expert assistance. Ryan will be remembered in my office as a respected leader and as a man who truly loves his country.

Too often in the hustle and bustle of Washington, we tend to take our staff members for granted. It is when they leave that we truly see the impact they have had and the wide breadth of influence they had while they were here.

As much as we will miss Ryan, we will also miss his wife Kara and her shared enthusiasm every bit as much. I thank Kara. She and Ryan have become an important part of my life, an important part of my family, an important part of my office family.

In addition to thanking Kara, I also want to thank Ryan and Kara's children, Connor, Tate, Gage, and McCall, for loaning their dad to me for these few years. Kara once told me that during a particularly busy time in the Senate, one of their children—I do not remember which one—actually came to her and asked her where their dad had gone and whether or when he might be returning. I appreciate their sacrifice, and I hope they will grow up knowing their father is a true hero of mine—and always will be—one who works tirelessly for his country and for their future. I wish them the best back in Utah, and on behalf of myself, Sharon, and my entire staff, I extend my love and sincere appreciation to each of them.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Minnesota.

TAX AND ECONOMIC POLICY

Mr. FRANKEN. Madam President, two enormous challenges will await us when we return from recess. Our economy is still not yet fully recovered from a devastating recession, and the prospects for our middle class and for those aspiring to be in the middle class or to get back into the middle class remain uncertain. Meanwhile, our budget remains sorely out of balance, and our long-term debt crisis is putting our Nation's fiscal future at risk. These two challenges are, of course, linked. We cannot hope to solve our long-term debt problem unless we get our economy growing again, and we cannot hope to rebuild our prosperity unless we resolve our budget problems.

So we will have big decisions to make when we come back, but in the meantime the American people will be wrestling with the same issues: What should we do to grow our economy and reduce our debt? What are the right investments to make?

How should we pay for them? What sacrifices must be made in the name of fiscal responsibility? Who is going to make them? That is the debate our Nation will have over the next 6 weeks. Those are the questions we must be prepared to answer when we return. So before I go home to Minnesota to share my thoughts with my constituents, I wanted to take a few moments to share them with my colleagues.

My view of what we should do in response to these challenges is based upon what we have done in response to similar challenges in the past. We are not the first Congress or the first generation to struggle with these issues. At the end of 2011, our national debt had reached 100 percent of our gross domestic product. That is frightening. But after World War II, our debt was 121 percent of GDP.

To be fair, we had something to show for it. We had won World War II and the world was a very different place in 1945 than it is today. But the point is that we were tested. How did we respond? Well, we invested in the things we believed would grow the economy. We invested in education, things such as the GI bill, which helped my mother-in-law, widowed at age 29, go to college.

We invested in Pell grants which helped my wife Franni and her three sisters go to college. We invested in infrastructure. We built 40,000 miles of highways in the 1950s. We invested in innovation and we won the space race which, in turn, led to the creation of whole new industries such as personal computers and telecommunications.

Those investments paid off and our economy experienced three decades of incredible growth, growth that flowed to the top, to the middle, and to the bottom. Between 1947 and 1977, wages for the top fifth, the top fifth of workers, grew by 99 percent, and wages for those in the bottom fifth rose by 116 percent. I know that is hard to believe. The wages of the bottom fifth grew more than those of the top fifth. But that happened.

Even though we remained a Nation in which many kids like my wife Franni grew up in poverty, we had enough to invest in a strong safety net that helped those kids like Franni and her sisters and her brother work their way into the middle class. We bounced back from World War II to build an economy with a middle class that was strong, secure, and accessible to almost everyone.

Thanks in large part to the growth generated by that thriving middle class, we were able to lower our national debt to about 31 percent by 1981; so 121 percent at the end of World War II, to 1981, about 31 percent. Since then our economy has had some good times and some bad times. We have raised taxes and we have lowered taxes. We have had surpluses and we have had deficits.

As this chart shows, our debt relative to GDP has gone up and down. We have seen the results of a variety of approaches to the issues we face today. In the 1980 election, Ronald Reagan was elected on a platform that appealed to concerns that the government taxed too much and spent too much. His approach was later called ''starving the beast.'' Here is how he explained it. This is a quote. This is President Reagan.

There are always those who told us that taxes could not be cut until spending was reduced. Well, you know, we can lecture our children about extravagance until we run out of voice and breath or we can cure their extravagance by simply reducing their allowance.

Cutting taxes, cutting revenue to the government. When Reagan took office, he fulfilled his campaign promise and signed into law a huge tax cut, and on cue we began to amass enormous deficits almost immediately. In fact, President Reagan's Budget Director at the

time, David Stockman, has explained that 1981 was when the era of large permanent deficits began.

The deficits were so bad in his first year, in 1981, that President Reagan had to increase taxes in 1982, and again in 1983. In fact, he ended up raising taxes 11 times; not because Ronald Reagan was a Socialist—at least I really do not think so—but, rather, because he could not ignore the arithmetic.

Still that first tax cut was so big that over the course of his Presidency, our national debt nearly tripled. It did not grow rapidly during the administration of George H. W. Bush. Then he handed it off to President Clinton. And what he handed off was at that point the largest deficit in the history of our country.

In President Clinton's 1993 deficit reduction package, he added two new tax rates, marginal tax rates, at the top end: 36 percent for income above $180,000, 39.6 percent for incomes above $250,000. The Republicans objected rather vehemently, arguing that asking the top 2 percent pay a little more would send the economy into a recession, which, of course, would be detrimental to the goal of reducing the deficit.

The bill passed without a single Republican vote in either House. But the Republicans' dire predictions turned out to be wrong, extremely wrong. Between 1993 and 2001, this country experienced an unprecedented expansion of our economy. We created 22.7 million net new jobs. We decreased the number of Americans in poverty to record lows. We increased the median household income and we created more millionaires than we ever had before.

Not only did President Clinton's deficit reduction plan reduce the deficit, it eliminated the deficit. President Clinton was able to hand off to President George W. Bush a record surplus. In fact, in January of 2001, we were on track to completely pay off our national debt by the year 2011. However, as we know, President Bush chose a different course. Whether you agree with the two wars we entered into during his administration, the new entitlement program that we created, or the two tax cuts we passed, the fact of the matter is we did not pay for any of those things. They all went on our national credit card.

While the two tax cuts tilted toward those at the top—they did help some at the top do extremely well during the Bush administration—it is hard to say the things we put on that credit card created the kind of durable broad-based prosperity we saw in the 1990s or that we built in the 30 years after World War II, for that matter. It would be hard to say, because when President Obama took office from President Bush, the economy was hemorrhaging jobs at the rate of over 800,000 a month. And when the bill came for the Bush policies, we were staring at a projected $1.1 trillion deficit for 2009. That was the projected deficit that President Bush left for President Obama.

So far I have talked about President Reagan and his approach of cutting revenue in order to force the government to cut spending. We saw what happened. We could not or did not cut enough spending to keep our budget in balance. We had huge deficits even when Reagan tried to backtrack and raise more revenue. I have talked about President Clinton and his approach of raising taxes on the top 2 percent in order to bring the budget into balance. We saw what happened. The economy grew and we generated a record surplus. I have talked about President Bush and his approach of cutting taxes and incurring large expenses without worrying about the ramifications on the deficit. We saw what happened. Deficits ballooned and when the economy crashed, it crashed hard.

So what about President Obama? What has his approach been? Well, if you ask some people, including unfortunately many in this Chamber, they tell you that President Obama's approach was to go on a massive spending spree. Well, it is not true. Over his 4 budget years, Federal spending is on track to rise from $3.52 trillion to $3.58 trillion, an annual increase of 0.84 percent.

You can hash these figures out, but here is a chart that comes from Market Watch, a publication of Dow Jones which also owns the Wall Street Journal, that shows Obama's increase in spending from 2010 to 2013. These are Reagan's. These are numbers from the nonpartisan Congressional Budget Office, from the Office of Management and Budget. You can see the growth of Federal spending. This is lower than it was under any of the Presidents I talked about.

Indeed, the article that ran with this chart concludes that the growth of Federal spending under President Obama is the lowest it has been since the Eisenhower administration during the wind-down from the Korean war. But remember that besides a $1.1 trillion deficit, President Obama inherited an economy that in the month he took office lost over 800,000 jobs. That was January. The next month, February, 2009, he lost about 700,000 jobs. But that is also the month in which we passed the Recovery Act. By the way, when the Recovery Act was passed in February of 2009, the unemployment rate was already above 8 percent.

The Recovery Act, also known as the stimulus, is what people usually point to when pressed to explain why they think President Obama has increased spending. But the truth is that more than one-third of the Recovery Act was tax cuts. The stimulus cut taxes for 95 percent of American families. Another one-third was fiscal aid to the States, which were feeling the same budget crunch as the Federal Government but, in most cases, didn't have the option of running a deficit in tough years. Without the Recovery Act, imagine how many more teachers and firefighters and police officers would have had to have been laid off, and imagine what that would have meant to our economy, never mind what it would have meant to our communities. But the one-third that gets the most attention was the one-third that went toward creating jobs.

Did it work? There are a few ways to answer that question, but the answer is the same every time: Yes. First, we can look at our chart and see that once the Recovery Act began to be implemented we started losing less jobs and then we started creating jobs. We have had 30 straight months of private job creation—of growth.

Secondly, we can ask economists. The most reputable economists, including——

Mr. REID. Would my friend yield?

Mr. FRANKEN. Certainly.

Mr. REID. Madam President, we are going to have no more votes today—no more votes today. It is obvious to me what is going on. I have been to a few of these rodeos. It is obvious a big stall is taking place, so one of the Senators who doesn't want to be in the debate tonight will not be in the debate. He can't use the Senate as an excuse.

There will be no more votes today.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. I thank the Chair. That is too bad.

I was going over what happened, reviewing what happened once the stimulus package had been passed in February, when unemployment was over 8 percent. And we can see as it started taking effect we lost less and less jobs and have since had 30 straight months of private sector job growth. I said we could ask economists. Most reputable economists, including those of the nonpartisan Congressional Budget Office, agree the Recovery Act created or saved anywhere from 2.5 million to 3.5 million jobs.

In the words of Mark Zandi, the economic adviser to Senator JOHN MCCAIN in his 2008 Presidential campaign, the Federal policy response to the financial crisis, including the stimulus, ''probably averted what could have been called the Great Depression 2.0.''

But we don't have to take the word of Mark Zandi. We don't have to take the word of all the other reputable economists. We don't even have to take the word of the Congressional Budget Office, although the CBO sort of exists for those of us in Congress. We can ask Jamie, Cecil, and Sheila.

This is Jamie, working on the Duluth Lift Bridge a couple years back. This is a picture of Cecil, who is working on a highway extension project. Let's give Cecil his due. He is working on a highway extension project in Brooklyn Park in the suburban Twin Cities.

Then we have Sheila. This is Sheila in front of her Bobcat working the night shift on an I–94 improvement project.

These are people who were put back to work by the stimulus. Despite claims by some that the only jobs created by the stimulus went to government bureaucrats, we will notice Jamie, Cecil, and Sheila are not, in fact, government bureaucrats. Thankfully, we do not let government bureaucrats operate heavy machinery.

What can we say about the approach of President Obama so far?

He slowed the growth of Federal spending to its lowest level since Eisenhower. He has cut taxes—not just in the stimulus package but many times during his first term—to the tune of more than $850 billion. When the economy was at its low point, he made investments and put people back to work in the short-term and prevented things from getting even worse.

There was another road we could have taken. That approach would have involved not just cutting spending but gutting the government, and it definitely wouldn't have involved making investments to put people back to work.

We will never know whether that approach—known as austerity—would have gotten us results such as the ones reflected on the previous chart, but we do know what happened in countries where they tried this alternate approach. This is a chart of European countries that went the austerity route. This is GDP from 2008 to 2012. This would be where President Obama became President and this is Europe and we all were seeing a global meltdown. These are countries that did austerity in Europe, and this is the United States. The evidence tells us our way worked. President Obama's way worked and theirs did not.

Of course, while we are better off than we were 4 years ago and better off than we would be if we had tried austerity instead of the approach taken by President Obama, which, if we look at the growth in spending, was pretty close to austerity, we are obviously still not where we want to be, either in terms of our economy or in terms of our deficit.

What is the right way going forward? First, let us talk about deficit reduction. It is clear to me that any solution that does not include both increased revenue and decreased spending simply isn't going to work. The hole is too big for us to tax our way out or to cut our way out. We have to do both. The hole is, in fact, so big we can't even get out of it just by taxing and cutting. We have to grow our way out too.

That is why I think we need to invest in education, and infrastructure, and innovation. That means early childhood education, which has a return of investment in every study—quality early childhood education—of $16 for every $1 spent, and in workforce training, in roads and bridges and rural broadband, in clean energy and health care technology.

I don't think only government can create jobs. I know that. But I know that only government can make those critical investments that will help the private sector create jobs, and I know it works when we do. It worked after World War II, it worked under President Clinton, and it worked in the Recovery Act. Those investments, however, cost money, and we will not be able to afford them unless we reduce our deficits.

I think people who talk about cutting spending should say what spending they want to cut. I want to cut spending, so let me tell you what spending I want to cut.

I want to cut the billions in subsidies we give to oil companies that simply don't need them. I want to let Medicare negotiate for pharmaceuticals under Part D, just as the VA does, because prohibiting Medicare from doing so amounts to a subsidy for pharmaceutical companies, one that, again, they do not need. I want to make cuts in our military budget, because as the comprehensive defense review found—begun under Secretary Gates and completed under Secretary Panetta—we can make hundreds of billions of dollars in cuts to the defense budget without compromising our fundamental security and military interests.

Of course, we can't only cut the things we think are easy calls to cut. We are going to have to cut some things we don't want to cut. Speaking personally, I have already had to vote for some of those hard cuts, and it was not fun. But there simply aren't enough cuts to make. It is clear to me, if we are going to protect our most vulnerable Americans—our children, the sick, the disabled, our seniors—and make the investments that will grow our middle class and our economy, we are going to have to raise revenue.

Just like President Reagan—but unlike some of today's Republicans—I know we don't raise revenue by cutting taxes. That is why I support restoring the Bush tax cuts for the first $250,000 of income but after that allowing the top marginal rate to go back to where it was under President Clinton. I know that, as they did in 1993, people will argue that doing so will hurt the economy. But I am equally confident that, as they were in 1993, they will be wrong.

I know we all come to the debate about our Nation's challenges with different philosophies and different convictions and I respect that many of my colleagues feel they would be betraying their own political core by asking the wealthy to pay a little more or investing taxpayer dollars in job creation. I didn't feel great about all the cuts I had to vote for over the last couple years either. But I don't think we are going to get anywhere if we are so invested in following our own ideologies that we refuse to acknowledge the lessons of where we have been or the truth about where we are and where we are headed.

We are not going to get anywhere if we can't agree that, yes, the government does have a role to play in helping the private sector create jobs; and, no, we will not cut the deficit by cutting taxes; and, yes, we are going to have to both raise revenue and reduce spending if we want to get a balanced budget; and, no, asking the wealthy to pay a little more will not drive us back into a recession.

We have debated these issues a lot this year and we haven't resolved the argument. Now we are going home, and it is the American people's time. It is the American people who get to have their say. I hope that over the next 6 weeks we lead them in a debate worthy of the challenges we face—a debate rooted in the facts and mindful of our history.

I hope when we come back we are ready to have that kind of worthy debate ourselves and then make the tough calls, as our constituents will in November.

I wish my colleagues well over the recess, and I look forward to getting back to our important work when we return.

I yield the floor.

The PRESIDING OFFICER. The Republican leader.

UNANIMOUS CONSENT REQUEST S. 3576

Mr. MCCONNELL. Madam President, I see my friend, the majority leader, on the floor.

I am surprised they announced no more votes a little while ago. We are prepared to finish business today. In fact, I intend to offer shortly the unanimous consent agreement that the majority leader himself was shopping last night. Our side of the aisle is prepared to finish up the business for this particular preelection session.

I ask unanimous consent that at 5 p.m. today, the Senate proceed to the consideration of S. 3576, Senator PAUL's bill regarding foreign aid; that there be up to 2 hours of debate, equally divided between Senators Paul and Kerry or their designees; that upon the use or yielding back of that time, the Senate proceed to vote on passage of the bill; that the vote on passage be subject to a 60-vote affirmative threshold; that if the bill does not achieve 60 affirmative votes, it be considered as having been read twice, placed on the calendar; that following the vote on passage of that legislation, S. 3576, the Senate proceed to consideration of Calendar No. 418, S.J. Res. 41; that there be up to 60 minutes of debate, equally divided between Senators Graham and Senator PAUL or their designees; that upon the use or yielding back of that time, the Senate proceed to vote on passage of the joint resolution; that if the joint resolution is not passed, it be returned to the calendar; that following the vote on the joint resolution, the Senate resume consideration of H.J. Res. 117, the continuing resolution; that the motion to proceed be agreed to, there be up to 30 minutes of debate, equally divided between the

two leaders or their designees, with Senator COBURN controlling 15 minutes of the Republican time, prior to a vote on passage of the joint resolution; that the vote on passage be subject to a 60-vote affirmative threshold; that following the vote, the majority leader be recognized; and, finally, that no amendments, motions or points of order be in order during the consideration of these measures.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, reserving the right to object, we have had the stall for several days now. I wanted to make sure that one of the Senators who wanted to go to a debate would be able to do that tonight. So he can go now, because as I announced half an hour ago there is plenty of time to do the debate.

As I have indicated before, we are anxious to finish the business we have to do this work period. I am happy to vote on the Paul amendment. I have said that. I am the one who arranged it so it is possible to vote on it. I have no regret as to having done that. I am happy to vote on the continuing resolution, something that has 80 or more sponsors.

I am happy to have all these votes. In fact, we can do the debate tonight on the containment resolution and the Paul amendment. But understand this: We are not separating the vote on the CR and a piece of legislation that groups around this country have been trying to get done for years. It has been held up here. As I have said before, everything shouldn't be a fight here.

The Senator from Montana, Mr. TESTER, has assembled a broad package of bipartisan legislation that has wide-ranging support from Republicans. They are noted publicly in publications here saying they support it. They will vote for it. It has the support of sportsmen throughout this country. Getting to vote on this bill should not have to be a big fight. This is the sort of thing we ought to be able to simply vote on, and we are going to do that. But we are not going to separate the two. We are going to have a vote on the CR; immediately thereafter, we will have a vote on the motion to proceed to the sportsmen's bill.

We can get the debate out of the way tonight. We can vote tomorrow. If not, we are going to vote tomorrow after midnight. That will take care of one vote, and the next will be sometime Sunday morning.

We are not having these votes today, so everyone should understand. We are not going to do that for the reasons I have already indicated. So if we want to do this, we can do it early in the morning—that is fine with me—or we can wait until tomorrow night after midnight and then come in Sunday morning.

So I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Madam President, just so everybody in the Senate will understand, both Democrats and Republicans, I just offered the consent the majority leader himself was trying to get last night.

Senate Republicans are prepared to finish the continuing resolution today, prepared to vote on the Rand Paul proposal today, and prepared to vote on the Lindsey Graham proposal today. That was acceptable to the majority leader; it is not acceptable to him today. Obviously, something changed over on that side of the aisle.

So I just want everybody to understand that I and all the members of my conference are prepared to finish the business of the Senate that was before the Senate at the suggestion of the majority leader as recently as last night.

Mr. REID. While we are educating Senators, I would like to add a little to that.

We are willing to vote on all these things, but we will do it tomorrow, not today. We want the debate to go forward. We are in very important Senate races across the country.

So we will vote early in the morning, get all the debate out of the way or we will do it tomorrow night after midnight because we are not going to separate the sportsmen's bill from the rest of the stuff for obvious reasons.

Mr. MCCONNELL. I would only add that is a new development here that the majority leader is saying.

I yield the floor.

Mr. REID. Madam President, there has been no new development. Everyone—Republican staff, Democratic staff, all my caucus—has known for a long time that we are going to have a vote on this sportsmen's package. This is no new development.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The majority leader.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. REID. Madam President, we have a very important matter at 4 today. The Secretary of State is coming to address all of us as to what is going on in the Middle East and around the world. There will be intelligence officers here and a lot of other people. So I ask unanimous consent that the Senate recess from 4 to 5 today to accommodate this very important Senators-only briefing.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Madam President, it is my understanding we have a couple Senators who would like to speak before that.

Mr. CORNYN. Reserving the right to object.

Mr. REID. I have no problem with the Senator from Texas speaking. I ask unanimous consent that Senator CORNYN be recognized for up to 15 minutes; and when he completes that, the Senate go into recess for 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas.

Mr. CORNYN. I thank the majority leader for his courtesy.

LABOR FORCE PARTICIPATION RATE

Earlier this month, we received another big job report and along with it a serious disappointment.

The numbers speak for themselves. In August, a remarkable 368,000 Americans left the workforce. They gave up, bringing the labor force participation rate, as it is known, to its lowest level in more than three decades.

Fewer people are looking for work in America than at any time in the last 30 years. That is a national tragedy. The unemployment rate stayed above 8 percent only because they quit counting the people who have given up. But it had been above 8 percent for the 43rd straight month. If, in fact, the same number of people who were looking for work in January of 2009 are still looking for work today, the unemployment rate would be over 11 percent. That was the date President Obama took office, January 20, 2009. So if the same number were looking today as were looking for work then, it would be over 11 percent, to show you how those numbers don't reveal the true pain and the sacrifice of American citizens who are looking for work.

I don't know of anyone who could look at the August job report or the June or July job numbers and feel good about the economy. I also don't know how they could now support a tax increase when the economy is growing at a much slower pace, contrary to their position—including the President's position—in December 2010, when the economy was growing at roughly 3 percent of GDP.

Beyond our borders, the Europeans are mired in a debt crisis, the Chinese economy has slowed down dramatically, and the United States continues to face major economic headwinds. We can't afford any self-inflicted wounds.

All I am suggesting is that we maintain the current Federal tax rates until we can work together in a bipartisan way and adopt real tax reform. Yet the President occasionally calls that position extreme—ironically, the same position he, himself, held in December of 2010, as I said just a moment ago.

It seems the President does not always understand or appreciate the strong connection between taxes and economic incentives on small businesses and other people we are depending upon to create businesses or to grow existing businesses and create jobs and to put Americans back to work.

We need look no further than the 2010 health care law, the law that went to the U.S. Supreme Court. Two aspects of it were found unconstitutional but not the tax on middle-class Americans.

In addition to that middle-class tax increase, the law contains a new excise

tax on medical device manufacturers that will discourage companies from building factories and creating jobs in the United States. That is not just my conclusion.

For example, Cook Medical, which has roughly 4,000 employees around Bloomington, IN, recently announced it is canceling five new manufacturing plants it had scheduled to open over the next half decade. A senior official estimated the new medical device tax will cost his firm between $20 million and $30 million extra each year. That is why they are shuttering those additional five plants and killing those potential new jobs.

Another medical device company in another part of the country—New York—Welch Allyn, recently announced it will be slashing 10 percent of its global workforce in response to this new tax.

All of this is, sadly, predictable and it is common sense. Unfortunately, common sense doesn't seem, to most Americans, to prevail or to be all that common in Washington, DC, these days. But if we raise the taxes on these medical devices, it is only logical, it is only reasonable, it is only common sense to expect that these companies will produce fewer jobs and, in the process, less innovation.

The irony of this discussion over taxes is we now have a growing bipartisan consensus in Congress and in Washington, DC, about the need for commonsense tax reform that would broaden the base, lower the rates, and help grow the economy by creating the proper incentives.

That was the recommendation of the President's own bipartisan fiscal commission, the Simpson-Bowles Commission in December 2010—the President's own bipartisan fiscal commission—where Republicans and Democrats agreed this is a good place to start in reforming our broken Tax Code, paying down the debt, and getting our country and our economy growing again. It was also the recommendation of the Domenici-Rivlin panel, another bipartisan panel. Both recommended a more logical, more equitable, more growth-oriented Tax Code.

Why, we may ask, is tax reform so urgent? Earlier this month the World Economic Forum released its new ''Global Competitiveness Report.'' America is not alone in trying to create jobs and grow our economy. We are competing with other economies and other countries around the world. As recently as 2008, the United States was ranked the most competitive country on the planet.

In the latest index, we fell to seventh. We are heading in the wrong direction when it comes to competing in a global economy for the jobs so that Americans can work and provide for their families and put food on their tables and gain the dignity that goes along with working and providing for your family.

Harvard Business School also surveyed 10,000 of its alumni to find out their views of America's competitiveness. At Harvard Business School, one of the premier business schools in the country, alarmingly 71 percent of those who responded said America would become less competitive during the next few years. In other words, they were not optimistic about the direction of the country when it came to competitiveness and job creation. One of the biggest reasons for their pessimism is the bewildering complexity of our Tax Code. A large majority said the tax complexity is either ''much worse'' or ''somewhat worse'' in the United States than it was in other developed countries. That is why Americans now spend hundreds of billions of dollars on tax compliance, because of a broken, unnecessarily complex and impenetrable Tax Code—unless you have the money to hire armies of lawyers and accountants to help you figure it out.

One more point about our Tax Code. Over time, our Tax Code has become larded with special provisions and tax expenditures that represent what has come to be known as crony capitalism. In other words, the Federal Government just doesn't spend money, the Federal Government has a Tax Code that benefits certain industries and sectors of the economy. Some of them we would largely agree on—such as the mortgage interest deduction or the interest you pay on your home mortgage. There is broad support for that, although everyone realizes we need to get all of these on the table. That is what Simpson-Bowles recommended. Let's get $1 trillion or more of these special tax expenditures on the table and look at the ones that still make sense and the ones we should do away with. As long as the Tax Code is as complicated as ours is, it is a drag on the economy. It promotes a culture of corruption, where people come to Congress and they lobby for special tax provisions that are not available to the broad population that benefit them. It seeks favoritism and rent-seeking, with companies and industries that try to gain competitive advantages through tax subsidies.

If we want businesses to spend more time in productive activity and less time begging the government for tax breaks, we need to fix the broken Tax Code with a flatter, fairer, more transparent system which encourages working and saving and investing—not lobbying here in Washington, DC, for special breaks. If we want our tax laws to be respected and understood, they need to be clearer, simpler, and more equitable.

Given how much President Obama talks about fairness of the Tax Code, you would think he would be all over this. You might expect he would be an eager champion for tax reform. Instead, the President wants to use the Tax Code as an ATM machine to subsidize particular industries and interest groups while punishing others. We need to get them all on the table, bring them all out into the light of day and address all of these special tax provisions so we can simplify and make more fair our tax system, unleashing the growth potential of the entrepreneurial American economy to create jobs and prosperity that is sadly lacking now in the current environment.

Unfortunately, President Obama, rather than attack this issue of crony capitalism, has promoted it. During the long government-run Chrysler bankruptcy process, the company-secured bondholders received less for their loans—29 cents per dollar—than the United Auto Workers pension funds. They got 40 cents on the dollar. The UAW pension funds, mind you, were unsecured creditors, entitled to less priority than the bondholders, who were entitled to the highest priority, but because of the way this was manipulated, the bondholders got 29 cents on the dollar, the union got 40 cents on the dollar.

During the automobile bailouts President Obama let politics trump the rule of law. What do I mean by that? I believe that rather than let the rule of law apply, he injected politics and favoritism in the process. In his energy policy, which I alluded to a moment ago, he put politics before his fiduciary responsibility to the American taxpayer. We agree that the Federal Government has a role in funding, through the research and development tax credit and other ways, basic scientific research to promote innovation. But the President and Congress should not be using your tax dollars to make risky, politically motivated investments that benefit specific companies or industries at your expense.

Solyndra offers the most conspicuous example. This now bankrupt solar energy firm received a $535 million loan guarantee from the Federal Government. According to the Washington Post, the Obama administration ''remained steadfast in its support for Solyndra,'' even after being ''warned that financial disaster might lie ahead.'' Then, as Solyndra went bankrupt, the administration violated the law by making taxpayers subordinate to private lenders.

In other words, even though the taxpayers gave a $535 million loan guarantee to this company that went bankrupt, the ones who ended up taking it in the neck were the taxpayers rather than the private lenders who should have been subordinated to the taxpayers when it comes to getting paid. If President Obama is as concerned as he claims about dicey investments with taxpayer money, he should repudiate these kinds of boondoggles and let the market work to allocate capital. Washington should not be picking economic winners and losers.

Speaking of winners and losers, the Department of Health and Human Services granted a series of 1- and 3-

year waivers from the annual limit requirements contained in the President's 2010 health care law. These waivers fostered the impression that certain companies, unions, and institutions would be exempted and given preferential treatment.

The health-care law thus highlighted an inconvenient truth about big government: Any dramatic increase in federal regulations and bureaucratic authority will lead to a dramatic increase in rent-seeking and crony capitalism.

Finally, a word about the 2010 Dodd-Frank law. Democrats argue that Dodd-Frank ended ''too big to fail.'' In fact, it codified too big to fail, because certain companies will now formally be identified as ''systemically important.''

Are we really supposed to believe that ''systemically important'' companies will be allowed to collapse? The more likely scenario is that these firms will be viewed as too big to fail—both by investors and by federal officials—the way Fannie Mae and Freddie Mac were.

As University of Pennsylvania law professor David Skeel has written:

> The companies that are cordoned off as systemically important distort the credit markets, as a result of the Fannie Mae effect. Because these institutions can raise capital more cheaply than financial institutions that do not enjoy implicit government protection, they have a competitive advantage over smaller institutions. This may dampen innovation in the financial system and lead to inefficient allocation of credit to nonfinancial businesses.

In short, regardless of what Democrats may think, Dodd-Frank has actually strengthened the nexus between Washington and Wall Street.

The rise of crony capitalism under President Obama has led many people to question America's commitment to free markets and the rule of law. Likewise, the President's failure to revive our economy has led to widespread pessimism about America's future. I firmly believe we can turn things around and restore our global reputation, and I firmly reject the notion that our decline is inevitable. There is no reason we can't rejuvenate the Great American Jobs Machine and return to prosperity. But it won't happen until we get much better leadership from the White House.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 5 p.m. today.

Thereupon, the Senate, at 4:08 p.m., recessed until 5:08 p.m. and reassembled when called to order by the Presiding Officer (Mr. FRANKEN).

The PRESIDING OFFICER. The Senator from Illinois.

SPORTMEN'S ACT OF 2012 MOTION TO PROCEED—Continued

JOINT REFERRAL

Mr. DURBIN. Mr. President, I ask unanimous consent that, as if in executive session, the nomination of Keith Kelly, of Montana, to be Assistant Secretary of Labor for Veterans' Employment and Training, sent to the Senate by the President, be referred jointly to the HELP and Veterans' Affairs Committees.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. 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. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATE OF THE ECONOMY

Mr. DURBIN. Mr. President, 4 years ago our economy was in a free fall. AIG had been bailed out, and Lehman Brothers plunged into bankruptcy. The depth of the recession we fell into is difficult to understate.

With the economy contracting at nearly 9 percent in the last few months of 2008 and nearly 700,000 jobs lost every month, it is not an exaggeration to call the crisis we faced the worst since the Great Depression. Demand dried up as our financial system collapsed, families struggled to pay the bills, and millions lost their homes to foreclosure. Our unemployment rate peaked at 10 percent nationally and 11.4 percent in Illinois.

It has been a hard road back to stable economic ground, but things have turned around. Private sector businesses are hiring again and have been for 30 straight months. Between July 2011 and July 2012, the economy added an average of 153,000 jobs every month—about 1.8 million jobs. Compare that to the average monthly losses of 544,000 between July 2008 and July 2009.

There is a lot of work still to be done. We all would like to see more jobs created, but it is clear our economy is better off and we are better off than we were 4 years ago.

I saw many examples of our economic progress as I have traveled my State. The Nucor steel plant in Bourbonnais, IL, makes rebar and angle iron that is used in construction across the country. What makes Nucor unique is that during the recession when many other companies were shedding employees, Nucor made a commitment to keep all of their full-time employees. It wasn't easy. When demand slowed, the company's idle workers developed new products for customers or they were actually, in many cases, sent out to work in the community on service projects as they waited for their company to get back into business.

During this time the Bourbonnais facility applied for and received the Department of Labor's Voluntary Protection Program star certification, recognizing their extraordinary efforts to improve workplace safety. Nucor made a commitment not just to the bottom line but to its workers and to the communities where they lived. It has paid off. Demand has returned, and the company is now firing on all cylinders, employing roughly 300 workers.

I have visited a lot of different production facilities. There was nothing more jaw-dropping than to stand in that steel mill and watch these three poles go into a caldron of scrap metal, burst and explode into flames, and then watch steel come trickling out of the bottom into these forms to make rebar and angle iron.

Earlier this summer I also met with the CEO of Woodward, an aerospace and energy firm, about its possible expansion of a facility in Loves Park, IL. Woodward was considering two locations for expanding its airline turbine product line. In the end, thank goodness for us, Woodward picked Illinois. The company is investing more than $200 million in the facility, and it is estimated that it will add 600 new jobs over the next 5 years.

There is more to the story. While growing demand led to the expansion decision, it was the infrastructure and skilled workers that sealed the deal for Loves Park. Loves Park and the Rockford area has been the home of aerospace companies for decades. Yet they made a concerted effort to grow and expand the training opportunities to meet modern workforce needs. Through a public-private partnership, the community has created an atmosphere that attracts new business investments and new jobs.

Illinois is about the last place—and southern Illinois certainly the last place—one would expect to find a world-leading firm in oilspill cleanups, but if one goes to Fairfield and Carmi, IL, that is what one will find. The Elastec/American Marine Company specializes in equipment to clean up environmental accidents, specifically oilspills. In two former Wal-Mart buildings in those towns, 140 employees have developed new technologies that have expanded our ability to clean up oilspills around the world. Just last year, the company won a $1 million X PRIZE for recovering more than 2,500 gallons per minute—triple the industry's previous best recovery rate in controlled conditions. This is in southern Illinois. Testing oilspill cleanup in southern Illinois is hard to imagine. Elastec's equipment was used for cleanups during both Exxon Valdez and the more recent gulf spill.

This is American ingenuity at its best, but the business is driven by regulations governing the discharge of oil. Without these ''job-killing'' regulations, the company, its jobs, and the technology it uses to clean up oilspills probably wouldn't exist.

I also visited Akorn—not the ACORN that has been debated at length on the floor of the Senate. Akorn, spelled with a ''k,'' is a pharmaceutical company in Decatur, IL, which manufactures products such as drugstore eye drops and liquid injectables used in surgery. Akorn employs 500 people in Illinois at facilities in Decatur, Lake Forest, Skokie, and Gurnee.

Since 2009 the company has been one of Chicago's and Illinois' fastest growing public companies. In 2011, Akorn launched a multimillion-dollar expansion at its two Decatur facilities. They have doubled production and added 100 jobs. They are looking to hire another 20 to 25 people with backgrounds in finance, production, chemistry, microbiology, engineering, and business. These are highly technical, good-paying jobs right in central Illinois.

One of my last stops in August was at the Chrysler plant in Belvidere. What a great story. Only 3 years ago there was a serious concern that this plant was going away. At the time Chrysler was facing bankruptcy and the plant was building a now defunct model, the Dodge Caliber, and different models of the Jeep. Plant production had slowed to a single shift, and employment had dropped to as low as 200 people.

The Federal Government offered a bridge loan and helped to facilitate a merger with Fiat. With government assistance, Chrysler has emerged from bankruptcy and is profitable. In October 2010, Chrysler announced a nearly $700 million investment at the Belvidere plant to retool for the production of a new Dodge Dart. The plant reached full production in July of this year, now employing 4,698 workers. If the auto industry had been allowed to collapse, between 1.1 million and 3.3 million jobs would have been lost between 2009 and 2011.

These are stories of businesses in my home State. I asked my staff to find businesses that survived the recession or are expanding and hiring people. I want to hear their stories and listen to the stories of all kinds of different businesses, large and small, expanding today—businesses that weathered the recession and are now successful. Business is picking up. These businesses are hiring people back, in some cases expanding.

Their stories aren't unique. Across America, 30 consecutive months of private sector job growth tells us we are moving in the right direction. In that time 4.6 million private sector jobs have been created. In Illinois alone 140,400 private sector jobs have been added since January 2010. Manufacturing employment has rapidly grown, adding 44,600 or 37 percent of 140,400 jobs.

During the last quarter of 2008, the economy was shrinking at a rate of nearly 9 percent. It was in free fall. During the most recent quarter the economy is growing on the positive side—1.7 percent. In March of 2009 the Dow Jones Industrial Average had fallen to 6,547. Since then it has nearly doubled to almost 13,000 today.

New home sales were up 3.6 percent in July. That is 25 percent over last year. U.S. goods and services exports increased .9 percent from May 2012 to June 2012 and have increased by 5.9 percent from the same time period last year.

The American people see these facts and figures. They also feel the improvement in their communities, with new businesses opening, and on their blocks, with the housing market recovering as well. We are much better off than we were 4 years ago. Now is not the time to go back to policies that brought us into this recession but to move forward, creating even more jobs and expanding more businesses.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, the United States has led the world in creating the legal framework, building the infrastructure, and designing facilities that ensure inclusion and opportunity for people living with disabilities.

Just recently we celebrated the 22nd anniversary of the ADA—Americans with Disabilities Act—by reporting a treaty out of the Foreign Relations Committee on a strong bipartisan basis. Members of this body now have an opportunity to affirm our Nation's leadership on disability issues by ratifying this treaty. I hope we will do so with strong bipartisan support that has always characterized the Senate's work on disability issues.

Everyone knows the story of when Bob Dole, a disabled veteran from World War II, and TOM HARKIN, his Democratic colleague from Iowa, with a disabled member of his family, came together to create the Americans with Disabilities Act. It was an extraordinary bipartisan effort. It did our Nation proud. It gave to disabled people a chance to be in the mainstream and part of America.

One of the people it helped, in addition to 54 million Americans living with a disability, was a fellow named Bob Greenberg. Bob Greenberg was the legendary sportscaster who rose to prominence at Chicago's WBEZ radio station.

At the apex of his career, Bob offered color commentary for Chicago's major sporting events. He interviewed the very best athletes. He analyzed the players. He rifled off stats and box scores that put the game in context.

For his loyal and large Chicago radio audience, Bob Greenberg described sporting events they couldn't see. Bob's story is unique because he couldn't see the games either. Bob Greenberg was blind, but he never let it stop him from achieving his dreams. There is no doubt that laws such as the ADA helped make Bob's road to achieving his dream a little bit smoother. We lost Bob to cancer last summer, but we will never lose the power of his life and his life's story.

Most of us don't give a second thought to crossing the street, reading the newspaper, or describing things we have seen. But for Bob and millions like him, our Nation's commitment to equal access for those living with disabilities has literally expanded their world.

Now we have an opportunity to once again demonstrate our commitment and advance disability rights around the world by ratifying the Convention on the Rights of Persons with Disabilities. The support for this treaty is broad and bipartisan.

I wish to thank my friend, Senator JOHN MCCAIN of Arizona. He is leading this effort with me to pass this Convention on Disabilities. He is a great ally. Without him we wouldn't have reached this point. I wish to also thank Senators JOHN BARRASSO, TOM HARKIN, TOM UDALL, JERRY MORAN, and CHRIS COONS for their bipartisan support and dedication to ratification.

This treaty is supported by 165 disabilities organizations, including the most prominent, the U.S. International Council on Disabilities, and many others. In addition, 21 veterans groups came and testified. They were the earliest witnesses, and for obvious reasons. Disabled veterans know the limits on life and how important it is to have countries such as the United States and countries around the world opening doors, literally, for them to the future.

The Wounded Warrior Project supports it, as does the American Legion, the Disabled American Veterans, and Veterans of Foreign Wars, and they are all calling on us to ratify this treaty.

President George H.W. Bush signed the ADA into law.

Former Senator Bob Dole, as I mentioned, a lifelong advocate for disability rights, strongly supports this treaty. The Convention on the Rights of Persons with Disabilities is a human rights treaty that seeks to ensure that people living with disabilities have the same opportunities as others.

Thanks to the ADA and similar laws, the United States has been so successful at providing opportunities, increasing accessibility, and protecting the rights of the disabled, our Nation today is in full compliance with every term of the treaty I am bringing to the floor.

Before transmitting this treaty, the Obama administration conducted an exhaustive comparison of the treaty's requirements to current U.S. law. Their conclusion was that the United States does not need to pass any new laws or regulations in order to meet the terms of the treaty.

The fact that we already meet or exceed the treaty's requirements is a testament to our Nation's bipartisan commitment to equality and opportunity for those living with disabilities. So why would we ratify a treaty if it is not going to change life in the United States or put any new requirements on the United States?

Well, there are more than 5.5 million veterans living with disabilities—

American veterans. They and thousands of other Americans live with disabilities, but they travel, study, work and serve overseas, often with their families. Ratifying this treaty will help to ensure that they enjoy the same accessibility and opportunity they do right here at home.

Ratifying this treaty will give the United States a well-deserved seat at the international table so that the United States can provide its guidance and expertise and experience to other countries working to adopt laws, upgrade infrastructure, and modernize facilities to meet the high standards we already set and met.

American businesses have invested time and resources to comply with the ADA, the Americans with Disabilities Act. Businesses in some countries are not required to comply with similar standards. Compliance with the treaty levels the playing field by requiring foreign businesses to meet accessibility standards similar to those already met by American businesses. We also lead the world in developing accessible products and technology. As other countries comply with this treaty on disability, American businesses will be able to export their expertise and products to the new markets serving more than 1 billion people living with disabilities around the world.

Ratifying this treaty is not only important to the 54 million Americans living with disabilities, it is important to the 10 percent of the world's population living with disabilities. The 650 million people living with disabilities around the world are looking to the United States to join them and show leadership, as we have here at home, on an international basis.

Not only do these people around the world courageously live with disabilities, they live with many challenges and hurdles in other countries that might be removed if other countries follow our lead. Let me tell you just a few things when it comes to disabilities around the world. Ninety percent of children with disabilities in developing countries do not attend school—90 percent. Less than 25 percent—45 of the 193—of countries in the United Nations have passed laws that prohibit discrimination on the basis of a person's disability. Studies indicate that women and girls in developing countries are more likely than men to have a disability. Women and girls with disabilities in developing countries are more likely to be raped, forcibly sterilized, or physically abused.

This treaty will help provide the framework so countries around the world can help their own citizens living with disabilities improve, live productive, healthy lives. Just as we did by enacting the ADA 22 years ago, ratifying this treaty will send the world a message that people with disabilities deserve a level playing field.

While this treaty will ensure inclusion and access, it is also important to note what it will not do. The treaty will not require the United States to appropriate any new funds or resources to comply with its terms—not a penny. The treaty will not change any U.S. law or compromise our sovereignty. The treaty will not lead to new lawsuits because its terms do not create any new rights and it cannot be enforced in any U.S. court. For families who choose to educate their children at home in the United States, the treaty will not change any current rights or obligations. I was pleased that the Foreign Relations Committee adopted an amendment I worked on with Senator DEMINT to clarify that particular issue. Let me add too that leading pro-life groups, such as the National Right to Life Committee, confirm that the treaty does not promote, expand access, or create any right to an abortion. Senator MCCAIN, in his testimony before the committee, made that eminently clear. He is pro-life. This treaty has no impact on that issue.

Thanks to decades of bipartisan cooperation, our country embodies the worldwide gold standard for those living with disabilities. When the Senate ratifies the Convention on the Rights of Persons with Disabilities, we can be proud that our coworkers, friends, family members, and courageous veterans will soon enjoy the same access and opportunity when they travel abroad that they have come to expect here at home.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar No. 6, Treaty Document 112–7; that the treaty be considered as having advanced through the various parliamentary stages up to and including the presentation of the resolution of ratification; that any committee declarations be agreed to as applicable; that any statements be printed in the RECORD as if read; further, that when the vote on the resolution of ratification is taken, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, I would like to take just a few moments to explain why I plan to object.

I have right here a letter that is signed by 36 Members of this body who express the viewpoint that because of the prerogative we have as U.S. Senators to ratify treaties—see, two-thirds of us have to provide our advice and consent to ratify a treaty before it can take effect. This is important, in part because article VI, section 2 tells us that once ratified, the treaty becomes the supreme law of the land.

We have 36 Senators on this letter—a letter addressed to Leader MCCONNELL and Leader REID—explaining that for various reasons we do not think any treaty should come up for ratification during the lameduck period of the 112th Congress, and we explain that no treaty should be brought up during this time period and conclude that we will oppose efforts to consider any treaty during this time period.

The primary reason cited in the letter is the fact that it is very important to make sure we have a full understanding of what these treaties mean. It is also important that before we undertake any significant changes to the law—law becoming supreme law of the land—we need to understand the implications of these treaties fully.

If it is true, as 36 Members of this body concur in this letter, that it is too fast to move something like this or another treaty through during the lameduck session of the 112th Congress, it follows a fortiori that it is also too fast to do it now. With regard to this particular treaty, we have had exactly one—and only one—hearing on this, on July 26 of this year.

I appreciate and respect the words of my friend, my distinguished colleague, the senior Senator from Illinois, and I am pleased with the fact that he is comfortable with the language of the treaty. I and some of my colleagues are not yet comfortable with it, and I and some of my colleagues are not yet convinced as to the full ramifications of the language of this proposed treaty. I, therefore, object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Illinois.

Mr. DURBIN. Mr. President, I would like to respond to my colleague, Senator LEE. Repeatedly he said we should not consider this in the lameduck session. We are not in a lameduck session. This is the regular session of the Senate. We do precious little in this regular session, and now the Senator is saying we should not do it in the lameduck session. We are not in a lameduck session.

And I might say that this treaty has been out there for review for months. It had a full review before the Senate Foreign Relations Committee. Senator KERRY called it. The Senator was there and other Members were there and had a chance to go through it page by page and offer amendments, which many Senators did. So to argue that this is somehow being sprung on the Members of the Senate without time to review it is to ignore the obvious.

We are not in a lameduck session. This was produced for review and amendment in a full hearing before the Senate Foreign Relations Committee, and a vote was taken.

It is disappointing. We had hoped to do this and do it now because many of the supporters of this treaty are facing their own physical challenges. One of them is our former colleague, Senator Bob Dole. Twenty-two years ago, he led the fight for the Americans with Disabilities Act. When Senator JOHN MCCAIN took this up, he said: I am going to call Bob Dole first. And he did.

In his honor, I hope the Senator from Utah will reconsider his position. And now, before the lameduck session, perhaps we can have some communication, and perhaps there is a way we can ratify this treaty in the Senate. We do precious little in the Senate. To do this, at least to honor Senator Dole, is not too much to ask, not to mention the positive impact it will have on so many disabled people around the world. I know Senator LEE is a conservative, but I also know he has a heart and I know he cares, as I do, about these people—children in other countries who have no chance in life because of a disability, women discriminated against because of disabilities. These are things on which we should speak out.

We are proud to be Americans, but we are doubly proud of the values we stand and fight for. This is one we should fight for.

I see Senator HARKIN on the floor. I am going to yield. He has been, literally, the leader on our side of the aisle on disability issues time and time again, and I thank him for his help on this matter.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I truly am sorry to see this happen on the Senate floor, I say to my good friend from Utah.

This has been a long time coming. The Convention on the Rights of Persons with Disabilities started here, started in America. It started with the passage of the Americans with Disabilities Act of 1990. Ninety-one Senators voted yea on that—strongly supported by conservatives, liberals, moderates, understanding that we had to take that next step in having a broad civil rights law that covered people with disabilities in our society. After that was passed and during the 1990s, it became clear that it kind of ignited a conscience around the world that we needed to do something globally about people with disabilities. So really the United States sort of became the leader in promoting this Convention on the Rights of Persons with Disabilities at the United Nations. In fact, I have a quote I would share with my friend. When President Bush signed the bill on July 26, 1990—and we were all gathered at the White House—here is what he said:

> This historic act is the world's first comprehensive declaration of equality for people with disabilities—the first. Its passage has made the United States the international leader on this human rights issue.

So starting after that, our diplomats and others started working on this issue, and so this convention was developed through the United Nations. I do not know all the wherewithal of how that was done, but it was done and we had great input.

So now the convention has come out. It was sent to us a couple of years ago. Under our laws, the President, whoever it might be, has to send that out to all of the departments and agencies to see whether there are any conflicts of laws or did we have to change any of our laws to comport with this convention. Well, that bureaucracy takes a while. That took a couple of years to wind through. I do not know when the President got it back, but he sent it down to us this spring, and the finding was that the administration made it clear that through all of this, the ratification of this convention will not require any change in U.S. law and will have no fiscal impact. So it does not require any change in our laws. That makes sense because we are the leader in the world on disability law. We are the leader.

Senator MCCAIN and I were the two leadoff witnesses when the Foreign Relations Committee had their hearing.

But we were not the only ones. Boyden Gray, who was so very helpful in 1990 in getting the initial ADA passed through the Congress, was there. He testified. Senator Dole sent a letter. He could not show up in person. Former Attorney General Thornburgh testified. Steve Bartlett, who was a Congressman from Dallas, later left the House, became mayor of Dallas, and now I think he is the executive director of the Business Council here, testified and has been instrumental in not only helping us pass the ADA but passing the ADA Act amendments of 2008 which the second President Bush signed into law.

I say this to my friend from Utah. This is not something that sort of popped up overnight. This has been a long time coming. A lot of effort has been put into it. As I said, all the departments have said there is no conflict with our laws. We do not have to change anything.

I also say to my friend that we do want to be that city on the hill, that shining city on the hill. This is one area in which the United States has no equal. We have taken the lead in the world on this issue. Countries come to us to see how they can do something, what they can do for people with disabilities. One hundred sixteen nations have already signed it, and the European Union. If we do not sign it, then when other countries have to change their laws to comport with this convention, I think we should be at the table. We should be there with them, sharing with them what we have done in America to make accommodations better, to make education accessible to people with disabilities, employment, all of those things. If we do not sign it, we are not going to be a part of that. Yet the rest of the countries are looking to us for leadership. So we should be at the table.

One other thing I would say to my friend from Utah is, we are a very mobile people. We travel around the world a lot. More and more people with disabilities are traveling, veterans with disabilities, nonveterans. And yet how many times have I heard from people who have traveled overseas say: Gosh, I wanted to go here, I wanted to go there, but because I have a disability I could not get around? It would be nice if other countries did this.

Well, other countries have now signed on to it. I was hoping we could vote and we could be a part of it and we could be a part of helping other countries to change their systems and to be more accommodating for people with disabilities. Quite frankly, I must say to my friend from Utah, I am perplexed, I really am, as to why this is an issue. I do not know why there is an objection. Maybe there is something I do not understand. I thought I did. But maybe there is something I do not know that the Senator can enlighten me on as to why we should not bring this up. I suppose if someone wants to vote against it, they can. It takes a two-thirds vote of the Senate to pass this.

I am perplexed as to why we cannot do this. It seems to be so bipartisan. It seems to me to be so much above the political fray. I do not know the politics in this whatsoever. So I had assumed we would bring this up and pass it. I was not aware this was going to happen this way. I was in my office when I was alerted to this. So I say, I do not know why we cannot bring this up and have a small debate on it and vote on it.

I have more to say, but I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, with great respect to my distinguished colleagues who are supporting this treaty and supporting a move to move it to the floor for a full vote right now, I understand and appreciate that they may not share some of the concerns expressed in this letter, concerns surrounding the fact that treaties, once ratified, become the law of the land, the supreme law of the land, concerns surrounding the fact that many Americans may have concerns about this, concerns that may be expressed during the upcoming election season.

To the extent this becomes a matter of debate, it may have an impact on the election. I think this might have been part of what motivated 36 Senators to sign this letter saying that neither this treaty nor any other treaty ought to be voted upon during the lameduck session.

With regard to the comment made by my friend from Illinois, the senior Senator from Illinois moments earlier, I, of course, understand we are not now in a lameduck session. That is my entire point. If it is true that the lameduck session is too soon to consider treaties, it follows a fortiori, it is a much stronger point to make the point now that it is too soon to consider this now.

With regard to the Law of the Sea Treaty, we have held a number of hearings—I cannot remember exactly how many—in the Foreign Relations Committee. I want to say at least three, four, maybe five, this year. We have had exactly one hearing on this one. I understand that some of my colleagues

might be satisfied with the assurances provided by some lawyers within the State Department to the effect that this is entirely compatible with U.S. law to the effect that it would not impose any additional, new, different obligations on U.S. law. I am not satisfied that that is the case. I therefore object.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I do not know what it would take to satisfy my friend from Utah. It goes out to all of the departments. They have to analyze this. They took over a year, almost 2 years, to do this, to find out if there were any conflicts with laws. So if you go through all of that, and all the departments report back and they cannot find any conflicts of laws or any laws we have that need to be changed, I do not know what would satisfy the Senator from Utah. What could that possibly be? He is almost raising an impossible barrier, unless the Senator can inform us as to what it would be that would satisfy him.

I do not know what else you could do other than what has been done on this bill. Again, I can understand people saying they had a hearing on it. I think it was well attended. But as I said, this is not something that sprung up overnight. This has been in the works for a number of years. To think that here we are the world's leader on this issue. I did not understand all the Senator said. He said something about it could have an effect on the election or something like that. I have no idea what he is talking about. If there is truly a nonpartisan, bipartisan issue, it is this. We have always made it thus.

When we passed the Americans with Disabilities Act, it was truly bipartisan. When the Supreme Court made their decisions in the Sutton case, the Sutton trilogy in the Toyota case in the late 1990s, early 2000, that kind of threw a monkey wrench into the works on employment in terms of disability, it caused a lot of consternation in the disability community and in the business community. We had to right that. We had to kind of tell the Supreme Court what we meant.

Well, that was in 2001. It took us 7 years of working with Republicans and Democrats and the administration, everybody. But in 2008 we passed a bill in the Senate unanimously, passed it in the House unanimously. President George Bush, the second Bush, signed it into law. I was down there for it. The first President Bush who signed the initial Americans with Disabilities Act was there. We were there with Republicans and Democrats. It was not seen as any kind of an issue.

If I am not mistaken, 2008 was an election year. And yet President Bush did not say, we cannot sign this because there is an election. This has nothing do with politics. So I find it almost bizarre that the Senate cannot act on something so close to us as a people, something we have taken such a lead on, something which means so much in terms of our leadership globally, that we cannot act on this.

Again, so many people have taken the lead. Senator DURBIN and Chairman KERRY of Foreign Relations, Senator MCCAIN, Senator BARRASSO, Senator MORAN, Senator LUGAR, Senator UDALL, Senator COONS, many bipartisans have been working on this.

I admit, obviously I have a deep interest in this since I was the Senate author of the Americans with Disabilities Act. It has been a key part of my Senate career for 25 years now—25 years. One of the great joys was passing the Americans with Disabilities Act with such bipartisan support. Thanks to the ADA, our country is a better place for everyone, not just for people with disabilities but for their families, for everyone. I cited earlier what President Bush said when he signed it. He said:

> This historic act is the world's first comprehensive declaration of equality for people with disabilities—the first. Its passage has made the United States the international leader on this human rights issue.

That is President Bush, 1990. The first. We were the first. We are the international leader on this issue. And now, 116 other nations, the European Union, can sign onto this but we cannot? This is truly bizarre.

Thanks to the ADA and other U.S. laws passed under the umbrella of the ADA, America has shown the rest of the world how to honor the basic rights of children and adults with disabilities, how to integrate them into society, how to remove barriers to full participation and activities that we now take for granted. We can take pride in the fact that our support for disability rights has inspired a global movement that led the United Nations to adopt the CRPD, the Convention on the Rights of People with Disabilities. We led that. Our legal framework influenced the substance of the convention and is informing its implementation in the 116 countries that have signed and ratified it along with the European Union.

As I said, I am grateful for the leadership on both sides of the aisle; some Senators who were here before but not now, Senator Dole; some who were here who were active in supporting the Americans with Disabilities Act, Senator MCCAIN; new Senators, Senator BARRASSO, Senator MORAN, and others. President George Herbert Walker Bush, the first President Bush, has been an active supporter of the CRPD. His White House counsel Boyden Gray, his Attorney General Dick Thornburg, have all been enthusiastic supporters of the Senate ratifying the CRPD. By ratifying this convention, the United States will be reaffirming our commitment to our citizens with disabilities.

As I said earlier, Americans with disabilities, including disabled veterans, should be able to live, travel, study, work abroad with the same freedoms and access that they enjoy here in the United States.

As the state parties, these different countries, come together to grapple with the best ways to make progress and remove barriers, we, America, should be at the table with them, helping them learn from our experience. As I said, the administration has submitted what they call reservations, understandings, and declarations that make clear that U.S. ratification of the CRPD will not require any change in U.S. law and will have no fiscal impact.

I do not know what else you can do to satisfy someone. I would say, if people feel that we do not want to take that leadership, then they can vote against it. But at least we ought to bring it up for a debate, discussion, and vote on the Senate floor. I would say that although U.S. ratification will have no impact on our laws, it will not have a fiscal impact, my hope is that U.S. ratification will have a moral impact—a moral impact.

My hope is we would send a signal to the rest of the world that it is not okay to leave a baby with Downs syndrome by the side of the road to die. It is not okay to warehouse adults with intellectual disabilities in institutions, chained to the bars of a cell where their only crime is that they have a disability. It is not okay to refuse to educate children because they are blind or deaf or they use a wheelchair. It is not okay to prevent disabled people from voting or getting married or owning property or having children. It is not okay to rebuild the infrastructures in places such as Iraq, Afghanistan, Haiti, and other war-torn or disaster-stricken areas without improving the accessibility of the infrastructure at the same time.

Former President Reagan frequently talked about America as a city on a hill, a shining example for the world of a nation that ensures opportunity and freedom for all its people. Thanks to our country's success in implementing the ADA, advancing that law's great goals of full inclusion and full participation for all our citizens, America indeed has become a shining city on a hill for people with disabilities around the globe. By ratifying the CRPD, we can affirm our leadership in this field. We can give renewed impetus to those striving to emulate us. We can give them that renewed emphasis by our example and by sitting down with them, if we are signatory to this treaty.

Again, I guess I have to recognize there are some Senators who were not part of the bipartisan vote to support it in the Foreign Relations Committee. I guess there are some who are not ready to support the unanimous consent request before us. My hope, since we are obviously coming to a close, is that we will use the time between now and when we come back in our lame-duck session after the election to address any issues that have been raised about the CRPD. If Senators have issues and want them raised, let us get them out and then let us move forward, when we come back after the election,

with a strong bipartisan vote for us to ratify the CRPD.

When we voted on the ADA—the Americans with Disabilities Act—in 1990, we had 91 Senators. OK, there were nine who didn't vote for it. I understand that. But 91 Senators voted in support of that historic law.

My hope is, when this comes up for a vote after the election, we can achieve the same kind of strong bipartisan statement of support for the human rights of 1 billion people with disabilities around the world. We must reaffirm our leadership on this issue and let the rest of the world know we are not stepping back on this. We are going to maintain our support for the dignity and the rights of people with disabilities not only in America but anywhere in the world.

I am very sorry we couldn't have brought this up. I haven't done any head counts for any votes, but I think I know most of the Senators are people of good will, and I believe when they look at this and think about it, it is going to get an overwhelming vote of support. So I am sorry we couldn't bring it up, but I look forward to passing this when we come back after the election.

With that, I yield the floor.

Mr. KERRY. Mr. President, I want to thank Senator DURBIN for his determined support of the Convention on the Rights of Persons with Disabilities and for his request for the Senate to approve the treaty today. I appreciate the thought that he has put into the consideration of this treaty and the work he has done in advancing the rights of persons with disabilities.

It has been 22 years since the landmark Americans with Disabilities Act knocked down barriers to employment and government services here at home. Now it is time to do the same for Americans with disabilities when they travel overseas.

This is not an issue that pits Republicans against Democrats. The Foreign Relations Committee approved this treaty in a strong bipartisan vote on July 26, the 22nd anniversary of the ADA. I am deeply grateful to former Majority Leader Dole and President George Herbert Walker Bush, who have joined a bipartisan group of Senators, including Senators LUGAR, BARRASSO, MORAN, COONS, DURBIN, HARKIN, and UDALL in advocating for such an important cause. Senator Kennedy would be proud if he could see us coming together today in support of the Convention as we did 2 decades ago in support of the ADA.

Members from both sides of the aisle worked hard to achieve this moment. The questions have been answered. The only question that remains is whether we will be remembered for approving the Disabilities Convention and extending essential protections for the millions of Americans with disabilities, or for finding excuses to delay and defer our core responsibility as Senators.

I have heard from countless advocates on this issue—from the Perkins School for the Blind in my home State to disabled Americans and veterans groups across the country, all of whom tell me that this Convention will make a difference in their daily lives.

And, believe me, it will. This Convention will extend essential protections to disabled persons everywhere, including our disabled servicemen and women and veterans when they travel, live, study or work overseas. It will enshrine the principles of the ADA on the international level and provide us with a critical tool as we advocate for the adoption of its standards globally.

We already live up to the principles of this treaty here in America. Our strong laws—including the ADA—are more than sufficient to allow us to comply with this treaty from day one. Nothing is going to change here at home. But our delay in joining this treaty has an impact abroad.

For decades the world has looked to America as a leader on disabilities rights. It is hard to believe but some are now questioning our resolve—because of the failure to ratify this treaty. That is not acceptable and that is not what America is about.

It isn't a question of time. It is a question of priorities—a question of willpower, not capacity. This treaty reflects our highest ideals as a nation, and now is the time to act.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Alabama.

THE BUDGET

Mr. SESSIONS. Madam President, Senator REID was, I think, stung this morning when remarks were made about the failure of the Senate to pass a budget or to move a single appropriations bill. For the first time in over 100 years, I understand, not a single appropriations bill was brought to the floor. This was a decision made by the Democratic leadership, to not bring up even a single bill, so that we end up with a big omnibus CR. The leadership also didn't bring up the Defense authorization bill for the first time in 51 years.

Senator MCCAIN explained that yesterday and the day before and he expressed his frustration about it. I was disappointed this morning to hear comments from our budget chairman, KENT CONRAD, about this frustration and, I believe, truth-telling from Republicans. Senator REID said: ''It's a big lie for the Republicans to come here and say we haven't passed a budget.''

Let's look at the facts. The law requires the Senate majority to produce a budget, a financial plan, every single year. It is in the code of the United States—a plan that covers taxes, entitlement spending, and debt. It is fundamental to the future of our country, and that is why it is required by law, because people saw the need for it. That plan must be produced and voted on in committee and brought to the Senate floor.

The Republican House put together such a plan. They moved it and passed it, but Senate Democrats have no plan. They have proposed nothing, offered nothing, put nothing on paper.

Senator REID, our Nation is facing a debt crisis. Surely you agree. What is your plan? Where is your budget? What is your proposal to rescue the finances of this Nation? I haven't seen it, but I am just the ranking Republican on the Budget Committee. The American people haven't seen it. It doesn't exist. The House has a plan. Where is your proposal? Have you forgotten that you canceled our Budget Committee markup on this spring and refused to bring up a budget to the floor last year? What do you plan to do on taxes, on entitlements, on welfare, on spending, on debt? How does your majority plan to balance the budget of this Nation? Do you have a plan? Surely you know the spending caps in the Budget Control Act are not a financial plan for America.

As the magazine Politico put it: ''Democratic leaders have defiantly refused to lay out their own vision for how to deal with Federal debt and spending.''

Let me say that again. Is there any problem greater for America today than debt and spending? This is what Politico reported not too long ago. ''Democratic leaders have defiantly refused to lay out their own version of how to deal with Federal debt and spending.''

That is exactly right. It is indisputable. We have had the worst performance of a Senate on financial matters in the history of the country, in my opinion. I can't imagine any Congress being less fulfilling of its duty.

Speaking on FOX News earlier this year, Chairman CONRAD said:

> What we need, I believe, is at least a 10-year plan. That's why I am going to mark up a budget resolution the first week we are back in session.

That was in April. That markup never happened.

This is what The Washington Free Beacon reported:

> Conrad stunned observers Tuesday when he announced that he would not follow through on his expressed intention to offer, mark up and pass a Democratic budget resolution. Many suspect that Conrad's plan was derailed at the last minute by Senator Majority Leader Harry Reid and other Senate Democrats who did not wish to cast politically difficult votes.

I haven't heard that disputed. There is no dispute that Senator REID decided, along with the Democratic conference, frankly, we are not going to bring up a budget. We would have to vote. We would have to lay out our plan and then people can look at it and say what is wrong with it. We would rather just spend our time attacking their plan. We don't want to show our cards, provide any leadership.

That is what happened. Here is what the New York Times reported regarding Senator CONRAD's canceling of the markup:

> Mr. Conrad's announcement surprised Republicans and Democrats who were expecting him to produce a Democratic budget that, if passed by the committee, would have been the first detailed deficit reduction plan in three years.

That is the way the New York Times reported it, and I say they are accurate. That is the way I saw it.

Senator JOE LIEBERMAN caucuses with the Democrats and he said he was ''disappointed by the party's refusal to confront the issue,'' and said further, ''I don't think the Democrats will offer their own budget, and I'm disappointed in that.''

Senator MARK PRYOR admitted: ''We've had three years with President Obama where we're not able to get a budget resolution passed.''

But it gets worse. Not only have Democratic colleagues failed to do their duty, they have savagely attacked the House for producing a budget and laying out a plan. Here is what Senator CONRAD said today. Senator CONRAD is a good friend, but give me a break, Senator CONRAD. He said the House plan ''fails any moral test of government.'' He said the House plan failed the ''moral test,'' and he repeated that several times.

These comments are outrageous. They are inaccurate, but they are also hypocritical. I ask: What is the morality of the majority party in this Senate that has violated the law purposely and deliberately in order to avoid presenting a plan to save this Nation from financial disaster? They have deliberately refused to go forward. What about the families who will be impacted by a debt crisis? What about our military? What about our future as a nation? Where is our duty during this defining hour of our Republic—America's hour of need? Is there no response and no leadership?

Every Senate Democrat in every State, I think, will have to explain why they have not stood up to Senator REID and his proposal. Presumably, they are all in it together. None have actually come to the floor and opposed him and said they would vote to bring up a budget.

I know the Senator was stung a bit this morning, but it is not a lie to say we didn't have a budget this year, and I know it was painful to listen to the litany of failures of this Congress. First, no budget in over 3 years—1,240 days; no appropriations bills this year—not one. We failed to bring up the Defense authorization bill for the first time in 50 years. We have failed to confront the sequester and debate how to fix it. We know we are going to have to do that. Yet we are going to let it wait until the end of the year, causing great turmoil at the Department of Defense. We have not dealt with the fiscal cliff.

All of those are fundamental things this Senate should have done and we haven't done any of them. We don't even bring up the bills. We should have had a great historic debate for the last 2 years over the future financial status of America because it is clearly the greatest threat facing our Nation. Yet we haven't had it. We have had little groups meet in secret—gangs and groups and secret committees and special committees.

But this is what I would say about this budget. If I were prosecuting a case—as I used to when I was a Federal prosecutor—I would say the defendant has confessed. This is what Senator REID said back in May of 2011: ''There is no need to have a Democratic budget, in my opinion.''

It is not a question of his opinion. It is the law of the United States. Nobody asked his opinion. He has a duty to follow the law, I would think.

How about this. He goes on to state: ''It would be foolish for us to do a budget.''

Senator REID, I think, has moved into this modern world—postmodern world—where words mean about anything we want them to mean. We can just say it is a lie that we don't have a budget; that we produced a budget and refer to the Budget Control Act, which was simply a part of the compromise to raise the debt ceiling and set some spending limits on spending in the discretionary accounts only—not all the accounts of the United States. That is not a budget, and the Parliamentarian has already ruled that is not a budget.

There is no question we don't have a budget, and we haven't had leadership. It has been very disappointing. And I was disappointed to have my good friend Senator CONRAD attack the House for having the gumption to lay out a plan that would change the debt course of America and put us on a path to prosperity. I am sorry Senator REID has overreacted and declared that it is not true what we, the Republicans, have asserted, that we don't have a budget, because we don't have a budget. It is true.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

COAL ASH RECYCLING AND OVERSIGHT ACT OF 2012

Mr. HOEVEN. Madam President, I rise to speak on energy legislation which is important to this country and legislation I truly believe we can and, in fact, need to pass this year.

The U.S. House of Representatives is working on key energy legislation. I think it is very likely they will pass it this evening. That legislation includes a bill that is very similar to energy legislation I have put forward in the Senate. The legislation I am talking about is the Coal Ash Recycling and Oversight Act of 2012.

Simply put, this legislation sets commonsense standards for managing and recycling coal ash with a States-led, States-first approach.

We have strong bipartisan support for the bill. As I said, we need to take up the bill this year and pass it. Simply put, we have the support on a bipartisan basis to support it. We have more than a dozen Democratic sponsors and more than a dozen Republican sponsors.

So why is it important? In simple terms, this is exactly the kind of energy legislation that can help take our Nation to energy security or energy independence. What I mean by that is with the right energy plan, we can move this country to the point where we produce more energy than we consume. Working with our closest friend and ally, Canada, we can produce more energy than we consume—meaning we truly are energy independent or energy secure so that we are not importing energy from the Middle East.

And it is not just about energy, it is about jobs—good-paying jobs at a time when we have more than 8 percent unemployment. It is about economic growth—economic growth that we need to get on top of the debt and the deficit. We need to find savings, but we also have to get this economy growing to get on top of this deficit and our $16 trillion Federal debt.

It also is about national security. Look at what is going on across the Middle East. Yet we still import energy from the Middle East. Americans do not want to be dependent on importing energy from the Middle East. The reality is, with the right energy plan, we can produce that energy at home and be energy secure, create good jobs, and get our economy growing at the same time. This is just one step, but it is one more important step on that journey.

Let me give an example of what we are doing in my home State of North Dakota and doing in States across the country. In North Dakota, just north of the capital Bismarck, there is a large electric power complex, the Coal Creek Power Station, that is operated by Great River Energy, a company that operates from North Dakota to Minnesota. It is a large complex. It generates 1,100 megawatts of electricity, two 550-megawatt powerplants. It employs the latest, greatest technology. It has emissions controls that are state of the art.

This plant captures waste steam, steam that was formerly exhausted into the air, and uses it to power an ethanol plant. So they are making renewable transportation fuel with waste steam, very low cost, very efficient. It reuses the coal ash or the coal residuals that are produced. It recycles those for building materials.

Along with a company called Headwaters, a natural resource company out of Utah, Great River Energy takes this coal ash and makes FlexCrete out of it, which is concrete they use on highways, roads, bridges, anywhere you would use concrete. But they also make other building products as well, such as shingles, that one would use to put on the roof. So this is truly a concept where we are recycling the coal ash and the coal residuals.

Formerly, coal ash was put in landfills, and the company would pay about $4 million a year to landfill hundreds of thousands of tons of coal ash. Now they sell it, and it is made into these building materials. They generate something like $12 million a year selling this coal ash for building material. If we do the math, that is about a $16 million swing from across the $4 million a

year to a revenue stream of $12 million a year.

What does that mean? That means families, small businesses, consumers throughout North Dakota, Minnesota, and beyond now pay $16 million less for their electricity than they did before because of this creative use. This truly is American ingenuity and American innovation at work.

In fact, I have a couple examples of buildings that are made from building material produced with coal ash. The first one is the National Energy Center of Excellence at Bismarck State College, where we train people in the energy field. So people are learning how to have a great career in all different types of energy at a facility that is made with the coal ash that I am talking about. It overlooks the Missouri River. It is an absolutely beautiful facility.

Let me give another example. This is a building under construction right now. This is the North Dakota Heritage Center on the capitol grounds of our State capital in Bismarck. It is our heritage center, so it is a museum of our State history. Right now, we are doing a $50 million expansion to this facility that is being constructed with coal ash. It is a beautiful building being constructed right now.

By using coal ash nationwide, we reduce energy consumption by 162 trillion Btus a year. That is an energy amount that is equal to 1.7 million homes. So we save an amount of energy equal to powering 1.7 million homes.

Water use. We save by recycling coal ash; we save 32 billion gallons of water annually. That is equal to one-third of the amount of water used in the State of California.

So talk about saving energy and saving water use. This is truly a concept on which those who favor renewable energy, as well as those who favor traditional sources of energy, ought to be able to get together. This is recycling, saving huge amounts of energy, saving huge amounts of water.

So why do I tell this story? The reason I tell this story is this: Right now, coal ash is regulated under subtitle D of the Resource Conservation and Recovery Act. That is nonhazardous waste, but EPA is looking at changing that to regulating it under subtitle C, which is the hazardous waste section. They are looking at doing that in spite of the Department of Energy, the Federal Highway Administration, State Regulatory Authorities, and even EPA itself acknowledging that it is not a toxic waste.

The EPA proposed that change in regulation in June 2010. Clearly, that would undermine the industry, drive up costs, and eliminate jobs when our economy can least afford them. Just to put that in perspective, the industry estimates that it would cost $50 billion annually and eliminate 300,000 American jobs. Let me go through that.

Meeting the regulatory disposal requirements under the EPA's subtitle C proposal would cost between $250 and $450 a ton as opposed to about $100 a ton under the current system. That translates into a $47-billion-a-year burden on electricity generators who use coal. And, most importantly, of course, who pays that bill? Their customers, families, and small businesses across the country. Overall, that could mean the loss of 300,000 American jobs.

That is why I brought this legislation forward with Senator CONRAD, my colleague in North Dakota, and also Senator BAUCUS of Montana and others. We have more than 12 Republican sponsors on the bill and 12 Democratic sponsors on the bill. So it is very much a bipartisan bill.

Furthermore, this bill not only preserves coal ash recycling, as I have described, by preventing these byproducts from being treated as hazardous—and this is important: This bill establishes comprehensive Federal standards for coal ash disposal. Under this legislation, States can set up their own permitting programs for the management and the disposal of coal ash. These programs would be required to be based on existing EPA regulations to protect human health and the environment. If a State does not implement an acceptable permit program, then EPA regulates the program for that State. As a result, States and industry will know where they stand under this bill, and the benchmark for what constitutes a successful State program will be set in statute.

EPA can say, yes, the State does meet the standards or, no, the State does not meet the standards. But the EPA cannot move the goalpost. This is a States-first approach that provides regulatory certainty.

What is certain is that under this bill, coal ash disposal sites will be required to meet established standards. Again, this is important. We are requiring that they meet established standards. These standards include groundwater detection and monitoring, liners, corrective action when environmental damage occurs, structural stability criteria, and the financial assurance and recordkeeping needed to protect the public. So we set stringent standards.

This legislation is needed to protect jobs and to help reduce the cost of homes, roads, and electric bills. I thank the Republicans and the Democrats who have stepped forward on this bill, particularly Senator CONRAD, my colleague in North Dakota, Senator BAUCUS, and others. We have the bipartisan support to move this bill forward. We need to be able to bring it to the floor and do it this year. It is about energy for this country that we need, and it is about jobs for American workers.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

FOREIGN AID

Mr. COATS. Madam President, I rise today to address the legislation that has been offered as an amendment that would cut off all foreign aid to Egypt, Pakistan, and Libya.

As I watched our flag being shredded by a gloating mob at the walls of the American Embassy in Cairo, I shared with fellow Hoosiers and Americans a sense of sadness and deep anger. That mob, and the one that led to the death of four American diplomats in Libya, including our Ambassador, or those who stormed our Embassy throughout the Muslim world, showed us again how much contempt and disrespect those people have for the United States and for Americans.

Many in those countries clearly still hate us. As displayed on our televisions this past week, the Arab spring is evolving into a very bleak winter. Events this past year, and especially this past week in the Middle East and North Africa, continue to present us with enormous challenges. We have mishandled them badly. No one should be deluded enough to see it in any other way.

The best judge of a policy is the results. By that measure our report card is found among the ashes of the consulate in Benghazi.

The questions the administration and this body must answer soon is how best to react to this failure and what steps offer the greatest chances of making things right—or, at the very least, making things somewhat better. The search for answers must involve a complete reevaluation of the full range of American policy tools, including military actions, diplomatic dialogue, economic measures, multilateral efforts, and, simply, better leadership—not leadership that leads from behind.

Now, it is understandable to ask: Why on Earth should we send one more dime to these people who hate us so much? We will soon be voting on an amendment that codifies the instinct to cut off all assistance programs to, yes, problematic countries including Libya, Egypt, and Pakistan. Based on recent events, I agree we need to reassess the foreign aid we do send to these countries. However, I also believe we need to avoid a shortsighted reaction and consider a broader review of the purposes and the costs of foreign aid. I wish to address those two issues.

First of all, the costs. Foreign aid, as many do not know, is just a fraction of our Federal budget so we need to understand how much foreign aid costs taxpayers. Our foreign aid programs are less than 1 percent of the Federal budget and, put even more vividly, according to the OECD, just 0.12 percent of our gross national income is devoted to foreign aid.

Not only is that figure about a tenth of the number of Sweden or Norway, but it is only a third of the figure for France and half as much as the United Kingdom. We even devote a smaller share of our national wealth for foreign assistance than, of all countries, Greece.

I have been on this floor several times calling for Washington to get

control of excessive spending and I take a back seat to no one in that effort. I have repeatedly said that in order to address our $16 trillion national debt everything must be on the table, including foreign aid. But we must assess and reassess all foreign aid to determine if it is still effective and even necessary. We should cut where it makes sense to cut. But when there is a discussion about eliminating all aid to Pakistan, Libya, and Egypt, let's be honest with the American people about the true cost of all that. Together, this aid only constitutes a fraction of a single percent of our Federal budget, and cutting it would be nothing but a gesture toward the real austerity required to deal with our $16 trillion deficit.

But that is not the primary reason and that is not the real question before us. The real question before us is, aside from the cost argument, which is minuscule, the national security reasons for why we should pause and consider our next step very carefully ought to drive us to think this through.

We must keep a clear eye and recognize that sending American taxpayer dollars overseas is, first and foremost, a matter of strategic purposes and national security.

I want to repeat that. We must remember that the money we send overseas is, first and foremost, a matter of strategic purpose and national security. Without that component, then we do have to reassess the value and what we receive in return for foreign aid.

We can be sure that foreign assistance plays a role in the struggle for the hearts and minds of the world's poor. Today it is also central to the contest for political power.

Other rivalries are apparent as well. China plays in the contest for political influence and access to natural resources by engaging in foreign assistance as defined by their own standards. Chinese assistance activities in Africa, Latin America, and Southeast Asia grew from $1.5 billion in 2003 to $27.5 billion in 2006, a nearly twentyfold increase in 3 years, and it continues to grow and their influence continues to grow in those countries around the world as China expands its reach and exerts its influence.

None of this means that we in the Senate should support wasteful foreign aid programs with little regard to solid purpose, good design, proper accountability, and visible standards of positive result.

I want to see our foreign aid program reassessed. I believe we need to reevaluate the way we make our foreign aid determinations. But rather than cutting off all foreign aid in an instinctual way after these horrific scenes we have seen on television, it is important to step back and assess how we go about reassessing our distribution of foreign aid, what our strategic purposes are, and the other criteria that ought to be applied before we make a knee-jerk or too quick decision.

To achieve our support I think these programs need to achieve three guidelines. First, which programs most clearly achieve our national security interests? If they do, it is money well spent. Second, which best reflect American values and encourage foreign countries to support and adopt those values? We need to support our friends first. And, third, which programs are most effective at the least cost? We need clear, unambiguous standards of what effective means.

The consequence of no aid, though, is far greater now to the immediate question before us, which is the question of how we serve national security interests while at the same time ignoring the fact that the recipient may not be our best friend and may not support our broader purpose. In those cases—and Libya, Pakistan, and Egypt recently are among them—our broader strategic interest linked to our national security must have priority.

Let's look at Pakistan. In the case of Pakistan, I and some of my colleagues are profoundly skeptical. In the State and Foreign Operations appropriations bill markup this year, I joined with my colleague Senator GRAHAM to cut a portion of our assistance to Pakistan because of the outrageous conviction and imprisonment of Dr. Shakil Afridi, the doctor who helped us locate Osama bin Laden. The cut was a gesture of our dissatisfaction with the regime's behavior and a signal more cuts could come should that behavior not improve.

Yesterday I met with the Pakistan Foreign Minister and Ambassador to America from Pakistan. Earlier, Senator GRAHAM and I had a lengthy discussion with the Ambassador. We conveyed our dissatisfaction with this decision and a number of other things that we have differences about with that country. At the time, Senator GRAHAM said at the hearing that it may become necessary to cut aid off altogether but that time has not yet come. In my view, that time is not yet here, because what is at stake in Pakistan is so vast as to defy a brief description.

A radicalized and hostile Muslim country with a potent, fully developed nuclear arsenal is the most dreadful global nightmare. We must continue to employ every single tool available to us to make sure that does not come to pass, despite how skeptical and pessimistic we might be about the future of that country.

I am not arguing that our assistance packages to Pakistan have been well used, or even resulted in the support we seek or that the regime there has even shown much gratitude or respect in return. I am simply noting in this case the stakes are huge; the assistance programs do give us some leverage; and anger and despair are not a proper basis for us to make policy judgments, particularly when it comes to the security of the American people and our national interests.

Let's look at Egypt. Similarly, we cannot abandon Egypt despite how we have come to judge the results of their elections. Those elections have shown us that once again a democratic vote does not ensure democracy or stability. Elections are a necessary condition for modern enlightened government, but much more is required. We must be there to help the political and security environment evolve in the right direction. Cutting off aid to the Egyptian military, arguably an essential element in Egypt's future political evolution, is bound to make it far harder to achieve our strategic objectives in the entire region. I believe even the Israeli Government would oppose an end to U.S. assistance because such a step could further radicalize the new government, the military, and even the population itself. Aid is one of the few tools we have that requires Egypt to maintain observance of the Egypt-Israel peace treaty.

Let's look at Libya. The issue of aid to Libya is even clearer. It is no coincidence that the attack on our diplomat occurred on September 11. This attack was almost certainly generated by radical elements connected to al-Qaida or similar terrorist organizations active in this country. We have seen ample confirmation that neither the Libyan Government nor the vast majority of the Libyan people supported that violence in any way. What we have seen is Libya is in a fragile state of transition that simply must be supported and encouraged by us and our allies. We have seen a Libya that wants to support us, wants to go forward with democracy, but has yet to gain control of certain parts of its country and certain elements, infiltrated by terrorists and al-Qaida, certain elements that need to be addressed in terms of Libya's future and in terms of our own national interests.

If we cut off aid to Libya, we risk losing the gains of that revolution to the radical elements that are active there and everywhere else in the region. It is impossible to see how ending our assistance programs would be a responsible move for our country and for our allies.

Most of us in this body have just come from a lengthy discussion with our Director of National Intelligence, with Secretary Clinton, our Secretary of State, with top representatives from our military, from the FBI, and from the administration, discussing this very question, gathering all the information we possibly can, making sure we have the facts before we make a quick judgment about the role of Libya and the role of terrorists, and what we have seen to date is the response by the Libyan Government, even the firing of one of their top officials who made an inappropriate remark relative to this attack.

In conclusion, I encourage my colleagues to pause and look at the larger picture when it comes to foreign aid. Cutting off aid and disengaging from these countries is exactly what the perpetrators of these attacks and protesters are trying to achieve. I do not

know if supporting the government in this volatile region and this revolutionary movement will bring the results we so urgently need, but if we are to review the tools available to us, and I am convinced we must, we should not begin by throwing out the tools we have. We need to sharpen those tools, better define their use, but not discard them prematurely.

I yield the floor.

MORTGAGE FORECLOSURE PRACTICES

Mr. BLUMENTHAL. Madam President, I rise to protest an action by the Federal Housing Finance Agency, Fannie Mae and Freddie Mac, that punished my State of Connecticut and four other States for effectively protecting our citizens against unfair and abusive mortgage foreclosure practices.

I want to say right at the outset I am determined to fight this action along with my colleagues during the comment period that we have, to contest this very unwise, misguided, unacceptable decision. These agencies have just posted for 60-day comment a decision to increase Fannie Mae and Freddie Mac's guarantee fee for Connecticut and four other States—New Jersey, New York, Illinois, and Florida.

Why? Because of the protections we have in place now against those abusive banking tactics that have so pervaded the mortgage foreclosure process and increased the length of time that it sometimes takes for foreclosure. And we have a mediation process that keeps people in their homes and enables settlements that actually save money. That is Connecticut's crime. That is the reason Connecticut and four other States and our homeowners will pay more in those guarantee fees.

Those fees, by the way, are imposed by Fannie Mae and Freddie Mac in exchange for assuming the risk that a loan will default. These entities guarantee investors in mortgages and mortgage-backed securities, making it less expensive and easier for home purchasers to obtain financing.

The cost of the guaranteed fund is generally passed along to the borrower so homeowners will pay these increased fees. They will bear this burden, and it will be a burden not only on those homeowners, but eventually on the housing market, which is in all too slow and fragile a recovery. Also, our economy depends so vitally on the housing market.

I am proud of Connecticut. I am proud of every State like Connecticut that protects its homeowners from robo-signing or fraudulent affidavits. We believe in justice and due process. We believe in giving homeowners an opportunity to mediate with the banks because so often the banks fail to come to the table. In effect, they give homeowners the runaround. They often fail to even give them a person with whom to negotiate in good faith, and mediation forces them to come to the table.

In 80 percent of the cases where there is mediation, homeowners stay in their homes. That saves money for other homeowners in the neighborhood because their property values are maintained. It saves money for the homeowner who doesn't have to find a place to live and maybe even buy another house, and it saves money for Fannie Mae and Freddie Mac. In fact, every time they avoid foreclosure, they save on average at least $11,000. That is the kind of savings they ought to relish, not reject. The foreclosure process around the country has rightly raised fears of abuses that Connecticut has sought to prevent. This kind of protection ought to be rewarded, not rejected.

The additional time it has taken for foreclosure because of these protections is a cost well worth the larger savings that are eventually realized. That is the reason I have determined that I will fight this new proposed guarantee fee, which increases significantly and substantially by 30 basis points for every homeowner who takes advantage of a Freddie Mac or Fannie Mae loan. From the moment families take out a loan, they are faced with fees and charges that we ought to seek to minimize so we can expand and enlarge and continue the recovery in our housing market while preventing unnecessary and illegal foreclosures. I am determined to fight this fee.

I will enlist help from other colleagues who have already indicated their opposition, and I believe that together we will succeed in persuading Fannie Mae and Freddie Mac that this increase in fee is misguided, unwise, and unacceptable.

I also want to speak separately and distinctly about the DREAM Act.

DREAM ACT

Last week I came to the floor to talk about the importance of the DREAM Act and to share the story of a Connecticut DREAMer. I am here again with the story of a different DREAMer. This is another young person from Connecticut. Again, I urge my colleagues to take action on this critically important bill. Young people who are known as DREAMers are undocumented immigrants who were brought to this country at an early age. Some were infants. Through no fault of their own, the consequence is they are here without proper documentation. America is their home. They often know no other language. All of their life they have been here. They have no memories of the country of their origin, where they were born. Our unfair and impractical immigration system fails to give them a path to citizenship and to stay in this country, the country they know and love.

The DREAM Act would give these young immigrants a chance to earn their citizenship through education or military service. By earning their citizenship they can begin to give back to this country. In fact, they are individuals who will continue to contribute to this country and give back to it.

Again, I wish to recognize the distinguished leadership of my colleague Senator DURBIN, who has been fighting tirelessly for the passage of the DREAM Act for over 10 years. At the State level I have fought for similar measures that would give rights, particularly in the area of education and tuition aid, to these DREAMers. We have succeeded in Connecticut in giving them the benefit of in-state tuition.

The immigrants who would benefit from the DREAM Act have already been helped by an order from the President that defers their deportation for 2 years. Although it defers their deportation, it does not permanently grant them any rights. In fact, if there is a change in administration, that order could be easily reversed. So the benefit is temporary and the need is for a more certain, stable, and secure solution so they can come out of the shadows, avoid being marginalized by our outdated immigration laws, gain the kind of scholarship aid they need, seek to serve our country on a more permanent basis, and benefit, but also discharge the obligations of citizenship in this country.

I want to talk today about Yusmerith Caguao. Yusmerith Caguao is a college student who grew up in Norwalk, CT. She was born in Venezuela. She came to this country when she was 11 years old. She was told by her mom that the reason for coming here was to learn English, and the idea of learning a new language in a new country was immensely exciting to her. Her family settled in Norwalk, and she began middle school a week or two after arriving in America. She remembers those early days of her life, but she also remembers the excitement and struggle. Arriving without any knowledge of English, she mastered this language. Her grades improved over time and she kept in mind why her parents had brought her to America. She was dedicated to that day when she would be successful, when she would have visions realized and dreams achieved that she could not accomplish in Venezuela.

She graduated from middle school with excellent grades. She was proud of what she had accomplished and learned, and soon after completing middle school, to her dismay, she became aware of her legal status in this country. Learning that she was undocumented affected her performance and her state of mind. By the time Yusmerith Caguao was in high school, she stopped trying to get perfect grades because she feared that colleges would not accept her anyway.

At this point Yusmerith says she became depressed and felt hopeless. She graduated high school. She had almost given up the idea of attending college, but she didn't lose hope. After she graduated from high school, she decided to continue her education in Norwalk Community College, a wonderful institution. I attended their graduation this year. It is a place that does wonders and provides immense opportunities for people regardless of their race

or background or documentation and citizenship. It did wonders for Yusmerith.

She worked at a lot of different jobs to pay for her education, from waitressing in restaurants to working at a pet store and babysitting. She continues to work to pay for her education.

Now having graduated from Norwalk Community College, Yusmerith went on to attend Western Connecticut State University. This picture is of her graduation, but we are hopeful she will have another graduation. She is currently pursuing a double major in accounting and finance at Western State University and expects to graduate in 2014. She hopes to be an accountant. She hopes to have a career where she can put her skills to work. She hopes to give back to this country. That hope deserves recognition and realization, and that is why I stand here asking this body to give Yusmerith and thousands of other young people in Connecticut, the DREAMers, that opportunity to have a secure and permanent status, a path to citizenship that they will earn through education or military service.

I am hopeful my colleagues, even in a time of tremendous partisanship, will see the importance of what Yusmerith and the DREAMers can do not only for themselves but what they can give to our Nation and us. With her skills, talent, and dedication, this Nation will be even greater. We are the greatest Nation in the history of the world, but even greater with the contributions of young people such as Yusmerith.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATIONS

Mr. CASEY. Madam President, I rise tonight to speak about one subject, but a very important subject for our country and for our system of justice, and that is the confirmation of Federal district court judges. I will focus tonight on one Federal district in Pennsylvania, the Middle District. By way of background, I will review where we are in the Senate.

Earlier today Majority Leader REID was required to ask for unanimous consent in order to proceed on Senate confirmation votes for 17 district court nominees. Of course, this is from district courts across the country. As the majority leader and many of our Senate colleagues have noted, the district court nominees on the Senate Calendar are nearly all noncontroversial and have received significant bipartisan support. The judges I will speak about tonight fit that description.

Historically the Senate has deferred to the nomination of the President and the support of home State Senators. Unfortunately, that doesn't seem to be the case today in too many instances. Of course, not in every instance but too many instances. There is an old expression in the law that many of us have heard, and it is very simple, but I think it has substantial consequences for real people. The expression is: Justice delayed is justice denied.

When we have a situation where we have two judges in the Middle District of Pennsylvania—I should say for the record and for the description of the geography in our State we have three Federal judicial districts: the Eastern District, the Middle District, and the Western District. When we have two district court nominees in Pennsylvania, or in any of the other States that have judges who are still pending, we can imagine the number of cases. It is not just hundreds but thousands of cases. In this case 17 judges could be handling these cases right now across our country. That old expression, justice delayed is justice denied, has real significance for real people out there, people who come before the district court as litigants. Whether they are individuals, corporations, or whatever the party, they come for basic justice and that gets very difficult when there is a backlog and there are not enough judges.

It is especially egregious and outrageous that they are held up here when in many cases they get out of the Judiciary Committee after a long process of getting to the Judiciary Committee. Sometimes there are many months of vetting and investigation work. Often the names are available for voting here in the Senate after not just getting through the Judiciary Committee, but part and parcel of that means in almost every instance the two Senators from that State have agreed they should come up for a vote. Yet when it lands here on the Senate floor after committee consideration, judicial nominees are held up.

The ability of the Federal courts to provide justice for the American people has indeed been threatened by the vacancy crisis and the overburdened Federal district courts. Families, communities, and small businesses are not able to get a fair hearing or have their claims resolved in a timely fashion. These Federal court vacancies need to be filled to mature a functioning democracy and a functioning judicial system.

The Pennsylvania nominees to the Senate Calendar are two individuals, Malachy Mannion and Matthew Brann. Both are to be confirmed as U.S. district judges for the Middle District of Pennsylvania.

I won't go through their backgrounds and qualifications today. We have done that already. They don't need me to do that. They are through the Judiciary Committee. These men are both very well qualified to be U.S. district judges.

Both of these judges would fill judicial emergency vacancies in Pennsylvania's Middle District. Just to give my colleagues a sense of what we are talking about, the Middle District of Pennsylvania has six posts, six judicial slots, and these are two vacancies for those six. The Middle District is the largest Federal district in Pennsylvania geographically, and there are four courthouses, one of which is several hours' drive from the others. Because of the vacancies, the judges with senior status still continue to hear cases. Three of these judges are at least 86 years old. Let me say that again. Three of these senior judges who have to do extra work because of the vacancies are at least 86 years old.

Mal Mannion and Matthew Brann were both reported by voice vote out of the Judiciary Committee earlier this year, and both nominees were supported by Senator TOOMEY as well as me. Both of us came together through the process of introducing both of these nominees to the Judiciary Committee. They are, as I said before, through that process.

I strongly urge that we move forward and allow a vote on all of these highly qualified, noncontroversial U.S. district court nominees, two in particular in Pennsylvania.

I should mention that there was an article written—I won't summarize it here—in the Atlantic magazine just last week by Andrew Cohen that highlighted some of the impacts this crisis has on real people when they appear before district courts such as the Middle District of Pennsylvania.

I yield the floor.

NOMINATIONS

Mr. LEAHY. Mr. President, today the majority leader was required to take the extraordinary step of asking for unanimous consent to secure Senate confirmation votes for 17 district court nominations. Before the American people elected Barack Obama as our President, district court nominees were generally confirmed within a couple of weeks of being reported by the Judiciary Committee. This was true of those nominated by Republican Presidents and Democratic Presidents. Deference was traditionally afforded to home State Senators and district court nominees supported by home State Senators were almost always confirmed unanimously.

However, Senate Republicans have raised the level of partisanship so that these Federal trial court nominees have now become wrapped around the axle of partisanship. Despite a vacancy crisis that threatens the ability of Federal courts to provide justice for the American people, Senate Republicans now refuse to allow a vote on any of the 17 pending district court nominees, including 12 that have been declared judicial emergency vacancies. Senate Republicans' across-the-board obstruction of President Obama's judicial nominees that began with their filibuster of his very first nominee continues. For the first time I can recall, even district court nominees with support from Republican home State Senators face

months of delay if not outright opposition from the Senate Republican leadership and Senate Republicans.

The long delays and backlog we are seeing on the Federal trial courts and Senate Republicans' refusal to vote on so many consensus judicial nominees before we recess for the upcoming Presidential election are entirely without precedent. The Thurmond rule has never been applied to stop votes on consensus district court nominees. In September 2008 we reported and confirmed 10 of President Bush's district court nominees and left none on the Senate calendar as we headed into that Presidential election. In contrast, this year we are still waiting on votes for district court nominees reported by the Judiciary Committee in April, June, July, and August. All but 1 of these 17 district court nominees was reported with significant bipartisan support, all but 3 nearly unanimously.

The partisan refusal to allow votes on consensus nominees has become standard operating procedure for Senate Republicans. In each of the last 2 years, Senate Republicans refused to follow the Senate's traditional practice of clearing the calendar of noncontroversial nominees. As a result, there were 19 judicial nominees pending without a final confirmation vote at the end of 2010 and another 19 left without a vote at the end of 2011. Due to this latest refusal to consent to vote, Senate Republicans are ensuring that the Senate will recess for the election without voting on 21 judicial nominees ready for final Senate action. The result is that for the first time in decades Federal courts are likely to have more vacancies at the end of these 4 years than at the beginning of the President's term. Federal judicial vacancies have been at historically high levels for years, remaining near or above 80 for nearly the entire first term of the President. Judicial vacancies today are more than 2½ times as high as they were at this point in President Bush's first term, with nearly 1 out of every 11 Federal judgeships currently vacant.

I urge Senator TOOMEY, Senator KIRK, Senator RUBIO, Senator COBURN, Senator INHOFE, Senator HATCH, Senator LEE, Senator COLLINS, and Senator SNOWE, all of whom have judicial nominees on the calendar ready for a final Senate vote, to reason with their leadership about this obstruction. I ask other Republican Senators who know better to weigh in with their leadership. This is wrong for the country, damaging to the Federal courts, and harmful for the American people looking to our courts for justice.

I ask unanimous consent to have printed in the RECORD at the conclusion of my statement a column by Russell Wheeler entitled ''The Case for Confirming District Court Judges'' that appeared in Politico on Wednesday and notes the unprecedented and destructive nature of this obstruction.

The PRESIDING OFFICER. Without objection, so ordered.

Mr. LEAHY. I have served in the Senate for 37 years, and I have never seen so many judicial nominees, reported with bipartisan support, be denied a simple up-or-down vote for 4 months, 5 months, 6 months, even 11 months. And if there was any doubt that Senate Republicans insist on being the party of no, their current decision to deny votes on these highly qualified, noncontroversial district court nominees—while we are in the middle of a judicial vacancy crisis—shows what they stand for. They care more about opposing this President than helping the American people.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Politico, Sept. 18, 2012]

THE CASE FOR CONFIRMING DISTRICT COURT JUDGES

(By Russell Wheeler)

The accepted wisdom on Congress is that the presidential campaign is likely to crowd out most real work until after Nov. 6, when all its focus abruptly changes to the fiscal cliff.

There is, though, one important noncontroversial matter that the Senate should take up now—as have previous Senates at this time: confirming district judges.

A government that can't do its mundane business is surely unlikely to be able to deal with more controversial problems. History shows that the Senate should be able to confirm a respectable number of long-standing district court nominations before Election Day—certainly before adjournment. If it cannot, this may signal that the past four years of delayed and confrontational nominations have not been an aberration but represent the new normal of district court confirmations.

Sixty-one of the nation's 673 lifetime appointment district court judgeships are vacant. President Barack Obama has submitted nominees to fill 24 of the vacancies. Seventeen of the 24 have cleared the Senate Judiciary Committee and are awaiting final action by the full Senate.

As of Sept. 10, the Senate had confirmed 126 of Obama's district nominees—81 percent. In comparison, President George W. Bush had a 97 percent district confirmation success rate in his first four years, and President Bill Clinton an 87 percent rate.

If the Senate confirms 10 of the 17 Obama nominees, this would lift his four-year success rate to equal Clinton's. Confirming all 17 would lift it to 91 percent.

Rates aside, however, even if all 17 were confirmed, Obama would have made roughly 20 fewer district appointees than Clinton or Bush. Obama has submitted fewer nominees.

Extended vacancies often mean long delays, especially in civil cases. They often mean full caseloads for judges in their 70s and beyond—despite statutory promises that, at that age, judges who have put in substantial service are entitled to scale back.

Filling judicial vacancies is part of the business of government, and like much of that business, it is more mundane than dramatic. Federal district caseloads consist largely of commercial disputes and federal crimes like immigration law violations—issues important to litigants and collectively important to all of us. They are part of how our society resolves disputes and help set the framework for commercial and social intercourse.

But you might say, judges can't get confirmed this close to a presidential election because opposition senators are hoping their guy will soon be in the White House and make his own nominations to those vacancies.

That may be true now for court of appeals nominees — you have to go back to the first Bush administration to find a circuit confirmation after July of a presidential election year — but not for district courts. There's plenty of precedent for late-election year confirmations.

In 1980, 1984 and 1992—when Presidents Jimmy Carter, Ronald Reagan and George H.W. Bush were up for reelection—the Senate each time confirmed roughly 10 district court nominees between the political conventions and election day. That number dropped to zero in 1996 under Clinton but shot up to six in 2004 under Bush.

In years when the incumbent president wasn't on the ballot, the Senate also confirmed district judges, including 10 in September 2008—even as Obama's victory seemed increasingly likely.

There's plenty of recent precedent for confirming at least the 17 pending Obama nominees. But the past four years of district confirmations haven't followed precedent.

Not only is the confirmation rate lower, at least for now, but time from nomination to confirmation has spiked. Eight percent of Clinton's district confirmations in the first four years took more than 180 days, as did 27 percent of Bush's. But it's now up to 67 percent for Obama.

The increase in time has been matched by an increase in contentiousness. All of Clinton's district appointees were confirmed by voice vote — even those who merited more attention, like the subsequently impeached and convicted Thomas Porteous of New Orleans. All but four of Bush's appointees were approved by either voice or unanimous vote. Of the four, one got 20 ''no'' votes and one got 46.

Most of Obama's appointees have also been confirmed with no, or token, opposition—even those who waited a long time. But 11 received more than 20 ''no'' votes. It's hard to believe, however, that the quality of Obama appointees plunged so decisively compared with those of his immediate predecessors.

So district confirmations—especially in double digits—in the next several months may be iffy, and those who do get confirmed will have waited considerably longer than late-year confirmations in previous administrations.

We've come to accept, or at least recognize, as the new normal that only six or seven out of every 10 circuit nominees will get Senate approval. Are the district courts next?

The PRESIDING OFFICER (Mr. SANDERS). The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VAWA

Mrs. SHAHEEN. Mr. President, I rise today to again raise my concerns about and the desire to see action in the House to pass the Senate bill reauthorizing the Violence Against Women Act. We need to continue this critical funding for survivors of domestic violence.

In the discussions on the Senate floor, we have heard about the protections offered in the Senate bill that have not been included in the bill the House has pending. They are protections that would help women on college

campuses, women on tribal lands, gay and lesbian victims, and immigrants. However, it is really important for us to remember not just those provisions but all of the other ways the Violence Against Women Act has benefited not just the victims of domestic violence but really all of us because domestic violence isn't just a women's issue. It affects all of us. It affects our entire economy. It affects our families. The Centers for Disease Control estimates that the direct health care costs associated with domestic violence are about $4.1 billion every single year. We know this is a conservative estimate because so many of the victims never come forward.

The protections offered by the Violence Against Women Act have proven to be absolutely essential in preventing abuse. Last week was the 18th anniversary of the original passage of VAWA, so this is a good time to reflect on the progress we have made.

Over the past 18 years, the reporting of incidents of domestic violence has increased by 51 percent. At the same time, according to the FBI, the number of women who have been killed by an intimate partner has decreased by 34 percent. So clearly it is having some effect. Researchers at the North Carolina School of Public Health estimate that VAWA saved $12.6 billion in its first 7 years alone. So even if one doesn't support the legislation because it does good work for families, this is a bill that is also a good investment.

This is about telling the victims of violence that we stand with them because having safe, healthy citizens benefits all of us. We all do better when fewer women are going to the emergency room, are missing work or giving up their children in order to protect those children from violence at home. We are all in this together.

I have had a chance as we have had this debate in the Senate to visit a number of crisis centers in New Hampshire—centers that benefit directly from the funding in the Violence Against Women Act. Recently I visited the city of Keene's Monadnock Center for Violence Prevention and had a chance to speak with one of the caseworkers there and with two of the survivors. Those two women told me what it was like as they were trying to figure out how to leave their abusers. I asked them: What would have happened if this center wasn't here? Both of them said they had nowhere else to go. One of the women said: My husband would have killed me. That was how desperate she was.

While I was there, I also had a chance to meet some of the children who were staying at the center. I wish to take a minute to talk about how important this is for them, the children who were witnesses of domestic violence or who, as the result of that violence, are victims themselves.

Centers all over New Hampshire and the United States have advocacy programs that are funded by VAWA that offer support groups for children. Children are particularly vulnerable and ill-equipped to deal with the trauma of domestic violence. This is trauma that affects them for their entire lives.

A study by the World Health Organization found that children raised in households where domestic violence occurred are more likely to have behavioral problems, to drop out of school early, to experience juvenile delinquency. It is not surprising.

A child who witnesses domestic violence between parents is more likely to view violence as an acceptable method of conflict resolution. Boys who witness domestic violence are more likely to become abusers, and girls who witness domestic violence are more likely to become victims of domestic violence as adults. One advocate at the Bridges Crisis Center in Nashua, NH, works to prevent this cycle by providing safety planning for children. She teaches them they can live a life that is free of violence. This free preventive care for children is made possible by a grant from VAWA. Our children deserve this. This is why we need to reauthorize the Violence Against Women Act. This is about women who are in danger, about children and families who are at risk.

One of the stories I found particularly touching when I was at Bridges was about a young boy named Brian. The caseworker told me that Brian was really nervous about going back to school. He was supposed to bring with him a story about something fun he had done over the summer, but he had been in the shelter at Bridges with his mother and it really hadn't been a very fun summer. So the child advocate organized a barbeque in the park across the street, and everybody from the center came and joined in that barbeque and gave him a happy memory that he could take with him to the first day of school. This is the kind of healing we need more of. We can help this continue by reauthorizing the Violence Against Women Act.

I hope that as Senators go home for the next 6 weeks, as we go back to our States and travel around and hear from people in our States the issues they are concerned about, we won't forget about the task we have at hand when we come back. We need to reauthorize the Violence Against Women Act. We need to get the House to join with us in passing the Senate bill so we can include those expanded protections that are needed so much by women and families across this country. I know the Presiding Officer joins with me in recognizing that we still have time to get this done this year.

Thank you, Mr. President. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Vermont.

Mr. SANDERS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SOCIAL SECURITY

Mr. SANDERS. Madam President, I wish to spend a few minutes talking about an issue that I believe has not gotten the attention it deserves, especially in the midst of the contentious Presidential campaign we are witnessing, and that is the need to discuss a program which is probably the most successful social program in the modern history of the United States, a program that provides dignity and security to well over 50 million Americans, and that is Social Security.

Just this afternoon, 29 Senators sent a letter to all of our colleagues that says:

> We will oppose including Social Security cuts for future or current beneficiaries in any deficit reduction package.

Let's be very clear. Our country does have a serious deficit problem. Our deficit this year is about $1 trillion, and our national debt is $16 trillion. That is a serious problem. However, let's be equally clear in understanding that Social Security has not contributed one nickel to the Federal deficit. So despite what we are going to hear tonight on cable television or some of the speeches my colleagues will give, let me reiterate: Social Security has not contributed one nickel to our Federal deficit.

In fact, the Social Security trust fund today, according to the Social Security Administration, has a $2.7 trillion surplus—let me repeat that: a $2.7 trillion surplus—and can pay out 100 percent of all benefits owed to every eligible American for the next 21 years.

Although many Americans now take Social Security for granted, we should never underestimate the incredibly positive impact Social Security has had on our Nation. In fact, one could well argue that Social Security has been the Nation's most successful social program—certainly in the modern history of this country.

In the 77 years since Social Security was signed into law, it has been enormously successful in reducing poverty for senior citizens. Before the advent of Social Security, back in the 1920s, early 1930s, about half of the senior citizens in this country lived in poverty, some in dismal poverty. Today, while the number is too high, the number of seniors living in poverty is less than 10 percent. We have gone from 50 percent to less than 10 percent. That, to my mind, is a real success story and something of which this Nation should be incredibly proud.

Today Social Security not only provides retirement benefits for 34 million Americans but also enables millions of people with disabilities and widows, widowers, and children to live in dignity and security. I hear in Vermont very often—and I expect the Presiding Officer hears in New Hampshire—about young people who have been able to go to college, live with some sense of security, despite the death of a parent, precisely because of Social Security.

Yet, despite all of these success stories, today Social Security is on the chopping block. Millions of Americans, when asked in polls, make it very clear—including people all across the political spectrum—saying: No, we should not cut Social Security. Millions of people understand that Social Security—and this is simply an extraordinary record—has been there in good times and in bad times. And in 77 years, not one American, no matter what the state of the economy, has not received all of the benefits to which he or she is entitled. It is an insurance program that has worked, and worked extraordinarily well.

What we are looking at right now are attacks on Social Security coming from Mitt Romney, from PAUL RYAN, and from virtually every Republican in Congress, who are calling for major cuts in Social Security. Many of them, including Romney and RYAN, also want to begin the process of privatizing Social Security and turning it over to Wall Street, putting the retirement dreams of millions of Americans at risk. They are also pushing to increase the retirement age to 68 or 69, forcing older Americans who have worked their entire lives—sometimes in physically demanding jobs in construction; maybe they worked in restaurants being waitresses their whole lives and now some folks want these people to still be working at the age of 68 or 69.

While virtually every Republican in Congress is pushing to cut Social Security benefits, there are also some Democrats who are considering cutting Social Security as part of some deficit reduction grand bargain. I strongly disagree with that approach, and I hope President Obama will make it clear, as he did 4 years ago, that he also disagrees with that approach.

Let me quote what President Obama said 4 years ago when he was Senator Obama running for the White House. This is what he said:

> John McCain's campaign has suggested that the best answer for the growing pressures on Social Security might be to cut cost of living adjustments or raise the retirement age. Let me be clear: I will not do either.

End of quote of Senator Barack Obama on September 6, 2008. What then-Senator Obama said in 2008 was exactly right, and I hope that now, in 2012, we will hear the President reiterate that position.

One of the most talked about ideas, when we hear discussions about cutting Social Security—and nobody outside of the beltway has a clue about what this means. I can tell you, I have been to many meetings in Vermont, and I have asked Vermonters: Do you know what the chained CPI is? And nobody has a clue. But one of the most talked about ways to cut Social Security is moving toward a so-called chained CPI, which changes how cost-of-living adjustments for Social Security benefits and veterans benefits are calculated.

So what it does right now: There is a formula by which the government determines what kind of COLA—cost-of-living adjustment—seniors and veterans will get. It is a complicated formula. But what these guys want to do is cut back, readjust that formula so that the benefits will be less.

People who support this concept of a chained CPI, such as Alan Simpson, Erskine Bowles, and Wall Street billionaire Pete Peterson—and Peterson is one of the guys, a billionaire on Wall Street, putting in huge amounts of money in order to cut Social Security and other important programs—they believe Social Security COLAs and COLAs for veterans benefits are too generous, and they want to cut those COLA benefits.

Well, I will tell you something. When I talk to seniors in the State of Vermont and I say there are people in Washington who think their COLA benefits are too generous, usually they laugh. The reason they laugh is that for 2 out of the last 3 years, they have not received any COLA whatsoever—nothing—while at the same time their prescription drug costs and their health care costs have been soaring. And they look at me and say: What? Are these people crazy? If we have not gotten a COLA in 2 out of the last 3 years, while our expenses have risen, how do they think that COLA formula is now too generous?

Let's also be very clear that when we talk about this chained CPI, this means not only cuts for seniors, it means cuts for veterans, and that is an issue we have not talked about very much.

So let me talk about what the chained CPI means. It means—and they want to implement this, by the way, very shortly. Romney and RYAN are talking about changing Medicare, as we know, over a 10-year period, and I think that is a disastrous idea. But what these guys now are talking about are immediate cuts in the COLA, starting as soon as they can pass that legislation.

What it would mean is that for a senior citizen who is 65 years of age today, by the time that senior reaches 75, there would be a $560-a-year cut compared to what they otherwise would have gotten. Some folks here on Capitol Hill may not think $560 is a lot, but if you are struggling on $14,000 or $15,000 a year, that is quite a hit. And once that 65-year-old, in 20 years, reaches 85, that cut will be approximately $1,000 a year.

Now, I have a problem; in a nation that has the most unequal distribution of wealth and income, where the rich are getting richer and their effective tax rate is the lowest in decades, some folks around here, pushed by Wall Street billionaires, by the way, say: Hey, we have a great idea on how we could deal with deficit reduction: Let's tell a senior living on $15,000 a year, Social Security, that we are going to cut them by $1,000 in 20 years. I think really that is morally grotesque, and it is also bad economics.

But this chained CPI would not only impact seniors, it would also impact 3 million veterans. Three million veterans would be impacted by this chained CPI. For example, a veteran who put his life on the line to defend this country and who was severely wounded in action and who has a 100-percent service-connected disability is currently eligible to receive about $32,000 a year from the VA. Under the chained CPI, this disabled veteran, who started receiving VA disability benefits at age 30, would see his benefits cut by more than $1,300 a year at age 45, $1,800 a year at age 55, and $2,260 a year at age 65.

In other words, moving toward a chained CPI would be a disgraceful effort to balance the budget on some of the most vulnerable people in this country, including people who have suffered severe wounds and disabilities in defending this country. Those are not the people upon whom you balance the budget.

Madam President, I will conclude by reminding the American people that when Bill Clinton left office in January 2001, this country had a $236 billion surplus, and the projections were that that surplus was going to grow every single year. But some of the same people in Congress right now, including Congressman PAUL RYAN, who is running for Vice President, who are so concerned about the deficit, who want to cut Social Security, end Medicare as we know it, make devastating cuts in Medicaid and education—these very same people voted to go to war in Iraq and Afghanistan and not pay one nickel for those wars but put them on the credit card and increase the deficit. These same people who now want to go after wounded veterans gave huge tax breaks to the wealthiest people in this country, adding to the deficit. They passed a Medicare Part D prescription drug program and forgot to pay for that as well. So, to my mind, I have a real problem with folks who went to war without paying for it, gave tax breaks to billionaires without paying for it, passed a Medicare Part D prescription drug program without paying for it, and now they say we have to cut Social Security, Medicare, Medicaid, education, and the needs of working families and low-income people. I think that is absolute hypocrisy.

So our charge is that instead of listening to the Wall Street billionaires who want to move to deficit reduction on the backs of the elderly, the children, the sick, the poor, wounded veterans, there are better ways to do deficit reduction. I hope that as a Congress we will come together and say that when the wealthiest people are doing phenomenally well, yes, they are going to have to pay more in taxes. When a quarter of the corporations in this country pay nothing in taxes, yes, they are going to have to pay their fair share of taxes. When we are losing $100 billion a year because of tax havens in the Cayman Islands and elsewhere, we

are going to have to deal with that issue before we cut programs on which elderly people and veterans and children depend.

So we have a lot of work in front of us, but the bottom line is that I will do everything I can to make sure we do not balance the budget on the backs of the elderly, the children, the sick, and the poor. That is immoral, and it is also bad economic policy.

Madam President, I ask unanimous consent to have printed in the RECORD the letter signed by 29 Members of the Senate opposing cuts in Social Security.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC.

DEAR COLLEAGUE: We are writing to inform you that we will oppose including Social Security cuts for future or current beneficiaries in any deficit reduction package.

Under long-standing Federal law, Social Security is not part of the Federal budget and cannot contribute to the federal deficit. This reflects Social Security's structure as an independent, self-financed insurance program, in which worker contributions, not general taxes, finance benefits. In our view, it is essential that Social Security's status as a separate entity be fully maintained.

Contrary to some claims, Social Security is not the cause of our nation's deficit problem. Not only does the program operate independently, but it is prohibited from borrowing. Social Security must pay all benefits from its own trust fund. If there are insufficient funds to pay out full benefits, benefits are automatically reduced to the level supported by the program's own revenues. Social Security cannot drive up the deficit by tapping general revenues to pay benefits.

Even though Social Security operates in a fiscally responsible manner, some still advocate deep benefit cuts and seem convinced that Social Security hands out lavish welfare checks. But Social Security is not welfare. Seniors earned their benefits by working hard and paying into the system. Meanwhile, the average monthly Social Security benefit is only about $1,200, quite low by international standards.

For all these reasons, we believe it would be a serious mistake to cut Social Security benefits for current or future beneficiaries as part of a deficit reduction package. To be sure, Social Security has its own long-term challenges that will need to be addressed in the decades ahead. But the budget and Social Security are separate, and should be considered separately.

Thank you for your consideration of our views.

Sincerely,

Bernard Sanders; Harry Reid; Charles E. Schumer; Sheldon Whitehouse; Sherrod Brown; Patrick Leahy; Debbie Stabenow; Al Franken; Jeff Merkley; Barbara Mikulski; Jack Reed; Mark Begich; Ron Wyden; Ben Cardin; Richard Blumenthal; Tom Harkin; Frank R. Lautenberg; Patty Murray; Barbara Boxer; Daniel K. Akaka; John D. Rockefeller IV; Tom Udall; Carl Levin; Joe Manchin III; Maria Cantwell; Tim Johnson; Daniel K. Inouye; Robert Menendez; Kirsten Gillibrand.

Mr. UDALL of Colorado. Mr. President, I rise to speak on the amendment I have filed to the House continuing resolution, House Joint Resolution 117, which we are currently considering.

I understand that House and Senate leadership came to an agreement that seeks to keep the government running for the next 6 months and I want to applaud their willingness to work in a bipartisan fashion to reach an agreement that avoids a government shutdown. Still, after the House passed this funding bill, I was greatly concerned that emergency funding for Colorado and other states impacted by natural disasters this year was left out.

In my state, these funds are essential to protecting and restoring critical watersheds that were damaged by the most devastating wildfires in Colorado's history—which if left unaddressed present serious flooding, landslide and other risks that threaten the lives of residents in our state.

My amendment would provide the U.S. Department of Agriculture $27.9 million in emergency funding to mitigate watershed damage through the Emergency Watershed Protection Program, or EWP, in areas that have been presidentially declared disaster areas as authorized under the Stafford Act.

As of September 18, 2012, the USDA estimated $126.7 million in funding needs for EWP projects in 15 States. Of that total, $27.9 million is needed to mitigate the aftermath of presidentially declared disaster areas in Louisiana, Florida, Oklahoma and Colorado, as authorized under the Stafford Act. Currently, Stafford Act funds for EWP have been depleted and as I have noted the House Continuing Resolution provided no emergency funds for EWP. Mr. President, the need for this amendment to provide emergency funding is critical and let me tell you why.

The two most devastating Colorado fires this season, High Park and Waldo Canyon, burned more than 100,000 acres and led to the catastrophic loss of property and regrettably loss of life. Now as Coloradans pick up the pieces, the burned and barren areas present an additional threat.

Without site rehabilitation and restoration, the watersheds that provide municipal and agricultural water supplies are at risk from landslides, flooding and erosion, which could result in serious infrastructure damage, water supply disruptions and even loss of life.

Coloradans unfortunately have already experienced some of these effects. For example, in the Poudre River, which drains part of the area burned by the High Park fire, the ash and runoff from the fire caused the water flowing into drinking water filtration plants to turn black. This forced the downstream city of Fort Collins to shut off their water intakes for over 100 days and further downstream the city of Greeley was forced to shut off their water intakes for 36 days and use only a small fraction of their normal intake for an additional 38 days.

How much more of an emergency need do we have to show when our most basic resource—drinking water—is threatened?

I will give you one more example. After the devastating Waldo Canyon Fire that burned several homes in Colorado Springs and surrounding areas, the flood potential in the burned areas is now 20 times higher than before the fire. So now folks in the burned area and others downstream could see a 100-year flood from the same amount of rainfall that would have caused a 5-year rainfall before the wildfires occurred. Already property owners in the Colorado Springs vicinity have received at least four flash-flood warnings since the fire. The need for stabilizing this ground and restoring the burned areas on both federal and private land is critical to public safety, public health and the prevention of another disaster.

This is why I have filed an amendment to provide additional emergency funds to the Emergency Watershed Protection Program. This program provides funding and technical support to restore and stabilize soil in critical watersheds in the aftermath of severe wild fires and other natural disasters, such as floods and hurricanes—which are also important to many members from our coastal states.

I understand that there will not be an opportunity to amend the pending bill as a result of an agreement made with the House to avoid a government shutdown, so I will not attempt to call up my amendment. But, I want to ensure that my colleagues here understand the gravity of the situation faced by those who supply safe drinking water to the people of Colorado, by those who store water in our reservoirs to irrigate, and by those who fear a rainfall could devastate their livelihoods again after already experiencing significant loss from wildfire.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. REID. Madam President, discussions continue about processing the business we need to address before we leave. As I have said repeatedly, we need to do just a couple things before we break for the elections. We need to pass the CR. We need to vote on proceeding to the sportsmen's package.

To help move the CR, we have been told that the Republicans now have decided they are willing to vote sometime on the Paul bill on foreign aid and also the Iran containment resolution. As I said yesterday, we are willing to do that.

In the worst case, under the rules, the cloture vote on the CR would occur tomorrow night—at 1 a.m. on Saturday. Once we invoke cloture on the continuing resolution, the 30 hours postcloture would run out at about 7:30 or 8 o'clock in the morning Sunday, and we would vote then to pass the CR, which would be immediately followed by a vote on the sportsmen's package.

I am happy to continue these discussions. We are working to see if we can schedule these votes to occur at a time that is more convenient to Senators. I

hope we can have more to report on that tomorrow. It appears at this stage there is no agreement on having any votes tomorrow, so we may have to finish our work tomorrow, beginning tomorrow night, very late.

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. MERKLEY. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MERKLEY. Madam President, I ask unanimous consent 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.

RECOGNIZING THE END OF NUCLEAR TESTING

Mr. REID. Mr. President, it has been 20 years since our Nation's final nuclear weapons test. ''Divider'' was the name appropriately given to the final test on September 23, 1992; 8 days later, President George Bush, Sr., declared a moratorium on testing that is still in place today. That last test, along with nearly 1,000 others, was carried out at the Nevada National Security Site, formerly known as the Nevada Test Site.

This site has a storied history; it was used intensively during the Cold War to test nuclear weapons in our fight against tyranny and is remembered by all Americans for the iconic images the atomic bomb continues to invoke. Testing weapons and building our nuclear arsenal was necessary, but there was a price to pay—and it was the health of our hard-working and patriotic Cold War veterans and the many people who lived downwind of the test site.

Since January 11, 1951, hundreds of thousands of men and women—including miners, millers, and haulers—played a critical role in building the nuclear deterrent that kept our Nation secure during the Cold War and still contributes to our national security today. These American heroes were on the front line of our national security. They served valiantly to help our Nation defend itself, but their personal sacrifice was immense. While serving their country honorably during one of the most dangerous conflicts in our Nation's history, many of Nevada's Cold War veterans sacrificed their health and well-being for their country.

After personally meeting with and listening to many unfortunate stories from brave Nevadans about illnesses they had gotten from their nuclear weapons work, I was pleased to help pass the bipartisan Energy Employees Occupational Illness Compensation Program Act in 2000, as well as an expansion of the law in 2004. This important program provides vital monetary compensation and medical coverage to Nevada's test site workers suffering from radiation-induced cancers, beryllium disease, silicosis, and other illnesses caused by toxic chemicals.

In 2005, I began to hear from workers and survivors saying that they were being put through a seemingly endless stream of bureaucratic redtape only to be denied compensation in the end. I was enraged that workers who had developed cancer while protecting our Nation were being denied compensation simply because their employer failed to keep accurate records of each worker's radiation exposure.

While we succeeded in securing automatic compensation for workers during the atmospheric testing years, those who served their Nation during the underground testing years were let down by their country. I fought on their behalf and finally secured automatic compensation for thousands of workers during the underground testing years. I am proud that this important program resulted in the payment of almost $500 million to 4,599 sick test site workers and their survivors. Nevada's Cold War heroes have made immeasurable contributions to our Nation's security, and the sacrifices they have made—to their health and their lives—make it impossible for us to ever adequately thank them.

Today, the Nevada National Security Site has taken on new roles to address 21st-century threats. This includes detecting dangerous weapons, treaty verification, fighting terrorism and nuclear smuggling, and training first responders. The site can even play a role in clean energy demonstration and development to meet our Nation's energy needs using a resource southern Nevada has an abundance of—sunshine. I am also proud of the growing nonproliferation mission at the Nevada National Security Site. These critical activities are playing a vital role in the Nation's arms control efforts while putting Nevadans to work making our Nation more secure.

There are many more opportunities to utilize the Nevada National Security Site's ultrasecure location to bolster out Nation's security. It is an installation whose relevance is timeless because we will always need a place to test new technologies, house sensitive materials and equipment, train our security forces, and know for sure that unwanted eyes are not watching.

Finally, I am proud that while we work to grow and modernize the mission of the Nevada National Security Site, the site's storied past and the people behind it will never be forgotten. The National Atomic Testing Museum in Las Vegas is an affiliate of the Smithsonian Institution and recently was named by Congress as a ''National'' museum. This important institution collects and publicly displays artifacts and documentation that tell the stories of how the Nevada Test Site helped protect our country during the Cold War.

I am proud to stand here today to recognize this historic day in Nevada and America's history, marking 20 years since we have ended nuclear testing.

TRIBUTE TO DENNIS MEYERS

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to a man that will leave a legacy of firm economic performance, solid physician recruitment, and a commitment to nurture community partnerships in the hospitals of his area. Mr. Dennis Meyers of Clay County, KY, was named to the Clay County Days Wall of Fame in August 2012 for the amazing work he has accomplished in his community and the community's hospital, Manchester Memorial Hospital.

Dennis Meyers's spectacular working experience began as a pastor in 1969 in Nebraska and Illinois. In 1986, he decided on a change of career. He accepted a job as a registered nurse at Hanford Hospital. After 4 successful years, Dennis transferred to San Joaquin Community Hospital to fill the position of vice president. Dennis never stopped dreaming and believing. He continued his career to become chief operating officer and vice president of Manchester Memorial Hospital.

Dennis initiated numerous community-outreach programs, each serving as evidence to show the worth of this man and the dedication he displayed towards his community. Dennis introduced Mission in Motion, public health screenings, Live It Up!, and mission-outreach programs to enrich the Clay County community.

Dennis married Susan Meyers, who also works for the hospital. They have three children, who, like their father, hold nursing degrees. Dennis urges that success come to everyone in life. He strategizes on helping the community that is served by the hospital through Community Outreach and church programs.

At this time, I would like to ask my colleagues in the U.S. Senate to join me in honoring Mr. Dennis Meyers as he has been named to the Clay County Days Wall of Fame. His ambition and hard work ethic has improved and will continue to improve the Commonwealth of Kentucky.

A news story highlighting the accomplishments of Dennis Meyer was recently published in the Manchester Enterprise. I ask unanimous consent that said story be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Manchester Enterprise, August 30, 2012]

DENNIS MEYERS LED MANCHESTER MEMORIAL TO GROWTH

Clay County Days Hall of Fame inductee Dennis Meyers retired from the lead role at Manchester Memorial Hospital recently after 12 years in the position.

Meyers began as a pastor in 1969 in Nebraska and Illinois. In 1980, his career took a dramatic shift when he began working as a recreational therapist at the Battle Creek Sanitarium. In 1986, he transitioned to Hanford Hospital, where he worked as a registered nurse.

Four years later, Meyers accepted a position as vice president of nursing at San Joaquin Community Hospital.

From there, he became chief operating officer and vice president of nursing at Manchester Memorial, and then president and chief executive officer.

Several community outreach initiatives began under Meyers's direction, including Mission in Motion, public health screenings, Live It Up!, and mission-outreach programs that enrich the community.

Meyers holds a bachelor of arts in religion, a bachelor of science in nursing, and a master's of divinity from Andrews University.

He is married to Susan Meyers, who works for the hospital, and all three of his children hold nursing degrees.

Meyers plans to continue helping the community outreach and church programs.

TRIBUTE TO TESS LIPPS

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to an honored Kentuckian who has worked to better the Commonwealth. Mr. Tess Lipps of Clay County, KY, was named to the Clay County Days Wall of Fame in August 2012 for the extraordinary work he has accomplished in his community during his lifetime.

Tess Lipps was born July 8, 1947, in a section of Clay County known as Martin's Creek. Growing up with eight brothers and sisters, Tess and siblings learned what some would call the essentials in life: integrity to others and faith in God. Upon graduating from Clay County High School in 1964, Tess applied these essentials to his life.

In 1971, Tess married Barbara Hicks. From this critical point in life, Tess and Barb spent the next greater portion of their lives living to serve God and their community. They became youth leaders at the Manchester Pentecostal Church and taught a teenage boys' Sunday school class. In 1972, the couple opened the first Christian bookstore in the area in which they lived, the Gospel Variety Shoppe.

Tess continued to accomplish and succeed in a plethora of activities. He became an agent with the Commonwealth Insurance Company in 1984. Progressing through the ranks, he was promoted to sales manager and also branch manager. He retired from this position in 2003, but his work to the community did not cease.

In addition to serving as a board member of Agape and emcee of the Halleluiah Day Festivals, Tess answered his calling in life and became pastor of the Manchester Gospel Mission Church in 2006. Tess also formed the Clay County Cancer Coalition and the UPWARD Soccer Program in Clay County, despite some doubts from others. He was told that the community and church were too small to support such large programs. But Tess's faith allowed him to dream the impossible, and then accomplish that dream.

This year, 250 kids played soccer on a brandnew field in the community. Tess and Barb have been blessed beyond measure. The wish of Tess for the community is that all people can work together making greater opportunities for future generations. Mr. Tess Lipps has served his community well.

At this time, I would like to ask my colleagues in the Senate to join me in honoring Mr. Tess Lipps, an individual whose hard work and dedication to the community, combined with faith and persistence, has forever changed the Commonwealth of Kentucky.

A news story highlighting the achievements of Tess Lipps was recently published in the Manchester Enterprise. I ask unanimous consent that said story be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Manchester Enterprise, Aug. 30, 2012]

LIPPS KNOWN FOR COMMITMENT TO COMMUNITY

CLAY COUNTY DAYS HALL OF FAME SPONSORED BY THE MANCHESTER ENTERPRISE

Tess Lipps, recognized this year as a Clay County Days Hall of Fame inductee, is known as a community volunteer who helped form the Clay County Cancer Coalition and UPWARD Soccer.

Lipps was born July 8, 1947, in the Martin's Creek Section of Clay County, along with eight brothers and sisters. His parents, Henry and Georgia Lipps, instilled honesty, faith, and a hard working ethic.

He attended a two-room school at Martin's Creek for seven years, and was part of the first graduating class of the new Goose Rock Elementary in 1960. He graduated from Clay County High School in 1964.

He and his wife, the former Barbara Hicks, were youth leaders at the Manchester Pentecostal Church for over 13 years, and taught a teenage boys' Sunday school class for the next 12 years.

In 1972, they opened the first Christian book store in the area, and operated it until they sold it in 1983.

He became an agent with Commonwealth Insurance in 1984, and served in that capacity until he was promoted to sales manager in 1997. He was promoted to branch manager in 2001, and was there until his retirement in 2003.

A dream of his was realized in January 2006 when he became pastor of the Manchester Gospel Mission Church.

In May of that year, he was part of a group of concerned citizens that formed the Clay County Cancer Coalition. He was president of the coalition for five years, stepping down in June of this year.

In 2009, he and the congregation of the church, with the leadership of Joe and Tracy Farmer, started the UPWARD Soccer Program. This year, 250 youth are playing on a new field, with a vision for greater things in the future.

Lipps and his wife have a son, a daughter, and two goddaughters, along with grandchildren.

50TH ANNIVERSARY OF THE USTR

Mr. BAUCUS. Mr. President, William Shakespeare once said, ''Nimble thought can jump both sea and land.''

Today I wish to pay tribute to a U.S. Government agency whose thinking is nimble and its actions as well. The Office of the U.S. Trade Representative is celebrating its 50th anniversary this year.

For 50 years, USTR's small but elite staff has been crossing the globe, over sea and land, to break down barriers to American exports, and they have helped develop a world linked by trade, a world governed by rules, to ensure a level playing field for our exporters and their workers.

USTR has been remarkably effective at that task. Since the creation of the Special Trade Representative in 1962, annual U.S. trade has grown from $52.1 billion to $4.8 trillion, contributing to economic growth of nearly 350 percent. USTR led the way through 20 FTA negotiations, multiple GATT and WTO Rounds, and countless bilateral trade negotiations in its quest to create opportunities abroad for U.S. businesses, workers, farmers and ranchers, in order to reach the 95 percent of global consumers who live outside the United States.

USTR spearheaded the effort to create the fundamental rules and structures that underpin the global trading system. It successfully concluded the Uruguay Round negotiations that created the World Trade Organization. The WTO contributed to an explosion of trade and extended the rules-based trading system to nearly every trading nation of the world.

Throughout it all, the dedicated officials at USTR have maintained their commitment to expanding economic growth through trade, for the benefit of all Americans. Through Democratic and Republican administrations, USTR officials have put the interests of all Americans first. And they have accomplished so much with so little. Never larger than its current strength of about 250 professionals, USTR has turned its small size into a virtue. USTR acts and reacts quickly, cutting through bureaucratic obstacles in the government to develop and execute market-opening strategies to break down barriers facing American exporters abroad.

As part of the Executive Office of the President, USTR is perfectly positioned to leverage the resources of the entire U.S. government and to integrate the full range of stakeholder interests on trade issues. And it is perfectly positioned, and has served well, as an effective and indispensable interlocutor with the U.S. Congress. USTR understands and respects Congress's constitutionally established role in the regulation of international trade. Through its close consultations with Capitol Hill, USTR presents to the world a trade policy that enjoys broad support.

USTR would not be as effective and it could not perform its role if housed elsewhere in the government or were it to become much larger and more bureaucratic. As others have observed over the years, if USTR did not exist in its current form, it would have to be reinvented.

USTR is now hard at work on a number of initiatives that continue its legacy of expanding trade for the benefit of all Americans, such as the Trans-Pacific Partnership, the Asia-Pacific Economic Cooperation forum, and World Trade Organization agreements on topics from services liberalization to customs reform. And USTR remains hard at work enforcing our existing trade agreements at the WTO and elsewhere, to ensure the United States receives the full benefit of those agreements.

So I would like to extend my congratulations to Ambassador Kirk, his predecessors, and the entire USTR team past and present for reaching the 50-year milestone. I look forward to another half century of stellar accomplishments, and I can assure you that I will do everything I can to help make that possible.

SECOND BIG SKY HONOR FLIGHT VISIT TO D.C.

Mr. BAUCUS. Mr. President, I rise to recognize a very important event that will be occurring this Sunday and Monday. Eighty-nine World War II veterans from Montana will take part in the Big Sky Honor Flight and come to Washington, DC, to visit their monument—the WWII Memorial.

Their trip is hosted by the Big Sky Honor Flight Program. The mission is to recognize American veterans for their sacrifices and achievements by flying them to Washington, DC, to see their memorials at no cost.

These veterans come from all parts of our great State. This is a special weekend for this group of heroes. It is also a time to give thanks for the courage and sacrifice of all our veterans and servicemembers. It is a time to reflect on the sacrifices made by those who fought on the front in Europe, on the battlefields of Korea, in the jungles of Vietnam, the deserts of Iraq, and those who are currently fighting in the mountains of Afghanistan. We must not forget their sacrifices.

I am so pleased I will be able to meet with these courageous Montanans. I ask the Senate to join me in welcoming these heroes to our Nation's Capital this weekend, and I ask unanimous consent that their names be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Lee Alderdice; Milton Lyman Amsden; Harry A. Arvidson; Peter N. Bertram; Leonard E. Bestrom; Warren Charles Bodecker; Ralph Floyd Brewington; James C. Brook; William B. Brown; Jackson L. Burger; Filmore B. Canon; John M. Clark; Harold Lee Conrad; Hollis E. Coon; Gool Counts; Carley Rhein Cromwell; Leo Eckhardt; James E. Elander; James Ellison; Charles T. Eskro.

Frank D. Evans; Alvin Oscar Fisher; Samuel W. Frank; Durl J. Gibbs; Raymond P. Gregori; Robert Glover Hall; Charles E. Halstead; Thomas A. Hanel; Russell LeRoy Hartse; James Hasterlik; Milam V. Hearron; McDonald W. Held; Lewis W. Holzheimer; Bernard E. Ilertson; Earl T. Jackson; Elwin M. Johnson; George L. Kimmet; Vincent Leo Koefelda; Vernon Lee Koelzer; Frank J. Koncilya.

Andre Rioul Kukay; Willard E. LaCounte; Albert R. Lasater; Harold J. Lasater; Gorvan J. LeDuc; Oscar L. Lee; Norman D. Leonard; Joseph Biggs Litle; Max E. Long; Robert W. Lubbers; Leonard John Mager; James J. Marshall; William R. Matthew; Paul Messer; Elizabeth S. Meyer; Geraldine E. Mihalic; Gerald K. Nelson; John H. O'Bannon; Clarence A. Olson; Eddie C. Olson.

Ray A. Olson; Thomas F. Patterson; Roy Louis Peters; John W. Porter; Carl Redding; Michael G. Rhodes; Robert V. Ryan; Charles F. Sandford; Dave Schledewitz; Laurence N. Shipp; William James Sivelle; Anthony W. Skorupa; Charles E. Smith; Donald E. Smith; Kenneth C. Smith; Robert M. Standefer; John R. Stevenson; Frank Phillip Thatcher; Clifford V. Thomsen; Robert E. Torgrimson; Ronald W. Torstenson; James Arthur Vick; Albert Wade; James Forest Walker; Bernard Edgar Wanderaas; Joseph A. Weber; Allen L. Whittington; Bryce Wood Williams; Andrew R. Winter.

MODIFICATIONS TO S. 1956

Mr. CARDIN. Mr. President, would the Senator from South Dakota enter into a colloquy to discuss concerns I have with his bill S. 1956 and a suggested amendment I have filed for consideration, which is currently running through the hotline process?

First of all I want to thank my colleagues for their willingness to work with me to address some of the concerns I have with this bill as it was reported out of the Commerce Committee.

While I have some ongoing reservations about the precedent and potential impacts this bill could have on our relations with our closest European allies, I am willing to allow legislation to move forward if I may get consent to have my amendment agreed to.

I would like to discuss my amendment and the process which the legislation prescribes the Secretary of Transportation to follow in determining whether to prohibit U.S. airlines from participating in the European Union's carbon emissions trading scheme.

The second paragraph of subsection (a), section 3 of the legislation contains a provision that is designed to ''hold harmless'' U.S. airlines from the fees, taxes or fines that they incur from the EU under the emissions trading scheme.

While the Secretary of Transportation has discretion as to how he will act to ''hold harmless'' our air carriers, it is understood that these actions could possibly require some form of payment by the Federal Government.

One of my greatest concerns with the bill, which I believe the sponsors of the bill share with me, and I appreciate their interest in working with me to address this issue, is that any payments that may result from this provision not come at the expense of the American taxpayer.

I would like to ask the Senator this question: is it correct that it is not his intent that any costs or remunerations triggered by this legislation come at the expense of U.S. taxpayer dollars?

Mr. THUNE. That is correct, it has always been my intent, and it is shared by the Congressional Budget Office, and the Secretary of Transportation, who will have the primary responsibility of implementing this legislation.

According to the CBO, ''enacting S. 1956 would have no significant impact on the federal budget.''

I ask unanimous consent at this time to have their entire report printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AUGUST 1, 2012.

Hon. JOHN D. ROCKEFELLER IV,
Chairman, Committee on Commerce, Science, and Transportation, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1956, the European Union Emissions Trading Scheme Prohibition Act of 2011.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Megan Carroll.

Sincerely,

DOUGLAS W. ELMENDORF.

Enclosure.

S. 1956—European Union Emissions Trading Scheme Prohibition Act of 2011

The European Union (EU) has established the European Union Emissions Trading Scheme (ETS), a regulatory framework related to greenhouse gas emissions. Currently, the ETS covers emissions from air carriers that operate flights within, to, and from EU member states. Negotiations between the U.S. government and the EU about the applicability of the ETS to U.S. air carriers are ongoing, and the potential outcome of those negotiations is unclear.

S. 1956 would direct the Secretary of Transportation to prohibit U.S. air carriers from participating in the ETS if the Secretary believes such a prohibition to be in the public interest. The bill would direct federal agencies to continue negotiations in pursuit of a worldwide approach to addressing aviation-related emissions and would authorize the Secretary to use existing authorities to ensure that U.S. air carriers are held harmless for any costs they incur if they participate in the ETS.

CBO estimates that enacting S. 1956 would have no significant impact on the federal budget. We expect that the bill would not alter the scope of diplomatic efforts currently underway or federal agencies' costs to participate in those efforts, which are subject to appropriation. The bill would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

S. 1956 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

S. 1956 would impose a private-sector mandate, as defined in UMRA, if U.S. air carriers would be prohibited from participating in the ETS. The cost of the mandate would depend on how the prohibition is administered by the Department of Transportation. Because information about how the prohibition would be implemented is not available, CBO has no basis for estimating the cost, if any, to U.S. air carriers. Consequently, CBO cannot determine whether the cost of the mandate would exceed the annual threshold established in UMRA for private-sector mandates ($146 million in 2012, adjusted annually for inflation).

On September 23, 2011, CBO transmitted a cost estimate for H.R. 2594, the European Union Emissions Trading Scheme Prohibition Act of 2011, as ordered reported by the House Committee on Transportation and Infrastructure on September 23, 2011. The two bills are similar, and the CBO cost estimates are the same.

The CBO staff contacts for this estimate are Megan Carroll (for federal costs) and Amy Petz (for the impact on the private sector). The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

Mr. THUNE. Additionally, at a recent Commerce Committee hearing on my bill, Secretary LaHood was asked if any possible action of implementation could ''include the U.S. government paying EU authorities directly or compensating the operators for any fines incurred for non-compliance with EU ETS.''

He responded, ''We have absolutely no intention of asking the U.S. taxpayer to pay any ETS fines incurred for non-compliance with EU ETS, directly or indirectly.''

I appreciate Senator CARDIN and LAUTENBERG for coming forward and working with me to clarify this point, and I thank them both for releasing their hold.

I am happy that we have been able to come to a bipartisan agreement on my bill and look forward to final passage today in the Senate and hopefully soon by the House of Representatives so we can send a clear message to the EU that ETS is arbitrary, unfair, and a clear violation of international law.

Mr. CARDIN. I appreciate the Sentor clarifying his intent, and I am glad he shares my concern.

I believe my amendment helps make the intent of the legislation clear.

My amendment adds a third paragraph to subsection (a) of section 3 of the bill.

The amendment will explicitly exclude any appropriated funds or user fee receipts to be expended on actions taken under the hold harmless clause.

This amendment will ensure that any taxpayer dollars, either through appropriations or through user fee receipts, are expressly prohibited from supporting actions resulting from the held harmless clause of the bill.

Would my colleague agree that my amendment assures that no U.S. taxpayer dollars will be expended on any held harmless actions that may result from this bill?

Mr. THUNE. Yes.

Mr. CARDIN. I thank the Senator for his cooperation with me on this important fiscal matter.

I want to make it clear to my colleagues, as this bill progresses forward or is reconciled with a less thoughtful House proposal, I do want my colleagues to understand that should the Senate have to reconsider a different proposal in a conference report that I intend to reserve my right to object.

I also want my colleagues to understand that I feel that the United States and countries around the globe must take actions to address the threat carbon emissions pose to the global environment.

I think there are some legitimate concerns with the way the EU has proposed to take unilateral actions to reduce carbon emissions from the aviation sector.

I don't fault the EU for their leadership in the face of what has thus far been nearly 15 years of failed multinational negotiations on how we as cooperating nations should be reducing or mitigating aviation carbon emissions.

I would like for the United States to take greater action to address this problem, and in many respects I think it is unfortunate that the United States has not demonstrated the same kind of leadership that the nations of Europe have taken on this issue.

HUMANITARIAN CATASTROPHE IN SUDAN

Mr. BOOZMAN. Mr. President, I rise today to highlight the following letter written by over 60 genocide scholars, including Dr. Samuel Totten of the University of Arkansas. Their letter urges the Obama administration to do more to end the humanitarian catastrophe occurring in South Kordofan and Blue Nile States of Sudan.

Last summer I joined a group of bipartisan Senators in making a similar request of the administration. Unfortunately, humanitarian aid to South Kordofan and Blue Nile continues to be severely limited and the violence has not ceased.

I applaud the authors of this letter for their continued advocacy to ensure that another genocide does not occur in Sudan, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AUGUST 31, 2012.

To: President Barack Obama; Secretary of State Hillary Clinton; Ambassador to the United Nations Susan Rice; Special Assistant to the President Samantha Power.

From: The Undersigned Genocide Scholars

Subject: Humanitarian Catastrophe in South Kordofan and Blue Nile States of Sudan

DEAR PRESIDENT OBAMA, SECRETARY OF STATE CLINTON, AMBASSADOR RICE AND SPECIAL ASSISTANT POWER: On June 6, 2011, the Sudanese regime, led by indicted war criminal Omar al-Bashir, unleashed a wave of targeted ethnic killings against the people of the Nuba Mountains in South Kordofan state, Sudan. Since then this state-sponsored violence has spread to engulf much of South Kordofan and Blue Nile states.

The continuing multiple atrocities amount to at least crimes against humanity. This, in and of itself, is alarming. According to the tenets of the Responsibility to Protect now is the time to protect the targeted population.

Satellite imagery has revealed mass graves, razed communities, and the indiscriminate low altitude aerial bombardment of civilian areas in South Kordofan state. Reliable eyewitnesses continue to report systematic government shelling and bombing of refugee evacuation routes, helicopter gunships hunting civilians as they flee their homes and farmland to hide in caves, and a deliberate and widespread blockage of humanitarian aid into South Kordofan and Blue Nile states. Anecdotal evidence of perpetrators screaming racist slurs as civilians are killed and raped are familiar to anyone who knows what has been happening in Darfur since 2003.

Sufficient evidence exists for us to believe the Sudanese regime is attempting to annihilate those whom the government suspects of supporting the Sudan People's Liberation Movement-North's (SPLM-N) aims. Hence many local people are automatically targeted regardless of their true political affiliations.

Hundreds of thousands of Sudanese remain trapped in South Kordofan, the victims of forced starvation, unable to farm their land. This critical situation largely mirrors what the same regime perpetrated in the 1990s, a case of genocide by attrition.

Meanwhile in Blue Nile state, a scorched earth campaign by government forces has forced the SPLM-N to retreat, leaving tens of thousands with no protection from the perpetrators.

As genocide scholars we have a solemn responsibility to educate the public about the horrors of the past in the hope of creating a future free of such crimes. We are the keepers of the chapters of human history that are difficult to confront, casting a dark shadow on all of humanity. We study the past to find ways to prevent such egregious actions in the future. We exist to remind the world of humanity's capacity to commit genocide anywhere and against any group of people.

It is because of that responsibility that we write to you. We call on you to fulfill your responsibilities as global leaders when it comes to confronting mankind's most terrifying of crimes.

Although we welcome your efforts to aid the refugees who have found their way to camps in South Sudan, we must point out that as world leaders you have the moral authority granted by the UN's unanimous 2005 declaration of the Responsibility to Protect to demand delivery of aid to those inside Sudan. As guarantors of the Comprehensive Peace Agreement signed that same year, moreover, you have not fulfilled your legal and moral obligation to sanction violators of that agreement.

The Sudanese regime continues to slaughter its own civilians, while denying them access to aid and in defiance of various international treaties and conventions it has signed, not to mention the Sudanese constitution.

The Tripartite Agreement signed on 4 August 2012 in Addis Ababa, called upon the Government of Sudan to allow humanitarian access to all areas of the Nuba Mountains and the Blue Nile state dependent on certain conditions. Yet the Bashir regime's track record leads us to fear it will interfere with aid delivery to those in most need. Seasonal inaccessibility also requires extraordinary and timely arrangements, such as airdrops. Hence we beseech you to take the following steps immediately to ensure aid is delivered to South Kordofan and Blue Nile.

Establish a land and air humanitarian corridor through which aid can be delivered without interference or hindrance from Sudanese security, military or other forces or proxies.

Secure arrangements with the SPLM-N for the airlifting of these supplies directly into territory in their control.

Inform relevant Sudanese officials that, due to the urgency of the catastrophe created by their actions, the United States will deliver relief directly into the war-affected areas underneath SPLM-N control.

Invite relevant Sudanese officials to observe the cargo to be delivered so they can verify the contents.

Use the most effective means possible, including airlifts, to get supplies into affected areas in SPLM-N control.

Keep armed escort planes on standby for the protection of aid delivery planes if necessary.

It is therefore unwise to respond to the Khartoum regime's various crimes with appeasement. By allowing the NCP to behave with impunity, the U.S. and the rest of the international community signals a weakness that only emboldens those who would flout its own international agreements.

Furthermore, it is unwise to assume, as the international community does, that Khartoum intends the best for its citizens. Therefore we call on your administration to end Khartoum's effective blockade of aid to South Kordofan and Blue Nile. The regime will continue to kill their own people if once again the United States declines to use the economic and diplomatic leverage at its disposal to enforce the delivery of aid into South Kordofan and Blue Nile states under internationally acceptable terms.

We strongly urge you to act now to stave off the starvation of an entire people. Nothing would speak louder to the United States' concern for the protection of international human rights than an immediate operation to deliver aid to the Nuba Mountains people while they are still alive and able to be helped.

If your administration chooses to stand with the victims of Sudan's continuing campaign of ethnic cleansing, then history will accord you respect and honor. If you do not stand with the victims, history will be much harsher.

We very much look forward to hearing from each of you in regard to our letter and the suggestions therein.

In solidarity with the victims, and with respect,

Dr. Samuel Totten; Professor Emeritus, and author of Genocide by Attrition: Nuba Mountains, Sudan (2012); University of Arkansas, Fayetteville; samstertotten@gmail.com.

Dr. John Hubbel Weiss; Associate Professor, History; Cornell University.

Mr. David Kilgour, J.D.; Former Canadian Secretary of State for Africa; Ottawa, Canada.

Dr. Israel W. Charny (dual citizenship, U.S. & Israel); Director, Genocide Prevention Network and Past President of the International Association of Genocide Studies, and Chief Editor, Encyclopedia of Genocide; Jerusalem, Israel.

Dr. Helen Fein; Chair of the Board, Institute for the Study of Genocide, and author of Human Rights and Wrongs: Slavery, Terror and Genocide; New York, NY.

Dr. Roger Smith; Professor Emeritus and Past President of the International Association of Genocide Studies, and editor of Genocide: Essays Toward Understanding, Early Warning Prevention; College of William and Mary, Williamsburg, VA.

Dr. John Hagan; MacArthur Professor, and Co-Director, Center on Law & Globalizations, American Bar Foundation Co-author of Darfur and the Crime of Genocide (Cambridge University Press, 2008); Northwestern University, Chicago, IL.

Craig Etcheson; Author of After the Killing Fields: Lessons from the Cambodian Genocide; Canton, IL.

Dr. Ben Kiernan; Whitney Griswold Professor of History and Director of Genocide Studies Program (Yale University; Author of Blood and Soil: A World History of Genocide and Extermination from Sparta to Darfur Yale University; New Haven, CT.

Dr. Herb Hirsch; Professor, Department of Political Science and Co-Editor of Genocide Studies and Prevention: An International Journal and author of Anti-Genocide: Building An American Movement to Prevent Genocide (Praeger, 2002); Virginia Commonwealth University, Richmond, VA.

Dr. Hannibal Travis; Associate Professor of Law and author of Genocide in the Middle East: The Ottoman Empire, Iraq and Sudan (2010); Florida International University College of Law.

Professor Linda Melvern; Department of International Politics, and author of A People Betrayed: The Role of the West in Rwanda's Genocide; University of Aberystwyth, Wales.

Dr. Henry Theriault; Professor and Chair, Department of Philosophy, and Co-Editor of Genocide Studies and Prevention: An International Journal; Worcester State University, MA.

Dr. Eric Weitz; Dean of Humanities and the Arts, and author of A Century of Genocide: Utopias of Race and Nation City College, City University of New York; New York, NY.

Dr. Gregory Stanton; President, Genocide Watch, Research Professor in Genocide Studies and Prevention, School for Conflict Analysis and Resolution; George Mason University, Fairfax, VA.

Dr. Rouben Adalian; Director, Armenian National Institute; Washington, D.C.

Dr. Susanne Jonas; Professor (retired), Latin American & Latino Studies, and author of The Battle for Guatemala: Rebels, Death Squads and U.S. Power, University of California, Santa Cruz.

Dr. Robert Skloot; Professor Emeritus; University of Wisconsin-Madison.

Nicolas A. Robins; Co-editor, Genocide Studies and Prevention: An International Journal, and author of Genocide by the Oppressed: Subaltern Genocide in Theory and Practice; Raleigh, North Carolina.

Dr. John D. Ciorciari; Assistant Professor of Public Policy; Gerald R. Ford School of Public Policy; University of Michigan, Ann Arbor.

Dr. George Kent; Professor, Department of Political Science; University of Hawaii, Honolulu.

Dr. Elisa Von Joeden-Forgey; Visiting Scholar, Department of History; University of Pennsylvania; Philadelphia, PA.

Dr. Peter Balakian; Donald M. and Constance H. Rebar Professor in Humanities, and author of The Burning Tigris: The Armenian Genocide and America's Response; Colgate University, Hamilton, NY.

Dr. Ernesto Verdeja; Assistant Professor of Political Science and Peace Studies; University of Notre Dame;

Mr. Stephen D. Smith; Executive Director, USC Shoah Foundation, and Adjunct Professor of Religion; University of Southern California; Los Angeles, California.

Dr. Paul Slovic; Professor, Department of Psychology; University of Oregon, Eugene.

Dr. Jason Ross Arnold; Assistant Professor of Political Science; L. Douglas Wilder School of Government and Public Affairs; Virginia Commonwealth University, Richmond, VA.

Dr. Jason K. Levy; Associate Professor; Homeland Security and Emergency Preparedness and Director; National Homeland Security Project; Virginia Commonwealth University, Richmond, VA.

Dr. Amanda Grzyb (Dual Citizen, U.S. and Canada); Assistant Professor, Information and Media Studies; and editor of The World and Darfur: International Response to Crimes Against Humanity in Western Sudan; University of Western Ontario (Canada).

Dr. Alan L. Berger; Reddock Family Eminent Scholar in Holocaust Studies, and Director, Center for the Study of Values and Violence After Auschwitz; Florida Atlantic University, Boca Raton.

Dr. Douglas H. Johnson; International Expert, Abyei Boundaries Commission, 2005; Author of The Root Causes of Sudan's Civil Wars; Haverford, PA and Oxford, UK.

Dr. Gagik Aroutiunian; Associate Professor, Department of Art, Media & Design; DePaul University, Chicago, IL.

Dr. Gerry Caplan; Independent Scholar and Author of Rwanda: The Preventable Genocide; Richmond Hill, Ontario, Canada.

Dr. Dominik J. Schaller; Lecturer, History Department, and author of The Origins of Genocide: Raphael Lemkin as a Historian of Mass Violence; Ruprecht-Karls-Univeristy, Heidelberg, Germany.

Dr. Philip J. Spencer; Director of the Helen Bamber Centre for the Study of Rights, Conflict and Mass Violence; Kingston University; Surrey, England.

Dr. Maureen S. Hiebert; Assistant Professor, Department of Political Science, University of Calgary, Alberta, Canada; University of Calgary (Canada).

Dr. Eric Reeves; Professor, and author of A Long Day's Dying: Critical moments in the Darfur Genocide; Smith College, Northhampton, MA.

Dr. Robert Hitchcock; Professor, Department of Geography, and co-editor of Genocide of Indigenous Peoples; Michigan State University, Lansing.

Dr. James Waller; Cohen Professor of Holocaust and Genocide Studies, author of Becoming Evil: How Ordinary People Commit Genocide and Mass Killing; Keene State College, Keene, New Hampshire.

Dr. Rubina Peroomian; Research Associate; University of California, Los Angeles.

Dr. Colin Tatz; Visiting Fellow, Political and International Relations, and author of With Intent to Destroy: Reflecting on Genocide; Australian National University, Canberra.

Dr. Kjell Anderson; Project Manager; The Hague Institute for Global Justice; The Hague, The Netherlands.

Dr. Adam Jones; Associate Professor, Department of Political Science, and author of Genocide: A Comprehensive Introduction; University of British Columbia.

Dr. Elihu D. Richter, MD MPH; Jerusalem Center for Genocide Prevention and Hebrew-University-Hadassah School of Public Health and Community Medicine; Jerusalem, Israel.

Matthias Bjornlund; Historian/Lecturer; Danish Institute for the Study Abroad, Copenhagen, Denmark.

José Carlos Moreira da Silva Filho; Professor, Criminal Law Post Graduate Department; Pontifícia Universidade Católica do Rio Grande do Sul, Port Alegra RS—Brazil.

Tamar Pileggi; Co-Founder, The Jerusalem Center for Genocide Prevention Jerusalem, Israel.
Dr. Uriel Levy; Director, Combat Genocide Association; Jerusalem, Israel.
Dr. Penny Green; International State Crime Initiative; Kings College, London.
Dr. Tony Ward; Professor of Law; University of Hull, UK.
Ms. Amy Fagin; International Association of Genocide Scholars; New Salem, MA.
Dr. Ann Weiss; Director, Eyes from the Ashes Educational Foundation, and author of The Last Album: Eyes from the Ashes of Auschwitz-Birkenau; Bryn Mawr, PA.
Dr. Rick Halperin; Director, Embrey Human Rights Program; Southern Methodist University, Dallas, TX.
Mr. Geoff Hill; Bureau Chief, The Washington Times; Johannesburg, South Africa; South Africa.

WIND PRODUCTION TAX CREDIT

Mr. ALEXANDER. I ask unanimous consent that the following article from the Wall Street Journal on September 18, 2012, on the cost to taxpayers for the wind production tax credit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PUFF, THE MAGIC DRAG ON THE ECONOMY

TIME TO LET THE PERNICIOUS PRODUCTION TAX CREDIT FOR WIND POWER BLOW AWAY

(By Lamar Alexander and Mike Pompeo)

As Congress works to reduce spending and avert a debt crisis, lawmakers will have to decide which government projects are truly national priorities, and which are wasteful. A prime example of the latter is the production tax credit for wind power. It is set to expire on Dec. 31—but may be extended yet again, for the seventh time.

This special provision in the tax code was first enacted in 1992 as a temporary subsidy to enable a struggling industry to become competitive. Today the provision provides a credit against taxes of $22 per megawatt hour of wind energy generated.

From 2009 to 2013, federal revenues lost to wind-power developers are estimated to be $14 billion—$6 billion from the production tax credit, plus $8 billion courtesy of an alternative-energy subsidy in the stimulus package—according to the Joint Committee on Taxation and the Treasury Department. If Congress were to extend the production tax credit, it would mean an additional $12 billion cost to taxpayers over the next 10 years.

There are many reasons to let this giveaway expire, including wind energy's inherent unreliability and its inability to stand on its own two feet after 20 years. But one of the most compelling reasons is provided in a study released Sept. 14 by the NorthBridge Group, an energy consultancy. The study discusses a government-created economic distortion called ''negative pricing.''

This is how it works. Coal- and nuclear-fired plants provide a reliable supply of electricity when the demand is high, as on a hot summer day. They generate at lower levels when the demand is low, such as at night.

But wind producers collect a tax credit for every kilowatt hour they generate, whether utilities need the electricity or not. If the wind is blowing, they keep cranking the windmills.

Why? The NorthBridge Group's report (''Negative Electricity Prices and the Production Tax Credit'') finds that government largess is so great that wind producers can actually pay the electrical grid to take their power when demand is low and still turn a profit by collecting the credit—and they are increasingly doing so. The wind pretax subsidy is actually higher than the average price for electricity in many of the wholesale markets tracked by the Energy Information Administration.

This practice drives the price of electricity down in the short run. Wind-energy supporters say that's a good thing. But it is hazardous to the economy's health in the long run.

Temporarily lower energy prices driven by wind-power's negative pricing will cripple clean-coal and nuclear-power companies. But running coal and nuclear out of business is not good for the U.S. economy. There is no way a country like this one—which uses 20% to 25% of all the electricity in the world—can operate with generators that turn only when the wind blows.

The Obama administration and other advocates of wind power argue that the subsidy provided by the tax credit allows the wind industry to sustain American jobs. But they are jobs that exist only because of the subsidy. Keeping a weak technology alive that can't make it on its own won't create nearly as many jobs as the private sector could create if it had the kind of low-cost, reliable, clean electricity that wind power simply can't generate.

While the cost of renewable energy has declined over the years, it is still far more expensive than conventional sources. And even the administration's secretary of energy, Steven Chu, calls wind ''a mature technology,'' which should mean it is sufficiently advanced to compete in a free market without government subsidies. If wind power cannot compete on its own after 20 years without costly special privileges, it never will.

Mr. Alexander is a Republican senator from Tennessee. Mr. Pompeo is a Republican congressman from Kansas.

RECOGNIZING THE CHILDREN'S LEUKEMIA FOUNDATION

Mr. LEVIN. Mr. President, I am proud to recognize all those affiliated with the Children's Leukemia Foundation of Michigan as they celebrate 60 years of dedicated service and invaluable support for Michigan families. Their efforts have made a tremendous difference in the lives of individuals diagnosed with leukemia or a related disorder. This is important work, and we are all grateful for their efforts. An exciting evening has been planned to commemorate this milestone in Birmingham, Michigan this Saturday.

The Children's Leukemia Foundation of Michigan has been at the forefront of the battle against various blood disorders for six decades, helping countless families across Michigan deal with these devastating illnesses and to navigate the many important decisions they face as a consequence. Since its inception in the late 1940s and its incorporation in 1952, this organization has sought to equip patients and their loved ones with the resources, information, and guidance they need to make informed decisions.

Each individual who is diagnosed with a disorder must make a number of important decisions about their care and circumstances. This is where the CLF steps in. The mission of the CLF is ''to provide and promote compassionate, personalized support to people in Michigan affected by Leukemia and other related disorders.'' This is accomplished through a comprehensive array of services for patients and their loved ones, ranging from support groups, to an online resource room, to a resource kit for families and caregivers that contains useful and timely information about the disorder and the road ahead.

The financial and emotional support the CLF provides is crucial. Whether it is listening to patients and caregivers, helping to defray the cost of a prescription, referring an individual to the appropriate agency or service provider, or paying lodging for a family member, the CLF stands ready and willing to assist families in their time of need. Understanding that illness affects the entire family, the CLF offers services such as a day of respite for family members, peer support from others who share a common experience, a holiday toy program for children, and a ticket program that gives families a precious few hours of fun and joy. The deep concern and care this organization shows certainly helps to lessen the stress on families.

Organizations like the CLF help to provide a measure of comfort and assistance to patients and their loved ones. I know my colleagues will join me in thanking all those affiliated with the Children's Leukemia Foundation of Michigan for their hard work and tireless commitment on behalf of families across Michigan. The positive impact they continue to have on the lives of Michiganians living with leukemia and related disorders, is tremendous, and I extend my deepest appreciation for their many years of service.

TRIBUTE TO ROSS OGDEN

Mr. BLUMENTHAL. Mr. President, today I wish to honor a dedicated, inspiring—and one of our Nation's longest serving—emergency responders. Ross Ogden has quite literally given to the American Red Cross for his entire adult life.

Beginning his service in 1960 as one of the youngest members of the Greenwich chapter of the American Red Cross, Mr. Ogden served since his high school days with his local chapter, now known as Metro New York North. Throughout his academic tenure at Swarthmore College and then the University of Virginia, Mr. Ogden has helped and rescued fellow Americans confronting crisis, loss, and pain. He has administered aid during our most devastating national disasters, traveling around the country to join his family of Red Cross volunteers, ready to help at a moment's notice. In the wake of Los Angeles' deadly earthquake in 1994, on 9/11, and during Hurricane Katrina, Mr. Ogden risked danger to help others without hesitation. He is

now, most deservedly, the national chair for disaster services.

While giving on a national scale, Mr. Ogden maintains his regional allegiance to the Connecticut area, currently a member of the board of directors for the Red Cross' blood services in the metro north region. He is passionate about maintaining a plentiful blood supply for Americans in critical need, working as a blood volunteer for Greenwich's emergency blood coverage team.

Over the past years, Mr. Ogden has been formally recognized through two significant lifetime achievement awards, including the Clara Barton Award and the Harriman Award for Distinguished Volunteer Service, which is the most highly regarded, national recognition given by the Red Cross. Appropriately, Mr. Ogden received this high honor on the anniversary of his 50 years of service to the Red Cross. A mentor to young volunteers and passionate about inspiring citizens and communities to volunteer for the first time, he is unwaveringly committed to the future of the American Red Cross.

Mr. Ogden is a role model for all who give back. I welcome my colleagues in the Senate to join me in commending Mr. Ross Ogden for his tremendous personal service.

125TH ANNIVERSARY OF UNITED WAY

Mr. BLUMENTHAL. Mr. President, today I wish to recognize United Way of Connecticut as they celebrate their 125th anniversary and over a century of mobilizing local communities to achieve positive change.

Founded in 1887 by community leaders in Denver, CO, United Way Worldwide is now the world's largest privately supported nonprofit organization. This invaluable national network—rooted in our country's history but ever-attuned to the present—brings together a diverse collection of community stakeholders for a common purpose. Schools, government agencies, businesses, labor groups, the faith community, and many others have combined to promote academic achievement, financial stability, and healthy living. Connecticut is lucky to have 15 local United Way chapters serving communities all across the State. Remarkably, United Way of Connecticut has enhanced the quality of life for countless citizens. Almost everyone benefits from programs supported by United Way. Almost every community has critical organizations whose good work is supported by United Way.

Connecticut's United Way pioneered use of an informational database for citizens. While many States and major cities have developed an information hotline in the last few years, United Way of Connecticut had already created its ''2–1–1'' system in 1976. Connecticut's system quickly gained national recognition for its efficiency and effectiveness, and by the middle of the 1980s, it had become a model emulated by the rest of the country. In 2012 alone, this hotline was used over 550,000 times by constituents of all ages to find assistance on topics ranging from health and early childcare to crisis intervention and disaster response. This information is offered in a streamlined and user-friendly manner, and in this way, United Way and United Way of Connecticut help constituents help themselves. These excellent communication methods and this attention to accessibility at State and local levels have enabled the incredible influence of United Way throughout the Nation and world.

Sensitive to the rise of unemployment, United Way of Connecticut has also developed crucial resources that help constituents get back to work. After losing a job, many are unaware of the Federal, State, and local resources at their disposal. Thankfully, local United Way chapters can offer support, such as assistance with unemployment compensation, job training services, foreclosure prevention aid, and utility assistance programs. Every day, these United Way chapters are helping Connecticut citizens get back on their feet.

Additionally, despite challenging economic times and thanks to a robust partnership with local labor organizations, United Way has made significant contributions to alleviating hunger. Annually, on the second Saturday in May, the National Association of Letter Carriers and United Way of Connecticut team up with the Connecticut Food Bank for the Stamp Out Hunger Food Drive. In 2012, this invaluable initiative, which has become the world's largest 1-day food drive, collected over 70 million pounds of nonperishable food items.

When a citizen is struggling to comprehend a complex health insurance program, searching for answers about their child's development, or simply looking for a helping hand, they know that they can count on their local United Way. The Connecticut chapters have done extraordinary work in educating citizens, making accessible important community resources, and serving as a constant source of hope. I applaud the wonderful work of United Way in local communities over the last 125 years and look forward to supporting and celebrating their accomplishments in the years ahead.

2011 and 2012 CONNECTICUT TEACHERS OF THE YEAR

Mr. BLUMENTHAL. Mr. President, today I proudly celebrate two of Connecticut's most outstanding teachers, who have been recognized as Connecticut Teachers of the Year. Kristen Record, physics teacher at Frank Scott Bunnell High School in Stratford, was awarded in 2011, and David Bosso, social studies teacher at Berlin High School, was honored in 2012.

Since 1952, the Connecticut Teacher of the Year program has highlighted educators who make significant impacts in Connecticut classrooms and schools. Sponsored yearly by the Connecticut State Department of Education, one teacher in each local district is nominated. These district educators of the year have the opportunity to exchange advice and strategies and partake in advisory committees, workshops, conferences, and forums, serving as changemakers for public education on a national level. A teacher from each State is selected yearly from this pool and considered for the title of National Teacher of the Year.

I applaud Ms. Record and Mr. Bosso for earning this very well deserved distinction. This yearly award highlights the vital importance of teachers in our States who can show our future leaders how to embrace accountability, self-assessment, and motivation for years to come. They demonstrate that the quest to learn does not end at school, inspire exceptional teaching, and encourage all members of a community to become involved as teachers, mentors, and coaches.

Kristen Record has been central to the Bunnell High School community for 12 years as a physics teacher, mentor to colleagues, and adviser on education policy. Community participation and lifelong learning are key principles of her successful teaching methodology. In addition to her daily responsibilities, Ms. Record is able to take a larger view of her classroom, developing updated curriculum and achievement assessments while ensuring that every student is learning effectively. She has worked with her school district and throughout the State to improve the physics curriculum, institute electronic grading methods, create digital databases, and develop more effective ways of evaluating teachers and forming professional standards. Additionally, she has volunteered as senior class adviser, supported fellow teachers as a TEAM mentor, and volunteered on the Stratford Education Association's executive board. Ms. Record is regarded as a leader throughout the State in roles to include science education consultant for the Connecticut Clean Energy Fund and the Connecticut Science Center and high school director for the Connecticut Science Teachers' Association, demonstrating that opportunities to bring about positive change as a teacher are vast and exciting. Last year, she was appointed by the Connecticut Commissioner of Education to the Legislative Task Force for Secondary School Reform. And, recognized nationally in 2009 with the Presidential Award for Excellence in Mathematics and Science Teaching, she serves as a model of engaged teaching around the country. Growing up in a family of teachers, Ms. Record has continued her legacy, sharing this wisdom and experience with our future leaders.

David Bosso earned degrees from Eastern Connecticut State University and the University of Hartford, and has

given back to the State as a social studies teacher at Berlin High School since 1998. Beloved by students, he has inspired proficiency in communication skills, analysis, and reading comprehension by comparing current events with historical patterns. Mr. Bosso has also advised student government and coached basketball. He is a national leader for social studies, serving on the board of directors of the Connecticut Council for the Social Studies, as cochair of the Northeast Regional Conference on the Social Studies in 2012, and a participant of this year's National Council for the Social Studies' annual national conference. He has been published in Connecticut History and is currently working towards a doctorate in education.

When named 2011 Connecticut Teacher of the Year, Ms. Record eloquently described her role and the important job of educators around the world, recognizing that ''tonight, we celebrate the fact that, as a teacher, you never truly know where your influence will end.'' Mr. Bosso similarly proclaimed the significant, multifaceted role of teachers, while speaking at the Connecticut Education Association's Representative Assembly this year, urging fellow teachers to ''never, never, again use the phrase, 'I am just a teacher.' '' I invite my colleagues to join me in acknowledging Ms. Record and Mr. Bosso, and ask for their continued support of our concerned, courageous teachers.

CONGRATULATING DOUGLAS HUTTON

Mr. BLUMENTHAL. Mr. President, today I wish to honor Douglas Hutton, recipient of the 2011 Milken Educator Award. He is the first teacher from Glastonbury High School to have ever received this prestigious award and the only educator from Connecticut to be awarded last year by the Milken Family Foundation.

Since 1985, the Milken Family Foundation—under the leadership of education visionary Lowell Milken and his family—has given thousands of Milken Educator Awards to top innovators of elementary and secondary education across the country. Whether teachers, principals, or specialists, these honorees are an exclusive group of experts who contribute every day to the critical debate on how we can make our Nation's schools better spaces for learning, growth, and the sparking of lifelong interests. One of the Milken Family Foundation's initiatives—through the Lowell Milken Center—is distinguishing ''unsung heroes that have changed the course of history.'' And so with the Milken Educator Award, we acknowledge our Nation's dedicated educators who are not usually spotlighted but conscientiously work to help turn ideas, thoughts, and questions into interests, passions, and projects.

Mr. Hutton has taught physics for 19 years, serving 17 of them at Glastonbury High School in Glastonbury, CT. He illuminates abstract concepts that are difficult to grasp, sharing his love of Stephen Hawkins, science, and math with his students. Through practical demonstrations, group projects, and experiments, he shows that problem-solving is challenging but rewarding. Mr. Hutton has said that teaching ''all comes down to seeing [the students'] eyes light up when they understand a new idea.''

Mr. Hutton did not apply for this award but was selected by a panel of education experts who, each year, seek out unsung teachers who demonstrate potential for and proven success in the classroom, engage in national discourse on academia, and convey an ''engaging and inspiring presence that motivates and impacts students, colleagues, and the community.''

The Milken Family Foundation makes education a shared national agenda, connecting educators with other sectors of our society. The foundation's multifaceted and interdisciplinary approach brings business, government, and philanthropic leaders together in the quest for innovative, realistic, and well-tested teaching methodology. Through programs administered by the Milken Family Foundation's National Institute for Excellence in Teaching, NIET, such as the System for Teacher and Student Advancement and the NIET Best Practices Center, the Milken Educator Award regards our Nation's best early to mid-level teachers as policy figures who can contribute their practical knowledge on a national stage.

The Milken Family Foundation and especially Douglas Hutton, now a member of the Milken community, deserve thanks for restoring faith in our educational system. I invite my Senate colleagues to join me in congratulating Mr. Hutton, who has contributed to the lives of our young people in lasting, significant ways.

REMEMBERING ZEV WOLFSON

Mr. BLUMENTHAL. Mr. President, I rise in a tribute to Zev Wolfson, an extraordinary philanthropist and humanitarian whose great deeds are unknown to most people because he never sought to make them known. Throughout his remarkable career, Mr. Wolfson offered millions of people—of all ages all around the world—the opportunity to experience Jewish education and give back to their families, religion, and communities with dignity and pride. He dedicated his life to supporting and advocating for Jewish outreach projects, tirelessly devoted to the power and importance of faith for future generations.

Throughout his life, Mr. Wolfson constantly aided communities wherever Jewish education was endangered. He began as an advocate for the Jewish nation. Walking the halls of Congress, he vigorously and expertly supported programs and institutions in Israel, such as schools and other educational centers—many helping Jewish refugees and their children who had escaped from Arab countries. Committed to providing assistance on a global scale, he focused on a particular project and, once it was sustainable and self-sufficient, moved to the next one.

Mr. Wolfson donated millions of dollars to underprivileged areas of the United States and underserved areas of the world. He drew from the personal pain of exile to Siberia in wartime—where he carried his father's body to a place where he could have a proper Jewish funeral in the freezing tundra—and then served as a father figure to millions. He helped young people, students, and families to stay connected with the Jewish nation, in lands stretching from the former Soviet Union and Israel to France and the United States.

As deliberately and tirelessly as he advanced his good deeds, he consistently avoided public recognition for them. He gave without any expectation of praise or acclaim, and his anonymity was purposeful and persistent. His diverse and numerous initiatives—birthright programs in colleges around the country, vocational and religious education activities around the globe, and many other programs—made Mr. Wolfson one of his generation's most influential leaders, but he remained virtually unknown. Now, I invite my colleagues to join me in according Mr. Wolfson this measure of recognition for the millions of people whose lives he touched and enhanced.

100TH ANNIVERSARY OF CATHOLIC CHARITIES

Mr. PORTMAN. Mr. President, I rise today to recognize the 100th anniversary of Cleveland Catholic Charities and its mission to serve people in need throughout the Catholic Diocese of Cleveland.

Catholic Charities was established in Cleveland in 1912 under the direction of Bishop John Farrelly during a time when there were few organized charities in the United States. It was founded in response to challenging economic conditions that existed for the poor and orphaned of the day. Throughout the organization's 100-year history, its work, programs and family centers have touched the lives of many people throughout northeast Ohio.

Over the years, Catholic Charities' leaders, employees, supporters and volunteers have cared for their neighbors and provided guidance to address the social needs of our community. Their charitable mission is inspirational and their generous work has had great impact, helping millions of people. Their efforts provide meals, shelter, emergency assistance, counseling services, training and employment for many throughout the 8 northeast Ohio counties in the diocese.

On this occasion I would like to congratulate Bishop Richard Lennon,

Cleveland Catholic Charities, and the Catholic community and thank them for their leadership, kindness, commitment and collective effort to serve the community and improve the lives of those in need. It is a privilege to recognize this centennial anniversary, and wish Cleveland Catholic Charities all the best for the future.

TRIBUTE TO TERRANCE C.Z. EGGER

Mr. PORTMAN. Mr. President, today I wish to recognize Terrance C.Z. Egger for his many contributions to the news industry over the past 30 years. Mr. Egger will be retiring early next year from The Plain Dealer in Cleveland, OH, where he has served as publisher, president, and chief executive officer since 2006. I would like to recognize his accomplishments, his contributions to journalism, and his commitment to the Greater Cleveland community.

Terry enjoyed an early start in the news business, when as a young man, he started his first newspaper job as a 6-year-old paperboy. Egger is a native of Rock Island, IL, and became the first in his family to attend college. He received a bachelor's degree from Augustana College in Sioux Falls, SD, and a master's degree from San Diego State University.

Terry began his 30-year career at a small biweekly newspaper in Southern California. Before joining the Plain Dealer in 2006, he worked for Copley Los Angeles Newspaper, Tucson Newspapers in Arizona, and as publisher and president of the St. Louis Post-Dispatch.

He is known not only for his professional leadership, but also for his civic engagement. He has faced the challenges of the news industry and provided steady and confident direction during a crucial time. He has a reputation for being deeply committed to the mission of a daily newspaper and the important role it plays in the community and in the democratic process. As an executive and manager, he is known for connecting with employees on a personal level and taking great interest in their professional success and family lives.

Beyond his work in news, Terry brought with him to Cleveland a longstanding commitment to civic involvement. He quickly integrated himself into the Greater Cleveland community, serving as an active member of several area boards including: the Greater Cleveland Partnership, the Cleveland Clinic Foundation, the Musical Arts Association, and the Cleveland Museum of Art. He is a member of the United Way of Greater Cleveland Board and served as the organization's board chairman from 2010 to 2012.

Terry and his wife of more than 24 years, Renuka, have three children and live in Bay Village, OH. I would like to congratulate Terry on his many contributions to the news industry and to the Plain Dealer and wish him and his family all the best for the future.

RECOGNIZING TAIWAN'S NATIONAL DAY

Mr. JOHNSON of South Dakota. Mr. President, I rise today to recognize Taiwan as their National Day of Celebration, October 10, 2012, approaches. This day commemorates the end of imperial rule in China.

Since that day more than 100 years ago, Taiwan has successfully transitioned to a democracy. Taiwan has peacefully transferred power between political parties and earlier this year held another free and fair Presidential election. As we know from our own American history and have seen in countries around the world this past year, achieving a democracy is no easy feat, and I commend all those who have helped Taiwan reach this point.

The United States and Taiwan continue to enjoy a close friendship, and I hope my colleagues will join me in congratulating the people of Taiwan on the 101st anniversary of their National Day.

I also would like to take this opportunity to congratulate Ambassador Jason Yuan, Representative of the ROC, Taiwan, to the United States, on his new post as Secretary-General of the National Security Council of Taiwan. I cherish the friendship with Ambassador Yuan and wish Ambassador and Madame Yuan the very best of luck in the future.

TRIBUTE TO 2012 OLYMPIC GOLD MEDALIST KAYLA HARRISON

Mr. BROWN of Massachusetts. Mr. President, I rise today in tribute to a young woman from Marblehead, MA, who made us so proud during the 30th Olympiad. Like all our Olympians and Paralympians, judoka Kayla Harrison practiced for years, put in thousands of hours in training, sacrificed mightily and defeated countless competitors just to make Team USA.

At 6 years of age, Kayla's mother, herself a black belt, introduced Kayla to judo. Kayla excelled at the sport and by the time she was in her teens, was a two-time national champion. Yet, while this talented and dedicated athlete, still just a girl, was taking the judo world by storm, she was doing so while suffering in silence from the pain of sexual abuse.

If Kayla had never fought again or if she simply faded away, people would have understood. But with Wakefield coach Jimmy Pedro at her side, Kayla used martial arts to transcend the trauma, anger, and pain. Judo wasn't a way out, it was a way through. She went on to fight harder, and better, than ever. Watching Kayla compete, you get the sense that she is fighting at a whole different level. Kayla doesn't just defeat her opponents; she leaves them wondering why on Earth they ever fought her in the first place. Kayla would go on to win countless American and international competitions, all of which led to the 2012 London Olympic games.

In London, Kayla and countless others inspired our Nation. For the millions who themselves have suffered abuse, Kayla's gold medal was far more than a point of national pride, it was the most powerful reminder that there is hope. She reminded us that we can rise above any obstacle and that we don't have to be ruled, defined, or limited by the evil done to us. In the pursuit of a gold medal, Kayla taught us that we can be free.

Days before her first Olympic match, Kayla recorded a video in which she described each step she would take, from waking and eating breakfast on the morning of her first Olympic match, to her victory over her final competitor, and even predicting her tears of joy upon hearing our national anthem at her gold medal ceremony. Her commitment to her vision and her determination to see it through are a lesson in true perseverance.

We cannot understate the odds that Kayla faced in her chosen sport; no American man or woman had ever won an Olympic gold medal in Judo. Yet there is the enduring image of Kayla in London, overcome with emotion, standing at the highest point on the podium, hearing the notes of the ''Star Spangled Banner.'' Kayla Harrison's immense courage, raw talent, and pursuit of an audacious dream inspire us all.

In closing I congratulate all our Olympians and Paraympians. In a time of uncertainty where there is so much focus on what separates and divides us, for a few weeks in late summer Kayla Harrison and her fellow athletes helped us come together as a nation and showed the world the best of America.

TRIBUTE TO 2012 UNITED STATES OLYMPIAN ALY RAISMAN

Mr. BROWN of Massachusetts. Mr. President, heading into the summer games, much of the focus was on the superstar athletes considered our best hope to bring home the gold. Certainly this was the case with Michael Phelps, LeBron James, and Sanya Richards-Ross, who seemed destined to secure gold medals for their teams. Yet, as is often the case, the Olympics produced upsets and triumphs and story lines that no one could predict. This is such a story.

Alexandra Raisman from Needham, MA, was the obvious choice for captain of the U.S. women's gymnastics team in the 30th Olympiad. She was coached by the best, the award-winning Mihai Brestyan, who, along with his wife Silvia, owns Brestyan's American Gymnastics Club in Burlington, MA, one of our country's top training facilities for gymnasts at all levels. Mihai also coached 2008 Olympic silver medalist and Winchester, MA native Alicia Sacramone.

Aly was calm under pressure, a solid performer, and could be counted on to consistently do exceptionally well. There seemed to be a peace about the

American gymnastics captain; watching her was a remarkable lesson in focus. ''Reliable Raisman,'' as she was called, would be USA Gymnastics' foundation and, with the help of her teammates, would compete for individual gold medals and an elusive team gold against the world's best.

The day before the all-around team competition, Aly's teammate, the No. 1 gymnast on Earth in the individual all-around, fell. A team gold now hanging in the balance, her teammates covered their mouths and fought back tears as their coaches nervously paced. In a hushed arena, the cameras and the eyes of tens of millions of TV viewers turned to Reliable Raisman, who would now have to turn in the performance of a lifetime to secure gold for the American women.

Aly had in several previous competitions selected a modern rendition of ''Hava Nagila,'' the popular Jewish folk song of celebration, as the music for her anything-but-routine floor exercises. Meaning ''let's rejoice'' in Hebrew, the song seemed a natural choice for this young woman, whose Jewish heritage is a central part of her life and family. After steady performances in the vault, beam, and uneven bars, the opening notes of ''Hava Nagila'' rang through the arena for her floor exercise. Before her routine, a TV commentator remarked that for Aly to secure the gold would require an ''unreal'' performance and a tumbling run that many thought ''was not possible.'' Raisman exceeded expectations as she executed her tumbles and stuck her landing with a brilliant smile. This near-perfect floor routine solidified the first gymnastics all-around gold for American women since 1996.

A gold medal was also on the line as Aly again drew the world's attention to a 12-by-12 meter mat in London for the games' final gymnastic event. Raisman's floor routine came on the heels of a bronze medal in the individual balance beam competition providing her with a boost of confidence. A slow motion replay of her final tumbling run showed her tears of joy beginning before she stuck her final landing as she knew she would be the first American woman to win gold in the floor exercise.

In closing, Aly Raisman did more than win our Nation's first ever Olympic gold medal in the women's floor exercise, did more than deliver the first women' gymnastics team gold for American women in 16 years; Raisman is an inspiration for the youth of Massachusetts that with hard work and dedication to your craft, anything can be achieved.

Mr. President, I congratulate Aly on her historic gold medal and wish her all the best in the years ahead. And to all our Olympians and Paralympians, thank you for so ably representing our Nation in the 30th Olympiad.

RECOGNIZING ALASKANS OLYMPIANS

Mr. BEGICH. Mr. President, I wish to recognize three outstanding Alaskans who won in the 2012 U.S. Olympics and Paralympics: Ms. Janay DeLouch who calls Eielson Air Force Base home, Ms. Shirley Reilly who hails from Barrow, and Mr. Seth McBride from Juneau. I am proud of their accomplishments and honored to recognize these three talented young adults.

First, I would like to recognize Ms. DeLouch who competed in the women's long jump and placed bronze in the 2012 Olympic Games. Her other career highlights include placing third place in the 2012 U.S. Olympic Trials and placing silver in the 2012 World Indoor Championships. She is also a two-time National indoor champion for 2011 and 2012 and has placed second in the 2011 USA Outdoor Championships.

Ms. Reilly competed in various events in track and field of the 2012 U.S. Paralympics. She placed gold in the women's marathon, silver in the women's 5000 m and bronze in women's 1500 m. An extraordinary and talented individual, Ms. Reilly's other career accomplishments include placing first in the 2012 Boston Marathon, LA Marathon and Bolder Boulder (10K). She is a previous 2011 IPC World Championships Competitor and she finished second in the 2011 Chicago Marathon. Ms. Reilly has been a Paralympics Games Competitor since 2004.

Mr. McBride placed bronze in the mixed wheelchair rugby event in the 2012 U.S. Paralympics. His previous Paralympics experience includes placing gold in the 2008 Paralympics Games. Mr. McBride has competed in a variety of different sporting events and has placed gold at the 2005 World Wheelchair Games, the 2006 North American Cup, the 2006 Canada Cup, the 2006 World Championships, the 2008 Canada Cup and the 2010 World Championships.

Once again, it is my privilege to recognize these individuals for their hard work, dedication and their medals. They make Alaska proud.

TRIBUTE TO 2012 OLYMPIC BRONZE MEDALIST PAIGE McPHERSON

Mr. THUNE. Mr. President, today I wish to recognize Paige McPherson of Sturgis, SD, who earned a bronze medal in Taekwondo at the 2012 Olympic Games in London, England, this summer. Despite facing the popular British world champion in the first round of competition in London, Paige fought her way to the bronze medal in the women's 67-kilogram division. Paige possesses an outstanding record of success in Taekwondo, beginning at a young age and, most recently, as a silver medalist at the 2011 Pan American Games. She was also a successful member of the U.S. National Team in 2009, 2010, and 2011.

Growing up in Sturgis, Paige pursued excellence in many areas. Paige is a passionate dancer and an active member of her church, pursuits which, along with her family and friends, helped her accomplish the amazing feat of earning an Olympic medal. She graduated from Black Hills Classical Christian Academy in 2009, at which point she was already nationally recognized in Taekwondo, and went on to attend Miami-Dade College in Miami, FL. Some of her most notable awards include 2007 Outstanding Female Athlete at the Senior National Championships, 2008 Chris Canning Award of Excellence Winner, and 2009 Outstanding Female Athlete at the USAT National Championships.

Paige should be extremely proud of her remarkable accomplishments. I am more than happy to extend my congratulations on her Olympic medal and to offer congratulations on behalf of the State of South Dakota. We are extremely proud and wish her continued success in the years to come.

NATIONAL DAY FOR THE REPUBLIC OF CHINA ON TAIWAN

Mr. MENENDEZ. Mr. President, I rise today to honor the people and leaders of Taiwan on their National Day on October 10. This is a day for celebration, a special day that recognizes the founding of the country 101 years ago.

I would like to highlight the economic success of Taiwan over the last century—a success that has rightly been called a ''miracle'' and resulted in a strong and dynamic economy. The United States and Taiwan have a long history of mutual trade and friendship that has promoted economic prosperity on both sides of the Pacific. I am particularly pleased that the U.S.-Taiwan bilateral relationship has become even stronger in recent years.

I also would like to take this opportunity to congratulate Ambassador Jason Yuan, Representative of the ROC (Taiwan) to the United States, on his new post as Secretary-General of the National Security Council of Taiwan. I cherish the friendship with Ambassador Yuan and wish Ambassador and Madame Yuan the very best of luck in the future.

I urge my colleagues to join me in congratulating the people of Taiwan on their success and thanking them for their continued efforts to work with the United States to foster a strong economic growth and cooperation. On this day of National Celebration, the people of both the United States and Taiwan have much to celebrate.

HISPANIC HERITAGE MONTH AND HISPANIC-SERVING INSTITUTIONS WEEK

Mr. MENENDEZ. Mr. President, this week I submitted two resolutions: The first recognizes September 15 through October 15 as Hispanic Heritage Month; the second designates the week of September 16 as ''National Hispanic-Serving Institutions Week'' and honors the

critical work of Hispanic-serving Institutions across the United States.

These resolutions celebrate the immense contributions of Hispanic Americans to our great Nation and pay tribute to over 300 nonprofit Hispanic-serving Institutions for their important role in educating and empowering Hispanic youth.

Latinos have a long and decorated history in the United States, full of extraordinary contributions to America's past, present, and future. Latinos have proudly served, helped build, and defended our country and have done so for hundreds of years, honorably serving in every action since before the founding of the Nation.

Hispanics fought alongside patriots in the American Revolution and rallied in the Civil War, serving bravely in both the Union and Confederate armies. Latinos rode in Teddy Roosevelt's Rough Riders during the Spanish-American War, received Congressional Medals of Honor in both world wars, and made the ultimate sacrifice for our country in Korea and Vietnam. As of July 2012, over 143,000 Hispanic Americans were actively serving with distinction in the U.S. Armed Forces, including 19,752 Hispanics serving in Afghanistan.

Just as Hispanics have defended our Nation, we have also helped shape and build it. That is why I also want to honor the exemplary institutions that are making vital investments in the next generation of Latino leaders.

Hispanic-serving Institutions are colleges or universities where total Hispanic enrollment constitutes a minimum of 25 percent of the student body, and they serve over half of all Hispanic students in the United States. As a product of a Hispanic-serving Institution in my home State of New Jersey, my experience is a living testimony of the important role that HSIs play in providing opportunities to Hispanic students in States such as Arizona, California, Colorado, Connecticut, Florida, Illinois, Kansas, Massachusetts, New Jersey, New Mexico, New York, Pennsylvania, Texas, Washington, and the Commonwealth of Puerto Rico.

With these resolutions, we celebrate the contributions of all Latinos and the institutions that serve the Hispanic community in the United States. This month, let us celebrate not only Hispanic Heritage, but Hispanic-serving Institutions as well.

I am pleased with the overwhelming support these important resolutions have from my colleagues, both Democrats and Republicans, particularly Leader REID and Senator CORNYN. This outpouring of bipartisan support is a strong indication of how far our community has come and how important our contributions are to this country. I look forward to celebrating the heritage and culture of Latinos and our valuable contributions to this Nation.

TRIBUTE TO CORTNEY JORDAN

Mr. HELLER. Mr. President, today I wish to recognize Nevada's own Cortney Jordan for her outstanding performance in the 2012 London Paralympic Games.

Cortney participated in six events: the 50 freestyle, 100 freestyle, 400 freestyle, 100 backstroke, 100 breaststroke, and 200 individual medley. She brought home four medals for Team USA; three silver (50m freestyle, 100m freestyle, 400m freestyle) and one bronze (100m backstroke).

Cortney had her first taste of Paralympic medal glory at the 2008 Paralympic Games in Beijing, where she was awarded four medals; one gold—50m free, two silver—400m freestyle, 100m freestyle, and one bronze—200m IM.

This 21-year-old Paralympic medalist is not only a remarkable athlete, but a talented student and an aspiring elementary school teacher. Recognized for her commitment to school and community involvement, Cortney is a Nevada Interscholastic Activities Association Top Ten Scholar Athlete and an Academic All-American. Serving as a role model for all Nevadans, I wish Cortney continued success on her future endeavors.

On behalf of the residents of the Silver State, I am proud to recognize Cortney's accomplishments. Today, I ask my colleagues to join me in congratulating a talented Nevadan as we show our pride and support for the entire U.S. Paralympics Team.

ADDITIONAL STATEMENTS

60TH ANNIVERSARY OF THE LINKS, INCORPORATED

• Mr. BENNET. Mr. President, I rise today, September 20, to celebrate the 60th anniversary of the Denver, CO chapter of The Links, Incorporated, and to honor dedicated women actively working to build a stronger community in the greater Denver area. As the father of three daughters, these women exemplify role models and are leaders in our community in the areas of business, civic duties, mentorship, activism, and volunteer work.

Founded in 1946, The Links is one of the oldest and largest volunteer service organizations committed to enriching, sustaining, and ensuring the culture and economic survival of people of African descent. Their membership consists of over 12,000 professional women of color in 276 chapters located in 42 States, the District of Columbia, and the Commonwealth of the Bahamas.

The Links focus on our five major facets: national trends and services, the arts, services to youth, international trends and services, and health and human services. The combined 276 chapters contribute more than 500,000 documented hours of community service.

For over 50 years, the Denver chapter has sponsored numerous projects including support to Stovall Care Center nursing home; Cleo Parker Robinson Dance; the George Washington Carver Day Care Center; the East High School Community Forum; and the Marcus Garvey Center at the University of Northern Colorado. Internationally, this chapter has also helped to increase access to basic necessities such as water by building water wells in African countries.

This chapter has honored and awarded scholarships to high school and college students. Our current mayor, the Honorable Michael B. Hancock, received one of these scholarships to help him attend Hastings College in Nebraska.

Since 2009, the Denver chapter has made a tradition of targeting programs that aim to close the achievement gap of middle school students at Hallett Fundamental Elementary School in Denver. In response to the academic needs of youth at Hallett, they have tutored, mentored, donated computers, and coordinated cultural, career, health, and violence prevention programs.

As the former superintendent of Denver Public Schools and a person devoted to enhancing volunteerism and commitment to community service among Americans of all ages, I am proud to honor the Denver chapter of The Links, Incorporated.

Mr. President, our Nation is profoundly affected by the service of volunteers. Generations of individuals from different backgrounds have served each other and have focused on making our communities a better place for all. Please join me in celebrating the 60th anniversary of Denver's chapter of The Links, Incorporated, and their commitment to purposeful service and transformational programs to enrich the quality of life for local, national, and global communities everywhere.•

REMEMBERING KENYON MARC YOUNGSTROM

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in honoring the life of Kenyon Marc Youngstrom, a dedicated husband, proud father, loving son, devoted friend, and respected law enforcement official. Officer Youngstrom lost his life serving the California Highway Patrol on September 5, 2012. He was 37 years old.

Kenyon Youngstrom was born in Pasadena, CA and raised in Riverside. He served as a U.S. Army Reservist from 1994 to 2000, attaining the rank of Specialist. He graduated from the California Highway Patrol Academy in February 2006 and served at both CHP Headquarters and CHP's Contra Costa Area Office.

Officer Youngstrom served his community with a heroism that extended beyond his own life. As the Vallejo Times Herald wrote, Officer Youngstrom ''wanted his organs donated so that if something did ever happen to him in the line of duty, others might live even if he would not.''

Officer Kenyon Youngstrom, like all those who serve in law enforcement across California, put his life on the line to protect his community. He is survived by his loving wife Karen and four children: Alexander, Madison, Andrew, and Kennedy. My heart goes out to his family and loved ones, and my thoughts and prayers are with them. We are forever indebted to him for his courage, service, and sacrifice.●

TRIBUTE TO ALVIN ROHRS

● Mr. BLUNT. Mr. President, I am on the Senate floor today to honor Alvin Rohrs for his 30 years of leadership and dedication to SIFE, Students in Free Enterprise. SIFE brings together today's business leaders and thinkers with enterprising college students on every continent who develop small businesses to solve local problems and create wealth and hope where there was little of either. SIFE is a hands-on business leadership opportunity, and Rohrs directs this unique business gospel toward those who want to live a financially, personally, and environmentally sustainable life.

While Rohrs has carried the title of president and CEO of SIFE, he has also been known as the enabler, chief cheerleader, and director of SIFE over these many years. Alvin Rohrs is an educator, motivator, guidance counselor, spiritual leader and the wizard behind the curtain at SIFE, working with other captains of business and industry to bring new opportunities to campuses around the globe. The list of American and international corporate titans that have brought their energy, insight and resources to SIFE is extraordinary. Even the United States State Department recognizes the value of SIFE in developing ''more effective, socially responsible business leaders.''

SIFE has been a key sponsor of sustainable business practices on every continent for three decades. SIFE educates students about the virtues of the risk-reward system known as free enterprise. SIFE applies free enterprise principles to lift people out of poverty and give them new opportunities for personal enrichment and service to their neighborhoods and communities. Among many examples, SIFE teams have shown poor single mothers how to start their own small businesses that boost their incomes and provide for their families. Farmers and small business people are given instruction about turning their ideas into companies that solve problems and provide jobs in disadvantaged neighborhoods. It is the free market system at its best. It is SIFE. It is Alvin Rohrs.

Rohrs heads a staff of more than 60 professionals at the headquarters in my hometown of Springfield, MO. Dozens of staffers help with SIFE's efforts to spread the positive word about business development and how it can influence initiatives through which scores of students develop projects to lift others out of despair. More than 1,600 teams on college campuses—more than 57,000 students—are active in 39 counties, including China and Russia, demonstrating the power of local business to solve local problems and create wealth. SIFE is a powerful force for enlightenment and good works.

Rohrs has led SIFE's development into a megaphone for the positive power of business in the world community. This year he reaches a milestone—30 years at the helm. He has earned many awards and accolades for his works in the charity community and in the business world. He has an unwavering belief in the work of SIFE and the message it carries into energizing entrepreneurs and creating new wealth.

I congratulate Alvin Rohrs and SIFE on their growth, accomplishments and good work providing the world community with personal understanding of free enterprise and the rewards it offers to people in all walks of life and all economic ranks. My hope is that SIFE and Alvin Rohrs continue this critical work for many years to come.●

REMEMBERING JOHN FRANCIS DIGNAM

● Mr. BROWN of Massachusetts. Mr. President, I rise today to pay tribute to an extraordinary Bay State resident and patriot, John Francis Dignam, who passed away on March 18, 2012, at the age of 78.

John Francis Dignam's life story is truly an American story. Born in Lawrence, MA, John attended St. Mary's Grammar School and graduated from Central Catholic High School at the age of 16, in 1950. He attended Tilton Prep School and Holy Cross, before enlisting in the Army in 1953, where he received numerous commendations. Upon his discharge from the Army, John attended Northeastern University in Boston, and earned a degree in physics and Applied Science in 1962. He returned to Northeastern many years later, and earned a degree from the executive MBA program.

John is best known for his work as a civil servant at the Watertown Arsenal from 1966–1996, where he served with and led a core team of national experts focused on the development of advanced materials and structures to meet the highly challenging requirements of United States ground and space-based defense systems. At the time of his retirement, he served as the Chief of the Ballistic Missile Defense Materials Program Office; Physical Science Administrator in the Materials Directorate; and Director of the Hardened Materials Program.

Following the closure of Watertown Arsenal in 1996, John retired from government service and founded a small company named Mentis Sciences. At Mentis Sciences, John and his team have conducted cutting-edge materials research, engineering and manufacturing support for the Department of Defense on many high priority tactical and strategic missile defense programs.

John Francis Dignam loved our great country, and his record of academic and professional achievement is both substantial and impressive. But it tells only part of the story. Alongside of his beloved wife of 49 years, Rita, he was a life-long resident of Massachusetts who was active in his community and his church. Throughout his decades of service to the country, John never lost sight of his Massachusetts roots, and he always made time to support his community and his church. He led others through his example. And today he lays at rest along the hillside at the Immaculate Conception Cemetery in Lawrence.

I am proud to rise today to honor his service to the Nation, and to recognize his profound contributions to Massachusetts, the greater Lawrence community, and his family.●

TRIBUTE TO MOIRA McCARTHY STANFORD

● Mr. BROWN of Massachusetts. Mr. President, today I wish to recognize Ms. Moira McCarthy Stanford, who has contributed enormously and tirelessly to the cause of fighting diabetes.

Moira's support for diabetes research stems from her personal journey learning about diabetes. Her daughter, Lauren, was diagnosed with type 1 diabetes shortly after her sixth birthday. Type 1 diabetes is a chronic disorder that occurs when the pancreas does not produce enough insulin to properly control the body's sugar levels. We can all agree that navigating through diabetes management for both parents and children is extremely difficult, and with no cure for this disease, Moira's advocacy for research is essential.

Now, you may be familiar with the ongoing clinical trials for an artificial pancreas, which will dramatically improve the quality of life for individuals living with diabetes. This device has the potential to improve diabetes control by automatically providing the amount of insulin an individual needs to maintain healthy glucose levels. I am encouraged by these developments, which Moira has strongly supported. Her daughter Lauren will participate in these trials, and I am impressed that she is following in her mother's footsteps to help others living with diabetes.

I would also like to mention that Moira will be riding in this year's Juvenile Diabetes Research Foundation's Ride to Cure Diabetes. She will be bicycling 105 miles through Death Valley to raise money for the foundation. An avid cycler myself, I understand the dedication required to train for this type event. I am also impressed that she is the second highest fundraiser in the Nation for this race. Moira has worked tirelessly for the Juvenile Diabetes Research Foundation, JDRF. She has served as president of the JDRF and was named JDRF International Volunteer of the Year in 2007.

I would like to thank Moira McCarthy Stanford for her tremendous work

on behalf of the diabetes community and the JDRF. I know that her family, her daughter, Lauren, and the people of Massachusetts are extremely proud of her advocacy and service.●

TRIBUTE TO ROBERT F. GILLIGAN

● Mr. CARPER. Mr. President, along with my colleague Senator COONS, I wish to recognize a valued leader and respected public servant as he embarks upon his retirement following a long and distinguished career: the Honorable Robert P. Gilligan, speaker of the House of Representatives of Delaware.

As the longest serving house member in Delaware's history, Bob Gilligan has devoted his career to bettering the State of Delaware. A native of Wilmington, Bob went to Pennsylvania to earn his bachelor's degree from St. Joseph's University and a master's degree from Villanova University. But, fortunately for the people of Delaware and specifically those in Sherwood Park in northern Delaware, Bob soon returned to the First State to begin a remarkable career in public service.

Bob was first elected to the Delaware House of Representatives in 1972, and he has served there with distinction for the past 40 years. As representative of the 19th District, he has served as house majority leader from 1983–1984, house minority whip from 1985–1995, and house minority leader from 1995–2008. In 2008, Bob was elected by his peers to be the 145th general assembly speaker of the house.

During my time as Governor of Delaware, I had the great fortune of working with Bob on a host of important issues, including education reform, welfare reform, and fiscal policy that led to Delaware's credit rating being raised to AAA for the first time in State history—a rating that the State still enjoys today. I have had the privilege of watching Bob grow as a leader in the State house and, ultimately, as speaker over the course of his 40-year tenure. During that time, what I came to admire most about Bob was his ability to bring people together to work collaboratively. His peers on both sides of the aisle have noted Bob's ability to form partnerships and ensure the house proceeds in a civil and orderly manner. This is a truly laudable feat made even more impressive by the fact that over the past 40 years, Bob has worked with 8 different Governors, 67 different State senators, 176 different State representatives, worked on 12 different committees, and had the opportunity to vote on over 15,000 House Bills.

Bob leaves behind a legacy of creating a more open, responsible, and accountable government. When he first took office as speaker in 2008, Bob's goal was clear: He wanted to change business as usual in Dover. Almost immediately, sessions began on time, committee meetings were scheduled at least 48 hours in advance, and agendas were made public at least 24 hours prior to meeting. But the reforms didn't stop there. Under Bob's new leadership, the first bill of the new general assembly was his bill, House Bill 1, which made the Freedom of Information Act, FOIA, applicable to the general assembly, effectively opening the legislature to FOIA requests. And, fittingly, as Bob closed the chapter on his career in the house, he introduced one of his final bills, House Bill 300, which requires stricter disclosure laws with regard to campaign finance, helping to ensure that elections in Delaware races are conducted in a fair and transparent manner.

Upon his retirement, Bob described the essence of his leadership and reiterated his faith in Delaware's approach to good governance: ''I hope this place never becomes like Washington D.C. It's our state. You've got to do what's right for the state. Good government and making good decisions is good politics, and if you don't get elected because of a tough decision, you still sleep well. All the decisions I've made, I never lost any sleep.''

A man of extraordinary service, Bob is known as a hard-working and active legislator. In addition to his responsibilities as speaker of the house, he served on the House Administration, Ethics, House Rules, and Veteran Affairs Committees. Prior to his role as speaker, Bob served as a member of the Joint Finance Committee and was chairman of the Bond Bill Committee, the Health and Human Development Committee, and the Energy and Natural Resources Committee. Bob's leadership and commitment to serving others extends well beyond the State house. He is a life member of the Mill Creek Fire Company; a board member of the Blood Bank of Delmarva; a cofounder of the Mid-County and Absalom Jones Senior Centers; and, a parishioner of St. John the Beloved in Wilmington, DE. In addition to his title of ''speaker,'' Bob is also known by the title of ''professor'' to many students through his role as an educator at Delaware Technical and Community College in Stanton.

Given Bob's incredible career of public service—both as an elected official and as a private citizen—I was of two minds when I heard of his plans to retire. On the one hand, Delaware will sorely miss its devoted public servant and leader. On the other hand, however, he will take some very well-deserved time to enjoy life with his wife Jeanne, their two daughters, son-in-law, and three grandchildren, Cole, Delaney, and Asher. We are in Jeanne's debt for sharing her husband of many years with the people of the First State.

I am truly honored to have worked with Bob Gilligan for many years and call him my friend. It is truly a privilege to pay tribute to a man who has done so much for the great State of Delaware for all of these years.●

● Mr. COONS. Mr. President, I am honored to join my senior Senator, TOM CARPER, as we rise today to honor the legacy of one of Delaware's longest serving elected officials—Speaker of the House Bob Gilligan.

Speaker Gilligan has served in the Delaware House of Representatives for 4 decades, elected to 20 consecutive terms by his constituents. Bob was first elected in 1972 at age 29—a remarkably young age to be so focused and service-minded.

A lot has changed in this country since 1972, but not Bob's commitment to Delaware, to education, to equal rights and to making our State a better place to live.

After 40 years of service, Speaker Gilligan is retiring at the end of this legislative session to spend more time with his family, including his wife Jeanne, his daughters Katie and Shannon, and his son-in-law Gavin, as well as his grandchildren, Delaney, Cole, and Asher.

Earlier this year, a number of us gathered at the Mill Creek Fire Hall, where Bob is a lifetime honorary member, and celebrated 70/40—his 70th birthday and his 40th year of public service. All it took was a look at the crowd that gathered to see the real and positive impact Speaker Gilligan has had on our community. He always kept his constituents from his district first and foremost on his mind, even as he worked on issues of broader impact to our State and even our Nation.

It was through Speaker Gilligan's leadership that real transparency and openness was brought to Delaware State government. He led the way for House Bill 1—legislation in 2009 that made our State's open-government laws apply to the General Assembly. That may sound like simple fairness and good governance, but it wasn't an easy road to get there. It took all of Bob's legislative acumen to get it done, and now all Delawareans benefit from a more accountable and open government.

Our State has benefitted from Bob's passion and commitment in other ways, too. His legacy is felt in education programs and schools across our State, as well as at the Mid-County Senior Center, which he helped found to support local seniors and provide the recreational, educational, and nutritional services necessary for a dignified retirement.

In these times of deep division and heated political rhetoric, Bob is a breath of fresh air. He listens to diverse perspectives and values principled compromise. As someone who has been around long enough to serve as both Speaker of the House and Minority Leader for Delaware, he has worked hard to find ways to bring people together.

Our State and our Nation could use more Bob Gilligans, and I join Delawareans of all political parties in thanking him for his decades of service and wishing him well in his retirement.●

RECOGNIZING THE DEVEREUX FOUNDATION

• Mr. CASEY. Mr. President, today I have the honor of highlighting the Devereux Foundation, a nonprofit behavioral health organization that supports many underserved and vulnerable communities. The Devereux Foundation is based in Villanova, PA, but provides critical services throughout the entire country. They are about to celebrate their 100th anniversary.

The Devereux Foundation began as the Devereux School, which was established in 1912 by Helena Devereux. Helena Devereux was a Philadelphia schoolteacher known for her success at working with special needs children. Devereux attempted an integrated, residential therapy approach, where lessons were integrated into daily routines. This was a radical approach for its time, but it was one based on Helena Devereux's firsthand experiences as a teacher. The results were a resounding success: by 1920, 22 children out of her 30 students had improved significantly.

By 1938, the State of Pennsylvania granted the Devereux Schools a nonprofit charter, and the Devereux Foundation was established. The foundation expanded to the west coast in the 1940s, and in the 1950s, it began research and clinical training efforts. Today, the Devereux Foundation operates a national network of clinical, therapeutic, educational and employment programs that serve children, adolescents, and adults. Their services include, but are not limited to, residential and day treatment programs, foster care homes, special education day schools, family counseling, and prevocational training. In this role, the Devereux Foundation has played a critical part in uplifting the needy and assisting the vulnerable, in Pennsylvania and across the Nation.

I am grateful for all of the work that Devereux and its employees have done over the last century, and I am proud that Devereux, a national leader in the field of behavioral health care, calls Pennsylvania home. I have heard stories of the many individuals with special needs whom Devereux supports and nurtures. Many are children, and I have seen how these families struggle to find the appropriate care and educational services for them. There is a line in Scripture that says, ''Every child has a light.'' Devereux plays an especially important role in nurturing children who need a little more help to reach their full potential, a little extra to let their light shine out. I congratulate them on a century of hard work and wish them many more years of success.

As we move forward with the fight to ensure that quality and affordable health care is accessible to all Americans, I call on us to recognize and emulate the efforts of the Devereux Foundation and the role they have played in bringing about positive change throughout the country.•

REMEMBERING HENRY MOORE

• Mr. CASEY. Mr. President, today I rise to honor and remember Henry L. Moore for his exceptional service to his community, Commonwealth, an country.

Born April 8, 1921 in Ocilla, GA, the son of Andrew and Eliza Moore, Henry entered the armed services on September 22, 1942. Though originally from the Peach State, Henry spent his adult life living in Pennsylvania.

Henry was a man of service, a man of science, and a man of faith. Today I wish to honor him as such.

As a man of service, Henry distinguished himself as one of the Tuskegee Airmen who so faithfully served our country during one of its darkest hours. Drafted in 1942, Henry graduated from the only class of African-American airplane mechanics at Lincoln Airbase in Nebraska in June 1943. After graduation he was assigned to the ground crew of the Fifteenth Air Force 332nd Fighter group. By 1944 Henry had become a crew chief working on B–25 bombers in the Mediterranean theater.

The Tuskegee Airmen hold a special place in American history, and Henry never forgot his part in it. Throughout the rest of his life, he remained active in the Tuskegee Airmen Inc., a nonprofit organization dedicated to honoring the accomplishments of African Americans in the U.S. Army Air Corps during WWII and introducing young people across the Nation to the world of aviation and science through local and national programs. At the time of his passing, Henry was serving his second term as the national parliamentarian of that organization.

As a man of science, Henry graduated from West Virginia State College with a bachelor of science in physics and electrical engineering and later with a master of science from Temple University. Following graduation, Henry began a career physics and electronic engineering until retiring from government service after 26 years.

Henry loved science, and, following his retirement, he continued to pass this passion on by teaching science and math, first at Roosevelt Middle School and then later at Abraham Lincoln High School in the Philadelphia school district.

As a man of faith, Henry was very active in his church. Always involved, Henry served on a number of boards and was president of both the deacons and trustees. His love of music intertwined with his church life as he sang in the choir and on special occasions played his trumpet.

As Henry's family and friends mourn his loss, I pray that they will be comforted by the knowledge that this great Nation will never forget the service and sacrifice of Henry L. Moore. May he rest in peace.•

HONORING COLONEL EUGENE SMITH

• Mr. COONS. Mr. President, I wish to commemorate the extraordinary life of Col. Eugene Smith of Wilmington, DE.

Gene was the eldest child of Pat and Mary Smith, and his family's story is the American story. He was born in Ireland but moved to Wilmington at age 13, where he grew up playing sports and joined the Delaware National Guard while he was still attending Salesianum High School. After spending some time at seminary and working at DuPont—a great Delaware tradition—Gene went on Active Duty when the National Guard was federalized in the early 1940s. Colonel Smith served with honor in World War II and rose quickly to become a highly regarded military investigator with the Office of Strategic Services, leading the now-famous investigation into the post-war theft of over $1 million in jewels.

On Thanksgiving Day 1952, the Smiths heard the knock at the door that every military family fears. Two Air Force officers brought news that a plane en route from Washington State to Alaska had crashed, and all 51 onboard were missing, including Gene.

The wreckage of the aircraft was spotted east of Anchorage, but by the time recovery teams entered the area, it had vanished, likely buried by an avalanche. The crash was simply stamped ''unresolved.''

But America doesn't give up on our military heroes. We don't abandon our service men and women, no matter how long it takes. That is why I was so glad to read in the News Journal that on June 10 of this year, the Smith family finally got the closure they have been seeking. An Alaska Army National Guard team in a helicopter spotted debris on a glacier, and a specialized team was called in to officially identify it as the lost aircraft from more than 60 years ago. The remains of the souls lost that day were exhumed, identified, and buried at Arlington National Cemetery—the resting place for American heroes.

The only surviving brother of Colonel Smith, Mike Smith of Wilmington, has carried on his family's legacy of service with honor and dignity, and we are proud to count him among our neighbors. I join all Delawareans in saluting the service and sacrifice of Col. Eugene Smith of Wilmington.•

TRIBUTE TO ADMIRAL KIRKLAND DONALD

• Mr. CRAPO. Mr. President, my colleague Senator JIM RISCH joins me today in paying tribute to ADM Kirkland Donald, U.S. Navy, as he prepares to complete a naval career that began with his graduation from the Naval Academy in 1975 and concludes with his past 8 years of service as Director of the Office of Naval Reactors.

As Director of the Naval Nuclear Propulsion Program, Admiral Donald

has had stewardship of every aspect of the nuclear navy, from fleet operations and training to reactor design and ultimate disposition of spent nuclear fuel. The dedication required of this mission is extraordinary, and our Nation has benefited from Admiral Donald's steadfast leadership.

Over the course of his career, Admiral Donald excelled as an undersea commander. He served as the commanding officer of the nuclear-powered attack submarine USS Key West, commander of the elite Submarine Development Squadron Twelve and Commander Submarine Force, U.S. Atlantic Fleet, and Allied Submarine Command, Atlantic. Other highlights include tours at the Bureau of Naval Personnel, the Joint Staff, and as commander of all U.S. submarine forces.

While at Naval Reactors, he has ensured the safe operations of the nuclear navy. Nuclear-powered warships have safely steamed over 150 million miles and operated for more than 6,400 reactor years without an accident. The most recent 20 million miles and 800 reactor-years have been achieved under Admiral Donald's leadership.

Among his many achievements, one of the most impressive is the consistent and quiet success of the Naval Reactors Facility, NRF, in Idaho Falls. The highly complex and scientific work done at NRF requires not only a highly skilled, diligent workforce but the trust and confidence of the people of Idaho. As a result of Admiral Donald's work, that confidence has flourished.

Admiral Donald has been instrumental to the future of the Navy, having overseen the highly successful construction of many Virginia-Class attack submarines, the final design and construction of the next-generation USS Gerald R. Ford aircraft carrier, and the initial design of the Ohio-class replacement ballistic missile submarine. All three platforms incorporate impressive new technologies into the nuclear propulsion plants that have proven to be safe and reliable for nearly 70 years. These ships will allow the Navy to continue to protect America and our interests around the globe and would not be possible without the steadfast leadership of Admiral Donald.

Admiral Donald's selfless commitment to serving our Nation has left us safer and better prepared to respond to threats around the world. He leaves a legacy of service, dedication to the Navy, and commitment to the environment. With our deepest gratitude, we wish him the very best in retirement after an impressive and impactful career.●

CANONIZATION OF BL. KATERI TEKAKWITHA AND BL. MARIANNE COPE

● Mrs. GILLIBRAND. Mr. President, today I wish to honor the contribution of two great heroes, Kateri Tekakwitha and Marianne Cope. These two individuals from upstate New York worked tirelessly during their lifetimes to bring faith and health to every soul they touched. Bl. Kateri Tekakwitha and Bl. Marianne Cope have served as an inspiration for generations of the faithful both in America and abroad, and are now being recognized with the highest honor of sainthood.

Bl. Kateri Tekakwitha was born in 1656 to a Mohawk father and Algonquin mother along the Mohawk River in upstate New York. After surviving a devastating smallpox epidemic, Kateri was introduced to Christianity by Catholic missionaries. Despite severe disapproval by her tribe, Kateri was baptized into the church as Catherine and lived the rest of her life caring for the sick and elderly in the Mohawk River region. She is informally known as Lily of the Mohawks and will become the patron saint of ecology, the environment, and Native Americans. Although she died young, Kateri's reputation as the first Native American saint will live forever. Her commitment to the Christian faith has served as an inspiration not only to Native American Catholics, but to all American Catholics.

The other beatified person, Bl. Marianne Cope, was a member of the Sisters of St. Francis in Syracuse after growing up in Utica, NY. As the eldest daughter of German immigrants, she worked in a factory to support her family and delayed answering her religious calling until her siblings were self-sufficient. Once she was able to commit to the church, Marianne dedicated her work to establishing a series of hospitals, both public and Catholic, in Syracuse and central New York. These hospitals were some of the first to treat patients regardless of race, religion, or nationality. Marianne was also one of the first hospital administrators to advocate for patients' rights and to accept medical students for clinical instruction. In 1883, she moved to Hawaii to care for those with leprosy, a task that was declined by many other religious groups. Throughout her time in Hawaii she remained a dedicated caretaker and symbol of hope to patients who had been exiled because of their illness.

These two extraordinary women will be declared saints on October 21 in Vatican City by Pope Benedict XVI in St. Peter's Square, marking the end of a long process of examination undergone by all candidates for sainthood. The ceremony will venerate Kateri and Marianne in the eyes of Catholics all over the world.

I would like the U.S. Senate to honor Bl. Kateri Tekakwitha and Bl. Marianne Cope and recognize their unparalleled commitment to faith and their unending sacrifices for the people most in need across New York and our Nation.●

TRIBUTE TO SSG CHARLES ALLEN

● Mr. INHOFE. Mr. President, On January 22, 2011 SSG Charles Allen of Oklahoma lost his two legs and almost lost his life in an IED blast in Afghanistan in Arghandel Valley. But his will to live and the help of his wife and family have given this American Hero all the motivation he needed to win his battle for recovery. SSG Allen makes us all proud to be Americans. The following poem entitled PRAETORIANS was penned by Albert Caswell in his honor and his recovery. I ask unanimous consent that said poem be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PRAETORIANS

Watch over me! Stand Guard!
Stand Ready, Stand Long, Stand Hard!
For you are The Spear of Freedom, that's who you are! Throughout . . .
Throughout history . . .
There has, and will always be! Those who go off to war!
Men of might, who so fight to be free! Who our freedoms do so secure!
Like the Roman's, The Praetorian's! To watch over us continually!
All the more!
Who will stand?
And who will fight?
And who will do what is right? What is right!
And who will lay down their own fine lives?
Who will give up their strong arms and legs, so very bright? And make the angels cry!
All in what their fine hearts have made, all their most magnificent lives!
Who will so march off to war?
And so leave all that they so love and adore! To watch over us throughout the night! Bathed all in freedom's light!
All in that darkness of most evil war, as onward they so fight! The Praetorian's, are of the ones who so insure!
Standing guard, the ones who so fight onward so ever more! Airborne, all for our victory to insure!
Who but live to fight with their Band of Brothers, but just one day more!
Magnificent Men,
who all for our nation their fine hearts are Airborne! Who upon them all, the title of hero is now so worn! Who go but where angels so fear to tread!
Even thought their fine blood runs red!
As up to new heights their fine hearts have soared!
For these are the men who are the Airborne, all in times of war! To Fight the Fight,
as in their arms their brothers hearts beat no more! As it was on one such faithful tour . . .
Charles, as when your fine heart went even higher, went Airborne! While, lying there so very close to death . . . with but not much left . . . When, something so deep down inside your fine heart, would crest . . . With your two legs gone and not much left . . .
As to new heights you so pledged . . .
For you had a family back home,
and you held on as you would not so leave them so all alone.
When, Oklahoman said his recovery would be Sooner not later! As you were gone . . . AIRBORNE!
On the road to recover,
beyond all of that pain and heartache moving on! As we looked back and you were gone!
As now You So Teach Us!
As now You So Reach Us!
As a Star was born!
And a great American family. . . .

Out of such tragedy somehow has somehow moved on! With your lovely wife by your side . . .
And your beautiful children in your arms as you've cried! For you had something to live for!
Touching all our hearts so deep inside!
As the word Hero Charles, in front of your name comes before! And one day up in Heaven Charles you will be Airborne!
As a PRAETORIAN with wings, to watch over us once more!●

TRIBUTE TO SAM HAMRA

● Mrs. McCASKILL. Mr. President, I rise today to honor and congratulate my friend, Mr. Sam Hamra.

Born in Steele, MD, Sam received both business and law degrees from the University of Missouri and served as an officer in the U.S. Army Field Artillery and Second Armored Cavalry Regiment. He began practicing law in Springfield, MO, and later became the city attorney for Nixa and St. Robert and the governmental relations attorney for Branson.

As Sam's practice became more successful, he never forgot his modest roots, or those less fortunate. In 1976, Sam was elected president of the newly formed Legal Aid Association of Green County, MO, known today as the Legal Services of Southern Missouri, LSSM. The Legal Aid Association was created to help low income citizens whose legal needs would otherwise be unmet. Under Sam's leadership, LSSM has helped thousands of Missourians in 43 counties.

On October 11, Legal Services of Southern Missouri will dedicate their new building, the ''Sam F. Hamra Center for Justice.'' It is my hope that this building will help LSSM provide services to Missourians for many years to come.

In addition to his contributions to the legal community, Sam is very active in many local organizations. He served on the board of the Missouri Sports Hall of Fame, the Springfield area Sports Hall of Fame, and the Springfield/Branson Transportation Study Committee. As the chairman of the Springfield Chamber of Commerce Building Fund, he raised over $300,000 for the construction of a new Chamber building.

Sam's dedicated service is an inspiration to all Missourians. His achievements and commitment to helping those in need deserves the highest commemoration and I am proud to honor him today.

Mr. President, I ask that the Senate join me in honoring and congratulating Mr. Sam Hamra.●

HONORING TECHNICAL SERGEANT BRIAN BELL

● Mrs. SHAHEEN. Mr. President, it is with a heavy heart that I rise today to pay tribute to the life of Technical SGT Brian A. Bell, who died at the age of 54 at his home in Brookfield, NH on August 5. Brian served his country bravely for 29 years in both the 157th Air Refueling Wing of the New Hampshire Air National Guard, and in the United States Navy, deploying to Kuwait in 2005 and 2011.

Besides his love of country, Brian was best known for his deep devotion to his family and friends. He appreciated the small things in life such as going to concerts with his wife, heading out on fishing or hiking trips and going kayaking. He took so much joy in being a grandfather to his two grandchildren, James and Jocelyne.

Brian dedicated more than half of his life to defending our Nation, a devotion matched by his loyalty to his community. People who knew Brian say he was always willing to lend a helping hand when it was needed. His friends and loved ones knew him as a man driven by a fierce determination to defend the freedom we hold dear as Americans. Our country is better off today because of his efforts.

Today and every day, Americans like Brian heed the call to defend this great nation. They offer their service so we may live freely and securely. I hope that, even at this challenging time, Brian's family can find comfort in knowing that we share a deep appreciation for his life in the service of others.

Brian is survived by his loving wife Christine, daughter Natasha Nemetz, mother Helen Sue Bickford, brother James D. Bell, III, sister Rosanne Combs, and his beloved grandchildren. He will be loved and missed by all.

I ask my colleagues and all Americans to please join me in honoring the life and service of Technical SGT Brian A. Bell.●

HONORING STAFF SERGEANT BRANDON CULLEN-TOWLE

● Mrs. SHAHEEN. Mr. President, it is my sad duty to rise in tribute today to the brave service of Staff Sergeant Brandon Cullen-Towle. Staff Sergeant Cullen-Towle, who was known as ''CT'' to his friends, died on August 25 in a motorcycle accident. He was as dedicated to his country as he was to his family and friends.

Brandon was born on April 29, 1987 in Dover, NH. He graduated from Dover High School where he was a three-sport athlete, playing football, basketball and baseball. Brandon briefly attended the University of New Hampshire before realizing his true calling to serve our nation in the United States Air Force.

Brandon successfully completed his basic training at Lackland Air Force Base in Texas and was assigned as a Tactical Air Control Party Member in the 14th Air Support Operations Squadron in Pope Field, NC. In this role, Brandon was responsible for calling in air strikes to support ground forces. He performed exceptionally well during his three tours of duty in Afghanistan; he took his responsibility seriously and it showed. In fact, Brandon's skill earned him a spot with the Special Operations Forces Tactical Air Control Party in the 21st Special Tactics Squadron.

Brandon received many awards for his service, including the Order of the Purple Heart, three Army Commendation Medals, the Air Force Commendation Medal and an Army Achievement Medal. Most impressively of all, President Obama and Chief of Staff of the Air Force General Norton Schwartz personally recognized Brandon for his courageous service during a mortar attack in Afghanistan. After being injured himself in the fight, Brandon saved an interpreter's life and called in an airstrike that successfully secured the base and neutralized the threat. He demonstrated great courage and tremendous poise under incredible pressure.

Brandon is remembered by family and friends as a giving person with an infectious laugh and a contagious smile. Always willing to lend a hand to those in need, Brandon consistently put others before himself. He valued his relationships and had an impact on everyone with whom he came in contact; people simply gravitated toward him.

Our Nation can never adequately thank. this young New Hampshire son for his willingness to serve his country and to protect our freedom, and also never fully thank his family enough for their sacrifice. I hope that Brandon's family knows that all Americans share a deep appreciation and abiding respect for his brave service.

Brandon is survived by his mother Laura Towle and her husband Dennis; his father Brad Cullen; his stepfather, Mike Towle; two sisters, Stephanie and Kaylee Towle; brother Kameron Towle; his significant other Marlena Cullen-Towle; grandparents Norma and James Hughes, Fern Cullen, Rick and Kay Towle; and many aunts, uncles, cousins and friends. This young hero will be missed by all.

I ask my colleagues and all Americans to please join me in honoring Staff Sergeant Brandon Cullen-Towle.●

HONORING SPECIALIST JARED DAVISON

● Mrs. SHAHEEN. Mr. President, I rise today to honor the life and service of U.S. Army SPC Jared Davison. Specialist Davison, who died unexpectedly on September 4, was a dedicated servicemember, son, brother, and friend.

Jared was born on February 20, 1988 in Boston, MA. He graduated from Milford High School in 2006 and went on to attend Norwich Academy in Vermont and then the prestigious U.S. Military Academy at West Point, NY. Jared served as a watercraft engineer with the 558th Transportation Company, Special Troops Battalion, 7th Sustainment Brigade at Fort Eustis in Virginia. Before his death, Jared was working toward a promotion to sergeant.

Jared first realized his passion to serve in the military on a family trip

to Sequoia National Park in California. He was inspired by CPT Charles Young, one of the park's first superintendents who was also one of the first black graduates of West Point. Following that trip, Jared was determined to join the military. He read every military book he could get his hands on and even designed his own exercise regimen to prepare for the physical challenge of service.

Jared's enthusiasm to serve his country was matched only by his enthusiasm to live life to its fullest. Jared was a youth leader in his church and worked as a counselor at a summer camp in Maine. He was a strong role model for the children he mentored, and those who knew him remember his infectious smile and the kindness and respect he showed to everyone he met.

Although Jared was naturally an exceptional student and athlete, he understood the value of hard work. His combination of natural talent and diligence earned him many commendations and decorations, including the Army Achievement Medal, the National Defense Service Medal, the Global War on Terrorism Service Medal, and the Army Service Ribbon.

Our Nation can never adequately thank this young son of New Hampshire for his willingness to heed the call to defend the American people and our way of life. I hope that, even in these dark days, Jared's family can find comfort knowing that his was a life well lived. He is gone, but his service to this country will not be forgotten.

Jared is survived by his mother and father, Paula and James Davison, and his brother, Jeremy Davison. He will be missed.

I ask my colleagues and all Americans to join me in honoring the life and service of this brave American servicemember, U.S. Army SPC Jared Davison.●

REMEMBERING ROBERT H. HARRIS

● Mr. SHELBY. Mr. President, today I wish to pay tribute to Robert H. Harris, who passed away in his home on Thursday, August 2, 2012, at the age of 82. Bob was a highly respected attorney for whom I had the deepest respect. I am grateful that I was able to call Bob a friend and mourn his passing.

Born on June 9, 1930, in Columbus, GA, Bob spent the majority of his childhood in Goodwater, AL. He graduated from Auburn University in 1951 and from the University of Alabama Law School where he was an outstanding student. Bob was first in his class and was a member of the Law Review, Farrah Order of Jurisprudence, and the Order of the Coif.

Bob went on to graduate from the University of Virginia Judge Advocate General School in 1955. He began practicing law when he was discharged as a captain after serving for 3 years in the U.S. Army from 1954 to 1957. He made significant contributions to the Decatur, AL, legal community and was admired for his diligence in his profession.

I had the great privilege of serving with him in the Alabama Senate. Not only was he a well-respected and talented attorney, but he was an excellent legislator as well. Bob served two terms in the State senate and was named Outstanding Freshman Senator, Hardest Working Senator, and Most Outstanding Senator. He was appointed as the chairman of the committee that revised the Code of Alabama in 1975 for the first time since 1940.

Beyond his contributions to the legal community, he was an active member of the First United Methodist Church where he taught the men's Bible class. He was also extremely dedicated to academia and served as a member of the Auburn University Board of Trustees for a decade. Additionally, he served as the Founding Director of the First American Bank.

Bob was an inspiration to me, a caring father and husband, and a valuable asset to his community, his church, and to Auburn University. My thoughts and prayers are with his family and friends, especially his wife Betty Sue Harris and his children, Laurie, Amanda, Bobbie, Robert, and Parks, as they mourn the loss of this admirable man.

I am honored to have called Bob a friend and colleague for more than 40 years. His contributions to the Decatur legal community, his church, and the State of Alabama will forever be remembered.●

TRIBUTE TO BILL SHUEY

● Mr. WHITEHOUSE. Mr. President, today I wish to recognize Bill Shuey, Director of the International Institute of Rhode Island. Bill is retiring after nearly three decades of service to the Rhode Island community.

I have witnessed Bill Shuey's effective and innovative leadership since my days as a member of the International Institute's Board of Directors in the 1980s. The Institute's mission is to provide the educational, legal, and social tools immigrants and refugees need to gain self-sufficiency and contribute to their communities—the very building blocks of the American dream. Since taking the helm of the Institute in 1984, Bill has overseen the growth of the Institute's budget and highly skilled staff, as well as its relocation to a new home on Elmwood Avenue in Providence. Bill and his staff have served immigrants and refugees who have come to Rhode Island and southeastern New England from the Dominican Republic, Colombia, Guatemala, Eritrea, Ethiopia, Liberia, Cambodia, Burma, Laos, Bhutan, Iraq, Lebanon, Armenia, and many other countries.

Bill's father was a school principal who started an American school in Addis Ababa in 1966. In 2000, Bill made him proud when the International Institute founded a K–5 multilingual charter school in Pawtucket. About 300 students now attend the school, which immerses students in Spanish, Portuguese, and English.

Thanks to Bill's vision, the International Institute has plans to expand its services further through a merger with Dorcas Place, an adult education organization that focuses on literacy and language skills as well as job training and preparation.

I should mention that Bill's dedication to making a difference in the lives of others carries over into his private life. In addition to being a proud father, step-father, and grandfather, Bill is the foster parent of the son of Cambodian immigrants, who is now a student in law school.

Through building effective partnerships between non-profits, government, and the private sector, Bill has helped knit the fabric of our community in Rhode Island to connect thousands of individuals with the skills they need to become productive members of Rhode Island's workforce and society. Rhode Island has a long tradition of being enriched, culturally and economically, by immigrants who came to our shores with the American dream in their hearts. Bill has helped so many of them get a welcome start. I wish him heartfelt congratulations and gratitude for his years of service to the people of Rhode Island.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, 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 messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 9:48 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 733. An act to provide for scientific frameworks with respect to recalcitrant cancers.

H.R. 1461. An act to authorize the Mescalero Apache Tribe to lease adjudicated water rights.

H.R. 3319. An act to allow the Pascua Yaqui Tribe to determine the requirements for membership in that tribe.

H.R. 3783. An act to provide for a comprehensive strategy to counter Iran's growing hostile presence and activity in the Western Hemisphere, and for other purposes.

H.R. 4158. An act to confirm full ownership rights for certain United States astronauts to artifacts from the astronauts' space missions.

H.R. 6060. An act to amend Public Law 106–392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2019.

H.R. 6118. An act to amend section 353 of the Public Health Service Act with respect to suspensions, revocation, and limitation of laboratory certification.

H.R. 6433. An act to make corrections with respect to Food and Drug Administration user fees.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2827. An act to amend the Securities Exchange Act of 1934 to clarify provisions relating to the regulation of municipal advisors, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2903. An act to reauthorize the programs and activities of the Federal Emergency Management Agency; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3319. An act to allow the Pascua Yaqui Tribe to determine the requirements for membership in that tribe; to the Committee on Indian Affairs.

H.R. 4124. An act to amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4212. An act to designate drywall manufactured in China a banned hazardous product, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 5044. An act to amend the Internal Revenue Code of 1986 to exclude from gross income any discharge of indebtedness income on education loans of deceased veterans; to the Committee on Finance.

H.R. 5948. An act to amend title 38, United States Code, to improve the supervision of fiduciaries of veterans under the laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 6060. An act to amend Public Law 106–392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2019; to the Committee on Energy and Natural Resources.

H.R. 6163. An act to amend title IV of the Public Health Service Act to provide for a National Pediatric Research Network, including with respect to pediatric rare diseases or conditions; to the Committee on Health, Education, Labor, and Pensions.

H.R. 6324. An act to reduce the number of nonessential vehicles purchased and leased by the Federal Government, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6361. An act to exclude from consideration as income under the United States Housing Act of 1937 payments of pension made under section 1521 of title 38, United States Code, to veterans who are in need of regular aid and attendance, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 6368. An act to require the Department of Justice, in consultation with the Department of Homeland Security, to provide a report to Congress on the Departments' ability to track, investigate and quantify cross-border violence along the Southwest Border and provide recommendations to Congress on how to accurately track, investigate, and quantify cross-border violence; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3576. A bill to provide limitations on United States assistance, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3607. A bill to approve the Keystone XL Pipeline.

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–7630. 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 ''Fast Track Settlement for TE/GE Taxpayers'' (Announcement 2012–34) received in the Office of the President of the Senate on September 12, 2012; to the Committee on Finance.

EC–7631. 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 ''L and S Industrial and Marine, Inc. United States'' (AOD–2012–02) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC–7632. 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 ''Integrated Hedging Transactions of Qualifying Debt'' (RIN1545–BK98) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC–7633. 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 ''Per Capita Payments from Proceeds of Settlements of Indian Tribal Trust Cases'' (Announcement 2012–60) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC–7634. 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 Pension Funding Stabilization under the Moving Ahead for Progress in the 21st Century Act (MAP–21)'' (Notice 2012–61) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC–7635. 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 ''Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2012–56) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC–7636. 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 ''Property Traded on an Established Market'' (RIN1545–BJ71) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC–7637. 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 ''Wage Recharacterization'' (Rev. Rul. 2012–25) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC–7638. 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 ''Revenue Procedure: Examination of Returns and Claims for Refund, Credit, or Abatement; Determination of Tax Liability'' (Rev. Proc. 2012–40) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC–7639. 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 ''Revenue Procedure Modifying Rev. Proc. 2011–14 and Rev. Proc. 97–27'' (Rev. Proc. 2012–39) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC–7640. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to groups designated by the Secretary of State as Foreign Terrorist Organizations (DCN OSS 2012–1446); to the Committee on Foreign Relations.

EC–7641. 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 12–121, 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–7642. A communication from the Secretary of the Treasury, transmitting, pursuant to Executive Order 13313 of July 31, 2003, a semiannual report detailing telecommunications-related payments made to Cuba pursuant to Department of the Treasury licenses; to the Committee on Foreign Relations.

EC–7643. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''U.S. Department of State, Annual Category Rating Report''; to the Committee on Foreign Relations.

EC–7644. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12–079); to the Committee on Foreign Relations.

EC–7645. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12–105); to the Committee on Foreign Relations.

EC–7646. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12–114); to the Committee on Foreign Relations.

EC–7647. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12–119); to the Committee on Foreign Relations.

EC–7648. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12–129); to the Committee on Foreign Relations.

EC–7649. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12–100); to the Committee on Foreign Relations.

EC–7650. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''D and C Red No. 6 and D and C Red No. 7; Change in Specification; Confirmation of Effective Date'' (Docket No. FDA–2011–C–0050) received during adjournment of the Senate in the Office of the President of the Senate on September 17, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–7651. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Amendment to the Interim Final Rule for the Pre-Existing Condition Insurance Plan Program'' (RIN0938–AQ70) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–7652. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Report to Congress on the Assets for Independence Program—Status at the Conclusion of the Eleventh Year''; to the Committee on Health, Education, Labor, and Pensions.

EC–7653. A communication from the Railroad Retirement Board, transmitting, pursuant to law, the Railroad Retirement Board's appropriations request for fiscal year 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–7654. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12–090); to the Committee on Foreign Relations.

EC–7655. A communication from the Presiding Governor, Broadcasting Board of Governors, transmitting, pursuant to law, the Board's fiscal year 2012 Federal Activities Inventory Reform (FAIR) Act submission of its commercial and inherently governmental activities; to the Committee on Homeland Security and Governmental Affairs.

EC–7656. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Small Entity Compliance Guide'' (FAC 2005–61) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–7657. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Technical Amendments'' (FAC 2005–61) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–7658. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Bid Protest and Appeal'' (RIN9000–AM31) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–7659. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; NAICS and Size Standards'' (RIN9000–AM32) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–7660. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Delete Outdated FAR Reference to the DoD Industrial Preparedness Program'' (RIN9000–AM35) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–7661. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; United States-Korea Free Trade Agreement'' ((RIN9000–AM18) (FAC 2005–61)) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–7662. A communication from the Acting Assistant Attorney General, transmitting, pursuant to law, a report entitled ''Section 508 Report to the President and Congress: Accessibility of Federal Electronic and Information Technology''; to the Committee on the Judiciary.

EC–7663. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report entitled ''Report of the Proceedings of the Judicial Conference of the United States''; to the Committee on the Judiciary.

EC–7664. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0356)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7665. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0035)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7666. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Honeywell International, Inc. Global Navigation Satellite Sensor Units'' ((RIN2120–AA64) (Docket No. FAA–2012–0758)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7667. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Various Aircraft Equipped with Rotax Aircraft Engines 912 A Series Engine'' ((RIN2120–AA64) (Docket No. FAA–2012–0765)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7668. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2010–1164)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7669. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0675)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7670. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0329)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7671. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Embraer S.A. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–1251)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7672. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–1089)) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7673. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0292)) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7674. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Honeywell International, Inc. Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2012–0195)) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7675. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0566)) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7676. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–1165)) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7677. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–1066)) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7678. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2010–1115)) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7679. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; WACO Classic Aircraft Corporation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0578)) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7680. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (25); Amdt. No. 3471'' (RIN2120–AA65) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7681. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Voluntary Licensing of Amateur Rocket Operations'' ((RIN2120–AJ84) (Docket No. FAA–2012–0318)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7682. A communication from the Chief Counsel, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Seaway Regulations and Rules: Periodic Update, Various Categories'' (RIN2135–AA30) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7683. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Changes to Implement Miscellaneous Post Patent Provisions of the Leahy-Smith America Invents Act'' (RIN0651–AC66) received during adjournment in the Office of the President of the Senate on August 8, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7684. A communication from the Chairman of the Office of Proceedings and the Office of Economics, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services—2012 Update'' (Docket No. 542) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7685. A communication from the Chief Scientist, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''Research Misconduct'' (RIN2700–AC84) received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7686. A communication from the Director, Office of Whistleblower Protection Program, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled ''Procedures for the Handling of Retaliation Complaints Under the Employee Protection Provision of the Surface Transportation Assistance Act of 1982 (STAA), as Amended'' (RIN1218–AC36) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7687. A communication from the Acting Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled ''Audit Requirements for Third Party Conformity Assessment Bodies'' (RIN3041–AC76) received during adjournment of the Senate in the Office of the President of the Senate on September 14, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7688. A communication from the Acting Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Safety Standards for Durable Infant or Toddler Products: Infant Bath Seats and Full-Size Cribs'' (16 CFR Parts 1215 and 1219) received during adjournment of the Senate in the Office of the President of the Senate on September 14, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7689. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Westfield, New York)'' (MB Docket No. 12–51) received during adjournment of the Senate in the Office of the President of the Senate on August 16, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7690. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Television Broadcasting Services; Greenville, North Carolina'' (MB Docket No. 12–130; DA 12–1208; RM–11662; DA 12–1208) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7691. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Interpretation of Economically Burdensome Standard; Amendment of Section 79.1 (f) of the Commission's Rules; Video Programming Accessibility, Report and Order, CG Docket No. 11–175'' (FCC 12–83) received during adjournment of the Senate in the Office of the President of the Senate on August 3, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7692. A communication from the Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Sections 15.35 and 15.253 of the Commission's Rules Regarding Operation of Radar Systems in the 76–77 GHz Band; ET Docket No. 11–90, RM–11555; and Amendment of Section 15.253 of the Commission's Rules to Permit Fixed Use of Radar in the 76–77 GHz Band'' (FCC 12–72, ET Docket No. 10–28) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7693. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing a Unified Intercarrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform—Mobility Fund'' (WC Docket Nos. 10–90, 07–135, 05–337, 03–109) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7694. A communication from the Chief of the Broadband Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Facilitating the Use of Microwave for Wireless Backhaul and Other Uses and Providing Additional Flexibility to Broadcast Auxiliary Service and Operational Fixed Microwave Licenses'' ((WT Docket No. 10–153) (FCC 12–87)) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7695. A communication from the Deputy Division Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing a Unified

Intermarried Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform—Mobility Fund'' ((RIN3060–AF85) (DA 12–870)) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7696. A communication from the Assistant Chief, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Foreign Ownership Policies, First Report and Order on Forbearance'' (FCC 12–93) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7697. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Special Access for Price Cap Local Exchange Carriers; AT and T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services'' ((RIN3060–AJ80) (FCC 12–92)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 3578. An original bill to amend the Elementary and Secondary Education Act of 1965 (Rept. No. 112–221).

By Mr. BAUCUS, from the Committee on Finance:

Report to accompany S. 1641, a bill to implement the United States-Colombia Trade Promotion Agreement (Rept. No. 112–222).

Report to accompany S. 1642, a bill to implement the United States-Korea Free Trade Agreement (Rept. No. 112–223).

Report to accompany S. 1643, a bill to implement the United States-Panama Trade Promotion Agreement (Rept. No. 112–224).

Report to accompany S. 3326, a bill to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes (Rept. No. 112–225).

Report to accompany S. 3406, An original bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to products of the Russian Federation and Moldova, to require reports on the compliance of the Russian Federation with its obligations as a member of the World Trade Organization, and to impose sanctions on persons responsible for gross violations of human rights, and for other purposes (Rept. No. 112–226).

Report to accompany S. 3568, An original bill to create a Citrus Disease Research and Development Trust Fund to support research on diseases impacting the citrus industry, to renew and modify the temporary duty suspensions on certain cotton shirting fabrics, and to modify and extend the Wool Apparel Manufacturers Trust Fund, and for other purposes (Rept. No. 112–227).

By Mr. AKAKA, from the Committee on Indian Affairs:

Report to accompany S. 2389, a bill to deem the submission of certain claims to an Indian Health Service contracting officer as timely (Rept. No. 112–228).

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 3276, An original bill to extend certain amendments made by the FISA Amendments Act of 2008, and for other purposes (Rept. No. 112–229).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 3486. A bill to implement the provisions of the Hague Agreement and the Patent Law Treaty.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. AKAKA for the Committee on Indian Affairs.

*Kevin K. Washburn, of New Mexico, to be an Assistant Secretary of the Interior.

By Mr. LEAHY for the Committee on the Judiciary.

William Joseph Baer, of Maryland, to be an Assistant Attorney General.

*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.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HARKIN:

S. 3578. An original bill to amend the Elementary and Secondary Education Act of 1965; from the Committee on Health, Education, Labor, and Pensions; placed on the calendar.

By Mr. VITTER:

S. 3579. A bill to amend the Immigration and Nationality Act to make voting in a Federal election by an unlawfully present alien an aggravated felony and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN of Ohio (for himself and Mr. PORTMAN):

S. 3580. A bill to require the Corps of Engineers to preserve the historical integrity of Zoar, Ohio, while carrying out any study relating to or construction of flood damage reduction measures, including levees, in Zoar, Ohio; to the Committee on Environment and Public Works.

By Mr. CONRAD (for himself, Mr. ENZI, and Mr. ROCKEFELLER):

S. 3581. A bill to amend the Internal Revenue Code of 1986 to modify the credit for carbon dioxide sequestration; to the Committee on Finance.

By Mr. REED:

S. 3582. A bill to improve quality and accountability for educator preparation programs; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. HAGAN (for herself, Mr. KERRY, and Mrs. GILLIBRAND):

S. 3583. A bill to authorize the Secretary of Housing and Urban Development to establish and carry out a community revitalization program to provide Federal grants to communities for the rehabilitation of critically needed parks, recreational areas, and facilities, the development of improved recreational programs, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PRYOR (for himself and Mr. MORAN):

S. 3584. A bill to reauthorize the National Integrated Drought Information System, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. TESTER:

S. 3585. A bill to provide authorities for the appropriate conversion of temporary seasonal wildland firefighters and other temporary seasonal employees in Federal land management agencies who perform regularly recurring seasonal work to permanent seasonal positions; to the Committee on Homeland Security and Governmental Affairs.

By Mr. FRANKEN (for himself and Mr. LEAHY):

S. 3586. A bill to provide reimbursement under the Medicaid program to individuals and entities that provide voluntary nonemergency medical transportation to Medicaid beneficiaries for expenses related to noload travel; to the Committee on Finance.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 3587. A bill to include the Point Arena-Stornetta Public Lands in the California Coastal National Monument as a part of the National Landscape Conservation System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LEVIN (for himself, Mr. KIRK, Ms. STABENOW, Mr. DURBIN, Mr. CASEY, Mr. SCHUMER, Mr. BROWN of Ohio, and Mrs. GILLIBRAND):

S. 3588. A bill to amend the Federal Water Pollution Control Act to protect and restore the Great Lakes; to the Committee on Environment and Public Works.

By Mr. REED:

S. 3589. A bill to require the Comptroller of the Currency to establish a pilot program to facilitate communication between borrowers and servicers; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. 3590. A bill to amend the Denali Commission Act of 1998 to reauthorize and modify the membership of the Denali Commission, and for other purposes; to the Committee on Environment and Public Works.

By Ms. SNOWE (for herself, Mr. BINGAMAN, Mrs. FEINSTEIN, and Mr. CARDIN):

S. 3591. A bill to amend the Internal Revenue Code of 1986 to improve and extend the deduction for new and existing energy-efficient commercial buildings, and for other purposes; to the Committee on Finance.

By Mr. BENNET:

S. 3592. A bill to amend the Older Americans Act of 1965 to encourage the use of locally grown food in meal programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET:

S. 3593. A bill to amend the Older Americans Act of 1965 to strengthen programming, services, and outreach for diverse elders, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HARKIN (for himself, Mr. GRASSLEY, Mr. ROCKEFELLER, and Ms. KLOBUCHAR):

S. 3594. A bill to amend the Internal Revenue Code of 1986 to increase the alternative tax liability limitation for small property and casualty insurance companies; to the Committee on Finance.

By Mr. MENENDEZ (for himself and Ms. SNOWE):

S. 3595. A bill to amend the Internal Revenue Code of 1986 to provide an exception from the passive loss rules for investments in high technology research small business pass-thru entities; to the Committee on Finance.

By Mr. TESTER (for himself and Mr. BEGICH):

S. 3596. A bill to make the National Parks and Federal Recreational Lands Pass available at a discount to veterans; to the Committee on Energy and Natural Resources.

By Mr. THUNE (for himself and Mr. WYDEN):

S. 3597. A bill to amend the Tariff Act of 1930 to increase and adjust for inflation the maximum value of articles that may be imported duty-free by one person on one day, and for other purposes; to the Committee on Finance.

By Mr. BLUMENTHAL:

S. 3598. A bill to protect elder adults from exploitation and financial crime, to prevent elder adult abuse and financial exploitation, and to promote safety for elder adults; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself and Mr. BENNET):

S. 3599. A bill to streamline and address overlap in the Federal workforce investment system, steer Federal training dollars toward skills needed by industry, establish incentives for accountability through a Pay for Performance pilot program, and provide new access to the National Directory of New Hires, to measure performance and better connect the unemployed to jobs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER (for himself and Mr. PORTMAN):

S. 3600. A bill to expand the Federal Funding Accountability and Transparency Act of 2006 to increase accountability and transparency in Federal spending, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 3601. A bill to provide tax relief with respect to the Hurricane Isaac disaster area; to the Committee on Finance.

By Mr. INHOFE:

S. 3602. A bill to repeal the nutrition entitlement programs and establish a food stamp block grant program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. NELSON of Florida:

S. 3603. A bill to designate the Department of Veterans Affairs clinic in Sunrise, Florida, as the ''William 'Bill' Kling Department of Veterans Affairs Clinic''; to the Committee on Veterans' Affairs.

By Mr. KOHL (for himself, Mr. GRASSLEY, and Mr. BLUMENTHAL):

S. 3604. A bill to amend title XVIII of the Social Security Act to provide for the implementation of prescriber education programs and to establish requirements relating to the administration of antipsychotics to residents of skilled nursing facilities and nursing facilities under the Medicare and Medicaid programs, and for other purposes; to the Committee on Finance.

By Mrs. HAGAN (for herself, Mr. CRAPO, Mrs. MCCASKILL, Mr. RISCH, Mr. CARPER, Mr. VITTER, Mr. COONS, Ms. LANDRIEU, Mr. PRYOR, and Mr. CONRAD):

S. 3605. A bill to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. GILLIBRAND:

S. 3606. A bill to establish an improved regulatory process for injurious wildlife to prevent the introduction and establishment in the United States of nonnative wildlife and wild animal pathogens and parasites that are likely to cause harm; to the Committee on Environment and Public Works.

By Mr. HOEVEN (for himself, Mr. LUGAR, Mr. VITTER, and Ms. MURKOWSKI):

S. 3607. A bill to approve the Keystone XL Pipeline; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. Res. 571. A resolution congratulating the Nunaka Valley Little League Junior girls softball team on winning the 2012 Little League Junior Softball World Series; to the Committee on the Judiciary.

By Mr. CARDIN (for himself, Mr. SANDERS, Mrs. BOXER, Mr. MERKLEY, and Mr. TESTER):

S. Res. 572. A resolution designating September 2012 as the ''National Month of Voter Registration''; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself and Mr. TOOMEY):

S. Res. 573. A resolution designating the third week of January 2013, as ''Teen Cancer Awareness Week''; to the Committee on the Judiciary.

By Mrs. GILLIBRAND (for herself, Ms. AYOTTE, Mrs. HUTCHISON, Mrs. SHAHEEN, Mr. KIRK, Mr. MENENDEZ, Mr. CORNYN, Mr. WYDEN, Mr. MORAN, Mr. CARDIN, Mr. HOEVEN, Mr. BROWN of Ohio, Mrs. BOXER, Mr. LIEBERMAN, Mr. LAUTENBERG, Mr. BENNET, Mr. BLUMENTHAL, Mr. SCHUMER, Mr. BEGICH, and Mr. JOHANNS):

S. Res. 574. A resolution calling on the United Nations to take concerted actions against leaders in Iran for their statements calling for the destruction of another United Nations Member State, Israel; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 166

At the request of Mr. LUGAR, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 166, a bill to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory.

S. 306

At the request of Mr. WEBB, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 306, a bill to establish the National Criminal Justice Commission.

S. 722

At the request of Mr. WYDEN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 722, a bill to strengthen and protect Medicare hospice programs.

S. 738

At the request of Ms. STABENOW, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 738, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of comprehensive Alzheimer's disease and related dementia diagnosis and services in order to improve care and outcomes for Americans living with Alzheimer's disease and related dementias by improving detection, diagnosis, and care planning.

S. 810

At the request of Ms. CANTWELL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 810, a bill to prohibit the conducting of invasive research on great apes, and for other purposes.

S. 847

At the request of Mr. LAUTENBERG, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 847, a bill to amend the Toxic Substances Control Act to ensure that risks from chemicals are adequately understood and managed, and for other purposes.

S. 998

At the request of Mr. AKAKA, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 998, a bill to amend title IV of the Employee Retirement Income Security Act of 1974 to require the Pension Benefit Guaranty Corporation, in the case of airline pilots who are required by regulation to retire at age 60, to compute the actuarial value of monthly benefits in the form of a life annuity commencing at age 60.

S. 1301

At the request of Mr. LEAHY, the names of the Senator from North Dakota (Mr. CONRAD) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 1301, a bill to authorize appropriations for fiscal years 2012 through 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

S. 1381

At the request of Mr. BLUMENTHAL, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1381, a bill to provide for the expansion of Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme and other tick-borne disease, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 1423

At the request of Mr. TOOMEY, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1423, a bill to clarify the orphan drug exception to the annual fee on branded prescription pharmaceutical manufacturers and importers.

S. 1683

At the request of Mrs. HAGAN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1683, a bill to provide the Department of Homeland Security, U.S. Customs and Border Protection, and the Department of the Treasury with authority to more aggressively

enforce trade laws relating to textile and apparel articles, and for other purposes.

S. 1718

At the request of Mr. WYDEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1718, a bill to amend title XVIII of the Social Security Act with respect to the application of Medicare secondary payer rules for certain claims.

S. 1796

At the request of Mr. PRYOR, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1796, a bill to make permanent the Internal Revenue Service Free File program.

S. 1840

At the request of Mr. BROWN of Ohio, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1840, a bill to amend the Public Health Service Act to expand and intensify programs of the National Institutes of Health with respect to translational research and related activities concerning Down syndrome, and for other purposes.

S. 1872

At the request of Mr. CASEY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1872, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 1884

At the request of Mr. DURBIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1884, a bill to provide States with incentives to require elementary schools and secondary schools to maintain, and permit school personnel to administer, epinephrine at schools.

S. 2189

At the request of Mr. HARKIN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2189, a bill to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal antidiscrimination and antiretaliation claims, and for other purposes.

S. 2283

At the request of Mr. TESTER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2283, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to include procedures for requests from Indian tribes for a major disaster or emergency declaration, and for other purposes.

S. 2347

At the request of Mr. CARDIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of 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.

S. 2374

At the request of Mr. BINGAMAN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 2374, a bill to amend the Helium Act to ensure the expedient and responsible draw-down of the Federal Helium Reserve in a manner that protects the interests of private industry, the scientific, medical, and industrial communities, commercial users, and Federal agencies, and for other purposes.

S. 3079

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 3079, a bill to make participation in the American Community Survey voluntary, except with respect to certain basic questions, and for other purposes.

S. 3237

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 3237, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 3250

At the request of Mr. CORNYN, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from New York (Mr. SCHUMER), the Senator from Delaware (Mr. COONS), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Texas (Mrs. HUTCHISON) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 3250, a bill to amend the DNA Analysis Backlog Elimination Act of 2000 to provide for Debbie Smith grants for auditing sexual assault evidence backlogs and to establish a Sexual Assault Forensic Evidence Registry, and for other purposes.

S. 3257

At the request of Mr. COBURN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3257, a bill to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions, and to provide for the return of previously distributed funds for deficit reduction.

S. 3289

At the request of Mr. KERRY, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 3289, a bill to expand the Medicaid home and community-based services waiver to include young individuals who are in need of services that would otherwise be required to be provided through a psychiatric residential treatment facility, and to change references in Federal law to mental retardation to references to an intellectual disability.

S. 3338

At the request of Mr. ENZI, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from North Dakota (Mr. CONRAD) and the Senator from Massachusetts (Mr. BROWN) were added as cosponsors of S. 3338, a bill to amend the Public Health Service Act and title XVIII of the Social Security Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly.

S. 3341

At the request of Mr. KERRY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 3341, a bill to require a quadrennial diplomacy and development review, and for other purposes.

S. 3394

At the request of Mr. JOHNSON of South Dakota, the names of the Senator from Colorado (Mr. UDALL) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 3394, a bill to address fee disclosure requirements under the Electronic Fund Transfer Act, to amend the Federal Deposit Insurance Act with respect to information provided to the Bureau of Consumer Financial Protection, and for other purposes.

At the request of Mr. AKAKA, his name was added as a cosponsor of S. 3394, supra.

S. 3430

At the request of Mrs. SHAHEEN, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 3430, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes and diabetes.

S. 3444

At the request of Mr. BROWN of Ohio, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3444, a bill to require that textile and apparel articles acquired for use by executive agencies be manufactured from articles, materials, or supplies entirely grown, produced, or manufactured in the United States.

S. 3463

At the request of Mr. FRANKEN, the names of the Senator from Montana (Mr. TESTER), the Senator from California (Mrs. BOXER) and the Senator from Massachusetts (Mr. BROWN) were added as cosponsors of S. 3463, a bill to amend title XVIII of the Social Security Act to reduce the incidence of diabetes among Medicare beneficiaries.

S. 3477

At the request of Mrs. BOXER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 3477, a bill to ensure that the United States promotes women's meaningful inclusion and participation in mediation and negotiation processes undertaken in order to prevent, mitigate, or resolve violent conflict and implements the United States National Action Plan on Women, Peace, and Security.

S. 3494

At the request of Mr. FRANKEN, the names of the Senator from Michigan

(Mr. LEVIN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 3494, a bill to amend the Internal Revenue Code of 1986 to qualify formerly homeless individuals who are full-time students for purposes of low income housing tax credit.

S. 3522

At the request of Mr. MENENDEZ, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 3522, a bill to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

S. 3525

At the request of Mr. TESTER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3525, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

S. 3546

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 3546, a bill to amend the Native American Programs Act of 1974 to reauthorize a provision to ensure the survival and continuing vitality of Native American languages.

S. 3551

At the request of Mr. DEMINT, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 3551, a bill to require investigations into and a report on the September 11–13, 2012, attacks on the United States missions in Libya, Egypt, and Yemen, and for other purposes.

S. 3560

At the request of Mr. WHITEHOUSE, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Nebraska (Mr. NELSON), the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 3560, a bill to provide for scientific frameworks with respect to recalcitrant cancers.

S. 3565

At the request of Mr. CASEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3565, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 3567

At the request of Ms. COLLINS, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 3567, a bill to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes.

S.J. RES. 41

At the request of Mrs. BOXER, her name was added as a cosponsor of S.J. Res. 41, a joint resolution expressing the sense of Congress regarding the nuclear program of the Government of the Islamic Republic of Iran.

S. CON. RES. 50

At the request of Mr. RUBIO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. Con. Res. 50, a concurrent resolution expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived.

S. RES. 453

At the request of Mr. HARKIN, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Vermont (Mr. SANDERS) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. Res. 453, a resolution expressing the sense of the Senate that supporting seniors and individuals with disabilities is an important responsibility of the United States, and that a comprehensive approach to expanding and supporting a strong home care workforce and making long-term services and supports affordable and accessible in communities is necessary to uphold the right of seniors and individuals with disabilities in the United States to a dignified quality of life.

S. RES. 543

At the request of Mrs. BOXER, the names of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. Res. 543, a resolution to express the sense of the Senate on international parental child abduction.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED:

S. 3582. A bill to improve quality and accountability for educator preparation programs; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, we know that public education lays the foundation for economic growth and the ongoing vitality of our democracy.

We also know that there is more work to be done to improve our schools. To achieve this goal, we need to focus on the professionals who have the greatest impact on student learning at school—teachers and principals.

Last year, I introduced the Effective Teaching and Leading Act to support teachers, librarians, and principals currently on the job through a comprehensive system of induction, professional development, and evaluation.

Today, I am pleased to be introducing the Educator Preparation Reform Act with Representative HONDA to improve how we prepare teachers, principals, and other educators so that they can be effective right from the start.

Our legislation builds on the success of the Teacher Quality Partnership Program, which I helped author. We have added a specific focus on principals with the addition of a residency program for new principals.

Improving instruction is a team effort, with principals at the helm. This bill better connects teacher preparation with principal preparation. The Educator Preparation Reform Act will also allow partnerships to develop preparation programs for other areas of instructional need, such as for school librarians, counselors, or other academic support professionals.

The bill revamps the accountability and reporting requirements for teacher preparation programs to provide greater transparency on key quality measures such as admissions standards, requirements for clinical practice, placement of graduates, retention in the field of teaching, and teacher performance, including student learning outcomes.

All programs, whether traditional or alternative routes to certification, will report on the same measures.

Under this legislation, states will be required to identify at-risk and low performing programs and provide them with technical assistance and a timeline for improvement. Programs that are at-risk or low performing will be restricted in their ability to offer TEACH grants. States would be encouraged to close programs that do not improve.

The Educator Preparation Reform Act refocuses the state set-aside for higher education in Title II of the Elementary and Secondary Education Act on activities to support the development and implementation of performance assessments to measure new teachers' readiness for the classroom and for technical assistance for struggling teacher preparation programs.

We have been fortunate to work with many stakeholders in developing the key provisions of this legislation. Organizations that have endorsed the Educator Preparation Reform Act include: the Alliance for Excellent Education, American Association of Colleges for Teacher Education, American Association of State Colleges and Universities, American Council on Education, American Psychological Association, Association of American Universities, Association of Jesuit Colleges and Universities, Association of Public and Land-grant Universities, Council for Christian Colleges and Universities, First Focus Campaign for Children, Higher Education Consortium for Special Education, Hispanic Association of Colleges and Universities, National Association of Elementary School Principals, National Association of Independent Colleges and Universities, National Association of Secondary School Principals, National Association of State Directors of Special Education,

National Council of Teachers of Mathematics, National Science Teachers Association, National School Boards Association Opportunity to Learn Action Fund, Public Education Network, Rural School and Community Trust, Silicon Valley Education Foundation, Teacher Education Division of the Council for Exceptional Children, American Association of Colleges of Teacher Education, The Higher Education Task Force, National Association of Elementary School Principals, and National Association of Secondary School Principals.

I look forward to working with these organizations, my colleagues, and others as I seek to include this legislation during the effort next Congress to reauthorize both the Elementary and Secondary Education Act and the Higher Education Act. I encourage my colleagues to join me in supporting this legislation.

By Mrs. HAGAN (for herself, Mr. KERRY, and Mrs. GILLIBRAND):

S. 3583. A bill to authorize the Secretary of Housing and Urban Development to establish and carry out a community revitalization program to provide Federal grants to communities for the rehabilitation of critically needed parks, recreational areas, and facilities, the development of improved recreational programs, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mrs. HAGAN. Mr. President, I rise today to highlight the impact that local parks, greenways, and recreational opportunities have in neighborhoods and communities across the country.

Many Americans are dealing with the effects of a stagnant economy, the rising cost of health care, and threats to the overall quality of life in their communities. Research shows that investment in parks and recreation creates jobs, attracts business, increases property values, positively impacts public health, promotes conservation in a non-regulatory fashion, and contributes to a higher quality of life for hardworking Americans and their families. Additionally, recreation for disabled veterans has proven to be a powerful tool in the rehabilitation process, providing a number of significant therapeutic benefits for those who have served our country. Yet, many of our most populated areas are suffering from limited green space, deteriorating community facilities, and a lack of access to safe, quality recreation opportunities.

I have seen first-hand the tremendous impact that parks, greenways, and recreation opportunities have had in my hometown of Greensboro, a three time winner of the National Recreation and Park Association's Gold Medal Award. North Carolina's beautiful capital city, Raleigh, which is often referred to as ''a city within a park'', has been recognized over the last several years by publications such as Forbes, Business Week, and the Wall Street Journal as the best city for business, best city for jobs, and the nation's best place to live. All of these accolades are due in large part to the high quality of the parks and recreational facilities present throughout the community and were often noted when describing the criteria for making these ''best of'' selections.

For all of these reasons, today I am introducing the Community Parks Revitalization Act with Senator KERRY and Senator GILLIBRAND. The bill will authorize the U.S. Department of Housing and Urban Development to provide grants and technical assistance to rehabilitate community parks and recreational infrastructure. This legislation would also help communities provide improved opportunities for returning veterans, military families, and at-risk youth. Specifically, the Community Parks for Revitalization Act would provide matching grants to support localities by creating jobs and leveraging private investment by supporting capital projects that rehabilitate, and construct new, parks and recreation areas and facilities.

The act will combat childhood obesity by connecting youth with the outdoors and improving overall public health by increasing access to recreational areas and facilities; by providing innovative, cost-effective, and non-regulatory solutions to environmental challenges; and by addressing the recreation needs of disabled veterans, military families, as well as disadvantaged youth.

I ask all of my colleagues to please join me in supporting this timely legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3583

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 ''Community Parks Revitalization Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) According to the 2010 United States Census, over 80 percent of the population of the United States lives in urban areas.

(2) Urban parks are a critical part of our Nation's urban infrastructure, playing a vital role in revitalizing neighborhoods, stimulating our Nation's economy, combating national issues such as obesity and juvenile delinquency, and protecting our environment.

(3) Urban parks are a catalyst for active outdoor recreation, an industry which in 2010 supported 6,100,000 American jobs, generated $646,000,000,000 in retail sales and services across the United States, generated $39,900,000,000 in Federal tax revenues, and $39,900,000,000 in State and local tax revenues.

(4) Studies also show that approximately 20 jobs are created for every $1,000,000 invested in parks and conservation projects.

(5) Studies have found that parkland saves cities millions of dollars in storm water management and air pollution expenses by capturing precipitation, reducing runoff, and absorbing air pollutants.

(6) Between 2001 and 2012, as funding for local parks and recreation significantly declined, the number of adults classified as overweight or obese steadily increased from 61 percent to 67 percent. Similarly, during this same period, the number of children and adolescents classified as overweight or obese nearly tripled, going from 12 percent in 2001 to 33 percent in 2011.

(7) Physical inactivity contributes to obesity and takes a toll on our Nation's economy, as the annual costs of medical spending and lost productivity from individuals in the United States being obese and overweight are estimated to be $147,000,000,000. Access to urban parks is critical to combating this issue. A study by the Centers for Disease Control found that the creation of, or enhanced access to, places for physical activity, such as parks, led to a 25.6 percent increase in the percentage of people exercising on 3 or more days a week which improves the physical and mental health of our citizens.

(8) Access to urban parks is critical to combating obesity and its residual impact on health care expenses. A study by the Centers for Disease Control and Prevention found that the creation of, or enhanced access to, places for physical activity, such as parks, led to a 25.6 percent increase in the percentage of people exercising on 3 or more days a week, which improves the physical and mental health of our citizens.

(9) According to the Centers for Disease control and Prevention, over the 25 years preceding the date of enactment of this Act, rates of obesity have more than tripled among adolescents ages 12 to 19 and doubled among adults ages 20 to 74 and children ages 6 to 11.

(10) Physical inactivity contributes to obesity. A study by the CDC found that the creation of, or enhanced access to, places for physical activity led to a 25.6 percent increase in the percentage of people exercising on 3 or more days a week. Physical activity can improve physical and mental health. The annual costs of medical spending and lost productivity from individuals in the United States being obese and overweight are estimated to be $147,000,000,000.

(11) Urban parks also decrease juvenile delinquency by providing quality after school programs. According to the Juvenile Justice Bulletin, without structured, supervised activities in the after school hours, youth are at greater risk of being victims of crime or participating in anti-social behaviors, especially during the hours of 2:00 pm to 6:00 pm.

(12) The National Youth Violence Prevention Resource Center reported that students who spend no time in extracurricular activities, such as those offered in after-school programs through parks and recreation agencies, are 49 percent more likely to have used drugs and 37 percent more likely to become teen parents than are those students who spend 1 to 4 hours per week in extracurricular activities.

(13) According to the Juvenile Justice Bulletin, without structured, supervised activities in the after-school hours, youth are at greater risk of being victims of crime or participating in anti-social behaviors. Juveniles are at the highest risk of being a victim of crime between 2:00 p.m. and 6:00 p.m., and the peak hour for juvenile crime is between 3:00 p.m. and 4:00 p.m., the first hour after most students are dismissed from school.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to authorize the Secretary to establish and carry out a community revitalization program to provide Federal grants to communities for the rehabilitation of critically

needed parks, recreational areas, and facilities, the development of improved recreational programs, and for other purposes;

(2) to improve urban areas through economic development;

(3) to prevent and improve chronic disease outcomes, including cardiovascular disease, diabetes, depression, and obesity;

(4) to improve recreational areas and facilities and expand recreation services in urban areas with a high incidence of crime and to help expand recreation opportunities for at-risk youth;

(5) to promote collaboration between local agencies involved in parks and recreation, law enforcement, youth social services, and juvenile justice system;

(6) to ensure accessibility to therapeutic recreation services and to provide recreation opportunities for injured or disabled members of the Armed Forces; and

(7) to encourage the rehabilitation of existing and construction of new urban recreational areas and facilities with environmentally beneficial components, when possible, such as sustainable landscape features and upcycled and recycled materials, and to prioritize the selection of projects that provide environmental benefits to urban areas, including by updating lighting, planting trees, increasing the urban forestry canopy, improving stormwater management, increasing green infrastructure, employing water conservation measures, and adding green spaces to urban areas.

SEC. 4. DEFINITIONS.

In this Act, the following definitions shall apply:

(1) The term ''recreational areas and facilities'' means indoor or outdoor parks, buildings, sites, or other facilities that are dedicated to recreation purposes and administered by public or private nonprofit agencies to serve the recreation needs of community residents, with emphasis on public facilities readily accessible to residential neighborhoods, including multiple-use community centers that have recreation as a primary purpose, but excluding major sports arenas, exhibition areas, and conference halls used primarily for commercial sports, spectator, or display activities.

(2) The term ''rehabilitation and construction grants'' means matching capital grants to local governments for the purpose of rebuilding, remodeling, expanding, or developing existing or building new recreational areas and facilities, including improvements in park landscapes, infrastructure, buildings, and support facilities, and the provision of lighting, emergency phones, or other capital improvements to improve the security of urban parks, but excluding routine maintenance and upkeep activities.

(3) The term ''innovation and recreation program'' grants means matching grants to local governments to cover costs of personnel, facilities, equipment, supplies, or services designed to demonstrate innovative and cost effective ways to augment park and recreation opportunities, or support new or existing programs, which increase access to recreation opportunities for returning veterans and active duty military and their families or provide constructive alternatives for youth at risk for engaging in criminal behavior.

(4) The term ''recovery action program grants'' means matching grants to local governments for development of local park and recreation recovery action programs, including for resource and needs assessment, coordination, citizen involvement and planning, and program development activities to encourage public definition of goals and develop priorities and strategies for overall recreation system recovery.

(5) The term ''maintenance'' means all commonly accepted practices necessary to keep recreational areas and facilities operating in a state of good repair and to protect such areas and facilities from deterioration resulting from normal wear and tear.

(6) The term ''local government'' means any city, county, town, township, parish, village, or any local or regional special district such as a park district, conservation district, or park authority.

(7) The term ''private nonprofit agency'' means a community-based, non-profit organization, corporation, or association organized for purposes of providing recreation, conservation, and educational services directly to urban residents on either a neighborhood or community-wide basis through voluntary donations, voluntary labor, or public or private grants.

(8) The term ''Secretary'' means the Secretary of Housing and Urban Development.

(9) The term ''State'' means any State of the United States (or any instrumentality of a State approved by the Governor), the District of Columbia, and the Commonwealth of Puerto Rico.

(10) The term ''insular areas'' means Guam, the Virgin Islands, American Samoa, and the Northern Mariana Islands.

SEC. 5. FEDERAL ASSISTANCE GRANTS.

(a) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall promulgate regulations establishing a community revitalization program to provide Federal rehabilitation and construction grants, innovation and recreation programming grants, and recovery action program grants in accordance with this Act.

(b) REQUIREMENTS.—The regulations required under subsection (a) shall include—

(1) eligibility requirements for the grant program established pursuant to such subsection;

(2) the timing and form of applications required to be submitted to the Secretary by local governments seeking such grants;

(3) required elements of any grant application required to be submitted to the Secretary by local governments seeking such grants;

(4) criteria for priority selection and approval by the Secretary in choosing which local governments receive grant funds;

(5) guidelines for seeking modification of a project to be funded or which is funded by the grant program established pursuant to such subsection; and

(6) penalties placed on local governments that received amounts under the grant program established pursuant to such subsection for failing to comply with the reporting and recordkeeping requirements set forth in section 13, up to and including rescission of grant amounts for repetitive violations.

SEC. 6. ELIGIBILITY REQUIREMENTS AND PRIORITY CRITERIA.

(a) ELIGIBILITY REQUIREMENTS.—

(1) IN GENERAL.—In developing the regulations required under section 5(a), the Secretary shall set forth eligibility requirements for receiving grants under the community revitalization program established pursuant to this Act.

(2) CONSIDERATIONS.—The eligibility requirements required to be established under paragraph (1) shall be based on—

(A) evidence of a commitment to ongoing planning, rehabilitation, service, operation, and maintenance programs for park and recreations systems, as described in section 8;

(B) population density (the number of persons per square mile of land area);

(C) total population under 18 years of age or over 59 years of age;

(D) the number of unemployed people as a percentage of the civilian labor force;

(E) the percent of households without automobiles available;

(F) the percent of persons with income below 125 percent of the poverty level;

(G) the percent of single-headed households with children present; and

(H) any additional criteria the Secretary determines appropriate.

(b) PARTIAL ELIGIBILITY WAIVER.—

(1) GENERALLY.—Subject to paragraph (2), the Secretary is authorized to designate local governments in standard metropolitan statistical areas, as defined by the most current census, that do not meet all of the eligibility requirements required under subsection (a) as eligible to receive grants under this Act.

(2) LIMITATION OF FUNDS.—Grants to local governments described in paragraph (1) shall not exceed, in the aggregate, 15 percent of the funds appropriated pursuant to this Act for rehabilitation and construction, innovation and recreation program, and recovery action program grants.

(c) ELIGIBILITY CERTIFICATION.—As part of any application process set forth pursuant to the regulations prescribed under section 5, a responsible official for a local government that has applied for a grant under this Act shall certify that the local government meets all of the eligibility requirements established under this Act with respect to receipt of grant amounts under the community revitalization program established pursuant to this Act. If a local government applies for a partial eligibility waiver under subsection (b), such certification shall specify which of the eligibility requirements are met by the local government.

(d) PRIORITY CRITERIA.—

(1) GENERAL PRIORITY CRITERIA.—The Secretary shall establish priority criteria for the selection and approval of projects to be funded by grant amounts made available pursuant to this Act. The priority criteria established under this subsection shall be based on factors such as—

(A) a higher population density of the project neighborhood;

(B) demonstrated deficiencies in the condition of existing recreational areas and facilities in the project neighborhood;

(C) demonstrated deficiencies in access to neighborhood recreation opportunities, particularly for minority and low- and moderate-income residents, veterans or active duty military families, and residents with physical or mental disabilities;

(D) the number of unemployed people as a percentage of the civilian labor force of the project neighborhood;

(E) public participation in determining rehabilitation or development needs;

(F) the extent to which a project or program supports or complements target activities undertaken as part of a local government's overall community development and urban revitalization program;

(G) the extent to which such a project would—

(i) provide employment opportunities for minorities, youth, and low- and moderate-income residents in the project neighborhood; and

(ii) provide for participation of neighborhood, nonprofit, or tenant organizations in the proposed rehabilitation and construction activity or in subsequent maintenance, staffing, or supervision of recreational areas and facilities;

(H) the amount of State, local, and private support for the project as evidenced by commitments of non-Federal resources to project construction or operation; and

(I) any additional criteria the Secretary determines appropriate.

(2) PRIORITY CRITERIA FOR REHABILITATION AND CONSTRUCTION GRANTS.—In addition to

the general priority criteria established under paragraph (1), the Secretary shall establish priority criteria for the selection and approval of projects to be funded by a rehabilitation and construction grant made pursuant to this Act, including whether the project—

(A) builds recreational areas and facilities in areas that are located within half a mile of public housing or a school and do not currently have indoor or outdoor facilities;

(B) creates, maintains, or revitalizes playgrounds or active play areas for children;

(C) connects children to the outdoors for physical activity and access to nature;

(D) promotes physical activity for individuals and the community at large;

(E) works collaboratively with local governments, colleges, and universities, and other institutions to track the longitudinal rates of chronic diseases in the community such as cardiovascular disease, diabetes, depression, and obesity;

(F) uses environmentally beneficial components such as sustainable landscape features and upcycled and recycled materials;

(G) provides environmental benefits to urban areas, including by—

(i) updating lighting;

(ii) planting trees;

(iii) increasing the urban forestry canopy;

(iv) improving stormwater management;

(v) increasing green infrastructure;

(vi) employing water conservation measures; or

(vii) adding green spaces;

(H) connects to public transportation;

(I) uses LEED Green Building Standards or contains energy efficiency components such as energy efficient lighting and HVAC systems, and uses SITES sustainable landscape standards, or other sustainable components and practices;

(J) contains safe trails or routes, such as trails, bikeways, and sidewalks that connect to neighborhoods and enhance access to parks and recreational areas and facilities;

(K) enhances or expands youth development in neighborhoods and communities by engaging youth in environmental stewardship, conservation, and service projects;

(L) updates existing equipment or facilities to be in compliance with the most recent accessibility guidelines published by the United States Access Board, specifically by removing architectural barriers so that sites comply or exceed the requirements of the final guidelines for the accessibility of recreational areas and facilities; or

(M) constructs new facilities or sites to comply with or exceed the minimum requirements of the final guidelines for the accessibility of recreational sites and facilities published by the United States Access Board.

(3) PRIORITY CRITERIA FOR INNOVATION AND RECREATION PROGRAM GRANTS.—In addition to the general priority criteria established under paragraph (1), the Secretary shall establish priority criteria for the selection and approval of programs to be funded by an innovation and recreation program grant made pursuant to this Act, including whether the project or program—

(A) promotes the unique integration of recreation with other community services, such as transportation, public housing and public safety, either to expand or update current services, or to link programs within the social service structure of a neighborhood or between neighborhoods;

(B) utilizes new management and cost-saving or service-efficient approaches for improving the delivery of recreation services;

(C) serves communities with a high population of active military families or veterans;

(D) ensures accessibility to therapeutic recreation services and provides recreation opportunities for injured or disabled members of the Armed Forces;

(E) employs veterans, youth, or uses youth volunteers;

(F) targets youth are at the greatest risk of becoming involved in violence and crime;

(G) demonstrates past success in providing constructive alternatives to youth at risk for engaging in criminal behavior;

(H) demonstrates collaboration between local park and recreation, juvenile justice, law enforcement, and youth social service agencies and nongovernmental entities, including private, nonprofit agencies; and

(I) shows the greatest potential of being continued with non-Federal funds or may serve as models for other communities.

SEC. 7. REHABILITATION AND INNOVATION AND RECREATION PROGRAM GRANTS.

(a) AUTHORIZATION.—Upon approval of an application by the chief executive of an eligible local government, the Secretary may provide 70 percent matching rehabilitation and construction grants and innovation and recreation program grants directly to such eligible local government.

(b) TRANSFER.—At the discretion of a local government receiving a rehabilitation and construction grant or innovation and recreation program grant pursuant to subsection (a), and if consistent with an approved application, such a grant may be transferred in whole or in part to private nonprofit agencies, provided that assisted recreational areas and facilities owned or managed by such private nonprofit agencies offer recreation opportunities to the general population within the jurisdictional boundaries of the local government.

(c) PAYMENTS.—Grant payments may be made only for rehabilitation and construction or innovation and recreation projects and programs approved by the Secretary. In the case of rehabilitation and construction and innovation projects, such payments may be made periodically in keeping with the rate of progress toward the satisfactory completion of a project, except that the Secretary may, when appropriate, make advance payments on approved rehabilitation and construction and innovation projects in an amount not to exceed 20 percent of the total project cost.

(d) MODIFICATION OF PROJECT.—The Secretary may authorize modification of an approved rehabilitation and construction or innovation project only when a grantee has adequately demonstrated that such modification is necessary because of circumstances not foreseeable at the time such project was proposed.

(e) SPECIAL CONSIDERATIONS FOR INNOVATION AND RECREATION PROGRAM.—Innovation grants shall correspond to the goals, priorities, and implementation strategies expressed in local park and recreation recovery action programs, with particular regard to the special considerations listed in section 8(b) of this Act.

SEC. 8. LOCAL COMMITMENTS TO SYSTEM RECOVERY AND MAINTENANCE.

(a) RECOVERY ACTION PROGRAMS.—

(1) IN GENERAL.—As a requirement for project approval, a local government applying for a grant under this Act shall submit to the Secretary evidence of its commitment to ongoing planning, rehabilitation, service, operation, and maintenance programs for its park and recreation systems. Such commitment shall be expressed in a local park and recreation recovery action program that maximizes coordination of all community resources, including other federally supported urban development and recreation programs.

(2) INTERIM PRELIMINARY ACTION PROGRAMS.—During an initial interim period to be established by regulation, the recovery action program requirement under paragraph (1) may be satisfied by submission of preliminary action programs of a local government that define objectives, priorities, and implementation strategies for overall system recovery and maintenance and commit such local government to a scheduled program development process.

(3) 5-YEAR ACTION PROGRAM.—Following the interim period under paragraph (2), each local government applicant shall submit to the Secretary, as a condition of eligibility, a 5-year park and recreation recovery action program that demonstrates—

(A) identification of recovery objectives, priorities, and implementation strategies;

(B) adequate planning for rehabilitation of specific recreational areas and facilities, including projections of the cost of proposed projects;

(C) capacity and commitment to assure that facilities provided or improved under this Act shall thereafter continue to be adequately maintained, protected, staffed, and supervised;

(D) intention to maintain total local public outlays for park and recreation purposes at levels at least equal to those in the year preceding that in which grant assistance is sought, except in any case where a reduction in park and recreation outlays is proportionate to a reduction in overall spending by the applicant; and

(E) the relationship of the park and recreation recovery action program to overall community development and urban revitalization efforts.

(4) CONTINUING PLANNING PROCESS.—Where appropriate, the Secretary may encourage local governments to meet recovery action program requirements through a continuing planning process which includes periodic improvements and updates in recovery action program submissions to eliminate identified gaps in program information and policy development.

(b) RECOVERY ACTION PROGRAM SPECIAL CONSIDERATIONS.—Recovery action programs shall address, at a minimum, the following special considerations:

(1) Rehabilitation of existing recreational areas and facilities, including—

(A) general systemwide renovation;

(B) special rehabilitation requirements for recreational areas and facilities in areas of high population concentration and economic distress; and

(C) restoration of outstanding or unique structures, landscaping, or similar features in parks of historical or architectural significance.

(2) Local commitments to innovative and cost-effective programs and projects at the neighborhood level to augment recovery of park and recreation systems, including—

(A) recycling of abandoned schools and other public buildings for recreation purposes;

(B) multiple use of operating educational and other public buildings;

(C) purchase of recreation services on a contractual basis;

(D) use of mobile facilities and recreational, cultural, and educational programs or other innovative approaches to improving access for neighborhood residents;

(E) integration of the recovery action program with federally assisted projects to maximize recreation opportunities through conversion of abandoned railroad and highway rights-of-way, waterfront, and other redevelopment efforts and such other federally assisted projects, as appropriate;

(F) conversion to recreational use of street space, derelict land, and other public lands not now designated for neighborhood recreational use; and

(G) use of various forms of compensated and uncompensated land regulation, tax inducements, or other means to encourage the private sector to provide neighborhood park and recreation facilities and programs.

(c) PUBLICATION OF REQUIREMENTS.—The Secretary shall establish and publish in the Federal Register requirements for preparation, submission, and updating of local park and recreation recovery action programs.

(d) INNOVATION AND RECREATION PROGRAM GRANT.—

(1) ELIGIBILITY.—In order to be eligible to receive an at-risk youth recreation grant, a local government shall—

(A) include in its 5-year park and recreation recovery action program the goal of—

(i) utilizing new ideas, concepts, and approaches aimed at improving facility design, operations, or programming in the delivery of recreation services;

(ii) increased access of therapeutic or other recreation services to veterans and military families; or

(iii) reducing crime and juvenile delinquency; and

(B) provide a description of implementation strategies to achieve such goals.

(2) COORDINATION.—The description of implementation strategies under paragraph (1) shall also address how the local government is coordinating its recreation programs with other community development or service agencies.

(e) RECOVERY ACTION PROGRAM GRANTS.—The Secretary is authorized to provide up to 50 percent matching grants to eligible local government applicants for recovery action program development and planning to meet the objectives of this section.

SEC. 9. STATE ACTION INCENTIVE; FEDERAL GRANTS, INCREASE.

The Secretary is authorized to increase Federal rehabilitation and construction grants and innovation and recreation program grants authorized under section 7, by providing an additional match equal to the total match provided by a State of up to 15 percent of the total project or program costs. In no event may the Federal matching amount exceed 85 percent of total project or program cost. The Secretary shall further encourage the States to assist in assuring that local recovery plans and programs are adequately implemented by cooperating with the Department of Housing and Urban Development in monitoring local park and recreation recovery action programs and in assuring consistency of such plans and programs, where appropriate, with State recreation policies as set forth in statewide comprehensive outdoor recreation plans.

SEC. 10. MATCHING REQUIREMENTS; NON-FEDERAL SHARE OF PROJECT OR PROGRAM COSTS.

(a) NON-FEDERAL SOURCES.—The non-Federal share of project or program costs assisted under this Act may be derived from—

(1) general or special purpose State or local revenues;

(2) State categorical grants;

(3) special appropriations by State legislatures;

(4) donations of land, buildings, or building materials;

(5) in-kind construction, technical, and planning services; or

(6) any combination of paragraphs (1) through (5).

(b) PROHIBITED SOURCES.—No moneys from any Federal grant program other than general revenue sharing and the community development and energy efficiency and conservation block grant programs shall be used to match Federal grants under this program.

(c) PRIVATE CONTRIBUTIONS.—The Secretary shall encourage States and private interests to contribute, to the maximum extent possible, to the non-Federal share of project or program costs.

SEC. 11. CONVERSION OF RECREATION PROPERTY.

No property improved or developed with assistance under this Act shall, without the approval of the Secretary, be converted for uses other than for public recreation. The Secretary shall approve such conversion only if the Secretary determines it to be consistent with the current local park and recreation recovery action program and only upon such conditions as the Secretary determines necessary to assure the provision of adequate recreation properties and opportunities of reasonably equivalent location and usefulness.

SEC. 12. COORDINATION OF PROGRAM.

The Secretary shall—

(1) coordinate the urban revitalization and livable communities program with other Federal departments and agencies and with State agencies that administer programs and policies affecting urban areas such as the White House Office of Urban Policy and departments that administer programs and policies affecting climate change, green jobs, housing, urban development, natural resources management, employment, transportation, community services, and voluntary action;

(2) encourage maximum coordination of the program between appropriate State agencies and local government applicants; and

(3) require that local government applicants include provisions for participation of community and neighborhood residents, including youth, and for public-private coordination in recovery action program planning and project selection.

SEC. 13. REPORT; RECORDKEEPING; AUDIT AND EXAMINATION.

(a) REPORT.—Each recipient of assistance under this Act shall submit to the Secretary, for each fiscal year such assistance is received, an annual report detailing the projects and programs undertaken with such assistance, the number of jobs created by such assistance, and any other information the Secretary determines appropriate based on the priority criteria established by the Secretary under sections 5 and 6.

(b) RECORDKEEPING.—Each recipient of assistance under this Act shall keep such records as the Secretary shall prescribe, including records that fully disclose the amount and disposition of project or program undertakings in connection with which assistance under this Act is given or used, and the amount and nature of that portion of the cost of the project or program undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(c) AUDIT AND EXAMINATION.—The Secretary and the Comptroller General of the United States, or their duly authorized representatives, shall have access, for the purpose of audit and examination, to any books, documents, papers, and records of a recipient of assistance under this Act that are pertinent to such assistance.

SEC. 14. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated such sums as necessary to carry out this Act for each of fiscal years 2013 through 2022.

(b) RECOVERY ACTION PROGRAM GRANTS.—Not more than 3 percent of the funds appropriated pursuant to subsection (a) in any fiscal year may be used for grants for the development of local park and recreation recovery action programs pursuant to section 8 of this Act.

(c) INNOVATION AND RECREATION PROGRAM GRANTS.—Not more than 10 percent of the funds appropriated pursuant to subsection (a) in any fiscal year may be used for innovation grants pursuant to section 7 of this Act.

(d) DISCRETIONARY FUND.—Notwithstanding any other provision of this Act or any other law or regulation, not more than 2 percent of the funds appropriated pursuant to subsection (a) in any fiscal year may be used to provide rehabilitation and construction grants, innovation and recreation program grants, and recovery action program grants to be used in the insular areas. Such sums will not be subject to the matching provisions of this Act, and may only be subject to such conditions, reports, plans, and agreements, if any, as determined by the Secretary.

SEC. 15. LIMITATION OF USE OF FUNDS.

Not more than 10 percent of funds appropriated pursuant to section 14 for rehabilitation and construction grants in any fiscal year may be used for the acquisition of lands or interests in land.

SEC. 16. REPORTS TO CONGRESS.

(a) INTERIM REPORT.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to Congress an interim report containing such findings and recommendations as the Secretary determines appropriate with respect to the community revitalization program established pursuant to this Act.

(b) FINAL REPORT.—Not later than 10 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the overall impact of the community revitalization program established pursuant to this Act.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 3587. A bill to include the Point Arena-Stornetta Public Lands in the California Coastal National Monument as a part of the National Landscape Conservation System, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. BOXER. Mr. President, I am pleased to introduce the California Coastal National Monument Expansion Act. Congressman MIKE THOMPSON recently introduced companion legislation to this bill in the House of Representatives, and I thank him for all of the work he has done on advancing this initiative. I would also like to thank Senator DIANNE FEINSTEIN for joining me as an original co-sponsor of this legislation.

The California Coastal National Monument, created by President Clinton in 2000, stretches over 1,100 miles off California's coast and protects more than 20,000 small islands, rocks, exposed reefs, and islands between Mexico and Oregon. My bill would incorporate 1,225 acres of the Stornetta Public Lands and other public lands near the city of Point Arena in Mendocino County into the existing National Monument, creating the Monument's first onshore additions. By expanding the National Monument to include the ''Point Arena-Stornetta Public Lands,'' my bill not only preserves the area for future generations, but also helps create a more cohesive bridge between the offshore resources and onshore public lands. Visitors will have contiguous public access to the current National Monument, the proposed expansion

area, the adjacent Manchester Beach State Park, and the historic Point Arena Lighthouse.

It is crucial that steps be taken to ensure the permanent preservation of this naturally diverse segment of the California Coast, which encompasses over two miles of coastline with natural bridges, tide pools, waterfalls, sinkholes and blowholes, and portions of the Garcia River and surrounding estuary. The area is not only recognized for its breathtaking coastal formations, but also for outstanding natural resources that include extensive wetlands, rumpled sand dunes, and rolling meadows. Adding these lands to the National Monument will provide additional resources for more effective management and conservation program opportunities.

The ''Point Arena-Stornetta Public Lands'' is also home to a diverse ecosystem. The Garcia River is crucial habitat for Coho and Chinook salmon habitat, as well as a prime birding location for multiple bird species including the Laysan Albatross, Peregrine Falcon, Great Blue Heron, and many others. These lands are also the targets of restoration efforts that would help protect local endangered wildlife such as the Point Arena Mountain Beaver, Behren's Silverspot Butterfly, and other species of concern, like the Black Oyster Catcher.

In Mendocino County, tourism is responsible for supporting almost 5,000 jobs, with visitors bringing in $19 million annually in state and local taxes. Visitors come from all over the world to experience the beauty and natural wonders of California's northern coast, and local businesses and nearby towns will benefit from the increased profile of a National Monument designation. A National Monument designation will bring increased awareness to the recreational opportunities available in the area, including hiking, fishing, bird watching, nature photography and wildlife watching. This designation could also attract increased resources to support the needs of the area.

It is no wonder that the ''Point Arena-Stornetta Public Lands'' are often referred to as the most significant parts of the Mendocino coastline. These magnificent lands have tremendous natural and recreational value, and it is imperative for them to be included as part of the California Coastal National Monument. I look forward to working with my colleagues to pass this important legislation. The ''Point Arena-Stornetta Public Lands'' deserves National Monument recognition, and I urge my colleagues to join me in supporting this effort.

By Mr. REED:

S. 3589. A bill to require the Comptroller of the Currency to establish a pilot program to facilitate communication between borrowers and servicers; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today I am introducing the Mortgage Modification Outreach Act.

Despite some promising indicators in the housing market, many homeowners continue to face the threat of foreclosure. In my home state of Rhode Island, 22.6 percent of mortgages are underwater and 7.65 percent of homeowners are either in the foreclosure process or at least 90 days delinquent on their payment, a level which is higher than the national average.

I have heard from many of my constituents about the difficulties they experience when applying for loan modifications, and so the bill I am introducing focuses on providing homeowners with a face and a place where they can get more help.

First, the bill establishes a pilot program that would allow homeowners to receive information on how to reach their single point of contact by simply visiting a consumer banking branch affiliated with their mortgage servicer. Second, at the same affiliated bank branch, the homeowner can receive the address of a nearby location at which the homeowner can, at no cost in some cases, copy, fax, scan, or send all the paperwork that is required during the loan modification process. Simply put, my bill would enable a borrower to walk into the local bank branch affiliated with their mortgage servicer and get some face to face help.

This pilot program is designed to bridge the gap that has arisen as struggling homeowners have sought—unsuccessfully in too many instances—to get easy answers to basic questions from their mortgage servicer as they navigate the loan modification process. Homeowners looking for assistance should neither have to jump through countless hoops nor be given the runaround. They should be treated like customers.

There is no single solution that will help us gain traction in the housing market. However, along with my other efforts, such as S. 489, the Preserving Homes and Communities Act, S. 2162, the Project Rebuild Act, and my efforts to convert vacant foreclosed homes into rental properties, this legislation represents another commonsense approach to helping homeowners stay in their homes, reducing foreclosures, and healing the housing market.

This bill is supported by the National Consumer Law Center and the National Association of Realtors. I look forward to working with my colleagues to pass this legislation.

By Mr. INHOFE:

S. 3602. A bill to repeal the nutrition entitlement programs and establish a food stamp block grant program; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. INHOFE. Mr. President, I rise to introduce a new bill, the Food Stamp Restoration Act. This is a bill that will completely revamp the Food Stamp program, which is something that is desperately needed. Since the beginning of the Obama administration, the number of Americans on Food Stamps has increased by 46 percent. Over 46 million Americans currently claim Food Stamp benefits, and this costs taxpayers over $80 billion per year. In 2008, just four years ago, the program cost $40 billion per year—it has more than doubled in cost under President Obama's leadership.

How on earth did we get here?

Many changes to the program that have ballooned its cost have been made in recent years. President Obama, in his stimulus package, pushed reforms that both made it easier to qualify for the program and increased the value of the program's benefits. When the stimulus bill passed, the Congressional Budget Office estimated that the changes made to the Food Stamp program would increase the cost of it by to nearly $60 billion over 10 years.

Worse yet, the President has pursued economic, tax, and regulatory policies that are anti-business. These policies have made the business environment uncertain, which makes it nearly impossible for firms to invest in and expand their businesses. Businesses are doing well to simply hold on to what they already have. This has kept both unemployment and food stamp enrollment higher than it should be.

Since the stimulus package, there have been a few efforts to tinker with the structure and value of the Food Stamp program, but none of them have amounted to much. The Senate-passed Farm Bill reduced the cost of the program by a paltry $4 billion over 10 years, which is less than 1 percent of its total 10-year cost. That was one of the main reasons I voted against the Farm Bill.

But we have moved well beyond tinkering around the edges. If we do not do anything to dramatically reform the food stamp program, it will cost Federal taxpayers nearly $800 billion over the next decade. This program needs to change.

That is why I am introducing the Food Stamp Restoration Act.

Today, the Food Stamp program is a mandatory program, meaning that Congress does not have to appropriate money every year for the Food Stamp program to be funded. Rather, it is funded automatically. This dramatically reduces Congressional accountability over the program, leaving few opportunities to make adjustments and improvements to the program. This needs to change.

My bill tackles this problem head on. The Food Stamp Restoration Act converts the program from a mandatory program into a discretionary one. If my bill is enacted, Congress will have to decide each year how much money to spend on the Food Stamp program.

My bill also removes the power of designing and running the program from the Federal Government and gives it to the states. The new Food Stamp program will be a block grant, which

means that States will be given nearly limitless flexibility to design and implement their food stamp programs in the way that best serves their people.

This makes sense to me. I have never thought that bureaucrats in Washington understood Oklahomans. But the people in Oklahoma City do. If my bill is enacted, each State will receive an allotment from the Food Stamp appropriation that will be proportional to the number of individuals living in the State with an income at or below the Federal poverty level. Benefits will be given to the people who need them most.

States will only have to meet a few requirements to qualify for the block grant. First, their program will not be allowed to authorize benefit spending on things like alcohol and tobacco. The program should only allow benefit spending on real food. Second, all beneficiaries must submit themselves to drug testing. Finally, States must implement work requirements for the beneficiaries. This follows the general welfare reform efforts that I have been championing since first coming to the Senate.

To give States flexibility during times of economic weakness, they will be able to keep their allotment of funds for up to 5 years. This will allow States to provide benefits to more people during times of higher unemployment. After 5 years, if States have unused funds, the money will return to the Treasury for deficit reduction or debt repayment.

All told, my bill will save over $300 billion for Federal taxpayers, and it make significant improvements to the current program by giving States complete control over the design and implementation of the programs within their States.

The Obama administration has dramatically increased the cost of this welfare program, making millions more Americans reliant on federal assistance than necessary. The cost has doubled in just four short years. I urge the Senate to consider my bill soon so that we can save taxpayers $300 billion over 10 years while reducing the dependency of the population on government programs.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3602

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 ''Food Stamp Restoration Act of 2012''.

SEC. 2. FOOD STAMP BLOCK GRANT PROGRAM.

(a) IN GENERAL.—For each of fiscal years 2014 through 2021, the Secretary of Agriculture (referred to in this Act as the ''Secretary'') shall establish a food stamp block grant program under which the Secretary shall make annual grants to each participating State that establishes a food stamp program in the State and submits to the Secretary annual reports under subsection (d).

(b) REQUIREMENTS.—As a requirement of receiving grants under this section, the Governor of each participating State shall certify that the State food stamp program includes—

(1) work requirements;

(2) mandatory drug testing;

(3) verification of citizenship or proof of lawful permanent residency of the United States; and

(4) limitations on the eligible uses of benefits that are at least as restrictive as the limitations in place for the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) as of May 31, 2012.

(c) AMOUNT OF GRANT.—For each fiscal year, the Secretary shall make a grant to each participating State in an amount equal to the product of—

(1) the amount made available under section 3 for the applicable fiscal year; and

(2) the proportion that—

(A) the number of legal residents in the State whose income does not exceed 100 percent of the poverty line (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2), including any revision required by such section)) applicable to a family of the size involved; bears to

(B) the number of such individuals in all participating States for the applicable fiscal year, based on data for the most recent fiscal year for which data is available.

(d) ANNUAL REPORT REQUIREMENTS.—

(1) IN GENERAL.—Not later than January 1 of each year, each State that receives a grant under this section shall submit to the Secretary a report that shall include, for the year covered by the report—

(A) a description of the structure and design of the food stamp program of the State, including the manner in which residents of the State qualify for the program;

(B) the cost the State incurs to administer the program;

(C) whether the State has established a rainy day fund for the food stamp program of the State; and

(D) general statistics about participation in the food stamp program.

(2) AUDIT.—Each year, the Comptroller General of the United States shall—

(A) conduct an audit on the effectiveness of the nutritional assistance block grant program and the manner in which each participating State is implementing the program; and

(B) not later than June 30, submit to the appropriate committees of Congress a report describing—

(i) the results of the audit; and

(ii) the manner in which the State will carry out the food stamp program in the State, including eligibility and fraud prevention requirements.

(e) USE OF FUNDS.—

(1) IN GENERAL.—A State that receives a grant under this section may use the grant in any manner determined to be appropriate by the State to provide food stamps to the legal residents of the State.

(2) AVAILABILITY OF FUNDS.—Grant funds made available to a State under this section shall—

(A) remain available to the State for a period of 5 years; and

(B) after that period, shall—

(i) revert to the Federal Government to be deposited in the Treasury and used for Federal budget deficit reduction; or

(ii) if there is no Federal budget deficit, be used to reduce the Federal debt in such manner as the Secretary of the Treasury considers appropriate.

SEC. 3. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act—

(1) for fiscal year 2014, $40,000,000,000;

(2) for fiscal year 2015, $40,700,000,000;

(3) for fiscal year 2016, $41,600,000,000;

(4) for fiscal year 2017, $42,400,000,000;

(5) for fiscal year 2018, $43,200,000,000;

(6) for fiscal year 2019, $44,100,000,000;

(7) for fiscal year 2020, $45,000,000,000; and

(8) for fiscal year 2021, $45,900,000,000.

(b) DISCRETIONARY SPENDING LIMIT ADJUSTMENT.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)) is amended—

(1) in paragraph (3), by striking the figure and inserting ''$1,106,000,000,000'';

(2) in paragraph (4), by striking the figure and inserting ''$1,126,700,000,000'';

(3) in paragraph (5), by striking the figure and inserting ''$1,148,600,000,000'';

(4) in paragraph (6), by striking the figure and inserting ''$1,173,400,000,000'';

(5) in paragraph (7), by striking the figure and inserting ''$1,199,200,000,000'';

(6) in paragraph (8), by striking the figure and inserting ''$1,226,100,000,000'';

(7) in paragraph (9), by striking the figure and inserting ''$1,253,000,000,000''; and

(8) in paragraph (10), by striking the figure and inserting ''$1,279,900,000,000''.

(c) DISCRETIONARY CAP ADJUSTMENT FOR NEW PROGRAM SPENDING.—Section 251A(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(2)) is amended—

(1) in subparagraph (B)(ii), by striking the figure and inserting ''$550,000,000,000'';

(2) in subparagraph (C)(ii), by striking the figure and inserting ''$560,700,000,000'';

(3) in subparagraph (D)(ii), by striking the figure and inserting ''$571,600,000,000'';

(4) in subparagraph (E)(ii), by striking the figure and inserting ''$583,400,000,000'';

(5) in subparagraph (F)(ii), by striking the figure and inserting ''$596,200,000,000'';

(6) in subparagraph (G)(ii), by striking the figure and inserting ''$610,100,000,000'';

(7) in subparagraph (H)(ii), by striking the figure and inserting ''$623,000,000,000''; and

(8) in subparagraph (I)(ii), by striking the figure and inserting ''$635,900,000,000''.

SEC. 4. REPEALS.

(a) IN GENERAL.—Effective September 30, 2013, the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is repealed.

(b) REPEAL OF MANDATORY FUNDING.—

(1) IN GENERAL.—Notwithstanding any other provision of law, effective September 30, 2013, the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) (as in effect prior to that date) shall cease to be a program funded through direct spending (as defined in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)) prior to the amendment made by paragraph (2)).

(2) DIRECT SPENDING.—Effective September 30, 2013, section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(8)) is amended—

(A) in subparagraph (A), by adding ''and'' at the end;

(B) in subparagraph (B), by striking ''; and'' at the end and inserting a period; and

(C) by striking subparagraph (C).

(3) ENTITLEMENT AUTHORITY.—Effective September 30, 2013, section 3(9) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(9)) is amended—

(A) by striking ''means—'' and all that follows through ''the authority to make'' and inserting ''means the authority to make'';

(B) by striking ''; and'' and inserting a period; and

(C) by striking subparagraph (B).

(4) OTHER DIRECT SPENDING.—Effective September 30, 2013, section 1026(5) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 691e(5)) is amended—

(A) in subparagraph (A), by adding ''and'' at the end;

(B) in subparagraph (B), by striking ''; and'' at the end and inserting a period; and

(C) by striking subparagraph (C).

(c) RELATIONSHIP TO OTHER LAW.—Any reference in this Act, an amendment made by this Act, or any other Act to the supplemental nutrition assistance program shall be considered to be a reference to the food stamp block grant program under this Act.

SEC. 5. BASELINE.

Notwithstanding section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907), the baseline shall assume that, on and after September 30, 2013, no benefits shall be provided under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) (as in effect prior to that date).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 571—CONGRATULATING THE NUNAKA VALLEY LITTLE LEAGUE JUNIOR GIRLS SOFTBALL TEAM ON WINNING THE 2012 LITTLE LEAGUE JUNIOR SOFTBALL WORLD SERIES

Mr. BEGICH (for himself and Ms. MURKOWSKI) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 571

Whereas the Nunaka Valley Little League Junior girls softball team is comprised of young women who play softball in Anchorage, Alaska;

Whereas the Nunaka Valley Little League Junior softball team compiled an extraordinary record of 7 wins and 1 loss on their way to winning the State tournament;

Whereas the Nunaka Valley Little League Junior softball team went undefeated in 4 games in winning the West Regional Tournament in Tucson, Arizona;

Whereas in August, 2012, the Nunaka Valley Little League Junior softball team represented the West Region at the Little League Junior Softball World Series in Kirkland, Washington;

Whereas Nunaka Valley Little League Junior softball team manager Richard Hill led the Nunaka Valley Little League Junior softball team to the Little League Junior Softball World Series for a third time in 4 years;

Whereas on August 18, 2012, the Nunaka Valley Little League Junior softball team defeated Victoria, British Columbia to win the 2012 Little League Junior Softball World Series;

Whereas the Nunaka Valley Little League Junior softball team won 5 games and lost just 1 en route to becoming 2012 Little League Junior Softball World Series champions;

Whereas over 2,000 teams and 30,000 players compete in Little League Junior girls softball;

Whereas the Nunaka Valley Little League Junior girls softball team is the Little League Junior Softball World Series champions;

Whereas the teamwork and commitment of the entire Nunaka Valley Little League Junior girls softball team and the encouragement of their families has again led them to success;

Whereas Little League softball and baseball has provided a positive athletic experience and fostered teamwork and sportsmanship for millions of children in the United States and around the world; and

Whereas, Alaskans everywhere are proud of the Nunaka Valley Little League Junior girls athletes: Jacynne Augafa, Leilani Blair, Morgan Hill, Ashton Jessee, Alexis Joubert, Felila Manu, Taria Page, Hannah Peterson, Teighlor Rardon, Sierra Rosenzweig, Lauren Syrup, and Nanea Tali on their accomplishments in 2012: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates all of the Nunaka Valley Little League Junior girls softball team, parents, and coaching staff on a championship season; and

(2) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) the Nunaka Valley Little League president, Greg Davis; and

(B) the Nunaka Valley Junior Girls manager, Richard Hill; and

(C) coaches Rick Peterson and Sean Syrup.

SENATE RESOLUTION 572—DESIGNATING SEPTEMBER 2012 AS THE ''NATIONAL MONTH OF VOTER REGISTRATION''

Mr. CARDIN (for himself, Mr. SANDERS, Mrs. BOXER, Mr. MERKLEY, and Mr. TESTER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 572

Whereas the United States has overcome the stains of historic State-sponsored voting discrimination, including State laws that imposed voting qualifications such as property ownership, religious qualifications, grandfather clauses, poll taxes, and literacy tests and were designed to exclude racial minorities, poorer voters, and certain religious groups from voting;

Whereas courts have struck down these State laws because the laws conflict with the Constitution of the United States;

Whereas Congress has continuously moved to expand the franchise of voting;

Whereas the 13th, 14th, 15th, 19th, 23rd, 24th, and 26th amendments to the Constitution of the United States are intended to protect minorities, poorer voters, women, the elderly, and youth from voting discrimination;

Whereas, in 1965, Congress enacted the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.) to remedy past discrimination in voting and protect vulnerable citizens from practices that infringe on the right to vote or elect a candidate of their choice;

Whereas, in 1993, Congress enacted the National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.) to establish protections around the voting process, increase the number of citizens who register to vote, and encourage governments to protect the integrity of the electoral process;

Whereas, in 2002, in response to the controversy surrounding the 2000 presidential election, Congress enacted the Help America Vote Act of 2002 (42 U.S.C. 15301 et seq.), which provided new standards for voting systems, created the independent Election Assistance Commission to assist with the administration of Federal elections, and established minimum standards for States and local governments that administer Federal elections;

Whereas Congress has reauthorized the Voting Rights Act of 1965 5 times, most recently in 2006, recognizing the need for continued enforcement against State practices in voting that discriminate against or disenfranchise vulnerable citizens;

Whereas, since 2010, some States have enacted voting laws that are reminiscent of historic State-sponsored voting discrimination;

Whereas some States have already disenfranchised some young people, elderly people, and former Members of Congress through strict new voting laws;

Whereas some States continue to disenfranchise United States citizens with past criminal convictions who live and work in our communities;

Whereas Members of Congress and notable civil rights organizations have studied recently-enacted State voting laws and calculated that the laws will have a grave impact on millions of minority, elderly, young, and poor individuals who are eligible to vote and will seek to register to vote and vote on election day;

Whereas, since March 12, 2012, 2 State courts in Wisconsin have held that the Wisconsin voter identification law enacted in 2011 violates the Wisconsin constitution, with one court writing that ''a government that undermines the very foundation of its existence—the people's inherent, pre-constitutional right to vote—imperils its legitimacy as a government by the people, for the people, and especially of the people'';

Whereas Federal courts in both Florida and Washington, DC, recently struck down new Florida state laws that restrict new voter registration and early voting hours, with one court writing that the new restrictions on voter registration drives ''impose burdensome record-keeping and reporting requirements that serve little if any purpose, thus rendering them unconstitutional even to the extent they do not violate the [National Voter Registration Act of 1993]'', and another court holding, ''[W]e conclude that we cannot . . . preclear Florida's early voting changes because the State has failed to satisfy its burden of proving that those changes will not have a retrogressive effect on minority voters. Specifically, the State has not proven that the changes will be nonretrogressive if the covered counties offer only the minimum number of early voting hours that they are required to offer under the new statute, which would constitute only half the hours required under the prior law.'';

Whereas a Federal court in Washington, DC, recently struck down a Texas voter identification law, writing that the law ''imposes strict, unforgiving burdens on the poor'' and that ''a disproportionately high percentage of African Americans and Hispanics in Texas live in poverty'';

Whereas a Federal court in Ohio recently struck down a State law that mandated that even in cases where poll workers steer voters to the wrong polling place, provisional votes cast in the wrong precinct must be discarded;

Whereas State representatives and political leaders in States such as New Hampshire, Pennsylvania, and Florida have made public admissions about how certain laws in their States were designed to put a dent in the democratic process;

Whereas, without a response from Congress, millions of voters in the United States may be subjected to State actions that will harm the franchise;

Whereas the month of September 2012 would be an appropriate month to commemorate a national focus on the importance of every citizen being registered and empowered to vote;

Whereas, during September 2012, each voting-eligible citizen should register to vote, verify that the name, address, and other personal information on record for the citizen at the State or local board of elections is correct, confirm that the citizen has everything in hand that will be required to vote on election day, and confirm the correct polling place for election day; and

Whereas States should abolish all restrictive voter identification laws that disenfranchise vulnerable voting-eligible citizens, comply with the National Voter Registration Act of 1993, protect the voting rights of public assistance and disability clients during an economic downturn, and stop misguided, discriminatory, and inaccurate purging programs that have the risk of purging eligible voters: Now, therefore be it

Resolved, That the Senate—

(1) designates September 2012 as the ''National Month of Voter Registration'' to encourage each voting-eligible citizen to register to vote, verify that the name, address, and other personal information on record for the citizen at the State or local board of elections is correct, confirm that the citizen has everything in hand that will be required to vote on election day, and confirm the correct polling place for election day;

(2) calls on State and local election officials to conduct public outreach and take affirmative steps to encourage voter registration;

(3) encourages States to be fully compliant with the National Voter Registration Act of 1993 and other Federal voting rights laws as election day approaches; and

(4) requests that the President issue a proclamation for the National Month of Voter Registration calling upon the people of the United States to observe the month with appropriate programs, ceremonies, and activities.

SENATE RESOLUTION 573—DESIGNATING THE THIRD WEEK OF JANUARY 2013, AS ''TEEN CANCER AWARENESS WEEK''

Mr. MENENDEZ (for himself and Mr. TOOMEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 573

Whereas cancer among adolescents is rare, but is still the leading cause of death from disease for teenagers between the ages of 15 and 19;

Whereas teenage cancer patients receive treatment at various types of medical establishments, including pediatric hospitals, pediatric oncology centers, and adult cancer facilities;

Whereas teenage cancer patients may feel out of place in any of these settings if their clinical and psychosocial needs are not met;

Whereas 40 percent of cancer patients aged 14 and younger are enrolled in clinical trials, compared with only 9 percent of cancer patients between the ages of 15 and 24;

Whereas teenagers with cancer have unique concerns about their education, social lives, body image, and infertility, among other concerns, and their needs may be misunderstood or unacknowledged;

Whereas many adolescent cancer survivors have difficulty readjusting to school and social settings, experience anxiety, and in some cases face increased learning difficulties; and

Whereas it is important to understand the biological and clinical needs of teenagers with cancer, seek the prevention of cancer in teenagers, and increase awareness in the general public of the unique challenges facing teenagers with cancer: Now, therefore, be it

Resolved, That the Senate designates the third week of January 2013 as ''Teen Cancer Awareness Week'' to promote awareness of teenage cancer and the unique medical and social needs of teenagers with cancer.

SENATE RESOLUTION 574—CALLING ON THE UNITED NATIONS TO TAKE CONCERTED ACTIONS AGAINST LEADERS IN IRAN FOR THEIR STATEMENTS CALLING FOR THE DESTRUCTION OF ANOTHER UNITED NATIONS MEMBER STATE, ISRAEL

Mrs. GILLIBRAND (for herself, Ms. AYOTTE, Mrs. HUTCHISON, Mrs. SHAHEEN, Mr. KIRK, Mr. MENENDEZ, Mr. CORNYN, Mr. WYDEN, Mr. MORAN, Mr. CARDIN, Mr. HOEVEN, Mr. BROWN of Ohio, Mrs. BOXER, Mr. LIEBERMAN, Mr. LAUTENBERG, Mr. BENNET, Mr. BLUMENTHAL, Mr. SCHUMER, Mr. BEGICH, and Mr. JOHANNS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 574

Whereas, on August 2, 2012, President of Iran Mahmoud Ahmadinejad stated that ''anyone who loves freedom and justice must strive for the annihilation of the Zionist regime in order to pave the way for world justice and freedom'';

Whereas, on August 17, 2012, President Ahmadinejad gave a televised statement that ''the Zionist regime and the Zionists are a cancerous tumor,'' and that ''the nations of the region will soon finish off the usurper Zionists in the Palestinian land,'' contending that ''with the grace of God and help of the nations, in the new Middle East there will be no trace of the Americans and Zionists'';

Whereas, on February 3, 2012, Supreme Leader Ayatollah Khamenei told an audience that ''the Zionist regime is a real cancerous tumor that should be cut and will be cut, God Willing'';

Whereas, on August 17, 2012, leader Ayatollah Ahmad Khatami, addressing worshippers at Tehran University, stated that ''Zionists understand only the language of force'' and claimed that ''the Zionist regime will meet destruction through unity in the Islamic world'';

Whereas, in 2009 and 2011 speeches before the United Nations General Assembly, President Ahmadinejad insulted Israel, called into question its very existence, and denied the fact that there was a Holocaust;

Whereas other leaders in Iran have made similar statements, and the Government of Iran has displayed inflammatory symbols that express similar intent;

Whereas the Government of Iran funds, trains, and supports terrorist groups, including Hamas, Hezbollah, and Islamic Jihad Movement in Palestine among many others, all of which have murdered United States citizens, Israelis, and non-Israeli Jews and are determined to destroy Israel, and continues to support the Government of Syria in its continued oppression, violence, and abuse of its people;

Whereas, on August 30, 2012, the International Atomic Energy Agency (IAEA) reported that the Government of Iran has doubled its capacity to enrich uranium to 20 percent purity at Iran's Fordow Fuel Enrichment Plant since May 2012;

Whereas the longstanding policy of the Iranian regime is aimed at destroying the democratic State of Israel, a vital ally and longstanding friend of the United States, which is confirmed by statements such as those made by President Ahmadinejad and Supreme Leader Khamenei demonstrating the threat of a nuclear-armed Iran;

Whereas, 67 years ago, the United Nations was founded in the wake of the Holocaust, the Nazi genocide carried out during World War II that resulted in the slaughter of 6,000,000 Jews in Europe, in order to ''save succeeding generations from the scourge of war'' and uphold and protect the ''dignity and worth of the human person'';

Whereas Article 2, Section 4, of the United Nations Charter, to which Iran has agreed as a Member State of the United Nations, requires all Member States to ''refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state'';

Whereas the Convention on the Prevention and Punishment of the Crime of Genocide, done at Paris December 9, 1948 (commonly referred to as the ''Genocide Convention''), defines genocide as, among other things, the act of killing members of a national, ethnic, racial, or religious group with the intent to destroy, in whole or in part, the targeted group;

Whereas Article 3 of the Genocide Convention prohibits conspiracy to commit genocide, as well as ''direct and public incitement to commit genocide'';

Whereas Article 4 of the Genocide Convention provides that individuals committing any of the listed genocidal crimes shall be punished ''whether they are constitutionally responsible rulers, public officials or private individuals'';

Whereas 142 Member States of the United Nations, including Iran, have ratified or acceded to the Genocide Convention and thereby pledged to prosecute those individuals who violate its criteria for incitement to commit genocide, as well as those individuals who commit genocide directly;

Whereas, on August 18, 2012, United Nations Secretary-General Ban Ki-moon condemned the Government of Iran's ''offensive and inflammatory statements'' and his office reiterated that, ''in accordance with the United Nations Charter, all members must refrain from the threat or use of force against the territorial integrity or political independence of any state''; and

Whereas, on November 9, 2006, an international coalition of 29 nongovernmental organizations urged the Government of Iran to renounce President Ahmadinejad's call for Israel to be wiped off the map:

Now, therefore, be it

Resolved, That the Senate—

(1) condemns, in the strongest possible terms, Supreme Leader Ayatollah Khamenei and President of Iran Mahmoud Ahmadinejad's offensive remarks, contemptible statements, and reprehensible policies aimed at the destruction of the State of Israel, and urges all United Nations Member States to do the same;

(2) calls on the United Nations Security Council to take more concerted actions against Iran for blatantly violating the United Nations Charter, including by requesting that the prosecutor of the International Criminal Court investigate leaders in Iran for violating the Convention on the Prevention and Punishment of the Crime of Genocide, done at Paris December 9, 1948 (commonly referred to as the ''Genocide Convention''), and Article 2, Section 4, of the United Nations Charter;

(3) further calls on all Member States of the United Nations to fully implement existing United Nations Security Council resolutions sanctioning Iran and to take additional stronger unilateral diplomatic and economic

measures to prevent the Government of Iran from obtaining nuclear weapons, which would be both a dangerous violation of the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970, and a potential means to the end of carrying out President Ahmadinejad's threats against Israel;

(4) further calls on the United Nations Security Council and all Member States of the United Nations to consider targeted sanctions, travel bans, and other measures linked to the cessation of the Government of Iran's incitement to hatred and genocide;

(5) calls for the United Nations Secretary General's Advisory Committee on the Prevention of Genocide to implement its mandate to act as a mechanism of early warning, and to make recommendations to the United Nations Security Council to monitor and report on threats of genocide made by leaders in Iran;

(6) further calls on parties to the Genocide Convention to file a complaint against leaders in Iran before the International Court of Justice for the failure by the Government of Iran to abide by its obligations under Articles 1, 4, and 5 of the Genocide Convention; and

(7) reaffirms the unwavering strategic partnership and close friendship between the United States and Israel and reasserts the steadfast commitment of the people and the Government of the United States to defend the right of Israel to exist as a free and democratic state.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2842. Mr. ENZI (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; which was ordered to lie on the table.

SA 2843. Mr. UDALL of Colorado (for himself, Mr. BENNET, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 117, supra; which was ordered to lie on the table.

SA 2844. Mr. REID proposed an amendment to the joint resolution H.J. Res. 117, supra.

SA 2845. Mr. REID proposed an amendment to amendment SA 2844 proposed by Mr. REID to the joint resolution H.J. Res. 117, supra.

SA 2846. Mr. REID proposed an amendment to the joint resolution H.J. Res. 117, supra.

SA 2847. Mr. REID proposed an amendment to amendment SA 2846 proposed by Mr. REID to the joint resolution H.J. Res. 117, supra.

SA 2848. Mr. REID proposed an amendment to amendment SA 2847 proposed by Mr. REID to the amendment SA 2846 proposed by Mr. REID to the joint resolution H.J. Res. 117, supra.

TEXT OF AMENDMENTS

SA 2842. Mr. ENZI (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 142 and insert the following:

SEC. 142. (a) Section 411(h) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1240a(h)) is amended by striking paragraph (5).

(b) Subsection (a) takes effect on July 6, 2012.

SA 2843. Mr. UDALL of Colorado (for himself, Mr. BENNET, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 29, between lines 17 and 18, insert the following:

SEC. 156. (a) The Secretary of Agriculture may provide disaster relief assistance in accordance with this section to repair damage caused by natural disaster occurring in calendar year 2012 to watersheds located in any area for which the President declared a major disaster in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

(b) The assistance authorized by this section—

(1) includes both financial and technical assistance; and

(2) shall be provided through the emergency watershed protection program established under section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203).

(c) There is appropriated to the Secretary of Agriculture, out of funds of the Treasury not otherwise appropriated, $27,900,000, to remain available until expended, to provide assistance under this section.

SA 2844. Mr. REID proposed an amendment to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; as follows:

At the end, add the following new section:

SEC. _____.

This joint resolution shall become effective 5 days after enactment.

SA 2845. Mr. REID proposed an amendment to amendment SA 2844 proposed by Mr. REID to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; as follows:

In the amendment, strike ''5 days'' and insert ''4 days''.

SA 2846. Mr. REID proposed an amendment to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; as follows:

At the end, add the following new section:

SEC. _____.

This joint resolution shall become effective 3 days after enactment.

SA 2847. Mr. REID proposed an amendment to amendment SA 2846 proposed by Mr. REID to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; as follows:

In the amendment, strike ''3 days'' and insert ''2 days''.

SA 2848. Mr. REID proposed an amendment to amendment SA 2847 proposed by Mr. REID to the amendment SA 2846 proposed by Mr. REID to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; as follows:

In the amendment, strike ''2 days'' and insert ''1 day''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on September 20, 2012, at 10 a.m. in room 253 of the Russell Senate Office Building, to conduct a hearing entitled, ''Taking Consumers for a Ride: Business Practices in the Household Goods Moving Industry.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on September 20, at 10 a.m. in Dirksen 406 to conduct a hearing entitled, ''Water Resources Development Act: Growing the Economy and Protecting Public Safety.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet, with U.S. House Committee on Ways and Means, during the session of the Senate on September 20, 2012, at 10 a.m., in HVC–210 of the Capital Visitor Center, to conduct a hearing entitled ''Tax Reform and the Tax Treatment of Capital Gains.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. MURRAY. 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, to conduct a hearing entitled ''Roundtable Discussion: Pension Modernization for a 21st Century Workforce'' on September 20, 2012, at 10 a.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on September 20, 2012, in room SD–628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a hearing entitled ''Advancing the Federal-Tribal Relationship through Self-Governance and Self-Determination.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized

to meet during the session of the Senate, on September 20, 2012, at 10 a.m., in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 20, 2012, at 2 p.m., to conduct a hearing entitled ''Offshore Profit Shifting and the U.S. Tax Code.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 20, 2012, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 20, 2012, at 2 p.m., to hold a East Asian and Pacific Affairs subcommittee hearing entitled, ''Maritime Territorial Disputes and Sovereignty Issues in Asia.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SECURITIES, INSURANCE, AND INVESTMENT

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Securities, Insurance, and Investment be authorized to meet during the session of the Senate on September 20, 2012, at 10 a.m., to conduct a hearing entitled ''Computerized Trading: What Should the Rules of the Road Be?''

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE READ THE FIRST TIME—S. 3607

Mr. MERKLEY. I understand there is a bill at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The bill clerk read as follows:

A bill (S. 3607) to approve the Keystone XL Pipeline.

Mr. MERKLEY. I now ask for its second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for a second time on the next legislative day.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 107–12, reappoints the following individual as a member of the Public Safety Officer Medal of Valor Review Board:

Trevor Whipple of Vermont.

ORDERS FOR FRIDAY, SEPTEMBER 21, 2012

Mr. MERKLEY. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 p.m. on Friday, September 21, 2012; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the majority leader be recognized and that the first hour be equally divided and controlled between the two leaders or their designees with the majority controlling the first half and Republicans controlling the final half.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MERKLEY. Unless we reach an agreement, the next rollcall vote will be after midnight tomorrow evening, but we hope we can work something out in order to complete our work.

ADJOURNMENT UNTIL 12 NOON TOMORROW

Mr. MERKLEY. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 8:21 p.m., adjourned until Friday, September 21, 2012, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

KETANJI BROWN JACKSON, OF MARYLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA, VICE HENRY HAROLD KENNEDY, RETIRED.

NELSON STEPHEN ROMAN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE RICHARD M. BERMAN, RETIRED.

ROBERT D. OKUN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE LINDA KAY DAVIS, RETIRED.

EXTENSIONS OF REMARKS

CONGRATULATIONS TO MR. SCOTT NEIN

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. BOEHNER. Mr. Speaker, I rise to recognize and congratulate my longtime constituent and friend, Scott Nein, upon the recognition by his colleagues as the Industry Person of the Year.

This award is given to an individual who has made significant contributions to the improvement of the insurance industry and the independent agency system. Scott is being honored because of his advocacy for independent insurance agents as well as his hard work and selfless effort that contributed to making the merger between the Independent Insurance Agents and the Professional Insurance Agents a reality in Ohio.

Scott Nein is a great leader. First, in the Ohio House and then in the Ohio Senate, he was able to make an impact for our State, and represented his constituents well during his time of service. This man is equally as impressive when it comes to his management and impact within the insurance industry. Throughout his career, he has worked well with diverse groups of people including: clients, consumers, constituents, insurance agents, and elected officials. Scott made "reaching across the aisle" an art form for the betterment of our citizens.

I am very proud to call Scott Nein my close friend and for that I express my most sincere congratulations. His drive is unparalleled, and his devotion to serving others is inspiring. I am certain his shining example has encouraged others to follow.

CONGRATULATIONS TO KAYLA HARRISON

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. BOEHNER. Mr. Speaker, I rise today to congratulate and recognize a native of my district, Ms. Kayla Harrison, on winning the gold medal at the 2012 Olympic Games in London.

Kayla made Olympic history by becoming the first American to win a gold medal in judo. Her years of dedication and hard work have clearly paid off. She has been committed to achieving excellence which can be seen by her many accomplishments. Kayla won the Junior World Championships in 2008, was runner-up at the 2009 Junior World Championships, and in 2010 won the Senior World Championships. These results require a consistent effort day in and out.

On behalf of the United States Congress, I proudly salute Ms. Kayla Harrison, on her Olympic victory. She worked incredibly hard to win an Olympic gold medal and will forever be remembered as the first American to win gold in judo.

CONTINUING APPROPRIATIONS RESOLUTION, 2013

SPEECH OF

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. HOLT. Mr. Speaker, I rise in support of the Continuing Resolution (H.J. Res. 117) to fund the federal government through March 2013.

This bipartisan spending bill staves off the devastating costs recommended by my Republicans colleagues and instead continues the funding levels for the operations of federal agencies at last year's levels. I am pleased that this measure extends the services on which New Jersey families rely such as Small Business Administration, SBA, loan guarantees, Veterans Administration, VA, disability claims, and natural disaster relief. It preserves the necessary funding for Temporary Assistance for Needy Families, TANF, and Supplemental Nutrition Assistance Program, SNAP.

This compromise is by no means perfect, however. I am disappointed that this measure does not take any steps to invest in innovation, improve math and science education, make college more affordable, or help grow industries such as biotechnology and clean energy. I regret that this bill freezes the pay of hardworking federal employees who have already had years of pay freeze. Under this spending bill, no new programs will be funded. Unfortunately, this means that none of the important new programs—such as anti-distracted driving campaigns—authorized in the recently passed MAP–21 transportation bill can begin.

IN HONOR OF MR. BERNIE REIN

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. COURTNEY. Mr. Speaker, I rise today to honor a great citizen of Connecticut, Bernard "Bernie" Rein of Manchester, Connecticut who passed away last week at the age of 90. Bernie, along with his brother Bob and sister-in-law Betty, started Rein's New York Style Deli in Vernon, Connecticut in 1972. The Reins came from a New Jersey deli family, and started Rein's in Connecticut when they realized how much they missed good New York City deli food. He was raised in Union, New Jersey and was an all-state orchestra drummer during high school. Following graduation, Bernie served as Corporal in the Army Air Corps during World War II.

Over the past 40 years, Rein's Deli has served thousands of Connecticut residents and passing travelers from its location on the Hartford Turnpike. Known for its 'sour pickles' and its fresh deli sandwiches, Rein's has a devoted following in the Vernon community by serving "food that feeds the soul and warms the heart." The reputation of the deli has grown steadily over the years and became a magnet for the travelers en route between New York City to Boston (and vice versa). On any given day, the parking lot in north central Connecticut is packed with cars bearing license plates from New Jersey, New York, and Massachusetts. The workforce has steadily grown and has a solid staff of loyal, long time cooks, waiters and waitresses that now constitute the second largest private work force in town.

Even during this period of impressive growth, the top notch kosher quality of the food has sustained and the atmosphere is still friendly and caring. A big reason for the latter, is that over the years Bernie has been a constant presence, visiting with patrons, telling stories and jokes and always sharing his abiding love for jazz. I personally enjoyed many such exchanges as a regular lunchtime diner and like everyone else, always got a kick out of his quirky good humor. Bernie Rein's legacy is not just that of a devoted husband and restaurateur, but also of an engaged and involved citizen in his local community.

Bernie Rein's legacy is not just that of a devoted husband and restaurateur, but also of an engaged and involved citizen in his local community. Rein's has always been a sponsor of youth sports, food drives, local advertising—any cause that helped people in need and investing in Vernon's future.

Bernie will be dearly missed by his wife, Rae Ruby-Rein, his son and his grandchildren, and all those in Connecticut who frequented Rein's Deli. I ask my colleagues to join me in mourning the loss and celebrating the life of Bernie Rein.

IN RECOGNITION OF THE ED KEATING CENTER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the Ed Keating Center, a Northeast Ohio organization dedicated to helping those who are recovering from alcohol and drug addiction.

The Ed Keating Center was founded in 1998 by Jack Mulhall, Phyllis Eisele-Curran and Dennis Eckersley. The Ed Keating Center is named for Edward J. Keating, a legendary sports agent, who conquered his own alcoholism, and is remembered for providing a chance at sober living to the most destitute of those addicted to alcohol and drugs.

The Ed Keating Center is a non-profit organization and sober living facility for those addicted to drugs and alcohol that serves adults

regardless of their financial well-being. It offers a six month in-house rehab program, a three-quarter house program and a work release program for its patients. At any given time, the Ed Keating Center is home to about 150 men and women.

The Center's driving principles are that a chance for sober living should be available to any man or women with a sincere determination to overcome their alcoholism or addiction, without regard for their ability to pay. The Center also survives solely on the donations and support of individuals and organizations who believe in communities helping themselves.

Mr. Speaker and colleagues, please join me in the important work performed by the Ed Keating Center.

HONORING BERNHEIM ARBORETUM AND RESEARCH FOREST FOR BEING NAMED ONE OF ''AMERICA'S PRETTIEST PARKS''

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. GUTHRIE. Mr. Speaker, I rise today to congratulate Bernheim Arboretum and Research Forest on being named one of ''America's Prettiest Parks'' by Yahoo! Travel.

I am fortunate to know firsthand how beautiful this forest is and I am proud that it is located in the Commonwealth of Kentucky.

Bernheim's mission and vision statements, ''connecting people with nature,'' and ''Bernheim will be a nationally treasured leader in ecological stewardship that inspires the exploration of deep connections with nature,'' are profound and true.

Tom Block, a Bernheim Trustee and the great-grandson of founder Isaac Wolf Bernheim welcomed the distinction, calling it ''another branch on Bernheim's growing tree of awards and honors.''

Clermont, Kentucky and the surrounding community are fortunate to have this forest in their backyard. For those of you who have yet to visit Bernheim, I encourage you to do so. You will be overwhelmed by its beauty and peace.

RECOGNIZING AND CELEBRATING THE ACHIEVEMENTS OF MR. ALEX M. PETROVIC

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. CLEAVER. Mr. Speaker, I proudly rise today to acknowledge the achievements of former Eastern Jackson County Judge, Missouri State Representative, United States Marine Corps Veteran and Sugar Creek resident, Alex M. Petrovic.

Alex M. Petrovic was born in Kansas City, Missouri, on September 23, 1922, the son of Mildred and Michael Petrovic, and has dedicated his life to serving his country, state, and community. He attended school at Henry Clay School in Kansas City, Missouri, Independence Junior High and William Chrisman High School in the city of Independence, Missouri, and Rockhurst College in Kansas City, Missouri.

The proud father of six, grandfather of twelve, and great-grandfather of two, Mr. Petrovic was married to the late Frances Diesko Petrovic for fifty-seven years before she passed away in 2001. He served as a Corporal in the United States Marine Corps from the year 1942 to 1945, working as a landfall technician, making maps for the 2nd Marine Air Wing, and receiving an honorable discharge following his service in the Pacific theatre, in Guadalcanal and Auckland, New Zealand, and Russell Island.

In addition to his military service, he also worked as a railroad clerk for the Union Pacific Railroad, machine operator, foreman, and sales manager for the Injection Molding Company, as a salesman for Busboom Brothers, as a laborer and engineer at the Standard Oil Plant, and a divisional manager at Waddell & Reed.

Alex M. Petrovic served as a Missouri State Legislator from the year 1962 until the year 1966, as a Democrat, representing the area bounded by the Missouri River up until 23rd Street, Blue Ridge, Kansas City, and 71 Highway. During his terms, he promoted the Little Blue Valley Flood Control program, fought to keep open the Central Missouri State University in the face of closure, and helped develop the Truman Sports Complex. Mr. Petrovic played an active and accomplished role in local Missouri politics, serving in the Independence Sertoma Club, to which he was elected President in the year 1964.

As a State Representative, Mr. Petrovic discovered piles of state records abandoned in the basement of the State Building, and in response, sponsored and passed legislation to create a system for managing Missouri's records, establishing the Missouri State Archives. After his terms in the Missouri Legislature, he was elected to serve as Eastern District Judge for Jackson County, the same seat which President Harry S Truman occupied before his presidency, from the year 1966 up until the year 1970. As the ''Old Judge,'' he oversaw seven bond issues in building the world's largest sports complex in the history of sports at the time, for the Kansas City Chiefs and the Royals.

On September 21, 2005, Secretary of State Robin Carnahan, the Archives, and fellow members of the Missouri Legislature created the Alex M. Petrovic Reading Room to maintain the historic records of our Great State of Missouri throughout the years. Today, the Missouri State Archives stores document collections dating from 1770 and is visited by 4,500 hundred people every year.

Mr. Petrovic will celebrate his ninetieth birthday on September 23, 2012, and has given a lifetime of service to his community, and should hereby be honored as such. Mr. Speaker, I ask that you and our colleagues in the House join me in honoring Mr. Petrovic for his lifetime of service and accomplishment.

DR. SAM MONROE

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. POE of Texas. Mr. Speaker, since its founding in 1909, Lamar State College—Port Arthur has undergone many changes, growing from a petrochemical industry training ground to a flourishing two-year college, offering degrees in numerous highly valued skills. But for 38 years, there has been one constant on campus and that's the leadership of President Dr. Sam Monroe, now recognized as the longest-serving president of a Texas higher education institution.

While Dr. Monroe was not born in Port Arthur, he got there as fast as he could. He moved from College Station at an early age and has remained in the Southeast Texas area ever since, keeping him tuned in to the needs of the surrounding community. Dr. Monroe's career began at the former Port Arthur College, serving as Executive Vice President before being elected President in 1974. Wasting no time making significant changes, he proposed a merger with Lamar University in nearby Beaumont a year later, forming Lamar University—Port Arthur.

Dr. Monroe has overseen a great expansion during his tenure. In 1999, they were granted admission into the Texas State University System then renamed Lamar State College—Port Arthur. A $5.9 million Performing Arts Center opened in 2004, and a 7,500 square foot Student Success Center was completed in 2011. Dr. Monroe was instrumental in founding and operating the Museum of the Gulf Coast, located in downtown Port Arthur, which tells the history of this special region. 2004 saw the Lamar State College—Port Arthur Seahawks begin play in Men's Basketball and Girl's Softball, helping to create an expanded athletic program and a full college experience.

Many honors and distinctions have been given to Dr. Monroe. The Port Arthur News named him its Citizen of the Year in 2004. He was the first male recipient of the Quota International of Southeast Texas Man of the Year Award in 2005, the first time in almost 60 years that the award was open to both males and females. Earlier this month, he was recognized by Governor Rick Perry as the education president with the longest service in Texas. And, his dedication to the community has expanded outside of campus as Dr. Monroe has volunteered his time on such varied organizations as the Port Arthur Public Library and the Port Arthur Housing Authority.

Thanks to Dr. Sam Monroe, Lamar State College—Port Arthur has transitioned from a small technical school to a sprawling, 40-acre campus home to over 3,000 students. I am proud to recognize his accomplishments. He has touched countless lives, and Southeast Texas is a better place for it.

And that's just the way it is.

HONORING VICTIMS OF BACTERIAL MENINGITIS

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. BRADY of Texas. Mr. Speaker, I rise today to remember Ryan Milley, a young man from Conroe, Texas who was born on September 20, 1979. In 1998, 18-year old Ryan lost his life to meningococcal meningitis.

As a result of Ryan's death his family founded Meningitis Angels, a national nonprofit organization that educates the public, health

professionals, child care facilities, schools and universities on not only meningitis but other vaccine preventable diseases through personal stories, educational brochures, posters and videos.

Meningitis Angels is dedicated to the support of victims of bacterial meningitis and their families. While helping families cope with the loss or care of a family member they also offer some hands on support for those children affected with bacterial meningitis.

Sadly, Meningitis Angels continues to grow. Meningitis Angels currently represents over 600 families across the U.S. and abroad.

Mr. Speaker, I cannot do justice to these families without speaking about this terrible and preventable disease.

Bacterial meningitis is an infection of the meninges, the thin lining that surrounds the brain and spinal cord.

It is a deadly, debilitating disease that especially affects infants, children, teenagers, young adults, and those with compromised immune systems.

People who have bacterial meningitis may have longterm complications and disabilities like permanent brain damage and long-term physical problems such as heart, kidney, or intestinal problems or could require amputations of the arms, legs and facial features. Infants and teens are highest risk for this disease.

The most effective way to protect your child against bacterial meningitis is to complete the recommended vaccine schedule. In many states, these vaccines are required for children in school and daycare.

The families of Meningitis Angels can tell you that these requirements are not frivolous or busy work.

So on their behalf, I ask that American families get vaccinated to prevent more tragedies.

I have offered H. Res. 403 to honor Ryan Wayne Milley, his remarkable mom Frankie, and all Meningitis Angels across the United States. Today is an appropriate day to remember Ryan and to support efforts to end the disease that took his life.

IN RECOGNITION OF NATIONAL HISPANIC-SERVING INSTITUTIONS WEEK

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to recognize National Hispanic-Serving Institutions Week during the week of September 16 through September 22, 2012. These institutions of higher learning play a unique role in bringing together families and communities to develop our nation's most valuable resource: our children. During this week, I rise to thank the Hispanic-serving institutions that are equipping our children with the skills necessary for a lifetime of success.

I would like to recognize four such institutions in the 37th Congressional District of California: California State University-Dominguez Hills, California State University-Long Beach, El Camino College-Compton Center, and Long Beach City College. These schools are preparing students to enter the workforce in science, education, and healthcare, among many other fields and career paths that will contribute to our economic success today and in the future.

The majority of residents in my district are Hispanic, and Hispanics represent our country's largest minority group. Hispanics have already made invaluable contributions to America and I have no doubt Hispanics will continue to do so. The future prosperity of America hinges on tapping into the enormous potential of minority groups. Investing in technical education for minorities is not just a moral obligation but an American necessity.

Mr. Speaker, I urge my colleagues to join me in recognizing the tremendous work of Hispanic-serving institutions, within my district as well as across the nation. I thank the countless staff members and educators who are strengthening our education system and creating new opportunities for a new generation of Hispanic leaders.

RECOGNIZING ED BERGH ON THE OCCASION OF HIS RETIREMENT

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Ed Bergh on his retirement from Yelm High School after 38 years of teaching. The Washington State Legislature has also named Mr. Bergh the Washington Civic Educator of the Year.

Mr. Bergh studied political science at Western Washington University and soon after graduation, he became a Social Studies teacher. Today, Mr. Bergh teaches World Problems, History, and American Government.

In addition to his passion for educating young people, Mr. Bergh loves learning more about the subjects he teaches. He looks for ways to increase his knowledge and apply that learning to the classroom. Mr. Bergh does not simply lecture his students, he engages them in discussion and helps them think critically before reaching conclusions.

In addition to teaching, Mr. Bergh enjoys learning and writing about his hometown, Yelm, Washington. He created the Yelm History Project, a virtual database for the history of Yelm, the Web site of which he and his students regularly update.

Mr. Speaker, it is with great honor that I recognize the career of Ed Bergh. His dedication to teaching is an inspiration and has undoubtedly helped countless students who have gone on to accomplish great things.

ANGELS IN ADOPTION

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. POE of Texas. Mr. Speaker, Monica and Ivory Garrett from Beaumont, Texas are truly Angels—Angels in Adoption. Forty-three foster children have been blessed with the Garretts' love and care over the years; Forty-three lives have been changed because of the Garretts.

Mrs. Garrett began her involvement in the foster care system in 1997 as lead staff at a Buckner International group home for foster children. Through her work, she realized that this was God's calling for her, and a few years later, the Garretts were licensed as foster parents and began welcoming children into their own home. After caring for 25 children, the Garretts' felt that God was calling them to something even bigger.

The Garretts then opened a group home for children with therapeutic needs in 2009. They consider all of these children their own, providing a loving home and ensuring that they get the most out of life. Their children are all encouraged to explore their talents, participating in choir, sports, and various other activities. The Garretts are unsung heroes, a family with bountiful love, and truly Angels in Adoption.

I was honored to recently award the Garretts with their Angels in Adoption award. They are an incredible family that has dedicated their lives to help and change children's lives.

And that's just the way it is.

A TRIBUTE TO COMMAND SERGEANT MAJOR OTIS CUFFEE

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor Command Sergeant Major Otis N. Cuffee. For 37 years, Sergeant Major Cuffee has served in the United States Armed Services and will soon celebrate his retirement after decades of service to our Nation.

Sergeant Major Cuffee dedicated 37 years in continuous active duty service to our country. During his tenure in the U.S. Armed Services he served in various leadership positions, from Squad Leader to Sergeant Major. As Sergeant Major, Cuffee extended his expertise to teaching the Basic Airborne Training Course and the NCO Academy Advanced Course. Most recently, he has had the position of a senior enlisted leader at the Defense Logistics Agency.

Sergeant Major Cuffee has received numerous personal awards including the Legion of Merit, Bronze Star and Global War on Terrorism Expeditionary and Service. His relentless dedication was honored with the Meritorious Service Award, Army Commendation Award, Army Achievement, Humanitarian Service Award and Korean Defense Service Medal. Additionally, Sergeant Cuffee has received numerous unit and condition awards.

Sergeant Cuffee's long and impressive career showcases his commitment not only to his local community but our Nation. Mr. Speaker, I ask that you and my other distinguished colleagues join me in thanking Command Sergeant Cuffee for his dedication and congratulate him on the occasion of his retirement.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. JOHNSON of Illinois. Mr. Speaker, on Wednesday, September 19, 2012 I had to

meet with constituents in the Champaign-Urbana area concerning financial matters of local Government and I missed suspension votes on H.R. 5044, the Andrew P. Carpenter Tax Act, which amends the Internal Revenue Code to exclude from gross income any amount attributable to the discharge of student loan indebtedness of a veteran who died as a result of a service-connected disability, Also I missed votes on H.R. 5912, which would Amend the Internal Revenue Code to prohibit public funds for political party conventions.

Had I been present, I would have voted ''aye'' on the above stated bills.

''TAIWAN'S NATIONAL DAY''

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Ms. LORETTA SANCHEZ of California. Mr. Speaker, in celebration of Taiwan's National Day on October 10th, fondly referred to as Double Ten Day. Since its formation, Taiwan has rapidly industrialized and now boasts the 19th largest economy in the world.

Taiwan remains important to the United States in its advocacy of fair democratic values across the world and its success in sustaining a dynamic multi-party system revealing its commitment to protecting political rights and freedoms. In troubled times such as these, it is also gratifying to know that there are countries that continue to put forth efforts that provide constructive solutions for highly divisive issues.

Instead of exacerbating tensions with China, Taiwan has pursued positive relations with China by promoting economic trade. Taiwan has continued to maintain its own independent and democratic form of government, vibrant culture, and booming commerce.

Once again, I would like to share in Taiwan's celebration on their National Day.

ROY BENAVIDEZ

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. POE of Texas. Mr. Speaker, America is about people. Who we are and what we are is because of the people who have come to America. We have always been and will always be a nation of immigrants. They are individuals who have lived and died and influenced the rest of us because of their tenacious spirit and determination.

Roy Benavidez was one of those Americans. He was born in South Texas in a small town called Cuero, August 5, 1935. He was the son of a sharecropper. He was an orphan and he had mixed blood of Yaqui Indian and Hispanic. He lost his family at a young age and dropped out of school in the 7th grade. He didn't see the need for an education at that time. He was a migrant farm worker. He worked all over Texas and as far as Colorado in the sugar beet fields and the cotton fields.

In 1955 decided to join the United States Army, and he joined in Houston, Texas. He was in love with his hometown sweetheart, Lala Coy. While he was away in Germany on active duty, he asked a local priest, his grandfather and his uncle if they would go to Lala's father and ask permission for Roy to marry her and he agreed. While he was in the Army, however, he was in a lot of trouble, even though he was a member of the Military Police.

So he finally joined the Special Forces training at Fort Bragg where he reached the rank of staff sergeant and went to Vietnam as a Green Beret. But on May 2, 1962, his life changed forever. It is a story that is almost unbelievable.

On the morning of May 2, 1968, a 12-man Special Forces team was inserted in Cambodia to observe a large-scale North Vietnamese troop movement, and they were discovered by the enemy. Most of the team members were close friends of Roy Benavidez, who was the forward operating officer in Loc Ninh, Vietnam. Three helicopters were sent to rescue this 12-man team, but they were unable to land because of the heavy enemy concentration. When a second attempt was made to reach the stranded team, Benavidez jumped onboard one of the helicopters, armed only with a Bowie knife. As the helicopters reached the landing zone, Benavidez realized the team members were likely too severely wounded to move to the helicopters. So he ran by himself through heavy small arms fire to the wounded soldiers. He was wounded in the leg, the face, and the head in the process. He reorganized the team and signaled the helicopters to land. But despite his injuries, Benavidez was able to carry off half of the wounded men to the helicopters.

He then collected the classified documents held by the now dead team leader. As he completed this task, he was wounded by an exploding grenade in the back and shot in the stomach. At that moment, the waiting helicopter's pilot was also mortally wounded, and that helicopter crashed. He ran to collect the stunned crash survivors and form a perimeter. He directed air support, ordered another extraction attempt and was wounded again when shot in the thigh. At this point he was losing so much blood from his face wounds that his vision became blocked.

Finally, another helicopter landed and as Benavidez carried a wounded friend to it, he was clubbed in the head with a rifle butt by an enemy soldier. That soldier bayonetted Benavidez twice.

Mr. Speaker, Benavidez was wounded in that one battle 37 times; Seven gunshot wounds, he had mortar shrapnel in his back, and two bayonet wounds. He was taken for dead and left for dead and zipped up in a body bag, but right before they zipped the bag up, he spit in the doctor's face, letting the doctor know he was yet alive.

He later recovered. He received the Distinguished Service Cross and then many years later Ronald Reagan presented him with the Congressional Medal of Honor. President Reagan stated that if this were a movie, no one would believe it because of the heroic deed of Roy Benavidez.

Mr. Speaker, after he retired from the military, Roy Benavidez went around America talking about the importance of an education, since he only went to the seventh grade. He talked to young gang members, he talked to youth, telling them to stay in school and get an education. He was a remarkable individual.

A Navy ship has been named after him, several elementary schools in Texas have been named after Roy Benavidez, and even a toy company has issued a Roy Benavidez GI Joe action figure.

As we prepare to celebrate and honor Hispanic Heritage Month, one of those great Hispanic Americans was Roy Benavidez, a Texas hero, an American hero, a war hero that loved America and, as he said, got to live the American Dream the way that he wanted.

And that's just the way it is.

RECOGNIZING THE ALDEN FARMERS MARKET

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. HIGGINS. Mr. Speaker, I rise today in honor of the Alden Farmers Market, a staple in Western New York since 2003 that brings community together over fresh, locally grown produce every Saturday morning in the summer.

Open from late May until early October, the farmers market sponsored by the Alden Chamber of commerce, located in Alden Village Plaza allows friends, family and neighbors to enjoy a plentiful variety of fresh vegetables, fruits, flowers, plants, chickens, beef, baked goods, honey, maple syrup, candy, spices, soaps and jellies while learning techniques of how they were made straight from the merchants and producers themselves.

This rare level of personal service and knowledge, combined with the variety of fresh local products is unique to Western New York and surrounding farms and has become a practice that all western New Yorkers take pride in.

Mr. Speaker, on Saturday October 6 the Alden Farmers Market will mark the end of its 10th season. Small closing ceremonies will include musical artist Sara Elizabeth Genco, a costume and pet parade, and a second raffle drawing. Mr. Speaker, I ask that you join me and all Western New Yorkers in thanking the Alden Chamber of commerce and all local merchants and farmers who participated in this great Saturday morning tradition.

HONORING THE FOUR UNITED STATES PUBLIC SERVANTS WHO DIED IN LIBYA

SPEECH OF

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Ms. RICHARDSON. Mr. Speaker, I rise in support of H. Res. 786, which honors the four exceptional public servants who gave their lives in service to the United States and condemns the attacks on United States' diplomatic facilities in Libya, Egypt, and Yemen.

I would like to extend my condolences and sympathy in this time of great loss to the families of these four heroes.

Mr. Speaker, John Christopher Stevens, the United States Ambassador to Libya; Sean Smith, Foreign Service Information Management Officer; and Tyrone S. Woods and Glen

A. Doherty, Security Officers, were among the finest members of our diplomatic corps. They dedicated their lives to promote peace, support prosperity, and protect American citizens while advancing the interests of the United States abroad.

Ambassador Stevens was a champion of the Libyan people's efforts to remove Muammar Qaddafi from power and served as Special Envoy to the Libyan Transitional National Council in Benghazi during the 2011 Libyan revolution.

Foreign Service Information Management Officer Sean Smith, and security officers Tyrone S. Woods and Glen A. Doherty as well as the United States' citizens that were injured in these attacks made professional and personal sacrifices to faithfully serve the United States and its people to advance the ideals of freedom, democracy, and human dignity around the globe.

They are heroes and their contributions and sacrifices in service to America and the cause of freedom will never be forgotten.

Mr. Speaker, I strongly support this resolution in its condemnation of the terrorists who planned and conducted the attack on the United States consulate in Benghazi, Libya, and those who vandalized the United States embassies in Cairo, Egypt, and Sana'a, Yemen. The resolution also reaffirms that nothing can justify terrorism or attacks on innocent civilians and diplomatic personnel.

Most importantly, the bill calls upon the Governments of Libya, Egypt, and Yemen, in full cooperation with the United States Government, to investigate and bring to justice the perpetrators of these attacks.

Finally, the resolution reiterates the United States' commitment to promoting its core values, including support for democracy, universal human rights, individual and religious freedom, and respect for human dignity.

Mr. Speaker, we are fortunate indeed to live in a country that produces exceptional men like Chris Stevens, Sean Smith, Tyrone Woods, and Glen Doherty. Their selfless devotion to our nation's ideals and values will forever mark them as American heroes. I hope their families can take consolation in the fact that they will live on in the memories of the grateful nation they gave their lives to serve.

It is for these reasons that I support H. Res. 786 and ask for a moment of silence in memory of Chris Stevens, Sean Smith, Tyrone Woods, and Glen Doherty.

CONGRATULATING ROCIO DE MATEO SMITH

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. GEORGE MILLER of California. Mr. Speaker, I rise with my colleagues Congresswoman BARBARA LEE and Congressman JOHN GARAMENDI; to recognize and congratulate Rocio de Mateo Smith upon her retirement as Executive Director from the Developmental Disabilities Area Board 5.

Born and raised in Mexico City, Rocio de Mateo Smith attended Universidad Nacional Autonoma de Mexico, where she received a B.A. in Mathematics. In the United States, she received a B.A. in Psychology from California State University, Hayward and an M.S.W. from the University of California, Berkeley.

For the past 30 years, Rocio de Mateo Smith has worked in the field of developmental disabilities with a special emphasis in services to immigrant communities. In her role as Executive Director of Area Board 5 on Developmental Disabilities, Rocio advocated for the service rights of people with developmental disabilities of all ages, both at the individual and systemic levels. Prior to this position, she was the Developmental Disabilities Coordinator for Alameda County Health Care Services Agency and, before that, was the Executive Director of Agency for Infant Development, a Fremont-based program for infants with disabilities and their families.

Rocio is a true champion when it comes to advocating for people with developmental disabilities and her knowledge with regard to resources in the community is unmatched. She has served and impacted countless individuals and families in the Bay Area, representing them and guiding them toward appropriate services. For all her efforts, Rocio is not only highly regarded, but has been recognized and honored extensively as an outstanding woman and as a true advocate for persons with disabilities.

Mr. Speaker, I invite my colleagues to join me in commending Rocio de Mateo Smith for her committed and diligent service to the community. I am pleased to join her family, friends, and colleagues in congratulating Rocio on an outstanding career and wish her the very best as she begins a well-deserved retirement.

HONORING THE VETERANS AND GOLD STAR FAMILIES OF THE SEPTEMBER 20, 2012 QUAD CITIES HONOR FLIGHT

HON. DAVID LOEBSACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. LOEBSACK. Mr. Speaker, today I have the great honor of welcoming to our nation's capital ninety-two Iowa veterans of the Greatest Generation and forty-three Gold Star family members who will be escorting them on their visit. This is truly a special Honor Flight because it is bringing together World War II and Korean War veterans with families who have made the ultimate sacrifice in Iraq and Afghanistan.

The 43 Gold Star family members travelling to our capital today represent 24 fallen servicemembers. I can think of no greater honor than to join them and our World War II and Korean War veterans at the National World War II Memorial during their visit and to personally thank Iowa's, and our nation's, heroes—our veterans and the families who have sacrificed so greatly on behalf of our country.

When our country was threatened, our World War II and Korean War Veterans rose to defend not just our nation but the freedoms, democracy, and values that we hold dear. The Greatest Generation did not seek to be tested both abroad by a war that fundamentally challenged our way of life and at home by the Great Depression and the rebuilding of our economy that followed. But, when called upon to do so, they defended and then rebuilt our nation.

This generation of Iraq and Afghanistan Veterans is no less humbling in their service and sacrifice. They have fought overseas for over a decade so that we may live in peace here at home. While our country may never be able to repay the debt we owe our Gold Star families, we must uphold the promise that we will never forget the ultimate sacrifice made by their loved ones.

I am tremendously proud and humbled to welcome the Quad Cities Honor Flight, our World War II and Korean War veterans, and our Gold Star families to our nation's capital today. On behalf of every Iowan I represent, I thank them for their service and sacrifice.

HONORING TREVOR GREENE

HON. DOC HASTINGS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. HASTINGS of Washington. Mr. Speaker, I rise today to congratulate the 2013 National Principal of the Year, Principal Trevor Greene, from Toppenish High School in my Congressional District. Principal Greene is an outstanding school administrator and I am grateful for his leadership and dedication to the students and faculty at Toppenish High School.

Four years ago, Principal Greene returned to the Yakima Indian Reservation, where he grew up, to serve as principal at Toppenish High. Once an underperforming school, Toppenish High has become a top performing institution whose successful model is followed by other schools in the region, thanks to the hard work of the staff under his leadership.

Principal Greene energized Toppenish students and helped them gain the confidence needed to work harder and dream bigger. By implementing a rigorous science, technology, engineering and mathematics, STEM, education program and expanding academic opportunities to his students, test scores have improved by 67 percent and graduation rates are over 90 percent.

At a time when the United States is falling behind in science and math, the Toppenish High STEM program continues to increase in popularity among students, with enrollment jumping by more than 100 students in just one school year. Students are receiving a high quality education and graduating with the resources and tools they need to succeed in college and beyond.

Each year, MetLife Resources along with the National Association of Secondary School Principals Association, NASSP, selects one highly deserving principal from a pool of more than 100 middle and high school principals nationwide. These individuals, who have been nominated by their state, are highly successful at providing top-quality learning opportunities for students and have demonstrated commendable contributions to the profession.

I am pleased that as a result of Principal Greene's selection as National Principal of the Year, Toppenish High School will receive a $5,000 school improvement grant from the Metlife Resources/NASSP National Principal of the Year program.

We need more people like Principal Greene working to make a difference in our schools. I applaud his dedication to the students and faculty at Toppenish High School.

RECOGNIZING THE REPUBLIC OF CHINA ON ITS 101ST ANNIVERSARY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. HIGGINS. Mr. Speaker, I rise today in honor of Double Ten Day, the National day of the Republic of China. On October 10th, Taiwan will celebrate the 101st anniversary of China's military Wuchang Uprising, the start of the Xinhai Revolution, which led to the collapse of the Qing Dynasty, the end of 2,000 years of imperial rule in China and ushered in the Republican Era.

By the end of the 1683 century, Ching rulers governed all of China. After the first three emperors, the Ching Court began to decline, becoming weak and corrupt. In response, a group of national capitalists began inciting uprisings. One of the leaders of this nationalistic group, Sun Yat-sen, spent much of his youth in the United States and wanted a Western-style government for his country with a parliament and separation of powers. After the success of the uprisings, Sun Yat-sen became the first president of the Republic of China, a post from where he promoted the idea of a democratic society. Dr. Sun is now remembered as the father of modern China.

When the Republic of China lost control over the mainland in 1942, the government retreated to Taiwan where its constitution remains in command today. Taiwan is an exemplary standard of civil, liberal government in East Asia, and the Republic of China has stood shoulder to shoulder with the United States to defend and promote the very values and ideals that inspired Dr. Sun and founded the Republic all those years ago.

Mr. Speaker, I thus urge my colleagues to acknowledge the Founding Father Sun Yat-Sen and his vision to a democratic China, and join me in congratulating the Republic of China in Taiwan on its 101st anniversary.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Ms. LEE of California. Mr. Speaker, I was not present for rollcall votes 585–586. Had I been able to vote, I would have voted "yes" on 585 and "no" on 586.

IN HONOR OF KEVIN QUIGLEY

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. FARR. Mr. Speaker, I rise today to honor the work of Kevin Quigley, outgoing President of the National Peace Corps Association. After nine years at the NPCA, Kevin is moving on to serve as Peace Corps Country Director in Thailand, the country where he served as a Volunteer from 1976–1979.

Kevin's dedication to the Peace Corps community is evident in the legacy he leaves behind at the NPCA. Under his leadership, the association launched new programs designed to connect Returned Peace Corps Volunteers to schools and community groups in the United States that are interested in learning more about Peace Corps, established a mentoring program to assist volunteers returning from overseas service, and provided alumni with continued service learning travel opportunities to Peace Corps countries. Kevin also guided the NPCA into the digital age with the Africa Rural Connect Program, which provides an online platform allowing global collaboration to advance small-scale agricultural development initiatives in rural Africa, and NPCA Twitter Chat, a weekly online gathering of the Peace Corps community to discuss how to address key issues of the day.

Kevin brought a unique skill set to the NPCA, drawing from his experience as Senator John Heinz's Legislative Director, staff member at the Office of Management and Budget, and Vice Chairman of USAID's Advisory Committee on Voluntary Foreign Assistance. He also served as Acting CEO of the Vietnam Veterans of America Foundation, Executive Director of the Global Alliance for Workers and Communities, and Vice President of Policy and Business at the Asia Society.

And uniting many of Kevin's diverse abilities is his commitment to volunteerism. In addition to his Peace Corps service, Kevin played a founding role in the formation of the Building Bridges Coalition, a consortium of more than 200 leading organizations working collaboratively to promote the field of international volunteering.

Mr. Speaker, while I will miss collaborating with Kevin at the NPCA, I wish him the very best in his ongoing service to our country. Peace Corps Thailand is lucky to have him.

IN HONOR OF THE NATIONAL DAY OF THE REPUBLIC OF CHINA (TAIWAN)

HON. DONNA M. CHRISTENSEN

OF VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mrs. CHRISTENSEN. Mr. Speaker, on Taiwan's National Day (October 10, 2012), I am pleased to take this opportunity to wish the leaders and people of Taiwan many happy returns. I look forward to continued bi-lateral relations between Taiwan and the United States of America.

Also, I would like to bid a personal farewell to Taiwan Ambassador, Mr. Jason Yuan. He has been reassigned as Taiwan's Secretary-General of the National Security Council. During his last four years in Washington, DC, Ambassador Yuan has been instrumental in fostering the strong relationship between the Taiwanese people and the Government of the United States. I wish Ambassador Yuan and his family best wishes and a smooth transition in his new position, and I thank him for his service.

IN RECOGNITION OF THE DEDICATION OF THE ALBANIAN CULTURAL GARDEN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the dedication of the Albanian Cultural Garden, taking place on September 22, 2012.

The 254 acre piece of land that constitutes Rockefeller Park was donated to the City of Cleveland by John D. Rockefeller in 1896. The Cleveland Croatian Cultural Garden is a two acre piece of land within Rockefeller Park. The Cleveland Cultural Gardens were founded in 1926 to create a memorial area for the diverse ethnic groups that shape the region, and to serve as a space for reflection on peace, cooperation and understanding. The Cultural Gardens are currently a collection of more than 30 gardens which include African-American, American Indian, British, Chinese, Czech, Estonian, and Slovenian gardens, among others.

The planning and construction of the Albanian Cultural Garden started in 2007. Legislation sponsoring its dedication was spearheaded by Cleveland City Councilwoman Dona Brady. Members of the Albanian American Association of Cleveland, Ohio, Albanian Cultural Garden Committee, Jim McKnight and Kreshnik Xhiku were instrumental in creating the Albanian Cultural Garden.

The dedication of the Albanian Cultural Garden will occur on September 22, 2012. In addition to inaugurating the Albanian Cultural Garden, it will also commemorate the 100th year of Albanian Independence and dedicate the Mother Teresa memorial statue. Special guests of the dedication will include Albanian President, Bujar Nishani; Albanian Ambassador, Gilbert Galanxhi; Mayor Baftjar Zeqaj; and Mary, Mariano and Christian Gannon.

Mr. Speaker and colleagues, please join me recognition of the dedication of the Albanian Cultural Garden.

RECOGNIZING THE ACHIEVEMENTS OF LINCOLN HIGH SCHOOL

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Lincoln High School, in Tacoma, WA, for its many achievements over the almost one hundred years it has been open, and to congratulate all who work and study at Lincoln as they prepare to celebrate the school's 100th anniversary.

Lincoln High School accepted its first students in 1914. Since then, the teachers at Lincoln have educated thousands who would go on to graduate, and the school has supported many of its students by raising scholarship funds for future graduates. In the coming year, Lincoln High School hopes to raise $100,000 in scholarship money to celebrate their centennial anniversary. This year's fundraising will build upon the successes during the school's 75th anniversary, when $75,000 was raised to

support 12 graduating students. Lincoln High School's organizing committee has hosted various fundraisers to connect students and communities through education.

Mr. Speaker, it is with great pleasure that I honor Lincoln High School. Schools like Lincoln High School keeps students motivated and active by ensuring that all are given the opportunity to have a bright future.

CONFIRMING FULL OWNERSHIP RIGHTS TO ARTIFACTS FROM ASTRONAUTS' SPACE MISSIONS

SPEECH OF

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. COSTELLO. Mr. Speaker, I rise in support of H.R. 4158, to Confirm Full Ownership Rights for Certain United States Astronauts to Artifacts from the Astronauts' Space Missions Act.

H.R. 4158 preserves the rights of astronauts who served on the Mercury, Gemini, and Apollo missions in the 1960s and 1970s, through the time of the Apollo-Soyuz Test Flight, to retain full and complete ownership of certain artifacts such as personal logs and flight manuals that were used in training or during their flights.

For many years, it was an accepted practice for astronauts to keep mementos of their training and flight missions.

However, confusion surrounding NASA's informal policies on artifacts have led to attempts to repossess those artifacts years later.

This has resulted in questions concerning the status of items that astronauts have had in their possession for years, if not decades, or donated to museums, universities, scholarship funds, and so forth.

I support this bill, because it clarifies that the ownership of those artifacts rests with the astronauts who served during those missions, while preserving the current policy that ownership of moon rocks and lunar material will continue to rest with the Federal Government.

Mr. Speaker, a few weeks ago, we lost an American hero, Neil Armstrong. He and his fellow astronauts fulfilled the dreams of a grateful nation by pushing the boundaries of space.

One small way to show our gratitude is by passing this bill. I urge my colleagues to support it.

PERSONAL EXPLANATION

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. BRADY of Texas. Mr. Speaker, on rollcall No. 586, I was unavoidably detained and could not be present for last night's rollcall vote on H.R. 5912, a bill that would amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions and provide for the return of any previously-distributed funds for deficit reduction. I am a strong supporter of this legislation. Had I been present, I would have voted "yes."

IN HONOR OF THE NATIONAL MARINE SANCTUARIES ACT

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. FARR. Mr. Speaker, I rise today to reflect on one of the most important pieces of federal legislation impacting our coastal, great lakes and ocean resources stretching from Fagatele Bay in American Samoa to the Monitor National Marine Sanctuary along the East Coast. The National Marine Sanctuaries Act, which was signed on October 23, 1972, recognized the value of these national treasures; designating marine protected areas for current and future generations.

40 years later, communities across the country have seen real dividends from these federal investments and are expressing their interests in protecting their own waters. Reactivation of NOAA's Site Evaluation List, a scientifically rigorous and publicly reviewed list of sites, is being considered as part of the Strategic Action Plan to implement our National Policy for the Stewardship of the Ocean, Our Coasts, and the Great Lakes. It would bring a renewed commitment to conserve, protect, and enhance the biodiversity, ecological integrity and cultural legacy of our nation's system of marine protected areas.

In my experience, the most remarkable thing about the National Marine Sanctuary Program is the transformation which occurs when communities recognize they have the opportunity to become stewards of their local marine environment. I cannot emphasize enough that ours and future generations will increasingly depend on a healthy ocean—for ecological, economic, educational, scientific, social, cultural and recreational benefits, as well as for the food we eat. For me, the best example is the Monterey Bay National Marine Sanctuary, which this year celebrates its 20th Anniversary.

The Monterey Bay National Marine Sanctuary emerged from a collaboration of local officials, civic minded citizens, environmentalists and many others who were concerned about the possibility of oil drilling on the Central Coast. Their hard work resulted in the establishment of the largest marine sanctuary in the Continental U.S. It goes down more than 2 miles and is almost as deep as the Rockies are tall. Its undersea mountain—"Davidson Seamount"—is higher than any coastal mountain, 7480 ft. tall, and it supports one of the most bio-diverse ecosystems in the world.

I am fortunate to represent a congressional district that has one of the greatest synergies of ocean science and research in the world. And it is through increased understanding of our marine sanctuaries that we become better stewards of our blue planet. The National Marine Sanctuary Program is charting the course forward through research and education and it is only fitting that, on this anniversary of the National Marine Sanctuaries Act, we in Congress commend the National Marine Sanctuaries Act and all of our nation's sanctuaries for their significant work in advancing understanding and protection of the world's oceans.

HONORING NASA LANGLEY'S 95TH ANNIVERSARY

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. WITTMAN. Mr. Speaker, I rise today to recognize the 95th Anniversary of NASA Langley Research Center in Hampton, Virginia. In 1917, this nation's first civilian aeronautical research laboratory was established in Hampton, Virginia, by the National Advisory Committee for Aeronautics as the Langley Memorial Aeronautical Laboratory. Today, NASA Langley is known around the world for its cutting edge research, leading numerous aviation breakthroughs, making contributions to flight technologies across all speed regimes, and improving the safety of our national air space. I would also like to recognize the approximately 1900 civil servants and 1800 contractors who contribute to the important mission carried out at NASA Langley today and to thank the many individuals who have played a part in the Center's 95-year history in establishing the Center's strong legacy of excellence in aeronautics.

NASA Langley contributes to NASA's vision to "reach for new heights and reveal the unknown so that what we do and learn will benefit all humankind" by developing robust aerospace systems that can perform in our own atmosphere, on the Moon, on Mars or anywhere that NASA explores with aircraft, spacecraft and satellites. These NASA technologies can be found on virtually every civilian or military aircraft flying today. NASA Langley has also conducted ground-breaking climate and atmospheric research, which has improved the understanding of our planet, its atmosphere, and the impact on human health. NASA Langley is a vital member of the Hampton Roads community, the Commonwealth of Virginia, and the Nation and I am certain that the Center and its employees will continue to achieve unparalleled technology advances that will inspire generations of future explorers.

I urge my colleagues to join me in commending NASA Langley for continuing to drive game-changing technology innovations that support our Nation's economic vitality and leadership in aerospace.

HONORING THE 225TH ANNIVERSARY OF THE U.S. CONSTITUTION

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. DAVID SCOTT of Georgia. Mr. Speaker, today I rise in honor of the 225th anniversary of the United States Constitution and to celebrate its many contributions to American society. On September 17, 1788 members of the Constitutional Convention signed what would become the most important and fundamental document in the United States of America.

Our founding fathers came together in true American spirit to lay out our rights and freedoms, rights that were later extended to include all Americans regardless of race or gender. The unmatched longevity of the Constitution still maintains those values today. This

unique document represents our founding fathers' innovative strides towards democracy and has fervently outlived all of its predecessors. Our constitutional framers and those who have improved the Constitution through Amendments have ensured the preservation and enhancement of liberty, justice and equality. The Constitution has endured the test of time and now celebrates a remarkable 225 years as the foundation of American government. The Constitution represents the ability of our country to come together for the greater good. The inalienable rights laid out in this historical document have shaped our amazing nation and served as inspiration for the development of future democracies.

On August 2, 1956, President Eisenhower enacted a law that acknowledged the Constitution's importance as the center of the America we now know and love and instituted an annual National Constitution Week to both celebrate the Constitution and promote its study. It is during this week that we acknowledge not only our framers with patriotic dignity, but also honor those who have ensured that this document continues to preserve equality throughout our nation. This dignified piece of American history deserves proper recognition, and I invite my colleagues to join me in renewing our vows to preserve, protect and defend this venerable document.

IN RECOGNITION OF DENZELL PERRY

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to honor an extraordinary young man, Denzell Perry. Today, Mr. Perry is being honored as the Pacific Region Youth of the Year by the Boys and Girls Club of America. Mr. Perry is from Watts, California, which is in my district. He embodies the core values held by the Boys and Girls Club. He leads by example and has already made a significant difference at his local center.

Mr. Perry started going to the center at the age of six, and the relationships he built then have turned into lifelong friends and mentors. Now, he provides the same guidance and support that he received as a child.

At his club, Mr. Perry was president of the teen service group and served as a junior staff member. Also, when Mr. Perry's club wanted to help more teens receive assistance through its college access program, he designed a new Web site that really spoke to his peers.

In high school, Mr. Perry was class president, a member of the Black Student Union, and a student member of the board of education. Now he attends University of California Irvine, majoring in criminal justice. I am confident that, with his strong work ethic and sense of social justice, he will transform his community and the lives of future generations.

Mr. Speaker, he is the type of young man we should all look to for inspiration. He is a true leader in his community and has a bright future ahead of him. I am honored to have such an impressive young man in my district. I urge my colleagues to continue to support the Boys and Girls Clubs of America which has a tradition of producing great Americans such Denzel Washington, Magic Johnson, General Wesley Clark, and now continues with Denzell Perry.

A TRIBUTE TO WALTER HIGGINS

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor Mr. Walter Higgins for his invaluable contribution to the infrastructure of Philadelphia. Since 1986, Walt has transformed several of Philadelphia's vital roadways, enhancing the city's travel efficiency.

After graduating Monsignor Bonner High School in 1975, Walt studied Labor-Management Relations and Construction Management at Delaware Community College, Kutztown University, and The George Meany Center for Labor Relations at the National Labor College. Walt was the Traffic Control Coordinator and Foreman for projects such as the Vine Street Expressway Reconstruction, and the 1–95 Center City Access Job. Walt also coordinated logistics with the City of Philadelphia, the Workforce and Penn Dot for several fast track projects. Philadelphians who regularly utilize the Walt Whitman Bridge, the Benjamin Franklin Bridge and the Patco High Speed Line understand the importance of Walt's work on these projects.

Walt has been a member of the Laborers' Local 57 for more than thirty years and presently serves as the local's Business Manager and the Vice President of the Laborers District Council of Philadelphia. He is a trustee on the Laborers District Council Pension and Health and Welfare Benefit Funds and sits on the Board of Directors of the Allied Trades Assistance Program. Aside from managing business, serving councils, and improving Philadelphia's infrastructure, Walt enjoys spending time with his wife Adele, son Tom and his wife Kelly, and his three grandsons.

Mr. Speaker, I encourage my colleagues to join me in honoring Mr. Walter Higgins and thanking him for his service to the city of Philadelphia.

NEIL GODLESKI AND SUZANNE MURPHY

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. BISHOP of New York. Mr. Speaker, I rise to commemorate the tragic passing of Neil Godleski, nephew of my friend and constituent Suzanne Murphy of Southampton, New York. Neil, a rising senior at Catholic University, was fatally shot on August 22, 2010 while riding his bicycle home from a restaurant where he worked as a waiter. He was 31 years old and had returned to college with plans to pursue a career in science. His assailant was a 16-year-old boy who shot him six times with a .38 caliber handgun and then robbed him.

Suzanne's family has been wrenched with grief over the sudden end of this young man's life. More than 200 people attended his funeral in his hometown of Norwalk, Connecticut, and many others gathered at a candlelight vigil for him in his Washington, DC neighborhood of Petworth.

While no vigil or memorial could ever begin to take away the pain of this loss, Suzanne has found a way to channel her grief and focus her energy. She has become an advocate for gun control, becoming part of a movement declaring the need to seek a new path emphasizing gun safety at a time when one in three Americans knows someone who has been shot In an average year, around 100,000 Americans are killed or wounded with guns.

Columbine, Virginia Tech, Trayvon Martin, and the recent episode in Aurora, Colorado are senseless tragedies still fresh in our minds that point to the need for responsible policies that protect all Americans from gun violence but also preserve the right afforded citizens by the Second Amendment. Reasonable people can agree that we can achieve even-handed protections that do not infringe on any American's right to possess a firearm.

Efforts to curb the influx of dangerous weapons into our communities, restrictions on assault-type weapons and high-capacity ammunition magazines, and policies on handguns are the types of actions Congress can take to protect our communities from gun violence. We must also equip local law enforcement officers with the tools needed to keep guns out of the hands of criminals and others who wish to do our sons and daughters harm.

Unfortunately, Suzanne Murphy and her family have experienced first-hand the tragic pain and loss that comes to a family in a shooting death. At Catholic University, Neil was a teaching assistant to his biology professor. The professor told Suzanne that one of Neil's jobs was to keep an eye out for other students having trouble mastering the material. Neil especially liked tutoring and helping his fellow classmates. After his death, Catholic University awarded Neil his diploma with his class of 2011. His parents, Dan and Heidi Godleski, gratefully accepted it on his behalf

Mr. Speaker, I applaud Suzanne's efforts to reach out and bring awareness to the problem of gun safety. We must not let her nephew become just another chilling statistic in the battle to make our communities safer—leaving another family struggling to get past the pain and loss.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S6475–S6558

Measures Introduced: Thirty bills and four resolutions were introduced, as follows: S. 3578–3607, and S. Res. 571–574. **Pages S6545–46**

Measures Reported:

S. 3578, to amend the Elementary and Secondary Education Act of 1965. (S. Rept. No. 112–221)

Report to accompany S. 1641, to implement the United States-Colombia Trade Promotion Agreement. (S. Rept. No. 112–222)

Report to accompany S. 1642, to implement the United States-Korea Free Trade Agreement. (S. Rept. No. 112–223)

Report to accompany S. 1643, to implement the United States-Panama Trade Promotion Agreement. (S. Rept. No. 112–224)

Report to accompany S. 3326, to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003. (S. Rept. No. 112–225)

Report to accompany S. 3406, to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to products of the Russian Federation and Moldova, to require reports on the compliance of the Russian Federation with its obligations as a member of the World Trade Organization, and to impose sanctions on persons responsible for gross violations of human rights. (S. Rept. No. 112–226)

Report to accompany S. 3568, to create a Citrus Disease Research and Development Trust Fund to support research on diseases impacting the citrus industry, to renew and modify the temporary duty suspensions on certain cotton shirting fabrics, and to modify and extend the Wool Apparel Manufacturers Trust Fund. (S. Rept. No. 112–227)

Report to accompany S. 2389, to deem the submission of certain claims to an Indian Health Service contracting officer as timely. (S. Rept. No. 112–228)

Report to accompany S. 3276, to extend certain amendments made by the FISA Amendments Act of 2008. (S. Rept. No. 112–229)

S. 3486, to implement the provisions of the Hague Agreement and the Patent Law Treaty, with an amendment in the nature of a substitute. **Page S6545**

Measures Considered:

Continuing Appropriations Resolution: Senate began consideration of H.J. Res. 117, making continuing appropriations for fiscal year 2013, taking action on the following amendments and motions proposed thereto: **Pages S6500–02**

Pending:

Reid Amendment No. 2844, to change the enactment date. **Page S6501**

Reid Amendment No. 2845 (to Amendment No. 2844), of a perfecting nature. **Page S6501**

Reid motion to commit the joint resolution to the Committee on Appropriations, with instructions, Reid Amendment No. 2846, to change the enactment date. **Page S6502**

Reid Amendment No. 2847 (to (the instructions) Amendment No. 2846), of a perfecting nature. **Page S6502**

Reid Amendment No. 2848 (to Amendment No. 2847), of a perfecting nature. **Page S6502**

A motion was entered to close further debate on the joint resolution, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Saturday, September 22, 2012. **Pages S6501–02**

During consideration of this measure today, Senate also took the following action:

By 67 yeas to 31 nays (Vote No. 195), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to proceed to consideration of the joint resolution. **Pages S6500–01**

Sportsmen's Act: Senate began consideration of the motion to proceed to consideration of S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting. **Pages S6502–20**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of H.J. Res. 117, making continuing appropriations for fiscal year 2013. **Page S6502**

Appointment:

Public Safety Officer Medal of Valor Review Board: The Chair, on behalf of the Majority Leader, pursuant to Public Law 107–12, reappointed the following individual as a member of the Public Safety Officer Medal of Valor Review Board: Trevor Whipple of Vermont. **Page S6558**

Kelly Nomination Joint Referral—Agreement: A unanimous-consent agreement was reached providing that, as if in Executive Session, the nomination of Keith Kelly, of Montana, to be Assistant Secretary of Labor for Veterans' Employment and Training, sent to the Senate by the President, be referred jointly to the Committee on Health, Education, Labor, and Pensions, and the Committee on Veterans' Affairs. **Page S6510**

Nominations Received: Senate received the following nominations:

Ketanji Brown Jackson, of Maryland, to be United States District Judge for the District of Columbia.

Nelson Stephen Roman, of New York, to be United States District Judge for the Southern District of New York.

Robert D. Okun, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years. **Page S6558**

Messages from the House: **Pages S6541–42**

Measures Referred: **Page S6542**

Measures Placed on the Calendar: **Pages S6476, S6542**

Measures Read the First Time: **Pages S6542, S6558**

Executive Communications: **Pages S6542–45**

Executive Reports of Committees: **Page S6545**

Additional Cosponsors: **Pages S6546–48**

Statements on Introduced Bills/Resolutions: **Pages S6548–57**

Additional Statements: **Pages S6535–41**

Amendments Submitted: **Page S6557**

Authorities for Committees to Meet: **Pages S6557–58**

Record Votes: One record vote was taken today. (Total—195) **Pages S6500–01**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 8:21 p.m., until 12 p.m. on Friday, September 21, 2012. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6558.)

Committee Meetings

(Committees not listed did not meet)

COMPUTERIZED TRADING

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Securities, Insurance and Investment concluded a hearing to examine computerized trading, after receiving testimony from David Lauer, Better Markets, Inc., Colingswood, New Jersey; Andrew M. Brooks, T. Rowe Price Associates, Inc., Baltimore, Maryland; Chris Concannon, Virtu Financial, LLC, Garden City, New Jersey; and Larry Tabb, TABB Group, Westborough, Massachusetts.

HOUSEHOLD GOODS MOVING INDUSTRY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine business practices in the household goods moving industry, after receiving testimony from Anne S. Ferro, Administrator, Federal Motor Carrier Safety Administration, and Timothy M. Barry, Principal Assistant Inspector General for Investigations, both of the Department of Transportation; Linda Bauer Darr, American Moving and Storage Association, Alexandria, Virginia; Jason M. Romrell, Budget Van Lines Inc., Los Angeles, California; and Reana Kovalcik, New York, New York.

WATER RESOURCES DEVELOPMENT ACT

Committee on Environment and Public Works: Committee concluded a hearing to examine the "Water Resources Development Act", focusing on growing the economy and protecting public safety, after receiving testimony from Andrew Herrmann, American Society of Civil Engineers, Richard R. Calhoun, Cargill, Incorporated, Jeffrey Soth, International Union of Operating Engineers, and Janet F. Kavinoky, U.S. Chamber of Commerce, all of Washington, D.C.; and Jerry A. Bridges, Virginia Port Authority, Norfolk, on behalf of the American Association of Port Authorities.

TAX REFORM AND THE TAX TREATMENT OF CAPITAL GAINS

Committee on Finance: Committee concluded a joint hearing with the House Committee on Ways and Means to examine tax reform and the tax treatment of capital gains, after receiving testimony from David H. Brockway, Bingham McCutchen LLP, Washington, D.C.; Lawrence B. Lindsey, The Lindsey Group, Fairfax, Virginia; Leonard E. Burman, Syracuse University Maxwell School, Syracuse, New York; David Verrill, Angel Capital Association, Cambridge, Massachusetts; and William D. Stanfill, Montegra Capital Income Fund, Denver, Colorado.

MARITIME TERRITORIAL DISPUTES AND SOVEREIGNTY ISSUES

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded a hearing to examine maritime territorial disputes and sovereignty issues in Asia, after receiving testimony from Kurt Campbell, Assistant Secretary of State for East Asian and Pacific Affairs.

U.S. TAX CODE

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations concluded a hearing to examine offshore profit shifting and the U.S. tax code, after receiving testimony from William J. Wilkins, Chief Counsel, and Michael Danilack, Deputy Commissioner (International) of the Large Business and International Division, both of the Internal Revenue Service, Department of the Treasury; Stephen E. Shay, Harvard Law School, Cambridge, Massachusetts; Reuven S. Avi-Yonah, University of Michigan Law School International Tax Master of Law Program, Ann Arbor; Jack T. Ciesielski, R.G. Associates, Inc., Baltimore, Maryland; William J. Sample, Microsoft Corporation, Redmond, Washington; Beth Carr, Ernst and Young LLP, New York, New York; Lester D. Ezrati, and John N. McMullen, both of the Hewlett-Packard Company, Palo Alto, California; and Susan M. Cosper, Financial Accounting Standards Board, Norwalk, Connecticut.

PENSION MODERNIZATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine pension modernization for a 21st century workforce, after receiving testimony from Jim Davis, Iowa Title and Realty, Charles City; Aliya Wong, U.S. Chamber of Commerce, Richard Hudson, Cheiron, Karen Friedman, Retirement USA, Andrew G. Biggs, American Enterprise Institute for Public Policy Research, and David Madland, Center for American Progress Action Fund, all of Washington, D.C.; Susan L. Breen-Held, Principal Financial, Des Moines, Iowa; and John Adler, Service Employees International Union, New York, New York.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following business items:

S. 65, to reauthorize the programs of the Department of Housing and Urban Development for housing assistance for Native Hawaiians;

S. 2024, to make technical amendment to the T'uf Shur Bien Preservation Trust Area Act, with an amendment;

S. 3546, to amend the Native American Programs Act of 1974 to reauthorize a provision to ensure the survival and continuing vitality of Native American languages;

S. 3548, to clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994;

H.R. 2467, to take certain Federal lands in Mono County, California, into trust for the benefit of the Bridgeport Indian Colony; and

The nomination of Kevin K. Washburn, of New Mexico, to be an Assistant Secretary of the Interior.

FEDERAL-TRIBAL RELATIONSHIP

Committee on Indian Affairs: Committee concluded an oversight hearing to examine advancing the Federal-tribal relationship through self-governance and self-determination, after receiving testimony from Lawrence Roberts, Deputy Assistant Secretary of the Interior for Indian Affairs; Ian Erlich, Maniilaq Association, Kotzebue, Alaska; Charles Head, Cherokee Nation, Tahlequah, Oklahoma; and D. Noelani Kalipi, TiLeaf Group, Hilo, Hawaii.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 3486, to implement the provisions of the Hague Agreement and the Patent Law Treaty, with an amendment in the nature of a substitute;

S. 1894, to deter terrorism, provide justice for victims, with an amendment in the nature of a substitute;

S. 3250, to amend the DNA Analysis Backlog Elimination Act of 2000 to provide for Debbie Smith grants for auditing sexual assault evidence backlogs and to establish a Sexual Assault Forensic Evidence Registry;

S. 3523, Innovative Design Protection Act; and

The nomination of William Joseph Baer, of Maryland, to be an Assistant Attorney General, Department of Justice.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 35 public bills, H.R. 6444–6478; and 10 resolutions, H. Con. Res. 138; and H.Res. 793–801 were introduced. **Pages H6230–32**

Additional Cosponsors: **Pages H6233–34**

Reports Filed: Reports were filed today as follows:

H.R. 4965, to preserve existing rights and responsibilities with respect to waters of the United States, and for other purposes, with an amendment (H. Rept. 112–681);

H.R. 5961, to provide reasonable limits, control, and oversight over the Environmental Protection Agency's use of aerial surveillance of America's farmers, with an amendment (H. Rept. 112–682);

H.R. 4278, to amend the Federal Water Pollution Control Act with respect to permit requirements for dredged or fill material (H. Rept. 112–683);

H.R. 2541, to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements, with an amendment (H. Rept. 112–684); and

H.R. 3563, to amend the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to modernize and implement the national integrated public alert and warning system to disseminate homeland security information and other information, and for other purposes, with an amendment (H. Rept. 112–685, Pt. 1). **Page H6230**

Speaker: Read a letter from the Speaker wherein he appointed Representative Flake to act as Speaker pro tempore for today. **Page H6153**

Recess: The House recessed at 11:08 a.m. and reconvened at 12 noon. **Page H6161**

Chaplain: The prayer was offered by the guest chaplain, Rabbi Steven Weil, Orthodox Union, New York, New York. **Page H6161**

Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program: The House passed H.J. Res. 118, to provide for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program, by a yea-and-nay vote of 250 yeas to 164 nays, Roll No. 589. **Pages H6165–85, H6194–95**

H. Res. 788, the rule providing for consideration of the joint resolution (H.J. Res. 118) and the bill (H.R. 3409) was agreed to by a yea-and-nay vote of 233 yeas to 182 nays, Roll No. 588, after the previous question was ordered by a yea-and-nay vote of 238 yeas to 179 nays, Roll No. 587. **Pages H6173–74**

A point of order was raised against the consideration of H. Res. 788 and it was agreed to proceed with consideration of the resolution by voice vote. **Pages H6165–67**

Suspension—Failed: The House failed to agree to suspend the rules and pass the following measure:

STEM Jobs Act of 2012: H.R. 6429, to amend the Immigration and Nationality Act to promote innovation, investment, and research in the United States, to eliminate the diversity immigrant program, by a 2/3 yea-and-nay vote of 257 yeas to 158 nays, Roll No. 590. **Pages H6185–94, H6195**

Suspension—Failed: The House failed to agree to suspend the rules and pass the following measure which was debated yesterday, September 19th:

Manhattan Project National Historical Park Act: H.R. 5987, amended, to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington, by a 2/3 yea-and-nay vote of 237 yeas to 180 nays, Roll No. 591. **Pages H6195–96**

Coal Miner Employment and Domestic Energy Infrastructure Protection Act: The House began consideration of H.R. 3409, to limit the authority of the Secretary of the Interior to issue regulations before December 31, 2013, under the Surface Mining Control and Reclamation Act of 1977. Further proceedings were postponed. **Page H6196**

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–32 shall be considered as an original bill for the purpose of amendment under the five-minute rule, in lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. **Page H6204**

Agreed to:

Bucshon amendment (No. 2 printed in H. Rept. 112–680) that requires that the Secretary, or any other Federal official proposing a rule under this Act, shall publish with each rule proposed under this Act each scientific study the Secretary or other official, respectively, relied on in developing the rule. This amendment ensures that rules being issued are based on scientific study; **Pages H6212–13**

Benishek amendment (No. 6 printed in H. Rept. 112–680) that requires the Committee for the Cumulative Analysis of Regulations that Impact Energy and Manufacturing in the United States to include the health effects associated with regulatory costs in its assessment; and **Pages H6217–18**

Harris amendment (No. 7 printed in H. Rept. 112–680) that reinforces the transparency and sound science requirements in the bill. Specifically, it requires EPA to make data and modeling inputs available to the public, and requires Regulatory Impact Analysis to undergo external peer review according to the agency's own peer review guidelines. **Pages H6218–19**

Proceedings Postponed:

Markey amendment (No. 1 printed in H. Rept. 112–680) that seeks to allow the Secretary of the Interior to promulgate rules under the Surface Mining Control and Reclamation Act, if such rule would reduce the prevalence of pulmonary diseases, lung cancer, cardiovascular disease or reduce the prevalence of birth defects or reproductive problems in pregnant women or children; **Pages H6211–12**

Waxman amendment (No. 3 printed in H. Rept. 112–680) that seeks to strike the language that would repeal EPA's scientific finding that carbon pollution endangers the public health and welfare; **Pages H6213–14**

Kelly amendment (No. 4 printed in H. Rept. 112–680) that seeks to require the Secretary of Transportation to submit a report to Congress estimating the number of jobs, the fatalities and injuries, and the cost to the economy caused by the "2017 and Later Model Year Light-Duty Vehicle Greenhouse Gas Emissions and Corporate Average Fuel Economy Standards" rule. Would require that the Secretary shall not consult with the EPA or the California Air Resources Board to complete the report; and **Pages H6214–16**

Markey amendment (No. 5 printed in H. Rept. 112–680) that seeks to allow the Environmental Protection Agency to take any action using its authority under the Clean Air Act if such action would increase North American energy independence by reducing demand for oil. **Pages H6216–17**

H. Res. 788, the rule providing for consideration of the joint resolution (H.J. Res. 118) and the bill (H.R. 3409) was agreed to by a yea-and-nay vote of 233 yeas to 182 nays, Roll No. 588, after the previous question was ordered by a yea-and-nay vote of 238 yeas to 179 nays, Roll No. 587. **Pages H6173–74**

A point of order was raised against the consideration of H. Res. 788 and it was agreed to proceed with consideration of the resolution by voice vote. **Pages H6165–67**

Quorum Calls—Votes: Five yea-and-nay votes developed during the proceedings of today and appear on pages H6173–74, H6174, H6194–95, H6195, H6196. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:44 p.m.

Committee Meetings

CHEMICAL FACILITY ANTI-TERRORISM STANDARDS PROGRAM

Committee on Appropriations: Subcommittee on Homeland Security held a hearing entitled "Chemical Facility Anti-Terrorism Standards (CFATS) Program". Testimony was heard from Steve Caldwell, Director, Homeland Security and Justice Issues, Government Accountability Office; Suzanne Spaulding, Deputy Under Secretary, National Protection and Programs Directorate, Department of Homeland Security; David Wulf, Director, Office of Infrastructure Protection, Department of Homeland Security.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT ORGANIZATION

Committee on Appropriations: Subcommittee on Defense held a hearing entitled "Joint Improvised Explosive Device Defeat Organization". Testimony was heard from Lieutenant General Michael D. Barbero, United States Army, Director, Joint Improvised Explosive Device Defeat Organization.

SEQUESTRATION TRANSPARENCY ACT OF 2012 REPORT

Committee on Armed Services: Full Committee held a hearing on Department of Defense Plans for Sequestration: The Sequestration Transparency Act of 2012 Report and the Way Forward. Testimony was heard from Robert F. Hale, Under Secretary of Defense, Comptroller; General Lloyd J. Austin III, USA, Vice Chief of Staff of the Army; Admiral Mark Ferguson, USN, Vice Chief of Naval Operations; General Larry O. Spencer, USAF, Vice Chief of Staff of the Air Force; and General Joseph F. Dunford, USMC, Assistant Commandant of the Marine Corps.

ASSESSING COLLEGE DATA: HELPING TO PROVIDE VALUABLE INFORMATION TO STUDENTS, INSTITUTIONS AND TAXPAYERS

Committee on Education and the Workforce: Subcommittee on Higher Education and Workforce Training held a hearing entitled ''Assessing College Data: Helping to Provide Valuable Information to Students, Institutions and Taxpayers''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Full Committee completed a markup of H.R. 1206, the ''Access to Professional Health Insurance Advisors Act of 2011''; and H.R. 1063, the ''Strengthening Medicare and Repaying Taxpayers Act of 2011''. H.R. 1206 and H.R. 1063 were ordered reported, without amendment.

LEGISLATIVE MEASURE

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing entitled ''The American Energy Initiative: A Focus on H.R. 6172''. Testimony was heard from public witnesses.

SEMI-ANNUAL REPORT OF THE CONSUMER FINANCIAL PROTECTION BUREAU

Committee on Financial Services: Full Committee held a hearing entitled ''The Semi-Annual Report of the Consumer Financial Protection Bureau''. Testimony was heard from Richard Cordray, Director, Consumer Financial Protection Bureau.

SAFEGUARDING ISRAEL'S SECURITY IN A VOLATILE REGION

Committee on Foreign Affairs: Subcommittee on the Middle East and South Asia held a hearing entitled ''Safeguarding Israel's Security in a Volatile Region''. Testimony was heard from public witnesses.

DEPARTMENT OF HOMELAND SECURITY: AN ASSESSMENT OF THE DEPARTMENT AND A ROADMAP FOR ITS FUTURE

Committee on Homeland Security: Full Committee held a hearing entitled ''The Department of Homeland Security: An Assessment of the Department and a Roadmap for its Future''. Testimony was heard from David C. Maurer, Director, Homeland Security and Justice, Government Accountability Office; and public witnesses.

REGULATION NATION: THE OBAMA ADMINISTRATION'S REGULATORY EXPANSION VS. JOBS AND ECONOMIC RECOVERY

Committee on the Judiciary: Full Committee held a hearing entitled ''Regulation Nation: The Obama Administration's Regulatory Expansion vs. Jobs and Economic Recovery''. Testimony was heard from public witnesses.

INTERNATIONAL IP ENFORCEMENT: OPENING MARKETS ABROAD AND PROTECTING INNOVATION

Committee on the Judiciary: Subcommittee on Intellectual Property, Competition, and the Internet held a hearing entitled ''International IP Enforcement: Opening Markets Abroad and Protecting Innovation''. Testimony was heard from Victoria Espinel, Intellectual Property Enforcement Coordinator, Office of Management and Budget, Executive Office of the President.

CITIZEN'S GUIDE ON USING THE FREEDOM OF INFORMATION ACT AND THE PRIVACY ACT OF 1974 TO REQUEST GOVERNMENT RECORDS; AND MISCELLANEOUS MEASURES

Committee on Oversight and Government Reform: Full Committee held a business meeting to approve ''A Citizen's Guide on Using the Freedom of Information Act and the Privacy Act of 1974 to Request Government Records''; and a markup of the following: H.R. 4053, the ''Improper Payments Elimination and Recovery Improvement Act of 2012''; H.R. 5954, to designate the facility of the United States Postal Service located at 320 7th Street in Ellwood City, Pennsylvania, as the ''Sergeant Leslie H. Sabo, Jr. Post Office Building''; and H.R. 5738 to designate the facility of the United States Postal Service located at 15285 Samohin Drive in Macomb, Michigan, as the ''Lance Cpl. Anthony A. DiLisio Clinton-Macomb Carrier Annex''. The report ''A Citizen's Guide on Using the Freedom of Information Act and the Privacy Act of 1974 to Request Government Records'' was ordered reported, without amendment. The following measures were ordered

reported, without amendment: H.R. 5954; and H.R. 5738. The following measure was ordered reported, as amended, H.R. 4053.

EXAMINING THE ADMINISTRATION'S FAILURE TO PREVENT AND END MEDICAID OVERPAYMENTS

Committee on Oversight and Government Reform: Subcommittee on Health Care, District of Columbia, Census and the National Archives held a hearing entitled ''Examining the Administration's Failure to Prevent and End Medicaid Overpayments''. Testimony was heard from John Hagg, Director of Medicaid Audits, Office of the Inspector General, Department of Health and Human Services; and Penny Thompson, Deputy Director, Center for Medicaid and CHIP Services, Center for Medicare and Medicaid Services.

SIGAR REPORT

Committee on Oversight and Government Reform: Subcommittee on National Security, Homeland Defense and Foreign Operations held a hearing entitled ''SIGAR Report: Document Destruction and Millions of Dollars Unaccounted for at the Department of Defense, Part II''. Testimony was heard from Alan F. Estevez, Assistant Secretary for Logistics and Materiel Readiness, Department of Defense; Lieutenant General Brooks L. Bash, USAF, Director for Logistics, Joint Staff, Department of Defense; John F. Sopko, Special Inspector General for Afghanistan Reconstruction; and Donald K. Steinberg, Deputy Administrator, Agency for International Development.

SEQUESTRATION: THE THREAT TO SMALL BUSINESSES, JOBS, AND THE INDUSTRIAL BASE

Committee on Small Business: Full Committee held a hearing entitled ''Sequestration: The Threat to Small Businesses, Jobs, and the Industrial Base''. Testimony was heard from Mike McCord, Principal Deputy, Under Secretary of Defense; and public witnesses.

REVIEW OF AMTRAK OPERATIONS, PART III: EXAMINING 41 YEARS OF TAXPAYER SUBSIDIES

Committee on Transportation and Infrastructure: Full Committee held a hearing entitled ''A Review of Amtrak Operations, Part III: Examining 41 Years of Taxpayer Subsidies''. Testimony was heard from Joseph Boardman, President and CEO, Amtrak; Ted Alves, Inspector General, Amtrak; and public witnesses.

MISCELLANEOUS MEASURE

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings, and Emergency Management held a markup of H.R. 6430, the ''Public Buildings Reform Act of 2012''. H.R. 6430 was forwarded, as amended.

REVIEW OF THE CHALLENGES MAINTAINING LEGACY ASSETS POSE TO UNITED STATES COAST GUARD MISSION PERFORMANCE

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing entitled ''A Review of the Challenges Maintaining Legacy Assets Pose to United States Coast Guard Mission Performance''. Testimony was heard from Rear Admiral Ronald J. Rabago, Assistant Commandant for Engineering and Logistics, Coast Guard; and Stephen Caldwell, Director, Homeland Security and Justice Issues, Government Accountability Office.

FORTY YEARS AFTER THE CLEAN WATER ACT: IS IT TIME FOR THE STATES TO IMPLEMENT SECTION 404 PERMITTING

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment, hearing entitled ''Forty Years after the Clean Water Act: Is it Time for the States to Implement Section 404 Permitting?''. Testimony was heard from Jo-Ellen Darcy, Assistant Secretary of the Army for Civil Works; Denise Keehner, Director, Office of Wetlands, Oceans, and Watersheds, Environmental Protection Agency; Jeff Littlejohn, Deputy Secretary for Regulatory Programs, Florida Department of Environmental Protection; and public witnesses.

VETERANS AFFAIRS IN THE 112TH CONGRESS: REVIEWING VA'S PERFORMANCE AND ACCOUNTABILITY

Committee on Veterans' Affairs: Full Committee held a hearing entitled ''Veterans Affairs in the 112th Congress: Reviewing VA's Performance and Accountability''. Testimony was heard from W. Scott Gould, Deputy Secretary of Veterans Affairs, Department of Veterans Affairs.

EXAMINING THE RE-DESIGN OF THE TRANSITION ASSISTANCE PROGRAM (TAP)

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing entitled ''Examining the Re-Design of the Transition Assistance Program (TAP)''. Testimony was heard from Danny G. I. Pummill, Director, Veterans Benefits Administration, Department of Defense Program Office; John K. Moran, Deputy Assistant Secretary for Operations

and Management, Veterans' Employment and Training Service, Department of Labor; Rhett Jeppson, Associate Administrator for Veterans Business Development, Small Business Administration; Susan Kelly, Deputy Director, Transition to Veterans Program Office, Office of the Under Secretary of Defense for Personnel and Readiness, Department of Defense; BG Robert Hedelund, Director of Marine and Family Programs, Marine Corps; BG Jason T. Evans, Adjutant General, USA; Edward Cannon, Fleet and Family Readiness Program Director, USN; Eden J. Murrie, BG, Director of Services, USAF; and RADM Daniel Neptun, Assistant Commandant for Human Resources, USCG.

BENEFITS OF EXPANDING U.S. SERVICES TRADE THROUGH AN INTERNATIONAL SERVICES AGREEMENT

Committee on Ways and Means: Subcommittee on Trade held a hearing entitled ''Benefits of Expanding U.S. Services Trade Through an International Services Agreement''. Testimony was heard from Michael Punke, Deputy United States Trade Representative and Permanent Representative to the World Trade Organization; and public witnesses.

Joint Meetings

GEORGIA'S PARLIAMENTARY ELECTION

Commission on Security and Cooperation in Europe: Commission concluded a hearing to examine Georgia's parliamentary election, focusing on how free and fair has the campaign been, and how the United States government should respond, including the election's fairness during the run-up to the vote and the vote count, human rights issues connected to the election, and United States policy in response, after receiving testimony from Thomas O. Melia, Deputy Assistant Secretary of State for Democracy, Human Rights and Labor; Ariel Cohen, The Heritage Foundation, Rockville, Maryland; Mamuka Tsereteli, American University School of International Service Center for Black Sea and Caspian Studies, Washington, D.C.; and Archil Gegeshidze, Georgian Foundation for Strategic and International Studies, Tbilisi, Georgia.

COMMITTEE MEETINGS FOR FRIDAY, SEPTEMBER 21, 2012

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Energy and Commerce, Subcommittee on Oversight and Investigations, hearing entitled ''The LightSquared Network: An Investigation of the FCC's Role'', 9:30 a.m., 2123 Rayburn.

Committee on Ethics, Full Committee, hearing on the matter of Representative Maxine Waters, 9:15 a.m., 1310 Longworth.

Committee on Financial Services, Subcommittee on Domestic Monetary Policy and Technology, hearing entitled ''The Price of Money: Consequences of the Federal Reserve's Zero Interest Rate Policy'', 9:30 a.m., 2128 Rayburn.

Committee on Homeland Security, Subcommittee on Oversight, Investigations, and Management, hearing entitled ''DHS Acquisition Management Challenges: Solutions for Saving Taxpayer Dollars'', 9 a.m., 311 Cannon.

Committee on Veterans' Affairs, Subcommittee on Disability Assistance and Memorial Affairs, hearing entitled ''Breaking Through the Backlog: Evaluating the Effectiveness of the New State Strike Force Team'', 10 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Health, hearing entitled ''Examining the current status of the Medicare Advantage (MA) program and other health plans'', 9:30 a.m., 1100 Longworth.

Next Meeting of the SENATE

12 p.m., Friday, September 21

Senate Chamber

Program for Friday: The Majority Leader will be recognized.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, September 21

House Chamber

Program for Friday: Complete consideration of H.R. 3409—Coal Miner Employment and Domestic Energy Infrastructure Protection Act.

Extensions of Remarks, as inserted in this issue

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