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House of Representatives

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

MORNING-HOUR DEBATE

The SPEAKER. 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.

GASODUCTO

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

Mr. GUTIERREZ. Mr. Speaker, we've all seen bad horror movies, the ones where every time you think it's safe to relax and take a deep breath, the monster is right behind the door. You know the drill. No matter how hard the teenagers in the basement or the swimmers in the lake or the hikers in the wood try to get away, the creature just can't be stopped.

Well, the people of Puerto Rico are stuck in their very own horror movie, one that just won't end, and one with a villain that just won't go away, except the villain isn't a guy wearing a hockey mask or carrying a chain saw. The villain is a bunch of government insiders, and the horror story is about their desire to build a huge gas pipeline.

It's a pipeline that the people of Puerto Rico don't want, that experts have said that Puerto Rico doesn't need, and environmentalists have testified will destroy the natural beauty of thousands of acres on the island. And this might be the scariest part. It's a pipeline that Puerto Rico doesn't even have enough natural gas to operate.

The name of the pipeline is Gasoducto, and the horror story started in 2010. About all that has been missing from the script is bad music and vampires. The story has featured the Puerto Rican people's tax dollars, as much as $100 million of them, paid to consultants and lobbyists hired by the government, including close friends and allies of the Governor and his ruling party.

It's featured the government hiring a consulting team of former high-ranking Army Corps of Engineer employees based in Florida. The consultants magically convinced the Army Corps to take review of the project away from the local San Juan, Puerto Rico, office. Where did they move it to? Surprise—to Florida, right down the road from where the consultants live and used to work.

It has featured ever-increasing cost estimates of the project, ballooning to nearly $1 billion. It has featured huge protests and marches by the Puerto Rican people against the pipeline and public opinion polls showing three-quarters of the people strongly opposed to the project.

It has featured power supply experts who studied the government plan and noticed one important flaw. Just as Casa Pueblo, countless technical experts, environmentalists, scientists, and I have insisted to the Army Corps all along, the only current source of natural gas supply available for this project in Puerto Rico was too small for a pipeline to even work.

And finally, it even featured—after tens of millions of dollars spent—the Governor appointing his own commission to make recommendations about how Puerto Rico can make better use of natural gas to meet its energy needs.

The commission, appointed by the very Governor who dreamt up the Gasoducto plan, made three recommendations. None of them—I repeat—none of them included Gasoducto. Not one. Actually, they discarded it and called it unviable.

Finally, the people of Puerto Rico thought the monster must be dead. Finally, we can stop sending tax dollars to connected government insiders, we can stop worrying about our environment, we can stop wondering where in the world the natural gas for a billion dollar pipeline will actually come from. But that's not how horror movies work.

Last week, the Governor was quoted in the press as saying Gasoducto was still alive. Why? Because the Governor of Puerto Rico claims that the Assistant Secretary of the Army, who oversees the Army Corps of Engineers, has asked him personally not to withdraw the Gasoducto application. Assistant Secretary Darcy wants him, the Governor, to wait a while before pulling the plug, which is already on life support for this monster.

Personally, I find this hard to believe. I don't know why an Assistant Secretary of the Army would want to keep a monster alive that is an unneeded, unwanted insider boondoggle that isn't even wanted by the regime that proposed it in the first place. But I've written to find out, is it true and how could this be?

I expect answers, just like I expect answers on my ongoing request to the Army about how the Army Corps of Engineers has handled this application and why the review was moved away from their employees in Puerto Rico and closer to a bunch of consultants who used to head their office in Florida.

When it comes to Gasoducto, enough is enough. Like in most bad monster movies, Gasoducto has been almost impossible to believe from the very first scene, a silly, unnecessary waste of time and money. It's time to roll the credits and declare this monster dead once and for all.

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IN MEMORY OF MAERSK MCKINNEY MOLLER

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

Mr. COBLE. Mr. Speaker, I stand today to honor the legacy and achievements of one of the greatest friends America has ever known, Mr. Maersk McKinney Moller, who died recently at the age of 98 in his home country of Denmark. Mr. Moller, whom I've known personally for more than 2 decades, was a Dane and an American by virtue of his American mother, a loyal husband, a doting father, a brilliant businessman, and a leading figure in the development of the modern globalized marketplace.

I initially met Mr. Moller, Mr. Speaker, in his Copenhagen office. We spoke for 35 to 40 minutes, and it became apparent to me that I was in the presence of a truly great man.

Mr. Moller loved America. It is no coincidence that his company's U.S. flag business unit, Maersk Line, Limited, owns and operates the largest U.S. flag fleet of vessels serving our military today. In fact, these U.S. flag vessels employ more American mariners and have delivered more of the critical material to supply U.S. troops in the Iraq and Afghanistan conflicts than any other carrier. And the same is true of humanitarian aid and every other category of government-impelled cargo carried by U.S. flag commercial vessels. Maersk McKinney Moller believed in the mission and basic goodness of America, and he demonstrated that belief throughout his life.

Mr. Moller, Mr. Speaker, was born in Denmark in 1913. He grew up in the shipping industry that his father, Arnold Peter Moller, had started in 1904. In 1940, after the occupation of Denmark by Nazi troops, all the company's vessels in international waters were ordered to neutral ports and a third of the fleet sought refuge in ports controlled by the United States.

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Mr. Moller traveled to New York soon after the occupation and ran the operations from there through 1947.

Allied forces requisitioned the Maersk fleet and most were subsequently lost to German U-boats in the most devastating loss of merchant mariner life in history. At the conclusion of the war, Mr. Moller returned to Denmark and continued building a global business empire, becoming CEO of the group in 1965.

In 1991, Mr. Moller wrote a letter to then-U.S. Secretary of Defense Dick Cheney highlighting the longstanding connections between America and Maersk. Among other matters in the letter, Mr. Moller wrote:

> Maersk is, and has always been, a strong advocate for uninhibited free trade and the principles of freedom consistently enunciated by the United States and Denmark. Our entire organization, and especially Maersk Line, Limited will be ready to serve anytime should that be desired.

Mr. Moller stepped down as CEO in 1993, but remained chairman of the AP Moller Group until 2003. Even through the last few months of his life, however, Mr. Moller went to work every day, walking up five flights of stairs to his office.

Through his vision and leadership, Mr. Moller built the largest container shipping company in the world, but never abandoned his love and appreciation for the United States and its people. Over 70 years, he personally cultivated and sustained a valuable partnership with the United States, one that continues to support and advance our commercial and national security interests around the world.

Finally, Mr. Moller was a citizen of Denmark, indeed, the world; but he will always have a special place of respect, admiration, and appreciation from the people and the Government of the United States.

CLIMATE CHANGE

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

Mr. BLUMENAUER. Mr. Speaker, in this time of extreme weather events, our hearts go out to victims of the storms, wildfires, power outages, torrential downpours, the winds, trees crashing into homes. It makes our hearts ache, thinking of the suffering of hundreds of thousands of people in sweltering heat without electricity.

Beyond our shores, we see this extreme weather is global in scale, such as the flash floods that killed hundreds in Russia this last week. We must pause, shudder, and feel sadness for those families.

For many, the instinct is to help people resettle, rebuild, and reconnect. But the Nation's elected leaders should do more than comfort those in distress and try to help people recover. As policymakers, shouldn't we act to try and prevent the next catastrophe?

Some of this is relatively simple and straightforward, even if potentially controversial. Don't relocate people right back in the same flame or flood zone. We know they'll be ravaged by fire and flood. At a minimum, we shouldn't have the Federal Government pay to put people right back in harm's way.

This discussion is part of flood insurance reform and national disaster policy that I personally have been working on for decades. We have made some progress, but not nearly what we should.

You would think we would stop making it worse, yet we allow more and more people to move into the flame zone seeking to live with nature, and these people then expect government to prevent nature from doing what it's done for eons. In most cases, the fires in these areas not only cannot be stopped, but we make the next fire worse by suppressing nature's natural fire cycle until there's so much fuel in the forest that the inevitable next fire burns longer and more furiously, putting more at risk.

The more people who are permitted or even encouraged to build homes and live in an area that cannot be defended is a prescription for disaster. It's an example of political malpractice, a head-in-the-sand attitude that many today in this Chamber have regarding climate change, rising sea level and weather instability, which are all completely predictable, foreseen consequences of carbon pollution.

It's being played out in a variety of areas. We're watching oceans become more acidic, bleaching and killing coral reefs, which are the rain forests of the sea. Shouldn't we be doing something to try and prevent it?

On the land, it's becoming clear what warming will mean to our communities with more instability, hotter temperatures, heavier precipitation events, 23,383 all-time heat records set this year.

The worst example of government response, I think, is legislation in North Carolina, and it's already passed the State senate and is working its way through, that would prevent the State and local governments from planning based on the best scientific evidence about the accelerating pace of sea level increase.

In Congress, it's notable that one of our major parties has firm opposition to even using the words ''climate change,'' let alone plan for or prevent it happening. It's not an energy policy to promote more carbon pollution and lavish support for old fossil fuel technology, nor to claim climate science is a hoax.

That's the mindset that puts at risk replacement of a vitally needed satellite providing climate data. With all the ominous signs, horrific events and high stakes, how can we, as policymakers, not at least give weight to the advice of the vast majority of scientists.

I'll tell you, this current generation of politicians will be asked by their grandchildren what could you possibly have been thinking. Indeed, I'll wager that some of today's policymakers, even the most obtuse and dogmatic, will live long enough to regret their hostility to science and their short-sighted devotion to politics of the moment over the future of the planet and their very families.

They are like King Canute, who ordered the tide not to come in until it washed over his feet. Unlike King Canute, today's policymakers could do something about it.

HEALTH TAX

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

Mr. FORBES. Mr. Speaker, several days ago I was one of only a handful of

Members of Congress who actually sat in the Supreme Court and listened to five Justices debate and say that they believed that the President's health tax was constitutional, and I watched them debate the four Justices who believed it was not constitutional.

Because one more Justice believed it was constitutional than the four that believed it was not constitutional, our friends on the other side of the aisle believe that we should now step back and do nothing and just allow this health tax to be imposed on the American people.

Well, we reject that suggestion, and the reason we do is because today the number one issue in the American people's minds is the economy, and the number one concern we have about the economy is the loss of their jobs. Yet we have watched as this administration has had 41 straight months of unemployment in excess of 8 percent.

We have watched as their policies have delivered us a net loss of 473,000 jobs, and we are about to unleash three enormous job killers on the American public. In just a few months, we will increase taxes on the American people if we refuse to extend the Bush tax cuts, which will cost thousands of jobs. Yet our friends on the other side of the aisle say we should step back and do nothing, and we reject that notion.

In just a few months, based on legislation this President approved and signed into law, we will have massive defense cuts that his own Secretary of Defense says will cost us 1.5 million jobs, and our friends on the other side of the aisle say we should do nothing and just let that come on the American people. We reject that notion.

Finally, Mr. Speaker, as this health tax gets ready to be imposed on the American people, based on the Congressional Budget Office, it will cost 800,000 jobs. Yet our friends on the other side of the aisle say we should take no action and just let it happen. We reject that notion.

The reason we reject it is because the American people realize that as we take an action to repeal this health tax, we are setting a new course for health care in America. As we set a new course for health care in America, we begin to do what the American people want us to do and set a new course and a new direction for America.

□ 1020

AMERICANS NEED REAL SOLUTIONS TO REAL PROBLEMS

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

Mr. CONNOLLY of Virginia. Boy, my friend from Virginia could not be more wrong.

What exactly are the House Republicans trying to accomplish with today's 31st repeal vote of health care? One of the first votes Republicans brought to the floor when they became the majority in January of 2011 was to repeal the health care insurance reform law in its entirety. That bill passed out of the House on a virtual party-line vote, so you'd think Republicans would move on to the real challenges facing our economy like unemployment and the expiration of individual and business tax cuts.

In the face of the Supreme Court ruling declaring important health insurance protections in the Affordable Care Act constitutional, House Republicans are not repealing that earlier vote but instead setting up a repeat of it. They have become so ideologically immovable that they can think of no more constructive solution than to simply replay this bit of political theater. Meanwhile, 56 percent of Americans say it's time to move on to the true pressing challenges facing our Nation, according to a Kaiser Family Foundation poll. A quick review of those challenges shows that this Republican House majority has not even tried to address them.

Let's start with the very real threat of expiring tax cuts creating a drag on our economy. There are a number of already expired and expiring tax cuts, including the alternative minimum tax patch, which could affect 34 million Americans. Then there's the payroll tax cut affecting 160 million Americans and numerous businesses, including the Bush tax cuts, which expire later this year. All combined, the expiration of those tax cuts could add up to a $4,000 per household bill on Americans. So far, House Republicans haven't felt the urgency to hold a single vote to extend any of those tax cuts.

How about the Medicare doc fix? If Congress doesn't extend the sustainable growth rate patch, Medicare and TRICARE doctors will see more than a 27 percent cut in their reimbursements, causing many of them to stop seeing patients. Millions of seniors and military members and retirees could lose access to their doctors. But not a single vote has been proposed by the Republicans to stop that from happening.

Then there's the debt ceiling. Without action, the Nation will once again risk breaching its statutory limit, triggering a historic default. Last summer, we achieved a bipartisan agreement to raise that ceiling and lower the deficit at the same time, warding off the cataclysmic effects of default, but not before House Republicans pushed us to the brink, resulting in the first time ever a downgrading of U.S. credit. The American people don't want a repeat of that sad chapter in our history, and our economy certainly cannot afford it. Ronald Reagan knew the value of ensuring America fulfilled its commitments. He raised the debt ceiling 18 times with no conditionality.

What about a comprehensive jobs bill? After 27 straight months of private sector job growth, cleaning up the mess President Obama inherited, the base of U.S. job creation has begun to slow in the wake of instability in European markets. Before the July 4 holiday, we achieved a rare feat for this Congress in passing a bipartisan reauthorization of the transportation bill, giving a much-needed jolt to the construction sector. But we can and should do more to spur hiring in the alternative energy sector, manufacturing, health care, and more. But instead of focusing on jobs, which they claimed in the last election was their focus, Republicans are creating a sense of deja vu all over again on the floor by staging a repeat of the health care reform.

Lost in this political pandering is the fact that the Affordable Care Act is actually working. Seniors who fall in the prescription drug doughnut hole are saving an average of $651 this year alone. Almost 13 million Americans are eligible for rebates averaging $151 from their insurance companies, thanks to new requirements in the bill. Premiums for Medicare Advantage are down 7 percent for the first time ever and benefits are up and enrollment is up 10 percent. Medicare is on track to save $200 billion by 2016, pursuant to the act, without one benefit being cut—in fact, benefits improving.

Mr. Speaker, the House majority is selectively ignoring those improvements to justify this repeat of its repeal vote. With so much to do—with American businesses and families waiting for tax predictability, with the economy bracing for the impending fiscal cliff, with almost 4 million people still searching for employment—House Republicans are still offering more of the same. And sadly, it's not enough. Americans need real solutions to real problems. Let's get on with them.

HIGH-LEVEL NUCLEAR WASTE

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

Mr. SHIMKUS. Mr. Speaker, I come back on the floor as I have almost weekly throughout this entire Congress for 2 years to talk about the issue of high-level nuclear waste and what are we to do about it. And I really applaud my colleagues who joined me on June 6, 2012, on an amendment to a spending bill. It was a bipartisan vote; 326 Members of Congress supported finishing the scientific study on Yucca Mountain. That's the money that we had appropriated and that Senator REID and President Obama did not spend for the scientific study. Then, in the last two cycles, Senator REID has been blocking additional money for finishing the scientific study. So 226 Republicans and 98 Democrats joined me to really stress the point that we've got to finish this.

Yucca Mountain started in 1982 with the Nuclear Waste Policy Act. It was the defined location—it is the defined location—under current law under the amendments passed in 1987. To not fulfill and not to move forward is, in my estimation, breaking the law of the

land. And who's complicit in this is our friends on the other side and the President of the United States.

Now, how does that affect the rest of the Nation and the Senators involved and Members involved? Well, we compare the current site of Yucca Mountain to where nuclear waste is located around this country. Yucca Mountain currently has no nuclear waste on-site. We've already spent $15 million over 20 years trying to finish this project. It would be stored a thousand feet underground, it would be a thousand feet above the water table, and it would be a hundred miles from the Colorado River.

Well, let's look at where we have nuclear waste, and nuclear waste is defined by a lot of different titles. Some is just spent fuels from nuclear utilities. A lot of our nuclear waste is defense waste: reprocessed, weaponized uranium or the chemicals needed to effect that.

So we have a Department of Energy location at Idaho National Labs. How much waste is in Idaho right now? We've got 5,090 canisters on-site. Waste is stored above the ground and in pools. Waste is 500 feet above the water table and waste is 50 miles from Yellowstone National Park, a major tourist destination for many of our citizens throughout this country.

This is a Senate issue, really, and not a House issue anymore since the House is on record, especially with this vote this year of 326 of our colleagues in support. Where are the Senators? The last time I came down to the floor, I talked about the State of Missouri and Senator MCCASKILL, who is undecided after being a U.S. Senator for 5½ years. Well, now I turn to Montana, who's a neighbor to Idaho, and another undecided Senator, Senator JON TESTER. Can you imagine being a U.S. Senator for 5½ years, having nuclear waste in the State next to you and never having a position on what do we do with the final position on nuclear waste, whether it's nuclear waste in spent fuel or whether it's nuclear waste in our defense industry?

A place like Hanford, Washington, where we have millions of gallons of toxic nuclear waste that's designed to go to Yucca Mountain, couldn't a U.S. Senator in 5½ years say, I think yes, or I think no? Why is that important? You look at the total tally of what we've done over the past year and a half trying to identify where Senators stand. We have 55 Senators who support moving forward on Yucca Mountain. We have 22 question marks, one of them being Senator TESTER from Montana. And then we have 23 identified ''no'' votes. Really, to close debate, based upon the Senate rules, you need 60. If we can move Senator MCCASKILL and Senator TESTER, that brings us to 57 Senators and really a game-changing position to resolve this issue of high-level nuclear waste, which is pretty much throughout the country.

In my own State, my colleagues here on the floor in the State of Illinois, we are the largest nuclear-generating State in the country. We have six locations, 11 reactors. Some are right on Lake Michigan, Wisconsin; nuclear power plants right on Lake Michigan, Michigan; nuclear power plants right on Lake Michigan. Would you rather have high-level nuclear waste in the desert underneath a mountain or would you rather have it next to Lake Michigan or 50 miles from Yellowstone National Park? I think the answer is simple.

This has become politicized because of the Majority Leader of the Senate and his partner in crime, the President of the United States. It's time for us to move on good public policy: identify, centrally locate, and store high-level nuclear waste underneath a mountain in a desert.

□ 1030

THE AFFORDABLE CARE ACT

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

Ms. BALDWIN. Mr. Speaker, thanks to the Affordable Care Act, roughly 17 million American children with preexisting medical conditions can no longer be discriminated against and be denied health insurance by insurance companies. And yet, rather than focus on the key tasks of creating jobs and strengthening the middle class in America, my Republican colleagues want to tear up the health care law. They want to rip up the independent decision by our Supreme Court, by Justices appointed by Presidents of both parties, finding the Affordable Care Act is on firm constitutional footing, and they want to start all over again, putting the coverage of those millions of children I just spoke about at risk.

This vote is personal. Health care is personal. When I was 9, I had a serious childhood illness. I spent 3 months in the hospital. My grandparents, who were raising me, found out that their family insurance didn't cover me. They made great sacrifices to help pay for my care. But if that weren't enough, when my grandparents then looked for insurance that would cover me, they couldn't find coverage at any price. I was considered one of those kids with a preexisting medical condition, never mind that I had fully recovered from my illness. No child should ever be denied coverage for that reason.

I grew up believing that no family should have to go through what ours did. Parents or grandparents shouldn't have to worry, shouldn't have to lay awake at night worrying about whether they can provide for a sick child or whether an illness might bankrupt their family.

Families now know that insurance companies can't discriminate against their children based on a preexisting condition. Turning back the clock so insurance companies can, once again, deny children access to care is simply wrong.

It is time that we all move forward. It is time that we work together. It is time to make this Affordable Care Act work for the American people.

GOVERNMENT BY CONSENT OF THE GOVERNED

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

Mr. WALBERG. Mr. Speaker, despite talk of political gridlock in D.C., Republicans and Democrats can agree on at least one thing—the economy is in rough shape. For the past 41 months, the unemployment rate has not gone below 8 percent, causing worry, uncertainty, and frustration for many families living in Michigan and across the U.S. But unfortunately, things can still get worse.

It's time for President Obama and the Senate to stop pushing their failed agendas and start applying commonsense policies that work. My Republican colleagues and I in the House have been listening to the American people and remain committed to policies that spur job creation, reduce costs, and restore power back to the people.

Last month's employment report showed that millions of Americans still are without a job and the unemployment rate is stuck at 8.2 percent. Meanwhile, the anemic job growth is even worse in my district where some areas show an unemployment rate of over 9 percent. Nationwide, the rate of ''real unemployment,'' which includes the unemployed, the underemployed, and those that want to work but have given up looking, now totals 14.9 percent. Making matters worse, the number of weeks it takes a worker to find a job has more than doubled since President Obama took office. Is this hope and change?

But it's not just the unemployment numbers which paint a grim picture of our economy. Government spending is out of control. With 84 days left in the fiscal year, the government has already spent its way into another $1 trillion deficit. Despite this out-of-control spending, the Senate hasn't bothered to pass a budget in more than 3 years. Since that time, the Federal Government has added more than $4 trillion to our national debt.

Families and businesses in my district and across the country know that they can't spend more than they make, which is why they create budgets and why they sometimes have to make tough choices to prevent them from drowning in debt. They get it, but sadly, their President and Senate still refuse to look at the facts.

But they also refuse to listen to the American people. According to the polls, Americans, and especially those in my district, are angry about having a government takeover of health care and the largest tax increase in history. Health care coverage is already too expensive for many families in my district, and this health care takeover

will not only make it more expensive, but put Federal bureaucracy between them and their doctor. On top of that, it will hinder job creators from hiring by requiring them to either offer costly government-mandated health insurance or pay a steep fine.

So far, my colleagues and I in the House have taken 30 floor votes to repeal, defund, and dismantle the law. After it's gone, we can start over with commonsense reforms that will return choices to the patients and not burden job creators with higher costs, new regulations, and more uncertainty.

It's obvious to the American people that the President's policies are failing and making the economy worse. Instead, they want the government to stop taxing them more, stop creating new harmful regulations, and stop coming between them and their doctor.

House Republicans have been listening. That's why we will continue to work on repealing this unfavorable and costly health care law. It's why we already put forth a balanced, responsible budget, and it's why we put together a plan for America's job creators to create an environment in which small businesses can grow and hire and where health care is affordable again.

Currently, there are 27 bipartisan jobs bills that have been passed by the House and are languishing in the Democrat-controlled Senate. My hope is that the President and Senate stop talking to the American people and start listening to them.

THE AFGHANISTAN WAR: COSTING US DEARLY

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

Ms. WOOLSEY. Another day, Mr. Speaker, another wave of attacks by insurgents in Afghanistan. The New York Times reported yesterday that the Taliban killed five police officers with a roadside bomb in what it calls ''a relatively peaceful province'' in central Afghanistan.

Separate attacks in Kandahar led to the deaths of three officers, with six civilians wounded. A motorcycle bomb took the lives of several more people in Helmand province on Sunday night, and then yet another motorcycle bomb in northern Afghanistan on Monday, wounding 26, with 10 in critical condition. And a deeply disturbing video is making its way around the Internet showing a 22-year-old Afghan woman being brutally executed by the Taliban over accusations of adultery.

Almost 11 years after our military occupation began, the security situation in Afghanistan is clearly abysmal. Our troops are in danger, Afghan security forces are in danger, and innocent civilians are in danger. Nearly 11 years ago, we went to war with the goal of defeating the Taliban, and yet the Taliban is alive and well, winning recruits, operating in the shadows, and ruling by terror throughout Afghanistan.

I'm not saying that ending the war and bringing our troops home will stabilize Afghanistan overnight. But I am saying that the longer we continue with our military occupation, the more we breathe life into the very forces we're trying to defeat. It is the resentment of our boots on the ground that is helping to sustain the Taliban.

There are clearly urgent humanitarian needs in Afghanistan, Mr. Speaker, and we have a moral responsibility to help meet them.

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This is one of the poorest nations on Earth, with infrastructure needs, children who need schools, and malnutrition that must be addressed. But deploying thousands and thousands of troops for more than a decade is not the way to meet these challenges. Our military is not trained or equipped to do that kind of work.

For pennies on the dollar, Mr. Speaker, we can have a true civilian surge, investing in development aid to improve the lives of the Afghan people. We could give USAID a fraction of the $10 billion a month we spend on the war in Afghanistan and we could do a world of good. This approach isn't just the right thing to do, it isn't just a moral imperative, it's the SMART national security strategy as well.

On the other hand, the existing strategy of invasion and occupation has not served us well. The Afghanistan war has cost us dearly—in precious lives, in taxpayer dollars, in moral authority, and global credibility. It is undermining our national security interests instead of advancing them.

Mr. Speaker, it's time to do the smart thing—bring our troops home and, in return, invest in the hopes and future of the Afghan people—and do it now.

GOVERNMENT INCOMPETENCE

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

Mr. POE of Texas. Mr. Speaker, Indiana prison inmate Ryan Greminger collected unemployment benefits during his 2-year sentence in the county jail for a drug crime. He collected $14,000 of taxpayer money. He was in jail, and the government continued to pay him anyway.

Only in America would we pay people in jail because they are unemployed. Greminger should not have obtained money from honest American taxpayers, but he did.

Government is becoming incompetent when it comes to paying unemployment benefits. According to CNN, the Federal Government overpaid $14 billion in unemployment benefits just last year. That means 11 percent of all jobless benefits paid out were not supposed to be paid to those individuals. Those overpayments that should have gone to people in need were sent by government to those who didn't deserve any money. You see, not all payments are to honest people who are looking for jobs and are out of work.

Inmate Greminger's case is bad, but there's more.

A convicted killer, murderer, in a California prison was receiving at least $30,000 in unemployment checks. The murderer made sure that his family and his friends cashed his checks while he was locked up. So each month, his family fraudulently cashed his $1,600 check, which they would then deposit in his jail bank account. Guess where it went next, Mr. Speaker? He shared the jail money with some of his low-life prison gang members while he was in the joint.

There's more.

The Federal Government reportedly sent a man $515,000 in payments over 37 years—37 years, Mr. Speaker—because he was supposedly unemployed. Thirty-seven years of unemployment benefits for anyone is nonsense to me, but who exactly were they sending that money to in this case? A dead person who died 40 years ago. No wonder he wasn't working, Mr. Speaker; he wasn't around.

We count on our government to spend our tax dollars wisely, but it is inefficiently sending money to those not qualified to obtain taxpayer support—prison inmates and dead people.

Fourteen billion dollars is a lot of money in anybody's book. In the private sector, if a business misappropriated $14 billion, the people in charge would be fired or go to jail, but not so with government agencies. These overpayments and wasteful incompetent spending really don't shock or surprise Americans anymore at all. There's so much waste of taxpayer money that we have become accustomed to it, and we actually expect government to waste money—too big, too wasteful, too incompetent, and too inefficient.

But the real problem is not waste, but the size and inefficiency of government. We're moving to a society that is just another European nanny state, where government is bigger, bloated, and controlling. The government says it will provide all our needs if we just turn over more power, authority, and money to government and government agencies.

Mr. Speaker, does anybody ever really get warm fuzzies when we hear about government programs like the post office, FEMA, the IRS, or TSA? I don't think so. Government doesn't do things better; it does things more expensively and wastefully. And government promotes a concept of more dependence on government, not independence.

We in Congress need to realize the obvious—that unlimited, out-of-control government is not the answer to our problems. But until we get a grip on government and move to a constitutional concept of limited government,

we should expect and demand more accountability from the people that are in charge of the people's money.

With hard economic times affecting the unemployed, we cannot tolerate wasteful spending by government bureaucracies. With 8.5 percent unemployment nationwide, 11 percent in the Hispanic community, 14 percent in the African American community, 14 percent for returning military from Iraq and Afghanistan, and 50 percent unemployment for recent college graduates, we should demand that when government helps those we as a society say it should help, government does so properly and efficiently and in a dignified way. Otherwise, more dead people will continue to receive taxpayer money that should go to people that are at least alive.

And that's just the way it is.

AFFORDABLE CARE ACT REPEAL EFFORTS

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

Mr. COHEN. Mr. Speaker, the passage and implementation of the Affordable Care Act is the culmination of an American political journey that started a century ago with Teddy Roosevelt in 1912 with the Bull Moose Party—also a Republican—and picked up years later by Harry Truman and other Presidents, including Richard Nixon, another Republican. The most recent groundwork for reform was laid in part by the former Republican Presidential candidate, Robert Dole, as an alternative to Hillary Clinton's plan, and by the present Republican Presidential nominee, Mitt Romney. I commend them for championing the concept of the individual mandate back when it wasn't quite as unpopular on their side of the aisle.

The history of reforming our Nation's health care system is a strong one that has historically been championed by lawmakers on both sides of the political spectrum, until this Congress. My colleagues on the other side of the aisle have wasted hours upon hours debating and voting upon the various versions of the legislation that would repeal the Affordable Care Act.

My colleagues know that these initiatives are fruitless. They know that voting over and over and over again—more than 30 times total—on measures to repeal the Affordable Care Act is a waste of time, but they keep calling for these votes. Do you want to know why? Because they want to distract the American public from the fact that they are so committed to unseating our President, Barack Obama, that they haven't passed any effective jobs-creating legislation since they took over the majority in this House in 2010.

The Supreme Court of the United States upheld the constitutionality of the Affordable Care Act, and it's time to face the facts. Earlier today, a gentleman from Virginia said, Oh, it was just 5–4. Bush v. Gore was 5–4. We accepted that the person who got the least votes and lost Florida was President of the United States for 8 years, but the consequences we still have to face.

The Affordable Care Act is the law of the land. As a result, millions of Americans who were previously uninsured or underinsured have access to affordable, high-quality health care. In fact, the number of Americans uninsured is equal to the population of 25 of the 50 States.

Thanks to the Affordable Care Act, millions of Americans and small businesses have already benefited from lower health care costs, increased access to preventive care, and stronger patient protections.

Thanks to the Affordable Care Act, 12.8 million families will receive rebates that total over $1 billion from insurers next month, in August, because the law requires companies to provide value for their premium dollar. Never before has that happened.

Community health centers in my district have received over $10 million to deliver health care services to underserved and impoverished Memphians, and 170,000 households in my district will get a premium credit so they can afford quality health insurance coverage.

Women no longer are considered a preexisting condition, and insurance companies can't charge them more, which they did, by 40 percent.

Medicare beneficiaries now have access to preventive care and services without any copay.

And 64,000 people in my district will go from uninsured to insured.

32.5 million seniors nationwide received one or more preventive care treatments in 2011.

The doughnut hole is being closed; 50 percent discounts on covered brand-name generics.

Annual and lifetime caps on health care coverage are now illegal, meaning insurance companies can't kick you off the plan just because you get cancer or are in an accident or have a heart attack.

Our children are now protected because insurers are prevented from denying coverage to children under 19 for preexisting conditions. This means up to 17 million children with preexisting conditions are now protected from discrimination.

Young adults can remain on their parents' insurance until they're 26, providing some protection in this uncertain job market.

□ 1050

It's now affordable for small businesses to provide insurance to employees. The tax credits cover up to 35 percent of the cost of coverage and will go up to 50 percent in 2014. In fact, in 2011, 360,000 small employers used the Small Business Health Care Tax Credit to help them afford health insurance for 2 million workers.

One of the most misleading arguments by my colleagues concerns that penalty that will be assessed on those financially-able Americans who choose not to purchase insurance, thereby not taking responsibility for their health care. Responsibility. That's one of the keynotes of the Republican side.

But if an uninsured person in my district gets into a car accident or comes down with an aggressive illness, they're taken to a public hospital in Memphis called The MED. The MED treats everybody because they have to, and when The MED takes cares of those people, the property owners, the responsible people, pay for it through higher property taxes, or you pay for it with your insurance, if you have it, because it's uncompensated care if you go to a non-public hospital.

The time and effort put in by nurses and doctors and assistants at The MED aren't free. The medical devices and supplies that The MED used to treat those uninsured people aren't free. Every single resident of Shelby County pays for those services when a person seeks emergency services there, and the taxes go up.

People who choose not to buy insurance for themselves and their families, even with the Federal Government providing incentives and credits, are irresponsible free riders, and it's the free riders that the other side's trying to talk about, not the conscientious and responsible people who take control of their own lives and their own destinies.

Not taking responsibility for the health of yourself and your family is reckless. The free riders have been a burden on our national health care system for far too long, and it's time they take responsibility for their actions and their health. This penalty, which will be equal to no more than the estimated cost of an insurance premium, is the way we do it.

It's long past time we implement the health reform initiated by Teddy Roosevelt and championed by people of both parties. It's time Americans realize and take advantage of their right to quality healthcare. And it's long past time my colleagues stop playing partisan politics and start working on behalf of the American people, not giant corporations, once again.

STARTUP ACT 2.0

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

Mr. DOLD. Mr. Speaker, this week I welcomed 26 new citizens to this country. It was an inspirational event, and I'm so proud of all they have been able to accomplish. These individuals have worked hard to become citizens, and they are poised to go on and fulfill the American Dream. There is no doubt that times are tough, and yet these individuals have persevered despite all of the obstacles.

As families all over the Nation are struggling with the lagging economy,

we must remain focused on job creation and economic growth. As part of my Main Street jobs agenda, I'm focused on bringing opportunities such as STEM education for our students and for those looking for work. As part of this effort, I've cosponsored the bipartisan, bicameral Startup Act 2.0.

The United States is the higher education destination for the world. This is a testament to the strength of these institutions and the value of the degrees. But too often, foreign students come here to learn, and then have little choice but to return to their home countries after they are through.

Students with advanced degrees in science, technology, engineering, and mathematics are forced to go home with that knowledge, with the ideas and aspirations, aspirations to change the world and bring new technologies. Many of them want to stay here to make something of themselves here in our country because it is still the best place for ideas to become realities. And what we do is we force them to go back to their own country, to compete against us here in the United States.

These ideas become solutions which, in turn, become job-creating companies. According to a study by the National Foundation for American Policy, immigrants founded or cofounded almost half of the top 50 venture-backed companies in the United States.

Since our Nation's founding, Mr. Speaker, immigrants have flourished, along with our economy. America becomes a richer and more dynamic society by encouraging the best and the brightest from all over the world to set up shop here on our soil. That is why I'm honored to cosponsor the bipartisan, bicameral Startup Act 2.0 that will help get Americans back to work, and I encourage my colleagues to do the same.

America becomes a richer and more dynamic society by encouraging the best and the brightest from all over the world to come here to our country.

The people I welcomed as new citizens this week do not have time for gridlock in Washington, Mr. Speaker. The American public doesn't have time for gridlock in Washington. We must move forward and find common ground to help the millions of Americans who are working toward their American Dream, to help them get back to work.

READ THE BILLS AND COMPARE THE TWO

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

Mr. AL GREEN of Texas. Mr. Speaker, this message is only for persons who may get sick. If you will never get sick, this message is not for you, N-O-T, not for you. Only for those who will get sick.

Mr. Speaker, I hold in my left hand a copy of the Affordable Care Act. I hold in my right hand the replacement bill that my colleagues across the aisle have been talking about.

This bill has passed the Congress of the United States of America. It is more than 2,000 pages. It was condemned for being too long, which may explain the size of this bill. This bill has within it preventive care. This bill has within it a cap on administrative costs. You must spend 80 to 85 percent of the money that insurance companies collect on health care. This bill protects persons who are under 26 years of age, as they can stay on their parents' insurance. This bill covers persons with preexisting conditions.

I had to read this bill. My constituents insisted that I read this bill before voting on it.

And my constituents want me to read this bill. This is the replacement bill, and they want me to be sure that I understand the replacement bill before I vote to repeal.

So what I'd like to do now, for all within the sound of my voice and who are viewing this, I want to read the replacement bill. I shall read the replacement bill. Let me just read half of it first. I shall now read one-half of the replacement bill. Now, I shall read the other half of the replacement bill.

Now, some of you will say, AL, you read too fast; I didn't pick up all of that. So, for those who listen slowly, or those who may have missed it, I shall now read the replacement bill in its entirety. That's the replacement bill.

Here is the bill that we can read. I'm going to ask that I be allowed to place the replacement bill in the RECORD.

Mr. Speaker, I ask that persons consider the empirical evidence as well as the invisible evidence. When you weigh the empirical evidence against the invisible evidence, you decide whether we should vote to repeal.

Now, there may be some who contend, well, AL, really, I'd just like to go back to the way things were. Let's quickly go back to the way things were. Gladys Knight had a song titled, ''The Way We Were.''

Here is the way we were in 2009. In 2009, when we were considering replacement, we were spending $2.5 trillion a year on health care. That's a big number. Hard to get your mind around it. That's $79,000 a second. It was, at that time, 17.6 percent of the GDP.

We were spending $100 billion a year on persons who were uninsured. It was projected that by 2018 we'd spend $4.4 trillion, which would have been 20.3 percent of GDP, which is $139,000 a second.

In my State of Texas we had 6 million people who were uninsured. In Harris County, where I have my congressional district, we had 1.1 million people who were uninsured. Twenty percent of the State's children were uninsured. Fifty million Americans were uninsured. 45,000 persons per year were dying because of a lack of insurance. That's one person every 12 minutes.

And if you don't like that, call Harvard. I got the statistics from Harvard.

The system was not sustainable. This is why we embarked upon producing this bill.

So I beg that those who insisted that I read this bill before voting, please understand that before you vote, you ought to read this bill and compare the two.

□ 1100

COMMUTER SAVINGS ACT

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

Ms. HAYWORTH. As a frequent rider and former commuter on New York's mass transit system, I know how important public transportation is.

Alone, the New York Metropolitan Transportation Authority, or MTA, transports more than 8.5 million commuters across metropolitan New York every day. In the district I'm privileged to serve—New York's 19th Congressional District—which includes Westchester, Orange, Rockland, Dutchess, and Putnam Counties, the MTA's 31 Metro-North Railroad stations serve 11,000 passengers every weekday.

Our Hudson Valley's mass transit commuters lost part of their recent tax credits for employer-provided mass transit benefits as of January 1 of this year. Commuters utilizing the mass transit portion have seen their credits drop from $230 per month to $125 per month, which means that their commuting costs have increased. In contrast, commuters utilizing the driving and parking benefits have seen an automatic increase from $230 per month to $240 per month, which is why I introduced the Commuter Savings Act on June 29.

This legislation would extend parity between the mass transit and parking portions of the transportation tax credit, which would increase mass transit benefits from $125 per month to $240 per month. Mass transit minimizes traffic congestion, reduces fuel consumption, and limits the wear and tear on our roads and bridges. It's really a great win for all of us even if we don't use mass transit. The Commuter Savings Act will directly help more than 70,000 of our Hudson Valley neighbors, and the bill is retroactive to January 1 of this year, which will provide mass transit commuters with a full 2 years of certainty in their mass transit benefits.

For the tens of thousands of Hudson Valley residents and millions of Americans across the country who rely on safe and affordable public transportation and for all of us who enjoy the benefits of those fellow Americans using mass transit, I urge my colleagues to join me and my fellow primary cosponsors, Representatives PETER KING and BOB DOLD, in giving our mass transit commuters a break in these tough economic times.

JULIE DOYLE

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

Mr. ELLISON. I appreciate everything everyone has said in defense of the Affordable Care Act; but rather than striking a statistical position or coming up with basically what was pretty humorous and entertaining by my good friend from Texas—I really enjoyed his presentation—I just want to talk about a person.

This is the person I want to talk about. She is a young lady from my district in the prime of her youth. She is only 25. I would like to talk to you about her a little bit, Mr. Speaker.

Today, we are going to vote to repeal the Affordable Care Act for the 31st time. We are wasting 2 days debating a bill that has already passed the House and that has no chance in the Senate. Rather than spending our time creating jobs, we're spending it trying to take health care away from those who need it most. One of those people, Mr. Speaker, is an individual by the name of Julie Doyle.

This is Julie. Julie is 25, as I said. Her life has already been filled with numerous roadblocks. Julie had her first heart procedure at age 12; and for the last 13 years, her life has been filled with many ups and downs, including having lost her father when she was 15. Despite numerous health issues, Julie is still very active as the captain of her softball team, as the captain of her tennis team. She is a student council member and an active community volunteer. So as you can imagine, I think she is an amazing kid. Of course, she is not a kid—she is a young woman now—but she is still quite an amazing member of our community.

Like many young people her age, Julie is dreaming of going to college, of having a successful career. She wants to study business. Her efforts were derailed about 3 years ago when she started having multiple system disorders and started blacking out. There were days when she only had the energy to crawl from the bathroom. Concussions, bruises, broken teeth became routine. Just as her condition was becoming severe, her insurance was due to end. However, because of the Affordable Care Act provision allowing young adults to stay on their parents' plans until the young adults are aged 26, Julie was able to get the health care that she needed.

Now, for the people who think it's so clever, so smart, so funny to repeal the Affordable Care Act—I don't know what they think it is—I urge them to think about Julie. Julie is worth it.

OPPOSITION TO REPEALING THE AFFORDABLE CARE ACT

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

Ms. ROYBAL-ALLARD. Mr. Speaker, this is day 2 of the misguided Republican attempt to repeal the Affordable Care Act. We have been down this road 31 times with the same arguments and the same often misleading rhetoric that does not reflect the true benefits of the Affordable Care Act.

Those who argue against it are not speaking for my 167,000 uninsured constituents who for the first time will receive health insurance coverage when the law is fully implemented. They are not speaking for the 7,000 young adults who can now stay on their parents' insurance plans until they are aged 26, or for the 510 small businesses in my district that are receiving tax credits to help maintain or expand health care coverage for their employees.

Colleagues who support the repeal of the Affordable Care Act are also disregarding the needs of minority communities in which millions suffer from persistent and life-shortening health disparities. In my largely Latino district, for example, thousands more of my constituents will have access to health care through the expansion of Medicaid, the creation of health insurance exchanges, and through the law's expansion of community health centers.

Mr. Speaker, my constituents do not want the Affordable Care Act repealed nor do the millions of Americans across our country for which the ACA has brought lifesaving benefits. This is most certainly true for women, seniors and people with disabilities.

Under the Affordable Care Act, being female can no longer be considered a preexisting condition. Women will no longer have to pay higher premiums than men, and prenatal care will finally be covered for all women in this country.

Never again will our sisters, mothers and daughters have to choose between a mammogram or putting food on the table because these lifesaving preventative health services will no longer require copayments.

As for seniors, last year, as a result of health reform, over 32 million of them received free preventative health services, and over 5 million seniors are saving close to $4 billion on Medicare prescription drug costs as the doughnut hole closes.

Because Obama cares, our families and neighbors with disabilities will no longer live in fear of reaching lifetime limits on their insurance or of being excluded from coverage due to having preexisting conditions.

Mr. Speaker, the Affordable Care Act is already working for my constituents—for women, for minority communities, for seniors, and for people with disabilities. It is time for my Republican colleagues to listen to these Americans who do not want to lose their new health benefits. The Supreme Court has upheld the Affordable Care Act. Let's stop wasting time and taxpayers' money and find solutions to the other complex issues facing our country today.

OPPOSING THE REPEAL OF THE AFFORDABLE CARE ACT

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

Ms. BROWN of Florida. Mr. Speaker, the poor will always be with us, but our job is to help raise the standards. I've got to tell you, if it were not already invented, I would say this Congress invented the words the ''do nothing Congress''—do nothing.

Today is the second day that we are debating the repeal of the Affordable Care Act. Let me be clear that not one single person who has come to this floor debating doing away with it doesn't have insurance, because we have the best insurance. In fact, my blood pressure is up, so I went downstairs. Because I have insurance, I was able to test my blood pressure and get some additional medication. In fact, later I was able to go to the dentist because I have insurance. Yet what we are debating is you at home not having health care, because we—everybody in this House, every Member who has come to this floor—has health care.

□ 1110

Every single President, since Theodore Franklin Roosevelt, for 75 years has tried to push some form of universal health care, and I want to thank President Barack Obama. They like to say ''ObamaCare.'' I want to say, ''President Barack Obama cares, and he was able to accomplish something.'' Let's be clear that the President proposes, and the Congress disposes. So it had to be the Congress. It was the Democratic Congress, the Democratic Senate, and the President that passed the bill.

Instead of discussing health care repeal, we should be debating VA construction. In my State as of July 1, the VA paid an additional $500,000 to rent a portable operating room for a project that is 95 percent complete, but we haven't had a chance on the floor to take up VA construction. We have 31 times that we're taking up repealing health care. I visited that facility last month, and I found out that it would have been a health risk not to expand the program for the veterans in that area.

People often say, ''What did the Democratic House, President, and Congress do?'' We passed the largest VA budget in the history of the United States of America. We took care of the veterans. We had a far-reaching budget. We gave care to the caregivers of our veterans. It goes on and on.

I really do believe to whom God has given much, much is expected. He expects us to work to empower the American people with jobs and health care. Basically ''do nothing'' is the label of this Congress, the Do-Nothing Congress.

MMM, MMM BAD HEALTH CARE POLICY

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. CROWLEY) for 2 minutes.

Mr. CROWLEY. Mr. Speaker, today, Republicans in the House will once again bring up a repeal of the Affordable Care Act.

We've seen a lot of repeal from them, but not as much with respect to their so-called plan to replace. I think I've figured out what the GOP wants to replace the Affordable Care Act with.

Here is what I assume must be the Republican plan for health care in our country: chicken noodle soup. Chicken noodle soup? Many of our mothers and grandmothers have told us that chicken noodle soup is a cure-all for anything, but I think the Republican plan takes Grandma at her word a little too literally.

Can't afford health care coverage and need medical care? Have some chicken noodle soup. Have you been diagnosed with a serious disease and can't afford the prescription drugs you need to treat it? Have some chicken noodle soup. At least you can rely on good old-fashioned chicken noodle soup. Have a preexisting condition like diabetes that lets your insurance company deny you coverage? That's okay. Have some chicken noodle soup and you'll feel better in the morning.

The truth is, it won't be all better in the morning. That's why we enacted the Affordable Care Act, to ensure that people could get the affordable, quality coverage they need; that seniors can afford their prescription medications; and that an insurance company can no longer deny you coverage because you have a preexisting condition.

I don't know why Republicans want to go back to the day when chicken noodle soup was the only option for hardworking families who couldn't afford care. The truth is, chicken noodle soup might be mmm, mmm good for lunch, but as a health care policy, it is mmm, mmm bad.

LET'S STOP THE POSTURING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. LIPINSKI) for 3 minutes.

Mr. LIPINSKI. Mr. Speaker, we have heard hours of impassioned speeches on the repeal of the Affordable Care Act, most defending all or nothing, and pitting us against them. But the American people aren't interested in the politics. They want us to focus on what we can do moving forward to make good health care more affordable for them without breaking the bank.

I believe the ACA is flawed, and I parted ways with the majority of my Democratic colleagues in voting against it in 2010. As I said then, ''The bill does not do enough to lower the skyrocketing costs of health care, cuts more than $400 billion from Medicare, is not fiscally sustainable over the long-term, and breaks with the status quo by allowing Federal funding for abortion and abortion coverage.''

But we all agree there are good provisions. The bill expanded access to care and improved health insurance by doing things such as prohibiting discrimination based on preexisting conditions and extending family coverage to children up to the age of 26. Why, then, are we being asked to blindly throw out the good with the bad, or alternatively, to simply let the law stand with no changes at all?

A few months after I voted against the ACA, in a town hall meeting in Hickory Hills, I was asked by an opponent of the law if I would vote to repeal it. I said, ''No. We need a fix, not a repeal that would take us back to the status quo.'' He said, ''Okay. Repeal and replace. Keep the good parts, and make other necessary changes.''

I agreed, and that's exactly what I have been working to do. I helped pass into law a bill to repeal the burdensome 1099 requirement for small businesses and helped introduce and pass legislation to repeal the ACA's CLASS Act program, which would have added tens of billions of dollars to the deficit. In addition, I worked to pass legislation to ensure that no taxpayer money is spent for abortion under the law, and I continue to fight against portions of the HHS mandate that violate Americans' religious liberty.

At the start of this Congress, I hoped we could work on major fixes to the health care law. Instead, a bill was brought to the floor in January 2011 which would have eliminated the entire law with no exceptions. I opposed that bill. I voted for a resolution instructing four House committees to develop replacement legislation. Yet, 18 months later, there still is no replacement. Instead, we're again voting on a repeal, period. And once again, we all know this bill will pass the House and die in the Senate.

A Chicago Tribune editorial recently stated: ''If Democrats want to save the ambitions of this law, they're going to have to find a way to write a Truly Affordable Care Act.'' And the Tribune concluded that Republicans ''ought to engage Democrats in a real effort to contain the costs before the law takes full effect in 2014.'' I wholeheartedly agree.

Let's stop the posturing, roll up our sleeves, and work to make health care more affordable for all Americans in a fiscally sound manner. That is what the American people want us to do. That is what we need to do.

REPEAL OF THE ACA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Missouri (Mr. CLAY) for 3 minutes.

Mr. CLAY. Mr. Speaker, I cannot believe we are asked for a 31st time to repeal the Affordable Care Act.

This isn't just a policy issue. This is a moral test. This is one of the great moral tests of our time. Those who vote to repeal the Affordable Care Act are failing that moral test. They are utterly failing that test.

Paying health insurance premiums and other health care bills has become very difficult for American families. Premiums have gone up each year and the cost of health care has escalated. Insurance companies have shifted costs to consumers through increases in deductibles and copayments and decreases in covered services. Low- and middle-income families need relief from skyrocketing health care costs.

The constitutional ACA provides real relief to American families. First, the Affordable Care Act provides direct financial relief to millions of insured American families that struggle to pay health insurance premiums today. The new law allows families to shop for a plan in new State insurance exchanges and allows them to receive a big discount on their premiums.

□ 1120

The ACA protects people from high deductibles, high copayments, and unexpected gaps in their insurance coverage in three ways. It eliminates lifetime and annual limits on how much an insurance plan will pay for covered benefits. That means payments won't suddenly run out. It caps how much a person must spend each year on deductibles and copayments for covered benefits. That means that families won't be forced to lose their homes because they get sick. And it provides additional help with out-of-pocket costs for lower-income families.

Second, the ACA expands the affordable insurance options to families who could not afford coverage before. Medicaid will now be available to families at or lower than the 133 percent of the Federal poverty level. For people with incomes above that level and up to 400 percent of poverty, new premium tax credits will help them afford coverage. Reducing the number of uninsured will help reduce the ''hidden health tax'' that is imposed on insured families. We all pay higher premiums to pay for the care of the uninsured.

Third, the Affordable Care Act will slow the growth of underlying health care costs and help all Americans.

As I have said on this floor before, the ACA is the greatest improvement in women's health in decades. Under the ACA, millions of women are gaining access to affordable health care coverage. Women will not have to pay more than men for the same insurance policy, and women will not be denied coverage because they are sick or have preexisting conditions. Women will be guaranteed preventive services, such as mammograms and cervical cancer screenings, with no deductibles or copays.

Senior women will have access to coordinated care.

Senior women will save thousands of dollars as reform closes the Medicare prescription drug coverage gap.

Family caregivers—who are typically women—will benefit from new supports that help them care for their loved ones while also taking care of themselves.

Mr. Speaker, as the great Progressive Hubert Humphrey said:

"The moral test of government is how that government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; those who are in the shadows of life, the sick; the needy and the handicapped."

By voting to repeal the ACA, my colleagues are failing that test, Mr. Speaker. They are failing that moral test.

DON'T LET BAD POLITICS DRIVE BAD POLICY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) for 3 minutes.

Mrs. CHRISTENSEN. Mr. Speaker, just to set the record straight, I'm a family physician and the first female doctor in the Congress.

Just less than 2 weeks ago, the Supreme Court issued a final ruling that the health care reform law is, in fact, constitutional. It is now the law of the land.

Despite this, today my colleagues on the other side of the aisle are revisiting old political battles instead of using the final weeks in this session to fully implement a current law that will protect the health of every American, instead of creating jobs during a time when unemployment is at a persistent high, instead of strengthening the American economy and ensuring that taxes on middle class families are not raised.

I have heard the scare tactics and spin that my colleagues are using to mislead the American public. The truth is this: repealing the health care reform bill would set this country back on a course no American—Republican or Democrat—wants to go back to.

With the list of horrible consequences, H.R. 6079 reads like a dishonor roll.

The Republicans' repeal of health care reform will raise taxes on 18 million middle-class people.

More than 6 million young adults will lose the option of being covered under their parents' health care plans.

More than 5 million seniors will pay more in prescription drugs, leaving many having to choose between paying their rent, food, or medicine.

129 million Americans, 17 million of whom are children with so-called preexisting disease, which before health care reform included acne and pregnancy, may be denied health care coverage when they need it, and 33 million currently uninsured Americans will stay among the ranks of the uninsured.

More than 32 million seniors and 54 million other Americans will pay more for mammograms, colonoscopies, annual wellness exams, and other often lifesaving preventive care that detects cancers and diseases at their earliest stages when they are most treatable.

105 million Americans would again have lifetime limits on their health insurance, which often puts health care services out of reach when people need it the most. Also, 15 million Americans would be dropped from their insurance companies altogether.

Many of the provisions of the law may never get funded that would close the shameful gaps in health care that cause people of color, the poor of every race and ethnicity, even those who may be Republican or Tea Party, rural Americans and those who live in our Nation's territories, to die in excess numbers from preventable deaths and cost the country billions of dollars every year. There's nothing appropriate, just, fair, or worthy in this attempt to repeal the Affordable Care Act. It turns back progress. It closes a door to wellness that is now just being opened to over 30 million Americans. It sets this Nation on a path that is unhealthy and less financially secure, and it threatens our position of leadership in the world.

Even though we know this is just an empty exercise, that it's not going anywhere, we do have the opportunity to stand together and do the right thing to not let bad politics drive bad policy. When the bill comes up for a vote, vote ''no'' on H.R. 6079.

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 25 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. MILLER of Michigan) at noon.

PRAYER

Rabbi David Algaze, Havurat Yisrael Synagogue, Forest Hills, New York, offered the following prayer:

God, from Whom all blessings flow, bless this assembly to steer this great Nation to the prominence You bestowed upon her; a land where even a humble bicycle messenger can soar to serve in this Hall, where every man has dignity and the capacity to prosper, where the ignorant can reach knowledge and the persecuted sanctuary. Move it from finiteness to infinity, from constriction to amplitude, from isolation to leadership, from cynicism to faith. Uphold its pre-eminence among the nations, for its message of freedom is beneficial to all men.

Let us pray for wisdom, not passion; for knowledge, not shallowness; for truth, not trend; for enduring amity to allies and steadfast stand against its foes.

Bring us the day when all men shall turn to one another in pleasantness, when they combine regardless of differences in a union under Your reign, as the prophet Zachariah proclaimed: ''On that day, God shall be One, and His Name one.''

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Tennessee (Mr. COHEN) come forward and lead the House in the Pledge of Allegiance.

Mr. COHEN led the Pledge of Allegiance as follows:

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

WELCOMING RABBI DAVID ALGAZE

The SPEAKER pro tempore. Without objection, the gentleman from New York (Mr. TURNER) is recognized for 1 minute.

There was no objection.

Mr. TURNER of New York. Madam Speaker, fellow Members, I am privileged to have had the honor of inviting Rabbi David Algaze here to lead us in the benediction. Rabbi Algaze serves as the senior rabbi of Havurat Yisrael Synagogue in Forest Hills, Queens, a position he has held since founding the congregation in 1981.

Rabbi Algaze has always held a commitment to academics both as a student and as a teacher. He holds multiple master's degrees and has served as a professor in all levels of academia. He is a former president of the Association of Sephardic Rabbis of America, and is the founder and president of the World Committee for the Land of Israel.

He has always been a strong advocate for the Jewish community in Queens and throughout New York. An ardent supporter of the State of Israel, Rabbi Algaze continues to fight to ensure its safety, security, and well-being. A prime example of these efforts is his work to educate the world about the current situation in Iran and the threat it poses to Israel and the United States.

A scholar, educator, and pillar of religious leadership in our community, he has been a terrific friend to me and has always been there for all those in need.

I thank you, Rabbi Algaze.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 15 further requests

for 1-minute speeches on each side of the aisle.

RICE UNIVERSITY—HOUSTON, TEXAS

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

Mr. POE of Texas. Madam Speaker, late one summer night a few years ago, I boarded a red-eye flight back to Houston. I saw college students on the plane, and I expected the worst. I was wrong, however. As soon as the plane took off, these athletes broke out their books, and they studied for the rest of the flight. I was impressed by this group of considerate, smart, focused, and driven student athletes. No surprise, they were the Owls baseball team from Rice University.

Rice was named after Massachusetts-born businessman William Marsh Rice, a transplanted Yankee who was successful in Houston, Texas. He chartered the Rice Institute. Today, Rice University is the home of 5,000 students. Its achievements make Houston proud—artificial heart research, structural chemical analysis, and space science, just to name a few. And the Rice Owls baseball team gives Houston a baseball team we can be proud of. And just yesterday, Rice was named one of the top 100 universities in the world by the Center for World University Rankings.

I want to congratulate Rice president, Dr. Leebron, his wonderful educators, and his students for an amazing 100 years of excellence and education.

And that's just the way it is.

STUDENT VETERANS ACADEMIC COUNSELING ENHANCEMENT ACT

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

Ms. CHU. After returning from Iraq, John started college. He didn't pick a major right away, instead, exploring different subjects. But he struggled. It was hard for him to focus; and after what he had been through, he couldn't relate to his classmates. Soon, he had used up his GI Bill benefits and couldn't afford to graduate.

What John's story tells us is that even though we vigorously train our soldiers, we give veterans little guidance to succeed in school. So I'm introducing the Student Veterans Academic Counseling Enhancement Act, endorsed by the American Legion, the Iraq and Afghanistan Veterans of America, and the Veterans of Foreign Wars. This bill provides regular one-on-one academic counseling to GI Bill students no matter where they go to school, and it tracks veteran graduation rates to help ensure academic and career success. This Student Veterans Act will ensure taxpayer dollars are spent responsibly, while helping veterans graduate and get good jobs. We owe it to those who have sacrificed so much for us, our veterans.

REPEAL OF OBAMACARE ACT

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

Mr. BENISHEK. Madam Speaker, in upholding the President's health care law, the Supreme Court identified the law as a $675 billion tax increase on America's working families and reminds us that we cannot depend on courts to fix the mistakes that Congress has made.

I know something about health care. I've been a doctor for 30 years taking care of patients in northern Michigan. I know the President's plan is not solving our health care problems. In fact, it's making them worse.

The law hurts seniors by cutting more than $500 billion from Medicare. The law creates a board of 15 Washington bureaucrats to decide how to reduce Medicare costs. The law contains more than 13,000 pages of new regulations that will suffocate our small businesses.

The President's law never addressed rising health care costs. America has a great health care system, but the problem is it costs too much. I recommend we enact a step-by-step approach that lowers cost through free market competition and strengthens the doctor-patient relationship.

The American people have been clear—they don't like this terrible law. I urge all Members to support the Repeal of Obamacare Act, so we can scrap this law and work together on real health care reforms that actually lower costs and make health care more affordable.

LEADERSHIP ALLIANCE

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

Mr. CICILLINE. Madam Speaker, I rise today to commemorate the 20th anniversary of the Leadership Alliance.

The Leadership Alliance, established by Brown University in 1992, is a national academic consortium of leading research universities and minority-serving institutions with the mission of developing underrepresented students into outstanding leaders and role models in academia, business, and the public sector.

Through an organized program of research, networking, and mentorship at critical transitions along the entire academic training pathway, the Leadership Alliance prepares young scientists and scholars for graduate training and professional apprenticeships.

To date, the consortium has mentored more than 2,600 undergraduates, including 33 Rhode Islanders. Brown University has mentored 386 Leadership Alliance participants, 35 percent of whom have received a graduate-level degree.

I am proud to stand in support of this initiative that identifies, trains, and mentors talented underrepresented and underserved students.

I congratulate and commend the Leadership Alliance, including Brown University, for 20 years of mentoring a diverse and competitive research and scholarly workforce.

□ 1210

REPEAL OBAMACARE

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

Ms. FOXX. Madam Speaker, in 2009, President Obama rightly said, ''The last thing you want to do is raise taxes in the middle of a recession.'' Yet the President's signature legislative achievement, ObamaCare, hinges on 21 separate tax increases, 12 of which hit the middle class.

ObamaCare and its taxes have already proved crushing to the economy, along with broken promises to spur job creation, reduce debt, cut premium costs, and allow patients to keep their coverage and physicians. Family premiums are up over $1,000, 20 million people are at risk of losing the doctors they like, 48 percent of businesses aren't hiring to brace for rising health costs, and by 2021, the CBO estimates there will be 800,000 fewer jobs because of ObamaCare.

The job of Congress is not to defend failure. ObamaCare makes it harder for job creators to hire and fails in its most basic objectives. Thus, we have a duty to spare the American people from its $1.76 trillion bill by fully repealing this legislation.

NOMINATION OF JOHN T. FOWLKES, JR. TO THE FEDERAL DISTRICT COURT OF WESTERN TENNESSEE

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

Mr. COHEN. Madam Speaker, yesterday the United States Senate approved the nomination of President Obama, upon my recommendation, of John T. Fowlkes, Jr. to be the new Federal District Court Judge in the Western District of Tennessee. It was a moment of bipartisanship, where Senators MCCONNELL and REID worked to get the nomination up, and my Republican Senators, CORKER and ALEXANDER, sponsored and supported that nomination.

Judge Fowlkes is an outstanding jurist and was an astounding attorney. He was a public defender, a State prosecutor, a Federal prosecutor, a chief administrative officer for our county government, and a current criminal court judge.

I empanelled a group of lawyers—bipartisan, just about every representation you can imagine—to advise me on the person to recommend. Everybody felt John Fowlkes had the temperament and disposition, judicial experience, and was the right person for the job.

I was proud to recommend him. I'm pleased the President nominated him. I'm thankful the Senate acted in a bipartisan way so we can work down our caseload. We need more judges, and the Senate needs to approve more.

THE WRONG PRESCRIPTION

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

Mr. JOHNSON of Ohio. Madam Speaker, we've long known that President Obama's takeover of our health care is bad medicine. And now that the Supreme Court has determined that it's one of the largest tax increases in American history, we've confirmed that it's bad policy.

As I travel up and down the Ohio River, I hear repeatedly that this disastrous law must be repealed and replaced with commonsense, patient-centered solutions that will grow our economy.

Today, the House will vote, once again, to repeal this law because it's full of broken promises covered up in empty political rhetoric.

President Obama promised us that this law would lower health care costs, but now we know it will cost more than double what was expected, almost $2 trillion.

We were promised that the law would create jobs, but 40 percent of American businesses tell a different story.

And finally, we were promised that we'd be able to keep our doctors, but a recent survey says that 83 percent of doctors have considered quitting over the law.

Free market and patient-centered solutions are not only good policies, but they are also the correct medicines for health care reform, not President Obama's Big Government takeover.

TEXAS' DECISION NOT TO EXPAND MEDICAID AND THE VOTE TO REPEAL THE AFFORDABLE CARE ACT

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

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, by refusing to expand Medicaid to cover millions of sick, low-income adults, Texas Governor Rick Perry has joined the growing list of Republican Governors who have decided to put partisan politics before the health of their residents.

6.2 million Texans, including 1.2 million children, lack health insurance, the highest number of any State in the Nation. Medicaid expansion would drastically decrease Texas' uninsured rate from an astonishing 25 percent to just 9 percent.

Without the Affordable Care Act, millions of uninsured Americans will continue to seek primary care in our Nation's overcrowded emergency rooms, leaving taxpayers, property owners, to foot the bill. As a nonpracticing registered nurse, I am all too familiar with this scenario, which has placed a tremendous burden on our Nation's hospital systems.

Madam Speaker, the highest court in the Nation has spoken, and it's time for us to move forward for the American people.

HONORING THE SERVICE OF SPECIALIST ANDREW SMITH

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

Mr. FLEISCHMANN. Madam Speaker, I rise to honor Specialist Andrew Smith of the United States Army's 82nd Airborne Division.

Andrew grew up in my hometown of Ooltewah, Tennessee, and enlisted in the Army after graduating from Lee University. On his first patrol in Kandahar, an IED detonated near him and he lost both of his legs.

I first met Andrew where he was recovering at Walter Reed, where I was impressed by his spirit, curiosity, and determination. His wife, Tori, was by his side the entire time and keeps a constant vigil. Andrew's mother has been active as well, ensuring he receives the best care possible.

A particularly touching tribute is an essay written by Andrew's sister, Katie. She writes:

> He was aware of the risks that were involved in being a soldier, but he was so devoted to protecting our freedom that he was willing to sacrifice in a major way. Even though he is away from the war, he is still fighting.

Katie's essay reminds us that our freedom and safety depend on heroes like Andrew Smith who put their lives on the line to defend us. I am humbled to recognize Andrew, and I am pleased his family is able to join him here today in the House gallery.

I will submit Katie's essay for inclusion in the CONGRESSIONAL RECORD later. And I speak for all Americans when I say that we are forever grateful.

STOP THE POLITICAL THEATER

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

Mr. DEFAZIO. On January 19, 2011, the Republicans voted to repeal ObamaCare. Thirty other times on the floor since then, they have voted to repeal ObamaCare, or part of ObamaCare. And today, for the 31st time, they will vote to repeal ObamaCare.

How about doing something productive for the American people in terms of lowering health insurance and health care costs instead of your political theater here?

The Supreme Court has ruled. Let's roll up our sleeves and improve what is the law of the land.

I propose that today we should vote on my bipartisan amendment to take away the antitrust immunity of your friends, the insurance industry, so they can't collude to drive up prices, they can't collude to restrict coverage and divide up markets and make it more expensive for all Americans. The Consumers Union says this would mean a 10 to 25 percent drop in everybody's health insurance in this country.

Let's do something real. Stop the political theater. Let's help the American people get affordable health care and health insurance.

REPEAL OBAMACARE

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

Mr. MARCHANT. Madam Speaker, I rise today to support H.R. 6079. It hasn't taken very long for the weight of ObamaCare to become a significant drag on our economy and our family budgets.

Just 2 years since it was enacted, there are already 12,825 pages of ObamaCare-related regulations and notices published in the Federal Register. Nobody knows what the final number of regulations will be, and let's hope that we never find out.

It is this high level of uncertainty that is preventing many businesses in my district from hiring new workers and growing. This is particularly true among small businesses looking to expand. We must repeal this law now that is a disincentive for any small business to grow.

I urge my colleagues to join me in voting for repeal.

□ 1220

A DEMOCRACY ABOUT PEOPLE AND NOT DOLLARS

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

Mr. HIMES. Madam Speaker, I rise this morning not to advocate a Democratic position nor to refute a Republican idea. Instead, I rise to highlight a fundamental threat to our ability to have that important debate. I refer, of course, to the hundreds of millions—indeed, billions—of dollars that will influence who comprises this otherwise democratic body, which may very well determine who occupies the Presidency next.

In each of our hearts, those of us in this Chamber called to represent people know that that cannot possibly be right. That is why I will cosponsor two possible constitutional amendments to reverse the damage of Citizens United—H.J. Res. 111 and H.J. Res. 78.

This should not be partisan. Today, it looks like the dollars are behind the Republicans; but tomorrow, that may be different. So let's join, let's stand together for our democracy and back a constitutional amendment to make our democracy about people, not about dollars.

THE CENTENNIAL CELEBRATION OF RICE UNIVERSITY

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

Mr. OLSON. Madam Speaker, I rise today to celebrate Rice University's centennial.

One hundred years ago, in Houston, Texas, the Rice Institute opened its doors to 48 male and 29 female students. Since that time, it has grown to be one of the most respected universities in all of the world.

World history has been made on Rice's campus. As all Texans know, in September of 1962, President John F. Kennedy stood in Rice stadium and committed a Nation, founded by explorers, to the greatest exploration in human history—a Moon landing. Space City USA was born at Rice.

I am a proud alumnus of Rice University, class of 1985, Jones College. What gives Rice such a special place in my heart is an uncommon feeling—a feeling of family and home—that transcends my 4 years on campus. It's a feeling you can see in this picture of my son, Grant, and me on campus this year.

Happy centennial, Rice. I can't wait for the next 100 years. Go Owls!

MONTROSE SEARCH AND RESCUE TEAM

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

Mr. SCHIFF. Madam Speaker, I rise today to honor the Montrose Search and Rescue team.

For over 65 years, Montrose Search and Rescue has been conducting lifesaving operations throughout the Angeles National Forest and the neighboring areas. These brave men and women have risked their own lives to rescue stranded hikers, victims of natural disasters, and anyone in need of assistance.

Two weeks ago, their heroism was on full display. The team spotted a little girl who was face down, drowning in a pool of running water in the forest. The 18-month-old girl was unconscious and had stopped breathing when they pulled her out of the water. Thanks to them, this little girl was brought back to life to the unimaginable relief and gratitude of her family.

That young girl, along with so many others, is alive today because of the heroic actions of the Montrose Search and Rescue team. They do all this for their community without asking anything in return, and their humbling dedication to service and their selfless desire to help those in need deserve our respect and gratitude.

So, today, I rise to say thank you, Montrose Search and Rescue, for the great work that you do and for the lives that you save through your efforts.

NATIONAL CANCER INSTITUTE DESIGNATION FOR THE UNIVERSITY OF KANSAS

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

Mr. YODER. Madam Speaker, many of the smartest minds in America work tirelessly every day to discover a cure for cancer. I am happy to say we will soon take another step towards the ultimate goal of winning the battle against cancer, and it will happen right in the Kansas City community as the University of Kansas Cancer Center will soon receive a National Cancer Institute designation by the National Institutes of Health.

This NCI designation at the KU Cancer Center will affirm that the highest quality of cancer research will be conducted at the University of Kansas and that this research will directly lead to improved cancer care and lifesaving treatments across the country.

Madam Speaker, nearly 1.7 million Americans this year will be diagnosed with the horrible disease of cancer. It touches all of our lives personally, and we must remain committed as a Nation to ultimately winning this war against cancer. That's why I am proud today to stand in support of the University of Kansas' efforts in this battle and to congratulate all involved for this important milestone.

REPEALING THE AFFORDABLE CARE ACT

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

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today to urge my Republican colleagues to move beyond the attacks on health care for Americans and to move forward by getting our country back to work.

The majority thinks that it's a badge of honor to claim that it will have had 31 votes to repeal the Affordable Care Act. I completely disagree.

They will have voted 31 times to strip patients of basic protections. They will have voted 31 times to reverse the progress made by the Affordable Care Act, including protecting up to 17 million children who now have coverage even if they have preexisting conditions. In fact, the 31st vote that we will take is nothing more than a reaction to Chief Justice John Roberts' opinion that the law is constitutional. Yet the GOP continues to dispute this. Let's move on.

If they were serious, they would have presented us with a plan 31 votes ago to help us fix any flaws that this law may have. So I plead for the 31st time: let's get back to work.

GOVERNMENT TAKEOVER OF HEALTH CARE IS NOT THE ANSWER

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

Mr. BILIRAKIS. Madam Speaker, the sad reality in our country today is that Americans are faced with skyrocketing health care costs. Rather than address the situation, Democrats passed a $1 trillion health care takeover that costs too much, taxes too much, and borrows too much.

Americans don't deserve this.

Americans deserve commonsense ideas, like medical liability reform, encouraging health savings accounts, strengthening association health plans, and allowing people to purchase health insurance across State lines—commonsense ideas. These reforms would make health care more affordable and accessible without passing on crushing debt to future generations.

Unlike the current health care law, which has raised taxes, cost jobs, and limited personal control of health care, Americans deserve meaningful and affordable health care reform that will lower costs, protect consumers, and increase accessibility while allowing Americans to control their own health care decisions. This misguided takeover of the health care system is not the answer.

THE CENTENNIAL CELEBRATION OF RICE UNIVERSITY

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

Ms. JACKSON LEE of Texas. I rise today to congratulate our hometown university, Rice University, for their 100-year celebration—a university known for advancing education in the arts, humanities, and sciences. It is a leading university, and it has been ranked among the top 20 universities in the United States by the U.S. News & World Report every year since the rankings began in 1983.

As a former member of the House Science Committee, I am reminded of their great work in nanotechnology, space, cellular technology, bioinformation in energy and health, and their collaboration with the Johnson Space Center. I am also delighted that they have decided in years past to eliminate the bar against African American students and to open the opportunities of a grand education to Latinos and African Americans and to young people who have a last name such as Qadeer.

They have a bright light in Dr. Roland Smith, who has led the effort in diversifying their campus, and I was delighted to go and join them in honoring the Honorable Barbara Jordan, one of my predecessors in the 18th Congressional District. They, of course, have a group of astute athletes who have made them proud, and they represent the diversity of America.

It is great to congratulate a university that understands its brilliance and its necessity in teaching the next generation of scientists, thinkers and humanitarians, and to also be called an excellent university.

Congratulations, Rice University, for your 100th year, for your service to this Nation, and for your reflection of the diversity of this great country.

□ 1230

RICE UNIVERSITY'S 100TH ANNIVERSARY

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

Mr. CULBERSON. Madam Speaker, I have the singular privilege of representing Rice University, and I join my colleagues from Houston in recognizing and congratulating them on their 100th anniversary this year.

Rice has consistently been ranked as one of the Nation's greatest universities and recognized by U.S. News & World Report as among the Nation's top 20 universities. And they've consistently ranked in the top 50 universities in the world.

Rice University researchers are pioneers in a broad spectrum of fields, including space, energy, and my personal passion, nanotechnology. Nanotechnology is an absolute game-changer, revolutionizing everything that we will touch and see in the 21st century. Rice University is the birthplace of nanotechnology research.

Nanotechnology holds incredible potential for everything from curing cancer to improving the storage and transmission of electricity and moving electricity in ways that we cannot even imagine today, allowing us to miniaturize devices. Multistage nanoparticles will allow the delivery of cancer-curing drugs to individual structures within cells, allowing scientists to identify diseases at the cellular level, things that could not have been possible without the groundbreaking work at Rice University.

I congratulate them on their 100th anniversary today.

GET SOMETHING DONE

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

Mr. BARBER. Madam Speaker, I rise today as the Member who most recently faced an electorate, and I have heard loud and clear that the people of southern Arizona elected me for the very same reason the people of every other district elect their representative, to stand up for them.

I wasn't here to vote on the Affordable Health Care Act when it passed, but I appreciate its benefits and that we must work to improve it. I rise today to speak against this repeal.

We should be here having a robust discussion about how to make this law better. We should be acting to ensure that Medicare doesn't pay more for prescription drugs than the VA, and to keep rising insurance costs from hurting small businesses. We should be looking for ways to create jobs, to strengthen our middle class, to bolster our economy. We should rise above partisan bickering, move on, and get something done.

This repeal bill sends a message to American families that this body cares more about political grandstanding than improving their lives. Let's put aside this charade and do the work for which we were elected.

DRACONIAN CUTS

(Ms. LINDA T. SÁNCHEZ of California asked and was given permission to address the House for 1 minute.)

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, the House farm bill calls for draconian cuts that hurt our most vulnerable Americans. I'll be blunt and just get straight to the point. The House-proposed cuts are completely unacceptable.

The SNAP program puts healthy food on the table for 46 million Americans every month. In my home State of California, close to 6½ million people struggle to put food on the table. An even worse statistic—and one that really breaks my heart: almost 2½ million children each year in California have had to go to bed hungry, and it's simply because their families couldn't afford food.

These proposed cuts to SNAP would quite literally take food out of the mouths of children. In my district, SNAP helps provide food for seniors, kids, veterans, and working families. About 20 percent of my constituents report that at some point last year, they couldn't buy food for themselves or their family. I don't understand why in good conscience Congress would ask millions of struggling Americans to go hungry in order to subsidize big agribusiness.

As a country, we cannot afford to turn our backs on those who need us most now.

DYSFUNCTIONAL POLITICS

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

Mr. CARNAHAN. Madam Speaker, yesterday, a Republican Representative from my State actually told the truth about the 31st attempt to repeal the new health care law. He told a St. Louis newspaper that today's vote is just because ''we want to get people on the record.'' We've done that 30 times already.

The Affordable Care Act is the law of the land. It was passed by the Congress, signed by the President, and found constitutional by the U.S. Supreme Court.

This Republican health care repeal bill isn't about people. It's about more divisive, dysfunctional politics. They know the repeal bill is pointless, and there is no way we're going backwards to the broken health care system of the past. Let's use the time to pass a jobs bill. Let's pass the middle class tax cut extension that we all agree with. Let's pass my bill that will protect veterans returning from war zones from the impacts of psychological damage.

Today, our troops are killing themselves at a rate of nearly one a day. They urgently need our help. Let's do something for them. Let's do something that actually matters to the American people. Let's put ourselves on record for the people, for jobs, rather than wasting time casting the same vote 30 times.

PROTECTING AMERICANS AND THEIR LOCAL BANK ACCOUNTS

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

Ms. EDWARDS. Madam Speaker, on my way home from work, I stopped at the local grocery store, and I stopped at the bank. My bank is located conveniently between my grocery store and the gas station, only minutes from my home.

I thought about the last 4 years and the fights that Democrats in Congress are waging to make sure working families can see more money in their bank accounts. It's been tough, but we've had some successes: reducing out-of-pocket health care expenses with preventive care, closing the prescription drug doughnut hole, protecting consumers from overdraft and ATM fees, even getting the American auto industry back on track as a mainstay of American manufacturing.

But we have some important fights ahead us. We are fighting to keep in place critical middle class tax cuts. We know Americans can't afford those tax hikes. We know American seniors can't afford the drastic cuts in Medicare in the Republican Tea Party budget.

Democrats are focused on growing the economy, creating jobs, and ensuring that Americans see more money in our neighborhood bank accounts—not on some other shore, not in some other country, and not on some island. Republicans say they worry about the same things, but today they're repealing health care and protecting the interests of millionaires because they care more about those folks than they do about hardworking Americans and their local bank accounts.

SAY ''NO'' TO CUTS IN FOOD ASSISTANCE

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

Mr. PETERS. Madam Speaker, I rise in opposition to the proposed $16.5 billion in cuts to SNAP in the farm bill.

SNAP is the most important antihunger program in the Nation,

helping more than 46 million Americans put food on the table every day. Far too many hardworking Michiganders are struggling to feed their children. Nearly one in five Michigan households face food insecurity each and every day.

Having met with many of the good folks working in our food banks, they're already stretched too thin. I'm appalled that Republicans think that it's a good idea to kick millions of children, seniors, and families off of food assistance so they can provide massive, taxpayer-funded subsidies for wealthy agribusinesses.

I call on my Republican colleagues to join me and stand up for those who are most vulnerable in our society. We need to send a clear message that we will never vote to take food away from hungry children. No one in our country should go hungry.

I urge my colleagues to say ''no'' to cuts in food assistance.

THE WORST IS YET TO COME

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

Ms. NORTON. Madam Speaker, Republican attacks on lifesaving access to contraceptives in the health care act is one in a series on women's reproductive health this term. The worst is yet to come in the planned markup of H.R. 3803, to ban abortions after 20 weeks. Cloaked as a restriction on D.C. women, the bill merely uses them for a frontal attack on Roe v. Wade that guarantees abortion rights until viability, as determined by a physician.

The Franks bill picks on D.C. women because anti-choice opponents lack the courage of their own convictions, or they would have made the 20-week abortion ban a nationwide bill. That, of course, would bring on the wrath of the American people who support choice. Judging by their reaction even before markup, women see through the cynicism and are poised to protect their constitutional rights.

□ 1240

PROVIDING FOR CONSIDERATION OF H.R. 4402, NATIONAL STRATEGIC AND CRITICAL MINERALS PRODUCTION ACT OF 2012

Mr. BISHOP of Utah. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 726 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 726

Resolved, That 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. 4402) to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness. 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 shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. 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 112-26. 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.

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

Mr. BISHOP of Utah. Madam Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), 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 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 structured rule for consideration of H.R. 4402, which is the National Strategic and Critical Minerals Production Act, and provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources, and makes in order seven specific amendments out of ten which were filed at the Rules Committee. Five of the seven are Democratic amendments and two are Republican. So this is a fair and generous rule and will provide for a balanced and open debate on the merits of this important piece of legislation.

Madam Speaker, I am pleased to stand before the House today in support of this rule, and especially the underlying legislation, which is H.R. 4402, the National Strategic and Critical Minerals Production Act of 2012.

I appreciate the hard work of the bill's chief sponsor, the gentleman from Nevada (Mr. AMODEI), who understands this situation very well and has put a great deal of time and effort into coming up with a rational and legitimate solution to a problem which we face. Mr. AMODEI, as well as the chairman of the Natural Resources Committee, the gentleman from Washington (Mr. HASTINGS), are to be commended in forwarding this bill to the full House for our consideration today.

Our Nation has been blessed with tremendous natural resources, and over the last century these abundant resources are one of the key reasons that has allowed our Nation to emerge as a leading world economic and industrial power. In many aspects, we have only scratched the surface with regard to the development of these abundant natural resources, whether it be in energy, such as coal or oil shale or natural gas deposits, or whether it be in various natural minerals.

One of the cornerstones of manufacturing in the United States includes the access to a stable and steady supply of these types of resources. Unfortunately, in recent decades, much of the development and mining of these domestic mineral resources has been hampered or shut down entirely by a combination of special-interest politics by certain self-appointed environmental groups and by bureaucratic red tape here in Washington. Often these two factors seem to go hand in hand, particularly under the current administration.

We have all felt the pain of seeing what these failed policies have done to energy production in our country. We are more dependent than ever on foreign sources, increasing our trade imbalance, sending our dollars overseas, often to areas of the world that do not have our best interests at heart. It has led to escalating gas prices and escalating price spikes for energy and other commodities, and has made our economy more vulnerable to external international forces largely beyond our immediate control. These failed policies have also led to job losses in the United States in the energy and mining sector, which historically and ironically have been some of the highest paying jobs that middle class work has available.

The bureaucratic delays and regulations regarding the mining of strategic and critical minerals is the exact same

thing. By their very nature, these minerals are absolutely essential to manufacturing in electronics, metal alloys, ceramics, glass, magnets, and catalysts used in countless commercial and, especially, defense applications.

Procurement of certain strategic and critical minerals is so crucial that the Department of Defense and the Defense Logistics Agency manage stockpiles of such materials which are deemed so critical that an adequate supply must be maintained at all times to ensure national military preparedness and readiness.

More and more, we have seen that these materials are unfortunately being purchased from overseas and not from U.S. producers, making us wholly dependent upon other countries to ensure our own national security. Critical weapons visions, such as night vision equipment, advanced lasers, avionics, fighter jet canopies, missile guidance systems, and many, many others could not be built without these rare Earth minerals.

The primary duty of Congress under the Constitution is to provide for the common defense. This bill takes us in the right direction for helping to restore U.S. domestic production of critical and strategic minerals by facilitating a more timely permitting process review for mineral exploration projects and to ensure that such essential mineral mining projects are not delayed unnecessarily by frivolous litigation.

Let me be clear, this bill does not predetermine the outcome of agency review of such permit applications. It merely brings clarity to the process and ensures that the appropriate agencies will not unreasonably delay consideration but will, at the conclusion of 30 months, issue either a ''yes'' or ''no'' decision based on the merits of each individual application.

This bill will also help cut the flow of frivolous lawsuits, which are often filed simply as delay tactics.

It's a good bill. It's a fair rule and a good underlying bill, and I urge its adoption.

I reserve the balance of my time.

□ 1250

Mr. POLIS. I thank the gentleman from Utah for yielding me the customary 30 minutes. I yield myself such time as I may consume.

Madam Speaker, I rise in opposition to the rule and the underlying bill, H.R. 4402, the National Strategic and Critical Minerals Production Act. Much of what the gentleman from Utah said I agree with in terms of the strategic need for critical minerals for our industrial and military production. However, that's only a teeny part of what this bill does.

Now my colleague, Mr. TONKO, offers an amendment that would in fact limit this bill, the National Strategic and Critical Minerals Production. In addition, it's my understanding that bipartisan legislation has emerged from the Natural Resources Committee that would address the strategic need for critical minerals. However, that is not the bill that is being brought forth under this rule. Instead, we essentially have yet another rollback of public health, of water and environmental protections for the mining industry, which is our Nation's top toxic polluter.

So I'm very disappointed that the House majority has chosen to bring forward this bill instead of the bipartisan bill that passed committee. It shuts out several sensible amendments that have been offered by Democratic Members. And the underlying legislation doesn't limit itself to strategic and critical minerals. In fact, it's so broad that, despite the bill's title, it would expand mining companies' ability to mine on public land for nearly all minerals, including plentiful minerals like sand and clay and even coal. So this really is not a discussion of strategic and critical minerals if we're talking about sand and clay.

In fact, yesterday, in our Rules Committee, Chairman HASTINGS admitted during the Rules Committee hearing when questioned by Mr. MCGOVERN that this bill applies to a lot more than strategic and critical minerals. In fact, Chairman HASTINGS, when asked on this issue, said:

> We talk about a form of minerals as being rare Earth. There's no question they are rare. But to say that some minerals aren't critical to our well-being I think defies logic.

Chairman HASTINGS went on to cite the use of sand and gravel to build our interstate system as an example of a critical use.

A lot of what the gentleman from Utah said is true and is important. However, when we're talking about sand and gravel, they don't fit the commonsense definition of the Strategic and Critical Minerals Production Act that were cited by the gentleman of being of national importance.

So the chairman of the committee has made clear this bill isn't about rare Earth minerals at all. It's not the kind of bipartisan bill that's targeting critical resources. Rather, it's about giving mining companies a blank check to take anything they want out of the ground anywhere, anytime.

Under the bill, the mining sponsor is handed control over the timing of the permitting decision, irrespective of the project's impacts on natural, cultural, historic resources, its local impact, taking into account the effect on the economies of our counties, and jobs. Rather, it gives the mining companies a blank check. It permits nearly all mining operations to circumvent meaningful public health and environmental review processes. And when you consider the large and complex mining operations covered under this bill, it's even more inappropriate to reduce or eliminate the public comment or review process because of the sheer size of some of these projects.

The actual harm that this legislation would produce is far-reaching. As drafted, the legislation threatens to increase pollution of water in our Western United States. For States already dealing with the extreme drought conditions like my home State of Colorado, also the site of several deadly fires, the last thing we need is to jeopardize our already scarce water resources. We can't afford to affect our water quality and quantity with additional mining operations without understanding their impacts on our water supplies.

Democrats and Republicans agree that we should be crafting a strategy to develop our rare Earth and other critical minerals. In fact, a year ago in this very same Congress the Natural Resources Committee marked up H.R. 2011, a bill supported by the National Mining Association and a bill that had strong bipartisan support that would help develop our rare Earth and other critical minerals. So why aren't we considering that bill on the floor today? Instead, we're considering an ideological bill that will go nowhere and has a statement of opposition from the President as well.

Why the House majority sees a need for this legislation to promote mining is somewhat mystifying, considering that under President Obama's administration the average time it takes to approve a plan of operation for a mine has decreased substantially. According to BLM data, plans of operation for hardrock mines are being approved 17 percent more quickly under the Obama administration than the Bush administration. Eighty-two percent of plans of operation were approved within 3 years under the Obama administration. According to the BLM, it takes, on average, 4 years to approve a mining plan of operations for a large mine—more than a thousand-acre mine—on public lands. There's a lot of issues—county issues, civic issues, economic issues—around a thousand-acre mine. And there needs to be a thoughtful process about how it affects communities where it is located and how it affects air and water.

Mining companies already extract billions of dollars of minerals from our public lands. This bill would continue to line the pockets of an industry that already has significant profit margins, and actually this bill jeopardizes jobs and our economic recovery by failing to take into account the local economic impact of mines—and not mining for strategic and critical mineral production but mining for nearly everything under the sun, including clay and gravel, again.

So I think, again, while we can be grateful that President Obama has accelerated the approval process, there's certainly work to continue. I urge my colleagues to bring forth a bipartisan bill that would specifically look at real strategic and critical minerals. But this bill and this rule are unduly restrictive, and I encourage my colleagues to vote ''no.'' I reserve the balance of my time.

Mr. BISHOP of Utah. I am pleased to yield 2 minutes to the gentleman from New Mexico (Mr. PEARCE), who understands this issue very directly with his experience both on the Resources Committee as well as in his home State of New Mexico.

Mr. PEARCE. I appreciate the gentleman yielding.

I rise today in support of the rule for H.R. 4402, the National Strategic and Critical Minerals Production Act. The gentleman from Utah has stated it right: It's a fair rule, it's a good bill. All it does is simply defines a critical mineral as any related to national security or the Nation's energy infrastructure. That clarity is needed. But additionally, it affects one thing that the people are constantly clamoring about in my particular district: Where are the jobs?

This bill understands what the President began to hint at in his March 22, 2012, executive order. The President in that executive order said:

> Our Federal permitting and reviews processes must provide a transparent, consistent, and predictable path for both project sponsors and affected communities. They must ensure that agencies set and adhere to timelines and schedules for completion of reviews, set clear permitting performance goals, and track progress against these goals.

The President has moved toward the problem that we see in this country—that many of our mines are moving outside this Nation. New Mexico used to be the home for 11 rare Earth mineral mines. Today, it's the home of zero. Those mines have relocated over in China.

As we look at the rare Earth minerals, those are strategically important. That's one thing that this bill attempts to get at—the definitions that will really give teeth to the President's executive order from March 22.

People in New Mexico constantly ask: Why don't the two parties work together? I think there are many opportunities for the parties to work together. The President has begun the process, and we're simply adding the reverse piece to it that would make it a completed argument. The President has said in the past, for instance, that we're not working together, and he has stated in both the last two States of the Union that we must reform corporate taxes.

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

Mr. BISHOP of Utah. I yield the gentleman an additional 1 minute.

Mr. PEARCE. I requested the President work with us to affect those taxes. Let's lower those corporate taxes. Let's get companies back here. But the President has at this point kept those discussions at arm's length. This bill is simply another attempt to reach out to the President and say we all want to create jobs. We want commonsense solutions to the problems that we face. Work with us to define the strategic and critical minerals. And let's do it in this act.

So I think it's something that the President should be reaching out to this body and saying, ''Yes, good, go.'' I would thank the sponsor for bringing the bill. Let's work together to create jobs and get those mining industries back here in America.

□ 1300

Mr. POLIS. Madam Speaker, I would like to yield 4 minutes to the gentleman from Massachusetts, the distinguished ranking member of the Committee on Natural Resources, Mr. MARKEY.

Mr. MARKEY. I thank the gentleman from Colorado.

We are just hours removed from House Republicans' voting to take away health care for 30 million Americans and put the insurance companies back in charge of our health care system. And it's back to business as usual for the GOP-controlled House.

Yes, it's time to get back to more giveaways to the Nation's wealthiest companies. Because when House Republicans aren't voting to take away health care from ordinary Americans, from poor Americans, they're voting for ''wealth care'' for the most profitable industries in the history of the United States of America. In fact, the majority continues to bring largely the same legislation to the floor over and over again, only the name of the industry reaping the windfall changes.

Two weeks ago, the Republican majority voted to give away nearly all of our onshore public lands to the oil and gas industry. The majority has passed bills to put rigs off our beaches in California, off our beaches in Florida, and off our beaches in New Jersey without passing any new safety requirements after the BP oil spill just 2 years ago. They have passed legislation to allow old-growth forests to be clear-cut and to hand over land to a multinational mining company without protecting Native American sacred sites or local water quality.

In fact, this Republican majority has cast so many votes to give away our public lands to the oil, the gas, the mining, and the timber industries, it's almost hard to remember which industry is getting a special giveaway each week.

So I have a suggestion that I think could help everyone out there keep track. Each week, we can consult this handy-dandy chart, the ''GOP Wheel of Giveaways,'' to figure out which industries are going to get their turn benefiting from handouts from my colleagues on the other side of the aisle on the same day they're going to take away health benefits from the poor, the sick, the elderly, and ordinary families in America.

Let's see who the big winners are on the House floor today as they take away the health care benefits for ordinary people. Let's give it a spin here. Let's see what happens as we look at what is happening out there in this great land of ours this week.

This week, it's the mining industry, ladies and gentlemen. Come on down. You are this week's big winner in the GOP giveaway game. The mining industry is the big winner on this giveaway show here today on the House floor. That's because the bill that the majority is bringing to the floor tomorrow, despite being entitled the National Strategic and Critical Minerals Act, has absolutely nothing to do with developing these minerals. In fact, this bill is all about gutting the environmental safeguards and the proper review of large mining projects on public lands for virtually all minerals, including coal.

Under this legislation, sand apparently could be considered as rare. Gravel could be a critical mineral. Crushed stone or clay could be a strategic resource. Even abundant minerals like gold, silver, or copper could potentially qualify as a rare Earth product under this bill and have lower environmental standards as a result in drilling for them that would endanger ordinary families again and their health. But of course they would never provide any health care benefits for them because that's the other bill we're going to be having out here on the House floor and gutting here today.

Indeed, the only rarities created under the Republican bill would be environmental protections or public input.

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

Mr. POLIS. I yield the gentleman an additional 1 minute.

Mr. MARKEY. And while this bill provides new giveaways to large multinational mining companies, it does nothing to change the Mining Law of 1872—1872, ladies and gentlemen—which allows mining companies to pull taxpayer-owned hard rock minerals out of our public lands without giving Americans a fair payment. In fact, under the 140-year-old law, mining companies can extract gold, silver, uranium, copper, and other hard rock minerals without paying taxpayers one cent in royalties for the minerals on the public lands of the United States of America. This law isn't just outdated, it's outrageous.

These are the same people here who are saying we can't afford to pass the law which protects against preexisting conditions in health care of ordinary Americans. These are the people here saying we can't pass a bill to protect against discrimination against women in our society.

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

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

Mr. MARKEY. This law isn't jut outdated, it is outrageous.

On the game show ''The Price is Right,'' a $1 bid is strategic. But under the Republican giveaway game show, it is an actual price that these huge industries can continue paying for the rights to our public lands. The Republicans want to continue giving away

grazing rights for a little more than $1 per acre and allow oil companies to warehouse public lands for $1.50 an acre.

And after more than 250 votes against the environment and more than 110 votes to benefit the oil and gas industries, the American people are going to look at the record of this Republican majority and say, ''No deal.''

I urge a ''no'' vote on the Republican proposal.

Mr. BISHOP of Utah. Madam Speaker, if the gentleman would stay here a second, I understand from the Congressional Quarterly that it is your birthday today. In which case, to the gentleman from Massachusetts, I wish you a happy birthday.

I appreciate the visual that you had. Unfortunately, as you tried to spin it, we realized it didn't work. So hopefully that is for your birthday party because nothing else works. But I appreciate and I wish you a happy birthday.

I yield the gentleman from Massachusetts 30 seconds.

Mr. MARKEY. I thank the gentleman.

And if it were possible to retard the aging process, that would be something that I think all of us could agree upon. But in the absence of that breakthrough medically, I thank the gentleman for his bipartisan wishes of a happy birthday.

Mr. BISHOP of Utah. And as someone with whiter hair than you have, I understand what you're talking about.

I yield 3 minutes to the gentleman from California (Mr. ROHRABACHER), who does indeed have some of these industries in his district and understands full well what this bill is actually attempting to accomplish.

Mr. ROHRABACHER. I rise in support of the rule and rise in support of H.R. 4402.

Tomorrow, we will be considering H.R. 4402, that takes significant steps towards making much-needed reforms to our Nation's mineral exploration and mineral permitting process. H.R. 4402 will force the hands of unyielding bureaucrats who seem intent on obstructing any and all mining, despite the detrimental effects that their actions have on the American people.

At a time when China threatens to hamstring our military capabilities and cripple American health care, telecommunications, and renewable energy markets by controlling or reducing our access to rare Earth minerals, we must take responsible action to ensure our access to minerals that are vital to our prosperity and security. In short, the timely licensing of mineral applications is critical to our Nation's survival and to preserving the American way of life, which is opportunity for all to live a decent life.

While investigating this issue, the Natural Resources Committee found that it often takes over 10 years for agencies to license mineral projects. This is simply unacceptable. But the forces that arrogantly stand in the way of these permits should be of no surprise to us. They are the same gang who routinely stand in the way of technological and scientific advancement. That's right, extreme environmentalists—I remember Ronald Reagan said that some of these people would rather live in a bird nest—some of whom are Federal bureaucrats and some of them, of course, belong to activist organizations that seem to sue for sport and constantly stand in the way of any development of natural resources that were put here by God not to be sitting in the ground, but to help ordinary people live well.

□ 1310

The people who are stopping us from getting those minerals are standing in the way of ordinary people having a decent life, which is so important and we're so proud of here, that every American should have those opportunities.

This mindset that puts the well-being of insects above the health, safety, and quality of life of human beings has contributed to the 8.2 percent unemployment rate—and that's a low figure, as far as I'm concerned. The real unemployment is far beyond that. But the restrictions that we've had on our people that would like to use these natural resources for the well-being of our people has contributed to that unemployment.

Fortunately, however, we are here today to say that we've had enough.

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

Mr. BISHOP of Utah. I yield the gentleman an additional minute.

Mr. ROHRABACHER. I would say that luckily we are coming to our senses and having courage enough to stand up to this obstructionism by setting reasonable time limits for litigation and by setting a total review process for the issuing of permits to 30 months; 30 months is a very reasonable time.

The reforms that we put in place will ensure that American mineral mining projects are not indefinitely delayed by frivolous lawsuits or by unwilling bureaucrats, or by activists who, as I say, care more about the habitat of insects and lizards than they do about the well-being of the American people.

I come from California. I am a surfer, and I am in the water a lot—anytime I can get out there. We have had offshore oil and gas reserves in the hundreds of billions of dollars available to us, but denied the people of California. Even as we cut the programs that our seniors and our children need, these radicals will not let us get to those oil and natural gas resources. That is a sin against those older people in California and the young people.

We need to clean up that situation. Whose side are we on? We're on the side of ordinary Americans leading a decent life, and that's what this bill is all about.

Mr. POLIS. Well, in briefly addressing the gentleman from California, I would encourage him to support President Obama's proven track record of success in accelerating the access to public lands, a 17 percent improvement in speed of access over the Bush administration.

With that, I yield 2 minutes to the gentleman from New York (Mr. TONKO).

Mr. TONKO. I thank the gentleman from Colorado.

I rise in opposition to this rule. There is no reason we could not have an open rule on this legislation—well, unless there are amendments the majority does not want the Members to vote on. Obviously, my colleague, Representative HOLT, has offered one such amendment. The Rules Committee did not make his amendment to require companies that earn a profit mining on public lands to disclose their public donations in order. Why not? Vast amounts of secret money are ruining our democracy.

It is the ultimate irony that free speech now has such a high cost. Our democracy has truly become the best that secret money can buy. That's not good news for the average voters who do not have tens of thousands of dollars to shower on their preferred candidates.

Representative HOLT's amendment would shine some light on this practice and ensure that the entities profiting from public resources are accountable to the electorate. The public, I believe, has a right to know, a right to know who is funding our elections. Apparently, under this rule, they don't even have the right to know where Members of this House stand on this issue.

Mr. BISHOP of Utah. Could I inquire of the gentleman from Colorado how many additional speakers he has.

Mr. POLIS. We have one remaining speaker at this point. We might have one other, but we have one currently here.

Mr. BISHOP of Utah. Then, Madam Speaker, let me yield myself just 1 minute.

To try and put things in parameter of what we're actually doing in this bill, in the sixties to the eighties, the United States was actually the leader in the production of most of these minerals. Today, 97 percent of the rare Earth oil, or 97 percent of the rare Earth oxide, 89 percent of the rare Earth alloy, 75 percent of—I can't pronounce the words—and 60 percent of the small cobalt magnets all come from China. We have lost that to them. The reason for doing that is actually part of bureaucratic delay.

Once again, unlike a lot of comments that have been made about this bill, it doesn't pick winners or losers. It doesn't even change the process. All it does is tell the bureaucracy in Washington to do it, to do it within 30 days, making sure that we have now sped up the process so that we now can do something. Instead of in 7 years, in 4 years, does not help reality. That's the point of this bill. It has nothing to do with other issues. It's only trying to

get the process to be sped up so decisions are made in a timely fashion.

With that, I reserve the balance of my time.

Mr. POLIS. Madam Speaker, it's my honor to yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank the gentleman.

Frankly, I would say to my good friend on the other side of the aisle that there probably could be, in many instances, common ground about the exporting of mineral exploration. Many of us would look to this as a positive strategy for creating jobs.

I think it is important to say to my friends that, in fact, this bill is not even coming to the floor of the House today. It is not even going to be debated today. So that is one fracture, if we talk about creating jobs.

But another fracture is, of course, that we are substituting this legislation—that might, if it was bipartisan, be able to move forward on creating jobs—for wasting time and casting votes and debating on the Affordable Care Act, an act that has already proven that it has saved lives, provided coverage for small businesses; exempted businesses under 50 persons, allowing them to have insurance; closed the doughnut hole on the prescription drug benefit; and saved billions of dollars.

Here in this legislation, of course, one of the challenges that I have is that even though one would call this a bureaucracy, in actuality it is expediting and overlooking the National Environmental Policy Act, and therefore expediting necessary environmental review. It is being called an ''infrastructure project'' for purposes of the executive order entitled Improving Performance of Federal Permitting that was designed to reduce permitting time. But more importantly, there are environmental impacts that should be considered.

There is no opposition to creating jobs. There is no opposition to the value of our minerals. But I do believe there is opposition to expediting the process and excluding an environmental review and, more importantly, limiting this debate—that might create jobs, might have opportunities for more amendments, might have more time on the floor—by what we're going to do today, which is frivolity, again, for those of us who believe that we can come together in a bipartisan way to work on the underlying premise of the Affordable Care Act of saving lives, expanding opportunities, and adhering to the Supreme Court's decision that this is the right law of the land that works for all people.

I'd ask my colleagues on the underlying rule to oppose it, and maybe we can get down to the work of the people of the United States of America.

Mr. BISHOP of Utah. Madam Speaker, I am happy to yield 5 minutes to the sponsor of this particular piece of legislation, who will do a couple of things, I hope, as he gets up there. One, he will remind us all that no environmental laws are waived by this process; it's about timing. And, number two, he will clarify that when I said 30 days, I meant 30 months. That's why I don't talk well without a script in front of me.

I yield 5 minutes to the gentleman from Nevada (Mr. AMODEI), who has clearly understood this issue and put it together.

Mr. AMODEI. I thank my colleague from the Beehive State.

I want to start out with, obviously, support for the rule. I think the rule is very open in the context of the legislation.

For those that haven't reviewed the legislation, it's about 11½ pages long. It's available out here; it's available online. I recommend you to do it. Because when we talk about what it really does, it's not a wheel of giveaways. When you talk about strategic and critical minerals, here are some words from the bill: ''Strategic and critical minerals means minerals that are necessary.''

Here's some thoughts to ponder: national defense and national security. Now, do you know what those minerals were 10 years ago, and do you know what they're going to be 10 years from now? It's not meant to be as specific—and my colleague from Colorado is absolutely right, these are broad definitions because, you know what, we don't do this every day. We're not going to check this every year and spend time like this on it. So when you talk about some flexibility there, it's not an accident; it's supposed to be broad.

Here's another thing: strategic and critical. How about the Nation's energy infrastructure? Kind of important if you care about things like energy, regardless of what side of the fence you're on.

A couple other things. Strategic and critical, those minerals, to—here it is out of the bill—support domestic manufacturing. Oh, my goodness. How about support agriculture? Don't care about that.

□ 1320

How about support housing, telecommunications? There was a mention of health care. Are those strategic and critical for the lifestyle or the health and welfare of this Nation?

Strategic and critical. Transportation infrastructure. Oh, and the last couple of things, the Nation's economic security and balance of trade. God forbid that we think about those things when we talk about the minerals industry. Are those broad? They absolutely are.

But here's the part that nobody mentions. There is nothing in those 11½ pages that say that a Federal land manager can't, in response to an application, say, my first finding is that it is not a critical and strategic mineral.

So if somebody comes in for sand and gravel, and it's not that important, then guess what? Under the regulations that the Department of Agriculture and the Department of the Interior are doing, I assume they'll give them the ability to make that finding. And if somebody doesn't like it, under this bill they've got 60 days to sue them on it. But we don't want you to know that because we're going to spin wheels and talk about the giveaway of the day.

By the way, while we're giving stuff away, please show me in the bill where it says that you get a certain result?

And when we talk about reducing the time, this says, both sides can execute agreements that say 30 months. Okay? Guess what? It also says, oh, by the way, if both sides agree, you can extend the 30 months. Now, for those who are familiar with the process and how that works, tell me how an applicant is benefited by a nice, crisp 30-month ''no.''

So if there's an issue about water quality, or there's an issue about anything that is being talked about—oh, and can I see the repeal sections on NEPA? I don't see that language in here.

You know, I don't envy Federal land use managers. It's a tough job. And when you look at this, see the red? That's federally-owned property. This is to talk about the time it takes to process a permit request to mine on federally-owned property.

So, with all due respect, and plenty of respect for my colleague from Colorado, who's in this, knows it, 36 percent of his State is federally owned, no disrespect to the birthday boy who's somewhere south of 1 percent.

When you talk about economic development, regardless of whether you're riding an elephant or a donkey, guess what? This complicates it. So, when you talk to those Federal land use managers locally and you talk about things, just a couple more things here, because we can't have this. I mean, this is awful stuff. If we talk about enhanced government coordination, permitting review, engage other agencies and stakeholders early in the process, coordinate and consult with project proponents and opponents. I mean, I'm sorry.

And by the way, where's the part in the NEPA bill that was enacted in 1969 that said what we're really trying to do here is see how long you can wait with that application pending?

So guess what? If you get a ''no,'' you get it in 30 months. Or if there are legitimate issues that aren't taken care of in 30 months, why wouldn't you, as an applicant, say, you know what? We'll execute something, as provided in this bill, to say you get six more months. Going off to court is not the optimal thing for anybody.

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

Mr. BISHOP of Utah. I yield the gentleman an additional 30 seconds.

Mr. AMODEI. We talk about additional giveaways or whatever. Nobody gets anything out of this other than they get a time certain in the review

process. And if there's more time needed, then guess what? It provides for that.

What's the idea here? Collaboration between Federal land managers and stakeholders, all stakeholders. If you're an applicant, you want a ''yes,'' but there's no magic in getting a 30-month ''no.''

My final point is this. When you talk about the changes that have been made by the present administration in permitting time, I find it incredibly interesting to hear in committee that that permitting time was actually less than what this proposes.

This cuts nobody off. It's a good place to talk, and it gets rid of the part that is never in NEPA, which is, we're going to outwait you and hope you go away.

Mr. POLIS. Madam Speaker, I'm prepared to close. Bad bill, bad idea, bad rule. I urge a ''no'' vote.

I yield back the balance of my time.

Mr. BISHOP of Utah. Great bill, fair rule. I urge adoption.

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

The previous question was ordered.

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

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

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

The yeas and nays were ordered.

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

REPEAL OF OBAMACARE ACT

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of the bill (H.R. 6079) to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010, will now resume.

The Clerk read the title of the bill.

Mr. CANTOR. Madam Speaker, it is my honor to yield 1 minute to the Speaker of the House, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Let me thank my colleague for yielding, and say to my colleagues, I rise today in strong support of H.R. 6079, a legislation that would repeal the President's health care law.

When this bill passed, we were promised that the health care law would lower costs and help create jobs. One congressional leader even suggested it would create 400,000 new jobs.

Well, guess what? It didn't happen. This bill's making our economy worse, driving up the cost of health care, and making it harder for small businesses to hire new workers.

The American people were told that they'd come to like this bill once it was passed. Well, that didn't happen either. Most Americans not only oppose this law, but they fully support repealing it.

The American people were told that taxes on the middle class wouldn't go up if this bill passed. Well, guess what? There are 21 tax increases in this health care law, and at least a dozen of them hit the middle class.

And let me just give you a glimpse of the damage that all these tax hikes will do to our economy. A tax on health insurance providers will end up costing up to 249,000 jobs, according to the National Federation of Independent Business.

A tax on health care manufacturers will put as many as 47,000 jobs in jeopardy, according to one nonpartisan estimate. Then you've got the employer mandate, which will affect every job creator with 50 or more employees.

Let's take White Castle, a company in my home State. They say that the employer mandate would eat up most of their net income starting in 2014. And that's on account of just one provision in the law.

And then there's the individual mandate that the Supreme Court has now ruled is a massive tax. The Congressional Budget Office says that roughly 20 million Americans will either have to pay this tax or be forced to buy insurance that they wouldn't have purchased otherwise.

You add it all up, the tax increases in this health care law will take at least $675 billion out of our pockets over the next 10 years. All this at a time when employers are just trying to get by.

Listen, I think there's a better way, and that's why we're here today. Americans want a step-by-step approach that protects the access to care that they need from the doctor they choose at a lower cost. They certainly didn't ask for this government takeover of their health care system that's put us in this mess that we're in today.

At the beginning of this Congress, the House voted to repeal this health care law. It was our pledge to America, and we kept it. Unfortunately, our colleagues in the Senate refused to follow suit, and since then, we've made some bipartisan progress on repealing parts of this harmful health care law, including the 1099 paperwork mandate.

But this law continues to make our economy worse, and there's even more resolve to see that it is fully repealed.

Now, I think this is an opportunity to save our economy. And for those who still support repealing this harmful health care law, we're giving our colleagues in the Senate another chance to heed the will of the American people. And for those who did not support repeal the last time, it's a chance for our colleagues to reconsider. For all of us, it's an opportunity to do the right thing for our country.

□ 1330

Mr. LARSON of Connecticut. Madam Speaker, I yield 1 minute to our Democratic leader, the gentlelady from San Francisco, California, without whom there would not be an Affordable Care Act, and we greatly appreciate her efforts.

Ms. PELOSI. I thank the gentleman for yielding.

Madam Speaker, more than 2 years ago, we put forth a vision for America's middle class to ensure health care would be not a privilege for a few but a right for all Americans.

Today and yesterday—for the past 2 days—as they've done more than 30 times in this Congress, the Republicans are set to take away that right. Over the past 2 days, we have heard the talking points of the health insurance industry. They're trying to drown out the facts, and the facts are these:

What is the takeaway from this debate? The takeaway is the protections House Republicans are voting to take away from America's families:

Today, up to 17 million children have the right to health care coverage even if they have diabetes, asthma, leukemia, or any other preexisting medical condition. Put an ''X'' next to that. Republicans want to take away protections for children with preexisting conditions;

Today, all young adults have the right to get insurance on their parents' policies. Republicans want to take away that right from America's students and young people. Where we have that coverage for young adults, put an ''X'' next to that;

Today, 5.3 million seniors have saved $3.7 billion on their prescription drugs. Republicans want to take away prescription drug savings for seniors;

Today, small business owners have used tax credits to help them afford insurance already for 2 million additional people, and the bill is not fully in effect. Republicans want to take away the tax credits for businesses to help their entrepreneurship and job creation;

Today, nearly 13 million Americans are set to benefit from $1.1 billion in rebates from health insurance companies. Republicans want to take away those cost savings from America's families;

Today, American women have free coverage. They have a right to free coverage for lifesaving preventative care like mammograms. Starting in August, women will gain free access to a full package of preventative services. No longer will a woman be a preexisting medical condition, but Republicans want to take away those protections from women and all Americans.

Many across the country have heard our Republican colleagues claim that very few people are affected by the preexisting condition provision of the law. The fact is: The Republicans are wrong. The fact is—you be the judge—138 million Americans have preexisting medical conditions.

I ask our friends on the other side of the aisle: Do you know anybody with breast cancer? with prostate cancer? with asthma? with diabetes? people

with disabilities? The list goes on and on. With this bill that you have on the floor today, you will take away their rights to affordable coverage.

That is why the American Cancer Society opposes this repeal effort and their ''13 million cancer patients and survivors who need access to adequate and affordable coverage.'' That's why they oppose this repeal effort, the American Cancer Society.

Do any of you know the millions of Americans living with a disability? With this bill, you take away their rights to quality, affordable care.

That's why Easter Seals wrote:

> Millions of parents of children with disabilities are breathing a huge sigh of relief knowing their children will not be dropped from their insurance.

Do you know any parents of children with diabetes or asthma or childhood leukemia? Do you know any? With this bill, you will take away the rights of these children to affordable care throughout their lives.

That's why the American Diabetes Association, on behalf of the nearly 26 million Americans with diabetes, urged us to oppose this bill in order to ''protect people with diabetes who for too long have been discriminated against because of their disease.''

My Republican colleagues are taking away patient protections for millions of Americans, protections you as Members of Congress already enjoy. I think that that's an undermining of fundamental fairness. If you repeal this bill, it means you keep your Federal health insurance benefits while you take these patient protections away from the American people. What a Valentine to the health insurance industry.

When I think of people protected by this law, I always remember the powerful testimonial at a hearing last year from Stacie Ritter, whose twin daughters, Hannah and Madeleine, are both cancer survivors. They're 4 years old, and both were diagnosed with leukemia. Hannah and Madeleine faced stem cell transplants, chemotherapy, and total body irradiation. Yet, over time, Stacie said, ''We ended up bankrupt even with full insurance coverage.''

Today, Hannah and Madeleine are happy, healthy 13-year-olds. According to Stacie:

> My children now have protections from insurance discrimination based on their preexisting cancer condition. They will never have to fear the rescission of their insurance policy if they get sick. They can look forward to lower health insurance costs and preventative care.

We passed the Affordable Care Act for people like Stacie, Hannah, and Madeleine, and we passed it for some of the people we heard from today at an earlier meeting. I urge my colleagues to think about them and to think about Stacie and her children when they cast a vote to take away their rights and protections.

Here is what the Affordable Care Act is about:

It's about strengthening the middle class, honoring the entrepreneurial spirit of our country, putting medical decisions in the hands of patients and their doctors. This is about innovation, prevention, wellness. It's about the good health of America as well as good health care for America. It's about restoring and reigniting the American Dream and living up to the vows of our Founders of life, liberty, and the pursuit of happiness. It's about a healthier life, the liberty and freedom to pursue happiness as defined by your own passions and your own talents and your own skills and your own aspirations. If you want to start a business, if you want to be self-employed, if you want to change jobs, you are not job-locked because your decision about your job, your career, and your life has to be predicated by your health insurance company.

That's what this freedom is in this 1 week from the Fourth of July that we celebrate with this bill.

Now, to make the American Dream a reality for all, Republicans must stop this effort to take away patient protections from Americans.

Let's review again what the GOP is taking away from Americans. This is the takeaway from this debate:

Take away, the Republicans say, protections from children with preexisting conditions; take away prescription drug savings for seniors; take away coverage for young adults; take away preventative health services for women; take away the no lifetime limits, which are so important to so many families in our country.

We must work together on America's top priorities—job creation and economic growth. This bill creates 4 million jobs. It reduces the deficit. It enables our society to have the vitality of everyone rising to their aspirations without being job-locked, as I said.

The American people want us to create jobs. That's what we should be using this time on the floor for, not on this useless bill to nowhere—bill to nowhere—that does serious damage to the health and economic well-being of America's families.

I urge my colleagues to vote ''no'' on this bill. Let us move forward together to strengthen the economy and to strengthen the great middle class, which is the backbone of our democracy.

Hello, My name is Aracely Rodriguez. I am from San Diego, CA and I work everyday to ensure that Latina women have access to comprehensive affordable health services from a trusted provider.

I have the opportunity to experience first hand what a difference the Affordable Care Act will be for women, particularly women of color. It is hard for me to believe that anyone would want to take away there critical new benefits for women all over this country.

We know the Affordable Care Act will make insurance more affordable and provide more choices to women and their families. As a result of the Affordable Care Act 14 million women will be newly insured.

Today, about 39 percent of Latinas are uninsured—that is more than women of any other racial or ethnic group.

The Affordable Care Act will ensure that women have access to preventative health services such as mammograms and life saving cancer screenings—and in August, many women will have access to even more preventive health services such as well-women visits and birth control without co-pays or deductibles.

Access to birth control is a critical issue to many Latinas and their families. Over 50 percent of all Latinas have experienced a time in their lives when the cost of prescription birth control made it difficult for them to consistently use it.

The Affordable Care Act will end gender discrimination once and for all—so that women are not charged more for insurance than men.

This is what health reform means to women's health in our communities. ''Being a woman is not a pre-existing condition.''

My name is Jamal Lee, I'm a native of Baltimore, MD. I own Breasia Studios, LLC, a digital recording studio and an audio, lighting, and video production company in Laurel, Maryland and I'm a member of Small Business Majority's network council.

Until recently, I hadn't had health insurance since I was 21, when my mother had to drop me from her insurance plan. Since I started my business in 2005 I hadn't been able to afford insurance for myself, let alone my employees. I did the best I could to counteract the lack of health insurance by giving my employees safety training courses and assisting with the heavy lifting. I couldn't risk losing an employee to an on-the-job injury. But I finally was able to purchase insurance through a state subsidy program and when the Affordable Care Act was signed into law, I had another windfall—the small business tax credits. The tax credits, along with the state subsidy program, mean I can finally afford health insurance for myself and everyone else in the Breasia family. Knowing we're covered if something happens has an enormous impact on morale and my employees' physical and emotional well-being.

Thanks to the tax credits in the healthcare law, I may even be able to grow my business. And because I'm finally able to offer benefits, my business has become much more competitive when I look to hire. Repealing the law or defunding provisions like the tax credits would be a huge blow to my business.

My name is Bill Cea and I am a retired public school teacher from Boca Raton, Florida. I am here today on behalf of the Alliance for Retired Americans.

Thanks to the Affordable Care Act, I am one of 16 million seniors on Medicare who has been able to get a free wellness visit or preventive service. These are free—no co-pays, no deductible.

For me, it was an opportunity to go to my doctor's office for a thorough evaluation of my health, review the medicines I take, and discuss any questions and concerns I had.

Not only is this good for your health, but it is also good public policy. Medicare costs will be much lower if more seniors are able to stay healthy and identify problems before they become serious and costly.

I know many seniors in Florida who are in the Medicare coverage gap known as the ''donut hole.'' Under this new law, these seniors are now paying $600 less per year for their prescriptions. The law will keep closing more and more of the ''donut hole'' until it completely goes away.

The bottom line is this: the Affordable Care Act is good for seniors. It helps us live longer, better lives. It helps us be able to see a doctor and fill a prescription.

These new Medicare benefits are making a big difference in seniors' lives. Congress

must not take them away. Please vote against repealing the Affordable Care Act.

My name is Emily Schlichting. I'm a 22-year-old auto-immune disease patient from Omaha, NE. My life has drastically changed for the better thanks to the Affordable Care Act, but I have no guarantee that those changes will last. I would like to share with you just how the repeal of health care reform would affect my life.

The summer before my senior year of high school, when I was 17, I began experiencing a lot of odd symptoms, and none of my doctors could figure out what was causing them. My symptoms started as open ulcers that would get painfully and dangerously infected, and over the next two years intensified to include high-grade fevers, mysterious raised lumps on my legs, and swollen joints. After two years of visiting multiple specialists, receiving MRI's and CAT scans, which was topped off by a week-long stay in the hospital during my first semester of college, I was finally diagnosed with Behcet's Disease, a rare auto-immune condition.

When your health care is tied directly to your employment, your career opportunities become a lot more limited than you'd imagine. Suddenly, taking a few years off to work at a non-profit before graduate or law school was not an option because I would have dropped off my parents' insurance plan. Beyond that, I had to be extremely careful not to ever drop off an insurance plan because I have a pre-existing condition, which meant if I dropped off I would likely not be able to get back on insurance. Paying for my own health care out of pocket would bankrupt me. I regularly see two rheumatologists, an ophthalmologist, a dermatologist, an internist and other specialists for my condition. And that's when things are going well.

But, thankfully, with the passage of the Patient's Coverage and Affordable Care Act my disease no longer gets to dictate my life. The dependent coverage clause has been a godsend for me; it allows me to stay on my parent's insurance until I'm 26; it gives me that buffer time to figure out what career I want to pursue, and work for a couple years to gain experience and valuable job skills instead of rushing into an expensive graduate program just so I can stay on an insurance plan. Allowing young people to stay on their parent's insurance gives us new freedom to work toward our goals without going uncovered. But even more important than that is the fact that the Patient's Bill of Rights makes it so that I can't be denied insurance simply because I have a disease I can't control. And that . . . it's changed my life in so many ways. I can't put into words how scary the idea of being sick and bankrupt at 25 is, so you'll have to trust me on this one. It's terrifying.

I can tell you over and over how much health reform has positively impacted my life, but I'm not the only young American that has been positively impacted by this legislation. I'm one example of millions and millions of young Americans who have been helped by this bill, whether through the Dependent Care clause or the Patient's Bill of Rights or the combination of the two, like me. Young people are the future of this country and we are the most affected by reform—we're the generation that is the most uninsured. We need the Affordable Care Act because it is literally an investment in the future of this country.

Good afternoon. My name is Christine Haight Farley and I'm the proud mother of two wonderful boys with bright futures. Unfortunately, one of my sons has Cystic Fibrosis. For him, the Affordable Care Act is the key to that bright future.

Cystic Fibrosis, or CF, is a genetic disorder that has no cure at this time and few effective treatments. Among the symptoms are persistent lung infections and breathing and digestive difficulties.

Because only 30,000 people in the U.S. have CF, treatment for it tends to be extremely expensive. The average CF patient spends $64,000 annually on health care, which is 15 times more than the average American. My son has to take 30 pills, 2 inhalers, and 3 nebulizers every day. We have a machine in our home that he has to use twice daily to shake the mucus from his lungs to prevent bacterial infections and clear his airways. At night, he uses a feeding tube while he sleeps in order to ensure that he gets the calories he needs, because CF patients don't properly digest food. Even with this level of care, he is admitted to the hospital every year for a week because of a bacterial infection that requires heavy antibiotics administered through an IV. You can imagine what all of this costs.

And yet, we consider ourselves extremely lucky. We have excellent health insurance that helps to cover the costs of the various therapies and treatments he needs. But we have always worried about what will happen when our son grows up and has to find his own health insurance. As you can imagine, our entire family was very happy when the Affordable Care Act was signed into law. And we were ecstatic when the Court upheld the law. But it makes me furious when I hear opposition to the Affordable Care Act based on the ''principle'' of states' rights. For me, that principle is entirely outweighed by the principle that every child deserves a bright future no matter what disease they happen to be born with. Repealing this law would allow young people with life-threatening illnesses to be denied health insurance. I consider that unprincipled.

A survey conducted last year by the Cystic Fibrosis Foundation revealed that 31% of CF patients skipped doses or took less than was prescribed due to cost concerns. It also revealed that 16% of CF patients have reached an annual limit on their health insurance coverage, and 3% have reached a lifetime limit.

I have heard about the challenges faced by young adults with CF in finding health insurance. Young adults with CF are often denied insurance coverage, and they face barriers in their career as they make work and life choices that are dictated by a limited set of health care options. That's not the future I want for my son.

Because of the Affordable Care Act, my son will be able to get the care and treatment he needs. He will be able to stay on our insurance until he's 26, and after that no insurance company will be able to deny him coverage because of his pre-existing condition. And we won't have to worry about lifetime limits on his coverage. Moreover, he won't have to base his decisions about a job or a career on health care coverage.

As a mom, there is nothing more valuable to me than my children's future. I thank Leader Pelosi, the Congress, and President Obama for giving that to my son and to the other five million American children with pre-existing conditions.

□ 1340

Mr. CANTOR. Madam Speaker, I yield 1 minute to the gentleman from Illinois (Mr. ROSKAM), the chief deputy whip.

Mr. ROSKAM. I thank the gentleman for yielding.

Madam Speaker, do you remember these lines when the President was pitching the health care bill? He said: If you like what you have, you can keep it. It will not add a single dime to the deficit. This is absolutely not a tax increase, and it will bring down premiums by $2,500 for the typical family.

The gentlelady from California a moment ago spoke about things to take away. Let's take this away. Let's take away the reality of this new health care law that has done this.

It is now clear that 20 million Americans are likely to lose their employer-based health coverage. The law will cost $2.6 trillion if fully implemented and add over $700 billion to the deficit. It has $500 billion in new taxes that are triggered towards the middle class. And the average increase in family premiums doesn't go down $2,500; it goes up $1,200.

Here is what we should take away. We should take away this albatross in the economy. We should repeal it. We should replace it.

And here is the good news. The voters get the last word in November.

Stay tuned.

Mr. LARSON of Connecticut. Madam Speaker, at this time, I yield 3 minutes to our distinguished whip from Maryland (Mr. HOYER), a person who understands what it means to make it in America.

Mr. HOYER. I thank my friend.

Repeal it and replace it. For the 31st time, we have a repeal with no replacement, no alternative, no protection offered by my Republican colleagues—not one.

You could, of course, introduce legislation that would say, We're going to repeal and replace with this. You haven't done it. So the American people have no idea.

We're on the floor today with the distinguished gentleman from Michigan who himself, and his father before him a half a century ago, said: Americans need the security of having the guarantee of access to affordable quality health care.

That's what we did.

Madam Speaker, after the landmark Supreme Court ruling upholding the Affordable Care Act, Americans are ready to move on. Yet here we're again voting for the 31st time on a bill to repeal the health care law with no replacement, no alternative, no protections. That's not what we ought to be focused on.

Americans want us to create jobs and to grow our economy. According to a Kaiser Family Foundation poll last week, 56 percent of Americans believe that opponents of the law should drop attempts to block its implementation. It's time for Republicans to end their relentless obsession with taking away health care benefits for millions of Americans.

If this bill were to pass, insurance companies could once again discriminate against 17 million children with preexisting conditions. If it were to pass, 30 million Americans would lose their health insurance coverage. It would take away $651 each from 5.3

million seniors in the Medicare doughnut hole, making their prescription drugs more expensive. There would be 360,000 small businesses no longer able to claim a tax credit to help cover their employees. And 6.6 million young adults under 26 would be forced off their parents' plans and left to face a tough job market with the added pressure of being uninsured.

The Republican repeal bill would take away these benefits and end these cost-saving measures. And after 31 votes, as I said, no alternative, nothing. There is no bill to read, no plan to follow, no security to offer. Repealing health care without an alternative would add over $1 trillion to deficits over the next two decades. I don't say that. The Congressional Budget Office says that.

It is occurring in the place of a vote that we could be taking on legislation to create jobs. There is nothing about jobs this week, nothing last week, nothing scheduled for next week, or the week after. It's a waste of time.

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

Mr. LARSON of Connecticut. I yield the gentleman an additional 1 minute.

Mr. HOYER. Why is it a waste of time? Because the Republican majority knows that it will not pass the United States Senate, and it would not be signed by the President of the United States. It's a message bill. It's politics as usual. It is spurring the base while spurning the average working American.

I outlined several proposals yesterday that are bipartisan in nature and ought to come to this floor immediately. It's called ''Make It in America.'' Let's vote on those bills. Let's vote on those bills to create opportunities, not this one to take them away.

Madam Speaker, I urge my colleagues to oppose this bill, and let us work together constructively for a better economic future for our people, more economic security, more health care security, and a better America.

Mr. CANTOR. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. HENSARLING), the Republican conference chairman.

Mr. HENSARLING. I thank the gentleman for yielding.

Madam Speaker, I've heard so many of my Democrat colleagues come to the floor and question why are we here to vote to repeal the President's health care program. Let me offer a few reasons.

Number one, the American people don't want it. The longer people have to know this bill, the more intense they are in wanting to see it repealed.

Reason number two is we hear from our friends on the other side of the aisle that the Supreme Court said it was constitutional. Well, the $5 trillion of additional debt that they and President Obama have foisted on the American people, it's constitutional, but, Madam Speaker, it is not wise.

Seniors know that the President's health care program cut a half a trillion dollars out of Medicare. The Independent Payment Advisory Board is 1 of 159 boards, commissions, and programs that will get between Americans and their doctors. The Independent Payment Advisory Board, they're there to help ration health care for seniors. That's another reason.

I just heard the distinguished leader of the Democrat Party saying we should be talking about jobs and the economy. Madam Speaker, these are the very same people who told us the stimulus bill would help jobs, would help the economy. The stimulus bill was not a jobs bill. Repeal of ObamaCare is a jobs bill.

Talk to any small business person across America that has 40, 45 workers, and they will tell you: We're not going to go to 50. We're not going to do that. We're not going to hire those extra people.

Talk to a tool and die manufacturer like I have in my district in Jacksonville, Texas. Half of their business comes from the medical device industry. You know what? He told me that ObamaCare, with the medical device tax, is going to force him to lay off workers.

The employer mandate costs jobs. The Congressional Budget Office, which the gentleman from Maryland just cited, they, themselves, said this will cost 800,000 jobs. Private economists say it will cost 1 to 2 million jobs. The Chamber of Commerce just did a survey of small businesses. Seventy-four percent said this makes it more difficult to hire.

So after the President just turned in his 41st straight month of 8 percent-plus unemployment, the worst jobs and economic performance since the Great Depression, maybe it's time for a true jobs bill, Madam Speaker, and a true jobs bill is to repeal ObamaCare. The American people do not want it. We can't afford it. Job creators are losing jobs.

Let's repeal it, and repeal it today.

Mr. LARSON of Connecticut. Madam Speaker, at this time, I yield 2 minutes to the distinguished gentleman from South Carolina (Mr. CLYBURN), a leader in the Democratic Caucus.

Mr. CLYBURN. Mr. LARSON, thank you for yielding me the time.

Madam Speaker, I rise today in opposition to this partisan charade to repeal the Affordable Care Act.

This is the 31st time the majority has orchestrated a vote to repeal in whole or in part this very important and long-awaited law to increase accessibility and decrease the cost of quality health care.

□ 1350

Fortunately, the other body rejected this ill-fated effort the first 30 times, and this 31st time will be no different. Why, then, are we having this debate?

Do my Republican colleagues really believe that the majority of the other body is now ready to take from children born with diabetes the right to coverage under their parents' health care policies?

Do my Republican colleagues really believe that a majority of the other body is now ready to take from children who are seeking employment the right to remain on their parents' health care policies up to their 26th birthday?

Do my Republican colleagues really believe that a majority of the other body is now ready to take from a woman with breast cancer, or a man with prostate cancer, the right to keep their coverage once they get sick?

The American people are smarter than that. They know the deal. They do not wish to be taken down this primrose path for the 31st time. The American people want stability in their lives, security for their families, and safety in their communities.

Americans want us to stop jerking them around. They cannot have stability in their lives when we are shipping American jobs overseas. They cannot have security in their homes when they are fearful of getting sick. They cannot have safety in their communities when their teachers, policemen, and firefighters are being led off while we are engaged in symbolic episodes.

I ask my colleagues to reject this charade, and let's vote to restore the American Dream.

Mr. CANTOR. Madam Speaker, I yield 1½ minutes to the gentleman from South Carolina (Mr. SCOTT).

Mr. SCOTT of South Carolina. Madam Speaker, why are we here? We keep hearing that from my friends on the right—why are we here again today—and the reality of it is simple. The numbers keep changing, and it simply does not add up.

A long time ago, in 2010, a long time ago, the estimates were $900 billion will be the cost of ObamaCare. Two years later, now the estimate is at nearly $2 trillion.

Well, how do we fund this? Everybody wants to know this. A program that is already financially strapped, Medicare. ObamaCare takes $500 billion, $500 billion out of Medicare.

What does that mean? Well, to me, as a grandson of a grandfather who is 92 years old, 92 years old, what happens when we take $500 billion out of Medicare?

Well, the answer is clear. There is a 15-member board called IPAB, the Independent Payment Advisory Board, that will then recommend cuts to Medicare payments for doctors, hospitals, and other providers. In other words, my grandfather's health may be in the hands of a 15-member autonomous board who will decide what happens to his health. That's wrong.

If you look in ObamaCare, what you will find is that $317 billion of new taxes, or a 3.8 percent tax on dividends, capital gains and other income, you will find $110 billion on the middle class for folks who like their health care and want to keep it? Oh, no. No, no, no. They can't keep it.

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

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

Mr. SCOTT of South Carolina. Then you find another $101 billion, another $101 billion in annual tax on health insurance providers not paid for by those folks who make more than $200,000, but paid for by the hardworking, everyday folks like my granddaddy and my momma, those folks who struggled to make their ends meet, $100 billion of new taxes.

But if you need a medical device, another $29 billion of new taxes. There is just not enough time, Mr. Leader, to talk about all the taxes that can't be articulated in just 2 minutes.

Mr. LARSON of Connecticut. Madam Speaker, I yield myself 30 seconds.

To respond here, as Mr. ANDREWS has very patiently and eloquently pointed out, the $500 billion that was just discussed by the previous speaker is something that the Republicans have voted on twice. Perhaps they didn't get a chance to read that bill as they sometimes claim about health care on this side.

I yield 2 minutes to the vice chair of the Democratic Caucus, the gentleman from California (XAVIER BECERRA).

Mr. BECERRA. I thank the chairman for yielding the time.

It took 19 Presidents and 100 years dating back to President Teddy Roosevelt to open the door to all Americans, to quality health care that is centered on the patient-doctor relationship; 105 million Americans who will fall ill will no longer have a lifetime limit on the coverage they receive from their health insurance company.

Up to 17 million children today who have preexisting conditions cannot be denied coverage by an insurance company; 6.6 million young adults under the age of 26 today can stay on the health care policy of their parents; 5.3 million seniors today received an average $600 to help cover the cost of their prescription drugs when they fall into the so-called doughnut hole; 360,000 small businesses in America, men and women who own their own businesses, got assistance through a tax credit to help provide health insurance coverage to their employees. Thirteen million Americans will benefit in insurance premium rebates from insurance companies, who must now show that they are spending the premium money they get from those Americans for health care, not on paying CEO salaries or not on profits—$1.1 billion national rebates for 13 million Americans.

Perhaps the most important thing that most Americans don't recognize, the thousands of dollars that those of us who do have health insurance throughout America that we pay premiums to our insurance companies to cover care, not for us and our families, but for those of us who don't have insurance, the free-riders, that will start to drop. Those are the things that are at stake.

Yet while it took 100 years for us to get to this point, it has taken our Republican colleagues only a year and a half to vote over 30 times to try to repeal these patient rights and protections, patient rights and protections that President Obama promised, this Congress delivered, and the Supreme Court affirmed.

My Republican colleagues say that to repeal and replace these patient rights protections is the right way to go, but the only thing we have seen from them on this floor is all repeal and no replace. It's time for this Congress to get to work on the most important thing before us, getting Americans back to work. Let us vote this down and get to work.

Mr. CANTOR. Madam Speaker, I yield 1½ minutes to the gentlewoman from Washington, the Republican Conference vice chair, Mrs. MCMORRIS RODGERS.

Mrs. MCMORRIS RODGERS. I thank the leader for yielding.

Madam Speaker, I rise in strong support of this legislation today to repeal ObamaCare because the control of health care and health care decisions belongs in the hands of patients, families, and their doctors.

ObamaCare was a Big Government takeover of one of the most personal aspects in our lives; and I come to this debate as a mom, as a wife. I have two children, one that was born with special needs.

I understand firsthand, talking to so many within the disabilities community, and I hear their fear, their fear of not being able to find the doctors, not being able to find the therapists within the Medicaid programs, within TRICARE because of the government. These are government programs that are too often making false promises.

I think about my parents, who are signing up for Medicare, and the over $500 billion in cuts to the Medicare program. In eastern Washington, it is very difficult to find a doctor right now who will take a new Medicare patient.

Because of ObamaCare, my family, like millions all across this country, are facing longer lines, fewer doctors, and lower quality of care. We can and we must do better. If we don't repeal this law, the results are going to be disastrous.

CBO, the Congressional Budget Office, has already estimated 20 million Americans will lose their employer-provided health insurance. Health care premiums continue to soar. Innovation, lifesaving technology and devices are being threatened.

The first step to putting individuals and families back in charge of their health care is to repeal ObamaCare, and I urge support.

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Mr. LARSON of Connecticut. It gives me great honor to yield 1 minute to the dean of the Connecticut delegation and a voice for compassion and who believes passionately about this health care law that's in effect for the American people, ROSA DELAURO of Connecticut.

Ms. DELAURO. What will happen if the House majority succeeds in repealing the Affordable Care Act? Seventeen million children with preexisting conditions will once again be denied coverage; 6.6 million under 26 will no longer be covered by their parents' insurance plan; insurers will be allowed to discriminate against women again, charge them more, deny them coverage because they've had a Cesarean section, and leave maternity and pediatric care out of their policies. The doughnut hole reopens, costing seniors billions of dollars; 360,000 small businesses lose tax credits. Americans will have to pay out-of-pocket for preventive services like cancer screenings and wellness exams, preventive services that could have saved the life of Celia, a 50-year-old East Haven woman who died from breast cancer because she simply could not afford a mammogram. And 30,000 Americans will lose their health insurance and be left to their fate while every single Republican in this House will maintain their health care coverage.

Repealing the Affordable Care Act is wrong. It was wrong the first time. It is wrong the 31st time. Welcome to Groundhog Day in the House of Representatives.

The SPEAKER pro tempore (Mrs. EMERSON). The time of the gentlewoman has expired.

Mr. LARSON of Connecticut. I yield the gentlewoman an additional 10 seconds.

Ms. DELAURO. This majority needs to stop working to put American families at risk and start working to make our economy healthy.

Mr. CANTOR. Madam Speaker, I yield 1½ minutes to the gentleman from Georgia, the Republican Policy Committee chairman, Dr. PRICE.

Mr. PRICE of Georgia. I thank the leader.

As a physician, one of the tenets of medicine is: first, do no harm. Sadly, the President's law does real harm.

The Supreme Court has said that the law is constitutional. That doesn't make it good policy. It harms all of the principles that Americans hold dear as it relates to health care—it increases costs, decreases accessibility, lowers quality, and limits choices—the wrong direction for our country. It harms patients—especially seniors—by removing $500 billion from Medicare and having 15 unaccountable bureaucrats deny payment for health care services—decisions that should be made by patients and doctors, not by government. It harms doctors, over 80 percent of whom in a recent poll said that they would have to consider getting out of medicine because of this law. And it harms our economy, killing over 800,000 jobs and making it more difficult for small businesses, the job-creation engine of our Nation, to create jobs.

And it's that much more frustrating because it doesn't have to be this way.

There are positive solutions that don't require putting Washington in charge. There's a better way, and the first step to that better way is to repeal this law so we may work in a rational, deliberative, and, yes, bipartisan process for patient-centered health care where patients and families and doctors make medical decisions, not Washington.

The President's law doesn't just harm the health of patients and seniors; it harms the health of our economy and our Nation. And the first step to replace is to repeal. And we can start today.

Mr. LARSON of Connecticut. Madam Speaker, may I inquire as to how much time we have on both sides.

The SPEAKER pro tempore. The gentleman from Connecticut has 4½ minutes remaining, and the gentleman from Virginia has 5 minutes remaining.

Mr. LARSON of Connecticut. I yield 1 minute to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. I thank the gentleman for yielding.

As has been said, for the 31st time in this Congress the House Republicans are trying to put insurance companies back in charge of America's health care. The House Republicans are preoccupied with taking away the patient protections while they're keeping their own protections.

I recently got a letter from a woman named Annie who lives in East Bay of the San Francisco Bay area and she told me how vital this law is to her and her family. Her husband is self-employed. He has diabetes; and thanks to the Affordable Care Act, the husband will finally have access to quality, affordable coverage. Annie's daughter has a preexisting condition; and thanks to this law, the insurance companies won't be allowed to deny her daughter coverage. And Annie's son, a 25-year-old, thanks to this law, is able to get on his mother's health care plan and save the family a great deal of money.

But today, the Republicans want to take that all away. They want to take away all these protections and these benefits that American families haven't had in the past. Today, the Republicans in the Congress want to put the insurance companies back in the business—the same insurance companies that took away your policy when your child was born with a disability; the same insurance companies that didn't allow you to have cancer surgery because you had a lifetime limit or they decided you had a preexisting condition; the same insurance companies that decided that your children would be kicked off your policies when they're 18.

I don't think we should go there, America. But that's what repeal brings you. That's the Republican plan: to give it all back to the insurance companies. After a hundred years of struggling, take it away and give the power to the people to determine their own health care needs and the kind of policies that they need.

Mr. CANTOR. Madam Speaker, I yield 3 minutes to the majority whip, the gentleman from California (Mr. MCCARTHY).

Mr. MCCARTHY of California. I thank our respected leader for yielding.

From the moment ObamaCare was introduced, House Republicans and the American people have expressed concerns about the quality, the cost, and the effect that it would have on jobs. We're here today because the Supreme Court ruling made one thing clear: it's up to Congress to do the repeal of the devastating tax increase and what it would effect upon our economy.

As we all know, ObamaCare stands today because the Supreme Court said it's constitutional as a tax. The Chief Justice stated in his opinion:

> Members of this Court are vested with the authority to interpret the law; we possess neither the expertise nor the prerogative to make policy judgments. Those decisions are entrusted to our Nation's elected leaders, who can be thrown out of office if the people disagree with them. It is not our job to protect the people from the consequences of their political choices.

But it is our job. And, unfortunately, we have learned over the past 2 years this law has proven to be bad policy. And you know what's more important? It's filled with broken promises.

We all remember President Obama's first promise: if you like the health care you have today, you can keep it. Well, that's not true. Eighty percent of those in small employer plans risk even keeping what they have today. The President also promised the law would bring down premiums by $2,500. But that's not true either because it's already been increased $1,200. The CBO says it will even rise higher.

President Obama did promise as I sat right here and listened to him that he would not add one dime to the deficit. Well, you know what? That's not true either. It's going to add billions of dollars. President Obama promised he would not raise taxes on those making less than $250,000. It turns out ObamaCare includes 21 new taxes—12 of them on the middle class.

Promises made, promises broken.

There was another President from Illinois who was quoted as saying:

> As our case is new, so we must think anew, and act anew. We must disenthrall ourselves, and then we shall save our country.

Well, now is the time to listen to the American people. Now is the time to put the patient first while they are empowered. Now is the time to repeal and begin to bring this country back together with a quality of health care where the patient has the choice, not the government.

Mr. LARSON of Connecticut. I yield myself 15 seconds as we ask the dean of the delegation to step forward and just say that aside from the platitudes that we've heard today as have been expressed by many on our side and some of the eloquence of debate that we've heard, we continue to see no plan from the other side but a persistent endeavor to repeal a plan that would cost more than a hundred billion dollars for the taxpayers.

I yield 1 minute to the dean of the House of Representatives, the gentleman from Michigan, JOHN DINGELL.

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

Mr. DINGELL. I thank my good friend for yielding.

This is the gavel I used when I presided over the passage of Medicare and when I presided over the passage of legislation called ACA. This legislation takes care of the American people. I'm willing to loan it to my Republican colleagues if they'll use it in a good cause. It's even been on television with ''The Daily Show.''

But what is important here is you're going to win the vote, but you're going to lose the case and the debate because the American people know what you're trying to take away from them. This is the 31st time we've voted on this. And it is the law.

We have 44 days left to finish the business of this Congress, according to your whip's office. And interestingly enough, we're not going to deal with important questions like jobs, employment, the economy. We have the worst economy, which the President inherited, since the days of Herbert Hoover.

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The American people are going to wonder why this Congress has not been doing it. Well, the reason is the Republicans have been wasting the public's time. And in those 44 days, they're not going to be able to do the Nation's business. The unemployed are going to continue to be unemployed.

I'll loan you the gavel if you promise to use it for something good because it's a fine piece of wood and its tasks in terms of dealing with the public's concerns are not yet done.

But having said these things, I say shame. You are wasting the time of the American people. You are wasting the time of the Congress.

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

Mr. LARSON of Connecticut. I yield the gentleman an additional 1 minute.

Mr. DINGELL. You're wasting the time of the Congress. You've told us how you're going to repeal and replace. Where is the replacement? It is not to be seen. Where are the steps that you should be taking about jobs and opportunity for the American people? They are not to be seen.

You have the gavel, use it. Use the leadership that the people have given you to lead the Congress of the United States. The Democrats will work with you. But you won't work with us, and you won't work for the American people.

The time of dealing with the business of this Nation is short, and the needs of the American people are great. But nowhere are we seeing anything done by our Republican colleagues except to get up and denounce ObamaCare.

I say have a more enlightened outlook and proceed to do the Nation's business well.

Mr. CANTOR. Madam Speaker, I am prepared to close and reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from Connecticut has 2 minutes remaining.

Mr. LARSON of Connecticut. Thank you, Madam Speaker.

I want to compliment both sides for the quality of debate that has occurred on this floor over the last couple of days.

Today, we are here for the 31st time to act on repealing the Affordable Care Act. I give my colleagues credit for their persistence, but I'm deeply troubled by the obstinacy and the obstruction that they have demonstrated in an almost callow indifference to the needs of American families. Most importantly, the simple dignity that comes from a job that more than 14 million of our Americans are being denied, and we can't, in this great civil body, bring forward the President's bill that will create jobs.

One of the people in my district, Signe Martin, said, do you not understand that you have plunged us into the dark abyss of uncertainty?

The only thing that creates and corrects that situation is the simple dignity that comes from a job. And yet today, we spend our time on the floor talking about something where we should be working together, where Members on our side of the aisle, who would have preferred Medicare for everyone—the majority of our caucus would have been there—and yet embraced the compromise that extolled the virtues of the Romney plan in Massachusetts. But there is no room for compromise on the other side of the aisle.

So we can only surmise this: that you would rather see the President fail than the American people succeed. Person after person on both sides of the aisle have gotten up and talked about the need for us to come together. You embrace most everything that's in this plan but would rather see the President fail than the Nation succeed.

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

The gentleman from Virginia is recognized for 2 minutes.

Mr. CANTOR. Madam Speaker, I introduced this legislation on behalf of my colleagues so that we may all be on record following the Supreme Court's decision in order to show that the House rejects ObamaCare and that we are committed to taking this flawed law off the books.

This is a law, Madam Speaker, that the American people did not want when it was passed, and it remains a law that the American people do not want now.

First and foremost, ObamaCare violates President Obama's central promise to the American people that if they like their current health coverage, they can keep it. The vast majority of people in this country like the health care that they have and they want to keep it. But now, thanks to this law, patients across the Nation are losing access to the health care they like. Millions stand to lose health care coverage from their employers because ObamaCare is driving up costs and effectively forcing employers to drop health care coverage.

Beyond that, ObamaCare takes away from patients the ability to make their own decisions and individual choices. Instead of letting patients and their families work with their doctors to decide the best care, ObamaCare puts Washington in the driver's seat to make health care choices for them and their families.

Taking away choice, driving up costs, and making health care dramatically more expensive is not the prescription that Americans asked for.

Madam Speaker, we know in this tough economy we need to be doing everything we can to help our small businessmen and -women. They are struggling because of uncertainty and facing the prospect of one of the largest tax hikes in history. ObamaCare increases that burden by adding new costs and more red tape. The new harsh reality is that creating new jobs and bringing on new employees may just be too expensive and too burdensome if this law is left to stand.

The President said throughout the health care debate—as did former Speaker PELOSI and my colleagues on the other side of the aisle—that his health care law was not a tax. Well, we now know that the Supreme Court has spoken: It is a tax. Madam Speaker, it's time to stop all the broken promises and get back to the kind of health care people in this country want.

It cannot be overlooked that ObamaCare also has disastrous implications for the moral fabric of our Nation. Despite the claims to the contrary, this law actually paves the way for Federal funding of abortion, violating many individuals' religious, ethical, and moral beliefs. It is also the basis from which President Obama launched an assault on the religious freedom of millions of Americans by requiring employers to cover items and services with which they—and perhaps their employees—fundamentally disagree.

Washington-based care is not the answer. There is a better way to go about improving the health care system in this country. The American people want patient-centered care that allows them to make the very personal decisions about health care with their families and their doctors. They want to keep the care they like. They want to see costs come down, and they want health care to be more accessible. That is the kind of health care we on the Republican side of the aisle support, and frankly the type of care that the vast majority of the American people support.

Madam Speaker, we have said since day one that we must fully repeal this law. Today, we can start over and we can tell the American people, we are on your side, we care about your health care, and we want quality care at affordable cost. We listened, and we've acted.

I yield back the balance of my time.

Mr. REYES. Madam Speaker, I rise today in opposition to the 31st attempt to undermine the Affordable Care Act. Since the passage of the Affordable Care Act, tens of millions of Americans are already receiving better care as well as better value for their health care dollars. Already, Americans are benefiting from the provisions that have been implemented. In fact, 6.6 million young Americans now have health coverage until age 26, 105 million Americans are no longer facing lifetime limits on health benefits, and 17 million children with pre-existing conditions can no longer be denied coverage.

Instead of focusing on jobs legislation, Republicans are once again trying to take away patient protections by seeking to repeal the Affordable Care Act. Instead of providing solutions to the provisions in the law that they would like to see changed, they would rather repeal the whole law and all the positive changes that come along with it. This constant push to take away patient protections is no longer based on logic, but is clearly a partisan political ploy to score cheap points at the expense of millions of Americans.

We should turn our efforts to tackling our nation's larger problems, such as the economy and job creation. Let's move beyond this vote and demonstrate our commitment to the American people.

My Republican colleagues have requested that we work together, but, as they seek to once again make America a country where millions of people are uninsured and unable to afford health care, their actions speak louder than their words.

The Republican proposal to repeal the Affordable Care Act would affect thousands of El Paso residents who are already benefiting from the law, including the 52,000 children who are no longer denied insurance due to pre-existing conditions, the 2,900 seniors who have saved $1.8 million in drug costs, and the over 360 small businesses who received new tax credits to help them expand health care coverage to their employees.

Republicans seem to forget how things were before the Affordable Care Act. For example, one family in my district faced significant health care related financial difficulties. They had a daughter with a severe disability who had undergone 17 surgeries, numerous hospitalizations, required constant care, and treatment that cost up to $2,000 a month. The couple's private insurance company implemented lifetime caps to prevent a major loss of profits at the expense of the health of the young girl. As a result, the family had to cover the medical expenses out of pocket and went bankrupt. While the current Affordable Care Act would prevent private insurance companies from using lifetime cap provisions to bar critical services to patients like this young girl, this couple's private insurance took advantage of the lax regulations at the time and left the family to fend for themselves.

There are countless other examples of El Pasoans who faced similar situations. There are those who had been denied coverage because of pre-existing conditions and others

who faced similar situations with insurance companies who took advantage of lax health care oversight. That was then—now, the Affordable Care Act gives families the opportunity to have the best life possible.

Madam Speaker, I urge my colleagues to reject this misguided legislation.

Mr. BACA. Madam Speaker, I rise today in support of the Affordable Care Act.

This law is already providing relief to millions of Americans, and almost 20 percent of Californians.

Already, nearly 3 million people with Medicare in California have received free preventive services or a free annual wellness visit with their doctor.

The Affordable Care Act strengthens Medicare and reduces costs for seniors, by eliminating the donut hole that hurt many of our seniors in the past.

Right now, there are 435,000 young adults in California under the age of 26 who now have coverage because they were able to stay on their parent's plan—like Ms. Sandra Rodriguez and her daughter of San Bernardino, California.

And, over 8,600 uninsured California residents who were denied coverage because of a ''pre-existing condition'' are now insured because of this law.

Finally, Americans are in charge of their health care, not insurance companies.

Repeal takes our nation in the wrong direction. We need to move forward and ensure health equality for all.

Mr. RUNYAN. Madam Speaker, I rise in support of H.R. 6079, the Repeal Obamacare Act. It has been over two years since the partisan Patient Protection and Affordable Care Act was signed into law by President Obama and the country is still looking for reform.

When ObamaCare was introduced, the public was assured this was not a tax, but we have come to realize that this is, in fact one of the largest tax increases on the middle class in recent memory. We were told that ObamaCare would strengthen Medicare, but in fact the bill diverts $500 billion from Medicare to pay for other provisions of ObamaCare.

The United States needs real commonsense healthcare reforms, which is why I urge my colleagues to support H.R. 6079. We must work together in a bi-partisan manner to support reforms that will lower costs, like allowing individuals to search for insurance across state lines and comprehensive tort reform, while continuing to protect individuals with pre-existing conditions and allowing children to remain on their parents' insurance plan.

Mr. COSTELLO. Madam Speaker, I rise today in opposition to yet another effort to repeal the Affordable Care Act. Passed by the House and the Senate, signed by the president and confirmed by the Supreme Court, I do not support repeal of this law.

While the Affordable Care Act is not perfect, it has had tremendous positive impacts already, eliminating pre-existing condition restrictions, allowing young adults to remain on their parents' insurance until age 26, and making prescription drugs more affordable for our seniors. For too long our system has needed to be reworked to achieve greater savings and improved patient outcomes. Now that the Supreme Court has found this law constitutional, we need to concentrate on implementing it as efficiently as possible. The statistics speak for themselves:

105 million Americans no longer have a lifetime limit on their coverage.

As many as 17 million children with pre-existing conditions are no longer threatened by denial of coverage.

6.6 million young adults up to age 26 are covered under their parents' policies. Without that coverage nearly half of them would be uninsured.

5.1 million seniors in the ''donut hole'' have already saved over $3.2 billion on prescription drugs.

Madam Speaker, rather than practicing partisan politics, we owe it to our constituents to work together to ensure the Affordable Care Act continues to make health care more affordable and accessible for millions of Americans. Today's vote is another effort to take us in the wrong direction, and I urge my colleagues to oppose it.

Ms. DELAURO. Madam Speaker, if the Majority succeeds in repealing the Affordable Care Act, as they have tried to do over thirty times now, it will be the women of America who are especially harmed.

Insurance companies will be allowed to charge women more for the same coverage once again. They will be able to withhold coverage from women who have had a child or a C-section, or even who have been victims of domestic violence.

Coverage for maternity and pediatric care will all disappear. Women will lose access to the free recommended preventive screenings that save lives. Subsidies to help working mothers buy insurance for their families will dry up.

We know for a fact this will happen. According to the National Women's Law Center, over 90 percent of the best-selling plans in states that have not already banned gender rating still charge women more than men for the same coverage. This costs women and their families approximately $1 billion a year.

And this is what the House Majority wants to bring us back to. We fought hard two years ago to put woman's health on an equal footing with that of her spouse, son, and brother at last. We should build on that, not throw it all away.

If the Majority wants us to think they care about women's health, it is time for them to walk the walk. That means stopping these partisan political games, and allowing the fully constitutional reforms in the Affordable Care Act to work for women.

Mr. DAVIS of Illinois. Madam Speaker, when it comes to health care in the United States low-income and minority people are underserved and uninsured, with this in mind the health care reform legislation was passed by Congress and signed into law by President Obama on March 23 of 2010. This law ensures that all Americans have access to quality, affordable health care. The non-partisan Congressional Budget Office has determined that this law will provide coverage to 32 million more people, or more than 95 percent of Americans, while at the same time lowering health care costs over the long term and reducing the deficit by $138 billion through 2019, with $1.2 trillion additional deficit reduction in the following 10 years.

When considering this law I cannot help but think of the 52,000 children and families from the 7th district of Illinois that do not have coverage or have low-quality health care coverage. The Affordable Care Act provides the following benefits to these individuals:

Improves coverage for 334,000 residents with health insurance.

Gives tax credits and other assistance to up to 158,000 families and 14,100 small businesses to help them afford coverage.

Improves Medicare for 76,000 beneficiaries, including closing the donut hole. Extends coverage to 52,000 uninsured residents.

Guarantees that 11,500 residents with pre-existing conditions can obtain coverage.

Protects 1500 families from bankruptcy due to unaffordable health care costs.

Allows 60,000 young adults up to the age of 26 to obtain coverage on their parents' insurance plans.

Provides millions of dollars in new funding for 92 community health centers.

Reduces the cost of uncompensated care for hospitals and other health care providers by $222 million annually.

The Affordable Care Act will help begin to fill the Medicare Part D drug doughnut hole to reduce the cost burden for 76,000 beneficiaries in my district. It's going to extend coverage to 52,500 uninsured individuals who currently go to the county hospital. This legislation, in my mind, is the most impactful health legislation that we have seen since Medicare and Medicaid. The positive impact of this law extends beyond my district, to every district in our country.

The Affordable Care Act provides new ways to bring down costs and improve the quality of care for every individual, including those individuals who historically have had little to no health coverage. This is evident because each year more than 83,000 racial and ethnic minorities die as a result of lacking access to high quality and culturally competent health care. In turn, this cost us more than $300 billion every year. I am so thankful that there is finally equal access to health care coverage. We should be proud that now children, the elderly, low-income, and minorities can equally access preventative services, primary physicians, and urgent care. I believe the expansion of coverage to these individuals has a major impact on the health of the current generation, as well as future generations.

This law ensures that more than 17.6 million children with pre-existing conditions can no longer be denied quality coverage. It also allows children to stay on their parents' health insurance up to age 26. Now, 410,000 African-American and 736,000 Latino, young adults between the ages of 19–25, who would have been uninsured are now covered under their parents' health insurance. To date about 6.6 million young adults up to age 26 have already taken advantage of this section of the law, and have to obtained health coverage through their parents' plan. Considering 3.1 million of those young adults would be uninsured without this coverage, this law has made a major impact in young peoples' lives. I believe it is imperative to the future well-being of our country that we provide the upcoming generations with this form of adequate and equal healthcare coverage.

In addition, the law now includes a section regarding funding to states for home visitation programs. The funding provides a critical opportunity for federal, state, and local communities to improve the health and well-being of children and families. Quality, early childhood visitation is a proven and cost-effective method to improve schools readiness, well-being, and health for children and families. I truly believe in the importance of this provision that is

why we have worked bipartisantly for over five years to establish these evidenced based prevention grants to prepare our youngest citizens for success in school and life.

Older adults spend more money on health related costs than any other age group and they have the most health related needs, for this reason I am grateful that this law extends coverage to older adults. I am proud that we can now rest assured because, 4.5 million African American and 3.9 million Latino elderly and disabled who receive Medicare will have expanded access to preventative services with no cost-sharing, including annual wellness visits with personalized prevention plans, diabetes and colorectal cancer screening, bone mass measurements and mammograms. In fact, during 2011, 2.3 million seniors had a free Annual Wellness Visit under Medicare. We have seen this law continue to help older adults during 2012, with already 1.1 million seniors receiving a free visit within the past six months. We should also note that in 2011, 32.5 million seniors received one or more free preventive services. I believe this is outstanding, and with 14 million seniors having already received these services this year, we can anticipate even more seniors being served by the end 2012.

I am proud that the Affordable Care Act also includes the Community First Choice Option, it is a provision I have worked very hard on. This law is a major step forward to ending Medicaid's institutional bias by allowing states to give individuals with disabilities who are Medicaid eligible and who require an institutional level of care to choose between receiving care at home or in a nursing facility. Receiving community-based services and supports is critical to allowing people to lead independent lives, play an active role in day-to-day family life, have jobs, and participate in their communities. These are services our older adult population and citizens with disabilities need. It will keep them stronger and healthier longer.

I am extremely happy that in 2014 Medicaid coverage will expand to include families with incomes at or below 133 percent of the federal poverty guidelines. Our public health care system is overloaded and stretched past the breaking point and the extension of Medicaid is critical to sustaining that system. This expansion will now include adults without dependent children living at home; this is a population that has previously not been eligible in most states. This ensures that all individuals have equal access to health care coverage. I will be watching closely to ensure that this provision of the law is implemented in a manner consistent with the best interests of the American people.

The Affordable Care Act has expanded coverage to minority and low-income individuals, who have historically had the lowest heath care coverage. In fact, it is estimated that by 2016, 3.8 million African Americans and 5.4 million Latinos, who would otherwise be uninsured will gain coverage. This means that by 2016, 6.2 million Americans who would otherwise have to go to the emergency room for a minor ear ache now has the opportunity to go to a primary physician at a medical home. Also, starting in August, millions of women will begin receiving free coverage for a package of comprehensive women's preventive services. This allows us to anticipate lower rates of prenatal medical issues and that future generations will be born healthy.

The law also provides funding to improve quality of care and management of chronic diseases that are more prevalent amongst African Americans and Latinos. This will ensure that individuals with chronic diseases can receive the medication and care needed for their wellbeing. It is reassuring to know that 105 million Americans will no longer have a lifetime limit on their coverage.

I feel that one of the greatest benefits of the Affordable Care Act are the laws that assists medical institutions in eliminating disparities that both African Americans and Latinos face in their heath care services. More funding is now going towards data collection and research about health disparities. The second part of this funding extends to increase racial and ethnic diversity of health care professionals and strengthen cultural competency training among providers. This will improve diversity and equality in the health care industry. In fact it is estimated that by 2014 the percentage of African Americans in the National Service Corps will increase from 6 percent to 18 percent, and the percentage of Latinos will increase from 5 percent to 21 percent. This is an amazing improvement that I am proud to witness during my service. I hope that this increase in diversity inspires and empowers the next generation of doctors, nurses and surgeons to advocate for even further health care equality for all people.

Mr. ISRAEL. Madam Speaker, I rise today to speak in opposition to the Patients' Rights Repeal Act.

House Republicans began the majority by passing a budget that takes Medicare away from seniors. They are now trying to end their majority by passing a repeal of patient protections for everyone else in the middle class.

With this bill, they will take away a woman's protection against an insurance company's decision to deny coverage because breast cancer is a preexisting condition. They will take away coverage of kids on their parent's policy until the age of twenty-six. They will take away the prohibition against lifetime and annual limits.

House Democrats want to move forward to pass comprehensive legislation to help small businesses create jobs and strengthen the middle class. House Republicans want to move backwards to repeal patient protections in order to help big insurance companies and weaken the middle class.

Mr. BISHOP of Georgia. Madam Speaker, when I first ran for Congress in 1992, I pledged to my constituents that I would use the political process to improve the lives of people and communities of the Second Congressional District of Georgia. For this reason, I supported the Affordable Care Act in 2010 because I believed that it would make a significant difference in making health care more affordable and more accessible.

I still believe in the effectiveness of the law more than two years after its enactment. In fact, it is needed now more than ever. My District has high rates of diabetes, cancer, heart disease, and obesity. Many of my constituents cannot get health insurance because they have reached their lifetime limit or they have a pre-existing condition. I also have heard from seniors who cannot afford their prescription drugs because they have fallen into Medicare's "donut hole," small businesses owners who find the cost of health insurance to be too high, and residents of rural communities who must travel long distances to find a doctor.

They deserve better. We all do.

Repealing the Affordable Care Act would be a significant setback for these Georgians as well as the entire nation. According to a Washington Post editorial Tuesday, since the health reform law was enacted, increases in national health expenditures have slowed, saving Americans more than $220 billion. In Georgia alone, the closure of the "donut hole" in coverage to date has saved Medicare recipients over $13 million. Already over three million residents are free from worrying about lifetime limits on coverage. The law's insurance reforms, which already have taken effect, will allow 123,000 young Georgians stay on their parents' plan until age 26 and ensure the protection of over 26 million children nationwide with pre-existing conditions.

Now that it has been upheld by the United States Supreme Court, we must work together to ensure that the Affordable Care Act remains the law of land so that America can be a healthier, more prosperous, and more just nation.

What I said two years ago still holds true today. As a man of faith, I know that Jesus taught us to provide and care for others, especially the "least of these," or those that have few advocates. I believe He would take care of this immediate need of the people and not let them fend for themselves. This law goes a long way toward living up to this moral principle, and I urge my colleagues to oppose its repeal.

Mrs. MILLER of Michigan. Madam Speaker, I have some simple questions for those who support Obamacare . . . how does the hiring of over 16,000 new IRS agents provide anyone greater access to care? How does hiring 16,000 new IRS agents improve the doctor patient relationship? How does hiring 16,000 new IRS agents lower the cost of healthcare?

The fact is those new IRS agents won't do anything to improve healthcare because IRS agents don't help deliver affordable and accessible healthcare—they collect taxes and Obamacare is definitely chock full of new taxes to be collected.

Taxes on tanning, taxes on healthcare policies the government deems are too good, taxes on employers for providing health insurance the government deems is not good enough, taxes on income, taxes on drug manufacturers, taxes on medical devices, and even a massive new tax for not having health insurance.

While President Obama has done little to help create the private sector jobs we so desperately need in this country he has certainly done a lot to promote full employment among tax collectors.

The fact of the matter is those who wrote this bill sold it to Congress and the American people saying that the individual mandate was not a tax, and it is a massive new tax. And I would hazard to say that if it was sold as what it truly is then it never would have passed either the House or Senate.

Just before passage then Speaker PELOSI famously said we had to pass the bill to find out what's in it. Well the American people have found out what is in Obamacare and they don't like it one bit. Sure there may be parts that they like, but not the full trillion dollar monstrosity.

We can do better and the American people certainly deserve better.

Let's repeal this bill today, start over and give the American people what they want . . .

legislation that supports private sector solutions to reduce costs, improve access to care and strengthen the doctor patient relationship out of the reach of your local IRS agent.

Mr. RIVERA. Madam Speaker, I rise in support of the ''Repeal of Obamacare Act'' before us today. I commend our Leadership for bringing this bill to the Floor so quickly to enable us to start the important process of repealing and replacing this job-destroying healthcare law. Our vote today demonstrates once again our commitment to our constituents that we will protect them from government interference with their relationship with their doctors and fulfills our promise that we will protect all Americans from new taxes on the middle class.

I strongly support healthcare reform, for example, by offering tax credits for individuals to purchase healthcare insurance, by allowing small businesses to pool together beyond state lines, thus gaining bargaining leverage to purchase more affordable health insurance policies for their workers, and by prohibiting insurance companies from denying coverage due to pre-existing conditions.

As we begin the process of replacing Obamacare with commonsense reforms that lower healthcare costs for families and small businesses and increase access to affordable quality care, we must ensure that the replacement includes critical Medicaid funding for Puerto Rico and the other territories. The funding, originally added to Obamacare legislation because it was the sole legislative vehicle available at the time, has just begun to reverse federal policy that has treated our fellow Americans in Puerto Rico inequitably. Where previously Washington paid less than 20 percent of Puerto Rico's Medicaid costs, the federal government is now paying 35 percent of the cost of the program. This is a step in the right direction, but still far below equal treatment. By comparison, the federal government pays nearly 70 percent for the District of Columbia's program and 75 percent for Mississippi's program. How can we continue to ask the U.S. citizens of Puerto Rico to do their share in service to our country—with hundreds of thousands serving honorably in the U.S. military—when the federal government isn't doing its part to treat them fairly in federal programs like Medicaid? This isn't about a hand out, but rather a level playing field to provide a fair and just level of medical care to every American citizen.

I have voted to repeal Obamacare, and will continue to do so until we prevail, and intend to work on reform measures that include access to high quality health care at affordable costs. Ensuring the current levels of Medicaid funding for Puerto Rico and the territories must be part of that reform effort.

Mr. MARCHANT. Madam Speaker, the Supreme Court ruled that the individual mandate was Constitutional. But the cost of the Patient Protection and Affordable Care Act, or ''Obamacare'', remains grievously unsustainable. Unless Obamacare is repealed, either in whole or in part, America's healthcare system will prove to be a ticking fiscal time bomb.

Regardless of the Obama plan, healthcare payment rates across Medicare, Medicaid, and private insurance are alarming. According to the Congressional Budget Office, between 1975 and 2005, annual per-person health spending in the United States rose, on average, 2 percentage points faster than per-person economic growth. In other words, healthcare costs have outpaced our national income.

Now add Obamacare: massive new entitlements, additional dependence on government, tax hikes, bureaucratic micromanagement of healthcare, and the possibility of Congress taxing other forms of inactivity in the future. In 2014, Obamacare will significantly expand Medicaid to childless adults with incomes up to 138 percent of the poverty level. If states don't expand Medicaid, 11.5 million very poor adults will be on their own. That is more than the entire population of Greece.

Americans that fail to follow the healthcare mandate will be required to pay a penalty, or an Obamatax, starting in 2014. When fully phased in two years later, the penalty will be $695 for each uninsured adult or 2.5 percent of family income, whichever is greater, up to $12,500.

Madam Speaker, America is facing a genuine healthcare crisis. But our country also has 13 million unemployed and millions of others are struggling. They simply can't afford a new tax imposed by Washington. There is a way to improve both our healthcare system and fiscal outlook, and it starts by repealing Obamacare.

Mr. PLATTS. Madam Speaker, today's vote by the U.S. House of Representatives to repeal the health care law will ensure continued scrutiny of a complex law that was wrongly rushed through the legislative process and largely remains a mystery to a vast majority of the American people. Given that rising health care costs are the main driver of our Nation's long-term debt crisis, it is imperative for Congress to fully debate a policy that will have such dramatic ramifications for future generations of Americans.

The health care law was enacted more than two years ago. Yet health care costs continue to rise. Uncertain business owners are hesitant to invest and hire workers. And major portions of the law—including higher taxes on businesses, increased taxes on certain medical devices, and countless new regulations—have yet to even be implemented. This massive new entitlement program will cost taxpayers more than $2 trillion per decade, further burdening our already crippling national debt.

Truly reforming our health care system requires a common-sense, step-by-step approach that will lower costs and better ensure access to affordable, quality health care. Opponents of the health care law have long proposed alternative solutions—such as allowing small businesses to form health insurance pools and join together across state lines to purchase health insurance, medical malpractice liability reform, and insurance reforms addressing the issues of pre-existing conditions and allowing young adults to remain on their parents' plans—that would achieve these goals.

The status quo in health care is clearly unacceptable. A narrow majority of the Supreme Court may have upheld the constitutionality of the health care law last week, but that does not change the fact that this law is clearly bad public policy. Congress must continue to press for true, common-sense reforms focused on lowering the cost of health care for all Americans.

Mr. POSEY. Madam Speaker, I rise to express my support for the bill before us today that would repeal the health care law. The new health care law is unworkable, unaffordable, compromises the doctor-patient relationship, and undermines individual liberty and personal freedom. It was for these reasons and others that I opposed the bill two years ago.

Let's remember that this health care law was drafted behind closed doors and the American people were told by congressional leaders at the time that Congress had to pass it so that the American people could see what was in the 2,000-page bill. Americans have begun to see more of what is in the bill, and according to the latest polls most Americans want the law repealed. Dozens of states, including Florida, have indicated that they will do what the Supreme Court has said they can do, and that is to refuse to implement key components of the law.

For America's senior citizens there are key provisions of this law that are of great concern. The Congressional Budget Office's March 1, 2010 analysis concluded that the health care law cuts Medicare spending by at least $500 billion. It also leaves in place the flawed Medicare physician payment system that threatens senior's access to physicians as it allows a 33% reimbursement cut to take effect on December 31, 2012. This will harm seniors' access to medical care.

The new health care law makes deep cuts to Medicare Advantage plans, which will result in millions of seniors' losing their MA health plans. In fact, millions of seniors' were scheduled to lose their MA plans on December 31, 2012, except that the Administration ''found'' money to plug the hole for one year so that seniors would not receive a letter two months from now telling them that their MA health plan would no longer be available to them. Seniors are also very concerned about the Independent Payment Advisory Board (IPAB), which has broad unbridled authority to unilaterally eliminate Medicare benefits. IPAB must be repealed.

Americans were promised that they would be able to keep their current health care plan, but millions of Americans would have already lost their plan had a temporary waiver not been granted to simply delay their loss until next year. Millions more will lose their current coverage and be forced into government directed health care in 2014 if this law is not repealed.

Americans were told that the law would save money and would ''only'' cost $938 billion. However, the non-partisan Congressional Budget Office (CBO) recently raised the 10-year cost of the law to $1.8 trillion. The United States has a national debt of over $16 trillion and we simply cannot afford the new law, as it will continue to saddle future generations of Americans with debt they cannot possibly repay.

We were promised the health care law would ''lower your premiums by $2,500 per family'' by the end of 2012. But even the Kaiser Family Foundation's 2011 Annual Health Benefits Survey found that premiums increased by over $1,200 in just the first year since the law's passage and they expect premiums to continue climbing.

We do not need the health care law's 159 new federal agencies and boards that are being created to stand between you and your doctor. Twelve of the nearly two dozen new taxes included in the law will specifically increase taxes on those making less than

$250,000 a year. These new taxes will not make health care any cheaper, but will further add to the tax burden that is straining family budgets and hampering the ability of small businesses to create jobs.

While I believe that there are shortcomings in our health care system, this health care law was the wrong prescription, and it is for that reason it should be repealed and replaced with a plan based on individual choice, personal liberty and economic freedom.

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

Pursuant to House Resolution 274, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 6079 is postponed.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

RECESS

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

Accordingly (at 2 o'clock and 19 minutes p.m.), the House stood in recess.

□ 1500

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. EMERSON) at 3 p.m.

REPEAL OF OBAMACARE ACT

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of the bill (H.R. 6079) to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010, will now resume.

The Clerk read the title of the bill.

MOTION TO RECOMMIT

Mr. ANDREWS. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. ANDREWS. I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Andrews moves to recommit the bill H.R. 6079 to the Committees on Energy and Commerce, Ways and Means, and Education and the Workforce with instructions to report the same to the House forthwith with the following amendment:

Add at the end the following new section:

SEC. 5. MEMBERS OF THE HOUSE OF REPRESENTATIVES WHO VOTE TO REPEAL HEALTH CARE FOR THEIR CONSTITUENTS MUST FORFEIT THEIR OWN TAXPAYER-SUBSIDIZED HEALTH BENEFITS.

(a) FORFEITURE OF FEHBP BENEFITS BY ANY MEMBER VOTING IN FAVOR OF HEALTH CARE REPEAL.—A Member of the House of Representatives who votes in favor of passage of this Act (including the repeal of the patient benefit protection provisions described in subsection (b)) shall become ineligible to participate, as such a Member, in the federally funded Federal employees health benefits program (FEHBP) under chapter 89 of title 5, United States Code, effective at the beginning of the first month after the date of the enactment of this Act.

(b) PATIENT BENEFIT PROTECTION PROVISIONS.—For purposes of subsection (a), the patient benefit protection provisions described in this subsection include any provision of (or amendment made by) the Patient Protection and Affordable Care Act or the Health Care and Education and Reconciliation Act of 2010 that provides for or protects patient benefits, including the following:

(1) PROHIBITION OF PREEXISTING CONDITION EXCLUSIONS.—Section 2704 of the Public Health Service Act relating to the prohibition of preexisting condition exclusions or other discrimination based on health status.

(2) FAIR HEALTH INSURANCE PREMIUMS.—Section 2701 of the Public Health Service Act relating to fair health insurance premiums, and prohibiting gender-based discriminatory premium rates.

(3) COVERAGE OF ADULT CHILDREN UNTIL AGE 26.—Section 2714 of the Public Health Service Act relating to the extension of dependent coverage for adult children until age 26.

(4) CLOSURE OF MEDICARE PART D DONUT HOLE.—Section 1860D–14A of the Social Security Act relating to the Medicare part D coverage gap discount program.

(5) NO LIFETIME OR ANNUAL LIMITS.—Section 2711 of the Public Health Service Act relating to no lifetime or annual limits.

(6) PREVENTIVE HEALTH SERVICES COVERAGE WITHOUT COST SHARING.—

(A) Section 2713 of the Public Health Service Act relating to the coverage of preventive health services without cost sharing.

(B) The amendments made by sections 4103 and 4104 of the Patient Protection and Affordable Care Act (as amended by section 10406 of such Act), relating to an annual Medicare wellness visit and Medicare payment for preventive services without cost sharing including colorectal cancer screening.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey is recognized for 5 minutes in support of the motion.

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

Mr. ANDREWS. Madam Speaker, if my amendment passes, we will proceed immediately to final passage of this bill. It doesn't delay or defer consideration in any way.

My amendment raises the following question: Should Members of Congress live by the same laws we write for everyone else?

I say we should.

The last 2 days have been filled with sincere focus and passionate debate about the future of the Affordable Care Act. Members whom I respect and admire have taken strong positions saying we should repeal the law. Members whom I respect and admire have taken strong positions saying we should uphold and enforce the law, as I believe strongly.

But whether you believe in the repeal of the law or the upholding of the law, you ought to believe in the basic principle that when we write a law around here, we should live by that law the same way everybody else does. So my final amendment says that supporters of repeal should live by the same consequences that everyone else will live by if they succeed in repealing the law.

You see, because if my amendment does not pass and the bill passes, Members of Congress will be protected if an insurance company tries to discriminate against us because we have had breast cancer or asthma or diabetes, but our constituents will not enjoy that protection.

If my amendment does not pass but the underlying repeal bill does pass, Members of Congress cannot be forced to pay higher premiums because they are female or because they are a certain age, but our constituents will not enjoy that protection.

If the final bill passes without my amendment passing, we will be able to take our sons and daughters who are less than 26 years of age and keep them on our own policies, but the people who pay our salaries, our constituents, will not have that protection.

If the underlying repeal bill passes without the amendment that I'm offering, then we would, as Members of Congress, get help paying high prescription drug bills under Medicare, but our constituents under Medicare would not enjoy that same benefit.

If my amendment does not pass, and the underlying repeal bill passes, if, God forbid, a member of our families is struck with a horrible disease or malignancy and runs up millions of dollars of bills, the insurance company will not be allowed to say, ''Sorry, we're going to stop paying your health care bills because you've run up against a lifetime or annual policy limit,'' but Members of Congress will have that protection.

So, you see, I think this comes down to a basic point: If we write a law, we should live by it. This is something that I think most Members, liberal, conservative, Republican, Democrat, say when we go home to our district.

We, frankly, have all encountered constituents who wonder why we don't pay into Social Security. The truth is we all do—we all do—just the way our constituents do.

We run into constituents who say that they don't understand why our sons and daughters can pay off their student loans or get them forgiven for free when their kids can't. That's false. Our sons and daughters live under exactly the same student loan rules everybody else does.

We have people ask us, you know, how come we don't follow the tax laws everybody else does. We most certainly do. Republican, Democrat, liberal, and

conservative live by exactly the same laws that we write.

□ 1510

I don't think we should make an exception to that policy here. And if you don't vote for this final underlying amendment—and I think we all should—if you don't vote for this final underlying amendment, understand what happens. Members of Congress are protected against preexisting conditions, but our constituents aren't. Members of Congress are permitted to have our sons and daughters on our policies until they're 26, but our constituents can't. Members of Congress can't be charged more for premiums because of their age or their gender, but our constituents can. Members of Congress under Medicare would get certain rights and privileges and their prescription drugs, but our seniors and constituents can't.

I think whether we agree or disagree with the Affordable Care Act, we all ought to agree with this principle: When Congress writes a law, we should all live by it.

So I would respectfully say to my friends, both Republican and Democrat, if you believe in the law you're having to vote for today, then vote to live under it as well. Vote ''yes'' on this motion to recommit.

I yield back the balance of my time.

Mr. CANTOR. Madam Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 5 minutes.

Mr. CANTOR. Thank you, Madam Speaker.

First of all, I would say to the gentleman, my friend from New Jersey, we on this side of the aisle care about the health care of the American people. That's why we're here. That's why I brought this bill forward, along with and on behalf of my colleagues. It is not about Members of Congress. It is not about trying to say that you get health care and we don't get health care.

This is a dire situation for millions of Americans. There are so many things going on right now—critical, critical needs out there across this country where people are out of work, people don't have their health care. People are hurting. And for us to sit here and discuss a motion to recommit like this, I just don't think, Madam Speaker, it is what the American people would like us to be doing. It is about health care for Americans.

Most Americans do have health care. Most Americans like the health care they have, but it's just too expensive. And more and more Americans are going to go without health care because of this law. And as the President said when he first started this discussion in 2009, Americans that have health care and like it should be able to keep it. Well, that is clearly a promise that's been broken. And we are trying to end the era of broken promises. We are trying to end the era of Washington-controlled health care.

We believe, as do most of the American people, that patient-centered care is our goal. That's where we need to start. We start along the path towards that goal by repealing ObamaCare. ObamaCare has added cost upon cost. In fact, the average American family, in terms of the premiums that they pay, has paid a premium increase of approximately $1,200 since the passage of ObamaCare. In fact, the CBO estimates that insurance premiums for individuals buying private health coverage on their own will increase by $2,100 in 2016 compared to what the premiums would have been if the law had not passed. This is why, when study after study is showing that people are not able to keep the health care they like, it's because of the cost. People aren't able to afford it. The employers are unable to afford it.

We are after patient-centered care. We are after affordable care. And we are trying to improve and enlarge the access to care. ObamaCare fails on all those fronts.

So, Madam Speaker, it is not a game to be played, as is evident in this motion to recommit. It is about the American people and that health care.

Madam Speaker, I urge my colleagues to vote against the motion to recommit and urge them instead to vote for the passage of repeal of ObamaCare.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and adoption of House Resolution 726.

The vote was taken by electronic device, and there were—yeas 180, nays 248, not voting 3, as follows:

[Roll No. 459]

YEAS—180

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
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
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NAYS—248

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cohen
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)

Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—3

Bonner
Jackson (IL)
Van Hollen

□ 1545

Messrs. RIGELL, GARY G. MILLER of California, PALAZZO, BARROW, and SMITH of Washington changed their vote from ''yea'' to ''nay.''

Messrs. CICILLINE, CHANDLER, and CONYERS changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. VAN HOLLEN. Madam Speaker, on roll-call No. 459, I was unavoidably detained. Had I been present, I would have voted "yea."

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 244, noes 185, not voting 2, as follows:

[Roll No. 460]

AYES—244

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

NOES—185

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
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
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
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
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
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—2

Bonner
Jackson (IL)

□ 1553

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE CONGRESSIONAL CHALLENGE CUP

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

Mr. CRENSHAW. Madam Speaker and Members of the House, I've been asked to report the results of a competition that took place on Monday at the Columbia Country Club.

The competition is called the Congressional Challenge Cup. It's an event where a team of golfers from the Democratic side of the House plays a team of golfers from the Republican side of the House. I wanted to report to the House that this year's winner of the Congressional Challenge Cup is the Republican team.

Very briefly, I want to thank my teammates: TREY GOWDY, MICK MULVANEY, JEFF DUNCAN, DUNCAN HUNTER, TOM ROONEY, REID RIBBLE, and STEVE SOUTHERLAND. I want to thank them for their dedication, their hard work, and, most of all, for just showing up.

The big winner, Madam Speaker, is an organization called the First Tee. Over the last 11 years that we've had this competition, over $1.5 million has been raised for the First Tee. This is an organization that works with young people to try to touch their lives through educational programs that deal with character, honesty, integrity. They work in all 50 States. They've touched the lives of 4.5 million people over the years, and they do a lot of work in the inner cities and for the less fortunate.

So it was a great day, and I want to thank everybody for their involvement.

Certainly, I want to yield time to my Democratic counterpart, to the captain of the Democratic team, Mr. YARMUTH.

Mr. YARMUTH. I thank my good friend from Florida.

I want to congratulate the Republicans on their victory.

All good things must come to an end. Our 5-year winning streak was broken through, largely, superior play, although I do question some of the strategy that was invoked by the Republican team, notably Mr. MULVANEY and Mr. GOWDY wearing matching plaid Bermuda shorts, which distracted all of my team members.

But seriously, this is a great event, and it was conducted very much in accordance with the nine core values that the First Tee espouses, particularly sportsmanship, honesty, integrity, and courtesy. I think all of us enjoyed the day and left the event much closer than when we started. There was a great spirit of collegiality as well as competition.

Once again, I want to thank all of my fellow team members on the Democratic side. I congratulate the Republicans. Once again, I congratulate and thank the First Tee for all they do to promote high qualities among our youth in America.

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

PROVIDING FOR CONSIDERATION OF H.R. 4402, NATIONAL STRATEGIC AND CRITICAL MINERALS PRODUCTION ACT OF 2012

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

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 726) providing for consideration of the bill (H.R. 4402) to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 245, nays 180, not voting 6, as follows:

[Roll No. 461]

YEAS—245

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Black
Blackburn
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
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
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
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—180

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
Cardoza
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
Filner
Frank (MA)
Fudge
Garamendi
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)
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)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—6

Bishop (UT)
Bonner
Gallegly
Jackson (IL)
Lummis
Reed

□ 1606

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.

GENERAL LEAVE

Mr. WESTMORELAND. 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 H.R. 6079.

The SPEAKER pro tempore (Mr. FLORES). Is there objection to the request of the gentleman from Georgia?

There was no objection.

HOUR OF MEETING ON TOMORROW

Mr. WESTMORELAND. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 2181

Mr. BUTTERFIELD. Mr. Speaker, I ask unanimous consent to be considered as the first sponsor of H.R. 2181, a bill to authorize National Mall Liberty Fund D.C. to establish a memorial on Federal land in the District of Columbia to honor free persons and slaves who fought for independence, liberty, and justice for all during the American Revolution.

The bill was authored and introduced by our friend and colleague, the late Donald Payne, Sr., from the State of New Jersey.

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

There was no objection.

MINNESOTA LEADS IN CHARTER SCHOOL MOVEMENT

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

Mr. PAULSEN. Mr. Speaker, my home State of Minnesota has a remarkable legacy when it comes to charter school education. By launching the first charter schools in the country, along with leading the way in public education and reform nationwide, we have been able to serve our students and community for the past 20 years in a better way.

In celebrating two decades now of achievement, let's ensure that this tradition continues by looking for further ways to improve these schools, making them effective for all American students. I was pleased, Mr. Speaker, that my amendment to the Empowering Parents Through Quality Charter Schools Act not only enhances teaching methods in schools, but also breaks down the barriers to make charter schools more accessible for the thousands of students that are now waitlisted across the country.

Young people should have the opportunity for a good education regardless of their ZIP code.

Mr. Speaker, I want to recognize the recent anniversary for charter schools and encourage their support in the years to come.

□ 1610

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

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

Ms. KAPTUR. Mr. Speaker the draft farm bill, unfortunately, contains serious damage to the Supplemental Nutrition Assistance Program, the foundational food lifeline for millions of Americans. What a shame when unemployment levels remain too high, with the cost of living rising, with food prices going up that affect so many of our senior citizens, and millions of Americans who live at the edge. Surely this Congress can do better.

Wall Street speculators and bankers got to keep all their bonuses, and the Republican majority can't seem to find their way to ask the richest to pay something to help our Republic close the gap. Millionaires and billionaires, couldn't they forego some of their ill-gotten treasure, especially the speculators who led this Republic to the edge?

What do the Republicans do? Literally take food out of the mouths of children, seniors, the unemployed, the disabled—$16 billion worth. Citizens who live at the edge of poverty receive $1.50 per meal in benefits.

The farm bill thus far takes food off the table of up to 3 million Americans and asks nothing of millionaires and billionaires. What a shame.

I urge my colleagues to oppose the cuts to SNAP.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

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

Mr. TONKO. Mr. Speaker, I rise today to oppose the deep cuts proposed to the Supplemental Nutrition Assistance Program.

The SNAP program provides low-income families, our disableds, and our elderly essential access to healthy foods. We should not ask our most vulnerable citizens to go hungry to balance the Federal budget. A cut of $16 billion in SNAP benefits will not achieve that balanced budget.

SNAP benefits not only provide needed nutritional support to recipients; they support local economies and our farm operations by boosting sales of fresh fruit and vegetables at farmers markets and local grocery stores. Our Nation's farmers and ranchers produce high-quality abundant foods in a system that is the envy of the world.

There is no reason for anyone to go hungry in the United States. Let's produce a food and farm bill that each day gives farmers a fair deal and ensures all of our citizens nutritious meals.

GAME CHANGER FOR FOOTBALL FANS

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

Mr. HIGGINS. Mr. Speaker, in my home town of Buffalo, New York, nearly half the Bills games were blacked out last season because, despite an average game attendance of 67,000, the games were not sellouts because Ralph Wilson Stadium is one of the largest in the league.

Last week, we learned that NFL owners passed a resolution allowing teams to decide to broadcast games locally when more than 85 percent of seats are filled. This is a change to current policy, which requires a stadium to be sold out.

If teams embrace this new policy, it will be a game changer for football fans in Buffalo and across the Nation. This change would not have been possible without the hard work and dedication of loyal sports fans, including Sports Fans Coalition, the Buffalo Fan Alliance, and the Bills Mafia.

I urge the NFL owners to opt into this policy and the Federal Communications Commission to consider a similar policy change. Fans support their local stadiums with their tax dollars. It's time for teams to give back something in return for that commitment that they have made.

BLOCKING PROPERTY OF PERSONS THREATENING THE PEACE, SECURITY, OR STABILITY OF BURMA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112–123)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (IEEPA), I hereby report that I have issued an Executive Order (the ''order'') that modifies the scope of the national emergency declared in Executive Order 13047 of May 20, 1997, as modified in scope in Executive Order 13448 of October 18, 2007, and relied upon for additional steps taken in Executive Order 13310 of July 28, 2003, Executive Order 13448 of October 18, 2007, and Executive Order 13464 of April 30, 2008, and takes additional steps with respect to that national emergency.

In Executive Order 13047, the President found that the Government of Burma committed large-scale repression of the democratic opposition in Burma after September 30, 1996, and further determined that the actions and policies of the Government of Burma constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. To address that threat and to implement section 570 of the Foreign Operations, Export Financing, and Related Appropriations Act, 1997 (Public Law 104–208), the President in Executive Order 13047 prohibited new investment in Burma. On July 28, 2003, the President issued Executive Order 13310, which contained prohibitions implementing certain provisions of the Burmese Freedom and Democracy Act of 2003 (Public Law 108–61) and blocked the property and interests in property of persons listed in the Annex to Executive Order 13310 or determined by the Secretary of the Treasury, in consultation with the Secretary of State, to meet designation criteria specified in Executive Order 13310. In Executive Order 13448, the President expanded the scope of the national emergency declared in Executive Order 13047, incorporated existing designation criteria set forth in Executive Order 13310, blocked the property and interests in property of persons listed in the Annex to Executive Order 13448, and provided additional criteria for designations of other persons. In Executive Order 13464, the President blocked the property and interests in property of persons listed in the Annex to Executive Order 13464 and provided additional criteria for designations of other persons.

While the Government of Burma has made progress towards political reform in a number of areas, including by releasing hundreds of political prisoners, pursuing ceasefire talks with several

armed ethnic groups, and pursuing a substantive dialogue with the democratic opposition, this reform is fragile. I support this reform in Burma and the building of a democratic political process that will allow all of the people of Burma to be represented. However, I have found that the continued detention of political prisoners, efforts to undermine or obstruct the political reform process, efforts to undermine or obstruct the peace process with ethnic minorities, military trade with North Korea, and human rights abuses in Burma particularly in ethnic areas, effectuated by persons within and outside the Government of Burma, constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. To address this situation, the order imposes additional measures with respect to Burma.

The order provides criteria for designations of persons determined by the Secretary of the Treasury, in consultation with or at the recommendation of the Secretary of State:

To have engaged in acts that directly or indirectly threaten the peace, security, or stability of Burma, such as actions that have the purpose or effect of undermining or obstructing the political reform process or the peace process with ethnic minorities in Burma;

To be responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, or to have participated in, the commission of human rights abuses in Burma;

To have, directly or indirectly, imported, exported, reexported, sold or supplied arms or related materiel from North Korea or the Government of North Korea to Burma or the Government of Burma;

To be a senior official of an entity that has engaged in the acts described above;

To have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, the acts described above or any person whose property and interests in property are blocked pursuant to the order; or

To be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the order.

I have delegated to the Secretary of the Treasury the authority, in consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of the order.

All agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the order.

I am enclosing a copy of the Executive Order I have issued.

BARACK OBAMA.

THE WHITE HOUSE, *July 11, 2012*.

□ 1620

AFFORDABLE CARE ACT

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

Mr. TONKO. This evening we are going to address for the coming hour with a couple of our colleagues the issues of affordable health care and the fact that we see a pattern here that's established by the House that seems to walk away from the needs of a middle class, a working class in this society. Our country depends upon a thriving middle class, one that is given the respect and the dignity it so much deserves. And with the attacks on Social Security with its 76-year old history and the efforts to privatize Social Security, we understand that that would put at risk a number of people.

Not a single cent of Social Security was lost to its recipients during the very painful recession. And likewise, in the mid-sixties we saw the emergence of Medicare, which allowed for, again, the dignity factor to be presented and found in the midst of our senior households where, at that point in time, prior to Medicare, those who would retire would anticipate a decline in their income and their economic security simply because of the impact that their health care costs would have on their retirement years. Since then, not only have we seen a stronger sense of security and stability in those senior households, but we have seen a strengthening of the response to the health care needs of our seniors because of the stability that Medicare produced and the quality of the care that has been part and parcel to the Medicare history.

And so now, in its infancy, the Affordable Care Act is under threats with the repeal measure that was just taken on this House floor to undo the progress that was achieved for, again, America's health care consumers. It is a troubling notion, at best. This hour of discussion will be dedicated to the concerns that we have for the economic ripple effects that befall the middle class, which needs to be a thriving middle class, and the impact of several of these attacks that seem to undermine the very foundations upon which security is provided to America's great populations.

So we're concerned. We're concerned about that repeal and what it means, what is removed from the equation of success that was brought about a couple of years ago as we worked in a bipartisan, bicameral way with the White House to make certain that a growing need out there that found this country as the only industrialized nation to not have a universal health care program, when that is put at risk again because of the efforts to repeal.

We are joined by my colleague from California, Representative JOHN GARAMENDI.

JOHN, you witnessed this vote just now to repeal health care. The Affordable Care Act was providing hope and opportunity and promise to all generations in this American mosaic. It is a tragic moment.

Mr. GARAMENDI. Mr. TONKO, thank you so very much. And thank you for beginning this discussion by going back into the history of the United States back to the development of Social Security and the extraordinary benefit that that has brought to not only seniors but to their children, to families, knowing that when retirement age approached—65—there would be a foundation for whatever retirement program a person would have, and also for pointing out that for years now, and certainly in the recent decade, our Republican colleagues have called for the privatization of Social Security.

Now if you trust Wall Street, then I guess it's a good idea. If we had any lesson, we should have had the lesson of 2008 and 2009, when Wall Street turned its back on the American public and simply ripped us off to a fare-thee-well and nearly collapsed the world economy. Were it not for the efforts of the Obama administration and, frankly, this Congress, it may very well have happened.

And then you pointed out Medicare coming along in 1964, 1965 and the way in which that has protected seniors. I remember as a young child—I think I was probably 7 or 8—my dad took me down to the county hospital to visit one of our neighbor ranchers. I've got to tell you it was horrible. That was the only care available for a senior who had no money. And then Medicare came along, and 60 percent of America's seniors were in poverty prior to Medicare. Now, with Social Security and Medicare, it's somewhere around 10, 15 percent. An enormous boost. Yet twice this House has voted to terminate Medicare. Not the Democrats. Our Republican colleagues twice have voted to terminate Medicare so that every American less than 55 years of age would not receive Medicare. They would be given a voucher and told to go fight as best they could in the private insurance market.

And then today, another major effort by the Democrats to provide health care for all Americans—a health insurance policy that you knew was there, that you could count on, that would be affordable. The 31st time, today, a full repeal or a partial repeal was taken up and passed by our Republican colleagues.

So what's an American to do? What does it mean to Americans? Let's spend some time talking about what this means to Americans if you didn't have Medicare. If you don't have the Affordable Care Act, what would it mean?

I'm going to start, if I might, or would you like to start?

Mr. TONKO. Absolutely. We, I know, are joined by some of our colleagues. But if you want to go through your chart.

Mr. GARAMENDI. Let me just take up the Patient's Bill of Rights very, very quickly. I was the insurance commissioner in California for 8 years. The insurance industry puts people behind profits. Profits before people. And they're concerned about making sure that they have a healthy group of customers. They don't want sick people. Sick people cost money. So over the years they have developed a whole set of discriminatory practices to exclude from coverage people they don't want to take care of because they might be expensive.

So in the Affordable Care Act there is the Patient's Bill of Rights that forces the insurance companies to end insurance discrimination. And here's just some of them:

Children with preexisting conditions. An example, my chief of staff, his son was covered by insurance the day he was born. The second day of his life they discovered that kid had very serious renal failure; kidney failure. Bam, the insurance was over. That family was off their insurance policy; gone, done. No longer. We're talking about I think 14 million American children that are going to get coverage regardless of what their health circumstances might be.

Young adults. This one is close to home. I've got six children. Every one of them have passed through that age of 21 when they were no longer on our insurance policy. Most recently, my daughter. Twenty-one years of age, covered by an insurance company for 21 years and 9 months. The day of her 21st birthday, off the insurance policy. We're now talking about every young American 21 to 26 stays on their parents' health policy.

She also happens to be a woman. Women are discriminated against in insurance because they have a preexisting condition: They could get pregnant. That's expensive. We don't want to cover them, say the insurance companies. No, no. Under the Patient's Bill of Rights, the discrimination against every woman in America on their insurance policy is over. Apparently, our Republican colleagues don't care about these very, very important efforts to end insurance discrimination.

We can go on here. Seniors. Who among us doesn't have a preexisting condition? High blood pressure, juvenile diabetics, type II diabetes. Try to get insurance without the Affordable Care Act—you're out of luck. You won't get insurance.

□ 1630

So the Patient's Bill of Rights, should today's action become law, is repealed, and along with it, the protections that 315 million Americans presently have—presently have. No more insurance discrimination. The ability to get insurance is guaranteed. No more discrimination.

Yes, I'm a little passionate about this one because I've watched this. I've watched this as insurance commissioner. I fought the insurance companies day in and day out as they denied coverage, as they refused to provide the coverage, as they told people they couldn't get care. But the law is in place now. The law is in place, and it's going to stay in place despite the vote today.

Mr. TONKO, thank you.

Mr. TONKO. And interestingly, Representative GARAMENDI, we've been reminded I think by the general public that the legislature, the legislative body here, Congress, took up the bill. They passed it. It went over to the President. He signed it. The highest court in the land, a conservative-leaning court, reviewed it, made their decision and rendered a decision that said it met with constitutionality.

People are saying go forward. Move on. Get to the issues that now have got to be resolved, and that is the economy, creating the jobs, producing the post-recession responsiveness that people so much require and deserve, and that's where they're at.

We've been joined by Representative ELEANOR HOLMES NORTON who has joined us.

Representative, thank you for joining us in the Special Order.

Ms. NORTON. Well, I want to thank you, Representative TONKO, and my other good colleague, Representative GARAMENDI, for leading this special order and for offering the perspective that you've begun this hour with, something that our fathers and grandfathers are responsible for, the Greatest Generation, and now has been embraced by the American people. And as proud Democrats, we are very, very proud of that, of these very important reforms.

I wanted to come to the floor as well to offer some real-life, real-time evidence as people try to judge what they've heard on the floor today and what they heard on the floor yesterday about the health care bill. We teach our children fair play, you win some, you lose some. And when you lose, then you've lost that one; you try again another time.

What they've seen in the House this year and last year are the Republicans trying to repeal financial reform. They lost that. It's as if the law of the land weren't the law of the land. Now they're trying to repeal health care reform even when the Supreme Court announces the law of the land. They've come to the point where they do not recognize the law of the land as announced by passage in the Senate and the House, signature of the President, and, in the case of the health care reform bill, the imprimatur, which is the last word, of the Supreme Court.

But as I heard the debate, I was concerned that the American people would be concerned in the face of this economy about what they hear our colleagues on the other side say the health care bill will do to the economy, and attempt to essentially frighten people, especially yesterday when the Republicans came forward with a usual set of horribles, this after the bill was passed, now when we ought to be thinking of the best ways to implement it. But none of those horribles about what was going to happen because of the health care bill was data based.

We ought to ask ourselves: Why would the Republicans not use the one existing experience that we have, the 6-year experience of the Massachusetts health care law, which is the very model for the health care law we passed? And that, of course, was a law that was engineered by their own candidate for President, Mitt Romney.

Well, I had occasion to look at the experience under that bill because, as you may know, our colleagues had hearings all around the House yesterday on health care reform as a prelude to the repeal vote on the floor. And I was in the Oversight and Government Reform Committee, and the hearing was on the impact on jobs. Now, if you want to scare the American people, tell them that the bill is going to add to the problems in their jobs.

One of the witnesses was a State senator from Massachusetts, who has been a State senator for 2 years. He was not in the senate when Governor Romney's bill was passed. He is the CEO of Cape Air. That's a 1,000-employee company. It's a tough business because it's the airline business. It's a regional airline. And he had some real-time experience for us.

And I think it's important just to say a few words about what Massachusetts Senator Daniel Wolf said who for 6 years served on the Federal Reserve Board's Advisory Council of New England, who was board chair of one of the largest chambers of commerce in Massachusetts and is a trustee of the largest mutual bank in the Cape and Islands region. He is a small businessman of the kind we have in mind when we talk about small business. This is what he reported: That his premiums today—under the Massachusetts bill which this bill, our bill, is patterned after—are roughly 3 percent of his company's gross income. And to quote him: ''Health care reform has not stifled business.'' Since the passage of the Massachusetts health care reform bill, the very bill that is the model for our health care bill, this company has added 15 percent more Massachusetts-based jobs.

He talked about premiums. Importantly, he said that just before the passage of the Massachusetts law, premiums were going up 15 to 20 percent. They are down now—going up 5 percent. And he said last year he was able to negotiate a 5 percent decrease. My friends, part of this, a great part of this, has to do with the large insurance pool that, of course, Massachusetts citizens are in now when you see these reductions.

The State spending for health care reform programs last year represented a 1.4 percent increase in the State

budget. Two-thirds of their residents support the health care reform.

It was extraordinary testimony from a businessman who had no reason to come forward. He's not a politician. Yes, he's in the State senate, but he has the credibility of being in the Senate and being a quintessential small businessman.

I want to suggest to my colleagues that there's a reason why our colleagues do not point to the only real experience that could tell us something about what is going to happen with this law, and that is because they are not driven by data, but by some ideology that is not understandable. But once you get it in your head that if you're against the bill even when it's passed, you've got to do all you can to kill it—If it's health care reform, you kill health care reform. If it's financial reform, even after the worst recession since the Great Depression, then you try to kill that.

I think that in hearing what has happened in Massachusetts that you would think Mitt Romney would be shouting from the hilltops about it. When you see what's happened in Massachusetts, what the Republicans, what we ourselves should be doing is studying in depth the experience of Massachusetts, seeing what their mistakes were, looking at their successes, instead of throwing horribles out there based on no data and based on nothing.

□ 1640

I thank you for coming forward to start a discussion that helps give the American people some broader sense of what this struggle is about and helps them to understand that when they hear the word ''repeal,'' it is not what it means. In order to repeal, you have to get both Houses and the signature of the President.

People should be alerted that this law is here to stay. It is almost impossible—it will be almost impossible, unless there is a Herculean change in the House, the Senate, and the Presidency, to change the Congress in the direction of those who oppose the law. Absent that, every Member of this House who believes in law and order, who believes in the rule of law, has an obligation to sit down together to make this law work and not try to undermine it. To the extent that you undermine it, you are now undermining the health care of the citizens of the United States of America.

Mr. TONKO. Thank you, Representative HOLMES NORTON.

You know, you talk about the struggle and the move to repeal. It obviously didn't place consumers first and foremost in that thought process. It was probably listening to those deep pockets of interest that did not want to be pulled to the table to provide better outcomes for our consumers.

Look at the benefits of the health care law for our seniors: 5.1 million seniors receiving savings on their prescription drugs. Actually, I've seen this number as high as 5.3 million, and probably climbing in the short order of time. What an important, significant savings. I hear it all the time from seniors in my district who are always reaching into their pockets after that doughnut hole is hit, and they get the benefit for a while until they hit a certain threshold. As we all know, many, in a short order of months, are digging into their own pockets. These are medications that are required to stay well, and in many cases to stay alive.

There are 32.5 million seniors receiving free preventative services—health care screenings, the annual checkup, flu shots—items that are brought to their benefit in order to, again, underscore the value added of wellness. Strengthening consumer protections for seniors in the part D program, something I heard a lot of favorable review about, and 85 percent of Medicare Advantage plan revenues going toward senior medical care rather than profits for the insurance industry.

So these are big changes. These are changes that were welcomed by the senior community. I can tell you, if you close that doughnut hole by the year 2020, as the Affordable Care Act is to do, you're providing a major benefit for seniors, with the advancement of pharmaceuticals that speak to all sorts of illnesses. This is a wonderful opportunity for them to understand the attachment that is essential.

I heard of far too many people adjusting their dosages of medications to balance their family's budgets. That is not the best outcome for health care. This advances sound decisionmaking, efficiencies, the best use, the wisest use of resources and, again, speaking to the dignity factor of our country's senior citizens.

Representative MARCY KAPTUR from Ohio, a great Representative, a strong voice for consumers in this House, thank you for joining Representative GARAMENDI and me. It's great to have you here. I know that you're hearing a lot in the State of Ohio.

Ms. KAPTUR. I want to thank you, Congressman TONKO, for your leadership on so many issues that relate to the well-being of the American people and our economy.

Health care is one-sixth of the leg of the stool that holds up the Republic. It is a major industry. When you look at all of our medical hospitals, all of our schools, the nursing profession, dentistry, and you take it all together, it is a massive employer across our country.

Congressman GARAMENDI, coming from California, your experience is so vast in terms of your leadership at the State level there, and now here as a Member of Congress. So I'm very proud to stand with colleagues from New York and California, coastal powerhouses, from the State of Ohio right in the middle of the country there.

I wanted to add to your discussions this evening some real-life stories that illustrate what you've been talking about tonight. Here's a story from Toledo, Ohio, a real story of a couple that was forced to drop their health coverage after the wife got sick and their health insurance premiums jumped from $800 a month in 2007 to $1,200 a month in 2008. How many families across our country, when somebody gets sick, the premium goes up? This bill is wonderful because it doesn't allow that to happen.

For this family, the cost in 2009 would have risen to $1,600 a month, with a $2,500 deductible. So what did the couple do? They dropped their insurance. They couldn't afford the insurance, even though the wife was sick. But because of the law that we passed, the wife received coverage through a high-risk insurance pool that was set up within our State following the passage of the law. They're paying $400 a month—less than they paid before, half of what they paid before—and they have a $1,500 deductible. Literally, the new insurance coverage saves them $15,000 a year, which for them was unaffordable. That's why they dropped their insurance. But just that family alone tells us how important this act is. And think of how many cases across this country have similarities to theirs.

From Marblehead, Ohio, which is very central to the district that I'm privileged to represent, a small business owner, a woman, was diagnosed with lupus. She was turned down by multiple insurance companies because she had a preexisting condition. But because of this act and the high-risk insurance pool in Ohio, she was able to obtain a plan for $315 a month, with a $2,500 deductible—that was her choice. But she has obtained insurance, even though she has a preexisting condition. How many Americans have you said have preexisting conditions? This allows them to continue to pay, not be canceled. So they're contributing to the pool, the insurance pool; and they're able to take care of themselves.

Finally, the third example I wish to place on the table is a senior citizen couple that faced a $3,000 to $4,000 bill, an extra prescription drug cost, after the husband developed a staph infection. How many families do we know have relatives that develop staph infections? That required them to spend a lot more money in 2009 and 2010 on prescription drugs. Thankfully, the husband's health has improved, and they've saved money thanks to the doughnut hole provisions you talked about that took effect in 2010. So they didn't have to pay that extra money for the prescription drugs necessary that you have to take when you get an infection. You have to take those for a very long time, and they're very expensive. The wife said of their situation:

> For seniors like Paul and me living on limited income through Social Security, these costs were not a joke. Because of the Affordable Care Act, no senior will ever have to go through what Paul and I spent that year doing.

By the end of this decade, that doughnut hole will be completely closed at the rate of $500 a year; $500 a year to a senior citizen is a mountain of money—$50 is a lot of money because they're on limited incomes. Most people depend on Social Security to hold their lives together. So to get bills of $500 or $5,000, it's an impossibility.

I challenge every American who's listening to my words tonight and every young person who has a conscience, go to the supermarket and look for some of the people who are staring at the vegetables, or raspberries, or fish, and they can't afford to buy it. Maybe you could slip them a couple bucks in the supermarket—nobody would even know about it. I've done that so many times. And they can buy something they want that they can't afford to buy.

So when you're a senior citizen, limited income is a real fact of everyday life. So for all of the millions and millions of Americans, Congressman TONKO, that you talked about, this is being lived life by life, family by family in the State of Ohio.

I'm very pleased to join both of you and to thank the President of the United States for having the guts to stick with his convictions, and our Speaker then, NANCY PELOSI, for fighting so hard for every vote in this House and really helping to lift all of America to a different plane for the future.

The last thing I will say is, I come from a small business family. Our father was one of those people that had to sell his business because he got sick. He had to get health insurance for his family, so he went to work for an automotive company.

□ 1650

And I remember how ill he became, and what a horrible choice that was for him back then.

Half the uninsured in this country are small businesses. The law says if you have 50 or under, you don't have to provide insurance; but if you're interested, those exchanges will be there for you. And there will also be plans that your employees can buy into if they want to.

Wow, do I wish that had existed in the 1950s when we were growing up as young children and our dad could have had that plan so he wouldn't have had to sell his business. What a difference that would have made in our family.

And that story is repeated by the tens of millions across this country. Half of those who could potentially benefit are small business owners and their workers.

Thank you for doing this Special Order tonight as we speak on behalf of the American people.

Mr. TONKO. Thank you, Representative KAPTUR. Please feel free to share more information with us. The anecdotal evidence that you provide from your region alone speaks to the empowerment that is part of this transition, this progressive policy.

And to now attempt to repeal, just as you've given people the sense of hope that there will be a doable outcome, that they won't have to cut medication in half so that they could have enough money to do all the other items that are required of them, to pay utility bills, or to afford to eat for that given month—the fact that they would cut their medication in half is not a sound thing. They're spending money, and it's probably ineffective.

And so tethering people to a system that is sound and secure. You know, when people say, well, I don't want to pay for someone's insurance, I don't want to pay for this health care program. You're paying today through premiums and through taxes. You're paying for the worst sort of outcome by putting people into emergency rooms and having them visit with a different doctor each time they visit and not having the stability and the standardized outcome that is predictable and effective and efficient.

These are the dynamics that are driven by the soundness of a policy like this, that, yes, will take investment, but will get far greater bang for the buck than what we're getting today with a haphazard sort of response that does not provide continuity or direction or standardization or predictability and certainty. We will be far better off and a much more compassionate response is rendered.

From a taxpayer perspective, from a consumer perspective, it's a far greater, stronger, more intelligent outcome; and it speaks to, I think, the core fabric of this wonderful country that we do truly care. And this is a way to show it and still be economically sounder in our attempts.

Thank you for sharing the anecdotal evidence.

Representative GARAMENDI, you and I have done a number of these Special Orders on this House floor, and I find it fascinating to see what the response is out there from the public, who always call to engage and get more information. And so the fact that we can provide more information on what is included in the Affordable Care Act, I think, is a good opportunity here.

And I know you always have a lot to say and a lot to share, and your walk in your professional life as insurance commissioner was an important bit of strength for all of us in the caucus.

Mr. GARAMENDI. Our colleague, MARCY KAPTUR, reminded me of a personal story, personal things.

My sister-in-law was a juvenile diabetic, and I think of what would her circumstances be if she had had this law when she was alive. The last 20 years of her life were a struggle. The company she worked for folded, and her health insurance was lost. And she spent the last 20 years of her life struggling financially, medically, and really unable to get the kind of continuity of care necessary. She got a lot of help from her family; but even so, it was a struggle.

Under the law today, she would have been able to get insurance. And in 2014, in California, or actually next year in California, there will be an exchange. So even though she spent those last 20 years as an independent contractor, selling various things over those years, she could enter into a large pool, that is the exchange, where she would have the same opportunity to buy a low-cost policy as though she were in Ford Motor Company with hundreds of thousands of employees.

Our Republican colleagues would abolish the exchanges. And I just think about what could have been. There was no exchange, and she wasn't able to get that insurance; but had she lived, and had other men and women with diabetes or serious heart issues or other kinds of problems, medical problems, they could get insurance in the exchange and be part of a large pool.

Simultaneously, if they didn't have the income, they would be able to get a subsidy. If their income was less than the poverty level, that insurance would be free through the Medicaid program. And if they were above the poverty level, it would be subsidized so that it would be affordable.

I guess this is really about compassion. This is about our very moral sense of who we are as Americans, do we have compassion, and do we care for our fellow citizens.

On today's floor I heard the most astounding arguments, arguments based upon falsehoods, just flat out falsehoods. I heard the Speaker here say that the Affordable Care Act cost employment. But since the Affordable Care Act has been in place for the last 2 years, private sector employment has grown every single month.

Now, there may have been some company that decided not to employ somebody, or maybe they went out of business for any number of reasons. But private sector employment has grown every single month for the last 28 months. So, taken as a whole, the Affordable Health Care Act didn't retard employment. It didn't cause the number of private sector employees to decline. In fact, they've grown.

And I also heard the very same person, with the very same argument, say that it's driven up health care costs. Well, excuse me, take a look at the statistics, the health care statistics. We've actually seen, in the last 2 years, since the Affordable Health Care Act went into effect, a significant decline in the rate of inflation for health care. In fact, the rate of inflation for health care in the last 2 years, 2010 and 2011, was the lowest rate of growth in every year except one in the last 50 years. It was 3.9 percent.

Those are not my statistics. They're not pulled out of the air. Those are government statistics about health care inflation—3.9 percent, which was the lowest rate of inflation in general health care in the last 50 years, except only one other year.

How about the cost of premiums?

Before I get there, the average health care spending in 2000 to 2009 was 6.8

percent per year. That's the annual growth, 6.8 percent per year. In 2010 and 2011, as I just said, it was 3.9 percent, nearly 50 percent less.

Let's get our facts right. Put aside the rhetoric and deal with the facts. If you're going to come down here, as Speaker or anybody else, use facts in your argument. Don't just throw out a number.

Mr. Speaker, if you'd like to debate it on the floor with me, come on down.

Seniors paying more? No, I don't believe so. No, they don't pay more. Medicare Advantage enrollees, the cost of premiums for Medicare Advantage was 16 percent less in 2012 than in 2010. The Affordable Health Care Act, was it responsible for that? Partly, yes, because the Affordable Health Care Act took $150 billion, $15 billion a year, away from the insurance companies and plowed it back into Medicare benefits.

The drug benefit that you were talking about—free medical services, preventative services.

□ 1700

The result was a 16 percent reduction—an overall average—across the United States for Medicare Advantage. Oh, by the way, these are statistics from Mercer, one of the health care consulting companies. I think I'll let it go at that. There are more statistics about that.

Mr. Speaker and my colleagues on the Republican side, if you want to come down and debate the issue of health care inflation, then you'd better come down here with real facts. Don't come down here with a lot of just talk. Health care inflation has gone down since the Affordable Care Act has been put in place.

Mr. TONKO, why don't you pick it up from here. Maybe I'll have a challenge on the floor from the Speaker. We'll see.

Mr. TONKO. The gentleman from California speaks of the Medicare Advantage programs. Obviously, they came about because there were those who suggested they could do it cheaper. Give us a special model out there and launch it as a pilot, and we'll show you how we can do this special programming and give us a return.

After reviewing now what is the history of all of that, it was deemed that there were overpayments of anywhere from 10 to 14 percent. So the dollars were slid over to programs like filling the doughnut hole and providing for screenings for our seniors, not taking it away from a category of health care consumers—in this case, an age demographic of seniors—but taking those savings, as we sweep those savings, and then reinvesting them in a way that provides balance and more sensitivity for the consumer rather than having record profits developed for an industry. To me, that was progressive policy. And for people to then take those savings and use them in their own budget presentations for other purposes was disingenuous.

Now, when you talk about the efforts today of the Affordable Care Act to include an exchange, what I think is oftentimes lost, Representative GARAMENDI, is people see this as some sort of public exchange that is going to be run by the government. In fact, when we set up an exchange and when private sector sources come to the table, if they're willing to abide by the rules, if they're going to govern themselves by the parameters that have been established in the legislation, they can then offer services through the exchange. So it's a private sector solution but with new caveats of parameters that are established so as to provide benefit for the consumer.

When you think of it, if there are firms that hire 10 people and one of those 10 becomes catastrophically ill, the actuarial impact of that one individual circumstance can drive premiums up for that small business in very high order. That kind of impact is unacceptable for the small business community that today pays some 18 percent more for its insurance and oftentimes gets weaker coverage.

With the benefits of an exchange that is private sector-driven, you now have the opportunities that people can have that actuarial measurement made in a pool of perhaps millions so that the unsteady and unpredictable kind of outcome for small business is now rendered more efficient and more sensitive by shaving the peaks that may occur in a universe as small as 10 people.

So there is a science to this. There is thoughtfulness that has been pumped into the discussion; and by inserting that thoughtfulness, we have come up with reforms that really speak to a wiser use of this country's health care dollars. It was a folding in of progress over the course of several years that was initiated with its passage a couple of years ago that needed time to work. To then move to repeal before a number of these programs are even implemented and for people to just play politics with the lives of individuals, with the health care quality of individuals, is regrettable, and then for us to be asked to visit for the 31st time a repeal exercise in some 19 consecutive months.

We used this week of session in Congress to debate for hours, to message for hours, to come to the floor for votes. These were session days that were used up for the repeat of an exercise that time and time and time again has been conducted just to politically posture when, in fact, the American public is saying, Look, you voted on this. Look, the President signed it into law. Look, the Supreme Court—the highest law in the land, the conservative-leaning Court—has ruled constitutionality.

They want us to move forward with job creation, with responding to the cures this economy needs. We started with a terrible pit of a recession: 8.2 million jobs lost and 800,000 jobs being lost per month as this administration started and, ironically, when I started my service in the House of Representatives. We were in a dark, deep hole. To come out of that with 29 consecutive months of private sector job growth and to come out of that with over 4 million jobs created in the private sector and to go forward with an effort to reform our health care system in a way that extends greater opportunity and beacons of hope to families, individuals, those who are catastrophically ill, those denied because of preexisting conditions, pharmaceuticals unaffordable for many seniors, to have all that turned around and to have all of this progress of the comeback trail from the recessionary period that was far too long and far too deep and far too painful than anyone ever forecasted—to strike that kind of progress and then have it met with 31 consecutive efforts to repeal the situation is regrettable. It's regrettable.

Representative GARAMENDI, you've been here for those 31 efforts. Has anything changed? It's the same old, same old that is being expressed out there that does not, I think, meet the concerns of individuals out there from coast to coast.

Mr. GARAMENDI. You are absolutely correct. We really need to get to jobs.

I notice some of our Republican colleagues are here. They'll be taking the next hour, and I suspect they are going to pick up something that was said over and over again over the last 2 days. I just want to put on the table some facts, some facts about what is really going on here.

I heard speakers come to the floor, including the Speaker of the House, saying the Affordable Care Act was the largest middle class tax increase ever. Well, I'm sorry. The Washington Post Fact Checker said the health care law will provide more tax relief than tax burden for middle class families. A report from the nonpartisan Congressional Budget Office shows that an estimated 4 million individuals will likely pay the penalty because they're not going to buy insurance. Okay? That's about 1.2 percent of the total population.

They also estimated that 16 million Americans—that's four times more—will receive tax credits, or subsidies, to help them pay for insurance coverage through the new exchanges. Now, that's 5 percent of the population. The CBO estimates that the government will provide $630 billion in tax credits and subsidies for insurance over the next 11 years and only $54 billion in penalties—taxes or tax increases—on the middle class.

So the fact of the matter is the middle class is going to get an enormous tax benefit as a result of this. Those who buy insurance are actually going to see their taxes reduced as they buy insurance. They'll have health care coverage at an affordable cost, their taxes will go down, they'll receive subsidies. The essential point here is that

it is not a tax increase, the overwhelming, largest-ever on the middle class. In fact, it is a huge tax reduction.

Secondarily, there is a decreased cost to every American who buys health insurance today because there will not be a shift of cost from the uninsured to the insured and to the taxpayer. That's precisely what happens when you have some 40 million Americans uninsured. They get sick. Fortunately, in this Nation, we have not yet come to the point when we do not provide health care to people who are sick and in need of care. They get it at the emergency room, and they get it at the community clinics.

□ 1710

It becomes what is known as uncompensated care. In other words, it is not paid for directly by the individual, but indirectly by every single American that buys a health insurance policy and every company that buys a health insurance policy and the American taxpayers.

The Affordable Health Care Act does not increase the cost of health care in America. In fact, it has the significant potential of decreasing the cost. In the last 2 years, we've seen the health care costs in America decline to the lowest inflation rate ever in the last 50 years except 1 year.

Let's get the facts correct, my colleagues. If we're going to talk about tax increases, get the facts correct. Talk about the tax reductions at the same time. Talk about the fact that the Affordable Health Care Act, in effect, has actually been part of an overall reduction in the inflation rate of health care.

And in the Affordable Health Care Act, there are very significant, long-lasting, and powerful reforms that will bend the cost curve of health care, such as electronic medical records. The repeal would wipe that out. It would be gone.

Primary care clinics across this Nation are funded through the Affordable Health Care Act. Where do you think people get care today? In those clinics. If they don't get care there, they're going to the emergency room at 5 or 10 times the cost.

There are vaccinations for our children, which, incidentally, in the appropriations bill, our Republican friends tried to eliminate many of these vaccinations. Fortunately, it didn't happen.

There is preventive care for seniors so that their blood pressure and diabetes is controlled. Today, our Republican colleagues voted to wipe out preventive care not only for seniors, but beginning this August, a month from now, every woman in America will be able to get preventive screening. Mammograms, pap smears, blood pressure testing. That's what's being lost here, all in the name of some political opportunistic effort to try to run out once again what you thought was successful in the last election period.

Well, the American public isn't going to be fooled twice. The American public will come to know that in the Affordable Health Care Act there is real benefit for Americans.

Mr. TONKO, thank you for bringing us to this floor. Thank you for bringing us the opportunity to talk about what is real.

Mr. TONKO. Representative GARAMENDI, I couldn't agree more with the need to exchange statistics here, the real stats on what is happening. We only have a short history, but already it's a powerful statement.

When you look at healthy pregnancies, that front-end life investment which this embraces, what a soundness to the rationale for progressive policy.

When you think of the dignity factor for those senior years so that people aren't chopping a pill in half so as to meet their family budget and take care of half of their medical needs, this is an exercise of foolishness to repeal at a time when we've just started the engine of recovery and transformation and transition and reform.

We also know that—and I hear it from my constituents all the time—repeal. What's the replacement? There is no hint of a replacement because you took it halfway and said, We're just going to repeal this. That's the political posturing that is so painful, because you have now delivered to society a new opportunity to better steward our resources, to better provide for the dignity in the equation so that people can have that comfort zone, knowing that if they get impacted by some sort of catastrophic illness—and we've seen it in our communities, in our neighborhoods, in our families where peoples' lives are turned around in an instant. To those who you suggested might not buy the insurance, who then bears the burden if there is a catastrophic outcome?

They're saying, Oh, you're asking them to pay a tax if they don't want insurance.

If they don't have insurance and they get a catastrophic illness, they fall into some sort of huge accident, who's going to pay? You're right, Representative GARAMENDI, there are those that get in charity situations where premiums cover it, taxpayers cover it.

This has been thought out in a very meaningful way. We talk about a global competitiveness. We talk about our industries going to the marketplace, international marketplace, wind contracts, produce in America, and grow jobs. Part of the price that they have to calculate is the cost of health care. If we're providing a benefit to our business community, if we're having a smarter approach taken to the health care dollars being utilized in best fashion, there's a corresponding benefit that befalls the economic recovery opportunities because our businesses will be able to have the benefit of the soundness of that universal health care system to more effectively compete in the international marketplace, to secure those contracts that then translate into jobs.

There is an interconnectedness here that goes well beyond health care policy. It falls into the realm of economic recovery and business creation and all sorts of quality-of-life issues that market our neighborhoods, our States, and our Nation for jobs.

We know what's happening in other Nations. They have taken the bull by the horns, and they have put together a good, sound system, and we were comfortable to have status quo be our rule, our guiding light. It was the boldness of those leaders that came forward and said: There is a better way to use those dollars out there. There are better ways to reach people. There is a need for preventive and wellness programs, for screenings and for those annual checkups, making certain that pharmaceutical needs are something that are within the grasp of our senior community and our middle-income community and our middle-aged community.

To cite scenarios like that of your staffer and his child, to provide that hope in the middle of despair where people have abandoned the hope for a better tomorrow for their children because of lack of affordability, to cover those health care situations, that's what this is about.

This is the old American spirit coming forward. It's about speaking as a community, not as individuals disconnected from one another. It's about thinking as a society, of a greatness of America at her best: compassionate, resolved to make a difference, determined to use our resources in a way that is most effective, most efficient, most smart. It is America at a great, shining moment. And to denounce all of that progress and to move for repeal speaks volumes about greed and about injustice and the desire to turn progress around.

Representative GARAMENDI, we close in the next minute or two. Any closing thoughts from you? I thank you for joining us this evening.

Mr. GARAMENDI. I thank you, and I suspect we're going to hear once again this is a government takeover. That's not true. It's not true at all. This is built upon the private delivery system that we presently have. Talk about the government designing or taking over the policy is just not true. I know this. I was the insurance commissioner. I know that it is actually the insurance companies heretofore before this bill that actually did that.

Mr. TONKO, thank you so very much for your leadership on this and your passion for it. We are out of time.

This issue is not going to go away. This issue will be around. I would hope, as it is discussed in the months ahead, that we actually get down past the rhetoric and talk about the real facts of what is in the Affordable Health Care Act. It's an extraordinary improvement for America's health care.

Thank you very much, Mr. TONKO.

Mr. TONKO. Thank you.

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

□ 1720

GOP FRESHMEN SPECIAL ORDER

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

Mr. REED. Mr. Speaker, I rise this evening and come to the floor to talk about an important issue of the day. A few hours ago in this Chamber on this floor, this House voted to repeal ObamaCare.

The Affordable Care Act to me is a classic example of what is wrong with Washington, D.C. It is a philosophy that this city has the arrogance and the vision to think that if we take over an area such as health care from Washington, D.C., somehow magically the bureaucrats and the folks here in Washington are going to wave a magic wand and cure the problems in the health care industry.

What ObamaCare is, it's simple: it's an expansion of government, it's 130 agencies, newly created agencies, to enter into the health care arena, 22 taxes to pay for that expansion of government to take on health care. You got half a trillion dollars of cuts to Medicare.

Mr. Speaker, I have heard for the last 18 months, as a freshman Member of this Chamber, how the folks on this side of the aisle came here to Washington to kill Medicare. We literally had campaign ads where we were supposedly rolling Grandma and Grandpa up the Niagara Gorge to somehow represent that that's the mission of our side of the aisle. That's ridiculous.

Here we have a bill that cuts Medicare $500 billion, and my colleagues on the other side of the aisle have the audacity to say that we're the ones who are trying to kill Medicare. Well, $500 billion worth of cuts to Medicare goes a long way to jeopardizing that program.

I just come here tonight, Mr. Speaker, and I am joined by some of my fellow freshmen who will be coming in and out over the next hour, to really try to articulate to the people of America that with what the Supreme Court did—and I've read the decision at least five times, and I disagree with it—but I do agree with the one sentiment the Chief Justice represented in the majority opinion.

He said, we're going to call, essentially, ObamaCare what it is, an expansion of government, and it's a tax; it's a tax increase. If that's what the people of America want their elected officials in Washington to do, then so be it. That is not for the Court, and that is not for the Chief Justice to decide. It's up to the people.

The vote that we took this afternoon is done on the backdrop of the Supreme Court decision saying exactly what ObamaCare is, an expansion of government, tax increases to pay for it, and cuts to Medicare of $500 billion. Let's be honest with the American people. The American people deserve their elected officials to come to this floor, to this Chamber, and deal with the issues in an open and honest way.

I was proud to cast the vote today to stand for repeal of ObamaCare because we can do better. We can do better than continuing the traditional Washington, D.C., tactics of, well, let the government take it over, let me raise your taxes to pay for it. You know what, we can do better than trying to say, well, it's a penalty and therefore we will argue until we're blue in the face that it's not a tax, but then the Supreme Court comes and says it is a tax. Let's just be honest with the issues that are before us tonight.

I am joined by a great freshman colleague from the State of Mississippi. For his introductory remarks, I would yield as much time as he may consume in regards to this pivotal issue.

Mr. PALAZZO. Thank you, Congressman REED. I appreciate you organizing this Special Order tonight. It's a very important issue, not just to my constituents back in the State of Mississippi, the Fourth Congressional District, but to all Americans. So thank you for doing that.

Over the past 2 years, our Nation has engaged in the debate of the future of our country and the future of health care reform. When the Supreme Court ruled to uphold the health care law as a tax, they never meant to send a message that this is a good policy. Their ruling did not change the fact that it is bad for our job creators, which are our small businesses. It's bad for families, and it's bad for seniors.

They weren't putting their stamp of approval on the enormous burden of regulations and tax hikes that this bill brings. They weren't making a statement in favor of a law that takes health choices out of the hands of individuals and doctors and that places more control in the hands of government bureaucrats.

What they did when they ruled on this law was reaffirm that this is, indeed, a multibillion dollar tax. The Court reaffirmed that it is, indeed, unconstitutional to force a massive Medicaid expansion upon States like Mississippi, which cannot afford it.

Finally, the Supreme Court reaffirmed for myself and my colleagues and for millions upon millions of Americans that there is a need to fully repeal this law. So today, with this vote, we are listening to the majority of the American people who do not want this law, and we renew our commitment to them to bring real step-by-step commonsense solutions that Americans want and provide them with the access to the care they need from the doctor they choose and at a price that they can afford.

Mr. REED. Well, I appreciate the gentleman from Mississippi's comments, and I hope he continues to stay with us here this evening and we have this conversation as we move forward.

The gentleman from Mississippi touched on something, Mr. Speaker, that is extremely important when it comes to this issue. With the adoption and the repeal of ObamaCare, what we're trying to send to the American people is a message that the folks on this side of the aisle, in particular, want to make sure that we tackle health care reform and, one, we take care of the critical issue, and that is how are we going to change the cost escalators that are occurring in health care every year. How are we going to do that?

Now, the fundamental principle over here on our side of the aisle that I firmly believe in is that we are going to do that, once we repeal this law, by taking reforms from the perspective of the individual, from the patient, and from the doctor's point of view, not from the ObamaCare model of handing it to administrators and bureaucrats and somehow thinking that the government has the solution to this problem.

What we're going to deploy, in my opinion, are good old-fashioned market forces, forces of individual choice, having individuals and patients and doctors control their health care destiny rather than having some unelected bureaucrat under the Independent Payment Advisory Board making determinations as to what type of health care you're going to receive. We can do better than that in America.

The gentleman from Mississippi makes a great point when he talks about the expansion and the tax burden that this law puts on all Americans. In particular, many folks, I heard the debate over the last couple of days, said we have used up floor time when we should be focusing on jobs.

Well, you know what, this is related to jobs. Because of the expansion of government, the mandates that come from this and the higher taxes that are placed on all Americans as a result of this will saddle our private sector, will saddle our individuals, they will saddle our job creators with a burden that they just can't overcome. What we should be doing is relieving those burdens so that they can hire the people of today and tomorrow.

This expansion of government just doesn't stop today. If it is allowed to go forward—and I hope my colleagues in the Senate take this bill up so the American people know exactly where they stand—but if this bill is allowed to go forward, we are saddling Americans with a burden, both tax and government regulations and mandates, to a point where we are just asking them to do something where they have just got a load that is too heavy to bear, and that's just simply to hire people. But you can't hire people if you have more taxes and you have got more burdens and obligations of government regulations to comply with.

I see my friend from Mississippi may have a couple more comments on the topic.

Mr. PALAZZO. Well, Congressman, there are so many bad things about this bill. We could spend a lot more than an hour talking about it.

The American people have had over 2 years to fully digest the bill that was crammed down their American throats by the 112th Congress. What the Republican House is doing is we are not going to make the same mistakes that they did.

We had a President, we had a Speaker of the House, and we had a Senate that ignored the pleas and cries of the American people. Nonetheless, they passed a 2,700-page bill. There is nothing good in a 2,700-page bill. They did it under the cover of darkness.

The former Speaker of the House said, ''You have to pass it before you'll know what's in it.'' We're not going to make those same mistakes. We're not going to repeat their failures. What we're going to do is we're going to listen to the American people. We're going to take their solutions so that we can address the care that they need from the doctor that they choose and at a price that they can afford.

□ 1730

There's some good things that are going to be coming forth. So I don't understand. Our colleagues on the other side are saying, Hey, this bill isn't perfect, but let's keep it and tweak it. There's no small fix to this bill. It is garbage. We have to throw it out and start over. But we're going to listen to the American people. And I think that's where they went wrong. We are even going to offer, I believe, our colleagues, as we've done in almost every bill, allow them to bring amendments to the floor, where in 2009 they did not allow one Republican amendment to the bill.

So the old saying: If you're ignorant of the past, you're doomed to repeat it. Well, we've learned from our history, and we're going to make right for the American people on health care.

Thank you, Congressman.

Mr. REED. I appreciate the gentleman from Mississippi, a great Member of the freshman class, joining us tonight. I know we have some other colleagues to continue this conversation.

One point before I yield to the gentleman from Florida. We're talking about job creation. Back in the district, back in upstate New York, in Corning, my hometown, we get out and we have town halls and we meet with constituents, we meet with business owners. And I'll tell you, one meeting really resonated with me. I went up to Hornell, New York, a great community up in our district, Mr. Speaker, and met with a company called Dyco Electronics. He employs about 48 employees. And he had me in his office, and we're walking down the floor watching his shop where he's assembling different electronic components and we're talking about the issues of the day. Mr. Speaker, he had a point that resonates when it comes to this issue.

He said, You know what, TOM? I'm not going to hire any more people. I've got business. I've got some opportunities that I can potentially expand. But the CEO of Dyco electronics, 48 employees, said, If I go over 50 employees, I've got to then comply with ObamaCare. These mandates, these regulations. You've got 2,700 pages of statutory text, you've got tens of thousands of pages of regulations that ultimately will be created. And he just says, I can't take that chance.

So this is all related to jobs also, as we continue this debate. It's not just about health care but it's about job creation. And I agree that it is a primary issue of the day. But that is a classic example and that resonated with me when I came back down here to stand for repeal, because so many small businesses, I think, are in the exact same situation as Dyco Electronics back in Hornell, New York, where they are shocked in a deer-in-the-headlight type moment where they're saying, No, we're not hiring because we don't want to go over that 50-employee threshold.

With that, I'm pleased to yield to a great member of the freshman class, the gentleman from Florida.

Mr. WEST. Thank you very much to my colleague, Mr. REED, for allowing me to be here and spend some time to talk about one of the reasons why I did not want to continue on supporting what has to be the ''Patient Protection Unaffordable Tax Act.''

When you think about down in south Florida, where I am from, a lot of people play golf. I've never swung a golf club in my life. But I do appreciate this term that they use called a mulligan. And a mulligan means you get to do it over. And I think that's what the American people want from us here in this distinguished body, Republicans and Democrats, a do-over. So that's what we tried to do today. And hopefully, Senator REID will take our heed and he will go forth and allow the American people to see that mulligan take place.

But I sit on the Small Business Committee. When you think about the effects that this tax law—because that's really all that it is now that the solicitor general from the administration argued that it was a tax and Chief Justice Roberts did agree with him. So it's a tax. And so down South, if it quacks like a duck, if it walks like a duck, doggone it, it's a duck.

Roughly 940,000 small businesses will be hit by an incredibly big tax hike. According to the National Federation of Independent Business, the advocacy group for small businesses, 75 percent of small businesses are organized as pass-through entities, small businesses, subchapter S, LLCs, meaning that they pay their taxes on their business income at an individual rate. The Joint Committee on Taxation estimates that this tax hike that is going to be hitting will affect 940,000 small businesses. Half of all small business income would face higher taxes.

According to Bloomberg News and an analysis by the JCT, it also shows that President Obama's plan for these massive tax hikes mean higher taxes on 53 percent of business income reported on individual returns. More than a quarter of American workers' jobs are at risk. According to U.S. Census data through the NFIB, small businesses employ more than 25 percent of the total workforce. So raising taxes on these small businesses threatens these jobs—and that's the last thing we need to do in this weak economy.

My colleague, Mr. REED, just talked about this artificial employer mandate where if you go over 50 employees, then you get hit with these fines because you have to provide certain levels of health insurance and health coverage. Well, why would we put that type of artificial burden? What does that mean for a small business owner that is at 48 and 49? He's not going to seek to go any higher. Or, if he does go any higher, he's going to drop people off of his insurance coverage. Or, maybe even worse, he'll just get rid of that employee, which means another person that's added in.

A U.S. Chamber of Commerce survey showed that 74 percent of small businesses contend that this law will make job creation at their companies even more difficult. The Supreme Court's health care ruling leaves in place 21 tax increases enacted as part of this law. A dozen of these are going to affect those people: less than $200,000 for singles and $250,000 for married couples—a clear violation of what the President talked about with his pledge to avoid taxes on lower- and middle-income taxpayers. This is the reason why I said we've got to have a mulligan.

An additional 0.9 percent payroll tax on wages and self-employment income and a new 3.8 percent tax on dividends, something very important for seniors down in south Florida. Capital gains. Why are we going after capital gains in a health care law? I don't know. I think it's a tax law. Why are we going to go after capital gains when we need to have investments so we can grow our economy—and other investment income for taxpayers.

''Cadillac tax'' on high-cost plans; annual tax on health insurance providers; annual tax on drug manufacturers and importers; a 2.3 percent excise tax on medical device manufacturers and importers. And if I'm right, Mr. REED, that's one of those pieces of legislation, that 31 or 32 sitting on HARRY REID's desk, so we can get rid of that medical device tax. Again, I just tell this guy we need to have a mulligan.

Raise a 7.5 percent AGI on medical expense deductions to 10; deny eligibility of ''black liquor'' for cellulosic biofuel producer credit. What does that have to do with health care?

Codify economic substance doctrine; increase penalty for non-qualified

health savings account distributions; impose limitations on the use of health savings accounts, flexible spending accounts, and Archer MSAs to purchase over-the-counter medicines; impose fee on insured and self-insured health plans and patient-centered outcomes research trust fund; eliminate the deduction for expenses allocable to Medicare part D subsidy; impose a 10 percent tax on tanning services.

I have got to tell you, down in south Florida, if it's kind of clouded over, a lot of people go into the indoor tanning booths. Now they've got to pay a tax for that.

What are we doing with the Tax Code, Mr. REED? Are we now using the Tax Code as a means by which we're going to promote social policy? Are we using the Tax Code now as a means by which we're going to create behavior modification here in the United States of America? That's all this bill does.

Sixteen thousand new IRS agents. Why do we need 16,000 new IRS agents if this is supposed to be a health care law? It's because someone's got to collect all that money that this ''Patient Protection Unaffordable Tax Act'' is bringing upon the American people.

What do you really get with this? You get 159 new government agencies and bureaucracies. You get all of these different bureaucrats up here in Washington, D.C., that are going to interject themselves between the doctor-patient relationship.

Well, no one talked about this a lot, how in this health care law the Federal Government took over college education loans. It was the people from across the aisle who made the decision that we will take it from 3.4 to 6.8 percent. Once again, it became incumbent upon us to come in and try to clean up the mess that was made.

It is truly as the former Speaker said: we have to pass this bill in order to find out what is in it. And now that we're finding out what is in it, we just cannot stomach this. The ObamaCare tax is already holding back job growth in medical innovation, with venture capital investment and medical device firms down 50 percent in 2011 compared to any of the previous 5 years. The average American family already paid a premium increase of approximately $1,200 in the year following passage of this law. The Congressional Budget Office predicts that health insurance premiums for individuals buying private health coverage on their own will increase by $2,100 in 2016 compared to what the premiums would have been in 2016 if this law had not been passed.

□ 1740

Mr. Speaker, there is no doubt about the fact that we need to do something to reform the health care process here in the United States of America and make it more affordable. But to all of a sudden bring the Federal Government in—you know, it was about 30-some-odd years ago when there was a former Democrat President that said everyone has a right to own a home, and the Federal Government created this thing called the Community Reinvestment Act. And look how well that worked out 30 years later in 2008 when we had that financial meltdown tied to the mortgage industry.

So what is going to happen with this incredibly onerous invasion into the health care industry? I don't want to be around 30 years from now to see. And that's why my message to HARRY REID is very simple: The American people want a mulligan. Let's do it over and do it right.

Mr. REED. Well, I so appreciate Mr. WEST's comments. The gentleman from Florida speaks very clearly and directly on the issues with this bill. And as the gentleman articulated, 139 different agencies are now created under ObamaCare.

I've come to the well of the House, Mr. Speaker, to display to America what our health care system now looks like under ObamaCare. This diagram goes through the 2,700 pages of statutory language and identifies those 130-plus agencies. This is what American health care looks like after ObamaCare.

We can do better. As the gentleman from Florida mentions, we need a mulligan. And what we need to do is listen to the American people. That is one of the fundamental problems down here in Washington, D.C. People down here think: I'm in Washington. I got elected and I got a title. I'm Paul Congressman. Of course I know what's best for everybody in America.

Do you know what? I trust the American individual. I believe in the American individual. We need to listen to him. That's why we go back to the district and we talk to so many constituents. We have town halls because of the commonsense ideas that people have around their kitchen tables and the conversations they are having around their sofas in their living room.

We should be listening to the American individual and the American people because the common sense of America is what makes us strong, not some bureaucratic thought process of some person reading a book who sits in a cubicle down here in Washington, D.C., and comes up with a monster of a health care program that's got 130-plus agencies.

And this is how the personal relationship of a patient and a doctor is handled under ObamaCare. We can do better. We need a mulligan.

I so appreciate my other friends in the freshman class coming this evening to meet with us.

With that, I would like to yield to a good Member, a great friend from Arkansas (Mr. GRIFFIN).

Mr. GRIFFIN of Arkansas. Thank you. I appreciate it very much.

Mr. Speaker, we have heard a lot about repeal and replace, and I have a lot of constituents asking about the replace part of that. And what I tell them is we have a lot of ideas that have been introduced here in the House. In fact, by last count, there are over 200. I think it's something like 219 bills introduced in the House that relate to health care reform. So we are not short of ideas in terms of implementing real health care reform.

But before we get to that, we first must repeal this monstrosity, this almost 3,000-page monstrosity of taxes, new boards, and new agencies that makes it more difficult for businesses to hire new people. So that's why we're here focusing on repeal today.

We have, Mr. Speaker, lots of ideas. For example, many of us here support medical liability reform. Gallup polls and other experts have testified that much of the cost of what we pay in health care is attributable to the practice of defensive medicine. By some counts, one-quarter of all health care costs are attributable to the practice of defensive medicine.

We have a great medical liability reform bill. In fact, if I remember correctly, a couple years ago in the State of the Union, the President said he was in favor of medical liability reform. I haven't heard much from him on that. I wish he would talk more about it. It certainly wasn't part of his health care law. But that's a great idea that will reduce the practice of defensive medicine and reduce the cost of health care and, in turn, make health insurance more affordable, which, in turn, addresses the access question.

We also have great legislation introduced by my friend, MARSHA BLACKBURN of Tennessee. She has got a great bill. What it does is it allows for competition between insurance companies across State lines. So if you live in Arkansas and you see a health care plan that you want to buy over in Tennessee, our neighboring State, well, you can buy that plan. And then if you move to Arizona—I don't know why you would leave Arkansas, but if you did, you could take that with you across State lines.

Competition, choice, and patient-centered options, that's the kind of health care reform we need. And that's the kind of health care reform that I favor, that many folks here in the House favor, and that is reflected in the over 200 bills that have been introduced here. And we want to get to that. But before we can get to that, before we can focus on the replace, we have to repeal. And that's why we're here again asking the Senate to do its part.

I'll tell you, I've had some folks on Twitter and Facebook and other places say, You're just wasting your time. Why are you just wasting your time? I think I was asked that on television earlier today. And my response was, when I made a pledge in my campaign to repeal ObamaCare, the President's health care law, whatever you want to call it, my pledge was not I'm going to fight to repeal it if the Senate agrees to pass it. That wasn't my pledge. My pledge was I'm going to fight to repeal it. I'm going to control what I can control. I can't control the Senate.

In fact, I told somebody on Twitter about 15 minutes ago, before I came down here to the floor, I said, well, if we in the House only took action on issues that we know the Senate will vote on, we would all be sleeping. Mr. Speaker, you'd be sleeping in the chair and we'd be sleeping, because the Senate doesn't take action on much of anything. Sometimes I feel like I've got to walk down there and wake them up.

So my job in fulfilling my promises, my pledges, and my commitment to my constituents is not dependent upon whether the Senate is going to do the right thing or not. I hope they do. I'm praying for them, and I wish them well. But we're going to do our job here regardless of what they do down there.

I'll say one more thing. Anybody who has been paying attention over the last 2 years knew before I ever got elected what my intention was. And I think a lot of us talked about this before we ever got here, and what we are doing is following through on our promise.

I yield back, and I appreciate the time.

Mr. REED. I appreciate the gentleman's comments.

I think you're touching on something when we talk about the Senate and what we can control here in the House. And I think today's exercise of voting to repeal ObamaCare again was time well spent, because it's time to be open and honest with the American people.

Look at this bill, the 2,700 pages that created this health care system with 139 agencies that you see on this board. Look at the timing of when these requirements and these mandates kick in. Look at the whole argument of the last 2 years in the debate on the Affordable Care Act, ObamaCare. Look at the argument over whether it's a penalty or a tax.

I can remember Kathleen Sebelius in front of me on the Ways and Means Committee still fighting me as the arguments were going on in front of the Supreme Court whether or not this was a tax or a penalty. Essentially, she fought that tooth and nail and said, no, it's not a tax; it's a penalty.

□ 1750

You saw the President repeatedly tell different reporters and go on the record and say it's not a tax; it's a penalty. There's a lot of politics going on under this bill. And they all want to do it in a way that makes sure that they're not held accountable, in my opinion, because November 6, 2012, is a critical date. When you look at most of the dates under this bill, when most of the mandates and most of the tax increases are kicked in, they happen after November 6, 2012.

What's so magical about November 6, 2012? Well, obviously we have a Presidential election. We have a Senate election. We have a House election. So today, what we did, after the Supreme Court spoke and called the bill what it is—an expansion of government, a tax increase—we went on the record so that the American people, come November, know where we stand.

Now, I'm not as hopeful as my colleague was talking about the Senate may take this up, or asking HARRY REID to take this up. What I think is going to happen is the Senate is going to run from this. They're not going to go on record in regards to how they feel on the repeal of ObamaCare, if they're either going to reinforce it or reaffirm it. They're not going to take it up. Why? Because November 6, 2012, is coming down the pipeline, and they don't want to go on record after the Supreme Court has spoken and called it what it is—expansion of government and a tax increase.

That's not how elected officials lead. Elected officials lead by putting their name up on the board and standing in front of their constituents and in front of the American people and being honest and open with them because hardworking taxpayers deserve no less. And as a freshman Member of this Chamber and as a freshman Member of this body, I firmly believe we can tackle more of our problems if we adopt that attitude, just being open and honest with the American people.

With that, I'm so pleased to be joined by the gentleman from Colorado (Mr. GARDNER).

Mr. GARDNER. I thank the gentleman from New York for his time today and his leadership on this important issue. I know you have a young family, as do I, and you're here today to make sure that we talk about those matters that are important to our families, those things that will lead to a better future for them.

But it's been a disappointing day today when we saw colleagues on the other side of the aisle who had an opportunity to reject one of the largest tax increases in American history, when they could have voted to repeal and begin the replacement process on the health care bill, the President's takeover of health care, but, instead, most of them, the vast majority of them, decided to move forward with the tax, a tax that they pledged they would never commit and carry out on the middle class of this country.

Growing up in a little town of the eastern plains of Colorado, I will never forget my hometown doctor. At times, he was the only doctor in a town of about 3,000 people. His name was Jack Pierce. Dr. Pierce was somebody that's still looked up to in my hometown. He's moved away, lives in Texas now, but he's somebody who parts of the new hospital is named after, somebody who delivered me and was there when my mom, in my hometown, was delivered as well.

Dr. Pierce was my doctor's name. With the health care bill, the rest of America gets Dr. Washington. Dr. Washington is now going to make health care decisions for the American people. If you're sick and you need help, you better have the approval of Dr. Washington first because Dr. Washington has a board of bureaucrats that will decide for you what kind of treatment you may or may not receive.

Dr. Washington is going to ensure that you have a $1,200 increase in health care premiums if you're the average American family. That's just what happened after the first year of enactment of the President's health care takeover.

Dr. Washington will see that, in 2016, you'll have a 13 percent increase in your premium for individuals and families who can buy coverage on their own compared to if the law hadn't been enacted at all, a 13 percent increase if the law hadn't been enacted at all.

Going back to Colorado and talking to business owners, they talk about what their costs will be. Families talk about the insurance that they'd like to have now, the insurance they wanted to keep but are concerned they're not going to be able to under the President's takeover of health care. This tax increase will cost Americans dearly. It will cost them the doctors that they wanted and it will cost them the insurance that they'd like to keep.

We know that this bill is going to cost even more than it was anticipated to cost. As recently as June 27, 2012, they said that this health care bill would cost $1.8 trillion over the next 10 years. Today, we see numbers with new estimates over $2 trillion, nearly $2.6 trillion over the next 10 years to pay for this. How is it going to be paid for? A tax on the American people.

In a letter to the Governor of Texas, Kathleen Sebelius, Secretary Sebelius, wrote, saying:

> We encourage you to participate in this new, expanded health care opportunity because of the generous Federal benefits that are being offered.

How is this country going to pay for those generous Federal benefits? Deficit spending? borrowing? tax increases? The answer is: All of the above. In fact, that may be the only thing this administration agrees with when it comes to all of the above—taxes, spending, and debt.

Ladies and gentlemen, the people that I represent in Colorado, the people that we represent in this country are asking for real health care solutions. They're asking for solutions that will improve the quality of care while decreasing the cost of care. The President's takeover does none of those.

We have an obligation to this country, to the people we represent, to make sure they understand that when the chief actuary of Medicare says that the two primary promises that were made in this health care bill will never materialize, that it will decrease costs and that if you like the insurance you have, you get to keep it—the chief actuary, independent actuary, has said those two primary promises will not be realized. And yet today, the vast majority of people in the President's own party said move forward with the tax and say good-bye to the health care

that you and your family is hoping to secure.

So with that, I would again thank the gentleman from New York for the opportunity to be here to talk about ways that we can move this country forward and our obligation to the American people.

Mr. REED. I so appreciate the gentleman from Colorado joining us tonight.

When you talk about Dr. Washington, it is a great analogy. What we're really talking about—are we not?—is the Independent Payment Advisory Board as kind of the primary example of the agency of Dr. Washington.

What is the Independent Payment Advisory Board? It's 15 unelected bureaucrats that, under the law, will be making recommendations to Congress as to where to cut in Medicare, the types of services that are going to be provided under American health care going forward under ObamaCare.

Now, the argument I've heard from my colleagues on the other side of the aisle is, well, those are just recommendations. But they go to Congress, and if we disagree, we can take a vote in the House and take a vote in the Senate and the President signs it into law, and we overrule those recommendations.

Look at the law. Read the law. I trust the American individuals. Read the law. What do those recommendations do?

Those recommendations come to Congress and require a two-thirds vote of the House and the Senate to approve or disapprove those recommendations if we want to do something differently than what the agency recommends to us. Why stack the deck? Why have a two-thirds voting requirement on such a critical issue as to what health care is going to be delivered in America? So let's just be open and honest with the American people and call it what it is.

You've got 15 unelected bureaucrats—under the law, not obligated to conduct their conversations or their debates in public—make recommendations to Congress so that they can say that we're having Congress ultimately have the ultimate decision, but then make Congress have a two-thirds voting requirement to override those 15 members of that unelected Independent Payment Advisory Board when it comes to health care decisions. What kind of health care system is that?

We can do better. We don't need to rely on Dr. Washington. We need a mulligan, as my colleague from Florida said. We can do better. We can do it by repealing this and listening to the American people and adopting reforms that are patient-centered and doctor-centered at the end of the day.

With that, I am so pleased to be joined by a great colleague from Tennessee (Mrs. BLACK), a colleague of the Ways and Means Committee. I'm proud to yield to her.

Mrs. BLACK. Thank you, my colleague from New York. I want to thank you for managing this Special Order tonight because we cannot talk about this issue enough. We have got to continue to make sure that the American people are aware of this devastating bill called ObamaCare, or the Patient Affordability Act.

Now, having been a nurse for over 40 years and working in the health care system, we have the best health care in the world. I have done medical mission trips in other parts of the world, and I can tell you they don't come anywhere near providing the kind of quality service that we have here in this country. As a matter of fact, we will see people from other countries come to the United States to get that care because they know across this world that we provide the best health care in the world.

But I'm not going to disagree that the system is broken and does need some repair.

□ 1800

We do need to have more accessibility. We do need to lower the cost, and we need to make sure that, while doing that, we maintain and increase quality.

However, what has happened in the bill that was passed some 3 years ago now by our colleagues on the other side of the aisle, there wasn't transparency, there wasn't input by those who were providing care and that are a part of the system, and we didn't see patient-centered care.

There are other solutions. This is not the only solution. And as my colleague from New York shows this chart, this very complicated chart, when NANCY PELOSI said that we have to pass this bill to know what's in it, she was correct, because as we look at these 139 different agencies that still are going to have to be created and rules and regulations that need to be promulgated, we have no clue of what's going to be happening with this health care system now for the next 5 to 8 years.

We do have some solutions, good solutions that are patient-centered, that are market-driven solutions, such as HSAs, which really have not been given a chance. But HSAs are a very, very good way, especially for the young. Many of the young people that are currently not insured are not insured because they can't see a reason for paying for the very expensive insurance that's out there and available for them.

Things such as removing the barriers from purchasing your health care across State lines, these are some good, market-driven ideas that will bring the cost of health care down and give patients more opportunity for them to make decisions about what's best for them in their health care.

Also, tort reform. We know tort reform has worked in those States where it has been successfully implemented. Tort reform needs to be done across the entire country.

These are real solutions that allow the patient to be in the driver seat to make those decisions about what's best for them.

But, instead, what do we have?

We have a law that's devastating our economy, and it is wrong medicine for our health care system.

Three-quarters of our small businesses—and I know that as I visit these small businesses across my district, they're the bedrock of the U.S. economy—say the law is preventing them from hiring people. And all of this, and health care costs continue to soar, so it hasn't done anything to bring the cost down. What we're seeing is the cost escalating.

And to make matters worse, ObamaCare will result in millions of Americans being dropped from their employers' health insurance plans and pushed on the government-run health insurance. And all of this, all of this results in more deficit spending and more tax hikes for the middle class folks.

The President has said as recently as this week that he does not want to raise taxes on the middle class. He also says he wants Congress to focus on job creation and the economy.

But, Mr. President, the House has voted yet again to do just that. By repealing ObamaCare, we can prevent this crippling tax on the middle class, and this will also lift the cloud of uncertainty and other job-killing taxes that are wreaking havoc on our economy and our health care system.

It's been 41 straight months of unemployment above 8 percent, and it doesn't look like things are going to change very soon. If the President is committed to helping the middle class like he says, then he will join us in doing away with this law that is increasing the tax burden and the cost of health care for all Americans. Americans deserve better.

Thank you again, my colleague from New York, for managing this time to allow us to be able to talk to the American people and help them understand there are real solutions out there.

Mr. REED. I so appreciate my colleague from Tennessee offering her comments. And I know we're coming to the end of our hour with a few minutes left, but we have plenty of time for two more colleagues that have joined us this evening.

I yield to a great gentleman from Texas, a member of the freshman class, Mr. FLORES.

Mr. FLORES. Mr. REED, I want to thank you for managing this Special Order today, and thank you for allowing me some time to participate.

I'm very proud of our freshman class here in Washington. We have changed things in this town, at least on this side of the Capitol, and we're responding to what the American people want. The American people overwhelmingly do not want ObamaCare.

So I have to thank Mr. PALAZZO and Mr. WEST and Mrs. BLACK. I assume Mr. WOODALL's going to speak in a few minutes, and Mr. GARDNER, and thank them for getting up here and telling the truth.

A few minutes ago I was sitting in the Chair as the Speaker pro tempore, and the gentleman from California (Mr. GARAMENDI), a Democrat, and Mr. TONKO, a Democrat from New York, invited me to come down and debate with them, so I'm here to debate with them.

If you'd listen to what the Democrats say about ObamaCare, you'd think the world was going to be perfect and butterflies were going to be singing Kumbaya. You'd think that everything was going to be just fine.

When you go to the HHS Web site that talks about ObamaCare, all you see are all the things that tell you about how great your life is going to be, but it doesn't discuss the cost. And only in this town we call Washington, D.C., this town that's based on fantasy, can you believe things like that, where you can get everything for a cost of nothing.

Well, Americans know that's not the case. They know that you can't do that, and Americans know that you can't take one-sixth of our economy and turn it over to bureaucrats like the people that run the GSA. Now, the people at the GSA partied real well, but I don't trust them with our Nation's health care, not my granddaughter's, not my grandmother's, none of their health care.

Now, we, as I said, in this town we're changing things as the freshman class. Most of us that came in this class came from the real world. We know how to sign the front side of a paycheck, we know what the commitment is like to have to hire an employee, to have to make sure that that employee's family gets a paycheck so that that family will have food and housing and education; that they can be part of a robust local economy so that they can be part of a healthy middle class in this country.

But bureaucrats don't do that. The private sector does that, builds that healthy economy for Americans.

So, again, I just can't see how you could say that we could turn over health care to folks like the ones that run the GSA.

What Mr. GARAMENDI and Mr. TONKO need to do, when they say that everything's for free and costs nothing, and the world's going to be better off, they need to come talk to a small software company in Waco, Texas, that saw their premiums go up in 2011 by 27 percent and saw their health insurance premiums go up this year by 23 percent. Or the small manufacturer in Bryan-College Station, Texas, that's looked at their premiums increase by a combination of about 40 percent over the last 2 years. And each of these companies is thinking, Do I have to drop coverage? Do I have to lay off employees so I can absorb the extra cost? Do I move my operations overseas?

The folks on the other side of the aisle need to understand that the taxes, the restrictions, the regulations that come with ObamaCare are a tax on all America. When you tax the economy, you tax all Americans. And we've already talked in great detail. Mr. WEST laid out all the taxes in ObamaCare, did it pretty well.

But I just say, when you add it all up, and you add all those taxes together, they're a tax on the economy, and that's a tax on the middle class. That's a tax on every class in America. And that's not what Americans want.

I voted for the repeal of ObamaCare today, and I'm proud I did. And I'd urge that HARRY REID, over in the Senate, take it up.

And so I've put together sort of the top 10 fatal flaws that are part of ObamaCare, and here they are.

Number one, the worst of them is it's a violation of our constitutional liberties, your right to your religious preferences, where you can have a bureaucrat, like the ones at the GSA, cram down your throat what your employer has to provide for you or what it may not provide for you.

Number two, it fails in its primary goals of controlling costs and allowing Americans to keep their health insurance coverage. You heard our other freshman speakers lay that out well today.

Number three, it hurts our hardworking taxpayers by adding over 20 new taxes, costing over $800 billion, taxes on things like home sales and investment income. Those hit the middle class just like everybody else.

Number four, according to the nonpartisan Congressional Budget Office, the CBO, as we call it around here, it will cost our Nation over 800,000 jobs. How's that good for the middle class?

In addition, now that the State Medicaid mandate was ruled unconstitutional, the costs of ObamaCare are going to increase by $700 billion. And that's already on top, further damaging our fragile fiscal situation at the Federal level.

Number six, we've already talked about this tonight, a half a trillion dollars cut from Medicare, hurting our seniors.

□ 1810

Number seven, ObamaCare puts 15 unelected, unaccountable bureaucrats between doctors and patients.

Mr. Speaker, I don't want people who run the GSA between me and my doctor or between my granddaughter and her doctor or my daughter-in-law and her doctor. This is an assault on all Americans—women and men, young and old.

Number eight, even though it has been partially implemented, it has caused health care premiums to inflate dramatically across the country.

Number nine, ObamaCare is causing massive uncertainty for American businesses, hurting American job growth and our economy and the American middle class, adding further pain to all of the economic policies that we are experiencing in the Obama economy.

Number 10, we heard about this earlier, about the Federal takeover of the student loan program, which is another accounting gimmick that was used to pay for the Democratic takeover of health care.

So, Mr. REED and Mr. Speaker, I would say it's time for us—and we did today—to recognize that these fatal flaws mean that this program should be overturned. We did the right thing today. We took bold action, and I think it's high time that the Senate acted and did the same thing.

One of the things that Mr. TONKO and Mr. GARAMENDI talked about is if Americans wanted to hear the facts. They laid out their version of the facts. Americans can go my Web site. There is an ObamaCare section at flores.house.gov that's right at the top of the page. You can find out about the taxes. You can find out about the law and about the times we've tried to repeal this thing. You can read the law to see what's in it. You can read the Supreme Court decision. Then you can also see what the Republican alternatives are, some of the ideas of the alternatives to fix this.

Mr. REED, I thank you for your leadership on this, and I look forward to serving with you.

Mr. REED. I appreciate the gentleman for joining us this evening.

I know we have another freshman colleague from the great State of Georgia who has joined us this evening and who will bring us to a conclusion.

Mr. WOODALL, I am proud to yield to you.

Mr. WOODALL. I thank the gentleman for yielding. I appreciate the Speaker for being down here with us, and I appreciate the comments of my friend from Texas.

He says, you know, if you want to, you can just go and read the law. Wouldn't that be neat? Wouldn't that be neat? If you wonder what some of those reforms are that the freshman class brought to this body, you can now go and read the law. There is time to make that happen, and that is what is so frustrating to me about this debate.

I appreciate the way that you all have highlighted each and every one of these things, because when I go to the folks back home, they say, Rob, the President told me he's going to bring down health care costs. Wouldn't that be good?

I say, Yes, that would be good.

They say, The President tells me he's going to ensure that I can keep the policy that my family knows and loves today. Wouldn't that be good?

I say, Yes, that would be good.

Then the people say, Well, Rob, he tells me he's going to make sure that children who don't have access to health care today will have access to health care tomorrow. Wouldn't that be good?

I say, Yes, that would be good.

They say, So why do you oppose the bill?

I say, Because it doesn't do any of those things. Take a look.

Now, the CBO tells us it's 800,000 jobs that this bill destroys. Let's say it's

only 700,000. That's 700,000 too many. Study after study tells us this is raising costs with all the mandates—mandate after mandate after mandate—from the Federal level. Let's say there are only a dozen mandates instead of the 30 or 40 that I believe there are. Isn't that a dozen too many?

In my great State of Georgia, a family went out to buy insurance for their child shortly after the President's health care bill passed. Do you know what the insurance commissioner told them? He said, You know, you could have purchased a policy for your child before the President's health care bill passed—but, after the President's health care bill passed, every single insurer of children left the State of Georgia because they could not do business under the President's model.

Read the law, my colleague from Texas says. Look at the chart, my colleague from New York says. When you get to the facts, if only it did what the President promised America it would do, but it doesn't. But we can.

The first vote we took as freshmen was to repeal the President's health care bill. About 189 of our colleagues voted against it. They wanted to keep it. Today, only 185 of our colleagues voted against it and wanted to keep it.

The folks asked back home, Rob, what happens now that the Supreme Court has said it's okay?

I said, They didn't say it was okay. They said they weren't able to look at the policy to see if the policy was any good. They said it's not their job to protect the American people from their political decisions. They said, yes, the power to tax is just this dangerous but that it's up to Congress to decide.

Congress decided today.

I am grateful to my friend from New York for using this opportunity to highlight that decision. The final say on this bill was not the last Thursday in June with the Supreme Court. It is the first Tuesday in November with the American people.

You and I know what the American people are going to say. We are their Representatives. This is not the 29th time, and it is not the 30th time. It is the 31st time the American people's Representatives have spoken in this House, and they've said we can do better. This bill is bad for America. It's bad for health care reform. We can do better.

I thank my friend from New York.

Mr. REED. I appreciate the gentleman from Georgia and my colleague from Texas and all of my colleagues for joining us.

As we wrap up tonight, you're absolutely right. We can do better. Health care, obviously, needs to be reformed. The costs that we are seeing and the increases in costs in health care need to be addressed, but this law doesn't do it. This law compounds the problem. Just look at its track record. I've been contacted by numerous constituents over the last year who were talking about premium notices with increases of 10 to 15 percent in the State of New York. It's not delivering on the promises.

As my colleague from Texas says, read the law. Absolutely, read the law. We have. We have spoken in this body on behalf of the people and have said we stand for repeal. My colleague from Georgia is absolutely correct, and the Chief Justice's closing comments are absolutely correct—it's up to the people. That's when they will speak, in November 2012.

I know that we stand on their side with the vote that we took today to say that we can do better. We need to stop this government takeover and these tax increases that are coming down the pike to pay for it. We need to stop it before it's too late, and November 2012 is the last stop to allow us to turn this back.

With that, I am so pleased to yield back the balance of my time.

OBAMACARE AND OTHER ADMINISTRATION ACTIVITIES

The SPEAKER pro tempore (Mr. FINCHER). Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Thank you, Mr. Speaker.

We have had a number of people ask, Why would we have a vote today to repeal ObamaCare when it has been done before?

There had not been a vote taken since the United States Supreme Court said that the administration misrepresented what was really in this bill. It was a tax. We know there have been misrepresentations about different things, but this bill creates a massive tax for the people who can least afford it.

So run the numbers:

If you make $14,856 or more and if you're a single individual, then the chances are you're probably not going to be able to pay for a $12,000 health insurance policy, which is the estimated cost of the insurance policy that is being mandated by the ObamaCare law. If you cannot and if you make more than $14,856—let's say you make $20,000—and you can't afford the $12,000 for the insurance policy, then you will have an extra annual tax of $371 when the 2½ percent extra income tax kicks in. If you only make $14,856 and if that's before taxes—take away a hunk of that for income tax, Medicare tax, Social Security tax—then that $371 means a lot. It may mean the difference between being able to fill up a worker's car enough times to get to and from work so he doesn't lose his job.

If you're a family of two and if you make $20,123 or more—if you make $30,000 or anything over $20,123—then you will have an extra 2½ percent tax of $503.

□ 1820

But the more you make over $20,123, the more the tax is. But it's a minimum of $503. If you make $30,657 and you're a family of four, four people living off $30,657 under ObamaCare, if you still cannot afford the $12,000 or so policy that the government mandates under this law, then you will have an additional $766 with which you will not be able to buy food for your family. You'll not be able to buy gas for your car with that extra $766. I don't mean people who make $30,000 and have a family of four have an extra $766. The people I talk to that make that kind of money and have a family of four don't have any extra money, and especially not to pay the extra $766 Obama tax on these individuals.

If you make $41,190 or more and you're a family of six, you will have a minimum $1,030 extra income tax that you will have to pay in order to meet the requirements of ObamaCare and to keep the Obama tax IRS agents off your doorstep. There are thousands and thousands of new IRS agents who will find jobs, even though there's hundreds of thousands in net loss of jobs since this President has taken over. We've lost four more jobs than we've picked up.

At least one piece of good news is that the government has gotten bigger. That's good news for those who love big government. I don't happen to. There's good news for those who love more IRS agents because we're adding thousands and thousands of those who will make sure that if you make $41,190 and you're a family of six, they'll make sure that not only do you have to pay your regular income tax, you will have an added tax, an Obama tax in ObamaCare of $1,030 minimum. Anything you make above $41,190 and you're a family of six or fewer, then you will keep paying more tax the more you make. And that is if you're not able to afford the $12,000 or so average cost that is estimated that the Obama health insurance that's dictated in the ObamaCare bill will require.

If you're a family of eight or more and you make $51,724 or more, you will have a minimum tax of $1,293 on top of regular income tax. Congratulations, that's a gift from the Obama administration and all of those—not a single Republican—on the Democratic side of the aisle that voted to cram down ObamaCare on a Nation where it was clear poll after poll after poll what the people wanted. The American people got it. They did not want the government dictating their health care.

Now we have Chief Justice John Roberts abandoning intellectual integrity with his opinion in pages 11 through 15 and saying clearly this is not a tax, it's a penalty. It's the Obama administration penalizing everybody in America that doesn't buy exactly what the administration says. It's a penalty. Chief Roberts makes it clear the best evidence he says of what it is is Congress' own language. Congress calls it a ''penalty.'' It really is. It just penalizes those who don't do what the Obama administration says.

Then at about the middle of page 15 of the Supreme Court opinion, Chief Justice Roberts says since it's a penalty and not a tax, the Anti-Injunction Act does not apply. So the Supreme Court does have jurisdiction because, as he makes clear, if this were really a tax, the Anti-Injunction Act would apply, and no one could file suit over the ObamaCare bill until 2014. But he says since it's a penalty and not a tax, then we do have jurisdiction, we can proceed now, and we don't have to wait until 2014.

Then he proceeds through the rest of his opinion, after talking about the Commerce Clause, to say that no matter what Congress called it, this is really a tax. Then, of course, he has to also justify why he calls it a penalty for one thing and a tax for another. It is one of the worst written opinions that I've seen.

At least when the liberals on the Supreme Court have written opinions, they've at least been more intellectually consistent than that tragic opinion as written by our Chief Justice. He's a good man. He lost his way. I feel sure that at some point he will find his way back when he realizes what has really occurred.

Today, the ObamaCare bill was debated somewhat further; but yesterday during the debate I heard people on the Democratic side of the aisle who kept saying, No one has lost their insurance. No one will lose their insurance. If you like your insurance, you're not going to lose it. There were people that I have great respect for saying that, and I know they would never intentionally tell something that's false, the key being intentionally.

What it told me is they really don't know; they honestly don't know that people across America have already been losing their insurance that they liked and wanted to keep. They don't know that. So I'm hopeful that people across America, when they've heard over the last few days people saying nobody will lose their insurance, nobody has lost their insurance, that as people continue to and have already lost their insurance, that they will make sure to drop a line or give a call or something and make sure that people here know that, Yes, we have lost our insurance and we liked it. We were okay with it. It was ObamaCare that caused the loss.

We heard people who kept saying we ought to be talking about jobs. I know they're sincere about that. What they don't understand is that this bill is killing jobs. As so many people have said that I've talked to, We are right there at the 50-employee limit under ObamaCare. We don't want to have 50. We're keeping things small. We're not going to hire some folks. We're doing other things because we simply cannot afford to pay that extra $2,000 an employee tax that we get hit with the minute we go over that 50-employee limit.

There are people not being hired. There are people that are losing jobs. Others are saying, We're downscaling. We don't want to be over that 50-employee number so that we can maybe stay competitive in a down economy.

But the trouble is, people are hurting these days. The economy is difficult.

And I've been intrigued, as have people on both sides of the aisle, who let me know that during this time when we have a chance—Democrats for a time, Republicans for a time, back and forth—have a chance to bring things to the floor to get into the CONGRESSIONAL RECORD and to make public things that others may have missed. I constantly have people say, I had no idea about that until I heard you talking about it on the floor. I was watching C–SPAN.

And I've been told before, Gee, we love it when you're on TV because then we can finally turn you off. Then I have been told by others in some offices here on Capitol Hill that they actually turn up the sound when they see me on.

Whatever the case, Mr. Speaker, this is a wonderful chance to make sure people get information that they don't have time to get otherwise.

□ 1830

We have been hearing a great deal about the photo ID.

In the District of Columbia Federal court here, we have been having a suit between our so-called Department of Justice and Texas over whether Texas can do as Indiana did and require a photo ID in order to vote.

Texas pretty well tracked the Indiana law. It looks like a good law. I read it. I read the Supreme Court opinion that addressed the issue and upheld the law as being a legitimate law.

I don't know that, from reports I heard today, whether or not Texas is trying the case properly, but if they put on the evidence that's available and is quite convincing and clear, there should be no reason for Texas to lose this case that requires a photo ID. If someone cannot afford a photo ID, they can't afford the few dollars for that, then under the Texas law, as the Indiana law, they can simply make that indication, and if you can't pay for it, then you're going to get it free.

There are groups in Texas that have made clear if you can't get to where you need to go to get a photo ID, we'll take you there.

In fact, if this Justice Department had spent a tiny, tiny fraction of the money it has spent on this litigation against Texas, against Florida, and against these other States on just helping people get photo IDs, there wouldn't have been a problem in the world with everybody having a photo ID that needed one.

This article, a July 11, 2012, publication, Katie Pavlich, News Editor, writes:

> Earlier today, Attorney General Eric Holder addressed the NAACP National Convention at the George R. Brown Convention Center in Houston, Texas. What did media need in order to attend? That's right, government issued photo identification (and a second form of identification too!), something both Holder and the NAACP stand firmly against when it comes to voting.

Wow, the NAACP and the Attorney General have just disenfranchised a slew of people that probably would have liked to have heard the Attorney General. But they disenfranchised them, said you can't come into the NAACP convention unless you've got a photo ID. You can't come in.

Yet the Attorney General was in court saying that what Texas is doing is wrong, and if it's wrong, why are the NAACP and the Attorney General doing it?

The article says:

> All media must present government-issued photo ID (such as a driver's license) as well as valid media credentials. Members of the media must RSVP to receive press credentials.

And it gives the website. Then it says:

> For security purposes, media check-in and equipment setup must be completed by 7:45 a.m. CDT for an 8:00 a.m. CDT security sweep. Once the security sweep is completed, additional media equipment will NOT be permitted to enter and swept equipment will NOT be permitted to exit.

But what's sad is these so-called folks that can't get a photo ID that the NAACP and the Attorney General are complaining about, not being able to get one, they can't even get into the convention.

So how is it that these people who say we're out for those that don't have a photo ID really care about those without a photo ID if they won't even let them into their convention?

Continuing:

> Ironically, NAACP President Ben Jealous railed against voter ID just before Holder took the stage.

In the convention they are railing against it, but the people without photo IDs, if there are those who can't get them that really want them, they couldn't get in to hear the speech.

Going on:

> The head of the NAACP on Monday likened the group's fight against conservative-backed voter ID laws that have been passed in several States to the great civil rights battles of the 1960s.
>
> Benjamin Todd Jealous, the CEO and president of the National Association for the Advancement of Colored People, said these are ''Selma and Montgomery times,'' referring to historic Alabama civil rights confrontations. He challenged those attending the NAACP's annual convention to redouble their efforts to get out the vote in November.
>
> ''We must overwhelm the rising tide of voting suppression with the high tide of registration and mobilization and motivation and protection,'' he said.
>
> ''Simply put, the NAACP will never stand by as any State tries to encode discrimination into law,'' Jealous said.

Well, obviously he doesn't have a chance to get out and see the real news. But in Georgia they passed a photo ID requirement for voters and have had two elections since, and in both those elections minorities have

increased greater than before, and actually increased greater than Anglo voters. There has been no disenfranchisement in Georgia.

So, actually, it turns out that the photo ID has engaged minority voters. The fact is the Voting Rights Amendment is a violation of our United States Constitution until it is applied, section 5 is applied, to every State in the Union.

There were southern States that were guilty of racial suppression in the sixties and prior, and it is an abomination to this Nation that such occurred, not nearly as much as slavery, but it's still an abomination. It still should not have been happening. The Voting Rights Act has done a great deal toward eliminating that.

But, unfortunately, under the Voting Rights Act, atypical of most things in America, once you improve your State to the place where there is no problem, you still are not out from under punishment, the penalty of section 5, because of what happened in the 1960s and before.

So, States have complained, look, you know, we fix things. We're doing good. In fact, we are doing better than so many districts in other parts of the country that are not under section 5 that's so punitive.

Some of us couldn't help but wonder, when a big majority on both sides of the aisle voted to extend the Voting Rights Act, including section 5 that got even tougher for another 25 years, why they wouldn't have supported the Gohmert amendment. The Gohmert amendment said, look, section 5, punitive provisions ought to apply to every district, every State in the country. Failure to do so is a violation of equal protection.

Why is it that districts in other parts of the country, north, east, west, are allowed to grow into racial disparity and suppression of minority vote but they're not treated with section 5, whereas States that have been under that punitive provision can't ever get out from under it even though they are better off than other parts of the country?

Well, the reason, it seems to be—you wonder, why would people vote? Why not vote to do it across the country? If it's good for these States that have proved better than our own State, why should it not apply to everyone? And I still ask that question. The only thing you wonder is we had the power to ram this down on these States punitively, so we did. The last thing we wanted was any of those punitive provisions applying to our States or our districts where disparity is more a problem than those original areas.

So, I don't know. I wonder if at some point we're going to have a rush of the bipartisan leadership that pushed that through to come back and say, You know what, LOUIE, you're right. If it applies to southern States, it ought to apply to everybody. It ought to apply to those districts that have more of a racial problem than there has been or exists now in those States that are treated punitively.

□ 1840

Well, we'll see.

We've also heard about the loving relationship, as this administration says, with such a great ally as Israel. And it defies explanation. This is from Breitbart, William Bigelow, dated 10 July 2012:

How much does Barack Obama hate Israel and want to throw her under the bus? Here's how much: the Obama administration not only excluded Israel from a new counterterrorism forum in Spain; it didn't even mention Israel in its remarks. If there were ever a country that has dealt with murderous terrorist attacks over and over again, that country would have to be Israel.

Here's what Marie Otero, the State Department's Under Secretary for Civilian Security, Democracy and Human Rights, said:

''Last September at the official launch of the Global Counterterrorism Forum, I had the privilege to introduce the premiere of a film 'Hear Their Voices,' which tells the stories of 11 survivors of terrorist attacks from Pakistan, Jordan, Northern Ireland, Uganda, Turkey, Indonesia, India, Spain, Colombia, and the United States. The film, which was produced by the Global Survivors Network, is a powerful plea for audiences around the world, especially those sympathetic to the grievances expressed by extremists, to recognize the human cost of terrorism, and I am delighted that our Spanish hosts are planning on showing this film here later this afternoon.''

When Secretary of State Clinton announced the coalition's formation in June, she didn't include Israel on her list of countries that suffer from terrorist attacks.

How could Secretary Clinton not immediately think of Israel as a country that suffers from terrorist attacks when they have bombs, they have rockets flying into Israel every day?

Defenders of Israel were furious, even those who were Democrats. Josh Block, a Democratic strategist and a former spokesman for AIPAC, said, ''When the administration promised to include Israel in the counterterrorism forum that the United States founded—after Jerusalem's inexplicable exclusion from the initial meeting a month ago—one would think that they would be true to their word. Clearly, someone failed here. How Israel could be excluded from another meeting of an anti-terror forum that we in the United States chair is beyond comprehension, especially one that focuses on victims of terrorism. At a time when Romney is challenging the administration's record on U.S.-Israel relations, this error stands out.''

First of all, Mr. Block, no one failed here. Obama succeeded beyond his wildest dreams.

Later in the article:

Jonathan Schanzer, vice president for research at the Foundation of Defense of Democracies, said, ''What we're seeing is a trend of Israel being left out of the global discussion on terrorism, while Israel was extremely helpful during the beginning stages of this conversation. The Obama administration is downplaying the struggle that Israel has been enduring. I believe to a certain extent this is due to regional politics, and it's disconcerting to see this change. It just looks like a quiet effort to downplay the issue.''

The State Department would not answer questions about the matter.

Pretty tragic how this State Department, how this administration could continue to exclude Israel from counterterrorism discussions about countries who have been victims of terrorism.

Here is an interesting additional article. We had another hearing today in one of our Judiciary Committees. It caused us to think again about Fast and Furious, never far from your mind when you know there are guns out there still being used to kill innocent people that were put there, forced there, by this administration. This article, dated July 6 from Deroy Murdock, National Review Online—and I'm not going to read the whole article, but a significant part is important to note.

Mr. Murdock writes:

While Brian Terry is the most visible victim of this notorious policy, he is not its sole casualty.

On February 15, 2011, U.S. Immigration and Customs Enforcement agent Jaime Zapata, 32, was shot mortally in San Luis Potosi, Mexico. Members of Los Zetas drug gang also hit ICE agent Victor Avila in that ambush, although not fatally. This assault involved a rifle purchased in Dallas in another Obama administration ''gunwalking'' escapade.

Largely overlooked is this plan's calamitous impact on Mexico, its people, and U.S.-Mexican relations. Fast and Furious has spilled American blood. But south of the border, it has made blood gush like an oil strike.

''One of the things that's so offensive about this case is that our Federal Government knowingly, willfully, purposefully, gave the drug cartels nearly 2,000 weapons—mainly AK–47s—and allowed them to walk,'' Representative JASON CHAFFETZ told NBC News. These arms were supplied to lead Federal agents in Phoenix to the Mexican thugs who acquired them. Instead, Fast and Furious guns melted into Mexico without a trace.

And I add, parenthetically, because they were never intended to be followed. And that was clear.

Back to the article:

These weapons became invisible, but not silent.

The 300 Mexicans or so that have died as a result of this also deserve attention and what it's done to our American-Mexican relations needs great sympathy and heartfelt apologies.

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

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 2061. An act to provide for an exchange of land between the Department of Homeland Security and the South Carolina State Ports Authority.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 47 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, July 12, 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:

6832. A letter from the Secretary of the Commission, Commodity Futures Trading Commission, transmitting the Commission's final rule — Customer Clearing Documentation, Timing of Acceptance for Clearing, and Clearing Member Risk Management; Core Principles and Other Requirements for Designated Contract Markets; Correction (RIN: 3038-0092, -0094) received June 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6833. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Swap Data Recordkeeping and Reporting Requirements: Pre-Enactment and Transition Swaps [3038-AD48] received June 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6834. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Highly Pathogenic Avian Influenza [Docket No.: APHIS-2006-0074] (RIN: 0579-AC36) received June 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6835. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Tomatoes From the Economic Community of West African States Into the Continental United States [Docket No.: APHIS-2011-0012] (RIN: 0579-AD48) received June 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6836. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cyflufenamid; Pesticide Tolerances [EPA-HQ-OPP-2009-0029; FRL-9352-5] received June 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6837. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Propiconazole; Pesticide Tolerances [EPA-HQ-OPP-2011-0397; FRL-9350-9] received June 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6838. A letter from the Chairman, Board Governors of the Federal Reserve System, transmitting Annual Report to the Congress on the Presidential $1 Coin Program; to the Committee on Financial Services.

6839. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Ireland pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

6840. A letter from the Chairman President, Export-Import Bank, transmitting the Bank's report on export credit competition and the Export-Import Bank of the United States for the period January 1, 2011 through December 31, 2011; to the Committee on Financial Services.

6841. A letter from the Chairman, Appraisal Subcommittee, Federal Financial Institutions Examination Council, transmitting the 2011 Annual Report of the Appraisal Subcommittee, pursuant to 12 U.S.C. 3332; to the Committee on Financial Services.

6842. A letter from the Secretary, Department of Health and Human Services, transmitting Review of HIV Program Effectiveness, pursuant to 42 U.S.C. 300ff-87a Public Law 111-87, section 2688(c); to the Committee on Energy and Commerce.

6843. A letter from the Chief Executive Officer, Anti-Doping Agency, transmitting the Agency's 2011 Annual Report and Financial Audit; to the Committee on Energy and Commerce.

6844. A letter from the Administrator, Department of Energy, transmitting a report entitled ''The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other than Iran''; to the Committee on Energy and Commerce.

6845. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Irradiation in the Production, Processing, and Handling of Food [Docket No.: FDA-2007-F-0390] (Formerly 2007F-0115) received June 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6846. 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; Ohio; Regional Haze [EPA-R05-OAR-2011-0329; FRL-9683-4] received June 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6847. 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; Indiana; Volatile Organic Compounds; Consumer Products [EPA-R05-OAR-2010-1050; FRL-9690-3] received June 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6848. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of areas for Air Quality Planning Purposes; Missouri and Illinois; St. Louis Nonattainment area; Determination of Attainment by Applicable Attainment Date for the 1997 Annual Fine Particulate Standards [EPA-R07-OAR-2011-0627; FRL-9692-8] received June 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6849. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Louisiana; Regional Haze State Implementation Plan [EPA-R06-OAR-2008-0510; FRL-9692-3] received June 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6850. 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 Georgia; Regional Haze State Implementation Plan [EPA-R04-OAR-2010-0936; FRL-9696-1] received June 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6851. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Louisiana: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2012-0367 FRL-9692-7] received June 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6852. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Mojave Desert Air Quality Management District (MDAQMD) and Yolo-Solano Air Quality Management District (YSAQMD) [EPA-R09-OAR-2012-0027; FRL-9686-6] received June 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6853. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Withdrawal of Direct Final Rule Revising the California State Implementation Plan, South Coast Air Quality Management District [EPA-R09-OAR-2012-0236; FRL-9609-9] received June 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6854. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Carriage of Digital Television Broadcast Signals: Amendment to Part 76 of the Commission's Rules [CS Docket: 98-120] received June 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6855. A letter from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing a Unified Intercarrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform-Mobility Fund [WC Docket No.: 10-90] [GN Docket No.: 09-51] [WC Docket No.: 07-135] [WC Docket No.: 05-337] [CC Docket No.: 01-92] [CC Docket No.: 96-45] [WC Docket No.: 03-109] [WT Docket No.: 10-208] received June 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6856. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-19, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6857. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Implementation of the Understandings Reached at the 2011 Australia Group (AG) Plenary Meeting and other AG-Related Clarifications to the EAR [Docket No.: 120112039-2176-03] (RIN: 0694AF45) received June 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

6858. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled ''District of Columbia Agencies' Compliance with Fiscal Year 2011 Small Business Enterprise Expenditure Goals'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

6859. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled ''District of Columbia Agencies' Compliance with Fiscal Year 2011 Small Business Enterprise Expenditure Goals'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

6860. A letter from the Secretary, Department of Education, transmitting the forty-sixth Semiannual Report to Congress on Audit Follow-up, covering the six month period ending March 31, 2012 in compliance with the Inspector General Act Amendments of 1988; to the Committee on Oversight and Government Reform.

6861. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the

Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6862. A letter from the Accounting Manager, Accounting Policy and External Reporting, Federal Home Loan Bank of Des Moines, transmitting the 2011 management report and statements on system of internal controls of the Federal Home Loan Bank of Des Moines, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

6863. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Indianapolis, transmitting the 2011 Statements on System of Internal Controls of the Federal Home Loan Bank of Indianapolis, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

6864. A letter from the Acting Director, Office of Government Ethics, transmitting the Office's final rule — Executive Branch Qualified Trusts (RIN: 3209-AA00) received June 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

6865. A letter from the Director, Office of Personnel Management, transmitting the Office's Federal Equal Opportunity Recruitment Program Report for Fiscal Year 2011, pursuant to 5 U.S.C. 7201(e); to the Committee on Oversight and Government Reform.

6866. A letter from the Secretary, Secretary of Education, transmitting the sixty-fourth Semiannual Report to Congress of the Office of the Inspector General for the period October 1, 2011, through March 31, 2012; to the Committee on Oversight and Government Reform.

6867. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Recreational Management Measures for the Summer Flounder, Scup, and Black Sea Bass Fisheries; Fishing Year 2012 [Docket No.: 120321208-2076-02] (RIN: 0648-BC07) received June 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6868. A letter from the Clerk, Court of Appeals, transmitting an opinion of the United States Court of Appeals for the Fourth Circuit, Ganess Maharaj, No. 11-1747 (June 14, 2012); to the Committee on the Judiciary.

6869. A letter from the Attorney General, Department of Justice, transmitting notification that the Department has determined not to file a petition for a writ of certiorari in Al Haramain Islamic Foundation, Inc. v. US Dep't of Treasury, No. 10-35032 (9th Cir. Feb. 27, 2012); to the Committee on the Judiciary.

6870. A communication from the President of the United States, transmitting notification of the designation of Irving A. Williamson as Chairman of the United States International Trade Commission, for the term expiring June 16, 2014, pursuant to 19 U.S.C. 1330(c)(1); to the Committee on Ways and Means.

6871. A letter from the Chairman, Medicare Payment Advisory Commission, transmitting the June 2012 Report to Congress: Medicare and the Health Care Delivery System; jointly to the Committees on Energy and Commerce 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. SMITH of Texas: Committee on the Judiciary. H.R. 3862. A bill to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes; with an amendment (Rept. 112–53). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 1996. A bill to amend titles 5 and 28, United States Code, with respect to the award of fees and other expenses in cases brought against agencies of the United States, to require the Administrative Conference of the United States to compile, and make publicly available, certain data relating to the Equal Access to Justice Act, and for other purposes; with an amendment (Rept. 112–594). 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 Committees on Oversight and Government Reform, Science, Space, and Technology, the Judiciary, and Intelligence (Permanent Select) discharged from further consideration of H.R. 3674.

REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XIII, bills and reports were delivered to the Clerk for printing, bills referred as follows:

Mr. KING of New York: Committee on Homeland Security. H.R. 3674. A bill to amend the Homeland Security Act of 2002 to make certain improvements in the laws relating to cybersecurity, and for other purposes; with an amendment (Rept. 112–592, Pt. 1); referred to the Committee on Energy and Commerce for a period ending not later than September 21, 2012, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(f) of rule X.

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. FLAKE (for himself and Mr. CHAFFETZ):

H.R. 6098. A bill to amend the Federal Crop Insurance Act to immediately reduce crop insurance premium subsidy rates from the higher subsidies provided since the Agricultural Risk Protection Act of 2000; to the Committee on Agriculture.

By Mr. CARNAHAN (for himself, Mr. POLIS, Mr. HONDA, and Mr. HINCHEY):

H.R. 6099. A bill to amend the Public Works and Economic Development Act of 1965 with respect to grants for economic adjustment, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial 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. BRALEY of Iowa:

H.R. 6100. A bill to amend the Internal Revenue Code of 1986 to provide a temporary extension of the 2001 and 2003 tax cuts for the middle class, and for other purposes; to the Committee on Ways and Means.

By Ms. CHU (for herself, Mr. RANGEL, Ms. LORETTA SANCHEZ of California, Mr. FILNER, and Mr. JONES):

H.R. 6101. A bill to amend title 38, United States Code, to improve educational counseling opportunities for veterans, and for other purposes; 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. GERLACH (for himself and Mr. KIND):

H.R. 6102. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for small businesses, and for other purposes; to the Committee on Ways and Means.

By Ms. HOCHUL:

H.R. 6103. A bill to amend title XI of the Social Security Act to increase fines and penalties for Medicare fraud to augment Medicare fraud enforcement activities, such as the Health Care Fraud and Enforcement Action Team (HEAT) 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. RICHMOND:

H.R. 6104. A bill to provide a temporary extension for the middle class of certain tax relief enacted in 2001, 2003, and 2009; to the Committee on Ways and Means.

By Mr. STIVERS (for himself and Mr. CARSON of Indiana):

H.R. 6105. A bill to amend the Federal Home Loan Bank Act to allow non-Federally insured credit unions to become members of a Federal Home Loan Bank; to the Committee on Financial Services.

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. FLAKE:

H.R. 6098.

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

The ability to regulate interstate commerce pursuant to Article I, Section 8, Clause 3.

By Mr. CARNAHAN:

H.R. 6099.

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

Article I, Section 1. ''All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.''

By Mr. BRALEY of Iowa:

H.R. 6100.

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 18 of the United States Constitution.

By Ms. CHU:

H.R. 6101.

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

Pursuant to Article 1, Section 8.

By Mr. GERLACH:

H.R. 6102.

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

Clause 1 of Section 8 of Article I of the United States Constitution.

By Ms. HOCHUL:

H.R. 6103.

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

Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mr. RICHMOND:

H.R. 6104.

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

This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. 1 Sec. 8 Cl. 1), the Commerce Clause (Art. 1 Sec. 8 Cl. 3), and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

By Mr. STIVERS:

H.R. 6105.

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.

ADDITIONAL SPONSORS

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

H.R. 178: Mr. AKIN.
H.R. 210: Mr. CONYERS and Mr. SABLAN.
H.R. 303: Mr. YODER and Mr. AKIN.
H.R. 451: Mr. AUSTIN SCOTT of Georgia and Mr. CARSON of Indiana.
H.R. 459: Ms. HAYWORTH.
H.R. 546: Mr. WOMACK.
H.R. 631: Mr. LARSEN of Washington.
H.R. 733: Mr. GUINTA, Mr. CRITZ, and Mr. RIBBLE.
H.R. 735: Mr. LANKFORD.
H.R. 835: Mr. LATHAM.
H.R. 860: Mr. BACHUS.
H.R. 890: Mr. FINCHER and Mr. RENACCI.
H.R. 904: Mr. OWENS.
H.R. 905: Mr. BARROW, Mrs. CAPPS, and Mr. LARSEN of Washington.
H.R. 998: Mr. KIND.
H.R. 1006: Mr. SHIMKUS.
H.R. 1044: Mrs. ROBY.
H.R. 1063: Mr. YOUNG of Indiana.
H.R. 1111: Mr. GRAVES of Georgia, Mr. MULVANEY, Mr. POSEY, and Mr. WALSH of Illinois.
H.R. 1236: Ms. HAYWORTH and Mr. CRENSHAW.
H.R. 1244: Mr. HECK.
H.R. 1307: Mr. MCKEON.
H.R. 1370: Mr. BILIRAKIS.
H.R. 1410: Mr. OLSON.
H.R. 1449: Ms. DEGETTE.
H.R. 1464: Mr. MILLER of Florida.
H.R. 1478: Mr. NEAL.
H.R. 1546: Ms. CHU.
H.R. 1592: Mr. FITZPATRICK.
H.R. 1672: Mr. HIMES, Ms. DELAURO, Ms. NORTON, Mr. LOBIONDO, Mr. LARSON of Connecticut, and Mr. BOSWELL.
H.R. 1681: Mr. BISHOP of New York.
H.R. 1775: Mr. COURTNEY, Mr. AKIN, Mr. BACHUS, Mr. RIGELL, Mr. ROGERS of Alabama, Mr. AUSTRIA, Mr. NUNNELEE, Mr. WITTMAN, Ms. HAYWORTH, Mr. ROSKAM, Mr. FITZPATRICK, and Mr. YODER.
H.R. 1955: Mr. CONNOLLY of Virginia.
H.R. 2032: Mr. HIMES, Mr. JOHNSON of Ohio, and Mr. MCKEON.
H.R. 2051: Mr. REED.
H.R. 2155: Mr. MORAN.
H.R. 2353: Ms. DELAURO.
H.R. 2382: Mr. PERLMUTTER.
H.R. 2479: Mr. RICHMOND.
H.R. 2492: Mr. MCKEON.
H.R. 2569: Ms. HAYWORTH.
H.R. 2655: Mr. CARNAHAN.
H.R. 2672: Mr. ENGEL.
H.R. 2697: Mr. DEUTCH.
H.R. 2794: Mr. FILNER and Mr. CARNAHAN.
H.R. 2962: Ms. BONAMICI.
H.R. 2969: Ms. TSONGAS and Mr. HOLDEN.
H.R. 2992: Mr. POE of Texas.
H.R. 3187: Mr. CRITZ.
H.R. 3252: Ms. HAYWORTH.
H.R. 3307: Mr. WALZ of Minnesota.
H.R. 3356: Mr. POSEY.
H.R. 3387: Mr. LOBIONDO.
H.R. 3395: Mr. JONES and Mr. GUTHRIE.
H.R. 3458: Mr. CANSECO and Mr. LATHAM.
H.R. 3496: Mrs. CAPPS and Mr. BLUMENAUER.
H.R. 3526: Mr. DOLD and Mrs. LOWEY.
H.R. 3612: Ms. ROS-LEHTINEN.
H.R. 3634: Mr. UPTON, Mr. MULVANEY, Mr. WALBERG, and Mr. WALSH of Illinois.
H.R. 3658: Mr. SHIMKUS.
H.R. 3761: Ms. SCHAKOWSKY.
H.R. 3767: Mrs. NAPOLITANO and Mr. HIMES.
H.R. 3783: Mr. FITZPATRICK.
H.R. 3798: Mr. SCOTT of Virginia, Ms. TSONGAS, Ms. BASS of California, Ms. LORETTA SANCHEZ of California, and Mr. PASTOR of Arizona.
H.R. 3821: Mr. LEWIS of Georgia.
H.R. 3861: Mr. UPTON.
H.R. 3862: Mrs. BLACK.
H.R. 3877: Ms. HAYWORTH.
H.R. 4035: Mr. PASCRELL.
H.R. 4055: Mr. KILDEE and Mr. LIPINSKI.
H.R. 4066: Ms. SLAUGHTER.
H.R. 4078: Mrs. BLACK.
H.R. 4100: Ms. HANABUSA.
H.R. 4122: Mr. TIERNEY.
H.R. 4169: Ms. BONAMICI.
H.R. 4221: Mr. SCHOCK.
H.R. 4235: Mr. STIVERS and Mr. RENACCI.
H.R. 4248: Mr. CONNOLLY of Virginia.
H.R. 4271: Mr. HASTINGS of Florida.
H.R. 4318: Mrs. MALONEY.
H.R. 4336: Ms. HERRERA BEUTLER.
H.R. 4344: Mr. COHEN.
H.R. 4720: Mr. BISHOP of New York.
H.R. 4965: Mr. BACHUS.
H.R. 5381: Mr. WALSH of Illinois and Mr. GARDNER.
H.R. 5542: Mr. LATOURETTE, Mr. PALLONE, and Ms. HOCHUL.
H.R. 5647: Mr. FRANK of Massachusetts, Mr. HOLT, Ms. BASS of California, Mr. BLUMENAUER, Mr. GUTIERREZ, Mr. HIMES, and Ms. BORDALLO.
H.R. 5713: Mr. MCINTYRE.
H.R. 5816: Mr. LARSEN of Washington.
H.R. 5846: Mr. MICA.
H.R. 5850: Mr. LAMBORN.
H.R. 5911: Ms. HAYWORTH, Mr. SHUSTER, and Mr. OLSON.
H.R. 5924: Mr. COFFMAN of Colorado.
H.R. 5925: Mrs. NOEM.
H.R. 5942: Mr. ROSKAM and Mr. BARROW.
H.R. 5943: Mr. SHUSTER.
H.R. 5944: Mr. HASTINGS of Florida, Ms. NORTON, and Ms. FUDGE.
H.R. 5953: Mr. JORDAN.
H.R. 5955: Mr. FILNER.
H.R. 5962: Mr. BLUMENAUER, Mr. HOLT, and Ms. ESHOO.
H.R. 5976: Mr. SCHIFF.
H.R. 5978: Mr. CICILLINE.
H.R. 6000: Mrs. ELLMERS.
H.R. 6012: Mr. LEWIS of California, Mrs. HARTZLER, Mr. RYAN of Ohio, Mr. MANZULLO, Mr. HUNTER, Mr. BARTON of Texas, Mr. CICILLINE, Mr. MICHAUD, Mr. MARCHANT, Mr. BURGESS, Mr. NEAL, and Mr. KING of New York.
H.R. 6025: Mr. SCHWEIKERT.
H.R. 6034: Mr. BOSWELL.
H.R. 6046: Ms. LEE of California, Ms. NORTON, Mr. COURTNEY, Mr. HINCHEY, Mr. GEORGE MILLER of California, and Mr. DEUTCH.
H.R. 6085: Mr. LANCE.
H.R. 6089: Mr. BISHOP of Utah.
H.R. 6094: Mr. GALLEGLY.
H.R. 6097: Mr. CRAVAACK, Mr. BOUSTANY, Mr. CONAWAY, Mr. CARTER, Mr. BARLETTA, Mr. RIVERA, Mr. CASSIDY, Mrs. BACHMANN, and Mr. STEARNS.
H.J. Res. 111: Mr. HIMES and Mr. FILNER.
H. Con. Res. 116: Mrs. NOEM, Ms. MCCOLLUM, Mr. SCHOCK, Mr. MARINO, and Mr. LATHAM.
H. Con. Res. 129: Mr. RUNYAN.
H. Res. 134: Mr. SCALISE.
H. Res. 397: Mr. JACKSON of Illinois.
H. Res. 484: Mr. JONES.
H. Res. 618: Mr. HALL, Mr. PASCRELL, and Mr. CONNOLLY of Virginia.
H. Res. 652: Ms. MCCOLLUM and Mr. BUTTERFIELD.
H. Res. 672: Ms. HIRONO.
H. Res. 695: Mr. COFFMAN of Colorado.
H. Res. 705: Mr. GENE GREEN of Texas, Mr. MICHAUD, Mr. CLARKE of Michigan, Mr. CICILLINE, and Mr. MURPHY of Pennsylvania.
H. Res. 709: Mr. DINGELL.
H. Res. 714: Mr. FALEOMAVAEGA, Mr. FARR, Mr. LEVIN, and Mr. STARK.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative TONKO, or a designee, to H.R. 4402, the National Strategic and Critical Minerals Production Act of 2012, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

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PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158 WASHINGTON, WEDNESDAY, JULY 11, 2012 No. 103

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer.

Let us pray.

Lord, You illuminate our lives with Your presence and protect us from danger. You keep us from stumbling and falling. In the fret and fever of these challenging times, thank You for this quiet moment when we can lift our hearts to You. Today, make the highest incentive of our Senators be not to win over one another but to win with one another by doing Your will for all. Lord, make them faithful agents who are determined to bring Your purposes to pass. Correct their mistakes, redeem their failures, confirm their right actions, and crown their day with the blessing of Your approval.

We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 11, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SMALL BUSINESS JOBS AND TAX RELIEF ACT—MOTION TO PROCEED

Mr. REID. Madam President, what is the matter now before the Senate?

The ACTING PRESIDENT pro tempore. The motion to proceed to S. 2237.

SCHEDULE

Mr. REID. Madam President, the next hour will be equally divided between the two leaders or their designees. The Republicans will control the first half, the majority will control the final half.

We are hopeful we will be able to agree to the motion to proceed to S. 2237, the Small Business Jobs and Tax Relief Act, today.

MEASURE PLACED ON THE CALENDAR—S. 3369

Mr. REID. Madam President, I am told that S. 3369 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 3369) to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, super PACs, and other entities, and for other purposes.

Mr. REID. I object to any further proceedings with respect to this bill at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

TAX CUTS

Mr. REID. Madam President, over the last few years Americans who are very wealthy have taken home a greater share of the Nation's income since the 1920s. That is 90 years. A larger percentage of what is out there the rich are getting. The rich are getting richer and the poor are being squeezed, as are the middle class. The rich are doing well.

But while the bank accounts of a few fortunate Americans have grown, their tax bills have not. The wealthiest Americans now pay the lowest tax rates in more than 50 years.

While this generous Tax Code has been good for their bottom lines, it hasn't been good for America's bottom line. Hundreds of billions of dollars in tax cuts—some say more than $1 trillion—have been handed out disproportionately to the rich by the previous administration, fueling skyrocketing deficits and a growing national debt.

Democrats and Republicans alike agree that we have to reduce the deficit and rein in the debt. Unfortunately, the same Republicans who say we have to get our fiscal house in order also claim millionaires and billionaires cannot afford to contribute even a tiny bit more and share the effort that is before this country.

These same Republicans say multimillionaires such as Mitt Romney need lower taxes—even lower than the only tax return we have been able to see of Governor Romney, which showed his rate at 16 percent. We don't know what is in the other tax returns he should have made public. Tax returns were made public by his father, who started it, and everyone who has run for President since then has followed him. George Romney set an example that his son should follow. We want to know what is in those tax returns he refuses to show the American public. Did he pay any taxes?

Well, I suggest to everybody that Mitt Romney doesn't need another tax

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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break. In fact, he has so much money that he doesn't even know where it is all located—Switzerland, Cayman Islands, Bermuda? No wonder he doesn't want America to see his tax returns.

Mitt Romney is doing fine, and so are the other millionaires and billionaires. It is the middle class I am worried about, not the very wealthy.

We all know times have been tough the last few years for ordinary Americans who are struggling to keep a roof over their head and food on the table. That is the literal truth. The last thing they can afford now is a tax increase. That is why Democrats want to keep taxes low for 98 percent of Americans, including almost 98 percent of small businesses—everyone making less than $250,000 a year. But while Democrats are focused on how we can help 98 percent of Americans, Republicans are focused on how they can help Mitt Romney and the rest of the top 2 percent. They are willing to hold tax cuts for everyone hostage to protect tax breaks for that top 2 percent.

Democrats don't agree the top 2 percent of wage earners can't afford to pay the same tax rate they paid when Bill Clinton was President. Remember, that was when the budget was balanced and we were paying down the debt. Some claimed they were paying down the debt too quickly. The years of the Bush administration took care of that, when the $7 trillion surplus over 10 years was wiped out.

Still we are willing to debate that with our Republican colleagues, and we are willing to discuss it reasonably. But we don't believe middle-class families should wait and wonder, watch and worry whether their taxes are about to go up while Congress has that conversation. We should not wait until the last second to act.

Here is what one major newspaper wrote yesterday about the need to act:

> The majority of Americans, and the broader economy, should not be held hostage again to another debate over the merits of tax cuts for the wealthy. . . . There will never be consensus for solving our nation's budget problems without first ending the lavish tax breaks at the top.

I call on my Republican colleagues to help us give 98 percent of American families the certainty and the security they need, and to do it now, right away. I call on them to help us pass a tax cut that will benefit the middle class without bankrupting our Nation.

It is time we faced facts. If we are serious about reducing the deficit, we cannot keep handing out more tax breaks to the richest of the rich. We will have to make difficult decisions about where to cut and invest to keep our Nation strong.

But whether we keep taxes low for middle-class families should not be one of the difficult decisions we make. I haven't heard one person—Democrat, Republican, or Independent—say we should raise taxes on middle-class families. This is an area where we can easily find common ground. So what is stopping us from doing what is right and doing it now? I hope it won't be more Republican hostage-taking on behalf of the top 2 percent.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

RAISING TAXES

Mr. MCCONNELL. Madam President, earlier this week President Obama reiterated his desire to raise taxes on small businesses earning over $250,000 a year. I and all of my Republican colleagues oppose this tax hike for the same reason the President himself opposed it 2 years ago—because raising taxes would only make a bad economy worse.

But here it comes again—sort of like a bad penny—the liberal crusade for more government, regardless of the circumstances, the impact it would have on working Americans or the broader economy.

On Monday the President issued the following reckless ultimatum: Let me raise taxes on about 1 million business owners, and I promise I won't raise taxes on everybody else.

In the face of 41 straight months of unemployment above 8 percent, the President is begging Congress to let him raise taxes on the very businesses the American people are counting on to create jobs.

It is the exact opposite, of course, of what is needed. For some reason, he thinks a tax hike is his ticket to reelection. He says it is fair.

Well, I don't think most Americans think it is particularly fair for a government that doesn't do a thing to live within its means to take more money away from those who have worked and sacrificed to earn it, only to waste it on some solar company or on one more government program we can't afford.

We have seen this movie too many times in the past. Frankly, we don't have the luxury to waste any more time arguing about a question that is already settled for most people. The problem here isn't that the government taxes too little but that it spends too much.

What the American people need right now isn't a lecture on fairness; they would like to have some certainty. That is why today I am going to call on the Senate to provide just that. I have already called for a 1-year extension of all the current income tax rates.

Today I will go further by asking consent that we set up two votes in the Senate: one on the President's proposal to raise taxes on nearly 1 million business owners in the middle of the worst economic recovery in modern times, and another that would extend current income tax rates for 1 year and task the Finance Committee to produce a bill that would enact fundamental, progrowth tax reform.

It has been over a quarter century since we last did comprehensive tax reform. We all agree, on a bipartisan basis, that we need to do it again.

The Senate should make itself clear which policy it supports, and this is our chance to do it.

On Monday, the President said if the Senate passes this tax hike on small businesses, he would sign it right away. That is what he said 2 days ago, on Monday. I can't see why our friends on the other side would not want to give him the chance.

With that, I ask unanimous consent that at 2 p.m. today the motion to proceed to S. 2237 be adopted, and that the first two amendments in order to the bill be the Hatch-McConnell amendment No. 2491, which would provide for the extension of current rates while we work on tax reform, and a Reid or designee amendment to enact the President's proposal, which, as I have said, would impose job-killing tax hikes on nearly 1 million businessowners.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. Madam President, reserving the right to object, we have been here before. We try to legislate here, and the program of the Republicans in the Senate has been to divert, deny, and obstruct.

I asked the Chair when we started what we were doing here, and we are on a small business jobs bill. It is extremely important legislation. It would give small businesses across America—small businesses with less than 500 employees—and that is where most jobs are created—a 10-percent tax credit for hiring more people, and it would also give them the ability, this year, to purchase equipment and write that off. It would be great for the economy.

We are told by outside experts that it would create about a million jobs. What we have before us is something that the Republicans in the House have sent us. It is their version of this. It is the ''help Paris Hilton'' legislation. It would give people like her a tax break for doing nothing—$46 billion of the American people's money to help Paris Hilton and others. It would give people a tax break for doing nothing—nothing. And for my friend the Republican leader to talk about small businesses being hurt with the proposal of the President—that is not true. As I said in my opening statement, 98 percent of the American people would have the benefit of that tax benefit, and 97½ percent of small businesses would benefit.

So we are in the situation where my friend talks about the fact that we have not had enough job creation, and I acknowledge that. Certainly that is true, and the President acknowledges that. But you see, we have kind of a hole to pull ourselves out of. During the prior 8 years, 8 million-plus jobs were lost, and we have filled that hole more than halfway, with 4½ million new jobs being created. We have had 28 months of private sector job growth—28 months in a row. So we are making progress, but we have a long way to go.

Madam President, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Republican leader.

Mr. MCCONNELL. Let me simplify this for everybody. On Monday the President asked that we have the vote I have just offered to the majority. We have a clear contrast here. We have 41 straight months of unemployment over 8 percent. If this is a recovery, it is the most tepid recovery in modern times. The President's solution to that is to raise taxes on about 1 million small business owners, representing about 53 percent of small business income and up to 25 percent of the workforce.

We are on a different bill that my friend the majority leader is talking about, that I understand would be slipped by the House in any event. Clearly, what we are doing this week is having a political discussion, not seriously legislating. So my recommendation is that we give the President what he asked for. He wants to have a vote on raising taxes on individuals making over $250,000 a year, which, of course, includes almost 1 million small businesses that pay taxes as individuals, not as corporations—they are either S corps or LLCs—the most successful small businesses in America, in fact. That is a vote we welcome. It is a vote the President is asking for, and it is a vote I just asked for.

Senator HATCH, our leader on the Finance Committee, here on the floor right behind me today, has advocated that we extend the current tax rates for 1 year—the same thing the President, I would say to my friend from Utah, wanted to do 2 years ago, at that time arguing it would be bad for the economy not to do that. And the growth then was actually better than it is now. We think we ought to vote on that. It would give Senator HATCH and Senator BAUCUS and the people on the Finance Committee a year to work us through comprehensive tax reform. Again, it has been a quarter of a century since we have done that.

Why not have those votes today? That is what my consent agreement is about. I am a little surprised we are not willing to give the President what he asked for, which is a vote on a clear distinction for the American people so they can understand how the two sides look at this important issue. It could not be more clear.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Madam President, the American people are seeing again—again and again and again—the scores of times during the last 18 months that we have engaged in a filibuster. As I said earlier, it is a way to divert attention from what we are doing today—to obstruct. As is indicated in the Oxford English Dictionary, a filibuster is an act which obstructs progress in a legislative assembly; to practice obstruction. That is what is going on today.

Now, why shouldn't we pass this bill that is before the body today? It would create 1 million jobs and give small businesses—not Paris Hilton but small businesses—across America today a tax credit for hiring more people and allow them to write off what they purchase, which would create more jobs.

So we have here a big Las Vegas neon sign flashing on and off saying: Grover Norquist has won again.

To the people out there watching who might be wondering who Grover Norquist is, remember, he is this guy who goes to the Republicans and asks if they would be kind enough to sign a pledge for him that does what he wants them to do and not what the American people want, which is that they will not tax the rich at all, not even a tiny bit. He says: Sign this pledge, will you? Of course they all sign. But the American people—Democrats, Independents, and Republicans—agree that the richest of the rich should pay a little bit more.

But we are now involved in a filibuster to divert attention away from an important piece of legislation. Let's pass this legislation. We will have this tax debate. We will be happy to do that, but let's get this done first. As most people know, I appreciate my friend the Republican leader. I know he has a job to do. But let's get away from this pledge, and let's start legislating and not have to break filibusters on virtually everything we do.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Madam President, I think we have witnessed here a new definition of a filibuster. My good friend the majority leader, I gather, is accusing me of filibustering when I am trying to get a vote—not one but two votes—on what he says he is for, what the President says he is for, and a vote on what Republicans are for. So we have here a brandnew definition of a filibuster. Even when you are trying to get votes and they are objected to by the other side, somehow that is a filibuster.

Now, my good friend talks about what would help small businesses. I think we ought to ask them would they prefer the underlying bill, which the majority leader has called up and we have voted to proceed to, or would they prefer not to have their taxes go up at the end of the year? Talk about a no-brainer. I don't think there is any question what small businesses would rather have.

But we are certainly not filibustering. We enjoy discussing our differences of opinion on the tax issue. There couldn't be anything more important to the American people if we are going to get this economy going again. And certainly trying to set up two votes—No. 1 on what the President is asking for and No. 2 on what Republicans think is a better alternative—could not, in my view, be the definition of a filibuster.

So Senator HATCH is here—and obviously the majority leader can speak again if he wishes—and he is going to address the matter as well, but I wish to thank him again for his conspicuous leadership on the Finance Committee. We are looking to him to work us through this comprehensive tax reform matter again next year. It is going to be extremely important for the country, and I thank him for his good work.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Madam President, when I came here this morning—I repeat for the third time—I asked what the business was before this body. It is the small business jobs bill. Of course, there has been a direct attack on that legislation by saying: Let's do something else. Let's not do this right now. Let's do something else.

I understand the definition of a filibuster. I understand it very clearly—from the Dutch, a ''free booter,'' one of a class of piratical adventurers who pillaged the Spanish colonies in the West Indies during the 17th century; one who engages in unauthorized and irregular warfare against a foreign state. They go on to say, in the United States, to obstruct progress in a legislative assembly; to practice obstructionism.

Yes, they are trying to, as the ''free booters'' here, steal legislation and move to something else. They will do anything they can, as my friend the Republican leader said at the beginning of this Congress, to divert attention from the fact that President Obama should be reelected.

Madam President, I will end this debate soon. There will be other times to do this. But if Governor Romney came before this body to be a Cabinet officer, he couldn't get approved. He won't show anybody his income tax returns. So if he doesn't qualify to be a Cabinet officer, how could he qualify to be President? So let's debate the issues before us. We will get to the tax issues, and that way we will be able to talk in more detail about Governor Romney's taxes. But right now, before this body is the small business jobs bill.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

ORDER OF BUSINESS

Under the previous order, the following hour will be equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

The Senator from Utah.

TAX CUTS

Mr. HATCH. Madam President, this is really an amazing moment, as far as I can see. Sometimes, for those watching on C–SPAN, the Senate, with its unique rulings, can seem like a pretty arcane place. The impact of unanimous consent requests is not something ordinary folks talk about, so let me put this in plain English.

The Senate's Republican leader has just made a remarkable offer to our friends on the other side, the Democrats. We hear all the time from the left that Republicans refuse to do anything in the Senate, which certainly is

mind-boggling. Remember this episode the next time you hear that. My friend and colleague, the Senator from Kentucky and the Republican leader, MITCH MCCONNELL, presented this body with an opportunity to take a stand, to take a vote—two votes, as a matter of fact—to show the American people our cards on the most important issue facing this country: the coming fiscal cliff. In exchange for a vote on the amendment I introduced to extend all of the 2001 and 2003 tax relief for 1 year, the Republican leader agreed to a vote on the President's counteroffer that would increase taxes on families and small businesses. You heard that right. The Republican leader offered a vote on President Obama's plan to raise taxes, and the Democratic leader rejected this offer. That is mind-boggling to me. Senate Democratic leadership turned down an opportunity to vote on President Obama's tax increase bill—the bill he insists is the only acceptable way to address the fiscal cliff.

After today, all of the President's surrogates, if they are honest, will have to rewrite their talking points about the do-nothing Republicans in the Senate. Senate Democratic leadership is effectively filibustering—and that is the real use of the term—President Obama's tax increase bill. Did everyone out there hear that? They are filibustering their own bill by not agreeing to equivalent votes here.

So what does that tell us? Here is what it tells us. It tells us that the President's tax increase plan is not just an economic disaster, it is a political loser, and they know it. It tells us that in spite of all the big talk from the President's Chicago reelection campaign about evil Republicans who want to extend all of the 2001 and 2003 tax relief, vulnerable Members of the Senate's Democratic conference do not want to be anywhere near the President's tax increase alternative. To borrow from the film ''Top Gun,'' the President's campaign is writing checks that Senate Democrats can't cash or, as we westerners like to say, the President is all hat and no cattle. He is tipping his tax increase Stetson, but he doesn't have enough of a herd in the Senate to follow him.

Keep in mind that the Democratic leadership is not just filibustering the President's tax increase proposal, that leadership is also filibustering my tax relief proposal as well. And I suspect they are filibustering this amendment because they are afraid it would pass. Forty Democrats in this Chamber supported the extension of the 2001 and 2003 tax relief in 2010—40 Democrats—and they would probably do so again if they had a chance, so the Democratic leadership has decided to deny them that chance.

The President is asking for compromise. Well, he is looking at it. As the ranking member on the Senate Finance Committee, I have deep reservations about temporary tax policies. Temporary tax policy does not provide the certainty to small businesses and families that is necessary for long-term planning and investment. If a small business does not know what its tax bill is going to be next year, it is not going to be doing any hiring. We all understand that. So it is not surprising to me, with next year's tax rates up in the air, that we just saw the worst quarter of hiring in over 2 years.

But in the interest of preventing a tax increase that would further hamper the economy, I am willing to set aside the virtue of permanency for the time being.

My amendment would just extend the 2001 and 2003 tax relief for 1 year, and during that year we would work on doing what is right with regard to tax reform.

The amendment I have filed with my friend, the Republican leader, is in itself a compromise, but we have offered a further compromise. Fair is fair. We have our proposal: We want to keep taxes low for all Americans, particularly with our economy on the ropes. And the President has his proposal: He wants to raise taxes on small businesses, even as the prospects for economic growth and job creation look increasingly bleak.

So let's have these votes. Let's get it on the record. Our constituents sent us here to make hard choices. It is time to put our money where our mouth is.

If the President and his party think it is morally reprehensible to extend all of the 2001 and 2003 tax relief, then they should vote against it. If they think raising taxes is the way to go, then vote for the President's plan.

I wish I could say I was shocked, but this is just par for the course. We have been watching this now for a couple of years.

I know the hand-wringing Washington pundits like to blame Republicans for the lack of progress on the fiscal cliff, but this episode should show, once and for all, what a fiction that is. Republicans are ready to act. We are ready to vote. We can vote on my amendment to extend tax relief to all Americans and on the President's proposal to deny that tax relief to small businesses. We can do what our constituents sent us here to do—we can vote and let the better plan win. But the Democratic leadership, fearful of the embarrassing reality that their own conference has serious reservations about the President's tax-hiking agenda, is now filibustering their own bill, and they are now filibustering President Obama's signature tax policy.

Those who continue to talk about the President's reelection prospects in glowing terms need to reevaluate that fairly. President Obama thinks the ticket to his reelection runs through tax hike valley. He is going to succeed where Walter Mondale failed.

President Obama's signature economic policy is a promise to raise taxes on job creators when we are facing the 40th straight month of unemployment in excess of 8 percent. We don't need a sophisticated poll to figure out how popular this policy is in swing States or with Independents. Just look at what happened this morning. Republicans offered a vote on the President's plan, and Democrats balked at the opportunity.

Democrats are filibustering President Obama's signature domestic policy—a bill to increase taxes—and they are doing so because many members of their own conference know that a vote for these tax increases would sink them back home. They know that.

This is a pathetic spectacle made even more so by the fact that time is running short, the fiscal cliff is approaching, and families and businesses need to know what their tax rates will be next year. To date, the Senate's Democratic leadership has done absolutely nothing to provide that certainty. It is disgraceful what we are witnessing this morning. We need to put politics aside and have these votes.

I would renew the Republican leader's unanimous request and ask that we immediately proceed to debate and votes on my amendment to extend tax relief to all Americans and on the President's tax increase plan. President Obama seems to think he has a winning issue. It might be good for him, but delaying resolution of these tax rates is putting partisan goals ahead of the common good. The American people deserve better than this.

What is mind-boggling to me is for our leader to tie up the parliamentary tree so no real amendments can be voted on. And we offer him a vote on the President's proposal and he accuses us of filibustering when he refuses to allow that vote? Before that we would like to have a vote on our proposal for the 2001 and 2003 tax relief that we know needs to be effectuated. Then what really boggled my mind is when the leader talked in terms of the Republicans are filibustering? Give me a break.

We have asked for two major votes: one on the President's own proposal and the other on my proposal to extend those tax cuts for 1 more year, during which time both sides should come together, work together, compromise together, and come up with a new reformed Tax Code that doesn't continue to eat us alive.

I am absolutely amazed by what happened this morning.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

Mr. COATS. Madam President, I came down to the floor early to line up in the queue to talk about taxes and the proposal that has just been discussed.

I sat here in amazement as the Senator from Utah has just expressed, and as the minority leader expressed the redefinition of ''filibuster.'' It was a tortured effort on the part of the majority leader to try to redefine it in a way that had just the opposite effect of what a filibuster really is.

I wish the majority leader had been at our caucus luncheon yesterday when we debated whether we would vote against the cloture motion to proceed on this bill. The consent of our caucus was, no; we welcome a debate on taxes. We welcome the opportunity to move forward and discuss our two visions of how we need to revive this economy.

So let's not use parliamentary tricks or a parliamentary procedure to avoid that debate and to avoid a vote on the President's proposal. We realized there was the opportunity for the majority leader to use parliamentary tricks and procedures in order to deny us the opportunity to offer our own version of what we thought we should do with our Tax Code and provisions, particularly as it reflects this particular tax on small business, but we welcome the opportunity to come and debate that and work through it and, hopefully, make an offer that is acceptable.

So the minority leader came down here this morning and turned to the majority leader and said: We are going to give you your vote. We are not going to use parliamentary procedures to prevent you from having an opportunity to vote on your proposal, the President's proposal.

By some tortured way of opposing this, the majority leader essentially said: There you go again. Republicans are filibustering. I think we all just sat here with our mouths agape saying: Have we missed something? We are offering to give you your vote.

Now, it is clear this center aisle—not completely—divides us in terms of how we think we should go forward in dealing with this very sick and anemic economy. There is probably pretty close to a consensus that tax reform needs to be an essential part of what we need to do.

In a bipartisan way, Senator RON WYDEN, a Democrat from Oregon, and DAN COATS, a Republican from Indiana, have been working for 1½ years now on something that was started with Senator Gregg, who is now retired from distinguished service in the Senate but worked with Senator WYDEN for 2 years in putting a package together, a comprehensive tax reform package. It is the only plan out there that has been written, scored, and is available for debate and available to the tax-writing committees to use as a basis—or foundation or parts of it or all of it or whatever—in forming their own version to bring forward. But there is a bipartisan consensus that we ought to move forward on comprehensive tax reform.

Senator HATCH, our Republican leader in the Finance Committee—which is the committee responsible for writing that bill—has said piecemeal is not the way to go. Anybody who has analyzed our current situation understands that comprehensive tax reform is the best solution. But even Senator HATCH agreed, in this instance, given the situation we now face, he would accept going forward with a short-term proposal that would give us 1 year to put together a comprehensive tax reform package. The last one occurred in 1986, so long past time we overhaul the Tax Code. With all the credits and subsidies and additions and addendums to the current Tax Code, it is complex beyond anybody's ability to fully understand. And it isn't fair. It favors some at the expense of the many. In many cases, there are special credits and tax breaks that go to a single industry. So we need much more fairness across the board, and that is what Senator WYDEN and I attempt to do in our proposal.

The word ''fairness'' is thrown around here as a condemnation on the Republican Party's ability to achieve bipartisan consent, but if we want to talk about fairness, let's talk about what just happened here. It was imminently fair for the minority leader to offer the Democrats a vote on the President's proposal. All we asked in return was an opportunity to present, debate and vote on our proposal.

What is amazing is that the Democratic Party controls the Senate. They have the votes to pass the President's proposal. So in the end, if they voted in unison with the President, their proposal wins. If we vote and we come up short, we lose.

Obviously, there must be a reason they don't want that vote. They don't want an alternative presented to them because they must fear they would lose votes on their side of the aisle for the President's proposal, and we would gain votes from them on our side. It has happened in the past, and apparently that is the decision they made.

But this torturous explanation of how this could be a Republican filibuster—if they can spin this one at the White House and at the press conference today, or if they can spin this through the press, they are not listening or understanding what is actually going on here.

What is going on here is a decided attempt by the majority leader to protect his party from having to take a vote for or against. If the American people want anything out of this body, and if they are disgusted with anything that comes out of this body, it is when people go home and say: Well, we didn't have a real vote on that. There was a procedural this or that and it got stopped here or modified there or the others tied up the legislative tree.

What in the world does that mean to most people outside of this body? They used some procedural way to avoid a real vote.

They want our yes to be yes and our no to be no, and we are offering to the Democratic leader that opportunity. Let your yes be yes and your no be no on the specific bill before us, and then go home and explain to your people why you voted yes or why you voted no. Then they can decide in this democratic process whether they want to send you back or send somebody else back for you.

The American people aren't getting that kind of clarity right now, and it is no wonder they are disgusted with Congress. It is 10:00 in the morning when we are talking about this. If they get a fair treatment in the press over what happened this morning, they will fully easily grasp and understand that what was proposed by the Republicans was nothing but fairness, and what was proposed by the other party was nothing but unfairness.

What could be more fair than giving each side, in a divided vision of how we should go forward, their opportunity to debate what they believe in and to call a vote for it? Particularly from the party that has the votes to win and the party that has the votes not to win, why not have the vote? What have you got to lose? Unless you think you are going to lose your own people or not want to put them on the line for having a yes or a no recorded clearly before the American people.

I have diverted from what I was going to say this morning. I was just so amazed by what took place down here I could not help but comment on it.

We will see how this all gets spun out by the White House. We will see what is the next diversionary tactic they use to stop us from talking about the No. 1, No. 2, and No. 3 issue facing this country; that is, this anemic economy. Eighty thousand jobs? Only eighty thousand jobs created in June. People say we are on the right track? That doesn't even replace the number of people who are retiring, let alone add new jobs. How many college graduates this spring are living in the basement of their parents' home? That has happened now for more than 3 years. There are millions, 12.7 million people who woke this morning with no job to go to. There are many more who woke to go to jobs far below their abilities or training. So 80,000 jobs, let's put this in perspective. It is far below what we need just to break even, just to give anybody a new shot and a new chance.

We have had 3½ years of the policies of this administration which have not improved the situation and, in fact, some have said are making it worse. We all know we have come through a tough time. We all know just sticking the blame against one side or the other is not the solution. The solution is to find how to put sensible policies in place that will get this economy moving again. One of those policies is comprehensive tax reform.

Once again, I bring up the Wyden-Coats bill. It has been out there. It is written. It is scored. It is available to take up right now if that were the case, but because the tax-writing committees have the jurisdictional right to have a say and because it is a complex process, they would like some time to put it together.

The proposal of Senator HATCH, eminently fair, is to basically say let's not put a bandaid on the Tax Code now with something that is not going to make much difference at all and, in fact, we believe, will negatively impact small businesses around the country.

I had a small business group in my office yesterday basically saying the President only talks about the middle class. That is whom I hire, they say. That is who is working in our business. If they put a tax on me, the owner of the business, actually it is a tax on the business—the passthroughs, the noncorporations that exist here where, from a tax basis, everything flows through to that individual taxpayer. They say I am the guy who owns the business. I am the guy who makes the decision on hiring. I am the guy who has to put the health care plan together. I am the guy who hires the people and pays the people. If government taxes me more, I do not have the same flexibility to hire, expand or buy equipment or expand my factory or hire more people.

Yes, the White House can go out and spin it like I am a rich guy, but because I have chosen a certain way in order to form my business—not as a corporation—I am taxed in an entirely different way than corporations. But if you go out and say we are giving the middle class a break—and we are hurting the people who employ the middle class and you are raising their taxes—you are hurting the middle-class people. The very people the President says he is trying to protect, he is hurting by raising this tax. The President himself said in his campaign and throughout his Presidency: The worst thing you can do is raise any taxes during a time of economic distress.

I do not care if you are Paul Krugman or if you are the most conservative economic analyst out there, there is a widespread consensus that the last thing you do is raise taxes at a time of a stagnant economy, a recessionary economy. It is the last thing you do.

DAN COATS just said that, respected economists on the left and right said that, and even the President of the United States said that as a candidate and throughout his Presidency. In 2010, the President said the last thing we should do is raise any taxes. Now he has turned around to say let's tax up to 1 million small businesses because obviously they can spin that and play that in what sounds like a politically opportune way.

It is a direct contradiction coming out of the mouth of the President, out of the mouths of others. It is simply an election year political class division ploy to divert from the miserable record under this administration, in terms of dealing with this economy. Frankly, if they know—we can hardly conclude anything, but they just do not know what they are doing. But even if they know what they are doing, their policies have not worked.

Whether it is Republicans or Democrats, if they have done something for 3½ years and it has not worked, isn't it time to look at a different set of policies? That is what we wanted to debate, but the majority leader is not allowing us to debate. In some excruciatingly, twisted way, he is saying Republicans are trying to prevent us from going forward. It boggles the mind.

I will stop with that and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

STOLEN VALOR ACT OF 2011

Mr. BROWN of Massachusetts. Madam President, I have enjoyed the previous speaker. It was very interesting.

I wish to shift gears and talk about S. 1728, the Stolen Valor Act of 2011. As many know, the Supreme Court recently struck down the Stolen Valor Act of 2011 by saying that lying about military awards, records, and service is protected by our first amendment rights. The Court has ruled. But let's be clear, it is wrong and cowardly for people to make fraudulent statements in order to receive distinctions they have not earned. Let me say that again. It is wrong and cowardly for people to make fraudulent statements in order to receive distinctions they have not earned.

As a 32-year member of the Army National Guard still serving, I feel very strongly about this issue, and I believe we need a Federal law to punish those who seek to benefit from making false claims and steal the true valor of our heroic men and women in uniform. My bipartisan, bicameral Stolen Valor Act of 2011 reminds me of the bill we worked on, the insider trading bill. We have an opportunity once again to send a powerful message to the American people that in the middle of the gridlock we can work together on something that makes complete sense. It addresses the Supreme Court's change by making a key change in order to protect first amendment rights. It would punish individuals who deliberately lie about their military service, their records or honors, with the intention of obtaining anything of value.

The key term is ''of value.'' One actually gets something of value as a result of their misrepresentations. Again, the new Stolen Valor Act makes it a Federal crime to lie about military service in order to profit or benefit, and that is the key distinction.

Yesterday, Congressman JOE HECK of Nevada and I—he is the lead sponsor in the House version of the bill, I in the Senate—held a press conference to start a fresh campaign to pass the new Stolen Valor Act. We had wonderful results. Within a few hours of that press conference, we gained 27 new cosponsors in the Senate, making a total of 29. I encourage the Presiding Officer and others on her side of the aisle to get involved in this very real effort to help our heroes who have served legitimately. Congressman HECK also has 67 bipartisan cosponsors in the House.

Also, yesterday, the Pentagon announced they will take a major step to deter con artists by establishing a searchable database of military awards and medals to confirm, in fact, that the person with whom one is dealing or speaking with is, in fact, deserving of the medals and honors they received.

It is clear this cause has momentum and the Supreme Court decision has given many a sense of urgency and clarity. In fact, today I wrote President Obama to ask for his public endorsement of the bill, very similar to the day he was walking up the aisle after the State of the Union and I said: Mr. President, I have a bill on HARRY REID's desk on insider trading. Let's get it out. He said: I will; I will get it out.

He can do the same here. He can give his public endorsement of this very important bill, and I am hopeful the Commander in Chief will lend his endorsement to this cause, to show leadership on this issue and give his blessing so we can actually get to work on legislation that will truly pass, I venture 99 to 0, in this Chamber. His voice would join several military organizations that endorsed the Stolen Valor Act of 2011: the Military Officers Association of America, the Association of the U.S. Army, Military Order of the Purple Heart, and the Iraq and Afghanistan Veterans of America.

As bipartisan support of this effort grows, I ask my Senate colleagues who have not cosponsored the Stolen Valor Act of 2011 to get on board. It is time. It is time to send a very powerful message to the men and women who have served with dignity and honor that we respect that service and we are tired of the frauds who are out there perpetrating fraud and wearing medals and receiving honors to which they are not entitled.

If we choose to come together and pass this legislation, we can respond immediately to the Supreme Court's ruling with the urgency this issue deserves. It is very similar to how Senator MCCASKILL and I, in the middle of the gridlock a couple years ago, passed the Arlington Cemetery bill. We can do it with this legislation as well and send a message to the American people that we can work together and that unified message will protect the valor of our heroic veterans and servicemembers who defend our freedom and serve our country with the greatest of honor.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mrs. HUTCHISON. Madam President, I ask unanimous consent that I be allowed to speak for up to 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. HUTCHISON. Madam President, I applaud the Senator from Massachusetts for introducing the bill. He is trying to make a constitutional way so those who have done the service for our country and earned the medals are assured that those medals mean something and cannot be in any way misrepresented without a consequence. I thank the Senator from Massachusetts.

TAX POLICY

I rise to talk about this week's issue, which is taxes on our Nation's small

businesses. Small businesses are the economic engine of America. It is not big business. Jobs are created by small businesses that grow and become medium-size businesses. They are responsible for driving most of the job growth in this country. Fifty-five percent of private sector jobs are created by small business. Punishing them with new taxes in a time of economic stagnation is incomprehensible. It is incomprehensible.

This tax that is suggested by the President on those who make $200,000 to $250,000 or more will affect small business, make no mistake about it. I have been a small businessperson, and I know if someone is paying all the expenses they are paying, if they are taxed as an individual in their small business, they are not going to be able to hire new people—not with what is looming next year in increased taxes. Even the talk of it is part of the reason we have the stagnation we do.

Seventy-five percent of the small businesses in our country pay taxes at an individual rate. They are organized as flowthrough businesses: Partnerships, S corporations, LLCs, and sole proprietorships. Fifty-three percent of all flowthrough business income will be subject to the top two individual income tax rate increases subject to take place in 2013. Even our talking about tax increases is on the minds of our small businessespeople. It makes them very nervous.

We have an already uncertain environment. Hiring is stalled. We have been strangling growth in our country and the hope of recovery is not there. The first round of taxes in the health care law the President's party and the President passed will kick in, in 2013. I do not want to have to go back to the small business owners whom I have just visited with last week all over my State and say: Yes, it is true. You are going to have the taxes involved in the health care plan that will take effect in 2013 and your taxes are going up because you are going into a higher bracket, and if the President has his way, the rates are going to increase too. That is not the message anyone in this body should want to take back to their home States and I do not want to go back to the hard-working employees and customers and tell them the same thing because it will not be just small business owners caught in the net of higher taxes, every American is going to see their taxes increase if they are paying taxes today.

We have a cliff. Everyone around here is talking about the fiscal cliff. It happens on December 31 of this year. Taxes will automatically go up on January 1. Everybody will go into a higher bracket. We will lose the marriage penalty relief we have had. We are going to see tax increases on the middle class, and it is going to be steep. Approximately 31 million Americans will be hit for the first time with the alternative minimum tax. Most people know the alternative minimum tax was enacted in 1969 to target a few hundred millionaires in America to try to ensure that those millionaires paid a tax. Well, guess who qualifies next year if we don't do something. A single person making $33,750 and a married couple earning $45,000 will be considered as not paying their fair share of taxes. That is outrageous for this Congress to let that happen. We must work with the President to ensure that those steep tax increases do not take effect.

The tax increases, the astronomical debt we face, and the persistent high unemployment rate have come together to create a perfect recovery-killing storm. And if this weren't enough to send our economy into permanent hiding, we now have the dubious honor of having the highest corporate tax rate in the world at 35 percent. We used to be second, but Japan had the good sense to lower its rate earlier this year, so now it is America that holds that dubious honor.

This is not a recipe for growth. Is it any wonder that we have a recurring over 8 percent unemployment rate in this country? If we don't do something before the end of this year, those who are employed are going to pay more taxes next year, and for those who are not employed, it is going to be harder to find a job. So what is the answer? The answer, as we all know, is for this Congress and the President to do something before the election.

Now, Senator REID has introduced a tax bill. It is a bill that will provide two temporary tax credits, but a 1-year temporary tax credit is really not enough. Many of us voted in support of the motion to proceed to this bill because we would like something to start with, and I hope the majority leader is going to allow amendments because there are many amendments for us to try to cobble together a bill that will really make a difference in our economy. So it is a start, and I am going to give the leader credit for that.

A real long-term solution is what business is looking for. If we have a 1-year tax credit, we are going to get a 1-year plan, and a 1-year plan is not going to encourage people to be hired. It is not going to encourage employers when they see a 1-year plan and know that Congress is going to do what it has done so often; that is, get to the last of the year and then cobble something together that will perhaps last a year. Maybe it will be the same or maybe it won't. That is not the way business works. They have to plan. They have to know what they are going to have in the next 5 years in expenses so they know what they can produce and what they can charge. That is the private sector.

We should be focusing on the underlying issue. It should be tax relief and tax reform. We can alleviate the employers' conundrum and get them to start hiring if they know what to expect, and a 1-year fix will not do it. We need long-term tax reform, we need to address the looming debt, and we know it. We know what the fiscal cliff is.

I would like to read a letter I received in answer to a congratulatory note I wrote to the former football coach at Texas A&M, R.C. Slocum, who is one of the finest men I have ever met. He is exactly what America is. He was just inducted into the College Football Hall of Fame, and I congratulated him sincerely because he is the kind of person we want coaching our young men in football.

Well, he wrote me back, and I am going to read an excerpt from his letter. He does the niceties of thanking me for writing him, and then he says:

> I am really concerned that the America that you and I grew up in is being attacked from within. Although I grew up in a poor family, I was taught that I was privileged because I was born in America, the land of opportunity. We did not begrudge the ''rich'' but was encouraged that through hard work and education, some day we could be one of them. Thankfully, I was not taught that it was someone else's fault that we were poor or that government would, or should, come bail us out. We worked our own way out and felt the great feeling of accomplishment that goes with it. In my career as a coach, I encouraged my players to try the formula I was given. It still works and I am so proud of the young men that have dramatically changed their lives, and with it the course of their families' lives.

That is what America is, and that is what we ought to be working to achieve.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Colorado.

ORDER OF PROCEDURE

Mr. UDALL of Colorado. Madam President, I am here on the Senate floor to highlight our country's clean energy future.

Mrs. BOXER. Would the Senator yield for a unanimous consent regarding time?

Mr. UDALL of Colorado. I would be happy to yield.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. BOXER. Madam President, I ask unanimous consent that Senator UDALL proceed for 6 minutes, that I proceed for 12 minutes, and that Senator MANCHIN proceed for 12 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The Senator from Colorado.

PRODUCTION TAX CREDIT

Mr. UDALL of Colorado. Madam President, I am here on the floor, as I have been for a succession of morning speeches, to talk about the importance of extending the tax credit for wind power. If you look in every corner of our great country, the production tax credit has resulted in good-paying jobs for Americans—jobs, I might add, that can't be exported overseas.

I have taken a tour of the country. This morning I wish to highlight the beautiful State of South Carolina.

South Carolina is one of the few States that do not have installed onshore wind power, but that has not stopped South Carolina from attracting literally dozens of manufacturers

that support 1,000 good-paying wind energy jobs across the State.

As we look at this chart of the State of South Carolina, we can see that the green circles acknowledge the manufacturing facilities that built components for wind turbines. Nearly every component in a wind turbine is built in South Carolina.

I wish to highlight Greenville, up here in the northwestern part of South Carolina. GE has a facility there, and they have designed the 1.5-megawatt wind turbine that is a hallmark of GE. That facility supports more than a dozen suppliers and hundreds of jobs across the State.

One of the most exciting ventures outside of manufacturing that is going on in South Carolina is the massive investment that has been made in innovation. In 2009 Clemson University won a $45 million grant from the American Recovery and Reinvestment Act and the Department of Energy for the construction of a brandnew facility that will be the largest wind turbine testing facility in the world. In that facility, they will test cutting-edge drivetrain technologies for the next generation of wind turbines.

Now, South Carolina has doubled down on that support of wind innovation. The university donors and other partners have joined Clemson and have come up with another $53 million to supplement the $45 million that came through the Recovery Act. That is $98 million that will be an investment in South Carolina's economy and in our wind energy future.

So not only will there be good-paying jobs created at this wind turbine drivetrain testing facility, but this facility will be a global leader in developing wind turbines capable of 3 to 10 times as much power as wind turbines today. I was under the impression that wind turbine technology had matured and that we had wrung out every electron possible. I have been told we can increase the yields by 3 to 10 times through this kind of research. This facility will focus on onshore and offshore wind turbines. So this is crucial research.

We know in Colorado that the presence of top-notch research and development institutions attracts incredibly talented individuals and often results in the creation of new companies that commercialize the new and innovative technologies developed in these R&D facilities. I know that in the Presiding Officer's State, that is a formula for success. When we make the investments such as South Carolina, Colorado, and New York are making, we draw top-notch resources that are able to exploit in a responsible way natural resources.

The grant I mentioned combined with the research dollars that have come from the private sector represent an enormous opportunity for South Carolina and for our country in turn. We already see millions of dollars that have been attracted into South Carolina from global investors because they see the potential of what is going to happen at Clemson.

The point I want to make is that if we don't extend the wind tax credit, the PTC, then these wind manufacturers may not have the wherewithal, frankly, to team up with Clemson, to commercialize the new technologies that will be developed in South Carolina, and then the jobs that follow won't be created. That just doesn't make sense. South Carolina and Clemson are going to be global leaders in the development of these new technologies.

The question is, Where will these new turbines be built? I know, for one, that the Chinese would be happy to step in and take away our manufacturing jobs. But if we get our act together and extend the PTC, then these wind turbines will be built here in America. They will be built in South Carolina, they will be built in Colorado, and they will be built in Pennsylvania. They will be built all over our country in literally every corner. But if we let the PTC expire, we risk shipping this industry and our good-paying jobs overseas.

Coloradans keep telling me—and I know in the Presiding Officer's home State as well—that there is no reason to outsource these jobs. There is no reason to outsource energy production, and there is no reason to handicap a growing industry that has helped make us and our country more energy independent. Let's pass the extension of the PTC today. Let's create jobs today. Let's build this clean energy economy. Let's pursue an all-of-the-above strategy. Let's do it here in the United States, and let's do it now.

Madam President, thank you for your attention and your interest.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. BOXER. Madam President, was there any time remaining for Senator UDALL?

The ACTING PRESIDENT pro tempore. He used 6 minutes.

TAX POLICY

Mrs. BOXER. Madam President, I rise to talk a little bit about health care and what it would mean if the Republicans get their way and take away so many benefits for millions of people. But before I do, I would like to respond to Senator HUTCHISON's remarks on taxes.

President Obama has called on us to pass a tax cut for 98 percent of the American people. That would not be for millionaires, but for the middle class. It is not for billionaires, but for the middle class—98 percent. He said anyone earning up to $250,000 will get a tax break. As a matter of fact, he said all income under $250,000 will get a tax cut. Only income over $250,000 would go back to the tax rates of Bill Clinton. Let me remind everyone that in those years we had 23 million new jobs created and a balanced budget, and we never had more millionaires created in one period of time as we did then because it was a fair tax system.

President Obama has asked us to give a tax break to everyone on the first $250,000 of their income and after that go back to the rates under Bill Clinton. That includes 97 percent of small business owners. When we hear the Republicans get up and say: Democrats want to hurt small businesses, Democrats want to hurt the job creators, our position is that 97 percent of small business owners agree with the President—they should get a tax break. If you earn over that $250,000, which is a few percent, pay the fair share that we paid during the fabulous economic growth period when Bill Clinton was the President.

Why do we feel it is important that we say 98 percent and not 100 percent of taxpayers? Because we have a deficit issue. We have a debt problem. We want to get back to the days of balanced budgets, and we will get there, if everyone pays their fair share.

So let's be clear. All of those tears being shed on the other side are being shed for people such as Donald Trump. Isn't it unfortunate that a man such as Donald Trump, who was able to catch the dream to the ultimate—and all right, we want that for everyone—has to pay just a little bit more? At a time when people are taking their money out of this country and putting it in Swiss bank accounts and Bermuda accounts and accounts in the Cayman Islands, it is time for everyone to have a little patriotism here. We have to have the greatest country in this world, and that means the strongest military in the world; that means the best roads and bridges in the world; that means a strong education system. We want to wipe out cancer, AIDS, and Alzheimer's. That means a strong medical research system. We need everyone in America to do their part.

My dad was a CPA. We were very middle class—lower middle class, I would say. I started working in little jobs when I was 16, 17, and I got mad. I hate to age myself, but the minimum wage was quite low then. It was in the cents. It was around 75 cents an hour or something. I remember saying, Why do I have to pay anything to the government? I don't want to pay anything. My father would say to me, You kiss the ground you walk on because you live in America, and we have to have things in this country to make us great. And don't you ever forget that, and don't you complain about it. He also said, You make sure it is spent right and you make sure you have a voice in it. But this country needs to be strong. So to have millionaires and billionaires take their money out of America and hide it in accounts in other countries is not something I would be proud of. We should invest our funds here and everyone should pay their fair share.

HEALTH CARE

Here is the deal. The Republicans have said if they take over all of the branches of government, which is their

goal, on day one they are going to repeal ObamaCare. They are going to repeal our health care law. It reminds me of this: If I were to say to the Presiding Officer, meet me on the corner at 6 o'clock tonight and I am going to punch you in the nose, hit you over the head, and leave you there, she might rethink meeting me. She might say, you know, BARBARA, that is not something to look forward to. Well, let me say this to the millions of Americans who are already receiving the benefits of ObamaCare, which I will describe: You are about to be hit over the head and punched in the nose, if the Republicans take over Washington, DC. That is their goal, to take over the Senate, take over the Presidency, and keep the majority in the House.

Let me tell my colleagues why I say this. Here are the benefits that are in jeopardy—not in jeopardy from repeal; they will be repealed: Free preventive services which have already begun: Cancer screenings and immunizations for those people who have private insurance. Fifty-four million people are going to be punched in the nose and hit in the head, if the Republicans take over and they repeal health care—on day one. They are trying to do it today over in the House for the 31st time.

Prescription drug discounts for seniors who are in the doughnut hole. Fifty-two million seniors have already saved $3.7 billion. They are going to be hit in the head and punched in the nose on day one—not even day two—of a Republican takeover.

Free preventive services for seniors. We have 32.5 million Medicare patients who get free screenings now—32.5 million. That is almost as many people as live in California who will be hit in the head and punched in the nose on day one—not on day two or three, but right away.

Protection against lifetime dollar limits. Right now, people think they have a good health care insurance plan. If a person gets, God forbid, something such as cancer and they have it checked out and find out the limit is $½ million, maybe $1 million, maybe even $2 million limit—they don't know how fast that limit comes and then they are out of insurance. So now 105 million Americans who had limits on their policies no longer have limits. Well, if the Republicans take over, punch in the nose, hit in the head, they are finished; they are out.

Young adults who can now stay on their parents' plan up to age 26—6.6 million young adults—are out of luck on the first day of a Republican takeover.

Let's go to the next chart. Limits on the amount of premiums health insurance companies can spend on administrative costs. Right now, 12 million Americans-plus are going to receive a total of $1 billion in rebates because, under ObamaCare, the insurance companies have to spend the money on patients—80 percent—not on their own perks, not on their bonuses, and people are going to get checks in the mail. So I say to these 12.7 million Americans: I hope you are listening, because on day one, no more rebates.

Tax credits to help small businesses purchase health insurance. We hear about how the Democrats don't care about small business. How about this: The 360,000 small businesses who insure 2 million workers have gotten tax credits, right now—right now. We see the crocodile tears over there, yet they want to repeal a tax break that is helping 360,000 small businesses.

If a child is born with a preexisting condition, let's say some heart defect, and that child can't get insurance. Today they can. Guess what. Seventeen million children benefit from this protection right now. Seventeen million of the most vulnerable people now have protection because of ObamaCare. But if the Republicans take over, these little babies are out—out of luck—and their parents will probably have to go on welfare. Great. Meet you on the corner, be there, vote for me, and I will punch you in the nose and hit you in the head. That is what is going on.

Funding for new community health care centers and expansions. Already 3 million patients have been helped by this. The fact is we have seen funds go to these community health care centers in our communities, so whether a person has insurance or not, they can drop in to a health care center. It is particularly important in rural areas where they have very little access.

I just talked about what happens already. Now, in 2014, we set up the health insurance exchanges so there is competition and people can get cheaper insurance. The preexisting condition benefit will then apply to everybody, so if you have a preexisting condition and you are an adult, you can still get health care.

Women will get protection. Women have had to pay twice as much as a man for insurance. That is discrimination. That will be banned starting in 2014.

There will be protection against arbitrary annual limits on the health care benefits people can get. Sometimes people have the ability to get health care coverage, but it is capped every year. No more artificial caps.

Finally, we will say that health insurance plans have to cover essential benefits such as maternity care. Many plans will not cover maternity care. That is over.

So then people say, Well, how is this reform paid for? The Republicans say taxes will go up, deficits will go up. The CBO has told us that this is actually a reducer of the deficit by tens of billions of dollars. As a matter of fact, it reduces the deficit by $127 billion over the next 10 years. How is it that ObamaCare saves money? It is because we invest in prevention. Everyone within the sound of my voice knows that if a woman gets an annual mammogram and it indicates a very tiny start of a breast tumor and the patient gets that tumor out at an early stage, they have avoided the worst consequences and it is way cheaper than waiting until the end when a patient needs radiation, chemotherapy, all of this tough medicine that is also expensive.

I ask unanimous consent for 1 more minute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. BOXER. How else do we pay for this? We cut out waste and fraud in Medicare. We say to the health care industry: You make a lot more money and you have to pay a little more, and they will.

Then there are the free riders who say, I will never get sick, and if I do I will get free health care at the emergency room. We finally say to them, as they did in Massachusetts: Those days are over. If you can afford it, you need to get a basic policy. By the way, it is a tiny percentage of people. It is 1.4 million people. I think it is less than 1 percent of the people who will have to get insurance because the rest of us are paying $1,000 a year to cover these people. So no more free rides. We all work together.

I will close with this. Watch out in this election who you vote for. If somebody tells you they are going to repeal health care, that means all of these benefits go out the window. All of this deficit cutting goes out the window. The Supreme Court said it is constitutional, and it is.

I want to make this point: Don't vote for people who will punch you in the nose, hit you in the head, and walk away from you. I think the choice is between those who will lift people up and make life better for people and their families and those who would go back to a system that was so harmful for our families.

Thank you very much, Madam President. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

POWER OUTAGES

Mr. MANCHIN. Madam President, I rise this morning to address a situation that is very hard for me to believe, and I am sure for many of my colleagues, and maybe the Presiding Officer as well. It makes no sense to the people of our great State of West Virginia.

For nearly 2 weeks, hundreds of thousands of West Virginians have been deprived of basic necessities such as water and electricity because of massive storms—not just West Virginia but up and down the east coast. At the peak of the outage, FEMA estimates that 688,000 West Virginians didn't have power. That is a third of our State. One-third of our State was completely knocked out. Hundreds of thousands of people had to throw away all of the food in their refrigerators and freezers because of the lack of electricity.

Our National Guard and first responders did a superb job of keeping

people safe. But this country learned just how vulnerable and inadequate our infrastructure is and how much we have come to depend on it. Up and down the east coast, our electrical grid was crippled by this storm because there is no backup plan—none whatsoever—that could keep the vital necessities of life running during these horrific storms.

The fact is we have to invest in our Nation's infrastructure. We all talk about it but still very little is being done. Power outages cost this country between $79 billion and $164 billion every year. That is because on top of powering our hospitals, our nursing homes, and our schools, reliable energy underpins our economy and keeps Americans at work.

I know there are other needs around the world, but seeing firsthand how vulnerable our system is, I was so surprised—and the Presiding Officer might be also—and disappointed to hear yesterday that the U.S. Army Corps of Engineers is making a massive investment in power infrastructure in another country by awarding a $94 million contract to provide—listen—reliable power in Afghanistan. So I thought: How will I explain this back home? We are providing reliable power to the Afghans when nearly 200,000 West Virginians spent an entire week without electricity, lost all of their food, and suffered through nearly 100-degree heat during this period of time, when our country is losing tens and hundreds of billions of dollars because of power outages all over the east coast? As of 6 p.m. yesterday—this is more than 12 days after the storm—we still have over 30,000 people without electricity.

I cannot count the number of times I have come to the floor of this Senate Chamber to say it is time to start rebuilding America and not Afghanistan. But in all my time in the Senate, I have not seen a starker example of misplaced priorities. It is wrong to invest in reliable power for the Afghan people when tens of thousands of not just West Virginians but Americans all over this country have been without power for nearly 2 weeks because our infrastructure is so vulnerable.

In fact, in our State, too many people still don't have reliable water. When the power goes out, the water systems can't purify the water. In McDowell County in our southern coalfields, FEMA expects it will be another 2 to 3 weeks before our water service is restored to the customers in the Northfork public service district. Let me repeat that. They will go another 2 to 3 weeks without water, a basic necessity of life. That will be a full month after the storm without one of life's basic necessities.

Something is truly out of balance. It has been almost 2 weeks since a storm of unprecedented strength hit our State. How can I look the people of my great State of West Virginia in the eye when our infrastructure is so poor that they do not have reliable power or water but still tell them we are investing in transmission lines to provide reliable power to Afghanistan? It just does not make sense.

According to the Congressional Research Service, the American taxpayers have already spent more than $9 billion—$9 billion—on infrastructure projects in Afghanistan, including the costs of reconstruction assistance, diplomatic security, and activities by non-Department of Defense agencies. This is in addition to the $551 billion we have spent on military operations. And that does not even begin to address Iraq, where we have spent at least $5 billion on electrical systems and $61 billion total on infrastructure projects, according to the Special Inspector General for Iraq Reconstruction.

Still, when we take a closer look at the project that was announced yesterday, the facts are even more disturbing. The Army Times reported that the Corps' awarding of $93.6 million to improve electrical transmission from the Kajaki Dam power station throughout the Helmand Province of Afghanistan includes burying transmission lines—burying transmission lines which we do not even do in America—and providing backup generators—which we do not have, which is why we have lost our water systems and our food.

But believe it or not, the people of the United States already paid to build the Kajaki Dam powerhouse in the 1970s. I am going to quote from this article from the Army Times.

> Because the entire electrical system has largely been neglected—

Neglected—

> due to decades of war, Afghan and U.S. agencies are partnering to increase power generation and distribution to solve the severe lack of electricity in the region.

Trust me, in West Virginia we can understand the severe lack of power.

This facility was not maintained in the 1970s. It was not maintained in the 1980s. It was not maintained in the 1990s. It is still not being maintained. What makes us think it is going to be maintained now that we are spending millions and millions of dollars?

This is only one small piece of an even more costly contract to bring electricity to southern Afghanistan. The $93.6 million contract is the first of six integrated components collectively called the Kandahar Helmand Power Project, a USAID initiative to expand the electrical distribution system of two provinces in southern Afghanistan, with a combined estimated population of 1.7 million. That is short of the population of my home State of West Virginia. We are about 1.8 million.

It is one thing to help another country with loans—which I am all for—that will help them get back on their feet so they can repay their debts, but it is another thing entirely to pour billions of taxpayer dollars into another country for a decade with no chance of any repayment to this country and to the taxpayers of the United States of America. Something is wrong with that.

I cannot say it enough: If you build a bridge in West Virginia, we will not blow it up. If you help us build a school, we will not burn it down. We are very appreciative. We appreciate the help of all American taxpayers because we are part of this great country. If you help us invest in a more reliable electricity system, we will use that power to make this country stronger, to power this Nation's economy, and to provide good-paying jobs all over this country.

Not only that, the scope of the problem with electricity infrastructure in West Virginia is tremendous. According to the National Energy Technology Laboratory, power outages in West Virginia take four times longer to fix than the national average. We have been blessed with so much beauty, but we have kind of a challenging topography, if you will, and it makes it much more difficult.

If we modernize our grid to make it more flexible and reliable, we can make a return on investment of up to $6 for every $1 we invest, according to studies from both the Electric Power Research Institute and the National Energy Technology Laboratory. Instead of investing that money in Afghanistan, doesn't it just make sense to invest it here at home? And we will start right in West Virginia if you like.

Madam President, I would feel the same if this was in your State, if it was in any other State in the country. This might have been a ''once in a lifetime'' storm, one where millions of people lost power no matter how well we prepared, but the fact that tens of thousands of West Virginians are still without power and water is a sign that we must do better as a country.

This could have happened to any State—whether it is a storm, an earthquake, tornado, fire, flood, or a hurricane—and I hope that my colleagues in the Senate would share my feelings. We cannot help others if we do not make and keep ourselves strong. We are beginning to neglect our very real needs at home.

As West Virginians, I am proud to say we are a strong people. We are able to pick ourselves up faster than most, and we go to the aid of our friends and neighbors who need it most—even though we are in need ourselves. But when you go to a filling station and the sign says ''cash only,'' and then you find out that the banks are closed because all the power is down, and the ATM is out—we are changing and transforming our whole monetary system, but there is no backup plan—what do you do? We have a problem. We truly have a problem. But I know we can fix it because we are Americans.

That is why it is time to rebuild America and our infrastructure, not Afghanistan or other places of the world. Let's make ourselves strong again so we can help people.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Mr. BEGICH. Madam President, first, before I make my comments—I want to talk about the Small Business Jobs and Tax Relief Act—I want to say to my friend from West Virginia, I know they are struggling under incredible issues—even before the storm that occurred. I know he has efforts he is doing to build infrastructure, and his statements are right on the mark.

In western Alaska, 40 percent of the communities do not even have water infrastructure. It is not a question of rebuilding it; they do not have it. So I recognize the Senator and his great work for West Virginia, making it a better place. His points are well thought out and right to the mark about what we need to do to rebuild this country. A good part of all that is it is about American jobs, American workers building those water and sewer lines and putting those transmission lines back up—whether they be above or below the ground.

So, again, I commend the Senator for his work in West Virginia.

Madam President, I have come down to talk about the Small Business Jobs and Tax Relief Act. I come from the small business world. I know people come down to the Senate floor on the other side of the aisle and talk about being from the small business world. I always like to look and see what that really means. It is always amazing to me.

When someone is from the small business world, here is what it is really about: It is not about working for some corporation, having a nice title, not really worrying about making it from day to day or worrying about a payroll. At the end of the day, if the business is not good, they do not get a check. That is how it works in the small business world.

So when I hear people come down and talk about small business, it surprises me, to be very frank, the lack of understanding, the lack of knowledge they have about the small business world. I have been in it from the age of 14. My wife has grown a business from serving and selling smoked salmon on the street corner to now, having a couple retail stores and doing very well. But she has struggled just like everyone else. She has had to deal with the bureaucracy. She has had to figure out how to raise the capital, put retirement money on the table, maximize her credit cards—do everything possible to take her dream and make it a reality, just as I have done for all my years in the small business world.

So I come here not just as a Senator from Alaska, representing Alaskans and small businesses, but also as someone who has lived it, worked it, and understands it. We have a chance—and I appreciate the 80-to-14 vote to let us proceed to this bill, which is the Small Business Jobs and Tax Relief Act. This is an important bill. It has two components that seem simple in a lot of ways but have great impact.

First, I want to mention the idea that you can get a tax credit for hiring people. Some say, well, small businesses will not use a tax rate just to hire people. I, maybe, agree to a certain extent on that, but why is this important? If you are a small businessperson and you are going to increase your payroll—maybe you are giving raises or bonuses, and so forth, or you are going to hire part-time or full-time people, if you hire those people—and just a clear example is if your payroll is $200,000, and your payroll goes up by $20,000 to $220,000, you will get a tax break of 10 percent, which is $2,000.

What will that small business do with that $2,000? In a big business that just gets lost in some pile. Maybe it goes to some corporate salary. But here is what a small businessperson will do with it. They will get that $2,000, and they might now go recarpet their lease-hold improvement or their rental space they are using for their small business.

What does that mean? That $2,000 now goes to the carpet layer and the carpet seller. What will they do with it? They will put it into the next part of the economy. It just keeps moving much quicker and faster in the economy. As a matter of fact, every $1 we see out there has a multiplier effect that is pretty significant for small business.

So the one piece is giving tax credits for small businesses to increase their payrolls. It may be for increased salaries or for increased employment. Either way you are putting more money into the working people of this economy and, therefore, they are putting it back into the economy.

The second piece of the act is the depreciation. If you are not a small businessperson, you do not really pay a lot of attention to this. But the way the IRS Code works is if you invest in new equipment, carpeting, sheet rock, lighting, whatever, the IRS has these schedules to deappreciate this over many years.

Here is how it works: First, we have the tax credit for payroll, and now we have a second piece of this bill, which is accelerated or bonus depreciation, which means if you are thinking of an idea—I will tell you, a small business I just visited in Alaska called Lime Solar, by Chet Dyson and Jessie Moe—these are two young men who are starting a small business to sell solar products for homes and businesses, but they got a lease-hold space. They rented a space. It had no sheet rock, no lighting. They are responsible for paying for all of that.

So they invested, they cleaned it up, sheet-rocked it, fixed it all up, put equipment in. All that expense now—if this bill passes—can be written off in the first year instead of depreciating it over multiple years.

Why is that important? Let's assume they spent $100,000 renovating their facility and they are in a 25-percent tax bracket. They will save in the first year $25,000—like that—instead of spreading that over the next 10 or 15 years. Why is that important? That $25,000 they save in taxes or depreciation they will be able to reinvest, reinvest into their business as they struggle to figure out how to build their markets.

Another friend of mine, Jack Lewis, opened his second restaurant recently, Firetap. Restaurants are not a cheap business. I have been in that business. I would not wish it on anybody. It is a tough business. Margins are thin. But, again, he invested, he built it, built it all out of scratch. Now he can, again, under this bonus depreciation schedule depreciate it, write it off in the first year. That is a huge benefit for these small businesses.

When I look at another small company called SteamDot Coffee—it is a small coffee company. Jonathan White owns it. They brew their own coffee, have their own coffee, and they also package it and manufacture it for resale. That takes a lot of equipment. Now they get to write that off in the first year.

What this bill does is simple, but yet it has a huge impact. As a matter of fact, under the depreciation it is estimated that for every $1 we give in the tax benefit, there is a $9 benefit to the GDP, a 1-to-9 ratio. Any businessperson would love that deal. That is a great deal.

So this bill, I hope—our colleagues have shown by 80 to 14 this is a great bipartisan effort. I hope we now move to the next stage. Maybe we will have some amendments and work through it. But lets do it for the small business community of this country, for the State I live in, and for every State.

I say to the Acting President pro tempore, the State of New York is piled with small businesses. When you go through New York City, every inch of the street has a small businessperson. That is what drives this economy. That is what makes this economy happen. That is where we need to put our investment.

I will end on this note: I know we will have some pro forma votes, as I call them, show-and-tell. We will vote on this 20-percent tax rate deduction that is being proposed by the House. It sounds good, but there is no guarantee that is going to go back into the economy. As a matter of fact, if you are a hedge funder, you will get that break. If you are an attorney, you will get that break. If you are a small businessperson, you will get that break. But there is no guarantee that money goes back into the economy. So if we are going to give these tax incentives, let's make sure it is helping the economy and building jobs and building a future for us.

So, Madam President, I just wanted to come down and speak on this bill and encourage my colleagues to support the Small Business Jobs and Tax

Relief Act, not only through the pro forma vote we had yesterday to move forward on it but also to really pass it.

We have done a great job the last few months passing a lot of legislation out of this body. Let's continue that effort and help our economy grow.

Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that Senator BLUMENTHAL and I be recognized for the next 20 or so minutes to speak on the issue of cybersecurity.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CYBERSECURITY

Mr. WHITEHOUSE. Madam President, I rise to speak about cybersecurity, but specifically about the cyber threat to our Nation's critical infrastructure. By critical infrastructure I mean the power grid that supplies electricity to our homes that keeps us warm in the winter and cool in the summer. I mean the financial services' processing systems that connect our ATMs to our accounts and move money around in our complex financial system. I mean the communications networks by which we talk and e-mail and text and message one another.

The men and women we have charged with our Nation's defense and we have confirmed in these roles in the Senate have repeatedly and consistently warned us about the danger of cyber attacks on this critical infrastructure. It provides power and light and heat, tracks and records financial transactions, allows communication and data transfer, keeps airlines safe in the air, controls our dams, and enables our commerce. The consequences of failure in these areas could be catastrophic. We must pay heed to these warnings about America's critical infrastructure as we consider cybersecurity legislation.

The administration has described this cyber threat in no uncertain terms. The Director of National Intelligence, James Clapper, has stated:

> [I]t's clear from all that we've said [that] we all recognize we need to do something. . . . We all recognize this as a profound threat to this country, to its future, to its economy, to its very being.

Secretary of Defense Leon Panetta has warned:

> The next Pearl Harbor we confront could very well be a cyber attack.

Secretary of Homeland Security Janet Napolitano has compared this threat to the September 11 attacks.

> Prior to 9/11, there were all kinds of information out there that a catastrophic attack was looming. . . . The information on a cyberattack is at that same frequency and intensity and is bubbling at the same level, and we should not wait for an attack in order to do something.

Attorney General Holder stressed the urgency of responding to this threat in a recent Senate Judiciary Committee hearing. He said:

> This a problem that we must address, our nation is otherwise at risk and to ignore this problem, to think it is going to go away runs headlong into all of the intelligence we have gathered, the facts we have been able to accrue which show that the problem is getting worse instead of getting better. There are more countries that are becoming more adept at the use of these tools, there are groups that are becoming more adept at the use of these tools, and the harm that they want to do to the United States and to our infrastructure through these means is extremely real.

Chairman of the Joint Chiefs of Staff Martin Dempsey has warned that ''a cyber attack could stop society in its tracks.''

NSA Director and U.S. Cyber Commander GEN Keith Alexander, a four-star general, has stated:

> We see this as something absolutely vital to the future of our country. Cybersecurity for government and critical infrastructure is key to the security of this Nation.

A recent report from the Department of Homeland Security found that companies which operate critical infrastructure have reported a sharp rise in cybersecurity incidents over the past 3 years. Companies reported 198 cyber incidents in 2011, up from 41 incidents in 2010, and just 9 in 2009. This may reflect that the private sector is just now beginning to catch on. It is unfortunate but true that the private sector cannot be counted on to respond to this growing challenge on its own.

As Deputy Secretary of Defense Ashton Carter has explained, and I quote again:

> There is a market failure at work here. . . . Companies just aren't willing to admit vulnerability to themselves, or publicly to shareholders, in such a way as to support the necessary investments or lead their peers down a certain path of investment and all that would follow.

These were administration warnings, but the concerns are bipartisan. A wide range of national security experts from previous Republican administrations have echoed this alarm. Former Director of National Intelligence and NSA Director ADM Mike McConnell has said, and I quote:

> The United States is fighting a cyber-war today, and we are losing. It's that simple.

He explained:

> As the most wired nation on Earth, we offer the most targets of significance, yet our cyber defenses are woefully lacking. . . . The stakes are enormous. To the extent that the sprawling U.S. economy inhabits a common physical space, it is in our communications networks. If an enemy disrupted our financial and accounting transactions, our equities and bond markets or our retail commerce—or created confusion about the legitimacy of those transactions—chaos would result. Our power grids, air and ground transportation, telecommunications and water filtration systems are in jeopardy as well.

That ends the quote from Admiral McConnell.

Admiral McConnell also made a comparison to threats from the past.

> The cyber-war mirrors the nuclear challenge in terms of the potential economic and psychological effects. . . . We prevailed in the Cold War through strong leadership, clear policies, solid alliances and close integration of our diplomatic, economic, and military efforts. We backed all of this up with robust investments—security never comes cheap. It worked, because we had to make it work. Let's do the same with cybersecurity. The time to start was yesterday.

Former Deputy Secretary of Defense Paul Wolfowitz has also echoed the administration's warning that a cyber attack has the potential of causing devastation on the scale of another September 11. He stated:

> I hope we do not have to wait for the cyber-equivalent of 9/11 before people realize that we are vulnerable.

Former Assistant Secretary for Policy at the Department of Homeland Security Stewart Baker has compared the threat to the catastrophic effects of Hurricane Katrina.

> We must begin now to protect our critical infrastructure from attack. And so far, we have done little. We are all living in a digital New Orleans. No one really wants to spend the money reinforcing the levees. But the alternative is worse. . . . And it is bearing down on us at speed.

Former NSA Director and CIA Director Michael Hayden has said:

> We have entered into a new phase of conflict in which we use a cyberweapon to create physical destruction, and in this case, physical destruction in someone else's critical infrastructure.

Former Republican officials have also noted the cybersecurity gap in the private sector due to this market failure. Former Secretary of Homeland Security Chertoff said:

> The marketplace is likely to fail in allocating the correct amount of investment to manage risk across the breadth of the network on which our society relies.

The following examples are emblematic of the market failure that both Democratic and Republican national security officials have identified in this cybersecurity area for critical infrastructure.

When the FBI-led National Cyber Investigative Joint Task Force informs an American corporation that it has been hacked, 9 times out of 10 that American corporation had no idea.

Kevin Mandia of the leading security firm Mandiant has said, and I quote:

> In over 90 [percent] of the cases we have responded to, Government notification was required to alert the company that a security breach was underway. In our last 50 incidents, 48 of the victim companies learned they were breached from the Federal Bureau of Investigation, the Department of Defense, or some other third party.

In operation Aurora, the cyber attack which targeted numerous companies, most prominently Google, only 3 out of the approximately 300 companies

attacked were aware that they had been attacked before they were contacted by the government.

We cannot count on the private sector to defend itself against a threat about which it is so unaware. An advanced persistent intrusion of the U.S. Chamber of Commerce's systems also went undetected until the chamber received help from the government. The Wall Street Journal reported that a group of hackers in China breached the computer defenses of the U.S. Chamber, gained access to everything stored in its systems, including information about its 3 million members, and remained on the network for at least 6 months and possibly more than a year. The chamber only learned of the break-in, according to the article, when the FBI told the group that servers in China were stealing its information. The special expertise of our national security agencies is a consistent theme through these examples. As former Assistant Attorney General, OLC Director, and Harvard Law School Professor Jack Goldsmith has explained:

> The government is the only institution with the resources and the incentives to ensure that the [critical infrastructure] on which we all depend is secure, and we must find a way for it to meet its responsibilities.

By the way, that was Goldsmith at the Department of Justice in the Bush administration. This is a Republican appointee speaking. These warnings have been repeatedly communicated to us in the Senate. We cannot plead ignorance of them.

I ask unanimous consent to have printed in the RECORD a letter to Senate Majority Leader REID and Minority Leader MCCONNELL dated January 19, 2012.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JANUARY 19, 2012.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR MAJORITY LEADER REID AND MINORITY LEADER MCCONNELL, We write to urge the Senate to take up, debate, and pass legislation to strengthen our nation's cybersecurity.

As former executive branch officials who shared the responsibility for our nation's security, we are deeply concerned by the severity and sophistication of the cyber threats facing our nation. These threats demand a response. Congress must act to ensure that appropriate tools, authorities, and resources are available to the executive branch agencies, as well as private sector entities, that are responsible for our nation's cybersecurity. The Senate is well-prepared to take up legislation in this important national security field, and to do so in a bipartisan manner in the best traditions of the Senate.

Every week brings new reports of cyber intrusions into American companies or government agencies, new disclosures of the breach of Americans' private information, or new revelations of incidents of cyber disruption or sabotage. The present cyber risk is shocking and unacceptable. Control system vulnerabilities threaten power plants and the critical infrastructure they support, from dams to hospitals. Reported intrusions into defense contractors and military systems reveal the direct national security cost of cyber attacks. Evaluations of the Night Dragon and Aurora attacks reveal the vulnerability of our most advanced and essential industries to sophisticated hackers. The recent report by the Office of the National Counterintelligence Executive makes clear that foreign states are waging sustained campaigns to gather American intellectual property—the core assets of our innovation economy—through cyber-enabled espionage. The growing threat of terrorist organizations acquiring cyber capabilities and using them against American interests opens another battlefront in cyberspace. And every day, Americans' identities are compromised by international criminals who have built online marketplaces for buying and selling Americans' bank account numbers and passwords.

This constant barrage of cyber assaults has inflicted severe damage to our national and economic security, as well as to the privacy of individual citizens. The threat is only going to get worse. Inaction is not an acceptable option.

Senate committees of jurisdiction have done important, bipartisan work developing legislation to strengthen our nation's cybersecurity. The Administration likewise has weighed in with a set of legislative proposals. The stage thus is set for the Senate to take up cybersecurity legislation. We believe that it can and should undertake this work in keeping with its best, bipartisan traditions, addressing this pressing national security need with the seriousness that it deserves.

We urge the Senate to do so in short order: the rewards of increased security for our country, particularly our private sector critical infrastructure, will be rapid and profound.

Sincerely,

MICHAEL CHERTOFF.
WILLIAM J. LYNN III.
J. MICHAEL MCCONNELL.
RICHARD CLARKE.
DR. WILLIAM J. PERRY.
PAUL WOLFOWITZ.
JAMIE GORELICK.
GEN. (RET.) JAMES CARTWRIGHT, USMC.

Mr. WHITEHOUSE. This explains that the threat is only going to get worse; inaction is not an acceptable option. This letter was signed by former Secretary of Homeland Security Michael Chertoff, former Deputy Secretary of Defense Paul Wolfowitz, former Director of National Intelligence and NSA Director ADM Mike McConnell, former Vice Chairman of the Joint Chiefs of Staff General James Cartwright, former Defense Secretary Dr. Willian Perry, former Deputy Attorney General Jamie Gorelick, former Deputy Secretary of Defense William J. Lynn, III, and former Special Advisor to the President for Cyber Security, Richard Clarke.

I also have a letter written to Majority Leader REID and Minority Leader MCCONNELL, dated June 6, 2012, which I ask unanimous consent to have printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JUNE 6, 2012.

DEAR SENATORS REID AND MCCONNELL, We write to urge you to bring cyber security legislation to the floor as soon as possible. Given the time left in this legislative session and the upcoming election this fall, we are concerned that the window of opportunity to pass legislation that is in our view critically necessary to protect our national and economic security is quickly disappearing.

We have spoken a number of times in recent months on the cyber threat—that it is imminent, and that it represents one of the most serious challenges to our national security since the onset of the nuclear age sixty years ago. It appears that this message has been received by many in Congress—and yet we still await conclusive legislative action.

We support the areas that have been addressed so far, most recently in the House: the importance of strengthening the security of the federal government's computer networks, investing in cyber research and development, and fostering information sharing about cyber threats and vulnerabilities across government agencies and with the private sector. We urge the Senate to now keep the ball moving forward in these areas by bringing legislation to the floor as soon as possible.

In addition, we also feel that protection of our critical infrastructure is essential in order to effectively protect our national and economic security from the growing cyber threat. Infrastructure that controls our electricity, water and sewer, nuclear plants, communications backbone, energy pipelines and financial networks must be required to meet appropriate cyber security standards. Where market forces and existing regulations have failed to drive appropriate security, we believe that our government must do what it can to ensure the protection of our critical infrastructure. Performance standards in some cases will be necessary—these standards should be technology neutral, and risk and outcome based. We do not believe that this requires the imposition of detailed security regimes in every instance, but some standards must be minimally required or promoted through the offer of positive incentives such as liability protection and availability of clearances.

Various drafts of legislation have attempted to address this important area—the Lieberman/Collins bill having received the most traction until recently. We will not advocate one approach over another—however, we do feel strongly that critical infrastructure protection needs to be addressed in any cyber security legislation. The risk is simply too great considering the reality of our interconnected and interdependent world, and the impact that can result from the failure of even one part of the network across a wide range of physical, economic and social systems.

Finally, we have commented previously about the important role that the National Security Agency (NSA) can and does play in the protection of our country against cyber threats. A piece of malware sent from Asia to the United States could take as little as 30 milliseconds to traverse such distance. Preventing and defending against such attacks requires the ability to respond to them in real-time. NSA is the only agency dedicated to breaking the codes and understanding the capabilities and intentions of potential enemies, even before they hit ''send.'' Any legislation passed by Congress should allow the public and private sectors to harness the capabilities of the NSA to protect our critical infrastructure from malicious actors.

We carry the burden of knowing that 9/11 might have been averted with the intelligence that existed at the time. We do not want to be in the same position again when 'cyber 9/11' hits—it is not a question of 'whether' this will happen; it is a question of 'when.'

Therefore we urge you to bring cyber security legislation to the floor as soon as possible.

Sincerely,

HON. MICHAEL CHERTOFF,
HON. J. MIKE MCCONNELL,
HON. PAUL WOLFOWITZ,
GEN. MICHAEL HAYDEN,
GEN. JAMES CARTWRIGHT (RET),
HON. WILLIAM LYNN III.

Mr. WHITEHOUSE. Secretary Chertoff, Admiral McConnell, Deputy Secretary Wolfowitz, General Hayden, and General Cartwright urged us to:

. . . bring cyber security legislation to the floor as soon as possible. Given the time left in this legislative session and upcoming election this fall, we are concerned that the window of opportunity to pass legislation that is in our view critically necessary to protect our national and economic security is quickly disappearing.

They specifically focused on the threat to critical infrastructure, stating that ''protection of our critical infrastructure is essential in order to effectively protect our national and economic security from the growing cyber threat.''

We must not ignore this chorus of warnings issued by those who are the most informed and most alert about the danger to our critical infrastructure. We must pass cybersecurity legislation, and we must ensure that the cybersecurity legislation we pass addresses our Nation's critical infrastructure. No bill that fails to address critical infrastructure can be said to have done the job of protecting our country.

Our Nation will be vulnerable if critical infrastructure companies fail to meet basic security standards, as they do right now. Legislation must include a mechanism to end this continuing vulnerability. If operators object to a particular approach to cybersecurity for our critical infrastructure on the basis that it is too burdensome or too unwieldy, they will find many Members of the Senate on both sides—myself and Senator BLUMENTHAL included—who are ready and eager to work with them. But if the purpose of the exercise is to come to an end point in which the operators of our critical infrastructure do not have to reach adequate levels of cybersecurity, then we need to move on and we need to vote and go beyond that.

The question of how we get to cybersecurity is one we should engage in the Senate. The question of whether we protect our privately held critical infrastructure in a responsible way is one we should not allow to deter us from getting this job done to protect our national and economic security.

Whatever the ultimate solution, we simply must find a way to improve the cybersecurity of our critical infrastructure.

I yield the floor to Senator BLUMENTHAL, who has been engaged in efforts with me to try to find a way through to a bipartisan bill that will protect our critical infrastructure. He has expertise in this area as a superbly trained lawyer, a multiply elected Attorney General of his home State, a former marine dedicated to our national security, and as a person who brings the highest level of legal talent to this discussion, having argued, I think, five separate cases before the U.S. Supreme Court. He has been an enormous asset, and I appreciate his participation.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I thank the Senator from Rhode Island, my distinguished colleague, for those very generous remarks. Actually, I had four arguments in the Supreme Court. The rest was similarly exaggerated as to my qualifications. But I thank the Senator from Rhode Island. Most importantly, I thank him for his extraordinary work on this issue and for his leadership and vision as well as his courage.

I wish to emphasize a number of the points he made so powerfully in his remarks earlier. First and most significantly, the United States is under cyber attack. The question is, How do we respond? It is our national interests that are at stake.

Every day this Nation suffers attempted intrusions, attempted interference, and attempted theft of our intellectual property as a result of the ongoing attacks we need to stop, deter, and answer.

National security is indistinguishable from cybersecurity. In fact, cybersecurity is a matter of national security and not only so far as our defense capabilities; our actual weapons systems are potentially under attack and interference, but also, as my colleague from Rhode Island said so well, because our critical infrastructure is every day at risk—our facilities in transportation, our financial systems, our utilities that power our great cities and our rural areas and our intellectual property, which is so valuable and which every day is at risk and, in fact, is taken from us wrongfully, at great cost to our Nation.

The number and sophistication of cyber attacks has increased dramatically over the past 5 years. All the warnings—bipartisan warnings—say those attacks will continue and will be mounted with increasing intensity. In fact, experts say that with enough time, motivation, and funding, a determined adversary can penetrate nearly any system that is accessible directly from the Internet.

The United States today is vulnerable. To take the Pearl Harbor analysis that our Secretary of Defense has drawn so well, we have our ''ships'' sitting unprotected today, as they were at the time of the Pearl Harbor attack. Our ships today are not just our vessels in the sea but our institutions sitting in this country and around the world, our critical infrastructure, which is equally vulnerable to sophisticated and unsophisticated hackers.

In fact, the threat ranges from the hackers in developing countries—unsophisticated hackers—to foreign agents who want to steal our Nation's secrets, to terrorists who seek ways to disrupt that critical infrastructure.

It is not a matter simply of convenience. We are not talking about temporary dislocations, such as the loss of electricity that the Capital area suffered recently or that our States in New England suffered as a result of the recent storms last fall; we are talking about permanent, severe, lasting disruptions and dislocations of our financial and power systems that may be caused by this interference.

One international group, for example, accessed a financial company's internal computer network and stole millions of dollars in just 24 hours.

Another such criminal group accessed online commercial bank accounts and spread malicious computer viruses that cost our financial institutions nearly $70 million.

One company that was recently a victim of intrusion determined it lost 10 years' worth of research and development—valued at $1 billion—virtually overnight. These losses are not just for the shareholders of these companies, they are to all of us who live in the United States because the losses, in many instances, are losses of information to defense companies that produce our weapons, losses of property that has been developed at great cost to them and to our taxpayers. We should all be concerned about such losses.

As Shawn Henry, the Executive Assistant Director of the FBI, has said: ''The cyber threat is an existential one, meaning that a major cyber attack could potentially wipe out whole companies.''

Those threats to our critical infrastructure, as we have heard so powerfully from my colleague from Rhode Island, are widespread and spreading.

Industrial control systems, which help control our pipelines, railroads, water treatment facilities, and powerplants, are at an elevated risk of cyber exploitation today—not at some point in the future but today. The FBI warns that a successful cyber attack against an electrical grid ''could cause serious damage to parts of our cities, and ultimately even kill people.''

The Department of Homeland Security said that last year they had received nearly 200 reports of suspected cyber incidents, more than 4 times the number of incidents reported in 2010.

In one such incident, more than 100 computers at a nuclear energy firm were infected with a virus that could have been used to take complete control of that company's system.

These reports, these warnings, go on.

In summary, the Director of the FBI said it best: ''We are losing data, we are losing money, we are losing ideas, and we are losing innovation. ''

Those threats are existential to our Nation, and we must address them now—not simply as a luxury, not as a possibility but as a need now.

I thank the Senator from Rhode Island, as well as my distinguished fellow Senator from Connecticut, JOSEPH LIEBERMAN, and others on the other side, such as Senators MCCAIN, COLLINS, GRAHAM, and CHAMBLISS, as well as other colleagues on this side, for their leadership in this area. They have started this effort with great dedication.

There has been substantial work done already. No one here has ignored this threat. We must move forward for the sake of our Nation's security. Our cybersecurity must be addressed as soon as possible. Cybersecurity is not an issue we can wait to address until we see the results of failure. The consequences of a debilitating attack would be catastrophic to our Nation. I hope we can continue to fill the consensus, which the Senator from Rhode Island has been working to do, with other colleagues, so we can come together, as he said—not whether but how—and do it in a bipartisan way. This issue has elicited, very commendably and impressively, colleagues from both sides who have been working on this issue with dedication and diligence. I hope the body as a whole will match the vigor that is appropriate.

Again, I thank the Senator from Rhode Island. Part of our challenge will be to elicit better agency coordination. If the Senator from Rhode Island wishes to comment further, I hope perhaps he can respond to the question of how soon we should come together and work on this issue. Is it a problem we can delay until the next session or should we try to address it during the coming months of this session before we close?

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I am delighted to respond to the Senator in two ways. First, as the Senator so well pointed out, this is not a future threat or a prospective threat that we need to prepare ourselves against; this is an ongoing, current threat. There is a campaign of attacks into our national security infrastructure, into our intellectual property, and into our critical infrastructure, such as the power grids and the communications networks we count on in our daily lives for what we consider the American standard of living here at home. So time is not our friend.

As one of the individuals I quoted said—I think Admiral McConnell—the day to get this done was yesterday. So the sooner the better. We do need to form a consensus in this body, enough to move through the parliamentary obstacles that exist in this body, which allows us to go forward and will allow us to go forward in a way that does something serious about forcing the operators of our critical infrastructure to put in adequate cybersecurity protections. If they have to do it because they have incentives to do it, that is one way of getting there. If they have to do it because there are regulations that demand it, that is another way of getting there. There are different ways of getting there. And as the Senator from Connecticut and I have discussed—and we are actually working together on this—we are open to different ways to get there, but it should be agreed amongst us in the Senate that getting there, getting to the point where America's critical infrastructure is protected from cyber attack as reasonably well as we can should be the nonnegotiable goal. Anything short of that should be seen as failure.

There is another thing I wanted to add. The Senator was very generous in his remarks and credentialing of a great number of Senators who have been working very hard. I would also like to single out Senator COONS, who has been very helpful in our efforts.

I will stay on our side of the aisle at this point and add in particular Senator MIKULSKI. BARBARA MIKULSKI serves on the Intelligence Committee. She is keenly aware of the cyber threat. She has taken deep dives into this issue in her role as a cardinal on the Appropriations Committee. She does the appropriations for many of the national security agencies and law enforcement agencies that are deeply involved in this. So when she speaks, she speaks with real authority and she speaks with real impact. Her participation in this effort is extraordinarily helpful, in addition to the efforts of the many Senators whom my colleague singled out as well.

With that, I yield the floor. I see the Senator from Louisiana is here, and I thank the Senator from Connecticut.

Mr. BLUMENTHAL. I thank the Senator and the Chair.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Louisiana.

PRESCRIPTION DRUG POLICY

Mr. VITTER, Mr. President, I come to the Senate floor to talk about a priority of mine that has been the case since I first came to the Senate; that is, reimportation—changing Federal law appropriately to allow Americans to buy safe, cheaper prescription drugs from Canada and other countries.

We all know prescription drug prices are sky-high in the United States. They are sky-high by any metric, by any measure, but certainly in this down economy and certainly for folks like our seniors who are on a fixed income. They are particularly sky-high when you compare those drug prices to the prices of exactly the same drugs in other countries, including other Western industrialized countries, such as Canada immediately to our north.

For this reason, from the very beginning of my work in the Senate, I have laid out a number of solutions that I believe would make the situation a lot better, including generics reform, which I am working on in a bipartisan way with other Members of the Senate. One of those proposed solutions has been reimportation. Again, that would mean changing Federal law, as I think we absolutely need to do, to allow American seniors and all Americans to buy safe, cheaper prescription drugs from other countries such as Canada.

Let me emphasize that I am talking about exactly the same prescription drugs as we can buy here at much higher prices, and I am only talking about FDA-approved drugs. I am talking about drugs coming from the same sources, manufacturing sites, either in this country that go to Canada and other countries or sometimes from third-party countries, with the drugs coming to both Canada and the United States.

When I first came to the Senate, we were on the verge of passing that legislation. I worked in a bipartisan way with a large group of Senators, including Senator Byron Dorgan of North Dakota, who was one of the leaders of the issue at the time; JOHN MCCAIN on our Republican side; and many others, including OLYMPIA SNOWE, who were also involved in this issue.

One of those strong vocal supporters of reimportation was then-Senator Barack Obama. He took a very clear position as a U.S. Senator being strongly in support of reimportation. He voted for the full-fledged reimportation bill in 2007, and as he became a Presidential candidate, that strong, clear support continued during his Presidential campaign. Then-candidate Obama clearly stated once again his strong, crystal-clear support for reimportation. In fact, Presidential candidate Obama used very feisty language about reimportation. He claimed he would fight Big Pharma—the big pharmaceutical companies—stating, ''We'll take them on, hold them accountable for the prices they charge'' and ''[drug] companies are exploiting Americans by dramatically overcharging U.S. consumers.''

Unfortunately, after then-candidate Obama was elected President, some things changed, and the biggest change was the ObamaCare proposal and all of the backroom deals, bartering, and deal-making that led to its passage through Congress. I had concerns at the time. In fact, I spoke very clearly about my concerns here on the Senate floor that there were some backroom deals going on, essentially trading reimportation—the White House pledging to oppose reimportation, clearly against what the President ran on and how he voted here in the Senate, if Big Pharma would join the effort to pass ObamaCare into law.

More recently, in the last few months, e-mails and other evidence have surfaced that clearly confirm that is exactly what went on. In fact, the House Energy and Commerce Committee has had an investigation into this issue, and it has revealed and made very clear the closed-door negotiations about ObamaCare that essentially struck a deal between Big Pharma and the White House, the White House saying: You support ObamaCare, you help us pass it, you

produce advertising dollars to do that, and we will deep-six—kill forever—reimportation.

As I said, this House investigation has laid out a clear pattern of e-mails and other communications that tell the story very clearly. PhRMA e-mails, for instance, say:

> Rahm will make it clear that PhRMA needs a direct line of communication, separate and apart from any other coalition.

Of course, Rahm is then-White House Chief of Staff Rahm Emanuel.

On June 10, 2009, PhRMA lobbyists met with White House officials, and coming out of that meeting, they said they had discussed the details ''and the expected financial gain from health reform.''

The same House investigation has revealed meetings between top administration officials and other special interest groups, including meetings at the DSCC—Democratic Senatorial Campaign Committee—to coordinate political operations. PhRMA lobbyists attended these meetings to learn about White House messaging and ''how our effort can be consistent with that.''

Then the final big deal was struck, and the big deal, as revealed clearly by this evidence and these e-mails, was very clear: PhRMA—the big pharmaceutical companies—would support ObamaCare not just in word but in deed, including putting up $70 million to help fund an advertising campaign in support of the passage of ObamaCare. That $70 million from the biggest pharmaceutical companies went to two 501(c)(4) groups—Healthy Economy Now and Americans for Stable Quality Care. These groups were formed specifically to advertise and promote the passage of ObamaCare. The former group was actually created after a meeting discussing the need for these efforts at the DSCC, a Democratic campaign arm. In addition, Big Pharma—the biggest pharmaceutical companies—offered $80 billion in payment reductions and other parts of health care financing in order to again secure their top priority: killing, in their mind, hopefully forever, reimportation.

In June President Obama's top White House health care adviser, Nancy-Ann DeParle, wrote to PhRMA that the Obama administration had ''made [the] decision, based on how constructive you guys have been, to oppose importation.'' Later, after that, PhRMA lobbyist e-mails confirm the deal and specifically highlight a conversation a PhRMA lobbyist had with White House Deputy Chief of Staff Jim Messina. The PhRMA lobbyist wrote:

> Confidential. [White House] is working on some very explicit language on importation to kill it in health care reform.

In August 2009 PhRMA's top lobbyist at the time, Billy Tauzin, made it crystal clear as well when he said:

> We were assured . . . you will have a rock-solid deal.

The tragedy of all this is they apparently did have a rock-solid deal because if we look at Senate votes after that backroom deal which helped pass ObamaCare, there were multiple individual Senators who flipped their votes and made good on the White House rock-solid deal to kill reimportation—that opportunity for all Americans, particularly seniors, to be able to buy safe, cheaper prescription drugs from Canada and elsewhere.

Let's look at votes on the broad reimportation bill which was led by then-Senator Byron Dorgan. I was a cosponsor, and so were many other Senators who had been involved in this issue, such as JOHN MCCAIN, OLYMPIA SNOWE, and many others. In 2007 the Senate actually passed that measure 63 to 28, although after that it was essentially scuttled by a poison pill that was added to the bill. But the vote on the base measure was 63 to 28, with 47 Senate Democrats voting yes, including then-Senator Barack Obama.

Now let's flash-forward to 2009, after the ObamaCare backroom deal, and it is a whole different planet, a whole different landscape. The Senate defeated the same measure 51 to 48. There was a 60-vote threshold, with 38 Senate Democrats voting yes—a far smaller number—and 23 Senate Democrats switching their votes from 2007. It was exactly the same measure, but 23 Senate Democrats flip-flopped, switched their votes in light of the White House ObamaCare deal.

We can see a similar flip-flop with regard to votes on my Vitter amendment, which was a more narrowly tailored measure regarding reimportation. In 2009 the Senate passed that Vitter amendment 55 to 36, with, again, 45 Senate Democrats voting yes on that more focused and narrowly tailored reimportation amendment. But in 2011, after the deal, it was a completely different story. The Senate rejected the same amendment 45 to 55, with only 29 Senate Democrats voting yes—again, 14 Senate Democrats having switched their votes, doing a complete flip-flop from 2009.

So I believe the facts are in. Investigations, e-mails, and other crystal-clear evidence, including those votes and vote switches, make it very clear there was a backroom deal worth billions of dollars to Big Pharma and worth a lot politically to the Obama White House. That deal, as evidenced by these communications and quotes and e-mails, was very clear.

Big Pharma said: We will help you pass ObamaCare. We will give you $70 million in advertising money. We will help lower costs so you can brag that ObamaCare is, through some smoke and mirrors accounting, actually saving money when it is not. And, in exchange, you kill reimportation, which would lower prices on us and hurt our profit margin. And the White House said: Absolutely, we agree.

Senator Obama was full bore for reimportation. Candidate Obama campaigned on the issue and was very strong and vocal about it. President Obama cut the backroom deal and killed it. Those of us who are still fighting for lower prescription drug costs here in the Senate are, quite frankly, still reeling from the setback and still trying to deal with it. But I believe we ultimately will deal with it and will recover from this major setback when the American people fully realize what went on—the corrupt, I would say, backroom deal that was cut between the White House and Big Pharma, and how seniors and other Americans are paying the price.

ObamaCare passed, and prescription drug prices continue to be sky high. They continue to hurt tens of millions of Americans, particularly those on a fixed income such as seniors. And we continue to need a solution to that very real problem. That is why I will continue to fight. I will continue to fight for any measure that makes sense to lower prescription drug prices, generics reform, streamlining at FDA, and, yes, reimportation, to level the playing field, to get a world price on the drugs we use and not force a much higher price on Americans than virtually anyone else pays around the world.

America's seniors need that relief. I wish the Obama White House understood that and acted upon that. I wish President Obama would keep his word that he made as a Senator and as a Presidential candidate. But I will continue to keep my word on the issue and to build that support for strong, effective reimportation legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

HONORING RAOUL WALLENBERG

Mrs. GILLIBRAND. Mr. President, I rise today on a matter that has become very close to my heart; and that is, honoring Raoul Wallenberg with the Nation's highest civilian award, the Congressional Gold Medal of Honor. I urge my colleagues to support conferring this honor on Mr. Wallenberg, and I am grateful that we already have 71 of my colleagues from every part of the political spectrum supporting our efforts.

During World War II, Raoul Wallenberg chose to leave his life of ease in Sweden for a diplomatic assignment in Hungary, which was then an ally in Nazi Germany. His assignment was the result of a recruitment effort by the United States War Refugee Board and the Office of Strategic Services to try to save the remaining Hungarian Jews from the Holocaust.

In his effort, Mr. Wallenberg succeeded beyond anyone's expectations. He provided Swedish passports for thousands of Jews, which literally made the difference between life and death. Mr. Wallenberg rented 32 buildings in Budapest, raised a Swedish flag, and declared them protected with diplomatic immunity. Within these buildings, he housed, protected, and saved almost 10,000 precious lives.

Mr. Wallenberg's bravery and his will to act are shining examples to us all. According to eyewitnesses, Mr. Wallenberg once climbed onto the roof of a train with Jews departing for Auschwitz, handing them protective passes through the doors. Amid threats from the guards, he then marched dozens of those with passes to safety in a diplomatic convoy. As the Nazi front was collapsing and Adolf Eichmann moved to kill all the remaining Jews in Budapest, it was Mr. Wallenberg who helped thwart that plan by threatening Hungarian leaders with the promise of hanging for war crimes if they carried out the plot.

Sadly, and selflessly, Mr. Wallenberg was later taken prisoner when the Soviet Army liberated Budapest from the Nazis, and it is presumed that he died in a Moscow prison.

This hero's willingness to risk his own life for others exemplifies his outstanding spirit, his dedication to humanity, and the responsibility for all of us to speak out against atrocities. His enduring legacy lives on in the countless descendants of those he saved, the lives of New Yorkers such as Peter Rebenwurzel, a New York City resident whose late father helped Jews in the Budapest ghetto, and whose father-in-law only survived because of Mr. Wallenberg's heroic efforts.

I wish also to take this moment to recognize Andrew Stevens, who was an active member of the Jewish underground during the Holocaust who worked bravely alongside Mr. Wallenberg to save Jewish lives.

As we move to award Raoul Wallenberg with this Congressional Medal of Honor upon the centennial of his birth, we pay tribute to an extraordinary man whose life should serve as a shining example of leadership and courage for all future generations to come.

Mr. President, I wish also to address the second issue of something we have been debating on the floor all morning, and that is the issue of jobs and what this Congress is doing to help our small businesses grow.

I rise in support of the Landrieu-Snowe amendment and the underlying bill. These two proposals will address what every American expects us to take on; that is, coming together to create jobs, help our economy grow, and focus squarely on creating opportunities for our middle class to thrive. All across my home State of New York, too many middle-class families are continuing to struggle in this very tough economy.

Of course, the government doesn't create any jobs. Businesses create jobs and ideas, and people create jobs, especially small businesses. Small businesses have been responsible for at least 60 percent of all new jobs that have been created, and small businesses can give us the spark we actually need to create a growing economy and a thriving middle class.

I have spent months going all across New York State having roundtables with businesses, and I have particularly hosted roundtables focused on women-owned businesses. I have been to restaurants, I have been to bookstores, I have been to recyclers, I have been to incubators, I have been to home stores, all businesses created by women all across New York State.

Women-owned businesses are among the fastest growing sector within the small business economy. More than 10 million businesses are owned by women, employing more than 13 million people and generating nearly $2 trillion worth of sales in 2008 alone. Even though women-owned businesses start their businesses with about eight times less capital than their male counterparts, in the decade from 1997 to 2007, women-owned businesses added roughly ½ million jobs to our economy. That is the kind of growth we need right now. That is the kind of spark that could actually make a difference. And we could do our part right here in Congress this week. It is time to end all the political posturing. It is time to come together around commonsense core ideas, such as giving these businesses the tax breaks they need to grow.

We shouldn't wait another day to eliminate capital gains on investments in these small businesses. We should extend the tax breaks for businesses that allow them to invest in new property, plants, or equipment and take those deductions upfront. We should give them incentives to hire those new employees. It is our responsibility as lawmakers to do this kind of work together, in a bipartisan way, one that can set aside the political gamesmanship.

I know, just as women-owned small businesses are ready to lead us to lasting economic strength and growing economy, the women of the Senate are there to support them. Democrats and Republican women have come together around this bill in a bipartisan way to urge our colleagues to support it.

These tax provisions provide relief to the self-employed, to small businesses in their capital investments, and encourage new investment. They work hand in hand with other tax credits that encourage new hires and wage increases. The combination of these things will harness their full potential for our American businesses to grow.

We know these proposals are effective. They helped boost private sector job creation over the past 2 years. But we all know there is so much more we have to do, and we can start by renewing these commonsense steps to unlock the power of our small businesses.

These aren't Democratic ideas; they are not Republican ideas; they are just good ideas. They are good, commonsense ideas that can make a difference. We should be able to come together to do this for the American people to create a growing economy again.

Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KYL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. Mr. President, yesterday the Senate voted by a wide margin to proceed to Leader REID's Small Business Jobs and Tax Relief Act.

Everyone in this Chamber claims to support both small businesses and tax relief, and Republicans know the best way to do that is to stop the $4.5 trillion tax hike that looms over the economy, and it is crippling job creators.

Fortunately, there is an easy way to solve the problem: Vote on and pass amendment No. 2491, introduced by Senators HATCH and MCCONNELL and cosponsored by myself and several colleagues.

The amendment is simple. It prevents the looming expiration of the 2001 and 2003 tax relief for 1 year, and lays out specific conditions for progrowth tax reform in the coming months. It is similar to the approach the House will take later this month.

In other words, the Hatch-McConnell amendment stops income tax rates from rising. It stops capital gains and dividends rates from rising. It stops the job-killing death tax from rising and the related exemption from falling. And it prevents the alternative minimum tax from engulfing millions more middle-income Americans.

It is an amendment that would protect our economy more than any debt-financed stimulus bill or other kind of short-term tax credit that the Obama administration could dream up. It is an amendment that, given the history of bipartisan support for tax relief in this Chamber, should pass the Chamber today.

To be clear, stopping these tax hikes for 1 year is not a perfect solution. My preference is to continue the current rates as we move toward comprehensive tax reform for both individuals and corporations. But let's be clear about what the other options are.

First, we could let the top two marginal tax brackets increase from 33 and 35 percent to 36 and 39.6 percent respectively. That is what President Obama and Leader REID wish to do.

That strategy means that almost 1 million business owners will be hit with a massive tax increase on New Year's Day. And that is according to the nonpartisan Joint Committee on Taxation. That strategy means 53 percent of business income will be subjected to a tax hike in order to fund the historic levels of spending from the current administration. The strategy guarantees more jobs will be lost, that unemployment will stay high, and that economic growth will remain sub par.

Let me repeat that. Over half—53 percent—of all business income would be subjected to this tax increase.

If we do nothing, the current code expires and Americans will see over $4.5

trillion taken from the private sector over the next decade. This will help push us into a recession next year, according to the Congressional Budget Office. For any Member of this Chamber who cares about job creation and economic recovery, these two options should be unacceptable. They certainly were for President Obama in 2010. Less than 2 years ago, when President Obama signed legislation into law preventing taxes from going up on any American, he noted that tax hikes, and I am quoting here, ''would have been a blow to our economy just as we are climbing out of a devastating recession.''

Evidently, 40 Senate Democrats agreed with the President since they too voted to stop taxes from increasing in 2010. What is the difference now? Our economy is in worse shape, growing now at less than 2 percent. At that time it was 3 percent. So there is even more reason not to raise taxes now than there was in 2010 when the President thought it was a bad idea.

I want to echo the sentiments of Senator MCCONNELL this morning. Even though the President's plan is bad for the economy, we should vote on it and we should vote on the Hatch amendment today. Let's show the American people where we stand. A unanimous consent agreement to do just that was blocked this morning by the majority leader even though President Obama said the following 2 days ago:

> So my message to Congress is this: Pass a bill. I will sign it tomorrow. Pass it next week; I'll sign it next week. Pass it next—well, you get the idea.

We should follow President Obama's suggestion. We should vote on these proposals. Let's vote on his proposal. Let's vote on Senator HATCH's proposal. Senator HATCH's proposal will stop taxes from going up on any American. The other one will burden nearly 1 million business owners with job-killing higher taxes. I think Americans deserve to know where their elected officials stand on these critical issues.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WEBB. Mr. President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Virginia.

Mr. WEBB. Mr. President, I ask to speak on an amendment I have sent to the desk.

The PRESIDING OFFICER. Amendments are not in order at this time, but it can be submitted.

Mr. WEBB. Mr. President, I ask to speak on the bill I send to the desk.

The PRESIDING OFFICER. The measure will be appropriately referred.

Mr. WEBB. Thank you, Mr. President. I thank the Parliamentarian for that clarification.

(The remarks of Mr. WEBB pertaining to the introduction of S. 3372 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. WEBB. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). Without objection, it is so ordered.

Mr. LEAHY. Mr. President, what is the current parliamentary situation?

The PRESIDING OFFICER. The Senate is postcloture on the motion to proceed to S. 2237.

Mr. LEAHY. I thank the distinguished Presiding Officer, the Senator from New Mexico.

VERMONT NATIONAL GUARD

Mr. President, let me begin by noting that this morning, while watching ''The Today Show,'' I saw a piece about the Vermont National Guard. We have called them the Green Mountain Boys from the time of Ethan Allen. It was fascinating to watch Savannah Guthrie, who is one of the anchors of the morning program ''The Today Show.'' Her brother is a colonel with the Vermont National Guard who flies F–16s. She got to ride on the plane with her brother, which I thought was remarkable. I had the opportunity to fly with them before. For those of us who are usually confined to flying on airlines, this is a little bit different, both in takeoff, visibility, and maneuvers. I have never been on a commercial airplane where I was pulled anywhere from 5 to 9 Gs, as that flight was.

I was glad to see not only Colonel Guthrie recognized, but also all the men and women of the Vermont National Guard. This is a group who, in the hours after 9/11—the tragedies of 9/11—immediately took to the air and guarded the skies over New York City.

I recall when our adjutant general called me to tell me that the Green Mountain Boys were protecting New York City around the clock.

I asked her: Where are you basing them from?

She said: Vermont.

I said: Well, how long does it take you to get to New York City?

She told me: With the after burners, a matter of minutes.

I have never been quite able to make that flight on a commuter plane from Burlington, VT, to New York City. But they can be refueled in midair.

Everybody, whether on vacation or not, showed up at the Vermont National Guard—our mechanics, flight administrators, and pilots, of course. They kept those planes going around the clock for weeks. They did not miss a single day of their mission, or a single minute of their mission—even with all the calibration of weapons and radar and everything else. It was a remarkable scene.

I am glad to see them recognized this morning, and as a Vermonter, I am extraordinarily proud of our Vermont National Guard, both our Army Guard and our Air Guard. They do all the people of our State proud.

Mr. President, I wish to speak on another matter, and I ask as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, small businesses and working families throughout Vermont and around the country are facing incredibly challenging times. These problems are especially acute in my State, where we rely so heavily on small businesses to create jobs for our citizens and to make Vermont the desirable place to live and to visit that it is.

The Federal Government has rightly recognized the important role small businesses play in our economy. From SBA loans, to USDA Rural Development grants, to small business set-asides on government contracts, a variety of targeted Federal programs join with small businesses to help them grow and prosper.

This Congress has enacted several job-creating steps. Just last year, I was able to lead the effort here in the Senate to enact a major overhaul of our Nation's outdated patent laws. The Leahy-Smith America Invents Act is going to create jobs, but also, and very importantly, it is going to help unleash more American innovation, and it does not add a penny to our deficit. In fact, last year Vermont was awarded more patents per capita than any State in the Union. Of course, those patents mean more jobs for Vermonters.

And 2 weeks ago we made further progress by passing a transportation funding bill that will make vital investments in our Nation's roads, bridges, and transit systems, and a student loan bill that will lower the costs of college borrowing for thousands of students and their families.

I might say, these student loans are extremely important. I remember the one I had when I was in law school—a 10-year loan. Two things happened the year of that last payment, that 10th payment on my student loan from law school: first, the satisfaction my wife, Marcelle, and I had in paying off the loan, and second, it was that same year I was sworn into the U.S. Senate. I wonder if I would have been here had we not had the money to pay for school.

But I think we can and must do more to help our struggling small businesses and working families.

That is why I strongly support the bill before us today that will provide small businesses with tax incentives to begin hiring again. The bill is a multipronged strategy for spurring job creation. First, it would create a tax credit for businesses to hire new workers or increase wages for their current

workers. In other words, instead of saying that we just give a tax break to extraordinarily wealthy people and somehow jobs will be created, we say: Let's see the jobs. Show me the jobs. Show me the jobs. If you have a tax credit for businesses that hire new workers or increase wages for their current workers, then that is a good use of our Tax Code. Second, it would allow businesses to immediately write off all of the major purchases they make this year. That is a tangible incentive for new investments and new hires, right away.

I do not support this bill just because the President supports it, or the Democratic leader supports it, or most of the Members of my side of the aisle support it. They all do stand behind this effort, and I am grateful for that. I support this bill because I have heard from small business owners in Vermont, Democratic and Republican alike, who tell me they would make capital improvements and put people to work immediately if this bill were signed into law. And I suspect the same would be true in virtually every other State in this country.

On the shores of Lake Champlain, in the northern border town of Highgate, VT, sits one of America's most genuine and beautiful family resorts: the Tyler Place Family Resort. Year after year, families flock to the resort to spend time with their families, swimming and boating and enjoying a summer campfire. It is the kind of place that draws the same families year after year, where multigenerational families take time to enjoy each other's company as well as the great food and the magnificent views. It is easy to forget, especially when you are sitting there watching the sunset over the beautiful, great big Lake Champlain, that it is one of the millions of small businesses that keep America's economy moving forward and Americans at work.

Last year I heard from the owners of the resort, including Pixley Tyler Hill, a dogged advocate for Vermont, for Vermont's tourism industry, and for Lake Champlain, about their interest in seeing an extension of the bonus depreciation provision that expired in December.

Her brother Ted Tyler summed it up by saying:

> These changes in the tax law make all the difference in the world in decisions whether to spend money, and thereby stimulate the economy and increase employment in the process. For example, consider a resort deciding whether to add tennis courts, put in a new sewer system, upgrade roads or do major landscaping work—say, at an anticipated cost of $300,000. Absent bonus depreciation the company will have paid $300,000 but it can only deduct $20,000 that year as an expense for tax purposes. True enough that over the next 14 years, the business can continue to write off $20,000. But how many small businesses can afford to wait that long to recoup the $280,000 they no longer have?

Pixley and Ted had me sold the minute they explained that this tax incentive was the difference between making new investments and hiring someone, and sitting on their hands waiting for things to change. Extending this provision alone is reason enough to pass the bill.

This bill is full of a million other reasons why we should be working with all the determination we can muster and promptly pass it. Pass it now when the economy needs it. It is a good, solid reason for each of the jobs it would create for working families and businesses all over America.

I urge all Senators to work without delay on this important legislation. Businesses in each of our 50 States are waiting for us to lend another helping hand to the economic recovery act.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT

Mr. President, it has been nearly 3 months since the Senate passed the bipartisan Leahy-Crapo Violence Against Women Reauthorization Act—3 months. We are no closer to enacting this bill into law than we were in April when 68 Senators, Republican and Democratic Senators alike, voted for this critical legislation to protect women from domestic and sexual abuse.

I am concerned that politics threatens to get in the way of passing this critical legislation this year. Protecting every victim of domestic and sexual violence should be above politics. Members of Congress in both Chambers, set aside the political rhetoric. Act swiftly to reauthorize this landmark legislation and save countless lives.

Time is running out. There are only a few weeks left in this session before election-year politics take over and Congress comes to a standstill. There are critical improvements in the Leahy-Crapo reauthorization bill that will not take effect unless Congress acts. We cannot simply say: Well, if we do not enact it, maybe we can do it next year or the year after. There are a lot of major programs that can only be enacted in this bill, not in appropriations, not any other way.

Sexual assault programs will not receive the added support they need unless we pass our bill into law. The legislation's emphasis on increasing housing protection for victims and preventing homicides connected to domestic and sexual violence will not have an opportunity to help vulnerable victims across the country. Important improvements in campus safety and prevention programs for teens will not occur. Immigrant victims, Native women, and LGBT victims will continue to remain without the services and protection they need and deserve.

The legislation is too important to wait. I hear from victims and the professionals who work on their behalf. They say they need the improvements made by the Leahy-Crapo bill and they need them today.

The legislation is particularly important during difficult economic times because the economic pressures facing many Americans can pose additional hurdles in leaving abusive relationships. Active community networks are needed to provide support to victims in these circumstances, yet budget cuts result in fewer available services, such as emergency shelters, transitional housing, and counseling.

Late last month, I had the opportunity to speak at the VAWA National Days of Action rally, where survivors and professionals in the field—those who have dedicated their lives to helping victims all over the country—gathered together to send Congress a message. They told me they are very frustrated by the lack of progress in passing VAWA, and rightfully so, because they and the victims they serve are the ones who are affected by Congress's inaction. They were so inspired when this body came together and 68 of us voted to pass it. Now they ask when are we going to finish.

Their message to Congress was loud and clear: Do your job. Pass VAWA now. Supporting the work of these tireless advocates, and the victims they help, should be our priority.

Victims should not be forced to wait any longer. They will not benefit from the improvements we made in the Senate bill unless both Houses of Congress vote to pass this legislation. The problems facing victims of domestic and sexual violence are too serious for Congress to delay. Domestic and sexual violence knows no political party. Its victims are Republican and Democratic, rich and poor, young and old. As I said so many times, a victim is a victim is a victim. Helping these victims, all of these victims, should be our goal.

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. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, we were here two winters ago, in February, when Washington was hit by a snowstorm that achieved the nickname Snowmageddon. The city and, in fact, much of the mid-Atlantic was buried under feet of snow. It was the biggest snowstorm in 90 years for this area. People in Washington were struggling to get to work and school, and people went without power for days.

This being Washington, some of our colleagues in the Senate seized on that opportunity to mock climate change and to suggest these winter snowstorms were inconsistent with the projections of what would happen from global warming and climate change. As an initial matter, that is a false comparison from the very get-go all by

itself. Climate science models have predicted consistently that as polar icecaps and glaciers melt and more water enters the system, we can expect heavier precipitation events. One of the ways it has been described is that if you have a pot on the stove and you have the heat under it and it is simmering, when you turn up the heat, you get more activity in the pot. You add energy to a dynamic system like a pot of boiling water, and it creates more energy in the dynamic environment.

In the same way, the extra energy coming in because of climate change, our carbon pollution in the atmosphere, is energizing our atmosphere and our weather, and we are getting weather extremes as a result.

There was an article in Science Daily, headlined ''Arctic Ice Melt Is Setting Stage for Severe Winters.'' It says this:

> The dramatic melt-off of Arctic sea ice due to climate change is hitting closer to home than millions of Americans might think.
>
> That's because melting Arctic sea ice can trigger a domino effect leading to increased odds of severe winter weather outbreaks in the Northern Hemisphere's middle latitudes—think the ''Snowmageddon'' storm that hamstrung Washington, DC, during February 2010.

I ask unanimous consent that this article be printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. WHITEHOUSE. That shows the original challenge to climate change theory, based on the incident of Snowmageddon, was like so much that is said to challenge climate change—phony, outright wrong, a misunderstanding of how it works, and misrepresenting what it shows.

> Scientists have recently published an article in Oceanography that demonstrates that link between climate change and severe winter weather in the northern Hemisphere's middle latitudes. I think that can be debunked as a phony claim against the facts of climate change that are surrounding us. Look around at what is happening now. We are seeing extreme weather on the other side.

Last week, Eugene Robinson wrote a Washington Post column that was entitled ''Feeling the Heat.'' He wrote:

> Still don't believe in climate change? Then you're either deep in denial or delirious from the heat.

He points out that the evidence is mounting in irresistible and ultimately irrefutable ways. To quote from his article:

> The National Oceanic and Atmospheric Administration says the past winter was the fourth-warmest on record in the United States. To top that, Spring—which meteorologists define as the months of March, April and May—was the warmest since recordkeeping began in 1895.

Again, this spring—March, April, and May—was the warmest since recordkeeping began in 1895.

He continues:

> If you don't believe me or the scientists, ask a farmer whose planting seasons have gone awry.

The Bloomberg news recently wrote a story entitled ''U.S. Corn Growers Farming in Hell as Midwest Heat Spreads.'' The story reported that corn crops are in the worst condition since 1988 and that 53 percent of the Midwest is experiencing moderate to extreme drought conditions.

I ask unanimous consent to have printed in the RECORD, at the conclusion of my remarks, the Bloomberg article I have just referenced.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. WHITEHOUSE. It is not just the agricultural sector that is getting clobbered by the drought and the heat. As the Presiding Officer, Senator UDALL of New Mexico, knows all too well, and to quote from a New York Times story:

> Explosive wildfires have burned across much of the west in recent weeks. In southwestern New Mexico, the largest wildfire in state history has burned nearly 300,000 acres.

Of course, New Mexico is the Presiding Officer's home State, but the article also describes other fires on the loose in Colorado and Utah.

> The High Park Fire, which has been burning for weeks near Fort Collins and is one of the largest and most destructive blazes in the state's history . . .

The article also mentions that Colorado had more than half a dozen fires burning and said conditions have not been this bad in a decade.

So we are seeing exactly the kind of extreme weather conditions the climate scientists, whom the deniers have always mocked and made fun of, actually predicted. They predicted this would happen, and it is, in fact, happening.

It is clear we can't take a particular storm and say this storm, this fire, this drought was the product of climate change. The example people use to describe what is going on is that it is akin to loading dice. The more someone loads the dice, the more the numbers they have loaded the dice to show up will show up. So we will get more weather events. Even if we don't load the dice, we are sometimes going to get double sixes. We can't show every double six is because the dice were loaded, but when we see more and more double sixes showing up—more than history would suggest or more than the odds would suggest—then something is going on. That is what we have done by loading our atmosphere with carbon pollution. We have loaded the dice for these extreme weather events, and now we are reaping that bitter harvest from the pollution we have thrown up there.

Unfortunately, the bitter harvest in this city is that we continue to listen to propaganda and nonsense from the polluters designed specifically to create enough doubt to prevent us from taking action about something that is creating these immense consequences for foresters and firefighters in the West, for corn farmers in the Midwest, and for anybody who has to experience extraordinary weather events like ''snowmageddon,'' so-called, here in Washington. These things are beginning to have an effect as real life begins to model what the climate scientists predicted.

NOAA's Chief Jane Lubchenco spoke before an audience in Australia, which is experiencing very similar conditions, and said these extreme weather events are convincing many Americans that climate change is a reality. We are seeing that more and more.

Yale, George Mason University, and the Knowledge Networks did some polling on this subject, and 69 percent of the respondents said they agreed that ''global warming is affecting the weather in the United States'' versus 30 percent who said they disagreed. So better than 2 to 1 the American people are ready for us to do something about this. They know there is a connection and they expect us to take responsible action.

Gallup polls are reflecting a rebound in the public's concern about climate change from 51 percent in 2011 up to 55 percent in March of this year. Before the recession, it was all the way up to 66 percent, until the economic issues pushed it aside.

The contention the polluting industries and their mouthpieces here in Washington make—that the jury is still out on climate change caused by carbon pollution—is simply false. The jury is not still out. The verdict is in, the verdict is clear, and we should start doing something about it.

When I come to the Senate floor to give these talks, I often quote a letter from back in October 2009 that was signed by virtually every major scientific organization in the country—the American Chemical Society, the American Geophysical Union, the American Meteorological Society, the American Society of Agronomy, the Botanical Society of America, the Soil Science Society of American, the American Statistical Association, and I could go on and on. The point is not to name all the multiple responsible and respected scientific organizations that signed the letter but to read what it was they said. If we think about it, as I read it, think about how cautious scientists ordinarily are in the language they use. Here is what they said:

> Observations throughout the world make it clear—
>
> Clear—
>
> that climate change is occurring, and rigorous scientific research demonstrates—
>
> Not suggests, demonstrates—
>
> that the greenhouse gases emitted by human activities are—
>
> Not maybe, are—
>
> the primary driver. These conclusions are based on multiple independent lines of evidence, and contrary assertions are inconsistent with an objective assessment of the vast body of peer-reviewed science.

That is a very ''sciencey'' way of saying something that is pretty harsh, which is that all these contrary assertions about climate change simply cannot be reconciled with an objective assessment of the facts, of the vast body

of peer-reviewed research. If it can't be reconciled with an objective assessment, what kind of assessment is it getting? What it is getting, I submit, is a phony assessment, a political, propaganda-driven assessment, and an assessment with the purpose of creating enough doubt to slow down political action, to preserve the status quo, and to allow pollution to continue to pour out of these smokestacks.

I speak very specifically about smokestacks because Rhode Island is a downwind State, and so much of the coal pollution that gets piped up into the atmosphere through Midwestern smoke stacks ends up landing in my State. It lands in the form of ozone, in particular. There are days in a Rhode Island summer that look clear, look beautiful, and someone can be driving by sparkling Narragansett Bay in the morning on their way to work when off goes the radio and the radio jock, in giving the news announcements of the day, says: Today is a bad air day in Rhode Island. Infants should stay indoors. The elderly should stay indoors. People with breathing difficulties should stay indoors.

This is an otherwise beautiful day. Yet children, seniors, and people with breathing difficulties should stay indoors? Yes, because corporations, pumping carbon pollution and other forms of pollution out of their Midwestern smokestacks, will not clean up their act. So they get to hold Rhode Islanders, on a clear summer day, captive indoors because they will not clean it up? That is wrong. It is just plain wrong.

I am going to continue to come to the floor on a regular basis to keep pointing this out. For some reason, this has become the issue in Washington that dare not be mentioned. Enough of that. It is time we started to mention it. It is time we started to force this issue, and it is time we started to do something about it because any other form of activity faced with these facts would be wildly irresponsible.

Let me give the example I have used before. You are a parent. You have responsibility for the welfare and well-being of your child. Your child is showing symptoms. You don't know quite what is wrong, but you take her to the doctor and the doctor says: Something is wrong here. She needs treatment. Treatment is not going to be easy, it will not be cheap, but she needs it. You think: OK. That is bad news. I tell you what, I am going to be a responsible parent and I am going to go get a second opinion. So you go and get a second opinion and that doctor says the exact same thing: Your daughter is sick. She needs treatment. So you ask a couple more doctors who are friends. You get a third and fourth opinion.

Let's say you are the most determined parent in the world and you go out and you get 99 second opinions. You contact 100 doctors about your daughter's condition, and 97 of them, 97 of those doctors say your daughter is sick and she needs to be taken care of and she needs this treatment. At that point you say: There is still doubt. There are these three other doctors who aren't so sure about this, so I am not going to do it. That is not something a responsible parent would do. I suspect in some circumstances that would be so irresponsible that it might land you in the child and family services office of your local government.

That is exactly what we are being asked to do about climate change—to ignore the 97 percent of peer-reviewed climate scientists who understand this is real, this is man-made, and the consequences are going to be ferocious for us because there is a 3-percent doubt. It gets even worse because so many of the scientists involved in the 3 percent are scientists for hire who have economic ties to the polluting industries. Some of them even go back to previous fights, such as those over whether cigarette smoking is good for you or whether lead paint is safe for children. These are scientists who have made a career of manufacturing doubt on behalf of the cigarette and tobacco industry, on behalf of the lead paint industry, and now on behalf of the big carbon polluters. In a nutshell, they are phonies, and we are being asked to believe them.

I see the Senator from Florida is here, and I think my time at this point has probably expired. I appreciate the time to come before this body and share these views again. I will close by pointing out if there is one place we truly need to worry about climate change and about the effects of our carbon pollution, it is not just in our atmosphere, it is not just in the climate or in the weather, it is in the oceans. The oceans are undergoing historic changes as a result of the amount of carbon in our atmosphere. We are acidifying our oceans at a rate that is unprecedented. We are now out of a bandwidth that has lasted for 8,000 centuries—8,000 centuries. Our entire species has developed within a safe bandwidth of atmospheric carbon and of ocean acidity that we have now, for the first time, stepped out of and a long way out of. If we do not take this issue on in a responsible way, we are going to bear an even more bitter harvest.

EXHIBIT 1

[From the ScienceDaily, June 6, 2012]

ARCTIC ICE MELT IS SETTING STAGE FOR SEVERE WINTERS

(By Anne Ju)

The dramatic melt-off of Arctic sea ice due to climate change is hitting closer to home than millions of Americans might think.

That's because melting Arctic sea ice can trigger a domino effect leading to increased odds of severe winter weather outbreaks in the Northern Hemisphere's middle latitudes—think the ''Snowmageddon'' storm that hamstrung Washington, D.C., during February 2010.

Cornell's Charles H. Greene, professor of earth and atmospheric sciences, and Bruce C. Monger, senior research associate in the same department, detail this phenomenon in a paper published in the June issue of the journal Oceanography.

''Everyone thinks of Arctic climate change as this remote phenomenon that has little effect on our everyday lives,'' Greene said. ''But what goes on in the Arctic remotely forces our weather patterns here.''

A warmer Earth increases the melting of sea ice during summer, exposing darker ocean water to incoming sunlight. This causes increased absorption of solar radiation and excess summertime heating of the ocean—further accelerating the ice melt. The excess heat is released to the atmosphere, especially during the autumn, decreasing the temperature and atmospheric pressure gradients between the Arctic and middle latitudes.

A diminished latitudinal pressure gradient is associated with a weakening of the winds associated with the polar vortex and jet stream. Since the polar vortex normally retains the cold Arctic air masses up above the Arctic Circle, its weakening allows the cold air to invade lower latitudes.

The recent observations present a new twist to the Arctic Oscillation—a natural pattern of climate variability in the Northern Hemisphere. Before humans began warming the planet, the Arctic's climate system naturally oscillated between conditions favorable and those unfavorable for invasions of cold Arctic air.

''What's happening now is that we are changing the climate system, especially in the Arctic, and that's increasing the odds for the negative AO conditions that favor cold air invasions and severe winter weather outbreaks,'' Greene said. ''It's something to think about given our recent history.''

This past winter, an extended cold snap descended on central and Eastern Europe in mid-January, with temperatures approaching minus 22 degrees Fahrenheit and snowdrifts reaching rooftops. And there were the record snowstorms fresh in the memories of residents from several eastern U.S. cities, such as Washington, New York and Philadelphia, as well as many other parts of the Eastern Seaboard during the previous two years.

Greene and Monger did note that their paper is being published just after one of the warmest winters in the eastern U.S. on record.

''It's a great demonstration of the complexities of our climate system and how they influence our regional weather patterns,'' Greene said.

In any particular region, many factors can have an influence, including the El Nino/La Nina cycle. This winter, La Nina in the Pacific shifted undulations in the jet stream so that while many parts of the Northern Hemisphere were hit by the severe winter weather patterns expected during a bout of negative AO conditions, much of the eastern United States basked in the warm tropical air that swung north with the jet stream.

''It turns out that while the eastern U.S. missed out on the cold and snow this winter, and experienced record-breaking warmth during March, many other parts of the Northern Hemisphere were not so fortunate,'' Greene said.

Europe and Alaska experienced record-breaking winter storms, and the global average temperature during March 2012 was cooler than any other March since 1999.

''A lot of times people say, 'Wait a second, which is it going to be—more snow or more warming?' Well, it depends on a lot of factors, and I guess this was a really good winter demonstrating that,'' Greene said. ''What we can expect, however, is the Arctic wildcard stacking the deck in favor of more severe winter outbreaks in the future.''

EXHIBIT 2

[From Bloomberg, July 9, 2012]

U.S. CORN GROWERS FARMING IN HELL AS MIDWEST HEAT SPREADS

(By Jeff Wilson)

The worst U.S. drought since Ronald Reagan was president is withering the world's largest corn crop, and the speed of the damage may spur the government to make a record cut in its July estimate for domestic inventories.

Tumbling yields will combine with the greatest-ever global demand to leave U.S. stockpiles on Sept. 1, 2013, at 1.216 billion bushels (30.89 million metric tons), according to the average of 31 analyst estimates compiled by Bloomberg. That's 35 percent below the U.S. Department of Agriculture's June 12 forecast, implying the biggest reduction since at least 1973. The USDA updates its harvest and inventory estimates July 11.

Crops on July 1 were in the worst condition since 1988, and a Midwest heat wave last week set or tied 1,067 temperature records, government data show. Prices surged 37 percent in three weeks, and Rabobank International said June 28 that corn may rise 9.9 percent more by December to near a record $8 a bushel. The gain is threatening to boost food costs the United Nations says fell 15 percent from a record in February 2011 and feed prices for meat producers including Smithfield Foods Inc. (SFD)

''The drought is much worse than last year and approaching the 1988 disaster,'' said John Cory, the chief executive officer of Rochester, Indiana-based grain processor Prairie Mills Products LLC. ''There are crops that won't make it. The dairy and livestock industries are going to get hit very hard. People are just beginning to realize the depth of the problem.''

TOP COMMODITIES

Corn rallied 18 percent in the month through July 6 on the Chicago Board of Trade to $6.93, trailing only wheat among 24 commodities tracked by the Standard & Poor's GSCI Spot Index, which rose 2 percent. The MSCI All-Country World Index of equities advanced 4 percent, and the dollar gained 1.3 percent against a basket of six currencies in the period. Treasuries returned 0.5 percent, a Bank of America Corp. index shows. Corn for December delivery in Chicago extended the rally today, jumping 5.3 percent to settle at $7.30.

About 53 percent of the Midwest, where farmers harvested 60 percent of last year's U.S. crop, had moderate to extreme drought conditions as of July 3, the highest since the government-funded U.S. Drought Monitor in Lincoln, Nebraska, began tracking the data in 2000. In the seven days ended July 6, temperatures in the region averaged as much as 15 degrees Fahrenheit above normal. Soil moisture in Illinois, Indiana, Ohio, Missouri and Kentucky is so low that it ranks in the 10th percentile among all other years since 1895.

Fields are parched just as corn plants began to pollinate, a critical period for determining kernel development and final yields. About 48 percent of the crop in the U.S., the world's largest grower and exporter, was in good or excellent condition as of July 1, the lowest for that date since 1988 and down from 77 percent on May 18, government data show.

YIELD LOSSES

The USDA may cut its production forecast by 8.5 percent, the biggest July reduction since a drought in 1988 led the government to cut its estimate by 29 percent, a separate Bloomberg survey of 14 analysts showed. Farmers probably will collect 13.534 billion bushels, compared with the USDA's June forecast for a record 14.79 billion, based on the average of estimates in the survey.

Goldman Sachs Group Inc. said July 2 that yields will reach 153.5 bushels an acre, below the USDA estimate for an all-time high of 166.

''Corn yields were falling five bushels a day during the past week'' in the driest parts of the Midwest, said Fred Below, a plant biologist at the University of Illinois in Urbana. ''You couldn't choreograph worse weather conditions for pollination. It's like farming in hell.''

RECORD CROP

Even with the drought, U.S. production in 2012 is expected to rise 9.5 percent from last year to a record after farmers sowed the most acres since 1937, the survey showed. Higher output would help boost inventories before next year's harvest, up from what analysts said will be a 16-year low on Sept. 1 of 837 million bushels.

Futures fell 2.2 percent on July 6, the most in two weeks, after the USDA reported a 90 percent drop in export sales in the week ended June 28. U.S. refiners curbed output of corn-based ethanol last week to the lowest since September as gasoline demand weakened, government data show.

Corn's rally also may stall if Europe's widening debt crisis and a faltering global economy erode record demand for the grain. The International Monetary Fund will reduce its estimate for growth this year because of weakness in investment, employment and manufacturing in Europe, the U.S., Brazil, India and China, Managing Director Christine Lagarde said July 6.

''The shrinking global economy is the elephant in the room that no one wants to discuss as long as U.S. crops are under siege,'' said Dale Durcholz, the senior market analyst for Bloomington, Illinois-based AgriVisor LLC. ''Corn demand at $5 is much more robust than when it costs $7.''

CHANGING EXPECTATIONS

Corn tumbled into a bear market in September and kept dropping as farmers planted more crops. Robert Manly, the chief financial officer at Smithfield Foods, the largest U.S. pork producer, told analysts on a June 14 conference call that hog-raising costs would ''begin to decline starting in the fall.'' Corn has surged 41 percent since then, reaching a nine-month high today.

U.S. corn production may drop to 11 billion bushels, the smallest crop in seven years, because the hot, dry weather killed the pollen and rains now may be too late to reverse the damage, according to Cory, the Indiana mill owner and a former investment banker. Prices may reach $9 before demand slows, he said.

World corn use rose to a record every year since 1997 as the expanding economy boosted incomes and the consumption of meat and dairy products from animals raised on the grain. The USDA projected last month a 6.4 percent increase in global demand to 923.39 million tons in the year that starts Sept. 1, the biggest gain in six years. More U.S. output went to ethanol production than livestock feed in 2011 for the first time ever.

VULNERABLE PERIOD

While the U.S. harvest is about two months away, the drought reached plants at the most vulnerable period in their growing cycle, said Nick Higgins, a London-based analyst at Rabobank, predicting a 13.488 billion-bushel harvest.

Based on current soil moisture and June temperatures, the drought is probably the worst since 1988, said Joel Widenor, a vice president at the Commodity Weather Group in Bethesda, Maryland. The private forecaster said July 5 that corn output this year will be 13.52 billion bushels, and that hot, dry weather in the next two weeks may reduce yields further.

The drought may spark a rebound in global food prices this month through October, halting a slide that sent costs in June to the lowest level in 21 months, Abdolreza Abbassian, an economist in Rome at the United Nations' Food & Agriculture Organization, said July 5.

BASE INGREDIENT

''Corn is key because of its widespread use as a base ingredient in so many foods and for its use in feed for livestock,'' said Stanley Crouch, who helps oversee $2 billion of assets as chief investment officer at New York-based Aegis Capital Corp. ''We are at the tipping point.''

In May, retail prices of boneless hams, ground beef and cheese in the U.S. were close to all-time highs set earlier this year, while chicken breast jumped more than 12 percent during the first five months of the year, government data show.

''When people look at rising prices for hamburger, butter, eggs and other protein sources from higher corn costs, that's when more money ends up in the food basket,'' said Minneapolis-based Michael Swanson, a senior agricultural economist at Wells Fargo & Co., the biggest U.S. farm lender. ''We were hoping for a break, and we aren't going to get it.''

Mr. WHITEHOUSE. I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER (Mr. CARDIN). The Senator from South Dakota.

Mr. THUNE. Mr. President, are we in morning business?

The PRESIDING OFFICER. We are in postcloture time.

HEALTH CARE

Mr. THUNE. Mr. President, when Congress began debating health care in 2009, the goal was to lower the cost of care and give Americans the care they need from a doctor they choose.

Americans were promised that if they liked the insurance they had and the doctor they had, they would be able to keep the plan and to continue to see the doctor they liked. Americans were promised that the negotiations would be transparent and televised on C–SPAN. Americans were promised the bill wouldn't add a dime to the deficit, and that it would lower the cost of care. Americans were promised their premiums would go down by $2,500. Americans were promised this President would not raise taxes on families with incomes below $250,000.

Instead, Congress passed a massive governmental takeover of the health care industry. In the last 2 years, we have seen that Americans can't keep the insurance they had, continue to see the doctor they like, and are paying more for health care now than they would have if this administration had not pushed through the massive 2,700-page bill. The law adds billions to the deficit. And at the end of the day, Americans will find they are left holding a bag full of empty, broken promises.

Today I want to focus on the broken promises of taxes. The President pledged not to raise taxes on individuals making less than $200,000 and families making less than $250,000 per year.

Yet the new individual mandate tax—which the Supreme Court affirmed as a tax increase—will raise $54 billion in new taxes, largely on middle-income Americans between 2015 and 2022.

In fact, according to the Congressional Budget Office, 77 percent of those projected to pay the tax in 2016 will be those earning less than $120,000 per year. Americans earning less than $120,000 clearly meet the President's definition as middle income.

The Congressional Budget Office projections confirm that at least three out of every four Americans subjected to the new individual mandate tax will be the same middle-income taxpayers President Obama promised would not see their taxes raised by one dime.

In fact, when asked by George Stephanopoulos of ''ABC News'' in September of 2009 if the President rejected the notion that the individual mandate was a tax, the President stated, ''I absolutely reject that notion.'' The President wasn't equivocal and he didn't leave any room for interpretation.

So let's be clear. This President and the Democratic leaders here in Congress sold ObamaCare as if it did not contain significant new tax increases on the middle class. Yet what they now know what they were selling was an incredible bait and switch. They were in fact enacting $54 billion in new individual mandate taxes primarily on the middle class by calling it something else.

I would note that this tax increase is larger than the ''Buffett rule'' tax increase the President has spent much of the year promoting.

The Supreme Court ruled that the individual mandate is not constitutional under either the Commerce Clause or the Necessary and Proper Clause of the Constitution. So there are only two options: Either the individual mandate is a tax—and it happens to be a tax that falls hardest on the middle class—or it is unconstitutional.

It is estimated that average tax on an American subject to this new tax increase will be about $1,100 per year. And after paying this tax, these Americans still won't have health insurance.

We should not forget that the national health insurance tax is not the only tax increase in ObamaCare affecting individuals. Starting next year, individuals will be able to save less money, taxfree, in Flexible Spending Accounts to pay for their own healthcare expenses. Currently, there is no statutory limit on FSA contributions, though many FSAs set their own limits. Starting next year, ObamaCare will cap the amount Americans can save in a Flexible Savings Account at only $2,500 per year, and ObamaCare will limit tax deductions for those with the largest health care needs by reducing the medical expense deduction from expenses above 7.5 percent of adjusted gross income to expenses above 10 percent of adjusted gross income. So at the very time ObamaCare is driving up health care costs, it is also making it more difficult for American families to pay for their own healthcare needs.

These tax increases don't even take into account the new 3.8-percent tax increase on investment income or the almost 1-percent Medicare surtax that will be imposed on higher income Americans starting in 2013, making it more expensive for small business owners to hire new workers or otherwise invest in our economy.

These taxes on individuals are in addition to the ObamaCare taxes on businesses, such as the new medical device tax or the tanning tax. We know these taxes on businesses will ultimately be passed through to consumers of health care, driving health care prices even higher.

In fact, of the $552 billion in new taxes included in ObamaCare, according to the Joint Committee on Taxation and the Congressional Budget Office, the Joint Economic Committee has estimated that roughly $250 billion is tax increases that will hit the middle class either directly or through the health care products they consume.

In addition to this new national health insurance tax of $1,100 a year and other increases in ObamaCare, Americans will see that health care costs will continue to rise.

Despite the President's promise that his health care plan would reduce insurance premiums, premiums have increased by over $2,200 since Obama took office, according to the Kaiser Family Foundation. And according to the President's own Actuary at the Centers for Medicare and Medicaid Services in a report from this month on national health expenditure projections, premiums under the new health care law will rise faster than if we had done nothing at all. I want to quote from that report.

> In 2014, growth in private health insurance premiums is expected to accelerate to 7.9 percent, or 4.1 percentage points higher than in the absence of health reform.

Think about what is actually being said here. The cost of health insurance would have gone up a lot less per year had we done nothing than what we did with this bill, which is to increase those expenditures for health care by about 7.9 percent.

Americans are going to be stuck paying higher costs for health insurance medical devices due to the tax on these sectors that this bill imposes.

Americans know firsthand that we are going to continue to struggle with an economy that is not performing well. The unemployment rate remains above 8 percent for 41 consecutive months. On the immediate horizon the American people stare down an enormous tax increase, from a health reform law they didn't want and still don't want.

Americans are also seeing this law has impacted our economy. According to a recent poll, 48 percent of businesses that are not currently hiring list the potential cost of health care regulations as a reason for not seeking new employees. And according to the Congressional Budget Office, ObamaCare will mean 800,000 fewer jobs over the next decade. The last 3 years have made it very clear that ObamaCare is making our economy worse by driving up costs and discouraging job creation.

Moving forward, Congress needs to start by repealing ObamaCare. We need to repeal ObamaCare and enact commonsense, step-by-step reforms that protect Americans' access from the care they need, from the doctor they choose, at a lower cost.

Republicans will not repeat the Democrats' mistakes. We will not rush to pass a massive bill the American people don't support. We need to do this the right way: No backroom deals or 2,700-page bills that no one has read.

This President owes it to Americans to admit his broken promises, and to work with Republicans to put in place real health care reforms that will actually help lower health insurance costs for individuals and families and ensure that Americans can get the care they need when they need it.

The taxes I have mentioned in the health care law are going to add up to a massive tax increase on average ordinary Americans. All the analyses that have been done by the Joint Committee on Taxation, the Congressional Budget Office, and the Joint Economic Committee come to that very same conclusion.

This is a tax that is going to hit middle-class Americans, notwithstanding the President's promise that he wouldn't raise taxes on those making less than $200,000 a year. Seventy-five percent of that tax burden from that individual mandate tax—which is $54 billion—will hit those making less than $120,000 per year.

So the whole idea of promises made and promises broken I think is the narrative that has attached itself to this health care reform law. I submit that the Congress and the President need to work together to repeal this law and to work in a constructive way to put in place commonsense, step-by-step reforms that actually will drive the cost of health care down for Americans, because that is the one thing that Americans, as they look at the health care economy today, want to see. They want to know their costs are going to go down rather than up, and they continue to see these increases in premiums year over year and that continues to affect our economy.

The mandates that are imposed upon employers in this health care law as well are going to lead to fewer jobs. That is the outcome of this health care law. It is higher costs for Americans, and it is going to mean fewer jobs for American workers.

Coupled with that, we have seen as recently as yesterday the President saying he now wants to raise taxes on those small businesses in our country.

The tax he has proposed on those making more than $250,000 a year, interestingly enough, hits 940,000 small business owners. Fifty-three percent of the passthrough income would face higher taxes as a result of the proposal he made yesterday. The people who run those businesses employ 25 percent of the American workforce. So we are talking about huge new burdens on our economy at a time when we absolutely cannot afford it: 41 consecutive months of 8-percent or higher unemployment; 23 million Americans either unemployed or underemployed; 5.4 million Americans who have been unemployed for a long period of time; and the weakest recovery literally since the end of World War II. Those are the economic circumstances we find ourselves in today, and now we have proposals coming out of the White House, in addition to the burdens imposed by ObamaCare, that would lead to higher taxes on the very people we look to to get us out of this economic circumstance, and that is our small businesses and entrepreneurs, all of whom are going to be faced with higher taxes because of the President's proposals.

We can do better for the American people. We can get this economy growing again with commonsense health care reforms, commonsense tax reforms, regulatory reforms that lower the cost and the burden of doing business in this country, a comprehensive energy policy that will make sure we are developing our own energy sources in this country, and getting Federal spending under control.

We need a smaller Federal Government and a bigger, more robust private economy. You cannot do that by continually piling more taxes and more regulations and more mandates and more requirements on the very people who create jobs. The American people deserve better and we can do better.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

ORDER OF PROCEDURE

Mr. NELSON of Florida. Mr. President, as a courtesy to Senator INHOFE, I ask unanimous consent that Senator INHOFE be recognized after my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I ask unanimous consent that at the conclusion of the remarks by the Senator from Florida the Senator from Wyoming be recognized, and then I be recognized after the Senator from Wyoming for up to 35 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

VETERANS UNEMPLOYMENT

Mr. NELSON of Florida. Mr. President, on the battlefield there is a code among the military that you don't leave anybody behind. That principle ought to apply to our returning veterans as well. It is essential for us to care for our veterans when they get home and show them the same respect and loyalty they showed us during their service.

This economic downturn has been especially tough for many of our veterans as they come back from Iraq and Afghanistan. The unemployment rate among veterans returning from those two countries was 9.5 percent in June. While this is clearly an improvement from last year, and an improvement in the entire economy over the last couple of years, it is still more than a point higher than the national average. For our youngest veterans, it is even worse—29 percent in 2011.

Our servicemembers have already done the toughest jobs out there. They are highly trained and extremely skilled. We ought to give them as many opportunities as possible to succeed when they get home. That means when veterans come back from war, they shouldn't have to do battle with bureaucrats.

I wanted to make a commonsense suggestion, so I filed a bill—which recently passed both the House and the Senate—to remove some of those bureaucratic obstacles in our veterans' way and to make it easier for them to get occupational and professional licenses when they get home. The Veteran Skills to Jobs Act is a bipartisan bill cosponsored by 17 Senators and supported by veterans organizations such as the American Legion. I ask unanimous consent that the American Legion's commentary on this legislation be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. NELSON of Florida. The bill directs Federal agencies to recognize relevant military training when certifying veterans for Federal occupational licenses. It is common sense. If veterans have skills learned in the military, they ought to be able to utilize those skills, that training, without having to go through duplicate training when they get into a specialized civilian job. If the military training is found to be comparable to the civilian requirements, the veteran would be deemed qualified for that occupation.

These are the licenses people need in order to get jobs in the civilian sector.

I want to give an example. Let's say an Air Force or Navy aircraft mechanic gets out of the service. That veteran may want to use those skills learned in the military to work in the commercial airline business. To do so, that veteran must be certified as an aircraft mechanic technician, certified by the Federal Aviation Administration. This requires an airframes and powerplant license from the FAA.

Although the veteran has trained to do this, this highly skilled occupation for our military, what we are seeing all too often is common sense goes out the window, and that veteran may have to go through redundant and expensive training to get that airframes and powerplant license. Of course, that does not make sense.

This is not just a Federal issue. Many States are starting to recognize military training when certifying veterans for State licenses, such as nurses and truckdrivers. I am pleased that the Federal Government will now move in this direction as well. We have already passed it unanimously in the Senate; likewise, they have passed it in the House. Both bills are down in the other's respective Chambers. We need to go ahead and pass this legislation. Today I will move for final passage of the bill, and I know of no objection since we got it out of the Senate unanimously.

One of the greatest honors I have in my job is getting to meet and thank our veterans and current members of our military and all of our national security apparatus. It is up to us to stand by these folks. Passing legislation to help employ veterans, such as the Veteran Skills to Jobs Act, is one way we can thank them.

EXHIBIT 1

THE AMERICAN LEGION,
OFFICE OF THE NATIONAL COMMANDER,
Washington, DC, March 30, 2012.

Hon. BILL NELSON,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR NELSON: On behalf of the 2.4 million members of The American Legion, I would like to express support for S. 2239, the Veteran Skills to Jobs Act of 2012, which provides for Federal certification of veterans who have been qualified for licensure through relevant military training.

With an anemic economy and a downsizing military, it is essential veterans be given the ability to quickly find civilian employment upon separation from the military. Without these types of opportunities, separating military personnel could add to the unemployment problem currently faced by millions of Americans. Federal certification and licensure of veterans who have received relevant training will assist in this process of ensuring that veterans are able to smoothly and quickly transition between military and civilian employment. Matching qualified veterans with Federal licenses which require their expertise is good for veterans, good for the economy and good for the country.

Again, The American Legion fully supports enacting S. 2239 and applauds your leadership in addressing this critical issue facing our nation's veterans and their families.

Sincerely,

FANG A. WONG,
National Commander.

The PRESIDING OFFICER. The Senator from Wyoming.

A SECOND OPINION

Mr. BARRASSO. Mr. President, I come to the floor today, as I do week after week, ever since the President's health care law has been passed, to offer a doctor's second opinion about this health care law, which I believe is bad for patients, bad for providers—the nurses and doctors who take care of those patients—and terrible for taxpayers.

We saw the Supreme Court issue its historic decision on the President's health care law. The Court confirmed that the individual mandate in the President's health care law is a tax. The President said it was not a tax. I

will just say the Supreme Court confirmed that it is in fact a tax. The decision makes it clear that the Internal Revenue Service, the IRS, will now play an unprecedented role in America's health care system.

That is not something American citizens have asked for or want, but it is something many American citizens fear. Recently, the Associated Press highlighted this concern in an article titled, ''Tax Man Cometh to Police You on Health Care.''

''Tax Man Cometh to Police You on Health Care.''

The article points out that the health care law contains the largest set of tax changes in more than 20 years. To be specific, according to the Congressional Budget Office, there are at least 18 separate taxes contained in the health care law. These taxes are expected to cost taxpayers more than $500 billion over the next 10 years.

The Associated Press points out that the IRS is expected to spend over $880 million just to implement the law from 2010 to 2013, and to do this they are going to hire more than 2,700 new government workers. This could be just the tip of the iceberg. According to a report issued by the House Ways and Means Committee, the Internal Revenue Service may need as many as 16,500 additional bureaucrats to enforce the President's health care law—now the President's health care tax.

One of these taxes the agents are going to be enforcing is something called the individual mandate. This is the part of the law that forces every American to have health insurance. If they do not have it, the law forces them to purchase health insurance—and not just any health insurance. No, no, not at all. They need to purchase government-approved health insurance. This is not necessarily something this family thinks is right for them and their needs and their insurance and their family. No, that is not good enough. They have to purchase government-approved insurance, and the IRS is going to check on them to make sure they do.

According to the Congressional Budget Office, 77 percent of those forced to pay the tax will be people making less than $120,000 a year. President Obama repeatedly promised he would not raise taxes on the middle class. Specifically, he promised that no family making less than $250,000 a year would see any form of tax increase.

Let me just quote. The President of the United States said:

> I can make a firm pledge. Under my plan, no family making less than $250,000 a year will see any form of tax increase . . .

The President went on to say ''not your income tax.'' He said ''not your payroll tax.'' He said ''not your capital gains tax.'' He finished it by saying ''not any of your taxes.''

But when the President's lawyers went before the Supreme Court, they did just the opposite. They argued that this mandate was indeed a tax. The Solicitor General even stated that the Court had an obligation to construe the mandate as a tax. He said it could be upheld on that basis.

As it turns out, a majority of the Supreme Court agreed that the mandate was constitutional, but only because it is a tax. In short, the Supreme Court confirmed that the President has broken his promise to middle-class families; and it is the promise that he made to not raise taxes. In fact, the President's individual mandate tax will produce more tax revenue for the government than the so-called Buffett rule that this administration has been supporting.

While supporters of the health care law may support using the IRS to scare people into getting health insurance, most Americans do not think this is the right policy for our country. Back when Congress was debating this health care law, the American people were looking for reform, health care reform that would actually lower the cost of care, not raise their taxes. They wanted a law that helped train more doctors and more nurses to take care of them, not more tax collectors to look into their life and their records. The last thing they want is the IRS breathing down their necks and banging down their doors. But that is what the American people have gotten through the President's health care law, and that is what they are stuck with unless Congress and the White House repeal and replace this flawed and failed law.

As a physician with 25 years of experience taking care of families all around Wyoming, I believe there is a better way. We can implement commonsense reforms in a step-by-step way that allows people to purchase insurance across State lines, reform medical liability laws, and strengthen State high-risk pools. These simple changes will help lower the cost of care without forcing millions of Americans to live in the fear of the Internal Revenue Service.

That is why I am going to continue to come to the Senate floor and call on Congress to repeal the President's health care law. It is time for Americans to get what they were looking for in the beginning but do not get as a result of the President's health care law. What they are looking for is the care they need from the doctor that they choose at a lower cost.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

GLOBAL WARMING HYSTERIA

Mr. INHOFE. Mr. President, I have to say that I enjoy these second opinions when they come from such a well-known doctor who knows what he is talking about. Quite often we in this body are forced to kind of assume we are experts in every area. It is nice to have a few who really are. I think I don't say it very often, but I actually learn something when I hear him talk.

Anyway, that is not why I am here today. I hope to help provide some sense and balance and accuracy which is clearly lacking in the mainstream media trying to drum up support for the global warming hysteria again.

I have to say it is like we are back to the good-old days. We talked about this for 10 years. There are different people coming up with legislation, the cap-and-trade legislation. They found out, of course, that the American people realized it was a gigantic tax and there were no benefits, so it kind of went by the wayside. But there is a new thing happening, and it was interesting because just last Friday one of the Obama appointees to the National Oceanic and Atmosphere Association said to the Associated Press:

> The wildfires and hot temperatures over the past few weeks will likely convince Americans that global warming is real.

In other words, they are now trying to tie them together. They have never tried to do this before because that is one of the few things that all experts agree on: that one isolated case doesn't make a case for major changes in the weather. This is kind of a dangerous game to play because what are they going to say when winter comes and it is going to get cold? As soon as it gets cold I can tell you what they are going to say. They are not going to use global warming; they are going to use climate change.

As the season changes, the terminology changes, and they will start saying just because the temperatures are freezing doesn't mean the planet is not overheating—if you follow through the double negatives.

My good friend from Rhode Island commented on the famous igloo. This was pretty prominent two summers ago. Let me tell you the story of where we got to the igloo. As most people know, because I brag about it all the time, I have 20 kids and grandkids.

This happens to be one family. You cannot see them as well. It is six of the most beautiful people we have ever seen. It happens to be my daughter and her husband and their family of four kids.

Anyway this would have been in February 2010. Some of us remember how cold it was during that time. It happens that one of my kids—the only one who is adopted is a little girl, an orphan from Ethiopia, whom we found and nursed back to health. My daughter Molly, who had nothing but boys, adopted this little girl.

Put her picture up there. She is a pretty little girl. She has become kind of a hero.

Every February I sponsor something called the African dinner where about 400 of our friends from Africa come over, and we are establishing close, intimate relations with them. It happens that 12 years ago, we found the little girl who is pictured on the poster. She is now a 12-year-old little girl. She reads at college level. She is smart and she is the main speaker every time we have this dinner.

In February 2010, little Zegita Marie was up here and she brought her whole

family and made her speech. It was a beautiful thing. Afterwards, as they were getting ready to take the plane back home, the blizzards came, and all of the airports in the area shut down. There was no way they could get back. So what do you do with a family of six when you are snowbound and there is nothing but snow and ice on the ground? You make an igloo. So they did.

That is a real igloo. It sleeps four people. I know that; I was in it. It was right by the Library of Congress. The sign on the top said: Al Gore's new home. Actually, I think it may have said: Honk if you want global warming—or something like that. Anyway, everyone was having a good time.

Some of my liberal friends were so upset. One of them was Keith Olbermann. Keith Olbermann, who was with MSNBC, designated my daughter Molly's family of six as the worst family in America. Now, there is her husband who is very prominent in Fayetteville, AR. My daughter Molly is a professor at the university. She was designated as Outstanding Professor of the Year this year. She will be marching out during the homecoming on November 3 to accept that award. It is quite an outstanding family, and the kids are all straight-A students and all of that wonderful stuff.

So that is the famous igloo. It has been a long time since we had a chance to talk about it. There we have Molly, James, Jase, Luke, Jonah, and Marie enjoying that. Believe it or not, that is the worst family in America.

Well, just after the igloo story broke, a reporter by the name of Dana Milbank warned the alarmists. Keep in mind the terminology we use. Those people who think the world is coming to an end because catastrophic global warming is coming is all due to manmade gases, so we need to shut down America. Those are the alarmists.

The skeptics are people like me, those who look at it and say science has been stripped out by the United Nations for an ulterior motive. Dana Milbank has been very much on the other side of the issue and warned the alarmists to stop using weather to justify global warming because then what do they do when the weather doesn't cooperate with their predictions of the melting planet.

He wrote:

> In Washington's blizzards, the greens were hoist by their own petard.

He said:

> If the Washington snows persuade the greens to put away the slides of polar bears and pine beetles and to keep the focus on national security and jobs, it will have been worth the shoveling.

But not everyone got that memo. In July 2010, the hot summer that followed the intense blizzards when my family put up the igloo, Jon Karl of ABC News asked me to do an interview outside in the heat. It was obviously an ambush. People who know me well know I enjoy ambushes, so I went out there in the heat. They got ready with the cameras rolling, and they had a pan with an egg on it. They were going to fry it, but it didn't fry. Nice try, but it didn't work.

I am sure some here may have noticed that somebody else tried this last weekend. Last weekend I happened to be in the Farnborough Airshow, which I go to every year. While I was at the airshow, I got a call from home telling me that they have kind of resurrected the igloo, and they were talking about that. They were planning a great big event on The Mall, and in the event they were going to take the thing, called ''Hoax''—let me go back to 2003.

In 2003 when I realized and I started hearing from a lot of the real scientists that it was a hoax, I made the comment that the notion of catastrophic global warming is due to manmade anthropogenic CO_2 and manmade gases. It is the greatest hoax ever perpetrated on the American people. So that is where ''Hoax'' came from.

So they had a great big thing made of ice. Apparently, it was the size of a car. It said ''Hoax'' with a question mark. They were going to put it out there and it was going to melt and they were going to make a big issue out of it.

The problem is nobody showed. So what did they do? They felt they couldn't do this if there were no cameras, so they called it off. They used the excuse that there had been a storm, and they thought this might be offensive to people who lost electricity in the storm. Anyway, that thing went under too.

So in addition to the recent activity from my alarmist friends, the hot weather has also brought some of my favorite global warming reporters out of hiding, and they have been all too eager to link today's weather events to manmade greenhouse gases. Of course, many of the most outspoken global warming alarmists and scientists have been happy to play along. The important point is that no one, not even the most committed alarmist, can claim that any percentage of the warm weather is due to manmade greenhouse gases. I will go into more detail in just a minute.

This is an inconvenient truth that global warming reporters have kept out of their headlines, and in some cases their stories as well.

Seth Borenstein of the Associated Press is a good guy. He is on the other side of this issue, but he is one of these guys I still like. He is one of the most prominent global warming reporters. He came out last week with another scary headline proclaiming: ''This US summer is what global warming looks like.''

Some quotes and stories appeared in Reuters, The Hill, and Politico. Yesterday morning Time magazine ran a piece by Bryan Walsh with the headline, ''Now Do You Believe in Global Warming?'' I was happy to see that Mr. Walsh began his article in Time magazine with a picture of my family in their igloo. He concluded his piece with:

> We're living in an igloo in the summertime, and the ice melting all around us.

It is kind of interesting that they try to talk about global warming, but all of a sudden they changed it to cooling.

This was in the New York Times. They said:

> This summer has been conspicuously different in New York City, not one 99-degree day in Central Park. Not a single day that the temperature even approached 90. For just the second time in 140 years of record keeping, the temperatures failed to reach 90 in either June or July.
>
> The daily average last month was at or below normal every day but two. The temperature broke 80 on 16 days in New York.

So it goes on to say that the problem they are having is it is unusually cool. But that didn't inure to the benefit of the alarmists, so that wasn't used.

So it is time to take a trip down Memory Lane. Don't forget that Time is the same publication that told us in 1974 that we should be very concerned about the coming ice age.

There it is. Every magazine had it. Newsweek had the same thing. All the other magazines said another ice age is coming, and we are all going to die.

Since there is time to do this, I will mention one thing which is not in my notes. Think about how many times this has happened. Let's look at the last 100 years. We will start with 1895. From 1895 to 1925, we went through a 30-year period that was a cooling period. Everyone back then was saying another ice age is coming, and we are all going to die.

From 1925 to 1945, for that 20-year period, we went through a warming period. That is when they coined the phrase ''global warming.'' That was way back in the 1930s. From 1945 to 1975 we went into a cooling period. Again, we talked about how an ice age is coming. After that, we went into a warming period that went up to the turn of the century. Now it is actually going down into a cooling period again, but that was actually a chart.

I guess what I am saying is every 20 or 30 years, we go through this. We go through the same hysteria, and everyone goes crazy and says the world is coming to an end. The interesting thing about this is that the time in world history when we had the greatest surge of CO_2 was right after World War II. That was in 1945, and that precipitated not a warming period with all of that CO_2, but a cooling period that endured for 30 years. Those were the headlines in the paper.

Now 30 years later, during the height of the global warming movement, they changed their tune. The image that is sealed in everyone's mind is the Time magazine cover, which we have: ''Be Worried, Be Very Worried.'' There is the last polar bear standing on the last cube of ice. Everything is melting, and we are all going to die. Again, that is Time magazine.

If I were on the board of directors of Time magazine, I would probably do

the same thing. It is a competitive business, and they have to sell magazines. The truth is when we ask the alarmists directly, they will specifically link the recent weather events to human activity. How do we know this? We recently came across a reported conference held by a group called Climate Communication. This is a very liberal group. As their Web site confirmed, this call was held to spoonfeed talking points to reporters on how to link the heat over the past few weeks to manmade global warming.

To his credit, AP reporter Seth Borenstein asked the most important question of the call. He asked: What percentage of the recent warm weather can be attributed to manmade gases? I want to be completely accurate, so I would like to quote in full Borenstein's question as well as the answers he got from Dr. Michael Oppenheimer and Dr. Steven Running, two of the foremost global warming alarmist scientists. This is what Seth Borenstein said:

> Let me try to put you more on the spot, Mike and Steve: I know there's attribution—you haven't done attribution studies, but if you ballparked it right now and had to put a percentage number on this, on the percent that the heat wave, the percentage of blame you can put on anthropogenic climate change, on this current heat wave, and on the fires, what percentage would the two of you use?

Dr. Oppenheimer, who is a scientist, said:

> Come on, I'm not going to answer that. Yes, I will answer it, and my answer is: I won't do it. You know, we have to do things carefully, because if you don't, we are going to end up with bogus information out there. People will start disbelieving because you'll be more wrong, more often. This is not the kind of thing I want to do off the top of my head. Nor do I think it can be done, you know, convincingly without really taking—doing careful analysis, so I'll pass on this one and see if Steve has a different view.

Well, Dr. Steve Running said:

> Well, I already got way too hypothetical on my last answer. Yeah, it's . . . probably really dangerous for us to just lob out a number.

Well, this goes on and on and on. I have all of this down. It is actually all in the record at this point, so it is redundant. He keeps trying to get them to say there is a percentage of chance that this warm weather is due to global warming.

Now, we have to stop for a minute because we have seen that Seth Borenstein was asking the inconvenient question. One of the moderators tried to step in and tell the AP reporter that his question was a bad one.

Let me quote that one again, Susan Hossel, moderator for the event, said:

> Seth, most of the scientists I talk to say it is a contributing factor and that's what we can say and that it's really not even really a well-posed question to ask for a percentage, because it just—what you're asking really is for a model to determine the chances of this happening without climate change or with climate change and models are not very good.

So we see how he responded. He said:

> I understand, I've been covering this for 20 years, I understand. I don't need a lecture, thank you very much. What I'm asking for is—

And he went on. Obviously, he was never able to get it.

Here is the irony: Their Web site specifically explains that the purpose of the call is to give reporters a link relating hot weather to human-caused global warming.

It states:

> Climate Communication hosted a press conference featuring experts discussing the connections between extreme heat and climate change.

But when pressed, they couldn't make the link. Again, Borenstein asked a great question, a question that badly needed to be asked. Unfortunately, none of the information appeared in his article for the AP. Without that link, Borenstein was forced to make his article about what global warming could look like in the future. But in doing so, he left out any mention of uncertainty expressed by the scientist.

Borenstein quoted Chris Field, a leading author of the Intergovernmental Panel on Climate Change. That is the United Nations that started this whole thing, and they are the ones who were stacking the scientists. He is one of the individuals. According to Field, this report warns of ''unprecedented extreme weather events'' due to global warming. But, as usual, Borenstein failed to mention that even the IPCC, which normally heightens the fear factor as much as possible, admitted in that same March report that there is significant uncertainty regarding linking extreme weather events to human causes.

Also missing from the article was the mention of Borenstein's interview from climatologist Judith Curry of the Georgia Institute of Technology. Fortunately, she was good enough to post her answers on her blog since he didn't use it. Curry explained:

> We saw these kinds of heat waves in the 1930's, and those were definitely not caused by greenhouse gases. Weather variability changes on multidecadal time scales, associated with large ocean oscillations. I don't think that what we are seeing this summer is outside the range of natural variability for the past century. In terms of heat waves, particularly in cities, urbanization can also contribute to the warming.

There was another interesting part of the conference call that I think is worth mentioning. When ABC News reporter Bill Blakemore asked about the effect of La Nina and El Nino on today's hot weather, Dr. Oppenheimer was again uncomfortable about this question and said it was ''off message.'' Yet NOAA—that is, the N-O-A-A—came out yesterday with a different opinion. Andrew Revkin of the New York Times explained on his blog:

> In a briefing and several postings today, the National Oceanic and Atmospheric Administration reviewed the most notable climate and weather events of 2011. Many of these events—from an extreme East African drought to Australian deluges—were significantly driven by a ''double-dip La Nina'' cooling of the tropical Pacific Ocean, agency scientists said.

In other words, it is La Nina and El Nino that made the difference.

In yesterday's Tulsa World, there was an opinion piece that directly addressed this El Nino and La Nina debate and how it affects Oklahoma specifically; that is, my State of Oklahoma. The editorial mentions an interview in April of 2008 with Tulsa National Weather Service meteorologist Nicole McGavock regarding Oklahoma's record rainfall that month. McGavock said:

> Don't go blaming global warming, but rather blame El Nino's counterpart, La Nina. La Nina happens when the weather is cooler near the equator along the Pacific Ocean.

It has nothing to do with global warming.

That same opinion piece mentioned another article published in December of 2011 which was about Oklahoma's drought-filled summer of 2011. In it, associate State climatologist Gary McManus said:

> Did this hot summer happen due to global warming? [No.] I think when we study this summer, we will find that we would have had the warmest summer regardless of global warming.

With all this in mind, it is no wonder that when Time magazine asks the question, ''Now do you believe in global warming?'' the answer is resounding: The American people are no longer buying it. As the Washington Post recently reported, global warming is no longer an issue of concern for Americans, and one of the reasons is that the public doesn't trust those who try to use hot weather as proof of global warming. The public has clearly grown weary of the alarmists' fear campaigns. After all, they have been going on for 12 years.

Just how bad have things gotten for the global warming movement? Well, one indication is that no one is even talking about global warming except for myself and Representative MARKEY over in the House. As a Politico article said yesterday, Representative MARKEY accused Republicans of being silent on the threat of global warming and called for Republicans to hold hearings.

While Representative MARKEY is quick to accuse Republicans of silence, he says nothing about the silence we are hearing from the Democrats here in the Senate. We haven't heard anybody. I haven't heard the term ''global warming'' coming from any Senator. When was the last time anyone heard President Obama or the Democrats mention global warming? In fact, their campaign has failed so miserably that President Obama, running for reelection, is pretending to support oil and gas to gain votes.

The irony is that the President, who came into office promising to slow the rise of the oceans and all that, has presided over the complete collapse of the global warming movement. Since

President Obama took office nearly 4 years ago, not one global warming cap-and-trade bill has been debated on the Senate floor. In fact, if anything, they are regressing in support for their pet issue. Last year 64 Senators went on record as wanting to rein in the Obama EPA's global warming regulations.

We have said several times that there have been numerous bills introduced ever since the Kyoto Treaty was never submitted for ratification. That was back in the early 1990s. Ever since that time, there have been numerous bills that would be cap-and-trade bills and they have gone down. Each time, they go down by a greater percentage than the one before did. In fact, if anything, they are regressing in their support.

So the far-left environmental community has clearly been instructed to keep quiet, although sometimes they can't help themselves and they get into trouble, like 350.org that I referred to. They are no doubt assured that if President Obama is reelected, he will do everything he can to achieve his global warming agenda through regulations because the American people have rejected legislation. That is what has happened. Actually, the cost of it, which is not controversial—it is because people recognize and nobody has actually refuted the fact that if it were to pass either by legislation or by regulation, it would cost the American people between $300 billion and $400 billion a year. So people now realize that and know we can't afford to do something that really is not going to accomplish anything.

Anyway, the Obama administration is already doing—we have identified right now some $68 billion that he has, through regulations, been able to have on all of his climate agenda. So it has already been very expensive. Nobody is really aware of it, but nonetheless that is what is happening. He just doesn't want the American people to know it. How can he convince them that so much economic pain is necessary now that the global warming movement has completely lost its trust in the public? That would stop some of the usual suspects from continuing to try to drum up global warming hysteria, but we wouldn't count on Al Gore coming out of hiding to help or President Obama saying anything to back him up—at least not now, before the election.

Just the other day, George Mason University, I believe it was, did a polling of all of the 480 TV meteorologists. Only 19 percent of them said we are having global warming due to man-made gases. Now, that is a major change from before. So the trendline is going back the other way. The polling has definitely gone the other way.

Back to last weekend's failed effort to blame hot weather on global warming, I would like to mention three things on which scientists agree.

First of all, we can't blame global warming on one event. Let me share with my colleagues what Roger Pelke, professor of environmental studies at the University of Colorado, said:

> Over the long term, there is no evidence that disasters are getting worse because of climate change.

Judith Curry, whom I already mentioned, is a well-established scientist. She said:

> I have been completely unconvinced by any of the arguments . . . that attributes a single extreme weather event, a cluster of extreme weather events, or statistics of extreme weather events to anthropogenic forcing.

Myles Allen, the head of the Climate Dynamics Group at the University of Oxford's Atmospheric, Oceanic and Planetary Physics Department, said:

> When Al Gore said . . . that scientists now have clear proof that climate change is directly responsible for the extreme and devastating floods, storms, and droughts . . . my heart sank.

I was on ''The Rachel Maddow Show.'' She doesn't have Republicans on very often. She is one of my favorite liberals, and I enjoy being on. I found out then that Bill Nye, her science guy, actually is one—one of the things he states is, don't fall into the trap of trying to say that because somebody is at some place that is very, very hot, that somehow that supports global warming. In fact, Dana Milbank, a Washington Post columnist who is a major Maddow contributor, said:

> When climate activists make the dubious claim, as a Canadian environmental group did, that global warming is to blame for the lack of snow at the Winter Olympics in Vancouver, then they invite similarly specious conclusions about Washington's snow . . . Argument-by-anecdote isn't working.

That was Dana Milbank, who is really on the other side of this issue.

So I mentioned that there are three things. One is a fact that is incontrovertible, that people agree on, which is that one or two events aren't going to reflect climate change or global warming.

The second thing is the cost. Years ago when the Kyoto Treaty was up, I wasn't sure which way to go. I assumed the scientists were all together on this, only to find out they weren't.

One thing we did find out when we got a report from several universities, including MIT, was that the cost of this, if we were to pass any of the bills, would have been between $300 billion and $400 billion a year. What I always do when I hear about billions and trillions of dollars is I try to, if I can, find out how that affects my family and the State of Oklahoma.

Back when we had the largest tax increase in 1993 called the Clinton-Gore tax increase, they increased marginal rates, the death tax, capital gains tax and all of that, and it was at that time the largest tax increase in three decades. We were all pretty outraged about it. Yet that was a $32 billion tax increase. Here we are talking about a $300 billion to $400 billion tax increase.

The last thing I would say is that if we have a tax increase like this, what do we get for it?

I sometimes appreciate—in fact, I always appreciate the Administrator of the EPA, Lisa Jackson. She is an appointee of President Obama. I asked her this question on live TV in one of our committee hearings: If you guys are going to do this by regulation or if you are going to have cap and trade and punish the American people with all of the cost of this and everything else, if they are successful, if that happened, would this reduce the CO_2 worldwide? Her answer: No, it wouldn't. Because this isn't where the problem is. The problem is in China and Mexico and India. One could carry that argument on out further and conclude that if we have that kind of a regulation in this country and drive our manufacturing base overseas, they would go to places such as China and India where there are no emissions restrictions, so it would have the effect of actually increased CO_2.

Anyway, I appreciate very much Time magazine coming out and bringing up the igloo again. It is a thing of beauty, and it is very meaningful to me, and I think it told a story that a lot of people needed to hear, and they have heard it now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

HEALTH CARE

Mr. BENNET. Mr. President, I thank you for the recognition. I come to the floor to briefly talk about the Supreme Court decision on health care.

I was in Colorado last week. We had a wonderful time traveling across the Western Slope of our State. We spent time in Gunnison County and other places. We fished in Hartselle. One thing people were not talking about there was the Supreme Court decision on health care. What they were talking about was how we get our economy moving again; how we recouple our economic growth in this country to job growth and wage growth again; how we create a comprehensive and thoughtful approach to reducing our deficit and our debt; how we educate our kids for the 21st century; how we build this economy to make sure we leave our kids with something better than what we found. In short, they were talking about exactly what people inside the beltway are not talking about.

Today the House of Representatives—I don't know whether voting has started yet—in the wake of the Supreme Court decision, is voting to repeal the health care reform bill for the 31st time. They have been successful 30 times. They have voted to repeal the bill 30 times, but they feel the need now to do it a 31st time.

I saw on the TV in my office today the Twitter traffic that was rolling at the bottom of the screen. One person after another announced that they were voting to repeal the health care bill for the 31st time.

I thought about a Facebook post I saw last week from somebody I know in Denver named Mary Seawall. She is on the school board there, but she is not a politician. This is what she wrote

the day after the Supreme Court reached its decision on health care:

Yesterday's Supreme Court decision upholding the Affordable Care Act came on a hard day for our family. Yesterday afternoon, we learned that our 6-year-old Annie has type 1 diabetes. She and I sat in a doctor's office crying through her first finger prick, her first insulin shot. Our life is now different.

She will have this disease for her entire life or until there is a cure. A few years ago, our entire family might have lost our insurance. She now has a preexisting condition that likely would have made her uninsurable as an adult.

Mary wrote:

What I am saying is not political; it's a mother's sigh of relief.

''A mother's sigh of relief.''

When I heard the Supreme Court ruling, I was waiting for the call—

''I was waiting for the call''—

to tell me why my baby looked too thin, why she had to take breaks walking up a flight of stairs, why she had started wetting her bed. The ruling means she lives in a country that won't leave her behind.

We are very lucky that we caught this early before she lost consciousness or went into a coma, something that would have likely happened in the next few days.

I know our luck came from health insurance that allowed her worried parents to take her to the doctor because we had a ''bad feeling.'' Many families, even insured ones, can't do what we did. I was raised on the idea of ''better to be safe than sorry.'' Our health care system has been ''better sorry than safe'' for too long.

Mary goes on to say that this Supreme Court decision ''couldn't have come at a better time, our family's worst day.''

I hope the folks who are twittering about their repeal for the 31st time of this bill rather than working to try to improve it, rather than working to try to fix it, incapable of actually telling us what they would replace this with, would take a moment to read what a mother in Denver posted on Facebook last week.

I do not think this health care bill was perfect, and I said that from the day we passed it. There are issues around cost, in particular, that I continue to be very concerned with because despite the rhetoric around this place, the reality is that we cannot solve our deficit and debt problem without dealing with a restructuring of how we deliver health care in the United States. Maybe the bill is not perfect, and maybe there are suggestions that could be made to improve it. I have my own. I tried, when we passed the bill, to put a fail-safe in place that would actually hold this Congress to the numbers that it said it would save, the dollars that we said we would save, and that if we did not, we had to figure out how to cut or make other changes to get there. So there is more work to be done. But the thing I find amazing—and this is why I wanted to come to the floor—is how far away this conversation is from the people I represent and what a masquerade so much of this conversation is.

I know there were a lot of people who were disappointed that the health care bill was declared constitutional by the Supreme Court, and there were people who said they were going to declare it unconstitutional, and they did not.

So the next day—and really for the next week—what we heard was, well, the bill imposes a tax on the middle class of this country, that the President broke a promise because he said he would not raise taxes on the middle class.

I want everybody to know what is being talked about when people talk about this. They are talking about a piece of the legislation called the health care mandate. Some people call it a penalty, and some people call it a tax. That is something that has been debated around here for the last week. It has not been debated before this.

I do not care what label you put on it, frankly, because people at home are not talking to me about this. Do you know why they are not talking to me about this? Because it applies to 1 percent—1.2 percent, to be precise—of the American people. That is what the Congressional Budget Office told us when we were passing this legislation. And if you do not believe me, it is on page 33—I will not enter the whole opinion into the RECORD—of the Supreme Court's finding of fact, where Justice Roberts finds as a matter of fact that the CBO said this mandate would cost $4 billion and that roughly 4 million people would be affected. Those are the 4 million people after Medicare and Medicaid and private employers' insurance and personal insurance that people buy. That is a group of people, a sliver, 1 percent of the American people who can afford to buy insurance but do not and choose to pay the penalty or the tax or the mandate instead of buying their insurance—$4 billion; 4 million people.

Mr. President, I ask unanimous consent that the portion of the Supreme Court Opinion of the Court that I referred to on page 33 of the opinion be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OPINION OF THE COURT

The exaction the Affordable Care Act imposes on those without health insurance looks like a tax in many respects. The ''[s]hared responsibility payment,'' as the statute entitles it, is paid into the Treasury by ''taxpayer[s]'' when they file their tax returns. 26 U.S.C. §5000A(b). It does not apply to individuals who do not pay federal income taxes because their household income is less than the filing threshold in the Internal Revenue Code. §5000A(e)(2). For taxpayers who do owe the payment, its amount is determined by such familiar factors as taxable income, number of dependents, and joint filing status. §§5000A(b)(3), (c)(2), (c)(4). The requirement to pay is found in the Internal Revenue Code and enforced by the IRS, which—as we previously explained—must assess and collect it ''in the same manner as taxes.'' Supra, at 13–14. This process yields the essential feature of any tax: it produces at least some revenue for the Government. *United States* v. *Kahriger*, 345 U.S. 22, 28, n. 4 (1953). Indeed, the payment is expected to raise about $4 billion per year by 2017. Congressional Budget Office, Payments of Penalties for Being Uninsured Under the Patient Protection and Affordable Care Act (Apr. 30, 2010), in Selected CBO Publications Related to Health Care Legislation, 2009–2010, p. 71 (rev. 2010).

Mr. BENNET. What the health care bill was intended to do—and again, it may not have done it perfectly, and there may be other ideas we ought to be legislating around—what it was intended to do is solve a problem that confronted not 1 percent of the American people, not 4 million people, but a problem that conservatively—extremely conservatively—affects 50 percent of the American people and is a $58.5 billion problem, not a $4 billion problem, because it is 50 percent of the people who are covered today by their employers who have to pay $1,100 a year in additional premiums to subsidize the uninsured in the United States of America. That was one of the big objectives of dealing with this health care issue. And I say it is conservative because this number does not even include the people who are buying insurance on their own. So maybe if you add those numbers together, you get to about 70 percent of the American people.

So we spent a week on cable television, on the floor of the Senate, occupied completely with this 1 percent number over here, with no theory at all about what we are doing for 50 percent of Americans. That is how comical this conversation has become. I should not say comical. That is how detached this conversation has become from what is actually going on in the real lives of the people whom I represent and others in this Chamber represent.

What is so amazing to me, having watched this as somebody who has not been around here for very long and may not understand all the ways of Washington, is that when you look at the history of this so-called mandate or so-called tax, it is really puzzling to understand the politics around this.

This is a chart, I show you in the Chamber, that is part of an article that ran in the New Yorker a couple weeks ago called the ''Unpopular Mandate'' by Ezra Klein. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New Yorker, June 25, 2012]

UNPOPULAR MANDATE—WHY DO POLITICIANS REVERSE THEIR POSITIONS?

(By Ezra Klein)

On March 23, 2010, the day that President Obama signed the Affordable Care Act into law, fourteen state attorneys general filed suit against the law's requirement that most Americans purchase health insurance, on the ground that it was unconstitutional. It was hard to find a law professor in the country who took them seriously. ''The argument about constitutionality is, if not frivolous, close to it,'' Sanford Levinson, a University

of Texas law-school professor, told the McClatchy newspapers. Erwin Chemerinsky, the dean of the law school at the University of California at Irvine, told the Times, ''There is no case law, post 1937, that would support an individual's right not to buy health care if the government wants to mandate it.'' Orin Kerr, a George Washington University professor who had clerked for Justice Anthony Kennedy, said, ''There is a less than one-per-cent chance that the courts will invalidate the individual mandate.'' Today, as the Supreme Court prepares to hand down its decision on the law, Kerr puts the chance that it will overturn the mandate—almost certainly on a party-line vote—at closer to ''fifty-fifty.'' The Republicans have made the individual mandate the element most likely to undo the President's health-care law. The irony is that the Democrats adopted it in the first place because they thought that it would help them secure conservative support. It had, after all, been at the heart of Republican health-care reforms for two decades.

The mandate made its political début in a 1989 Heritage Foundation brief titled ''Assuring Affordable Health Care for All Americans,'' as a counterpoint to the single-payer system and the employer mandate, which were favored in Democratic circles. In the brief, Stuart Butler, the foundation's health-care expert, argued, ''Many states now require passengers in automobiles to wear seat-belts for their own protection. Many others require anybody driving a car to have liability insurance. But neither the federal government nor any state requires all households to protect themselves from the potentially catastrophic costs of a serious accident or illness. Under the Heritage plan, there would be such a requirement.'' The mandate made its first legislative appearance in 1993, in the Health Equity and Access Reform Today Act—the Republicans' alternative to President Clinton's health-reform bill—which was sponsored by John Chafee, of Rhode Island, and co-sponsored by eighteen Republicans, including Bob Dole, who was then the Senate Minority Leader.

After the Clinton bill, which called for an employer mandate, failed, Democrats came to recognize the opportunity that the Chafee bill had presented. In ''The System,'' David Broder and Haynes Johnson's history of the health-care wars of the nineties, Bill Clinton concedes that it was the best chance he had of reaching a bipartisan compromise. ''It should have been right then, or the day after they presented their bill, where I should have tried to have a direct understanding with Dole,'' he said.

Ten years later, Senator Ron Wyden, an Oregon Democrat, began picking his way back through the history—he read ''The System'' four times—and he, too, came to focus on the Chafee bill. He began building a proposal around the individual mandate, and tested it out on both Democrats and Republicans. ''Between 2004 and 2008, I saw over eighty members of the Senate, and there were very few who objected,'' Wyden says. In December, 2006, he unveiled the Healthy Americans Act. In May, 2007, Bob Bennett, a Utah Republican, who had been a sponsor of the Chafee bill, joined him. Wyden-Bennett was eventually co-sponsored by eleven Republicans and nine Democrats, receiving more bipartisan support than any universal health-care proposal in the history of the Senate. It even caught the eye of the Republican Presidential aspirants. In a June, 2009, interview on ''Meet the Press,'' Mitt Romney, who, as governor of Massachusetts, had signed a universal health-care bill with an individual mandate, said that Wyden-Bennett was a plan ''that a number of Republicans think is a very good health-care plan—one that we support.''

Wyden's bill was part of a broader trend of Democrats endorsing the individual mandate in their own proposals. John Edwards and Hillary Clinton both built a mandate into their campaign health-care proposals. In 2008, Senator Ted Kennedy brought John McDonough, a liberal advocate of the Massachusetts plan, to Washington to help with health-care reform. That same year, Max Baucus, the chairman of the Senate Finance Committee, included an individual mandate in the first draft of his health-care bill. The main Democratic holdout was Senator Barack Obama. But by July, 2009, President Obama had changed his mind. ''I was opposed to this idea because my general attitude was the reason people don't have health insurance is not because they don't want it. It's because they can't afford it,'' he told CBS News. ''I am now in favor of some sort of individual mandate.''

This process led, eventually, to the Patient Protection and Affordable Care Act—better known as Obamacare—which also included an individual mandate. But, as that bill came closer to passing, Republicans began coalescing around the mandate, which polling showed to be one of the legislation's least popular elements. In December, 2009, in a vote on the bill, every Senate Republican voted to call the individual mandate ''unconstitutional.''

This shift—Democrats lining up behind the Republican-crafted mandate, and Republicans declaring it not just inappropriate policy but contrary to the wishes of the Founders—shocked Wyden. ''I would characterize the Washington, D.C., relationship with the individual mandate as truly schizophrenic,'' he said.

It was not an isolated case. In 2007, both Newt Gingrich and John McCain wanted a cap-and-trade program in order to reduce carbon emissions. Today, neither they nor any other leading Republicans support cap-and-trade. In 2008, the Bush Administration proposed, pushed, and signed the Economic Stimulus Act, a deficit-financed tax cut designed to boost the flagging economy. Today, few Republicans admit that a deficit-financed stimulus can work. Indeed, with the exception of raising taxes on the rich, virtually every major policy currently associated with the Obama Administration was, within the past decade, a Republican idea in good standing.

Jonathan Haidt, a professor of psychology at New York University's business school, argues in a new book, ''The Righteous Mind,'' that to understand human beings, and their politics, you need to understand that we are descended from ancestors who would not have survived if they hadn't been very good at belonging to groups. He writes that ''our minds contain a variety of mental mechanisms that make us adept at promoting our group's interests, in competition with other groups. We are not saints, but we are sometimes good team players.''

One of those mechanisms is figuring out how to believe what the group believes. Haidt sees the role that reason plays as akin to the job of the White House press secretary. He writes, ''No matter how bad the policy, the secretary will find some way to praise or defend it. Sometimes you'll hear an awkward pause as the secretary searches for the right words, but what you'll never hear is: 'Hey, that's a great point! Maybe we should rethink this policy.' Press secretaries can't say that because they have no power to make or revise policy. They're told what the policy is, and their job is to find evidence and arguments that will justify the policy to the public.'' For that reason, Haidt told me, ''once group loyalties are engaged, you can't change people's minds by utterly refuting their arguments. Thinking is mostly just rationalization, mostly just a search for supporting evidence.''

Psychologists have a term for this: ''motivated reasoning,'' which Dan Kahan, a professor of law and psychology at Yale, defines as ''when a person is conforming their assessments of information to some interest or goal that is independent of accuracy''—an interest or goal such as remaining a well-regarded member of his political party, or winning the next election, or even just winning an argument. Geoffrey Cohen, a professor of psychology at Stanford, has shown how motivated reasoning can drive even the opinions of engaged partisans. In 2003, when he was an assistant professor at Yale, Cohen asked a group of undergraduates, who had previously described their political views as either very liberal or very conservative, to participate in a test to study, they were told, their ''memory of everyday current events.''

The students were shown two articles: one was a generic news story; the other described a proposed welfare policy. The first article was a decoy; it was the students' reactions to the second that interested Cohen. He was actually testing whether party identifications influence voters when they evaluate new policies. To find out, he produced multiple versions of the welfare article. Some students read about a program that was extremely generous—more generous, in fact, than any welfare policy that has ever existed in the United States—while others were presented with a very stingy proposal. But there was a twist: some versions of the article about the generous proposal portrayed it as being endorsed by Republican Party leaders; and some versions of the article about the meagre program described it as having Democratic support. The results showed that, ''for both liberal and conservative participants, the effect of reference group information overrode that of policy content. If their party endorsed it, liberals supported even a harsh welfare program, and conservatives supported even a lavish one.''

In a subsequent study involving just self-described liberal students, Cohen gave half the group news stories that had accompanying Democratic endorsements and the other half news stories that did not. The students who didn't get the endorsements preferred a more generous program. When they did get the endorsements, they went with their party, even if this meant embracing a meaner option.

This kind of thinking is, according to psychologists, unsurprising. Each of us can have firsthand knowledge of just a small number of topics—our jobs, our studies, our personal experiences. But as citizens—and as elected officials—we are routinely asked to make judgments on issues as diverse and as complex as the Iranian nuclear program, the environmental impact of an international oil pipeline, and the likely outcomes of branding China a ''currency manipulator.''

According to the political-science literature, one of the key roles that political parties play is helping us navigate these decisions. In theory, we join parties because they share our values and our goals—values and goals that may have been passed on to us by the most important groups in our lives, such as our families and our communities—and so we trust that their policy judgments will match the ones we would come up with if we had unlimited time to study the issues. But parties, though based on a set of principles, aren't disinterested teachers in search of truth. They're organized groups looking to increase their power. Or, as the psychologists would put it, their reasoning may be motivated by something other than accuracy. And you can see the results among voters who pay the closest attention to the issues.

In a 2006 paper, ''It Feels Like We're Thinking,'' the political scientists Christopher Achen and Larry Bartels looked at a National Election Study, a poll supported by the National Science Foundation, from 1996. One of the questions asked whether ''the size of the yearly budget deficit increased, decreased, or stayed about the same during Clinton's time as President.'' The correct answer is that it decreased, dramatically. Achen and Bartels categorize the respondents according to how politically informed they were. Among the least-informed respondents, Democrats and Republicans picked the wrong answer in roughly equal numbers. But among better-informed voters the story was different. Republicans who were in the fiftieth percentile gave the right answer more often than those in the ninety-fifth percentile. Bartels found a similar effect in a previous survey, in which well-informed Democrats were asked whether inflation had gone down during Ronald Reagan's Presidency. It had, but many of those Democrats said that it hadn't. The more information people had, it seemed, the better they were at arranging it to fit what they wanted to believe. As Bartels told me, ''If I'm a Republican and an enthusiastic supporter of lower tax rates, it is uncomfortable to recognize that President Obama has reduced most Americans' taxes—and I can find plenty of conservative information sources that deny or ignore the fact that he has.''

Recently, Bartels noticed a similar polarization in attitudes toward the health-care law and the Supreme Court. Using YouGov polling data, he found that less-informed voters who supported the law and less-informed voters who opposed it were equally likely to say that ''the Supreme Court should be able to throw out any law it finds unconstitutional.'' But, among better-informed voters, those who opposed the law were thirty per cent more likely than those who supported it to cede that power to the Court. In other words, well-informed opponents realized that they needed an activist Supreme Court that was willing to aggressively overturn laws if they were to have any hope of invalidating the Affordable Care Act.

Orin Kerr says that, in the two years since he gave the individual mandate only a one-per-cent chance of being overturned, three key things have happened. First, congressional Republicans made the argument against the mandate a Republican position. Then it became a standard conservative-media position. ''That legitimized the argument in a way we haven't really seen before,'' Kerr said. ''We haven't seen the media pick up a legal argument and make the argument mainstream by virtue of media coverage.'' Finally, he says, ''there were two conservative district judges who agreed with the argument, largely echoing the Republican position and the media coverage. And, once you had all that, it really became a ballgame.''

Jack Balkin, a Yale law professor, agrees. ''Once Republican politicians say this is unconstitutional, it gets repeated endlessly in the partisan media that's friendly to the Republican Party''—Fox News, conservative talk radio, and the like—''and, because this is now the Republican Party's position, the mainstream media needs to repeatedly explain the claims to their readers. That further moves the arguments from off the wall to on the wall, because, if you're reading articles in the Times describing the case against the mandate, you assume this is a live controversy.'' Of course, Balkin says, ''if the courts didn't buy this, it wouldn't get anywhere.''

But the courts are not as distant from the political process as some like to think. The first judge to rule against the individual mandate was Judge Henry Hudson, of Virginia's Eastern District Court. Hudson was heavily invested in a Republican consulting firm called Campaign Solutions, Inc. The company had worked with the Presidential campaigns of John McCain and George W. Bush, the Republican National Committee, the Swift Boat Veterans for Truth, and Ken Cuccinelli—the Virginia state attorney general who is one of the plaintiffs in the lawsuits against the Affordable Care Act.

The fact that a judge—even a partisan judge in a district court—had ruled that a central piece of a Democratic President's signature legislative accomplishment was unconstitutional led the news across the country. Hudson's ruling was followed by a similar, and even more sweeping, ruling, by Judge Roger Vinson, of the Northern District of Florida. Vinson declared the entire bill unconstitutional, setting off a new round of stories. The twin rulings gave conservatives who wanted to believe that the mandate was unconstitutional more reason to hold that belief. Voters who hadn't thought much about it now heard that judges were ruling against the Administration. Vinson and Hudson were outnumbered by other district judges who either upheld the law or threw out lawsuits against it, but those rulings were mostly ignored.

At the Washington Monthly, Steve Benen kept track of the placement that the Times and the Washington Post (where I work) gave to stories about court rulings on the health-care law. When judges ruled against the law, they got long front-page stories. When they ruled for it, they got shorter stories, inside the paper. Indeed, none of the cases upholding the law got front-page coverage, but every rejection of it did, and usually in both papers. From an editorial perspective, that made sense: the Vinson and Hudson rulings called into question the law's future; the other rulings signalled no change. But the effect was repeated news stories in which the Affordable Care Act was declared unconstitutional, and few news stories representing the legal profession's consensus that it was not. The result can be seen in a March poll by the Kaiser Family Foundation, which found that fifty-one per cent of Americans think that the mandate is unconstitutional.

What is notable about the conservative response to the individual mandate is not only the speed with which a legal argument that was considered fringe in 2010 had become mainstream by 2012; it's the implication that the Republicans spent two decades pushing legislation that was in clear violation of the nation's founding document. Political parties do go through occasional, painful cleansings, in which they emerge with different leaders who hold different positions. This was true of Democrats in the nineteen-nineties, when Bill Clinton passed free trade, deficit reduction, and welfare reform, despite the furious objections of liberals. But in this case the mandate's supporters simply became its opponents.

In February, 2012, Stuart Butler, the author of the Heritage Foundation brief that first proposed the mandate, wrote an op-ed for USA Today in which he recanted that support. ''I've altered my views on many things,'' he wrote. ''The individual mandate in health care is one of them.'' Senator Orrin Hatch, who had been a co-sponsor of the Chafee bill, emerged as one of the mandate's most implacable opponents in 2010, writing in The Hill that to come to ''any other conclusion'' than that the mandate is unconstitutional ''requires treating the Constitution as the servant, rather than the master, of Congress.'' Mitt Romney, who had both passed an individual mandate as governor and supported Wyden-Bennett, now calls Obama's law an ''unconstitutional power grab from the states,'' and has promised, if elected, to begin repealing the law ''on Day One.''

Even Bob Bennett, who was among the most eloquent advocates of the mandate, voted, in 2009, to call it unconstitutional. ''I'd group us''—Senate Republicans—''into three categories,'' he says. ''There were people like me, who bought onto the mandate because it made sense and would work, and we were reluctant to let go of it. Then, there were people who bought onto it slowly, for political advantage, and were immediately willing to abandon it as soon as the political advantage went the other way. And then there's a third group that thought it made sense and then thought it through and changed their minds.'' Explaining his decision to vote against the law, Bennett, who was facing a Tea Party challenger in a primary, says, ''I didn't focus on the particulars of the amendment as closely as I should have, and probably would have voted the other way if I had understood that the individual mandate was at its core. I just wanted to express my opposition to the Obama proposal at every opportunity.'' He was defeated in the primary, anyway.

But, whatever the motives of individual politicians, the end result was the same: a policy that once enjoyed broad support within the Republican Party suddenly faced unified opposition—opposition that was echoed, refined, and popularized by other institutions affiliated with the Party. This is what Jason Grumet, the president of the Bipartisan Policy Center, a group that tried to encourage Republicans and Democrats to unite around policy solutions, calls the ''think-tank industrial complex''—the network of ideologically oriented research centers that drive much of the policy debate in Washington. As Senator Olympia Snowe, of Maine, who has announced that she is leaving the Senate because of the noxious political climate, says, ''You can find a think tank to buttress any view or position, and then you can give it the aura of legitimacy and credibility by referring to their report.'' And, as we're increasingly able to choose our information sources based on their tendency to back up whatever we already believe, we don't even have to hear the arguments from the other side, much less give them serious consideration. Partisans who may not have strong opinions on the underlying issues thus get a clear signal on what their party wants them to think, along with reams of information on why they should think it.

All this suggests that the old model of compromise is going to have a very difficult time in today's polarized political climate. Because it's typically not in the minority party's interest to compromise with the majority party on big bills—elections are a zero-sum game, where the majority wins if the public thinks it has been doing a good job—Washington's motivated-reasoning machine is likely to kick into gear on most major issues. ''Reasoning can take you wherever you want to go,'' Haidt warns. ''Can you see your way to an individual mandate, if it's a way to fight single payer? Sure. And so, when it was strategically valuable Republicans could believe it was constitutional and good. Then Obama proposes the idea. And then the question becomes not 'Can you believe in this?' but 'Must you believe it?' ''

And that means that you can't assume that policy-based compromises that made sense at the beginning will survive to the end, because by that time whichever group has an interest in not compromising will likely have convinced itself that the compromise position is an awful idea—even if, just a few years ago, that group thought it was a great one. ''The basic way you wanted

to put together a big deal five years ago is that the thoughtful minds in one party would basically go off and write a bill that had seventy per cent of their orthodoxy and thirty per cent of the other side's orthodoxy and try to use that to peel off five or six senators from the other side,'' Grumet says. ''That process just doesn't work anymore.'' The remarkable and confusing trajectory of the individual-mandate debate, in other words, could simply be the new norm.

I asked Ron Wyden how, if politicians can so easily be argued out of their policy preferences, compromise was possible. ''I don't find it easy to answer that question, because I'm an elected official and not a psychiatrist,'' he said. ''If somebody says they sincerely changed their minds, then so be it.'' But Wyden is, as always, optimistic about the next bipartisan deal, and, again, he thinks he knows just where to start. ''To bring about bipartisanship, it's going to be necessary to win on something people can see and understand. That's why I think tax reform is a huge opportunity for the economy and the cause of building coalitions.'' Perhaps he's right. Or perhaps that's just what he wants to believe.

Mr. BENNET. I urge people to read this because what Mr. Klein does in this article is chart the political course of this mandate from about 1989 to the present. The red shown on the chart is the years in which this was a Republican idea, advanced by Republican Members of Congress and by think tanks like the Heritage Foundation that actually came up with the idea to begin with to deal with the fact that there were people in this country who were not buying health insurance and whom we were all subsidizing, and then when it became a Democratic idea in more recent times.

It strikes me as one person watching all of this that this might have more to do with the party that is in the White House or not in the White House than it does with respect to the merits of the idea. But it is, of course, the merits of these ideas that we should be debating and talking about. But we should not be telling the American people that something that affects 1 percent of the American people is a broad-based assault on the middle class, and we should be bringing to this floor the ideas we have for improving what 50 percent of the American people or 70 percent of the American people are already facing. That is what people in our States believe.

Here is part of an editorial from the Greeley Tribune, which I think was published yesterday, where they wrote:

In 2010, the North Colorado Medical Center provided more than $71 million in services to indigent patients who didn't have health insurance. It wrote off another $29 million in bad debt.

The Greeley Tribune writes:

Eventually, insured patients [must] pay for that, in higher premiums and co-pays.

Mr. President, I ask unanimous consent that editorial be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TRIBUNE OPINION: REFORMS FROM AFFORDABLE CARE ACT WILL IMPROVE ACCESS TO CARE

Depending on who you talk to, the U.S. Supreme Court decision to uphold the Affordable Care Act is either a great step toward improving health care for millions of Americans or it's the end of the world as we know it.

But we applaud the court's decision for many reasons. We think the hysteria surrounding the Affordable Care Act is generally unfounded and while not perfect, the Affordable Care Act is a step in the right direction toward reforming our health care system.

The Supreme Court specifically upheld the individual mandate provision, which will eventually require everyone to have health insurance. Those against the measure say it is an example of a government mandate aimed at controlling what should be a personal freedom to choose not to carry health insurance.

We argue, however, that this really isn't that different than being required to carry auto insurance if you drive a car or being required to pay your taxes. It's something we should all do to be contributing citizens of this nation.

But even more, those of us who do have insurance end up paying for those who don't through higher health care costs.

In 2010, North Colorado Medical Center provided more than $71 million in services to indigent patients who didn't have health insurance. It wrote off another $29 million in bad debt. Eventually, insured patients pay for that, in higher premiums and co-pays.

This provision isn't meant to be a punishment. Programs are being developed to help those who truly can't afford medical insurance.

There are other aspects of the act that are also good, including stopping insurance companies from denying coverage for people with ongoing conditions and the provision that will allow children to stay on their parent's insurance until they are 26.

Frankly, in Colorado, where many aspects of the act have already be instituted, the numbers are hard to ignore. According to Gov. John Hickenlooper's office:

Because of GettingUsCovered, a high-risk insurance pool, 1,331 people with pre-existing conditions have received coverage.

43,997 more adults have gained health insurance coverage.

Nearly 1 million residents of the state with private health insurance now have coverage for preventative health care.

Nearly 2 million residents do not have to worry about lifetime limits on coverage, freeing those suffering from chronic diseases such as cancer of the threat of losing their coverage, and their ability to receive treatments.

There are many more reforms that are needed in our health care system. There needs to be more emphasis on preventative care. There needs to be more access to treatment for some patients who are suffering from chronic illnesses. The skyrocketing cost of health care needs to be addressed.

We do believe this act will head the United States toward some of those reforms that eventually will be a direct benefit to patients.

Unfortunately, we also realize this is going to continue to be a political issue, and that is unfortunate. Access to good health care should be a right in this country for every single citizen, regardless of their income level. It shouldn't be a tool for politicians to use scare tactics and myths to gain more power.

We hope this historic affirmation of the constitutionality of the Affordable Care Act is just the first step toward improving access, and our health care system as a whole.

Mr. BENNET. Mr. President, I believe that folks in Colorado have moved on here, that they want us to improve this legislation, that they want us to get focused on the real matters at hand, which are getting this economy going again, getting us into an environment where we have more jobs and rising wages again, and they are a lot less interested in these talking points.

I do not understand why people who are in politics can simultaneously make such a big deal about this that affects 1 percent of the people in this country and at the same time support legislation, for example, that forces women, that mandates women to have procedures before they can make a choice about their own reproductive health. It does not make any sense because it is completely inconsistent.

I have a daughter Anne who is 7, not 6 like Mary's daughter. But it is her health care and the certainty in her life and in her sisters' lives and the thousands of children across my State whose health care we should be interested in.

I can see that other colleagues of mine have come to the floor, so I am going to move along here. But before I do that and before I yield to the Senator from Maryland, I want to say that if this repeal happened in the House and then this repeal happened in the Senate and it were signed into law, 932,000 Coloradans who have preexisting conditions would lose their insurance, 50,000 young adults in Colorado who can now stay on their parents' insurance until they are 26 would no longer be able to, and women could once again be discriminated against simply because they are women. It is welcome to 696,000 women in Colorado who need maternity care or other women's health services who are not going to be charged higher premiums since this law is in effect. And when these exchanges are set up, 521,000 Colorado children will, for the first time, have better vision and dental coverage.

I want to work in a bipartisan way going forward to try to make sure we are doing everything we can to follow the examples of places such as St. Mary's Hospital in Grand Junction or the University of Colorado Hospital in Denver or Denver Health in Denver to drive higher quality and to drive lower costs. It is essential. It is essential for our economy, and it is essential for our competitive position in the world. And it is essential that we put these talking points down and start actually dealing with the facts as they are.

With that, Mr. President, I thank you for your patience, and I yield the floor.

The PRESIDING OFFICER (Mr. MERKLEY). The Senator from Maryland.

Mr. CARDIN. First, Mr. President, I thank Senator BENNET for his comments as they relate to the Affordable Care Act. I appreciate very much the

point the Senator made that what was passed by Congress and signed by President Obama was really an evolution of work that had been done and recommendations that had been made by Democratic and Republican administrations over a long period of time and that what the Supreme Court did was uphold Congress's ability to move forward with a plan that will give every American access to affordable quality health care.

I could not agree more with the Senator that we need to do work on this. We need to improve the bill. There are different things we need to work on, and Democrats and Republicans should be working together to move forward on the health care debate.

I also appreciate the point the Senator raised that the House of Representatives—I think it is the 31st time they are acting on legislation that repeals all or part of the Affordable Care Act. But their strategy is to repeal the law, and they have nothing to move forward with. They do not have a plan. As the Senator pointed out, if that were to become the case—and it will not; we are not going to pass it in the Senate—parents who now have their children on their insurance policy, who are 23-, 24-, 25-years-old, would lose that opportunity, and parents who can now get their children covered by insurance who have preexisting conditions would lose that protection.

The Patients' Bill of Rights that we have incorporated against abusive practices of private insurance companies—so that if someone goes into an emergency room with emergency conditions, they need to be reimbursed under prudent layperson standards—that could be lost. Our seniors could lose their wellness exams that are covered under Medicare. And we are closing the coverage gap on prescription drugs. That could be lost.

Let me also point out that our seniors appreciate the fact that what we did in the Affordable Care Act extends the life of Medicare for about a decade. That would be lost.

Small businesses will be able, in 2014, to go into exchanges and not be discriminated against by paying more for their insurance than a larger company. That would be lost.

As the Senator knows, the attack on women's health care—this bill that is now law allows women to be treated equally with men as far as premiums are concerned. That would be lost.

So I appreciate Senator BENNET taking the time on the floor to go over exactly what would happen if we were to repeal the Affordable Care Act.

What we need to do, and I think the Court gave us this opportunity—they spoke to the fact that it is up to Congress to move forward on this—it gives us a chance, Democrats and Republicans, to say: How can we make sure our health care system is as cost-effective as possible.

In the Senate Finance Committee today, we had a roundtable discussion with experts as to how we can do delivery system reforms, use ways we can manage people with serious illnesses and bring down the cost. That is what we need to do.

But the Affordable Care Act itself reduced health care costs. Look at the record. We will lose all that. We actually add to the deficit by repealing the Affordable Care Act. As the Senator knows, the House changed their rules so they can repeal the bill, even though it adds to the deficit.

So I wanted to first thank the Senator for bringing this to the attention of our colleagues as to what is involved. I do think Democrats and Republicans need to work together. The one comment I hear more and more from my constituents is stop the gridlock in Washington. Stop debating the old issues. Let's move forward. Let's create jobs. Let's work together. Let's get the job done for the American people.

Mr. President, I ask unanimous consent to speak for 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TOURETTE SYNDROME

Mr. CARDIN. I rise to bring attention to Tourette syndrome, a neurological disorder that affects more than 200,000 Americans in the most severe form and as many as 3 million more who exhibit milder symptoms. Tourette syndrome or TS is characterized by repetitive involuntary movements and vocalizations called tics.

The disorder is named for a French neurologist who in 1885 first described the condition in an 86-year-old woman. TS occurs in people from all ethnic groups and is present in males three to four times more often than in females.

The early symptoms are typically noticed first in childhood, usually when a child is between the age of 3 and 9 years of age. Although TS can be a chronic condition with symptoms lasting a lifetime, most patients experience the most severe symptoms in their early teens, with some improvements occurring in the late teens and continuing into adulthood.

In May, a 13-year-old boy named Jackson Guyton from Parkton, MD, visited my office to tell me about his experiences with Tourette. Jackson first noticed symptoms 5 years ago during the summer of 2007. While on vacation with his family at the beach, his body started making strange movements he could not control. First, came a head jerk, then eye-squinting and rolling; later, he started emitting high-pitched squeaking sounds. As Jackson put it: ''I was a regular kid one moment, with good grades and very few problems, then in the next I was rolling my eyes and making sounds. . . . like a fire alarm going off.''

In school, the sound was so loud his friends would cover their ears and avoid sitting near him in class, and parents of other children began complaining about his being in their children's class. With teachers who were uneducated on TS, the symptoms continued throughout the school year.

So as to avoid ridicule, Jackson began skipping school or spending more time in the nurse's office than in class. Fortunately, Jackson's parents found a physician who was able to quickly diagnose the condition as Tourette Syndrome. Jackson changed schools and spent the next few years in treatment, trying various medications prescribed by his doctors.

Those medicines were somewhat helpful. Jackson tried other treatments and clinical trials at Johns Hopkins University, where he met Dr. Matthew Specht, a professor of child and adolescent psychiatry who teaches children exercises to help control the tics.

That technique, cognitive behavioral intervention therapy or CBIT requires patients to use a great amount of focus and it does not work for everyone. But it did help Jackson control his squeaks. In the middle school, he encountered a guidance counselor named Mrs. Oates who helped change his life. In Jackson's words:

> She learned as much as she could about TS and helped me learn how to deal with the kids better and talk to teachers about what was happening. She also gave me a safe place to hang out when things were bad. Through her and a group that my mom started to help other families with TS in our area, I made a few friends who understood me better.

She also helped Jackson develop a presentation for the 6th grade class in his school. Jackson is now 13 years of age, and in September he will enter the 9th grade at Hereford High School. He is no longer feeling depressed, and he no longer retreats from others because of his condition. Rather, he welcomes the opportunity to use his experiences to educate teachers and other students as a Youth Ambassador, a position for which he was trained at the National TSA Conference with about 40 other young people.

Recently, he presented information about TS to more than 400 elementary school students. He says he truly enjoys answering their questions. He believes, as I do, it is important for people to understand that children with TS are not doing strange or disruptive things on purpose, and he just wants to be treated like everyone else.

Jackson still has unpredictable and sometimes painful tics, but he knows now that TS will not stop him from accomplishing everything he wants to do in life. Last year, Jackson's little brother Davis was also diagnosed with TS. Jackson says that having a teacher who understands the problem and knows how to help is one of the most important things in the life of a child with TS.

He is preparing a special presentation for Davis's class that he will deliver when the 2012–2013 school year starts. I am very proud of this young man. I am hopeful the examples set by him, his

guidance counselor Mrs. Oates, and other TSA Youth Ambassadors are blazing a trial for those who are newly diagnosed.

I am also pleased Congress understands how important public awareness of Tourette is. In 2000, Congress created the Tourette Syndrome Public Health Education Research Outreach Program at the Centers for Disease Control and Prevention. The purpose of this program is to increase recognition and diagnosis of TS, reduce the stigma attached to the disorder, and increase the availability of effective treatment.

The program also includes a public-private partnership between the CDC and the Tourette Syndrome Association, or TSA, that provides educational programs for physicians, allied health professionals and school personnel as well as those who have TS, their families, and the general public. To date, the CDC–TSA outreach program has conducted more than 520 educational programs for 32,000 professionals and community members nationwide.

This program is working well. In addition, CDC has entered into a cooperative agreement with the University of Rochester and the University of South Florida to better understand the public health impact of tic disorders, including TS, for individuals and their families and the community.

One of the areas being assessed is education, as they are looking at the effect of TS on standardized test scores, grade retention, and the presence of an individualized education program. Significantly, they are also measuring teachers' understanding of TS, and this information will be used to inform and improve outreach programs.

I urge my colleagues to support full funding of this program again this year so we might expand awareness of TS and lead to a better quality of life for people such as Jackson and families across the Nation who are affected by this disorder.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I ask unanimous consent to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE

Mr. CORNYN. Mr. President, I have listened to some of my friends across the aisle talking about the vote in the House to repeal what has now come to be known as ObamaCare, which the official title is the Patient Protection and Affordable Care Act. But I think history has now demonstrated it is not the Affordable Care Act; it is the ''Unaffordable Care Act.''

My colleagues suggest the only way we can possibly protect people from preexisting disease exclusions under their insurance policy or make sure young adults up to 26 years old can remain covered under their parent's coverage is to pass this $2.5 trillion monstrosity. That is not the case. We could easily address these other issues as well as affordability if we were to take a step-by-step approach to try to make sure the patient-physician decision-making process is preserved, while making health coverage more affordable for more Americans.

But unfortunately that was not the approach taken under ObamaCare. In fact, under ObamaCare, there was almost no attention paid to trying to make coverage more affordable. The focus was on expanding coverage, an admirable goal but one that ignored affordability almost entirely. We now know ObamaCare was based, the vote in favor of and the public support, such as it is for ObamaCare, was based on a litany of what has now proven to be broken promises. The promise that if someone likes what they have, they can keep it, we know that is not true. More and more employers are dropping their employer-provided coverage for their employees.

The President himself said a family of four would actually see their premiums reduced an average of $2,500 a year. What has happened? Premiums continue to go up, roughly at the rate of 10 percent a year.

The President said, and I heard my colleague from Maryland just say, ObamaCare cuts the deficit. How they can spend $2.5 trillion and take $½ trillion more from Medicare, an already fragile, unsustainable program—unless we fix it—and that cuts the deficit is, I think, beyond the understanding of most Americans. Certainly, it is beyond mine.

I would like to ask my colleague this question: What we know is that now the Supreme Court has decided the constitutionality of ObamaCare. The Supreme Court has said—and under our system of government it is the Supreme Court that is the final word on these matters. It said the only way ObamaCare could be constitutional is for the individual mandate to be considered a tax—a tax. Indeed, it is a tax, a broad-based tax on the middle class.

I want to know how many votes in the House, how many of our colleagues in the Senate would have voted for ObamaCare if it had been called what it is, a middle-class tax increase—a middle-class tax increase. I think it is important to have a vote in the House today, and I think it is important to have a vote in the Senate, as Senator MCCONNELL has proposed to do, to see whether, based on the fact that the Supreme Court has finally decided this is a tax on the middle class, whether it would enjoy the support across the aisle it did in 2009 and 2010.

But I wish to talk a moment more about taxes and indeed the challenges that face small businesses and working families across the country and the need for the Senate to stop contributing to the class warfare rhetoric and gamesmanship that seems to encompass us 118 days now before the general election and the importance of actually addressing taxes in a constructive manner, in a way that will helpfully get our economy growing again.

To that end, it is my sincere hope that the majority leader will allow an open amendment process on this piece of legislation and allow it to go forward and give Senators the opportunity to offer ideas about how to improve this legislation and help small business job creation.

What we do know for a fact is that unless Congress and the President act before December 31, 2012, American taxpayers will face the single largest tax increase in American history. Why is that? Because the tax provisions we passed in 2001 and 2003 and then again in 2010, under President Obama, will expire at the end of this year.

For example, in less than 6 months, the highest individual tax bracket will rise from 35 percent to just under 40 percent. I think it is important for everyone to realize we are just talking about Federal taxes. We are not talking about State taxes or local taxes. Many States—thank goodness not Texas but many States—have a State income tax which is added to the Federal tax burden. Of course, virtually everyone in the country pays some form of sales tax.

We need to think about, when we add to the tax burden of the American people, what that means in terms of their cumulative tax burden, including Federal, State, and local taxes.

Unless Congress acts, people in the lowest tax bracket will see a 50-percent tax increase. Indeed, the marriage penalty will increase, the child credit will be cut in half, and taxes on capital gains and dividends will increase.

Why are lower taxes on capital gains and dividends important? Well, on capital gains it is important because we want to incentivize people to make long-term investments, to create jobs.

Why is the lower dividend rate important? Many seniors who are retired depend on dividend income from their retirement funds in order to help pay their cost of living.

The bottom line is unless Congress and the President act before December 31—and I submit it is important to act sooner rather than later to send a signal to the markets and job creators about their tax burden on January 1—every taxpayer in the country will pay higher taxes.

Unfortunately, instead of engaging in a serious manner on this issue, the President earlier this week reverted to his old playbook of class warfare and gamesmanship. He advocated again another policy which has failed to pass the laugh test, if you think about it. The President previously proposed the so-called Buffet rule—named for Warren Buffet—and said if we pass the Buffet rule and raise taxes, our problems would all be solved.

Do you know how much revenue would be generated by the Buffet rule if it passed? It would be enough revenues to run the Federal Government for 11 hours—less than half a day.

Well, I have to admit the President's recent announcement that he wants to raise taxes on small businesses has left me scratching my head. I remember back in 2010, when President Obama said raising taxes during a fragile economic recovery ''would have been a blow to our economy.'' That is what President Obama said in 2010. But in 2012, he seems to be singing an entirely different tune. At the time, in 2010, economic growth was roughly 3.1 percent. That is when President Obama said raising taxes would be a blow to our economy. Do you know what the economic growth numbers are today? Our economy is growing at roughly 2 percent of GDP, gross domestic product. Instead of 3.1 percent, it is growing even slower right now.

Of course, as I mentioned, this tax increase the President and the majority leader are proposing is on top of the ObamaCare taxes. It is not just the individual mandate I alluded to earlier that will penalize people who don't buy government-approved health care, but that is on top of approximately 20 different other tax increases that are part of the ObamaCare legislation. Not only do these new taxes break the President's own pledge not to raise taxes on individuals who make less than $200,000 a year or families making less than $250,000 a year, but it also creates barriers to new investment and job creation.

Recently I attended a meeting downstairs with Bob Zoellick, head of the World Bank, and the president of the New York Federal Reserve office—a gentleman whose name escapes me. The president of the Federal Reserve in New York said: When talking with business people across the country, I ask them what is your attitude, your mood? Are you going to invest or sit back on the sidelines? He said almost universally the message is: We are done. We are not doing anything else until Washington—in other words, Congress and the President—figure this out.

Who in their right mind would want to start a new business with the uncertainty as far as taxes are concerned, or the burdens that are imposed upon individuals and small businesses because of ObamaCare? I mentioned that in addition to what the Supreme Court found to be a tax—the individual mandate—ObamaCare includes a new 3.8-percent surtax on capital gains, dividends, rents, and interest earned by many taxpayers. This new surtax goes into effect next year, in 2013.

Another thing I found amazing in terms of the audacity of those who supported ObamaCare in 2009 and early 2010 is that a lot of the taxes that were included in the bill didn't go into effect until after this next election. Isn't that an amazing coincidence?

Enacting this permanent tax hike was a mistake then, and it continues to be a mistake now. It will discourage savings and investment, reduce productivity, and it will depress wages and the standard of living for millions of Americans.

According to one nonprofit economic policy research and educational organization, a 2.9-percent tax increase would depress economic growth by 1.3 percent. You heard me a moment ago say our economy is growing roughly at 2 percent. This think tank says they estimate a 2.9-percent tax increase would depress economic growth by 1.3 percent, and it would reduce capital formation by 3.4 percent. Those are numbers that come out of, obviously, a think tank, but that means fewer jobs and a lower standard of living for many Americans. The damage to job creation and economic growth would be even greater from a 3.8-percent investment tax. You don't have to be an economist or a rocket scientist to figure out that higher taxes are going to depress economic activity. Indeed, it is all about incentives. If we create incentives for people to be productive, work hard, and make investments, then they will respond. If we raise the bar and make it more expensive and harder, they are going to do less of it. It is that simple.

Taxpayers, including small businesses, are already scheduled to get hit with the largest tax increase in history at the end of the year, as I have already mentioned.

I will close on this, as far as this subject is concerned: We know the key to job creation is to grow the economy and allow small businesses to flourish, invest, and create jobs. That is what we are missing now. Government has grown and grown and grown. It has spent money it didn't have under the stimulus bill passed early in the Obama administration. Do you know what the projection was at that time that unemployment would be today if we passed this spending bill using borrowed money? The President's administration said unemployment would be at 5.6 percent. Yet it continues to persist at over 8 percent. So we know that obviously didn't work.

I believe it is important that we put into place an insurance policy against any Senate effort to increase taxes on small businesses. For that reason, I have offered time after time a proposal that would require a supermajority to raise taxes on small businesses. The last time I raised this proposal, when we considered the 2010 budget—which is actually the last time the Senate passed a budget, but that is another subject altogether—the amendment passed with the support of 82 Senators, including 42 Democrats, many of whom still serve in the Senate.

Raising taxes on small businesses that represent the primary engine of job growth in this country is not the answer to getting our economy back on track.

I know about 400,000 small businesses in Texas that employ 4 million people especially cannot afford to pay higher taxes, particularly at this time. We know it is small businesses that create the vast majority of new jobs.

Given that the administration has said it is committed to creating jobs, I am left wondering why they would want to increase taxes on those we are depending upon to do just that. I know the millions of Americans who remain out of work are wondering the same thing today.

VOTER IDENTIFICATION

Mr. President, I want to make a brief comment about the voter identification debate. This is particularly important in my State, but it is important across the country, because many States have passed commonsense voter identification laws to protect the integrity of the ballot and prevent dilution of the vote for majority and minority members and everyone across the board, and to protect against voter fraud.

Yesterday Attorney General Holder spoke in Houston, TX, at a gathering of the NAACP. I am sorry to say his remarks were completely inappropriate and misleading. Mr. Holder knows—or he should know—that the Texas law that requires a photo ID in order to cast a ballot will be issued free of charge to any voter who asks for one—free of charge.

He conveniently ignores the fact that the Supreme Court of the United States has previously—in an Indiana case—dispositively held that voter ID laws are constitutional and necessary to protect the integrity of the vote. This is the low point of the Attorney General's remarks. He once again defamed my State and our State legislature by equating our commonsense voter ID law with a poll tax.

By invoking the specter of Jim Crow racism, the Attorney General is playing the lowest form of identity politics. Mr. Holder knows better. This rhetoric is irresponsible and a disgrace to the office of the Attorney General. Shame on him.

Mr. President, I yield the floor and 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. RUBIO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

GROWING THE ECONOMY

Mr. RUBIO. Mr. President, I wanted to come to the floor today because of the good news I have heard recently, that the Senate is going to spend the next couple of weeks, maybe the whole month, talking about tax policy. I think that is very encouraging, because this is one of the issues I was hoping we would deal with early on, when I got here last year. And I am, quite frankly, surprised it has taken this much time, a year and a half, to pivot to this issue. I am hopeful—I don't know if it has been determined yet—but I am hopeful on this legislation currently before the Senate, the minority will be given an opportunity

to introduce ideas. I think that is important for this place to work well.

I have read the history of this distinguished place and it only works well, it only functions when the ideas of both sides are allowed to be heard. I know we can count votes here, and from time to time we may have a chance to pass a few things, but when one is in the minority, as I am, it is harder to get ideas passed. But I would love to at least get a vote on some of these ideas we are hoping to push forward, and our hope is that will happen. So let's hope that works out.

What I want to remind us all about a little bit today is what our goal is. We can't arrive at the right solutions if we don't know exactly what it is we are trying to get to. Our goal, I believe—and there is a consensus now throughout this country, and it is actually something that unites both political parties—needs to be to grow the economy. That is our goal, to grow the economy. And what will result from growing the economy is that good will happen for everybody.

How does the economy grow is the first fundamental question we have to answer. The economy grows when two things happen: either someone starts a business or someone grows their existing business. That is what leads to economic growth. It is that simple. Someone starts a new business because they think they can make money at it or someone goes into their existing business and says, I think we can make more money, let's grow this thing. That is how the economy grows.

So the issue before us here as Federal policymakers has to be what can the Federal Government do to help that kind of growth. In essence, what the Federal Government can do is to encourage people and make it easier for people to either start a business or to grow their business. So if that is our goal, then every time a measure comes before this body—tax policy, regulatory policy—what we should ask ourselves is, does this make it easier or harder for someone to start a business? Does it make it easier or harder for someone to grow an existing business? Does this measure make it easier or harder for the economy to grow? Because if we are indeed united by this goal of growing the economy, that should be the measure of anything we take on. And it is through that lens that I want to examine some of what we are talking about right now. Because it seems to me, at least in some of the policies I have heard proposed this week, that maybe some folks have the goal wrong. Because if we closely examine some of these policies, it sounds as if the goal is, let's take a limited economy that isn't growing and let's divide it. And primarily it sounds like, let's take this limited economy that isn't growing and let's allow us to take money from people who are maybe making a little too much, give it to the government, and the government can then spend it on behalf of people who maybe aren't making enough.

I know that may sound appealing to the folks who are among those Americans who aren't making enough money, but I want you to know something: It never works. That idea never works. Here is why it never works. It actually never works because, first of all, the money doesn't get to you. When you give government money to spend, it invariably doesn't usually spend it very well. In fact, when you give government money to spend, the people who end up getting that money are the people who can afford to hire people to come to Washington and influence how the money is spent. So sometimes the money never even gets to you, if in fact you allow the government to do this.

But it is more complicated than that. It can actually cost people their jobs, and here is why. How you create businesses or how you expand an existing business is pretty straightforward. Someone is in business, someone makes some money or gets a hold of some money and they decide to take that money and invest it. They use the money they have made and they reinvest it in their business so the business grows or they use the money they have made to start a brandnew business. This stuff works. This is how the American economy has grown and how we became the most prosperous people on Earth.

I know this works not just because I read about it in a magazine. I know it works because I have lived it. As I have detailed and talked about in the past on this floor, my father was a bartender. He worked at a hotel as a bartender. My mother had a lot of different jobs, but for a while she worked as a maid in a hotel. The reason I talk about this is to explain how and why my mom and dad had a job that paid them money to raise us and give us a chance to do all the things my siblings and I were able to do. Someone made some money, they took that money and opened up this hotel. That is why my parents had a job. They didn't have a job because the President of the United States back in 1965 or 1975 gave them a job. They had a job because someone who made money took that money and used it to start a new business or to grow an existing business and hire them. They also had a job because other people who had money decided to use that money to go on vacation and they came to Miami Beach or to Las Vegas, when I lived in Las Vegas, and they spent that money at these hotels.

The point is, people had money, and they either invested it or spent it. And that allowed a bartender and a maid—my mother and father—to raise my siblings and me and to give us opportunity. That was true in the 1950s, in the 1960s, in the 1970s, in the 1980s, in the 1990s, and it is still true. That is what is needed to grow this economy. And the problem is, if we go after these people, if we go after the money they have made and give it to the government, maybe they will decide not to open that new business or maybe they will decide this is not the year to take that vacation or instead of taking the 5-day vacation, they take the 3-day vacation. And you know who gets hurt? The bartender and the maid and the people who work in these places. Because money has to go somewhere. If you are taking it out of the hands of the people who invest it and spend it, they can't invest it or spend it, and it is people who are trying to make it—like my parents were—who get hurt by it.

So we have to get our goal right. Because if our goal is to grow the economy, we don't have to call trick plays. What we can do at the Federal level to grow the economy is pretty straightforward. All we have to do is talk to the people who grow the economy. If we go out and talk to the people who have a great idea and are trying to start a business, they will tell us what they are looking for. It is pretty straightforward stuff: tax reform.

What do we mean by tax reform? Simple. We want a Tax Code that is stable, predictable, and affordable. Of course we have to have taxes. Government needs revenue to be able to pay for what we all expect from government. But it has to be a predictable system and it has to be an affordable system. If taxes get too high, people may decide not to invest it in this country or to leave it in the bank, and that doesn't help anybody. So the point is we need to have a Tax Code that is stable, predictable, and affordable.

We need regulations that are the same: stable, affordable, and predictable. Look, we need regulations; right? I want this water to be clean. I don't want the water to poison me. We don't want to walk out on the street and breathe in air that will hurt us. There is a role for regulation. The problem is that most Federal regulations are set by bureaucrats who work for the government, and all they think about is can this regulation maybe help. They do not think at all about the impact of that regulation on businesses. That is not part of the equation. When they sit down and write a regulation, that is not part of the equation at all. So we end up having these regulations that may not even help that much but hurt a lot; that help wipe out entire industries, but the impact on helping the environment or whatever else is nebulous at best. So we have to change that.

That is why we need to pass a law here like the REINS Act, which says any regulation that has an economic impact beyond a certain amount of money should have to be approved by elected people, who are accountable, who have to measure both the effectiveness of the regulation but also whether it is going to cost jobs or wipe out an industry. Because that is important too. Protecting our industries and our sources of job creation is as important as some of these other things we

are trying to protect through regulations and they have to be balanced against one another. We do not want to simply be making decisions in a vacuum.

Along those lines, something that is both a tax and a regulation is ObamaCare. Look, we have a health insurance problem in America. There is no denying that. But there are better ways to deal with it. The problem is this bill that passed has created a tremendous amount of uncertainty. For example, it says if you have more than 50 full-time employees, there are certain requirements you have to meet. So imagine if you are a company with 48 or 49 employees. This may not be the year to hire the 50th. And maybe you are going to be the 50th, but now you don't get hired or, worse, maybe you will decide this is the year to turn all your employees into part-time employees. That is not good for the workers. Yet that is the impact this law is having, not to mention the fact it is a tax increase.

That is what the IRS does. The IRS collects taxes. And guess who you have to prove you have insurance to. And not just any old insurance, but insurance they deem to be acceptable. The IRS. Millions of Americans now every year will have to prove to the IRS they have insurance or they will owe the IRS money. That is a tax, and that is not going to help job creation, especially if you are a small business.

I outlined this last week. Imagine a small business run by a husband and wife with two kids, and the business—not them, but their business—makes $95,000 a year. It will cost them between $4,000 to $6,000 to buy health insurance. If they do not, they will owe the IRS $2,000. Tell me that is good for that business. Or imagine if you are thinking about going into business and you realize this is what is going to happen to you and you decide not to go into business. That is not good for growth. That is why this law needs to be repealed and it needs to be replaced.

Something else we need in this country is a pro-American energy policy. Do people realize the American innovator has come up with this technology over the last 5 years that now has made us a very energy-rich country? I don't know if people fully understand how energy-rich America is. If you want a small glimpse of what it can mean to our future, go to North Dakota. They are having a jobs boom. They can't find enough people to work there.

Energy is important and we need to start behaving like an energy-rich country, with a true all-of-the-above strategy where the energies we choose are decided by the marketplace and not by politicians. When politicians decide which energy source to use, you know who wins? The people with the best lobbyists. The people with the best lobby. The people with the most political influence. That is how we got a Solyndra-type situation, where a company that was going to go bankrupt got all this money—your tax dollars—and meanwhile America is sitting on over 100-some-odd years of natural gas at our disposal and no concise national energy policy to utilize it.

Let me tell you why energy matters. If we can get energy costs down and stable and predictable, manufacturing will start coming back to America. That is one of the leading costs of manufacturing, energy. We are an energy-rich country. Some of those factories that closed, we can actually get them to come back here. Imagine what that would do for economic growth, not to mention the fact that America could potentially now begin to sell overseas as well, creating yet another industry and all the things that come with it.

How about free and fair trade? There is an emerging middle class all over the world now. One of the great things that has happened over the last 20 years is that all over the world there are now people who a decade ago were living in poverty and can now afford to buy the products we invent and build, people all over the world, by the way, who can now afford to take vacations. And do you know where they want to come? To the United States of America. They want to come to Florida. They also want to come here.

I think that is fantastic, that now there are millions of people all over the world who can afford to visit the United States and leave their money at our hotels, at our restaurants, and at our amusement parks. That creates jobs, that creates growth, free and fair trade, that allows the American people to build things we can sell overseas to other places and lowers the cost of buying certain things here.

Last year, we ratified the free trade agreement with Colombia, Panama, and South Korea. We are already seeing the economic benefits of that in south Florida. Imagine if we were able do that with more countries in a free and fair way. It has to be fair.

One last thing we could probably do to help grow this economy is deal with the long-term debt. And that is what it is, it is a long-term debt problem that hovers all over all of this conversation and creates uncertainty. People are afraid—especially people with lots of money are afraid—to invest in the American economy because they look at this debt problem, they look at this political process's inability to deal with it, and they think, Do you know what. That country is destined for confiscatory tax rates. They are going where Europe is going. We don't want to invest in a country that is going to wind up like Europe in 5 years. That is why we have to deal with the long-term debt, and the sooner the better.

To deal with the long-term debt, by the way, you have to deal with what is causing it. That is why it is so important we save Medicare. Medicare is a very important program. My mother is on Medicare. I would never support anything that hurts my mother or people like her. But people in my generation need to understand that if we want to keep Medicare the way it is for our parents and if we want Medicare to even exist when we retire, Medicare is going to have to look different for us, for 41-year-olds. We have to save Medicare. And to deal with the long-term debt, we have to deal with that. That is what is driving part of the debt. That is not being driven by foreign aid, which is less than 1 percent of our budget. The debt is not being driven by food stamp programs. The debt is not being driven by defense spending.

Look, if money is being misspent or wasted, it is never a good idea to do that. If there are ways to save money on foreign aid, we should save it. If there are ways to save money in the food stamp program, we should save it. If there are ways to save money in the defense budget, we should save it. But that is not what is driving our long-term debt. To pretend we are going to get 100 percent of our savings from 25 or 20 percent of our budget leads to the kind of catastrophic cuts we talk about in this town, because no one wants to touch the big issues that have to be dealt with.

What would happen if we did these six things? Let's say that tomorrow, overnight, magically these things happened: We got real tax reform, real regulatory reform, we repealed and replaced ObamaCare, we had a pro-American energy strategy, we expanded free and fair trade, and we had a plan in place that began to deal with the long-term debt in a serious and sustainable way. Let me tell you what would happen: explosive economic growth, primarily by the creation of jobs.

Do you know what more jobs means? It means, No. 1, more taxpayers. It means you can now generate revenue for government to pay for what we all want government to do, and you don't have to raise tax rates to do that. It means you have more taxpayers who are now paying into the tax system who give you the revenue you need to bring the debt under control. Everything gets easier if the economy grows. The debt gets easier, our budgets get easier.

Jobs also mean more customers for your business. If someone is unemployed, it is hard for them to spend money. It is hard for them to buy a house, much less the things that go in it. It is hard for them to take vacations. More jobs means more stability for your business or for the place you work in. More jobs means more taxpayers, it means more customers for your business. And, by the way, it means a more stable society, a place where hard work can earn them a decent wage so they can save money for their kids' college, so they can save money for their retirement, so they can buy a home and furnish it, so they can afford to take a couple weeks vacation a year with their families. Millions of Americans can't do that anymore.

Millions of Americans have done everything we have asked of them. They

went to school, they graduated. They were told if they did that, they could find a job that paid them a decent wage, and they are struggling to do that now.

By the way, all of the strategies for growth aren't at the Federal level. It is important that States take on the issue of education reform. It is important for us as parents to be honest with our kids. In the 21st century, it is going to be hard to find a job if all you have is a high school diploma. It is that simple.

If you look at the unemployment rate between people who have a college degree or a post-high school degree and those who don't, it is stunning. It is stunning. If you don't have more than a high school education, you are going to struggle to succeed in this new century. We have to let our kids understand that. It is our job as parents and as a community to do that.

By the way, it is important for us to work with the States, as I outlined earlier, to modernize our education system. Why have we stigmatized career education? Why can't we graduate kids from high school with both a diploma and an industry certification and a career? We need to begin to teach our kids to compete with the world, not just with other States. These are other things that have to happen as well.

The point I wanted to drive today is we need to remind ourselves of what the goal is here. The goal is growth. The goal is, What can we do at the Federal level to help grow the economy? Ultimately, the economy grows because of the private sector, because someone who has made some money takes that money and invests it by starting a new business or by growing their existing business. We should find ways to make that easier and encourage people to do that. That has to be our goal. It doesn't require trick plays; it doesn't require some complicated new gimmick. We don't have to reinvent the wheel. The American people haven't run out of good ideas. Americans haven't forgotten how to start businesses or even entire new industries. Even as I speak to you right now, I am 100 percent convinced that within walking distance of this building there is someone somewhere drawing up the great next American company business plan on the back of a napkin or a scrap piece of paper. And if we give them a chance to do it, they are going to do it.

We are still the same people we have always been. There is nothing wrong with the American people. They just need a little help from their government. I think if we get our goals right around here, we can do a few simple but important things that allow Americans to do, once again, what we do better than any country or any people in the history of the world, and that is create prosperity and create opportunity.

Madam President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Madam President, before I get into the substance of my remarks, I heard the concluding remarks of my colleague, Senator RUBIO, talking about ideas and education and small business growth.

I agree with his basic concept that we are still the greatest country in the world, that we encourage entrepreneurs and people with great ideas, that education means a great deal to making that happen; that no other country inspires young people, middle-aged people, even older people to start new businesses. I hope it means he is going to vote for the proposal that is now before us. Because what this proposal does is take that young person within walking distance of Washington, DC, who has a great idea and, once they start a business, allows them to get that business to move more quickly. There are lots of those businesses, and probably some within Washington, DC, as well. So I hope my colleague from Florida will vote for our Small Business Jobs and Tax Relief Act.

The proposal will spur economic growth. It will create nearly 1 million new jobs in this country. If my Republican colleagues care about small business in America, they would work with us to pass this commonsense bill immediately instead of playing procedural games that are thinly veiled attempts to block these tax cuts that spur hiring. The bill is based on bipartisan ideas that have traditionally enjoyed Republican support, yet they are obstructing their passage. Why are our Republican colleagues changing their tune? The only explanation is that Republicans continue to block proposals that will help create jobs and spur our economic recovery for their own political gain.

This is a simple proposal. It is a smart proposal. It is a tax cut proposal. In my home State of New York, small businesses from Cattaraugus to Clinton County are poised to grow and make the jump to the next level. These business owners know the economy is slowly turning a corner, but we are not there yet to full unthrottled growth, so they are looking for Congress to do more—not less—to spur hiring.

This initiative is aimed at the small businesses that are truly the lifeblood of our Nation, and we need to help them jumpstart expansion plans this year. There is simply no time to waste.

There is a business in Cortland, NY, central New York, called Precision Eforming. It is a great small business that would use this tax cut to buy a new piece of equipment called a Dipcoater to help the company create high-end acoustics such as hearing aids. With the Dipcoater, Precision Eforming will increase yield and need to hire new employees.

There are stories like this throughout my State. Napoleon Engineering Services, a new ball-bearing plant in Olean, hopes to hire more employees and will purchase new equipment for its growing business. Quinlan's Pharmacy and Medical Supply in Livingston County wants to add an additional location in Schuyler County. In Staten Island, the owner of a small restaurant chain recently told me this proposal could help him expand to additional locations.

Simply put, this bill makes equipment purchases and capital improvements for thousands of small businesses cheaper, and, by doing that, provides a real jolt to the economy. In fact, it is estimated that every $1 of tax cuts devoted to writing off the cost of a business's purchases generates about $9 of GDP growth. Let me repeat that. One dollar of tax cuts devoted to writing off the cost of a business's purchases generates nine times that in GDP growth. Why wouldn't we do it? Economists of every stripe will tell you that hiring incentives like the ones in this bill are the best ways to kick-start an economy and get people back to work. Why wouldn't we do it?

In fact, a new nonpartisan analysis of the proposal before us has determined it will create nearly 1 million jobs this year. Look at your State: 22,000 in Washington State, 10,000 in Nebraska, 11,000 in Iowa, 40,000 in Pennsylvania, 63,000 in my home State of New York, 77,000 in Texas. Huge numbers of new jobs will be created by this proposal. Why won't our colleagues move forward on it?

It is estimated that 93,000 jobs will be added to the construction industry, 61,000 new jobs added to manufacturing. The report concludes that the proposal's impact would be felt across every State and in a range of industries, with a significant jump in employment in construction and manufacturing. The proposal is targeted toward the mom-and-pop Main Street businesses that will benefit most from this relief.

You want to talk about job creators? You want to help job creators? Well, these small business owners are real job creators and they are the ones who make this country run. They come in early, they stay late, they work hard, and they deserve a tax break.

Here lies an important contrast between what we are proposing and a different tax cut proposal that the House Republicans have passed. The House Republican proposal is neither focused on true small business nor does it make the tax cut dependent on a company doing any hiring at all. Our proposal rewards actual job creation by true small businesses, rather than giving more tax breaks to millionaires and billionaires who may not create a single job. They have profits; they get a cut in their taxes for their profits even if they fire people. Does that

make any sense? Our bill's commonsense measures have had broad bipartisan support. There is no reason Democrats and Republicans alike should not support them now. The relief in this bill would be a grand slam for our economy as a whole. It puts more people to work, expedites the expansion of successful small bills throughout the country, expands businesses to new communities, and keeps money flowing through local economies. For too many business owners, this relief simply cannot wait. Let's get this bill to the President's desk and get our business owners started on the developments that will propel them into the next decade.

Once we pass this bill, we must work together to give certainty to American families that they will not see a mass tax hike at the end of the year. We should all agree our small businesses deserve tax cuts and a Small Business Jobs and Tax Relief Act that will help them hire workers. We should all agree no middle-class families should face a tax increase at the end of the year. Let's take care of our areas of agreement and then we can turn to debate on whether our country can afford to give more tax breaks to the wealthiest 2 percent.

I yield the remainder of my time and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. LANDRIEU. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Madam President, as chair of the Small Business Committee of the Senate, I am pleased to come to the floor to give some supporting remarks for Senator SCHUMER's small business tax reduction bill. The bill will invest, basically, $20 billion to the bottom line of small businesses—owners of businesses that are dynamic and that are growing. I would like to make that distinction. It is not all small business that will get tax relief. It is small businesses that are dynamic and growing and adding employees or increasing wages.

The bill is smartly and narrowly targeted to motivate and to reward those small businesses, a subgroup of the 28 million small businesses that exist in the country today, many of which are in the Senator's State, Minnesota, that has some very high-growth, high-potential small business development in the medical field, I understand. In my State, it would be those businesses that are growing because of the increased demand for energy and the new technologies that are coming out, not only for oil and gas production, which is important, but also other sources of energy. In Ohio and Michigan, it could be those small business suppliers that are rallying around the emerging and strengthening automobile industry, which President Obama and the Democratic Members of this Congress had so much to do with salvaging.

Our business is not just throwing money against the wind. It is taking precious taxpayer dollars and targeting them to those businesses that are growing. That is why, as the chair of the Small Business Committee, I strongly endorse Senator SCHUMER's proposal over the proposal that came from the House of Representatives.

The House of Representatives' bill basically is taking $40 billion that we do not have—we do not have the $20 billion either but one is half the cost—taking $40 billion and throwing it at businesses, 50 percent of which, according to the CBO study, will accrue to the highest income earners in the country—over $1 million. It is not targeted. It is just about business profits, which are important. I know businesses are in business to make profits. I have no problem with that. We want our businesses to be profitable. But the Schumer proposal, relative to the Cantor proposal, is targeted to those businesses making a profit and reinvesting it in the business to grow—hiring workers and putting behind this recession we are coming out of—a recession because of poor policies of previous administrations—coming out of this recession to help grow the economy.

We can give tax cuts in a variety of different ways. If we had all the money in the world, maybe we could afford to do both, but we are not that fortunate. We have to make choices. That is what we do on the floor of this Senate every day, make choices, make distinctions between wise ways to spend money and poor ways to spend money.

I suggest, if we have $20 billion to spend, if everybody agrees we have at least that, that the Schumer approach is much more efficient, will be much more effective, will get much more bang for the buck than the Cantor approach.

I commend Senator SCHUMER for putting his bill on the floor, the Small Business Tax Relief and Job Creation Act of 2012. According to the National Economic Council, the tax credit would provide $20 billion in direct tax relief for businesses that hire new workers or increase wages, and it could encourage an additional $200 to $300 billion in new wages and jobs this year.

This tax credit, as I said, makes sense. It will help create jobs. According to the Congressional Budget Office report released last year, the CBO report from November of 2011, policies that have the largest effect on output and employment per dollar of cost in 2012 and 2013 are the ones that would reduce the marginal cost of hiring. That is exactly what the Schumer bill does.

Firms that make capital investments in 2012 would be allowed to deduct the full value of the investment on their 2012 return. We know this kind of targeted tax cut can spark demand that small businesses have been clamoring for. This tax cut is an extension of a tax provision that expires in 2011 and had yielded an estimated $50 billion in added investments and lowered the average cost of capital for business investment by over 75 percent, according to the National Council of Economic Advisers.

We have had a lot of experience in the Small Business Committee and in the Finance Committee, on which Senator SCHUMER serves, in the last couple years designing and implementing tax cuts for the middle class, tax cuts for the job creators. Again, if we look very objectively, considering the Schumer proposal costs half as much as the Cantor proposal and will probably do three times if not four times better, it is a no-brainer which one is more effective; that is, the Schumer proposal.

Our hope is if Senators come to the floor and begin to look more carefully at the Schumer proposal versus the proposal that came from the House, they will realize the benefit of the Schumer approach and give it the 60 votes we need to move it forward and will reject the Cantor approach as being too expensive relative to the other option that is on the table and much less effective. In the event the Senate decides to do neither, which might happen because there have been logjams around here for a while now, I have to say I was very proud of my colleagues BARBARA BOXER and JIM INHOFE for working to break the logjams in a spectacular way just 2 weeks ago on the Senate floor when they finally negotiated a 2-year transportation bill, the flood insurance bill, the RESTORE Act, and the student loan reduction bill, which is the remarkable work the Congress did last week.

In the event the Cantor proposal fails and the Schumer proposal fails, I am hoping to offer an amendment that the leadership is considering now that was put together by the Snowe staff and the Landrieu staff over the course of the last several weeks. The only name on this right now is mine, but it has been put together by a variety of Senators who have been working across the aisle for months on items that are very important to the small business community.

Again, we have 28 million small businesses in America; 22 million of them are single employers. In other words, they are self-employed professionals who are doctors, lawyers, landscape architects, architects, other service providers, network professionals, and IT professionals who are working in their own business and employ themselves. They are very valuable. We encourage entrepreneurship in America. We may have more entrepreneurs per capita than any place in the world. We believe in it and we are excited.

We are also excited for our businesses that start with two or three employees, and before we know it they have 200 or 300 employees. Then, when we close our eyes and open them, they have 2,000 employees. That is very exciting. We

call them the gazelles. We look for accelerating opportunities.

As I said, we put this package together with the significant input of Senator SNOWE and her staff, along with input from Senator KERRY, who has been an extraordinary leader in this way. Senator MERKLEY, Senator CARDIN, and a list of other Senators whom I am going to refer to have been working for years on some of these issues. I wish to make sure I give them the credit for these issues.

First in our package is the very popular and very effective 100-percent exclusion of capital gains for investments in small businesses. It was part of the small business tax extenders package. President Obama has recommended this and Senator KERRY is the lead sponsor, along with Senator SNOWE, on the Finance Committee.

Let me give a little background. Until 2009, noncorporate taxpayers were allowed to exclude 50 percent of the gain from the sale of the stock of a qualified small business if taxpayers held the stock for 5 years. The Recovery Act increased the 50 percent to 75 percent and the Small Business Act of 2010 subsequently increased it to 100 percent. As of January this year, it was reverted down to 50 percent and startup investments are no longer entitled to the preferred capital gain treatment.

Our proposal would basically take this up to 100 percent exclusion from the sale of capital gains that noncorporate taxpayers purchased in 2012 and 2013 and hold for 5 years. It has bipartisan support. As I said, Senator KERRY has been the lead advocate. Senator SNOWE has worked side by side with him, and along with Senator MORAN, Senator WARNER, Senator COONS, and Senator RUBIO have all called for this provision to be permanent. I wish we could make it permanent. This bill will not make it permanent, but we will extend it for another year and a half.

According to the Kauffman Foundation paper published earlier this year—and the Kauffman Foundation, for those who don't know, is the leading think tank. It is not political at all. It is just a middle-of-the-road, well-respected think tank on small business development. They published a paper earlier this year, the 100-percent exclusion ''boosts the after-tax returns on such investments in startups and should induce substantial levels of new investments in startup firms.'' They further estimate that making this provision permanent would increase risky investments by, conservatively, 50 percent more than the overall cost of the provision. So they are supporting this provision very strongly and would like to see it permanent, but we can only afford in this package to have it for the next year as we again build our way out of this recession.

I guess, from a conservative point of view, one of the good things about this provision—after we vote on the Schumer proposal and the Cantor proposal—it only scores at $4 billion. We get a tremendous benefit for a very small investment of taxpayer money, relatively speaking. Not that $4 billion is chump change, but compared to the $20 billion we are considering for the Schumer package and the $40 billion for the Cantor package, we think we can take that $4 billion and, similar to yeast, make it stretch and grow to affect a lot of people and to spur a lot of investment.

The next provision is the small business tax extenders, the increased deduction for startup expenditures. Again, this has been a Snowe and Merkley initiative. I think Senator MERKLEY has truly stood up to fight for this.

Under current law, taxpayers can elect to deduct up to $5,000 of startup expenditures in the taxable year in which they start a trade or business. The $5,000 is reduced—but not below zero—by the amount by which the startup costs exceed $50,000.

Examples of potential startup costs: studies of potential markets, products, labor markets or transportation systems; advertisements for the opening of a new business, et cetera; compensation for consultants who help get one's business started.

The Small Business Jobs Act temporarily increased the amount of the startup expenditures entrepreneurs could deduct from their taxes in 2010 from $5,000 to $10,000, with a phaseout threshold of $60,000. Senator MERKLEY fought to have this provision in the Small Business Jobs Act. This proposal has been repeatedly endorsed by the National Association for the Self-Employed and the National Federation of Independent Businesses.

As part of his ''Startup America'' legislative agenda, President Obama has called for making this permanent. Again, my amendment doesn't make it permanent, but it does make it effective through 2013.

According to a Kauffman Foundation survey, on average, new firms inject about $80,000 into their businesses during the first year of operation. The vast majority of small business owners—between 80 percent and 90 percent—also invest significant amounts of their own money. I wish to underscore this. The way this amendment came together is we conducted in the Small Business Committee—and had very good turnout—about three or four high-level roundtables, where instead of just having 2 or 3 people testify, we had 20 people at a roundtable show up. For 2 hours, in a very informal setting, they were answering questions, such as: What is the best thing we could do to help you now? What are the barriers to growth? What does a healthy ecosystem for small business look like and what could we do to strengthen and make healthier that ecosystem in America? That is where these ideas came from.

Of course, Senator MERKLEY picked up on some of this and understood. The Kauffman Foundation was there. They said that even though I have talked a lot on the Senate floor about how small businesses need to borrow money—and many do—when they start a company, they don't want to borrow money unless they absolutely have to because the chances of it not working are pretty significant. Most new startups fail, and so people do not want to go into debt unless they have to or unless they are a little bit more sure their idea is going to work.

The benefit of this proposal is that we are actually rewarding the risk-takers who are digging into their savings and taking second mortgages out on their homes and putting some of their other savings at risk behind their idea. What we are saying is if they do that, we will give a significant tax break, considering it costs about $88,000 to start an average business. So this is targeted to those risk-takers. It is not just taking money out of the Treasury and throwing it at all small businesses. It is taking that money—and this is only $4 billion total—and saying: Ok. Let's target it to those individuals who are putting their lives on the line. They are putting their livelihood on the line and their future on the line. What can we do to support them? I am a very big believer in this provision, and I thank Senator MERKLEY for bringing it to us.

I see Senator CASEY and Senator SHAHEEN are on the Senate floor to speak and that my time has expired. Since I am going to be on the floor most of the afternoon explaining this amendment, I would be happy to yield the floor.

I see Senator SESSIONS is here and ask unanimous consent that Senator CASEY speak for 10 minutes, Senator SESSIONS for the next 5 or 10 minutes and Senator SHAHEEN for 5 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. SESSIONS. Madam President, if the Senator would make that 10 minutes, I think that will be fine.

Mrs. LANDRIEU. I will amend that to 10 minutes each in the order of Senator CASEY, Senator SESSIONS, and Senator SHAHEEN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Pennsylvania.

Mr. CASEY. Madam President, I wish to commend the senior Senator from Louisiana not only for her work on this legislation but for her many years laboring in the vineyard, so to speak, on small business issues and job-creation strategies to help our small business owners across the United States.

I rise to speak about this legislation as well because when I go to Pennsylvania and travel across our State, I get two basic messages from the people of our State. They are very clear. They say two things: First, work on job creation. Put your time into putting in place ways to create and incentivize the creation of jobs. The second message is work together and get things

done. Work with people in both parties to move a strategy forward to create jobs.

I think this legislation does both. It is focused on creating jobs, especially as it relates to our small business owners and their workers and their communities, but it also is a way to bring Democrats and Republicans together to create jobs. The Small Business Jobs and Tax Relief Act will, indeed, help small businesses hire people by reducing the cost to small firms of bringing on a new worker or increasing their hours or pay. The economics of this are clear and compelling. By providing small businesses with new incentives to hire, we can create jobs and bolster economic recovery.

Small businesses are at the center of the economy of the United States and are vital to our recovery. I know in Pennsylvania there are nearly 250,000 small businesses. Four out of every five firms in the State are small businesses. This legislation is commonsense legislation and I hope will have strong bipartisan support when we vote on the bill itself.

It includes a business payroll tax incentive similar to legislation I introduced back in the year 2010 that will make it easier for small businesses to grow and to encourage economic growth throughout the country. It will give businesses a 10-percent income tax credit on new payroll for hiring new workers or increasing employee wages. It is, in fact, targeted legislation. It is targeted to small business owners. It is because it is capped at $500,000 per firm or 10 percent of a payroll increase of $5 million.

In addition to being targeted, it is timely. It will be available immediately for any new hires or increased wages for the remainder of 2012.

Thirdly, it is very effective. The Congressional Budget Office, known around here by the acronym CBO, said a tax credit based on increased payroll would create the most jobs and have the greatest positive impact on America's gross domestic product when compared to other job creation policies that have been proposed. Under this legislation small businesses that hire a new worker would, on average, see more than $4,000 in tax savings per worker hired. That is a substantial help to a small firm, and people can just do the math as they hire more than one person. That is a smart step in the right direction to help these small businesses themselves as well as boost job creation throughout our country.

As the chairman of the Joint Economic Committee, our committee just produced a report recently—I know my colleagues can't see all the lettering on this report I am holding, but it is a very simple report that is just a couple of pages—outlining in very clear fashion the impact that small businesses have on our economy in terms of the predominance of small businesses when we consider businesses across the board. The name of the report is ''Tax Incentives for Small Business Hiring and Investment: Strengthening the Backbone of the Economy.'' In fact, that is the truth. The backbone of the American economy is our small business sector.

The report finds that enacting a tax credit for businesses that hire additional workers or increase the hours and wages of existing employees will help both sustain and accelerate the recovery. Across the Nation, 79 percent of business establishments are either single-establishment businesses with fewer than 100 employees or are parts of multi-establishment companies with total employment of under 100 employees.

Small businesses are responsible for more hiring in the U.S. economy than medium-sized or large businesses. As the labor market has begun to recover, small businesses have led the way again and again. If we look at the time period of February 2010 to February 2012, small establishments were responsible for 46 percent of the hires versus 34 percent for medium-sized businesses and 20 percent for large establishments.

This is a critical point: Small firms accounted for nearly half of the hiring from early 2010 to early 2012. Small businesses truly are the engines that power our economy.

The recent monthly unemployment reports, which show job growth at a slower pace than earlier in the year, underscore the need to provide new incentives to hire and invest in businesses. Many small firms want to hire more workers, and they also want to increase hours. This legislation will help them do that.

In addition to the payroll tax credit, the legislation will extend the 100 percent depreciation deduction for major purchases through the end of 2012 so that businesses that want to make a big investment—a new building, a new significant piece of equipment—can get the benefit of that this year. An extension of this business expensing would reduce the cost of investment and promote economic growth.

So, in summary, the Small Business Jobs and Tax Relief Act would help create jobs and strengthen the economy and move our recovery forward. These are objectives we all share. I hope we can move forward in a bipartisan manner to pass this legislation because, in the end, it meets that two-part test my constituents give to me every day; that is, they want me to do everything I can to help create jobs, and they want me to do it in a bipartisan way. This legislation, in fact, does this.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

HEALTH CARE

Mr. SESSIONS. Madam President, this afternoon the House of Representatives voted 244 to 185 to repeal the President's health care law, the Affordable Care Act. It was a bipartisan vote. A number of Democrats voted in support of the law, although not as many as voted originally to pass it, because a lot of the Democrats, even those who voted against it, got shellacked in the last election, and it was a pretty rough, intense debate.

The American people never felt comfortable with this legislation. I believe it will be repealed. I do not believe it will be implemented. The reason is, whether one likes it or not, we simply do not have the money.

I wish to talk about that today. I am the ranking Republican on the Budget Committee, and I wish to share some thoughts with my colleagues as we wrestle with what to do on health care and how to undo the legislation that passed by the narrowest single margin in this Senate on Christmas Eve and was based on false accounting.

President Obama promised, before a joint session of Congress in 2009, to spend $900 billion over 10 years on the law. He said:

> Now, add it all up, and the plan I'm proposing will cost around $900 billion over 10 years.

$900 billion is a lot of money. It is almost twice the defense budget.

The President went on to say in support of this health care legislation that it would reduce the debt of the United States. We are going to add all of these new people to the insurance rolls, and it is going to pay for itself and reduce the debt. No one really believed that, but that is what the arguments were and the representations that were made.

But once we add up all the different spending provisions in the health care law, including closing the doughnut hole, implementation costs, including all of those IRS agents and other spending in the legislation, the total gross spending for the law over the 2010–2019 period—the 10-year budget window used at the time it was enacted—was actually $1.4 trillion. I will just show this to my colleagues with this chart because it is very important. The President promised the American people in his speech before a joint session of Congress that it would cost $900 billion. People knew it would cost more. But even then, in the initial 10 year budget window, as he proposed, when we count up all the spending in the Congressional Budget Office estimates of the legislation, including the enforcement mechanism through the IRS agents, closing the doughnut hole and other spending in the law outside of the major coverage provisions, the law spends $1.4 trillion over that same 10 year period. That is almost 50 percent more right there. I think that fact is indisputable. I will ask my colleagues to come tell me if I am wrong.

I would just note parenthetically, one of the most important components of health care reform should have been resolving the doc fix. Under current

law, we are projected, without legislation that takes effect, to reduce Medicare payments to doctors by roughly 30 percent by the end of this year.

At the time the health care law passed, the cost of a permanent doc fix added up to about $200 billion to $250 billion over a 10 year period. Democrats originally included the doc fix in earlier drafts of the bill. But in the end when they looked at the numbers, if they included the doc fix—which is critical and needs to be fixed permanently; not continuing to hang out there every year and to be fixed by borrowed money—then the bill couldn't have continued in surplus. In fact, according to the Congressional Budget Office, it wouldn't continue to be paid for as the President was saying. So they just didn't do it. They just decided they wouldn't fix one of the most important issues in health care, and it remains that way today.

So, as I work through this, we are using nonpartisan Congressional Budget Office numbers.

Most of the major spending provisions in the law, as our colleagues should know, do not take effect until 2014. So the true 10-year score should be 2014 through 2023. That is the 10-year window of full implementation. How much will the bill cost then? Each year it goes up because until 2014 we don't really see a 10-year full cost of the legislation.

So what Democrats did was—and the President deliberately did, with help from his OMB Director, Mr. Peter Orszag—they manipulated CBO's scoring conventions. In the initial 10 year budget window they only included 6 years of spending on the major coverage provisions so that CBO would appear to score it over 10 years and say it would only cost $900 billion. That delay tactic was a pure budget gimmick. So we can look at this chart and see that from 2014 through 2023, each year these red lines represent a situation in which we are closer and closer to 10 years of full implementation and how much the cost will be.

So we go from 2014, and the next 10 years, as the bill is fully implemented, and it will cost $2.6 trillion, almost three times the amount the President promised it would cost.

So people ask: How do we get in a situation where we are borrowing 40 cents of every dollar we spend? This kind of deception. A CEO in a court of law would go to jail if he proposed using that kind of accounting in his business practice and asked people to invest in his stock.

Analysis by my staff on the Budget Committee, based on the estimates and growth rates the Congressional Budget Office utilizes, finds that the total spending under the law, including the other spending not directly related to the coverage provisions, will amount to at least $2.6 trillion, and could be much more.

Now, how did they get this done? It is a sad state of affairs, frankly. The Obama administration, Mr. Orszag, the Office of Management and Budget Director who works directly for the President, also asserted that ''health care reform is entitlement reform.'' In other words, this is going to fix an entitlement danger—the problems we have with Medicare, Social Security, and Medicaid; entitlement programs, each one of which are growing at fast rates that are unsustainable, that will head to bankruptcy in the years to come.

However, a simple comparison of the Federal Government's unfunded obligations for health care programs, before and after the health care law was enacted, clearly proves that the President's health care reform is not entitlement reform. It will not improve our long term spending trajectory. It will not make these programs more viable in the future. It did not put Social Security, Medicare, or Medicaid on a sustainable path. Those programs remain disastrously unsustainable.

The President does not even talk about that any more. Here we are running into a reelection campaign and the country is facing a colossal financial danger from unsustainable debt, and the President would not even talk about it. He says things are getting along fine. I think it is a failure of leadership for him not to talk honestly with the American people about our fiscal challenges.

So before the President's health care law was enacted, unfunded obligations for the Federal health care programs totaled $65 trillion over a 75-year period. That is how much we are going to run short in money to pay for the obligations we have incurred under Medicare and Medicaid—and some other programs, but those are the big ones. After the recent passage of this health care bill, however, the figure, according to my staff's estimates, has gone up to $82 trillion. So the difference in the two numbers is what has been added to the unfunded liabilities of the United States. By the way, $17 trillion is 2½ times the unfunded liabilities of Social Security, which is $7 trillion.

If my colleagues think I am in error about any of these numbers, I hope they will correct me. Perhaps I am, but we work hard to be accurate about them, and I don't believe I am off in any substantial degree.

The bottom line is this: We cannot afford this law and the additional burden it places on our country's finances.

We must repeal this health care law in its entirety and replace it with reforms that will improve our finances and reduce health care costs for Americans, not drive up their costs. This bill, whether you like it or not, will not be implemented. We simply do not have the money. At this time of high unemployment, and almost no growth, it will be hard to do the things that are necessary, that we have to do: fix Social Security, fix Medicare, provide for the common defense. Those things have to be done. We have no money to pay for a $2.6 trillion program over a 10-year period. We have to save these programs we are committed to first.

The President's health care law will not be fully implemented until 2014. It is not too late to stop it now. And we are going to have to, simply because the finances of this country will not allow for it to go forward.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mrs. SHAHEEN. Madam President, I am pleased to come to the floor this afternoon to join my colleagues, Senator LANDRIEU and Senator CASEY, in talking about the importance of addressing some of the concerns that face small business.

Senator CASEY said something that I think is very important. He said, when he goes around Pennsylvania, one of the things he hears from his constituents is that they expect us to work together here in Washington, in the Senate, in Congress, to get things done for the people of this country. I hear that from my constituents. I am sure the Presiding Officer hears that from her constituents. People throughout the country expect us to work together, and they want to see us address the economic challenges we are facing in this country.

Well, one of the best ways to address the fiscal issues we are facing is to be able to grow this economy. Nothing is more important to growing the economy, to creating jobs, than small businesses.

Senator CASEY talked about the recent report that came out from his congressional committee talking about the importance of small business. The fact is that over the last decade, businesses with fewer than 250 employees accounted for nearly 80 percent of all new hires. Economists tell us that about two-thirds of the jobs that are going to be needed to get us out of this recession are going to come from small businesses.

In New Hampshire, small businesses are particularly important. We are a small business State. Over 95 percent of all New Hampshire companies have fewer than 500 employees. About 85 percent of New Hampshire companies have fewer than 20 employees.

We have to look at how we can help those small businesses continue to grow.

Yesterday afternoon, I met with a group of small business owners from New Hampshire. They were all owners of construction companies. The construction industry in New Hampshire has been one of those industries that has been hardest hit in our State, and these businesses still need help. These business owners need help if they are going to be able to keep their businesses prospering and create jobs.

The legislation that is before us, the Small Business Jobs and Tax Relief Act, will help these small businesses.

The Landrieu amendment that I want to speak specifically to is critical as we look at how we can provide additional help to these small businesses. I want to talk specifically to two provisions that are in the Landrieu amendment, also known as the SUCCESS Act.

The first one would deal with export issues. What I have learned, as I have been working with business and looking at how we can improve our economy and help create jobs, is that giving those small businesses access to international markets is critical.

What we know is that about 95 percent of the markets are outside of the United States, and yet only 1 percent of our small and medium-sized businesses actually export. So what we have to do is help in every way we can through our policies to give them access to those international markets.

Senator AYOTTE and I both serve on the Small Business Committee. We represent New Hampshire. Last year we held a field hearing in New Hampshire, and we heard from small businesses in our State about what we can do here in Washington that might help them export. As a result of what we heard, we have introduced some stand-alone legislation. But provisions in that stand-alone legislation have been incorporated into the SUCCESS Act—the amendment that Senator LANDRIEU is going to be offering.

Those provisions would help our small businesses. One, they would improve governmentwide export promotion. Right now we have a lot of independent silos, independent efforts that exist in different agencies to help small businesses with exporting. What we want to do is provide more coordination among those independent programs.

It would also increase State events that are targeted to help small businesses export. Both provisions, as we heard from our small businesses in New Hampshire, are important to them, as they think about what they can do to improve their chances of exporting, getting into those international markets, and having the jobs that can be created as a result.

So that is one of the provisions in the Landrieu amendment, the SUCCESS Act, that I think is very important. Senator AYOTTE and I and our staffs have worked very hard on this.

Another provision that again is from stand-alone legislation that was introduced by Senator LANDRIEU, Senator SNOWE, Senator ISAKSON, and myself—so it is also bipartisan legislation—would extend the 504 refinancing program through the Small Business Administration.

As I go around New Hampshire, I still hear the small businesses in my State saying that they are still having challenges accessing credit. Well, extending the 504 refinancing program is to me a no-brainer as we think about how we can give those small businesses access to credit. What these provisions would do is extend for a year and a half the ability for the Small Business Administration to continue refinancing short-term commercial real estate debt into long-term fixed-rate loans, again, through the existing 504 loan program—something that makes eminent sense, something that we ought to do.

So those are two provisions I have worked on specifically with other Members of this body. They are provisions that are bipartisan. I think they have a lot of support. If we can get this amendment to the floor, I think there will be a lot of support for it. And it reflects all of the provisions of the SUCCESS Act that Senator LANDRIEU has been putting together.

Again, I want to end with where I started; that is, the people of New Hampshire and the people of this country expect us to work together to address the issues facing the country. Nowhere is that more important than in what we need to do to help create jobs and helping small businesses have the support they need so they can create the jobs that are going to get us out of this recession. Providing long-term help to those people who are unemployed is absolutely critical. This legislation would help do that. I hope our colleagues, when it comes to the floor, will decide this is one more way we can help small businesses create jobs and grow this economy.

I thank Senator LANDRIEU for her leadership and Ranking Member SNOWE on the Small Business Committee for her leadership and hope we can move this legislation forward this week.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I thank my colleague from New Hampshire for not only being such an aggressive and fine and thoughtful member of the Small Business Committee, but for her constant encouragement to me and to Senator SNOWE to try to pull together some of the ideas that we all can agree on and move forward.

It may not be the most perfect package, it may not be the most extensive package, but as the Senator from New Hampshire said, it is a package that most all of us can agree to, and it has a pricetag of only $4 billion.

That is a lot of money. But compared to the Republican proposal that has come over here from the House at $40 billion, and the Schumer proposal, which I support because it is much more targeted and much more responsible at $20 billion, this $4 billion amendment could have a tremendous bang, a tremendous leveraging power for its cost. And the two proposals Senator SHAHEEN explained beautifully actually have zero cost because the 504 program is a program that pays for itself. All we are doing is extending its authorization so people—and there are thousands of them in Louisiana, in Rhode Island, in New Hampshire, and other States—who are caught paying higher interest rates on short-term loans for commercial buildings—and I am sure we all know someone in that category—can now, if this amendment passes, go to their local bank—it is not a government program; it is a partnership with the local banks and through the SBA—and refinance their building and get a longer term loan.

In fact, I am told that this program, this 504 program, is basically taking up the majority of the space in this lending, that still the lenders are very weak. They are not extending credit out in a long fixed rate. They are lending short term. They are lending with adjustable rates. As the Presiding Officer knows, and many others, when a person is starting a small business and taking so much risk, one risk that can be eliminated is the cost of their money. It is very comforting to a small business owner—who has to borrow, who does not have the savings or has run through their savings or the equity in their home and they have to extend and take that risk—to be able to have a fixed, longer term rate.

So again, this proposal came from Senator ISAKSON, who truly is acknowledged as the expert in this entire Chamber on commercial real estate and on residential real estate. He is known and respected on both sides of the aisle. This is his proposal with Senator SHAHEEN. I thank him for his leadership.

Also, the Senator spoke about the export coordination. Again: zero cost; just smarter government, at no cost. We need more of that around here: smarter government, less spending. That is what Senator SHAHEEN's proposal does, which is a portion of this amendment, the Small Business Export Growth Act.

Let me reiterate that 95 percent of the world's customers are located outside of the borders of the United States. It might be shocking to people in America to realize this, but we represent only 4 to 5 percent of the population of the Earth. We think of ourselves as the biggest and the best, and we are the best. We are not necessarily the biggest when it comes to population, though.

So there are growing markets all over the world. Mr. President, 95 percent of our customers and a majority of the market are outside of the boundaries of the United States. What we are recognizing is, right now only 1 percent of the 28 million small businesses in America export. Why would that be? One, it can be intimidating for a small business, even though they have a great product, they have a great idea, they have great technology. And India needs that technology or some countries in Africa might absolutely want that product or that service. The small businesses are intimidated. They do not have the accountants, they do not normally have access to high-powered, expensive lawyers and trade executives and experts. So that is what our government—and, frankly, State governments are doing this. Smart governments at the State level—whether it is

California, Oregon, Louisiana—all States are now recognizing: Gee, we need to get behind our small businesses in our State and help them to export.

I was very proud to put a substantial investment in the jobs act of 2010, which gave competitive grants to States. And it is remarkable; just a little bit of investment at the Federal level is leveraging a tremendous amount of excitement at the State and local level as those governments accept those grants and then put them to work.

In Louisiana, our department of economic development has been very aggressive in using its step grants. So, again, this is not an additional grant program. This Shaheen-Ayotte proposal has no cost. It is perfecting, coordinating this export initiative by establishing an interagency task force between the SBA, the USDA, and the Ex-Im Bank. It is really encouraging cooperation that now does not exist at the Federal level and requires the SBA, in coordination with other agencies, to conduct one outreach event in each State per year, which I think would really help to motivate our State governments and our stakeholders at the State level to be helpful.

Let me go back to the beginning. We have the SUCCESS Act amendment. I talked earlier about 16 provisions in this amendment. We talked about the 100-percent exclusion of capital gains. We have talked about the increased deduction for startup expenditures, which is Senator MERKLEY's provisions.

Now I want to talk about the S corp holding period. This has come out of the Finance Committee. Senator SNOWE and Senator CARDIN have been very strong advocates of this provision. Under current law, when a corporation becomes an S corporation—and there are, of course, benefits to becoming that kind of corporation—right now it is required to hold its business assets for 10 years or pay punitive taxes. In our mind, this 10-year holding period is too long. It ties up assets that could be sold to raise capital. In 2010, in our small business bill, we reduced this holding period to 5 years so businesses would be better able to manage their planning cycles. So this proposal is to extend the 5-year holding period through 2012 and 2013. You know, potentially, if we could afford it, we would like to make this proposal permanent, but in the Landrieu SUCCESS Act amendment, it would extend it through 2012 and 2013 and has a minimal cost.

The next provision is a carryback provision—up to 5 years of general business credits. This is a proposal about which Senator SNOWE feels very strongly. The proposal would extend the carryback period from 1 year to 5 years for general business credits earned in 2012 and 2013. It would provide tax refunds to businesses that were previously healthy but are currently running losses.

The proposal would improve the effectiveness of business credits that are intended to expand investment and employment. The provision would allow businesses greater immediate benefit from credits designed to encourage specific types of activity. By providing businesses with greater opportunity to claim business credits, the provision would also give an infusion of cash to businesses, which might promote investment. So that is another provision of our SUCCESS Act.

Section 179 is probably the most popular part of our amendment and, again, Senator SNOWE has championed this in the Finance Committee. Many Finance Committee members are completely aware of section 179 in the Tax Code, which deals with expensing that many restaurants and retailers use. Basically, it provides a credit for them if a small business buys machinery and equipment or property contained in or attached to a building other than structural components, such as refrigerators, grocery store counters, office equipment, gasoline storage tanks, pumps at retail service stations, even livestock, including horses, cattle, sheep, and goats, other fur-bearing animals—all of the equipment or products or purchases small businesses make to run their businesses. This would allow an immediate writeoff of up to $500,000 for this kind of property. So, again, it is $2.3 billion over 10 years. It is the most expensive part of this whole amendment, but we think it is $2 billion well invested to encourage those small businesses to make these investments now, to get jobs and expansion opportunities underway.

Twenty-six national business groups, such as the NFIB, the U.S. Chamber of Commerce, the National Association of Home Builders, and the National Association for the Self-Employed, have endorsed this and have sent a letter to us with very enthusiastic support.

The next section is expanding access to capital for entrepreneurs. This was actually mentioned in President Obama's State of the Union Message to us when he talked about his small business proposals. He outlined maybe half a dozen things, a few of which we have implemented and a few of which we have not yet implemented. This was on his bucket list, if you will. And I am a strong proponent of this provision.

We created a small business investment company in a bipartisan way decades ago. It has been one of the most successful programs created to spur business development in the country. It basically operates on a sustainable level and does not cost the Federal Government anything. It is like venture capital—not really like venture capital—it is like an investment; not a bank but a nonbank investment company that was created many years before I became chair of this committee. It is something that was done through Democratic and Republicans administrations because it worked.

All this does is raise the statutory cap from $3 billion to $4 billion, and it increases the amount of leverage of licensees from $225 million to $350 million. They are bumping up against that $3 billion cap. It has been very successful. We would like to take it to the next level. And, of course, some of the most successful funds within SBIC are bumping up against their $225 million cap per fund. So this is one of the great ideas that came out of our roundtable. Again, not only does President Obama support it, it has my strong support and Senator SNOWE's, the ranking member of the Small Business Committee.

The next provision would be the SBA 504 refinance. This extends for a year and a half the ability of the SBA 504 Loan Program. We talked about this. Senator SHAHEEN spoke about this, and I have already explained it. So this is really the Isakson-Shaheen-Snowe proposal.

The next is the small business lending activity index. This is something I have put forward. We have talked with the banks and the SBA. They are all on board and accepting of this concept. It is a way to measure the small business lending activity that is being done at the city-State level through the 7(a) and 504 Lending Program.

It was very curious to me, when I became chair of this committee, that we did not have the measurements in place to actually judge whether some of our programs were really working. Were they working really well or working moderately or were they very weak? So I have instructed my staff and we have been working together to see in every way if we measure and really record the activities of the Small Business Administration. It is only a $1 billion agency, one of the smaller agencies of the government, but that billion dollars comes from taxpayers and we want to make sure that money is spent well and wisely.

So this legislation, again, is at no cost. It can be done within the current budget. It will be called the lender activity index. It will be posted on the SBA Web site. It will have the name of the bank, the number of SBA loans made by each bank, the total dollar amount of SBA loans, the ZIP Code of bank activity, the industries lent to, so we can sort of see how our banks are lending and to what areas, the stage of the business cycle, and then whether it was a woman-owned, minority-owned, or veteran-owned business, if that information can be obtained. It is very simple. We made sure the language is easy for the banks. They already have to report this data; it is just not in a useable format. This will require them to put it in a useable format.

The next is access to global markets. This is what Senator SHAHEEN spoke about. So the major part of this bill is tax cuts to businesses and then some oversight of the SBA, tightening up, coordinating our export strategy. And then the next and final part of this—or next to last part of our amendment is basically access to mentoring, education, strategic partnership.

In our roundtable—I am not going to go into all of the details of these items, but the bottom line is that in our roundtable, experts—business owners and the Kauffman Foundation and others—came to us and said: Senator, you are right, businesses need capital. You are right, we need access to global markets. You are right that we need a fair tax code. But what businesses also need is technical advice and support and training, and we need more education, entrepreneurship education.

The Small Business Administration is not the education agency, so we have been very careful not to mission creep. We have designed a couple of proposals that can encourage better activity within the SBA to form partnerships with nonprofits and even for-profits, not-for-profits, and schools to promote entrepreneurship appropriately. The Federal Government can be a model. It is only one model. But we believe technical training is important. We have partners already established—the women's small business centers and minority business centers. Getting them to be more effective and providing additional counseling is very important.

Finally on this amendment, access to government contracting is another method for small businesses to be able to grow. Governments—whether it is Federal, State, or local—are huge purchasers of goods and services, and if our contracting laws are right and if they are enforced, then small businesses in America will have an opportunity to get started by competing for government contracts or to grow by receiving government contracts. And they are more likely to grow. If a big business gets a contract from the government, they can sometimes absorb that contact and make their company more efficient, giving more work to the people who are already there. And there is nothing wrong with that; that is business. But when a small business gets a government contract, most of the time it results in additional hiring because small businesses have to be lean and agile. So they might have five people but they have a lot of expertise. They land a contract from the government that they are most certainly qualified to do, and then they have to hire. So they have to hire 10 people to carry out that contract, which is why I have been very supportive—Senator CARDIN has been a champion on this issue and Senator LEVIN as well—of giving small businesses an opportunity for contracting. That will really help.

In conclusion on this amendment—I see other Members coming to the floor. I wish to speak for another 5 or so minutes. I came to the floor today to support the underlying bill, which is the Schumer tax cut provision that is targeted tax relief to small businesses in America. I hope our Members will support that.

If for any reason they don't support that, or even if we do, we will still have an opportunity, I hope, to vote on the Landrieu amendment. I say that humbly because this amendment has been put together by Senator SNOWE and her staff with me and members of the Small Business Committee on both sides of the aisle. We picked up some great ideas from individual legislation that had been filed, and it got unanimous consent and review, talking to many people.

So we don't believe it is controversial. We know it doesn't cost that much—$4 billion—and we believe it will have a tremendous and immediate impact on small businesses in America.

I wanted to give that explanation. We have received a tremendous amount of support today from a variety of organizations.

I see my colleague on the floor. I will yield the floor at this time and perhaps will take a few more minutes before 6 o'clock.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I am awaiting Senator DURBIN and Senator ENZI. I will be happy to listen to the Senator from Louisiana if she would like to continue for a while until they come. I plan to speak for a few minutes after they speak on a different subject.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, there are a few other things I would like to say.

I wanted to take a minute to respond to something that Senator RUBIO said earlier, and Senator SESSIONS, while I was on the floor. I have great respect for those two Members, but he came to the floor with a fairly critical diatribe, if you will, against some of President Obama's policies. I have not been a great supporter of the President's energy policies, and I actually appreciate some of the views Senator RUBIO holds about the fact that we need to drill more in this country.

I want to show something I think Florida should be mindful of and suggest that the Senator from Florida could start making that speech at home in Florida because Florida is one of the States that virtually produces no energy, from any source. It has been a bone of contention with me for many years that we have had Senators come to the floor and talk about what so-and-so doesn't do and what so-and-so doesn't do.

I want to remind the Senator from Florida that the gas that keeps the lights on in Florida actually comes from the Mobile Bay. These are the pipelines that Mississippi and Alabama and Texas—9,000 miles of pipelines and drilling—have off of our shore and onshore to provide gas and lights to Florida.

This is a chart that is very interesting. Before America can be energy independent or energy secure, each State should be energy secure, or each region. The country is not made up of smoke and mirrors; it is made up of 50 States. If every State and every region would do its part, either producing or conserving or a little of both, we could actually get there. But I get a little tired of the lectures criticizing us—particularly from States that neither conserve nor produce.

California gets a little bit of a break, even though they consume more energy than any State. They are a net consumer of energy. We are down here, a net producer. The States that produce more energy than they consume are Wyoming, West Virginia, Louisiana, New Mexico, Alaska, Kentucky—and North Dakota should be on here now because this was some years ago. Probably Montana also would be on here now.

The Senator from Florida is coming and lecturing everybody about producing, and his own State produces virtually nothing and consumes everything. I wanted to say that I find that offensive. California gets a little bit of a pass from me because if we look at another chart, they do more to sort of consume energy through government regulations, which I know the other side doesn't like. They think we don't need any regulations, and that is their view. California has a lot of regulations—maybe too much for me as well—but they are doing a lot to conserve. Florida doesn't. Maybe if Florida started doing a little drilling, it would help the United States to be more energy independent.

My second point: I want to answer something Senator SESSIONS said. I will try to find my document on that in a minute. Senator SESSIONS came to the floor a few minutes ago and talked about the cost of the health care bill. The health care bill has some expensive components to it. The purpose of the health care bill, remember, Mr. President—because the occupant of the chair was in the middle of that battle—was designed to reduce the overall cost of health care for the Nation because the percentage of the gross national product going to health care was moving up dramatically and frighteningly—from 12 percent a few years ago to 14 percent, to 16 percent, and it was on its way to 19 percent. It was on its way to 19 percent before Barack Obama got sworn into office.

I am getting tired—and the American people are getting tired—of the same diatribe coming from the other side of the aisle about how the cost of the Affordable Care Act is causing the country to go off the edge. This country was going off the edge before President Obama even became President. They know that. But they are just bound and determined to keep talking about the same old thing day in and day out, about how the Affordable Care Act is wrecking America. The only thing wrecking America is their stubbornness.

I want to put this into the RECORD. When President Clinton was President, as you know, it was the last time we had a surplus. It was the Republican President and the Republican leadership that turned that surplus into a

deficit. The ship had already hit the iceberg before President Obama took his oath of office. Now they want to blame the entire deficit on the Affordable Care Act.

When the Affordable Care Act is implemented—now that the Supreme Court has said it is most certainly constitutional—instead of fighting it every step of the way, it would, in the long run, save money.

They want to talk about this tax, tax, tax, tax. I want to call what they do the ''no care tax,'' because that is the Republican position. Before there was the Affordable Care Act, people in America were losing care rapidly. Small businesses were dropping their insurance. They could not afford it anymore. These premiums have been going up for a long time. The Affordable Care Act didn't drive the premiums up; they were going through the ceiling. We had to do something to try to stop it.

When President Obama came into office, and we saw that the trends were going up, in our efforts to try to get the budget back into balance it was obvious that we had to do something with health care. But they keep talking about tax, tax, tax. I remind them that before we passed the Affordable Care Act, there was a tax on every insurance policy that people in America had because it was a tax for the uninsured. It was about $1,200. That tax was on the backs of the American people before President Obama ever became President, before we even began debating the Affordable Care Act.

The other cost that was going on in this country was the people who didn't have Medicare, who didn't have Medicaid, and didn't have insurance—and it was a rising number of people without insurance. And as States cut back on their Medicaid, a rising number of people who didn't have Medicaid went to our hospitals, our private hospitals, our public hospitals, and our not-for-profit hospitals. Do you know what the Republicans want to tell them. Just treat those people for free. There is no one to reimburse you for this cost. Medicaid will not reimburse them because they are not 65. They don't have private insurance. And the Governors cut back on Medicaid because they can't bear to go look for some tax loopholes that people might not need in order to provide working Americans with health care.

They are too busy campaigning for their next election, so they told all the hospitals: You all go ahead and take care of these people for free. So when a non-paying customer went to a hospital, whom do you think picked up the tab for that? The paying customer.

So before President Obama became the President, before we started trying to figure out a way out of this terrible mess, there was a huge tax on the backs of the American people and a huge debt having to be paid every year by every hospital in America. Why don't they talk about that? They don't.

I hope the American people will listen because I am so tired of that same old speech. I have heard it for 3 years—before the debate, during the debate, and I guess we are going to hear it up to the election. I hope the American people will listen. Don't let them talk about the tax that is supposedly in this bill. The Affordable Care Act is alleviating a tax burden. It alleviates a terrible tax burden, an invisible tax that has been on the American people, and a heavy burden on the backs of the taxpayers—and immoral in some ways, as well—with working Americans working 50, 60 hours a week, and when they get sick, they have nowhere to turn.

Instead of putting their proposals on the table, they decided they wanted to block and tackle and stop and not contribute anything. I think the country will make a good decision. I think the country likes the fact that their kids can stay on their health care plan until they are 26, and they like the fact that when they get sick with cancer or diabetes they cannot be kicked off their health insurance. Particularly businesses would like it if the States would step up and cover some of these lower wage workers, and the burden would not fall on us.

For every Governor—and mine may be one—who rejects the expansion of Medicare, who do they think has to pick this up? It is the small businesses.

The burden should be shared for our lower income workers broadly, not on the backs of businesses that are struggling. That is the way we designed this program. The Federal Government said: We know it is tough. We know it is an expansion. Do you know what. We will pick up the 3 years 100 percent to give you some time, to help you so you can look at your Tax Code, and you might be able to find out and let me get this one more thing off my chest. Who made up the rule that the Federal Government is in charge of the health of every American citizen? Do Governors have any responsibility for health? Are we supposed to just do everything up here? Do mayors and Governors have any responsibility for the health and welfare of the people they serve? I suggest the Governors—some of them—get off the campaign trail, get back to their offices, and start putting health care legislation together—particularly some of the Republican Governors.

I am glad I said that. I am happy to turn over the microphone. 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. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MARKETPLACE FAIRNESS ACT

Mr. ALEXANDER. Mr. President, I have come to the floor in support of Senator ENZI of Wyoming, Senator DURBIN of Illinois, and a group of other Senators and House Members who are working on legislation called the Marketplace Fairness Act.

I am going to let them do their own speaking. I am their chief self-appointed cheerleader. Senator ENZI has been working on this ever since he has been in the Senate. He has a special passion for it as a former owner of a shoe store in Wyoming.

Let me see if I can phrase it this way. If I were to ask the question, What do Governor Chris Christie, Governor Mitch Daniels, Governor Jeb Bush, Governor Haley Barbour, Al Cardenas, chairman of the American Conservative Union, Governor Bob McDonnell of Virginia, and Governor Paul LePage of Maine all have in common, one might say they are all Republicans, and that is true. One might say they are all conservatives, and that is true.

The other thing one could say about those Governors and Republicans and conservatives is that they all support the Enzi-Durbin Marketplace Fairness Act. What is the Marketplace Fairness Act and why do they support it? The Marketplace Fairness Act is an 11-page bill about a two-word issue, and the issue is States rights.

The reason I am such a strong supporter and a cosponsor of what they are doing is because when I, in my former life, used to be Governor of Tennessee, nothing would make me angrier than Washington politicians who would try to tell me what to do about my own business. We have a legislature in Tennessee and in Wyoming and we have a Governor and we know what services we want and we have a range of options of taxes to pay for that. It was always my position we could make our own decisions about how to do that.

What Senators ENZI and DURBIN and others of us are saying is that States have a right to decide what taxes they impose and from whom to collect them. If the States of Tennessee or Wyoming say: We are going to have a sales tax and we are only collecting it from half the people, it has the right to be wrong. That is what I mean by States rights.

If I were in Tennessee, I would say: Surely, you will not have a State sales tax and only collect it from some of the people. You would collect it from all the people who owe it. Surely, you will treat all your businesses that are in a similarly situated situation the same way. That would be my position if I were Governor or in the legislature, but I will let them decide that.

What we have advanced in the Senate, which has 13 cosponsors, is a piece of legislation that makes it clear States can decide for themselves whether to collect State sales taxes from some of the people who owe it or from all the people who owe it. I will give an example and then I will sit down and listen to Senator ENZI and let him talk.

This past week I had a birthday, and my wife gave me an ice cream maker

from Williams-Sonoma, which I am sure is going to add a few pounds as the months go on. So there we were over the Fourth of July holiday, and I wanted to get some of the stuff one needs to make ice cream. You can buy ice cream starter from Williams-Sonoma and it comes in a can and it makes the project a lot easier and you can buy chocolate syrup and they will mail it right to your house. You can do all these things online, of course, or I could have driven back to Nashville and gone to the store in Nashville and bought it all there. If I had bought all that stuff in Nashville, I would have paid Nashville's 9.25 percent sales tax. If I buy it online, I wouldn't have to pay the tax when I bought it, except that Williams-Sonoma collects it. So I went on the Internet, put it on my credit card, and there was the amount of money it cost to buy the stuff for my ice cream maker. Right at the end of it, it added the tax on, the same sales tax I owed and would have paid if I had been at Williams-Sonoma in Nashville. So I pushed the button, off it went, they collected the tax from my credit card, sent it to the State of Tennessee, and it was done.

Twenty years ago, that wouldn't have happened with an out-of-State seller. It was too cumbersome. The technology wasn't advanced, the Internet wasn't as fast, and the States had not gotten their acts together. It was all very confusing, and the Supreme Court said you can't impose that on States—requiring an out-of-State seller to collect the sales tax that is owed—even though it may be owed. Today, it is different. It is as easy to figure out the tax as it is to Google the weather in your hometown. In fact, it is easier. It is easier to have the tax collected online than it is to go into the store and do it.

In any event, in the State of Tennessee, Governor Haslam and the Lieutenant Governor—and I can guarantee we are a conservative State—want the right to decide that for themselves. I know what they are going to do, if they have the right to collect the sales tax from everybody who owes it instead of just some of the people who owe it. They are going to lower the tax rate for everybody. They might get rid of the only vestige of an income tax we have, or the food tax might go down. They might spend some more money for teachers' salaries. That is their business.

But I am here to say that Senators ENZI and DURBIN and others have solved a big problem for this country, and the reason why this bill is inevitable and why I hope it will pass this week or next week or the next week—and why I believe the House of Representatives is going to pass it as well—is because it is a simple 11-page bill about a 2-word issue: States rights. That is why Governor Christie and Governor Daniels and Governor Bush and Congressman PENCE and many Republicans and many conservatives are saying let's pass it. Let's get out of the way and let States make their own decisions, and then the States can decide from whom they want to collect their sales taxes.

I congratulate Senator ENZI—and Senator DURBIN—on his work and I look forward to working with Senator ENZI and I hope this year we can continue to turn this bill the Senator has worked on for more than a dozen years into a law.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, the Senator from Tennessee, Mr. ALEXANDER, is far too modest. Yes, I have been working on this since I got to the Senate, but he is the one who got it shortened down to 11 pages and made it a States rights bill. The States are realizing their rights anyway, and there are attempts at making changes in the sales tax law in order to cover this huge loss of revenue they are experiencing, but it doesn't work unless we do what the Supreme Court urged us to do when they issued the Quill decision back in the 1990s, which is to pass a national law that clarifies how this tax would be collected if the States choose to do it.

I am very pleased Senator DURBIN joined us on this issue. Practically every State is losing money because of the tax that is only being collected for people who buy instate, and when they buy out of State, they are used to it being collected and it isn't collected. So half the time the State is not getting its money, and we need to change that before States come to the Federal Government and say we need some money for this project and then that sometimes gets worked into a bill. We are out of money at the Federal level. We have eliminated earmarks, so we can't do what we used to do, and we probably shouldn't have done it then. At any rate, we are borrowing 42 cents on every $1 we spend, so we don't have any money to give to the States.

But the States do have this authority, an authority to do a sales tax. Of course, they didn't anticipate they were just going to tax the businesses that were in their State that were paying a property tax and were hiring local people and were participating in all the community events and telling everybody out of State they didn't have any responsibility in it. There has always been an effort to get their responsibility too. I am glad we have this opportunity to discuss the small business jobs and tax bill, but in this amendment to it—which would be known as the Marketplace Fairness Act—we are talking about fairness. We do expect everybody will be treated fairly.

So let's start with a common-day practice that is happening in our Nation's retail markets today. If someone buys the book ''The Hunger Games'' at the local bookshop in town, they will pay more for the book from the brick-and-mortar store than if they bought the book online. There is nothing different about the brick-and-mortar store's book versus the book purchased on the Internet except the sales tax they have to pay. If they choose to do so, States should have the flexibility and the ability to fix this inequality.

Sales taxes go directly to State and local governments. They bring in needed revenue for maintaining our schools, fixing our roads, and supporting our law enforcement. As I like to add, have you ever tried to flush your toilet on the Internet? If sales over the Internet continue to go untaxed and electronic commerce continues to soar, revenues to State and local governments will plummet. But if Congress fails to authorize States to collect tax on remote sales and electronic commerce continues to grow, we are implicitly blessing a situation where States will be forced to raise other taxes, such as income or property taxes, to offset the growing loss of sales tax revenue. Do we want this to happen? No, we don't.

The Marketplace Fairness Act was written in the aftermath of the Supreme Court's 1992 Quill decision. Congressional involvement is necessary because the ruling stated the thousands of different State and local tax rules were too complicated and onerous to require businesses to collect sales tax unless they had a physical presence—store, warehouse, et cetera—in the purchaser's home State.

The Supreme Court essentially stated Congress needs to decide how to move forward. I strongly believe now is the time for Congress to act. Many Americans don't realize when they buy something online or order something from a catalog from a business outside their own State, they still owe the sales tax. For over a decade, Congress has been debating how to best allow States to collect the sales taxes from online retailers in a way that puts Main Street businesses on a level and fair playing field with the online retailers.

The Marketplace Fairness Act empowers States to make the decision themselves. If they choose to collect already existing sales taxes on all purchases, regardless of where the sale was—whether it was online or in a store—they can. If they want to keep it the way they are, the States can do that.

I have been working on this sales tax fairness since joining the Senate in 1997. As a former small business owner, it is important to level the playing field for all retailers—in-store, catalog, and online—so an outdated rule for sales tax collection does not adversely impact small businesses and Main Street retailers. As a State legislator, I know we never passed a law, as I said, that discriminated against the instate people. We never put a burden on people who pay the property tax, who hire local residents and participate in the community events while telling those out of State we want them to have our

money, but they do not have to do anything in return. We never intended to give the out-of-State businesses a free ride. That is what the local legislators are all concerned about.

On November 9, 2011, Senators DURBIN, ALEXANDER, TIM JOHNSON, and I introduced, with six of our other colleagues, in a very bipartisan way, the Marketplace Fairness Act to close this 20-year loophole that distorts the American marketplace by picking winners and losers, by subsidizing some businesses at the expense of other businesses and subsidizing taxpayers at the expense of other taxpayers. All businesses and their retail sales and all consumers and their purchases should be treated equally and fairly.

I wish to provide some highlights of what the Marketplace Fairness Act accomplishes:

The bill gives States the right to decide to collect or not to collect taxes that are already owed. The legislation would streamline the country's more than 9,000 diverse sales tax jurisdictions and provide two options by which States could begin collecting taxes for online and catalog purchases. The bill gives States two voluntary options that would allow them to collect the State sales taxes that are already owed if they choose.

The first option is the Streamlined Sales and Use Tax Agreement, supported by 24 States that have already passed laws to simplify their tax collection rules. The second option puts in place basic minimum simplification measures States can adopt to make it easier for out-of-State businesses to comply.

The bill also carves out small businesses so they are not adversely affected by the new law by exempting businesses with less than $500,000 in sales online or out-of-State sales from collection requirements. It is very important there is an exemption for startup and small businesses if they have less than $500,000 of sales in 1 year. Once they reach the $500,000, then the next year they have to begin collecting the tax. This small business exemption will protect small merchants and give new businesses time to get started.

Don't let the critics get away with saying this kind of simplification cannot be done. In the early 1990s, when the Quill decision was handed down, the Internet was still in diapers and cell phones came with bags and looked like bricks. Cell phones now have Internet capability, and software, computers, and technologies have all advanced at an exponential pace. The different rates and jurisdiction problem is no problem for today's programs.

As a former mayor and State legislator, I also strongly favor allowing States the authority to require sales and use tax collection from retailers in all sales, if they choose to do so. We need to implement a plan that will allow States to generate revenue using mechanisms already approved by their local leaders. We need to allow States the ability to collect the sales taxes they already require, if enacted. This would provide $23 billion in fiscal relief for the States for which Congress does not have to find an offset. This will give States less of an excuse to come knocking on the Federal door for handouts and will reduce the problem of federally attached strings. It will give States a chance to reduce property taxes or other taxes.

The Marketplace Fairness Act is not about new taxes. No one should tax the use of the Internet. No one should tax Internet services. I do, however, have concerns about using the Internet as a sales tax loophole. Sales tax collection is already required by my home State of Wyoming no matter how or where we buy something, if it is not taxed by the State we get it from. We are supposed to fill out our own form and submit the information. Nobody is used to filing that kind of form or doing that kind of tax collection, and they never know whether the tax is owed or how much it is, particularly on small purchases.

It is always collected at the stores by the stores in state. We have to make the system simpler so they don't have to fill out forms. Under Wyoming law, online purchases are already subject to a sales tax; it just can't be collected and given to our State. The situation is very similar to that of other States.

Senators DURBIN, ALEXANDER, and I have worked tirelessly to assist the sellers, States, and local governments to simplify sales and use tax collection and administration. We have worked with all interested parties to find a mutually agreeable legislative package to introduce. Many hours have been dedicated to finding the right solution.

I want to publicly commend and thank Senators DURBIN and ALEXANDER for taking a leadership role in working on this important policy issue.

Ten years ago, the bills we considered to try to close this loophole were not adequate to solve the problem. Marketplace Fairness does solve the problem. It is simple. It is about States' rights. It is about fairness. At a time when States' budgets are under increasing pressure, Congress should give State and local governments the ability to enforce their own laws. I strongly encourage my colleagues to support amendment No. 2496, known as the Marketplace Fairness Act, and get it enacted into public law this year.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BENNET). The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank Senator ALEXANDER of Tennessee and Senator ENZI of Wyoming, cosponsors of this measure and participants in this colloquy on the floor today. I am sorry I wasn't here at the outset, but I am grateful for their participation and comments they have made, and especially for their commitment to this cause.

I think Senator ENZI—and I would give special thanks to Senator ALEXANDER, who stepped in at a very important moment and helped us craft a part of this bill—helped us craft an agreement on this bill and brought some new approaches to it which have been extremely helpful.

The notion of offering this as an amendment is a show of good faith on our part and a show of commitment to the seriousness and the importance of this issue. The fact that many Democrats and Republicans can join together in this bipartisan manner is an indication that this bill cuts across party lines. I think it gets down to a basic issue, as it says, of fairness.

The economy is clearly getting better. There are better days ahead; jobs are being created and our economy is growing stronger. There may be times when the job numbers are disappointing and the stock market stumbles, and we continue to face challenges in Europe and other places, but we are improving.

Businesses in Illinois and across the country are starting to see customers come back. Small retailers in my home State of Illinois are pushing the slogan ''buy local'' in their effort to urge consumers to come back to local stores, farmers markets, and shoe stores, instead of buying online. These efforts support local brick-and-mortar sellers who contribute to the community in so many different ways. They sponsor the local baseball teams, they collect sales and use taxes that pay for services such as fire, police, and trash collection, and they provide good-paying local jobs.

While these efforts have been successful, many local retailers share with me how frustrating it is to lose business because online retailers have a built-in advantage that I have seen firsthand. While local Main Street businesses collect State and local taxes and use taxes, their online competitors don't. In Illinois, this can mean an 8-percent differential in price. This encourages customers to buy everything from electronics to books online to avoid paying sales tax and use taxes.

A couple examples:

Bob Naughtrip, owner of Soccer Plus in Palatine and Libertyville, IL, describes how his biggest online competitor can offer a discount of more than $10,000 because it doesn't have to collect sales and use taxes. Bob sells sporting equipment to local sports clubs, and it is not unusual for these clubs to make purchases that exceed $100,000 a year. He can't compete when the competition has a $10,000 price advantage, so he loses the business.

Matt Lamsargis, owner of the Springfield Running Center—a person I have come to know—and Bob Thompson, owner of BikeTek, both in my hometown of Springfield, told me when I visited their small businesses last year they are victims of ''showrooming,'' they call it. They lose business when customers walk into the store, look around, maybe even try on the clothing and shoes or even get fitted just right,

write down a few numbers, then walk out the door and order the product over the Internet at a discount, because the Internet seller doesn't collect sales tax and these local retailers have to. Ironically, some of the customers, dissatisfied with their online purchases, come back to the same store to complain about a product they didn't even buy there. So we have got to find a way to make this a fairer marketplace.

Why can't State and local governments require online retailers to collect sales and use taxes? For 20 years, State and local governments have been prohibited from enforcing their own sales and use tax laws because of a Supreme Court decision in Quill v. North Dakota where the Court clearly stated that only Congress has the authority to solve this problem.

Last year, Senator ENZI, Senator ALEXANDER, and I introduced the Marketplace Fairness Act with additional cosponsors. We now have 13 bipartisan sponsors. This bipartisan group of Senators understands that to truly help small businesses grow and create jobs, we need to make sure they compete on a level playing field. The Marketplace Fairness Act would do that. That is why it is being filed as an amendment to the Small Business Jobs and Tax Relief Act.

Our amendment is about saving Main Street businesses and the jobs provided by those businesses. This bill does not mandate the States but it allows States, if they choose, to require online and brick-and-mortar retailers to play by the same sales tax rules. The bill eliminates the built-in price advantage that has distorted the market for 20 years.

It includes, as Senator ENZI recently said, a small seller exemption for those selling less than $500,000 worth of commodities a year. If Grandma Bennet's apple butter is being cased up and sold to the tune of $10,000 or $20,000 a year online because her smart grandson has given her advice on how she can retail this online, she doesn't have to start collecting sales tax until she has sold $500,000 worth of goods; in the next year, she collects sales tax. So we are trying to be sensitive to smaller businesses and, as Senator ENZI said, start-up businesses.

This bill includes 240 organizations. I ask unanimous consent that the list of those organizations be printed in the RECORD after my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DURBIN. This is an issue where the International Association of Firefighters and AFSCME stand together with the National Retail Federation, the Retail Industry Leaders Association, and the Consumer Electronics Association. What an amazing coalition.

Amazon.com, the largest retailer online in America, supports our bill. Yet the largest online retailer, in supporting this bill, still has Members of the Senate questioning whether they are going to react positively. They are on record in favor of this.

It is also supported by groups such as the U.S. Conference of Mayors, the National Association of Counties, and the National Council of State Legislators. The National Governors Association supports the Marketplace Fairness Act, because these State and local governments are losing about $23 billion a year on uncollected sales tax. In Illinois, we are losing about $1 billion a year, about 15 percent of our current deficit. It would make a difference if we could collect this. Again, the States would have to make that decision. We don't force it on them.

This has the support of eight Democratic Governors and 13 Republican Governors, including Governor Quinn of Illinois, O'Malley of Maryland, McDonnell of Virginia, Mitch Daniels of Indiana, and Haley from the State of South Carolina. Recently, Governor Chris Christie from the State of New Jersey publicly came out in support and said:

> I too—along with Governors like Governor Daniels and others—urge the federal government and Congress in particular to get behind . . . legislation to allow states to be able to make these choices for themselves. . . .

Governor LePage, a Republican Governor from the State of Maine, wrote a letter of support saying, ''The Marketplace Fairness Act does not raise taxes.'' The point he makes and the argument here is this is not a new tax.

So if this bill has such broad bipartisan support, why haven't we passed it? Well, we need 60 Senators. The majority leader has said to me and Senator ENZI, ''Show me the votes.'' And that is what we are trying to do—bring together a bipartisan group that will support this, that understands it is simple fairness for small businesses that create jobs and opportunities all across America. And with the sales taxes they collect, they provide for local police and firemen, for the sewers and streets, and the things in life that we come to take for granted in our cities across America. We want to make sure the online retailers are making the same contribution.

So I urge my colleagues, when this amendment comes before them, to support it on a bipartisan basis.

Mr. President, I yield the floor.

EXHIBIT 1

SUPPORT FOR THE MARKETPLACE FAIRNESS ACT

American Federation of Labor and Congress of Industrial Organizations; Abbell Credit Corporation, Chicago, IL; Acadia Realty Trust, White Plains, NY; AFL–CIO Department for Professional Employees; Airgas, Inc.; Alabama College Bookstore Association; Alabama Retail Association; Alaska Veterinary Medical Association; Alliance of Wisconsin Retailers; Amazon.com; American Apparel and Footwear Association; American Booksellers Association; American Federation of State, County and Municipal Employees; American Federation of Teachers; American Specialty Toy Retailing Association; American Veterinary Medical Association; Arizona Retailers Association; Arkansas Grocers and Retail Merchants Association; Association for Christian Retail; Association of Washington Business; AutoZone, Inc.; Balliet's LLC; Barnes and Noble, Inc.; Beall's, Inc.; Bed, Bath, & Beyond, Inc.; Ben Bridge Jewelers, Seattle, WA; Best Buy Co., Inc.; Blake Hunt Ventures, Inc., Danville, CA; Build-A-Bear Workshops®, Saint Louis, MO; Buy.com; California Association of College Store; California Business Properties Association; California Retailers Association; California Veterinary Medical Association; Carolinas Food Industry Council; CBL & Associates Properties, Inc., Chattanooga, TN; Cencor Realty Services, Dallas, TX; Center on Budget and Policy Priorities; Certified Commercial Investment Member Institute; Chesterfield Blue Valley, LLC, St. Louis, MO; Christian Booksellers Association; City of Carrollton, Texas; College Stores of New England (MA, CT, RI, ME, VT, NH); College Stores Association of New York State.

College Stores Association of North Carolina; Colorado Retail Council; Colorado Veterinary Medical Association; Connecticut Retail Merchants Association; Consumer Electronics Association; Consumer Electronics Retailers Coalition; The Container Store, Dallas, Texas; The CortiGilchrist Partnership, llc, Al Corti, Principal, San Diego, CA; D. Talmage Hocker, The Hocker Group, Louisville, KY; David Hocker & Associates, Inc., Owensboro, Kentucky; DDR Corp., Beachwood, OH; Delaware Veterinary Medical Association; Dick's Sporting Goods, Inc.; DLC Management Corp., Tarrytown, NY; Donahue Schriber Realty Group, Costa Mesa, CA; Economic Alliance of Snohomish County, WA; Edens & Avant, Columbia, SC; Evergreen Devco, Inc., Glendale, CA; Fairfield Corporation, Battle Creek, MI; Federal Realty Investment Trust, Rockville, MD; FedTax, David Campbell, CEO; Florida Retail Federation; Food Marketing Institute; Foot Locker, Inc.; Footwear Distributors and Retailers of America; Forest City Enterprises, Inc., Cleveland, OH; Gap Inc., San Francisco, CA; Garrison Pacific Properties, San Rafael, CA; General Growth Properties, Chicago, IL; Georgia Association of College Stores; Georgia Retail Association; Georgia Veterinary Medical Association; Glimcher Realty Trust, Columbus, OH; Governing Board of the Streamlined Sales and Use Tax Agreement; Government Finance Officers Association; Great Lakes Independent Booksellers Association; The Greeby Companies, Inc., Chicago, IL; Hart Realty Advisers, Inc., Simsbury, CT; The Home Depot, Inc.; Hy-Vee, Inc.; Idaho Retailers Association; Idaho Veterinary Medical Association; Illinois Association of College Stores; Illinois Retail Merchants Association; Illinois State Veterinary Medical Association; Independent Running Retailer Association; Indiana Retail Council.

Indiana Veterinary Medical Association; Institute of Real Management; International Association of Fire Fighters; International Council of Shopping Centers; International Economic Development Council; International Federation of Professional and Technical Engineers; Iowa Retail Federation; Iowa Veterinary Medical Association; J.C. Penney Corporation, Inc.; JCPenney; Jewelers of America; Jo-Ann Stores, Inc.; John Bucksbaum, Private Real Estate Investor/Developer, Former Chairman and CEO of General Growth; Kemper Development Company, Bellevue, WA; Kentucky Retail Federation; Kentucky Veterinary Medical Association; Kimco Realty Corporation, New Hyde Park, NY; The Kroger Company; L. Michael Foley and Associates, LLC, La Jolla, CA; Limited Brands, Inc.; Los Angeles Area Chamber of Commerce; Louisiana Retailers Association; Louisiana Veterinary Medical

Association; Lowes Companies, Inc.; Maine Merchants Association; Maine Veterinary Medical Association; Malcolm Riley and Associates Los Angeles, CA; Marketing Developments, Inc. MI; Marshall Music Co., Lansing, MI; Mary Lou Fiala, CEO, Loft Unlimited, Ponte Vedra Beach Florida; Maryland Retailers Association; Massachusetts Veterinary Medical Association; Meijer, Inc.; Michigan Association of College Stores; Michigan Retailers Association; Michigan Veterinary Medical Association; Mid States Association of College Stores (IA, NE, KS, MO); Middle Atlantic College Stores; Minnesota Retail Association; Minnesota Veterinary Medical Association; Missouri Retailers Association; Mountains and Plains Independent Booksellers Association; NAIOP, Commercial Real Estate Development Association; NAMM, National Association of Music Merchants; National Association of Chain Drug Stores; National Association of College Stores.

National Association of Counties; National Association of Real Estate Investment Trusts; National Association of Realtors; National Bicycle Dealers Association; National Conference of State Legislatures; National Education Association; National Governors' Association; National Grocers Association; National Home Furnishings Association; National League of Cities; National Retail Federation; National School Supply and Equipment Association; Nebraska Retail Federation; Nebraska Veterinary Medical Association; The Neiman Marcus Group, Inc.; Nevada Veterinary Medical Association; New Atlantic Independent Booksellers Association; New England Independent Booksellers Association; New Jersey Retail Merchants Association; New Jersey Veterinary Medical Association; New Mexico Retail Association; Newspaper Association of America; North American Retail Dealers Association; North Carolina Retail Merchants Association; North Carolina Veterinary Medical Association; North Dakota Retail Association; Northern California Independent Booksellers Association; Ohio Association of College Stores; Ohio Council of Retail Merchants; Oklahoma Veterinary Medical Association; Outdoor Industry Association; Pacific Northwest Booksellers Association; Pennsylvania Retailers' Association; Performance Marketing Association; Pet Industry Joint Advisory Council; Petco Animal Supplies, Inc.; PetSmart, Inc.; Planning Developments, Inc., MI; The Pratt Company, Mill Valley, CA; Professional Beauty Association; Properties, Inc., Chicago, IL; The Rappaport Companies, McLean, VA; Real Estate Roundtable; Realtors Land Institute; REI (Recreational Equipment, Inc.); Reininga Corporation, Healdsburg, CA; Retail Association of Mississippi.

Retail Association of Nevada; Retail Council of New York State; Retail Industry Leaders Association; Retail Merchants of Hawaii; Retailers Association of Massachusetts; Rhode Island Retail Federation; Rocky Mountain Skyline Bookstore Association (CO, MT, NM, WY); Safeway, Inc.; Sears Holdings Corporation; Seattle Metropolitan Chamber of Commerce; The Seayco Group, Bentonville, AK; The Sembler Company, St. Petersburg, FL; Service Employees International Union; ShareASale; Simon Property Group, Indianapolis, IN; Soccer Dealer Association; Society of Industrial and Office Realtors; South Carolina Association of Veterinarians; South Carolina Retail Merchants Association; South Dakota Retailers Association; Southern Independent Booksellers Alliance; Southwest College Bookstore Association (AR, LA, TX, OK, NM, MS); Steiner + Associates LLC, Columbus, Ohio; Stirling Properties, Covington, LA; Tanger Factory Outlet Centers, Inc., Greensboro, NC; Target Corporation; Taubman Realty Group, Bloomfield Hills, MI; Tennessee Retail Association; Tennessee Veterinary Medical Association; Texas Retailers Association; The Timberland Company; Tractor Supply Company; Tri-State Bookstore Association; The UAW; U.S. Conference of Mayors; Utah Food Industry Association; Utah Retail Merchants Association; Utah Veterinary Medical Association; Vermont Retail Association; Vestar Development Co.—Phoenix AZ; Virginia Retail Merchants Association; Virginia Veterinary Medical Association; Wal-Mart Stores, Bentonville, AR; Washington Retail Association; Washington State Veterinary Medical Association; WDP Partners, LLC, Phoenix, AZ; The Weitzman Group, Dallas, Texas; Wendy's Company; West Virginia Retailers Association; West Virginia Veterinary Medical Association; Western Development Corporation, Washington, DC; Westfield, LLC., Los Angeles, CA; Wisconsin Association of College Stores; Wisconsin Veterinary Medical Association; Wolfe Properties, LLC, St. Louis, MO; World Floor Covering Association; Wyoming Retail Association; Wyoming Veterinary Medical Association; Zumiez, Inc., Everett, WA.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that all remaining time postcloture be yielded back and the Senate adopt the motion to proceed to S. 2237.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

SMALL BUSINESS JOBS AND TAX RELIEF ACT

The PRESIDING OFFICER. The clerk will report the measure.

The assistant legislative clerk read as follows:

A bill (S. 2237) to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes.

AMENDMENT NO. 2521

(Purpose: In the nature of a substitute)

Mr. REID. Mr. President, on behalf of Senator LANDRIEU, I have a substitute amendment at the desk I wish to have reported.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Ms. LANDRIEU, proposes an amendment numbered 2521.

(The text of the amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. REID. On that, 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. 2522 TO AMENDMENT NO. 2521

Mr. REID. Mr. President, I now have a first-degree perfecting amendment which is also at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2522 to amendment No. 2521.

The amendment is as follows:

At the end, add the following new section:

SEC._____.

This Act shall become effective 7 days after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays on that.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2523 TO AMENDMENT NO. 2522

Mr. REID. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2523 to amendment No. 2522.

The amendment is as follows:

In the amendment, strike ''7 days'' and insert ''6 days''.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion on the substitute amendment which is 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 assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the substitute amendment No. 2521 to S. 2237, the Small Business Jobs and Tax Relief Act.

Harry Reid, Mary L. Landrieu, Kirsten E. Gillibrand, Barbara A. Mikulski, Carl Levin, Frank R. Lautenberg, Barbara Boxer, Mark Udall, Mark Begich, Sheldon Whitehouse, Richard Blumenthal, Al Franken, Patrick J. Leahy, Tom Udall, Max Baucus, Benjamin L. Cardin, Richard J. Durbin.

AMENDMENT NO. 2524

(Purpose: To provide a perfecting amendment.)

Mr. REID. Mr. President, I have an amendment at the desk to the language proposed to be stricken.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2524 to the language proposed to be stricken by amendment No. 2521.

(The text of the amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. REID. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2525 TO AMENDMENT NO. 2524

Mr. REID. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2525 to amendment No. 2524.

The amendment is as follows:

At the end, add the following new section:

SEC. _____.

This title shall become effective 5 days after enactment.

AMENDMENT NO. 2526

Mr. REID. I have a motion to commit the bill with instructions. The clerk has that.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the bill (S. 2237) to the Committee on Finance, with instructions to report back forthwith, with amendment numbered 2526.

The amendment is as follows:

SEC. _____.

This Act shall become effective 3 days after enactment.

Mr. REID. I ask for the yeas and nays on that motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2527

Mr. REID. Mr. President, I have an amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2527 to the instructions of the motion to commit S. 2237 to the Committee on Finance.

The amendment is as follows:

In the amendment, strike ''3 days'' and insert ''2 days''.

Mr. REID. Mr. President, I ask for the yeas and nays on that.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2528 TO AMENDMENT NO. 2527

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2528 to amendment No. 2527.

The amendment is as follows:

In the amendment, strike ''2 days'' and insert ''1 day''.

CLOTURE MOTION

Mr. REID. Finally, Mr. President, I have a cloture motion on the bill which is 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 assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 2237, the Small Business Jobs and Tax Relief Act.

Harry Reid, Max Baucus, Mary L. Landrieu, Kirsten E. Gillibrand, Barbara A. Mikulski, Carl Levin, Frank R. Lautenberg, Barbara Boxer, Mark Udall, Mark Begich, Sheldon Whitehouse, Richard Blumenthal, Al Franken, Patrick J. Leahy, Tom Udall, Benjamin L. Cardin, Richard J. Durbin

Mr. REID. I ask unanimous consent that the mandatory quorum requirement under rule XXII be waived for the cloture motions just filed.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROVIDING AN INCENTIVE FOR BUSINESSES TO BRING JOBS BACK TO AMERICA

Mr. REID. Mr. President, I move to proceed to Calendar No. 442, S. 3364.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to S. 3364, a bill to provide an incentive for businesses to bring jobs back to America.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, right now the Senate is considering the small business jobs bill, a very important proposal that was part of President Obama's package to increase employment in this country. It will create a million jobs. This legislation will give tax credits to businesses that grow and hire. Yet Republicans are looking for any excuse to vote down the proposal for two reasons: No. 1, it has the support of President Obama and the Democrats in Congress. Second, it would strengthen the economy, which would help President Obama.

We know Republicans will not do anything that helps President Obama, even if it is good for the economy, because their No. 1 goal is to defeat the President. My friend MITCH MCCONNELL has said that. So Republicans are hiding behind their usual procedural trick, filibustering with unrelated amendments. If there is any doubt about Republicans' motivation to kill this legislation, take a look with me at the amendment proposed today by Senator HATCH of Utah.

The first thing Senator HATCH's amendment would do is eliminate all the tax cuts, every tax cut we have in this proposal, every one of them, the one that is now before the Senate, to create a million jobs. The Hatch amendment would literally eliminate every provision in the bill designed to create jobs.

Senator HATCH's amendment eliminates the 10-percent credit for employers to hire additional workers or increase their payrolls, a provision that would create—that part alone—a half million jobs. It strikes another deduction for businesses that invest in machinery and equipment which would create another half million jobs.

But the Republican amendment does not stop there. It goes on to increase taxes for 25 million American families. The Republican amendment, I repeat, increases taxes for 25 million American families. Senator HATCH's amendment would extend tax breaks for the top 2 percent of Americans, but it fails to extend a number of tax cuts that help middle-class families get by in a very tough economy. For example, Senator HATCH's amendment, a Republican amendment, would increase taxes by $1,100 for 11 million families trying to pay for college—11 million families, in effect an increase of their taxes by $1,100.

The Republican amendment would make it harder for 12 million large families to put food on the table. It would increase taxes by $800 for families that have three children or more. Senator HATCH's amendment, the Republican amendment, fails to extend the full childcare tax credit for 6 million families, increasing their taxes by $500 each.

So no one is fooled by the Republican amendment. We see it for what it is, more Republican obstruction that comes with the added bonus of sticking it to the middle class. If that were not enough political theater for 1 day, my Republican colleagues also claim they are anxious to vote on President Obama's plan to cut taxes for 98 percent of American families. Once again, no one should be fooled. Republicans know very well the Senate will vote on the President's proposal to give middle-class families the certainty they will not be hit with a tax increase. We will vote on it this work period. I have already said so. They say they want a vote sooner, so let's lock in an agreement sooner. The President's plan to give 98 percent of Americans certainty their taxes will not go up and Republican plans to raise taxes on 25 million American families—Democrats are ready to have those votes right away and we will do it with a simple majority. Then we can get back to the task at hand, cutting taxes for millions of small businesses that want to expand and put Americans back to work.

I have a consent agreement that I will go through with you.

UNANIMOUS CONSENT REQUEST—S. 2237

Mr. President, I ask unanimous consent that cloture be vitiated with respect to the substitute amendment on S. 2237, that the motion to commit be withdrawn and amendment Nos. 2525

and 2522 be withdrawn; that at 2 p.m. tomorrow, Thursday, July 12, the Senate vote in relation to the following amendments: amendment No. 2524, which is the Cantor language; substitute amendment No. 2521; that there be no other amendments or motions in order to the amendment to the bill prior to the votes other than motions to waive or motions to table; that upon disposition of the two amendments the Senate proceed to a vote on passage of S. 2237, as amended, if amended; further, that at a time to be determined by the majority leader after consultation with the Republican leader the Senate proceed to consideration of a bill to be introduced by Senator REID or designee, extending the 2001, 2003, and 2009 tax cuts for 98 percent of Americans and 96 percent of small businesses as outlined by President Obama; that the only amendment in order to the bill be an amendment offered by Senator MCCONNELL or designee, which is identical to the text of amendment No. 2491, as filed by Senator HATCH; that the amendment not be divisible; that there be 4 hours of debate on the amendment and the bill, equally divided between the two leaders or their designees prior to a vote in relation to the McConnell or designee amendment; that upon disposition of the amendment the Senate proceed to vote on the passage of the bill, as amended, if amended; that there be no motions or points of order to the amendment or the bill.

The PRESIDING OFFICER. Is there objection?

The Republican leader.

Mr. MCCONNELL. I am glad my friend the majority leader has dropped his earlier opposition and now wants to make an effort to set up these votes on this important issue. On Monday, the President said that if the Senate passes his tax hike on small businesses he would sign it right away. So I am glad the Senate will have a chance to beat that bad idea that will raise taxes on nearly 1 million small businesses.

I will be happy to take a look at what my good friend the majority leader is offering, but I cannot at this time agree to lock in a vote at an indeterminate time on a proposal that has not yet been written. My good friend has had all day to come up with a written proposal, but I gather that so far they have been unable to do so or, if they have, we certainly have not seen it. Our proposal is drafted and filed and has been available for all to see.

My goal here—and it is one that I laid out several weeks ago—is that we act now to ensure that no one's income taxes go up January of next year. The mere threat of this tax increase is already a drag on our economy and I do not plan on standing by and letting that tax increase go into effect.

So we would be happy to set up a vote on this issue as soon as the majority leader produces a bill to show us what tax increases they have in mind. I want to make sure that everyone understands the differences in our positions. My goal—and I hope it is one that is shared by a majority of Senators—will be to enact a bill that protects small businesses by extending current income tax rates for 1 year to ensure that no one in America sees an income tax hike in January, and tasking the Finance Committee to produce a bill that would enact fundamental progrowth tax reform. Their goal will be the President's proposal to raise taxes on nearly 1 million business owners in the middle of the worst economic recovery in modern times.

The Senate ought to make absolutely clear which policy it supports. I look forward to having the chance to do that, but until that time, until we actually have a product we can take a look at, I cannot agree to this request, and therefore I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

Mr. REID. Mr. President, I will be very brief. My friend the Republican leader said this morning, and I quote directly: I am trying to get a vote, a vote on what he says he's for, on what the President says he's for, and what the Republicans say they are for. That is what this consent agreement does.

I am happy to let the Republican leader read the exact language. But let no one be fooled by this. The Hatch amendment does not do anything to protect small businesses. It does everything to protect Grover Norquist and his pledge; that is, make sure the American people are not satisfied. They believe—Democrats, Independents, and Republicans—that the top 2 percent of income earners in this country should contribute to solving the problems we have with the deficit and the debt in this country. That is what this is all about.

I look forward to working with my friend the Republican leader to see if we can come to a position here where we can vote on the bill that is before us. I am concerned because the Hatch language eliminates our bill, but I am happy to have staff, during the night, look and see if we can arrive at some way to move forward. But I think I made my point clear.

Mr. MCCONNELL. Mr. President, one other brief observation. I have already objected, but one other brief observation. The consent that I objected to also chose for us the amendment we would get to have, and of course that is not an agreement the Republican side would feel we would want to be a part of.

Mr. REID. Mr. President, I am only trying to do what they said they wanted to do this morning. Senator HATCH came and gave a big speech: This is what they want to do. If they have something else they want to propose, I am happy to take a look at that, but I only am trying to do what they said they wanted to do this morning.

Mr. President, I suggest the absence of a quorum unless my friend has more to say?

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNET. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of Colorado). Without objection, it is so ordered.

MORNING BUSINESS

Mr. BENNET. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO JOHN BOWLING

Mr. MCCONNELL. Mr. President, today I wish to recognize Mr. John Bowling of Laurel County, KY. ''Big John Bowling,'' as he is affectionately called by friends and family, not only served Laurel County as jailer during the 1970s, but has also lived a life of kindness and integrity. His legacy to Kentucky exceeds his public service because not only was he a compassionate jailer, he also built a loving home for his family that welcomed all members of the Laurel County community.

John Bowling met his wife, Imogene, at a church dinner. After commenting on the quality of a macaroni salad at the dinner, his pastor introduced him to Imogene. At that time Imogene was married, but later, in 1964, her husband was tragically killed in a car crash and Imogene was left with three children aged 7, 4, and 2 years old. Imogene began working at Hoskins Grocery where, 5 years later, she and Mr. Bowling became reacquainted.

The couple began dating and they brought Imogene's children along on every date. After 6 years, the couple married. In their first year of marriage, Imogene had another daughter, Tammy Jo. The four children loved their parents and considered John to be an excellent father. Mr. Bowling truly cared for the children, which he showed by ensuring chaperones came along on all of their dates which were only at church.

The family continued to grow when Imogene was approached to take in Toni, a 21-year-old who did not have a palette in her mouth, had limited hearing in one ear, and no hearing canal in the other ear. Though Toni could only communicate through sign language, she quickly became part of the Bowling family.

Crediting faith in God for their success in blending a harmonious family, John Bowling created a home atmosphere that was accepting of anyone who crossed his home's threshold. From adopting his wife's children, to taking in Toni, to allowing relatives and family friends to stay with the family, Big John made his home one of love.

It is an honor today to pay tribute to my fellow Kentuckian, John Bowling. Mr. Bowling not only made a family and lovingly raised his children, but also opened up his home for those in need of a place of refuge and comfort. He is an example of what it means to live by the Golden Rule. The Laurel County community is better off today because of the impact ''Big John Bowling'' has made and the compassionate way in which he treated others.

At this time I ask my Senate colleagues to join me in recognizing Mr. John Bowling for his service to Laurel County, KY. An article from the Sentinel Echo: Silver Edition magazine, published in Laurel County, recently highlighted this humble man's invaluable contributions to his family and community. I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[The Sentinel-Echo: Silver Edition, Spring 2012]

JAILER BY VOCATION, FATHER AT HEART

(By Nita Johnson)

Though known more commonly as ''Big John Bowling,'' a former and extremely popular county jailer, John Bowling is also remembered as an excellent father.

He was renowned for his kindness and humanity while serving as Laurel County Jailer during the 1970s, traits he showed to both jail employees and inmates and he also displayed to his wife and children at home.

Although only one of the five children he raised with his wife, Imogene, was his biological child, Bowling's other children recall him as being a loving father to them.

Bowling met Imogene at a church dinner at Piney Grove Holiness Church on Ky. 363 on an invitation from then-pastor Bobby Medley. Bowling and Medley were good friends, and Imogene, who was married at that time, and Medley's wife were good friends, though Bowling and Imogene had never met. When Bowling sampled some macaroni salad at the dinner that Sunday, he was impressed.

''He said he told Bobby that he didn't know who made that macaroni salad, but if she was single, he was going to marry her,'' said his daughter, Joyce Parker. ''So Bobby introduced John to Mom.''

That meeting was one of the highlights of Imogene's life. In 1964, her husband was killed in a car crash, leaving her with three children—ages 7, 4, and 2—to raise alone. She had no job, no car, no driver's license, and was herself very ill.

''The day after the funeral, she went to Good Samaritan Hospital,'' Parker explained. ''She was in and out of the hospital five times for 10 days with bleeding ulcers.''

''She'd been eating vanilla wafers and drinking skim milk,'' added Barbara Wells, another daughter.

''She was actually healed from the ulcers,'' Parker said. ''She came home to spend some time with us and went to a revival. The preacher went to her and told her she needed healing. When she went back to the doctor, she didn't have the ulcers.''

Once back in good health, Imogene set out to obtain a job. She got her driver's license, bought a car, and began working at Warner's store in London around 1966. She later worked at Hoskins Grocery on Ky. 363, where she met John again when he came into the store one day.

The couple began dating, with Imogene insisting on taking the children with her on dates, even though other family members offered to keep the children.

''When she and John dated, she wouldn't go without us,'' Wells said. ''John had a truck with a camper on it and we'd ride in the back and look through the window into the front.''

Their union came six years later. The family consisted of Imogene's children, Barbara, Joyce, and Gerald, as well as Imogene's mother, who had lived with them since Imogene's husband died. Eleven months after their marriage, John and Imogene became the parents of Tammy Jo.

''John was always good to us,'' Parker said. ''He hauled trucks from GM dealers and he got us all a new watch so we loved him.''

''He never spanked us,'' Wells added. ''I guess that's why we never resented him. Mom did all the discipline.''

''The kids were never much trouble,'' Bowling said. ''They were always good kids.''

Wells, the eldest of the brood, said rules were very strict at the Bowling household, however.

''We had curfews and rules. We had chaperones on our dates, which was only going to church,'' she said. ''There was an old lady that lived near us and, when I had a date, she chaperoned us. Then later on, Joyce and Gerald chaperoned.''

''Then I chaperoned when Joyce dated,'' chimed in Tammy Jo.

Children were always welcome at the Bowling household, with nieces and nephews from both sides of the family often living with the family. Imogene also took in disabled adults and elderly persons, as she was certified to keep as many as three at one time.

Then the family extended again with the arrival of Toni, who has now lived with the Bowling family for 38 years.

''She was an orphan and was born with deformities,'' Imogene said. ''Her father wanted to just leave her at the hospital (in Philadelphia) but her mother wouldn't do it. She remarried and had another child and died. The stepfather kept (Toni) around until the baby was big enough that he could take care of her and he took her to a mental health office.

''They called me and asked if I could take her,'' Imogene continued. ''She cried every day, all day, for three weeks and I told them I couldn't keep her. Then she started doing better. She's been with us since she was 21 years old.''

Toni, who lacked a palette in her mouth and had only 20 percent hearing in one ear and no hearing canal in the other ear, can speak only partially and uses sign language to communicate. But she is as much a part of the Bowling family as the other four children, all of whom express their love for one another.

While many question the success of blended families, the Bowling family credits their faith in God and religious background for their own success. They also credit the demeanor of their parents.

''John was not a typical stepfather,'' Parker said. ''He took care of us, always worked hard and my parents never raised their voices.''

''I think one key to blended families is that Mom did the discipline,'' Wells said. ''My husband, Mark, has three stepdaughters and he never spanked them. I did the discipline. I think that is one reason that our family worked. We didn't have that jealousy or resentment or saying that he wasn't the real dad.''

Whatever the secret of successfully blended families may be, the Bowlings and their children all agree that staying in church was a key factor. Now approaching their 43rd anniversary in June, the couple continues to stay close to their children, always showing their love and support for one another and celebrating the true meaning of family.

TRIBUTE TO ALICE HELTON

Mr. MCCONNELL. Mr. President, today I wish to honor Mrs. Alice Helton of Laurel County, KY. Though she may have never held public office, Mrs. Helton invaluably served her community through kindness, hospitality, and an unselfish desire to help those around her. On April 26, 2012, she died at age 94. Her legacy of faith, generosity, and love will survive her in the memories of her family, friends, and the citizens of London, KY.

Mrs. Alice Helton, then-Miss Alice Hill, the last of eight children, was born on May 2, 1917, in Keavy, KY, to farmers Mr. John and Mrs. Sallie Hill. She was raised in the country and lived a simple life. The family would work together in the fields during the day and on Sundays be visited by neighbors while the children played marbles. Alice, in her interview with the Sentinel-Echo for the London Living Treasures special series, recalled plucking duck feathers with her mother as a child and walking for hours to find ducks to make feather beds and pillows.

At age 7, Alice began attending Keavy School. One of her fondest memories of grade school was spending time at recess with her friends throwing horseshoes and watching boys play basketball. After elementary school, she attended a boarding school called London School. Upon finishing the eighth grade, she returned home, lived with her parents, and looked after her siblings' children while they were at work.

Alice met William Raymond Helton, a truckdriver from Corbin, KY, when she was 22. Though her family didn't support the relationship, the two eloped and were married. Mrs. Helton, during the first 17 years of her marriage, had seven children. The family lived in a small house, near her parents, which soon became the place where the entire family would meet and spend time together.

Her children have many colorful memories of growing up with Mrs. Helton. They never questioned her love or willingness to protect the family because during the week, when her husband was away driving a truck, she would ward off thieves trying to steal the family chickens by shooting her rifle toward a row of trees behind the coop. In order to avoid becoming a victim of her unique security system, all family members would call out to her any time they passed the yard.

Mrs. Helton was described as a ''magnet'' that drew all of the family together. She would take on the role of mother to her nieces and nephews as her siblings passed away and loved them as if they were her own children. Her love also was shown by entertaining them at game nights, where

card games and Yahtzee were the main attraction.

Mrs. Helton was more than a wife, mother, grandmother, aunt, and member of the Laurel County community. She was the matriarch of the Helton family and the glue that held it together. From talking on the phone for hours on end with her children and grandchildren to taking in family and friends in need, Mrs. Helton lived a life of compassion and kindness. After her death, a neighbor said that she tried to live the way Jesus lived, but if she only lived half as well as Mrs. Helton, she would be satisfied.

It is a privilege to honor the legacy of Mrs. Alice Helton. A true pillar of the Laurel County community, she was an example for all Kentuckians of a woman who lived her life with integrity and love. I ask my fellow colleagues in the Senate to join me in remembering this remarkable woman from Laurel County, KY.

A recent article published by a Laurel County publication, the Sentinel-Echo, recognized Mrs. Helton's lifetime of contributions to her family and community. I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[The Sentinel-Echo, May 16, 2012]

ALICE HELTON WAS SURROUNDED BY FAMILY

(By Tara Kaprowy)

Before Alice Helton passed away a few weeks ago, just six days shy of her 95th birthday, she said getting to see her loved ones in heaven would be the best birthday present she could ask for.

It was a Thursday afternoon, and Alice's family members had gathered around her hospital bed, which she'd occupied for just a few days. ''She said she was ready to go, and for us to please just let her go peacefully,'' granddaughter Lisa Alexander said. ''She made sure she held each family member's hands, and told them how much she loved them. She told them to love each other and to take care of each other.'' She quietly slipped away around 2 in the afternoon, and the woman who was the magnet that pulled her large family together, and whose home was always described as Grand Central Station, was gone.

She had a good, long life. One that started May 2, 1917, in Keavy, ''right across the field'' from her current home on German Lane. The youngest of eight siblings, she was born to John and Sallie Ann Karr Hill. ''Our house was about like a school, there were so many of us,'' Alice said. ''Mommy and poppy were good people.'' John and Sallie were farmers, and ''mommy would do the cooking and we would all come back in from the field and eat dinner; plain old country meals of beans, potatoes, and cornbread. Then we would go out in the field and work and come back and have a cold supper, usually milk and bread.''

In addition to farming, John Hill delivered the mail for the U.S. Postal Service. ''Sometimes I'd go with him and he'd deliver those packages on horseback from Vox to Lily. He'd buy me a little candy to eat on while we was gone, that sugar candy.''

The Hill home was a plain but happy one, with the kids playing hide and seek and marbles while the adults visited with neighbors on Sunday afternoons in between going to church at Locust Grove and Level Green.

It was hot in the house in the summer, with no screens to keep the flies ''and everything else there is to have'' away, and so cold in the winter the dipper would freeze in the water bucket overnight. On snowy days, ''we would pop popcorn on the stove and piece quilts,'' Alice said. Once a week, the family would head to a big spring ''and there was a great, old big rock there we'd use to set our tubs on'' to do laundry. Another tub was used for baths. ''It was a lot of trouble,'' Alice said about bathing when she was a kid, ''but the water stayed pretty warm.'' Alice, being the baby, would always be the last one in the water.

One of the chores she keenly remembers was rounding up her mother's paddling of ducks. ''Mommy would pick the feathers off them and make pillows and feather beds,'' Alice said. ''Here we'd go marching down the branch to find her ducks. We'd have to gather them back up and drive them back home. Some later, there they'd go again. We'd go up and down through there catching them. And then we'd go and look for wildflowers up and down the branch. My mom would walk us to death.''

Alice's mother made all of her children's clothes, often cobbling together feed sacks for the girls to wear. But Alice didn't mind. ''They were just as comfortable and pretty as store-bought,'' she said.

Alice started attending Keavy School at the age of 7—''I didn't want to go when I was 6'' and she quickly made fast friends with Georgia Alsip and Anna Lee Bunch. ''We'd get out and roam around at recess. We'd watch 'em play basketball. Sometimes we'd pitch horseshoe. Back then we had a recess that lasted about half an hour of a morning. Then we had another at dinner, then another half an hour in the evening. We had time to play.''

The school was a ''big, white, two-story building with an aisle up through the middle and rooms up each side. There were stairs up each side of the front door.'' One of her teachers, Oscar Parman, boarded with the Hills, and he ''was just like a brother to me.''

Following elementary school, Alice went on to London School, where, boarding with her sister in town, she stayed until the eighth grade. She then returned to her parents' house and, since several of her siblings had become teachers and started raising their own families, the care of their children during the day fell to Aunt Alice. She took on the role naturally and was a loving, tender caregiver whose influence long outlasted her babysitting days.

At the age of 22, Alice met a man by the name of William Raymond Helton, a truck driver who lived in Corbin, with whom she was soon taken. Though she didn't have the support of her family—''They just didn't think he was the kind I should marry''—Alice got up early one morning, washed a white dress with pink flowers and told her sister, with whom she was living, she was headed down to a revival. ''I got down there at the foot of the hill and he's sitting there on a bench waiting for me and we turned around and went back to Preacher Grubb's house. In other words, we eloped.''

Alice and her husband moved into a tiny starter house, and soon she and Raymond started a family. Over the next 17 years, they had seven children—Freda, Herschel, Joan, Wanda, Wayne, Debbie, and Danny—and during World War II moved into their first real home a stone's throw away from her parents. ''It wasn't much because you couldn't get lumber back then because of the war,'' she said. ''They just threw it up as good as they could make it.'' Still, Alice made it her own, and soon it was a popular gathering spot for friends and family.

Alice was an indulgent, kind mother, and her children have fond memories of chasing lightning bugs in the twilight, listening to the Grand Ole Opry, watching ''Lassie'' and ''Rin Tin Tin,'' and heading out for ice cream cones at the local dairy drive-in. Though Alice very rarely had a chance to relax, when she did, she liked spending time ''watching the kids play.''

But Alice was deeply protective too. ''Daddy would be gone during the week and it was just us kids,'' daughter Joan remembered, laughing. ''She would hear people trying to steal her chickens. So she would make all of us kids get behind the couch and she would get out there and start shooting at the trees, to try and scare them off. My uncle worked for the railroad, and he would have to walk to the end of our road to catch his ride at night. And he'd start hollering, It's me, Alice!' because he didn't want to get shot.''

In 1969, Raymond built the family a new, bigger home across the street, and it's there Alice remained, even after Raymond died from Alzheimer's at the age of 83. Though widowed, Alice didn't stop ''being the glue that held us all together,'' Joan said. As she'd done before she married, Alice continued taking care of kids; this time it was her grandchildren whom she would babysit. Her nieces and nephews would constantly visit or call, and when her mother decided she no longer wanted to live alone, she showed up at Alice's door and moved in. ''As our parents passed on, Aunt Alice would say, I'm adopting you now and I have a little job for you to do,' so Aunt Alice became our surrogate mother and we all snuggled under her loving wings to survive our tragedies,'' one of Alice's nieces, Peggy Black, said.

During the week and every Sunday, Alice would get together with her siblings for game night, entertaining, and competitive evenings involving Yahtzee, Aggravation, Chinese checkers, and a complicated game called Hand and Foot that required seven decks of playing cards. ''We'd always come in here and we'd hear the dice rolling and we'd say, 'It sounds like the casino is open today,' '' granddaughter Lisa recalled. Alice and her brothers and sisters would gather in the kitchen while their children and grandchildren would sit outside to visit, the laughter and drama stemming from the game wafting onto the porch. This tradition continued for decades, with most of Alice's siblings living into their 90s.

In the end, Alice was the last of her siblings to survive but continued to be surrounded by family. On the afternoon of her interview, her phone rang nearly every 10 minutes, with family members on the other end calling for a chat. One of her daughters and a granddaughter sat on the couch to ask her questions. And Alice sat in her recliner talking, remembering and smiling at the past.

Thoughts from the family:

Alice's family said that when she first found out that she not only had been nominated, but also chosen as one of London's Living Treasures, the first thing she said was ''I haven't done anything special to deserve this. I haven't fought in any wars, or held any high positions in the community. I don't know what they will find to write about me.'' We assured her that yes, all the things she had mentioned were indeed important, but that she too had done some pretty important things in her life as well. We told her that when someone needed her she was always there to help, she was kind to people, she made people feel loved and needed, she always made people feel welcome at her home, people always wanted to be around her, she was a loving caregiver, she indeed impacted peoples' lives in a profound way. One example is something that was said about Alice by one of her neighbors—she said

that she knew she was supposed to try to live her life patterned by the way Jesus had lived his, but that she would feel satisfied if she could just live her life the way Alice Helton had lived hers. Another testimony of how much she was valued by the community was when one of the preachers at her funeral said that he felt as if he was officiating the funeral of ''royalty.''

Alice was a special lady to many people, and those who knew her, and loved her, and respected her, will miss her dearly. Her family said that they were so thankful that she was able to do her interview for the London Living Treasures project before she passed. And during her final hours on this earth, it was so clear to them how strong her faith in God was. They said she wasn't scared; she knew where she was going. They said that witnessing that kind of faith was one of the greatest gifts she could have ever given them.

VOTE EXPLANATION

Mr. UDALL of Colorado. Mr. President, from June 25 to June 29, 2012, I was unable to vote on Senate rollcall votes due to personal family reasons, as well as the devastating wildfires that were burning in many parts of Colorado. Had I been present I would have voted ''yea'' on vote Nos. 166, 167, 168, 169, 170, 171, and 172.

LIFTING HOLD ON H.R. 3012

Mr. GRASSLEY. Mr. President, today I lift my hold on H.R. 3012, the Fairness for High-Skilled Immigrants Act. This bill would eliminate the per-country numerical limitations for employment based immigrants and change the per-country numerical limitations for family-based immigrants. When I placed a hold on the bill, I was concerned that the bill did nothing to better protect Americans at home who seek high-skilled jobs during this time of record unemployment. Today, I lift my hold because I have reached an agreement with the senior Senator from New York, the chairman of the Senate Judiciary Subcommittee on Immigration, Refugees and Border Security.

I have spent a lot of time and effort into rooting out fraud and abuse in our visa programs, specifically the H–1B visa program. I have always said this program can and should serve as a benefit to our country, our economy and our U.S. employers. However, it is clear that it is not working as intended, and the program is having a detrimental effect on American workers.

For many years, Senator DURBIN and I have worked on legislation to close the loopholes in the H–1B visa program. Our legislation would ensure that American workers are afforded the first chance to obtain the available high paying and high skilled jobs in the United States. It would make sure visa holders know their rights. It would strengthen the wage requirements, ridding the incentives for companies to hire cheap, foreign labor.

While I could not get everything that was included in the Durbin-Grassley visa reform bill, there is agreement to include in H.R. 3012 provisions that give greater authority to program overseers to investigate visa fraud and abuse. Specifically, there will be language authorizing the Department of Labor to better review labor condition applications and investigate fraud and misrepresentation by employers. There is also agreement to include a provision allowing the Federal Government to do annual compliance audits of employers who bring in foreign workers through the H–1B visa program.

I appreciate the willingness of other members to work with me to include measures that will help us combat visa fraud, and ultimately protect more American workers. I look forward to working with others as H.R. 3012 progresses in the Senate.

TRIBUTE TO WENDY NELSON-KAUFFMAN

Mr. BLUMENTHAL. Mr. President, I am delighted to honor one of our Nation's most dedicated, talented, and influential teachers. Wendy Nelson-Kauffman, a humanities teacher at the Metropolitan Learning Center in Bloomfield, CT, was recently named as the 2012 Magnet Schools of America's National Teacher of the Year.

The Metropolitan Learning Center is part of the Capitol Region Education Council, which recognizes annually a teacher who ''exemplifies excellence in academic achievement through innovative programs that promote equity and diversity for students in Magnet Schools.'' This award spotlights the exceptional teachers and schools, especially our Nation's magnet schools, dedicated to equal opportunity. The Metropolitan Learning Center, open to students in 7th through 12th grades in the Greater Hartford Area, is one of Connecticut's finest centers for secondary education.

Since 1966, the Capitol Region Education Council has helped lead in reforming how we educate our Nation's children. Active in 36 areas of Connecticut, administering 120 programs in 20 facilities to more than 100,000 students annually, this network of dedicated administrators, educators, and education reformers has made tremendous impact, especially in underserved communities.

Ms. Nelson-Kauffman is renowned at the Metropolitan Learning Center. She has received many awards, including 2003 Connecticut Teacher of the Year, 2005 State History Teacher of the Year, and 2011 Capitol Region Education Council Teacher of the Year. But she is most respected for her generous energy and passion for changing the lives of our next generations. More telling than awards are the students who frequently share stories about the time Ms. Nelson-Kauffman dressed up as Rosie the Riveter or traveled with them to Africa and then formed the popular after-school group Student Abolitionists Stopping Slavery.

For almost 20 years as an educator at Hamden and Bloomfield High Schools and adult education centers, Ms. Nelson-Kauffman has used project-based learning with tremendous success. Her passion for journalism fosters an experiential, interactive teaching method. As Metropolitan Learning Center's social studies teacher and personal project coordinator for the prestigious International Baccalaureate Program, Ms. Nelson-Kauffman embraces a lifelong love of the past by placing it into the context of the present.

She shares her own genuine love of history with her classrooms. In 2003, invited to attend the Harriet Beecher Stowe Center Teacher Institute, she studied primary resources that unearthed stories of 19th-century women reformers. With this new background as inspiration, she introduced sensitive topics like abolitionism and racism to her high school students with tact and grace.

As an ambassador to educators around Connecticut, Ms. Nelson-Kauffman has demonstrated the effectiveness of multicultural teaching methods, to include travel, activities, group interactions, concerts, and dance. Her authenticity is rare and a real treasure. She is a stellar role model for anyone who mentors or teaches our future leaders. I hope my Senate colleagues will join me in congratulating Ms. Nelson-Kauffman, who has helped mitigate apathy and promote enthusiasm for the study of humanities.

ADDITIONAL STATEMENTS

TRIBUTE TO DR. BECKY PANEITZ

• Mr. BOOZMAN. Mr. President, today I wish to honor Dr. Becky Paneitz for her dedication, leadership and vision for providing a quality, affordable secondary education at NorthWest Arkansas Community College.

Having earned her bachelor's degree from the University of Arkansas at Monticello and her master's from the University of Arkansas at Little Rock, Dr. Paneitz understands the unique education challenges in Arkansas and faced that task head-on. As the President of NWACC for nearly a decade, she developed additional opportunities to reach students by establishing learning centers in the region. These efforts increased student enrollment exponentially. In less than 10 years the student population nearly doubled, making NWACC one of the largest and fastest growing community colleges in the country.

To accommodate this record growth, Dr. Paneitz launched an aggressive building expansion project on the NWACC campus including the Shewmaker Center for Global Business Development, the Center for Health Professions and the new Student Center.

Dr. Paneitz devoted her life to education and that took her across the

country from Pueblo Community College in Colorado to Hutchinson Community College in Kansas and Central Piedmont Community College in North Carolina. Along the way she found time to earn her doctorate in vocational education at Colorado State University.

Under Dr. Paneitz's guidance the community college established itself as an advocate of child welfare, partnering with the National Child Protection Training Center as a regional partner to provide training and technical assistance for child protection professionals. This is a great effort to better serve children in Arkansas and protect the wellbeing of children all across the country.

I congratulate Dr. Becky Paneitz for her outstanding contributions to education and for her achievements at NWACC. I wish her continued success in her future endeavors as she gets ready to move onto the next chapter in her life after she retires as the President of Northwest Arkansas Community College in June 2013. I am grateful for her years of service and leadership to Arkansas.●

RECOGNIZING THE HEALTHY COMMUNITIES COALITION

● Mr. HELLER. Mr. President, I rise today to recognize the Healthy Communities Coalition of Lyon and Storey Counties, HCC, for its dedication to meeting Nevadans' healthcare needs. The HCC serves 8 of Nevada's rural areas by partnering with local agencies to provide health and wellness resources to the Silver State's most remote communities. I am proud to honor the HCC's commitment to serving the citizens of my home State.

Local residents created the HCC in 1995 to provide a safe environment for Nevada's youth by reducing poverty and substance abuse. Adapting to Nevada's evolving needs, the HCC expanded its resources to provide rural Nevadans of all ages with health and wellness resources they could otherwise not access. Promoting healthy communities in Nevada for over a decade, the HCC remains dedicated to addressing local needs to capitalize on local strengths.

Nevada has been one of the hardest-hit States in this difficult economic climate. Far too many Nevadans are out of work and continue facing great difficulties. I commend and appreciate organizations like the HCC, which offers assistance to struggling Nevadans who depend on their local resources. The HCC is empowering the communities of rural Nevada as we work to return America's economy back to a period of greater prosperity.

Today, I ask my colleagues to join me in recognizing the HCC for all it does for the Silver State. I wish the HCC staff continued success and thank them wholeheartedly for their efforts to encourage a healthy community for all Nevadans.●

RECOGNIZING BROOKS TRAP MILL

● Ms. SNOWE. Mr. President, today I wish to recognize and commend the tremendous success of Brooks Trap Mill, a family-owned lobster trap manufacturer headquartered in Thomaston, ME. The lobster industry is iconic of my home State and the hard work, perseverance, and success of everyone at Brooks Trap Mill is emblematic of the strong tradition of entrepreneurship in Maine.

As former chair and current ranking member of the Senate Small Business Committee, I have had the tremendous privilege of hearing countless small business success stories from hard-working entrepreneurs across the country. Simply put, Brooks Trap Mill is one of these extraordinary stories. Since its inception in 1946, it has grown to become an indisputable leader in the fishing industry, while consistently creating quality jobs for Mainers. As a critical supplier to the commercial lobster industry, as well as other trap fisheries, Brooks Trap Mill offers Maine fishermen a vast selection of products to haul their catch. Their extensive inventory ranges from bait, buoys, foul-weather clothing, and rope to traps for lobster, oysters, sea bass, and shrimp.

Like so many small Maine businesses, Brooks Trap Mill is rooted firmly in family tradition. Founded by Michael Brooks over 60 years ago in a stock mill in Rockland, ME, Brooks Trap Mill has expanded considerably throughout the years but continues to be a family-owned and operated business. With three locations, the largest of which entails over 45,000 square feet of storage space, Brooks Trap Mill has accumulated one of the largest stocks of lobstering materials in the industry. Currently run by the third generation of the family, siblings Mark, Julie, and Stephen Brooks are fully involved in leading the business' success. Under their watch, the company manufactures, sells, and distributes nearly 50,000 new lobster traps annually.

Brooks Trap Mill is also dedicated to serving its community through support and participation in a variety of organizations and events including the Maine Lobstermen's Association; the Maine Lobster Festival in Rockland, Maine; and the Festival of Lights Lobster Trap Tree. Brooks Trap Mill has earned a reputation as a devoted and hard-working fixture of the lobster fishing industry, and its community service is admirable.

Through their remarkable growth, ingenuity, and dedication to its customers, the Brooks family has left an indelible mark on Maine maritime history. Brooks Trap Mill remains a tribute to the work begun 60 years ago by Michael Brooks. I thank the entire Brooks family for all of their efforts and wish them and everyone at Brooks Trap Mill success in their future endeavors.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

REPORT ON THE ISSUANCE OF AN EXECUTIVE ORDER MODIFYING THE SCOPE OF THE NATIONAL EMERGENCY DECLARED IN EXECUTIVE ORDER 13047 OF MAY 20, 1997, WITH RESPECT TO BURMA—PM 55

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (IEEPA), I hereby report that I have issued an Executive Order (the ''order'') that modifies the scope of the national emergency declared in Executive Order 13047 of May 20, 1997, as modified in scope in Executive Order 13448 of October 18, 2007, and relied upon for additional steps taken in Executive Order 13310 of July 28, 2003, Executive Order 13448 of October 18, 2007, and Executive Order 13464 of April 30, 2008, and takes additional steps with respect to that national emergency.

In Executive Order 13047, the President found that the Government of Burma committed large-scale repression of the democratic opposition in Burma after September 30, 1996, and further determined that the actions and policies of the Government of Burma constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. To address that threat and to implement section 570 of the Foreign Operations, Export Financing, and Related Appropriations Act, 1997 (Public Law 104–208), the President in Executive Order 13047 prohibited new investment in Burma. On July 28, 2003, the President issued Executive Order 13310, which contained prohibitions implementing certain provisions of the Burmese Freedom and Democracy Act of 2003 (Public Law 108–61) and blocked the property and interests in property of persons listed in the Annex to Executive Order 13310 or determined by the Secretary of the Treasury, in consultation with the Secretary of State, to meet designation criteria specified in

Executive Order 13310. In Executive Order 13448, the President expanded the scope of the national emergency declared in Executive Order 13047, incorporated existing designation criteria set forth in Executive Order 13310, blocked the property and interests in property of persons listed in the Annex to Executive Order 13448, and provided additional criteria for designations of other persons. In Executive Order 13464, the President blocked the property and interests in property of persons listed in the Annex to Executive Order 13464 and provided additional criteria for designations of other persons.

While the Government of Burma has made progress towards political reform in a number of areas, including by releasing hundreds of political prisoners, pursuing ceasefire talks with several armed ethnic groups, and pursuing a substantive dialogue with the democratic opposition, this reform is fragile. I support this reform in Burma and the building of a democratic political process that will allow all of the people of Burma to be represented. However, I have found that the continued detention of political prisoners, efforts to undermine or obstruct the political reform process, efforts to undermine or obstruct the peace process with ethnic minorities, military trade with North Korea, and human rights abuses in Burma particularly in ethnic areas, effectuated by persons within and outside the Government of Burma, constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. To address this situation, the order imposes additional measures with respect to Burma.

The order provides criteria for designations of persons determined by the Secretary of the Treasury, in consultation with or at the recommendation of the Secretary of State:

To have engaged in acts that directly or indirectly threaten the peace, security, or stability of Burma, such as actions that have the purpose or effect of undermining or obstructing the political reform process or the peace process with ethnic minorities in Burma;

To be responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, or to have participated in, the commission of human rights abuses in Burma;

To have, directly or indirectly, imported, exported, reexported, sold or supplied arms or related materiel from North Korea or the Government of North Korea to Burma or the Government of Burma;

To be a senior official of an entity that has engaged in the acts described above;

To have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, the acts described above or any person whose property and interests in property are blocked pursuant to the order; or

To be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the order.

I have delegated to the Secretary of the Treasury the authority, in consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of the order.

All agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the order.

I am enclosing a copy of the Executive Order I have issued.

BARACK OBAMA.

THE WHITE HOUSE, *July 11, 2012*.

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 4:13 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 2061. An act to provide for an exchange of land between the Department of Homeland Security and the South Carolina State Ports Authority.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3369. A bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes.

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–6785. A communication from the Administrator, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Single Family Housing Guaranteed Loan Program'' (RIN0575–AC90) received in the Office of the President of the Senate on June 28, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6786. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General Ann E. Dunwoody, United States Army, and her advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–6787. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Order of Application for Modifications'' ((RIN0750–AH56) (DFARS Case 2012–D002)) received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2012; to the Committee on Armed Services.

EC–6788. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Illinois; Regional Haze'' (FRL No. 9683–6) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2012; to the Committee on Environment and Public Works.

EC–6789. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Regional Haze State Implementation Plan'' (FRL No. 9695–4) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2012; to the Committee on Environment and Public Works.

EC–6790. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Regional Haze State Implementation Plan'' (FRL No. 9695–5) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2012; to the Committee on Environment and Public Works.

EC–6791. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Synchronizing the Expiration Dates of the Pesticide Applicator Certificate with the Underlying State or Tribal Certificate'' (FRL No. 9334–4) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2012; to the Committee on Environment and Public Works.

EC–6792. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Effective Date for the Water Quality Standards for the State of Florida's Lakes and Flowing Waters'' (FRL No. 9691–3) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2012; to the Committee on Environment and Public Works.

EC–6793. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled ''Supervised Securities Holding Company Registration'' (RIN7100–AD81 and FRB Docket No. R–1430) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6794. A communication from the Acting Director of Legislative Affairs, Legal Office, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Calculation of Maximum Obligation Limitation'' (RIN3064–AD84) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6795. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Existing Validated End-User Authorizations: Hynix Semiconductor China Ltd., Hynix Semiconductor (Wuxi) Ltd., and Boeing Tianjin Composites Co. Ltd. in the People's Republic of China'' (RIN0694–AF71)

received in the Office of the President of the Senate on July 9, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6796. A communication from the Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Process for Submissions for Review of Security-Based Swaps for Mandatory Clearing and Notice Filing Requirements for Clearing Agencies; Technical Amendments to Rule 19b–4 and Form 19b–4 Applicable to All Self-Regulatory Organizations'' (RIN3235–AK87) received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6797. A communication from the Under Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13441 with respect to Lebanon; to the Committee on Banking, Housing, and Urban Affairs.

EC–6798. A communication from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of San Francisco, transmitting, pursuant to law, the Bank's 2011 Management Report; to the Committee on Banking, Housing, and Urban Affairs.

EC–6799. A communication from the President and Chief Executive Officer, Federal Home Loan Bank of Cincinnati, transmitting, pursuant to law, Bank's 2011 Management Report and statement on system of internal controls; to the Committee on Banking, Housing, and Urban Affairs.

EC–6800. A communication from the President and Chief Executive Officer, Federal Home Loan Bank of Pittsburgh, transmitting, pursuant to law, the Bank's 2011 Statement on System of Internal Controls, audited financial statements, and Report of Independent Registered Public Accounting Firm on Internal Controls over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards; to the Committee on Banking, Housing, and Urban Affairs.

EC–6801. A communication from the Accounting Manager, Accounting Policy and External Reporting, Federal Home Loan Bank of Des Moines, transmitting, pursuant to law, the Bank's 2011 management report; to the Committee on Banking, Housing, and Urban Affairs.

EC–6802. A communication from the President and Chief Executive Officer, Federal Home Loan Bank of Topeka, transmitting, pursuant to law, the Bank's management reports and statements on system of internal controls for fiscal year 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–6803. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Implementation of the Understandings Reached at the 2011 Australia Group (AG) Plenary Meeting and Other AG-Related Clarifications to the EAR'' (RIN0694–AF45) received in the Office of the President of the Senate on June 28, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6804. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Wyoming Regulatory Program'' (Docket No. WY–042–FOR) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2012; to the Committee on Energy and Natural Resources.

EC–6805. A communication from the Acting Assistant Secretary, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Vehicles and Traffic Safety—Bicycles'' (RIN1024–AD97) received in the Office of the President of the Senate on June 29, 2012; to the Committee on Energy and Natural Resources.

EC–6806. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Integration of Variable Energy Resources'' (RIN1902–AE16) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2012; to the Committee on Energy and Natural Resources.

EC–6807. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled ''Report to Congress on the Voluntary Commitments to Reduce Industrial Energy Intensity''; to the Committee on Energy and Natural Resources.

EC–6808. A communication from the Secretary of the Interior, transmitting, the report of proposed legislation entitled ''National Park Service Study Act of 2012''; to the Committee on Energy and Natural Resources.

EC–6809. A communication from the Secretary of the Interior, transmitting, pursuant to law, a report entitled ''Proposed Final Outer Continental Shelf (OCS) Oil and Gas Leasing Program 2012–2017''; to the Committee on Energy and Natural Resources.

EC–6810. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Indiana Regulatory Program'' (Docket No. IN–160–FOR) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2012; to the Committee on Energy and Natural Resources.

EC–6811. 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 ''Qualified Energy Conservation Bonds'' (Notice 2012–44) received in the Office of the President of the Senate on June 29, 2012; to the Committee on Finance.

EC–6812. 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 ''Section 16(m)(4)(C)—Dividends and Dividend Equivalents on Restricted Stock and Restricted Stock Units'' (Rev. Rul. 2012–19) received in the Office of the President of the Senate on June 29, 2012; to the Committee on Finance.

EC–6813. 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 ''Section 3121—Tips Included for Both Employee and Employer Taxes'' (Rev. Proc. 2012–18) received in the Office of the President of the Senate on June 29, 2012; to the Committee on Finance.

EC–6814. 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 ''Applicable Federal Rates—July 2012'' (Rev. Rul. 2012–20) received in the Office of the President of the Senate on June 29, 2012; to the Committee on Finance.

EC–6815. 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 ''Interim Guidance on Rev. Rul. 2012–18, Sec. 3121—Tips Included for Both Employee and Employer Taxes'' (Announcement 2012–25) received in the Office of the President of the Senate on June 29, 2012; to the Committee on Finance.

EC–6816. 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 ''Portability of a Deceased Spousal Unused Exclusion Amount'' ((RIN1545–BK34) (TD 9593)) received in the Office of the President of the Senate on June 29, 2012; to the Committee on Finance.

EC–6817. 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 ''Applicable Federal Rates—February 2012'' (Rev. Rul. 2012–7) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2012; to the Committee on Finance.

EC–6818. 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 ''Treatment of Income from Certain Government Bonds for Purposes of the PFIC Rules'' (Rev. Rul. 2012–45) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2012; to the Committee on Finance.

EC–6819. A communication from the Inspector General of the Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Part D Plans Generally Include Drugs Commonly Used by Dual Eligibles: 2012 (OEI–05–12–00060)''; to the Committee on Finance.

EC–6820. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Child Welfare Outcomes 2007–2010: Report to Congress''; to the Committee on Finance.

EC–6821. 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 12–020); to the Committee on Foreign Relations.

EC–6822. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to amendment to part 126 of the International Traffic in Arms Regulations (ITAR); to the Committee on Foreign Relations.

EC–6823. A communication from the Under Secretary for Industry and Security, Department of Commerce, transmitting, pursuant to law, a Foreign Policy Report on the removal of United Nations arms embargo provisions against Rwanda; to the Committee on Foreign Relations.

EC–6824. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2012–0069—2012–0084); to the Committee on Foreign Relations.

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. UDALL of New Mexico:

S. 3370. A bill to authorize the Administrator of General Services to convey a parcel of real property in Albuquerque, New Mexico, to the Amy Biehl High School Foundation; to the Committee on Environment and Public Works.

By Mr. BEGICH (for himself and Ms. SNOWE):

S. 3371. A bill to establish, within the National Oceanic and Atmospheric Administration, an integrated and comprehensive ocean, coastal, Great Lakes, and atmospheric research, prediction, and environmental information program to support renewable energy, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WEBB (for himself and Mr. CONRAD):

S. 3372. A bill to amend section 704 of title 18, United States Code; to the Committee on the Judiciary.

By Ms. MURKOWSKI:

S. 3373. A bill to require the Attorney General to issue a report on the Alaska Rural Justice and Law Enforcement Commission; to the Committee on the Judiciary.

By Mr. NELSON of Nebraska:

S. 3374. A bill to amend the Public Rangelands Improvement Act of 1978 to establish criteria for the rate of fees charged for grazing private livestock on public rangelands; to the Committee on Energy and Natural Resources.

By Mrs. BOXER:

S. 3375. A bill to designate the Berryessa Snow Mountain National Conservation Area in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself and Ms. MURKOWSKI):

S. 3376. A bill to amend the Federal Food, Drug, and Cosmetic Act to prevent the abuse of dextromethorphan, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER (for himself, Ms. MIKULSKI, Mr. BLUNT, Mr. BURR, Mrs. FEINSTEIN, Mr. CHAMBLISS, Mr. UDALL of Colorado, Mr. RISCH, and Ms. SNOWE):

S.J. Res. 47. A joint resolution amending title 36, United States Code, to designate July 26 as United States Intelligence Professionals Day; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 362

At the request of Mr. WHITEHOUSE, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 412

At the request of Mr. LEVIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 412, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 697

At the request of Mr. CASEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 697, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Services for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 960

At the request of Mr. KERRY, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 960, a bill to provide for a study on issues relating to access to intravenous immune globulin (IVG) for Medicare beneficiaries in all care settings and a demonstration project to examine the benefits of providing coverage and payment for items and services necessary to administer IVG in the home.

S. 1616

At the request of Mr. MENENDEZ, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1616, a bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes.

S. 1929

At the request of Mr. BLUMENTHAL, the names of the Senator from Nebraska (Mr. NELSON), the Senator from Maine (Ms. SNOWE), the Senator from Illinois (Mr. KIRK) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 1929, a bill to require the Secretary of the Treasury to mint coins in commemoration of Mark Twain.

S. 2078

At the request of Mr. MENENDEZ, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2078, a bill to enable Federal and State chartered banks and thrifts to meet the credit needs of the Nation's home builders, and to provide liquidity and ensure stable credit for meeting the Nation's need for new homes.

S. 2173

At the request of Mr. DEMINT, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 2173, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 2239

At the request of Mr. NELSON of Florida, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2239, a bill to direct the head of each agency to treat relevant military training as sufficient to satisfy training or certification requirements for Federal licenses.

S. 2342

At the request of Mr. TESTER, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2342, a bill to reform the National Association of Registered Agents and Brokers, and for other purposes.

S. 2472

At the request of Mr. CASEY, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2472, a bill to provide for the issuance and sale of a semipostal by the United States Postal Service for research and demonstration projects relating to autism spectrum disorders.

S. 3204

At the request of Mr. JOHANNS, the names of the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. INHOFE) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 3204, a bill to address fee disclosure requirements under the Electronic Fund Transfer Act, and for other purposes.

S. 3239

At the request of Mrs. FEINSTEIN, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 3239, a bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes.

S. 3291

At the request of Ms. KLOBUCHAR, her name was added as a cosponsor of S. 3291, a bill to prohibit unauthorized third-party charges on wireline telephone bills, and for other purposes.

S. 3333

At the request of Mr. TOOMEY, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 3333, a bill to require certain entities that collect and maintain personal information of individuals to secure such information and to provide notice to such individuals in the case of a breach of security involving such information, and for other purposes.

S. 3364

At the request of Ms. STABENOW, the names of the Senator from Minnesota (Mr. FRANKEN), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 3364, a bill to provide an incentive for businesses to bring jobs back to America.

S. 3369

At the request of Mr. WHITEHOUSE, the names of the Senator from Vermont (Mr. LEAHY), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Maryland (Ms. MIKULSKI), the Senator from New Jersey (Mr. MENENDEZ), the Senator from North Carolina (Mrs. HAGAN), the Senator from Colorado (Mr. UDALL), the Senator from Michigan (Ms. STABENOW), the Senator from Michigan (Mr. LEVIN), the Senator from Iowa (Mr. HARKIN), the Senator from Delaware (Mr. COONS), the Senator from Wisconsin (Mr. KOHL), the Senator from North Dakota (Mr. CONRAD), the Senator from Hawaii (Mr. INOUYE), the Senator from Vermont (Mr. SANDERS), the Senator from Rhode Island (Mr. REED), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 3369, a bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations,

Super PACs and other entities, and for other purposes.

S.J. RES. 39

At the request of Mr. CARDIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S.J. Res. 39, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S.J. RES. 43

At the request of Mr. MCCONNELL, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S.J. Res. 43, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

S. CON. RES. 48

At the request of Mr. THUNE, his name was added as a cosponsor of S. Con. Res. 48, a concurrent resolution recognizing 375 years of service of the National Guard and affirming congressional support for a permanent Operational Reserve as a component of the Armed Forces.

At the request of Mr. LEAHY, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. Con. Res. 48, supra.

S. RES. 487

At the request of Mr. BEGICH, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Res. 487, a resolution expressing the sense of the Senate that the ambush marketing adversely affects Team USA and the Olympic and Paralympic Movements and should not be condoned.

AMENDMENT NO. 2493

At the request of Mrs. HUTCHISON, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of amendment No. 2493 intended to be proposed to S. 2237, a bill to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes.

AMENDMENT NO. 2496

At the request of Mr. DURBIN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of amendment No. 2496 intended to be proposed to S. 2237, a bill to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes.

At the request of Mr. ENZI, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of amendment No. 2496 intended to be proposed to S. 2237, supra.

AMENDMENT NO. 2506

At the request of Mr. MCCONNELL, the names of the Senator from Utah (Mr. HATCH), the Senator from Arizona (Mr. KYL), the Senator from Florida (Mr. RUBIO), the Senator from Kansas (Mr. ROBERTS), the Senator from Texas (Mrs. HUTCHISON), the Senator from Louisiana (Mr. VITTER), the Senator from Nebraska (Mr. JOHANNS), the Senator from Texas (Mr. CORNYN), the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Oklahoma (Mr. INHOFE), the Senator from Wyoming (Mr. BARRASSO), the Senator from Utah (Mr. LEE), the Senator from Mississippi (Mr. WICKER), the Senator from Ohio (Mr. PORTMAN), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Georgia (Mr. ISAKSON), the Senator from Mississippi (Mr. COCHRAN), the Senator from Iowa (Mr. GRASSLEY), the Senator from Indiana (Mr. COATS), the Senator from Oklahoma (Mr. COBURN) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of amendment No. 2506 intended to be proposed to S. 2237, a bill to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WEBB (for himself and Mr. CONRAD):

S. 3372. A bill to amend section 704 of title 18, United States Code; to the Committee on the Judiciary.

Mr. WEBB. Mr. President, I am introducing this bill today in response to a recent Supreme Court holding that invalidated the provisions of what has become known as the Stolen Valor Act of 2006. The Supreme Court decision regarded a place in the Stolen Valor Act that made all false statements about the receipt of military decorations a crime. It states that this act, in the view of the Court:

> . . . seeks to control and suppress all false statements on this one subject in almost limitless times and settings without regard to whether the lie was made for the purpose of material gain.

Basically what the Supreme Court was saying is that we cannot freeze all first amendment rights to make claims about anything in this society unless there was a purpose at the end of it in terms of some sort of a material gain.

I understand and fully accept the Court's holding in this case about the overly broad measures of the Stolen Valor Act of 2006. The legislation I am introducing today is designed to remedy this issue and to bring criminal penalties to those who falsely claim military service or the receipt of unearned awards, medals, and ribbons if these statements were made in pursuit of a tangible benefit or a personal gain.

This legislation is drafted under the guidance of the holding of the Supreme Court in this case. I am a strong believer in the first amendment. I believe it is sacrosanct in our society. I believe the freedom to speak one's mind and to dissent when one opposes a proposal or an issue or a government policy is the very foundation of a truly free society.

At the same time, the very special reverence with the first amendment should be measured against the equally special place our society holds for military service. There are strongly emotional reasons that this is so and there are clearly other tangible benefits that derive from military service.

I would point out something that for many of us seems obvious, but I think it needs to be restated as we consider the Supreme Court decision on the Stolen Valor Act and what the implications are for the legislation I am introducing. The experience of military service, particularly hard combat, is a unique phenomenon in our society. There was a saying when I was in the Marine Corps many years ago that ''For those who have fought for it, freedom has a flavor that the protected shall never know.'' Once someone has been in hard combat, they will never see life around them in the same way again. That doesn't mean they will be worse or particularly better or damaged or in some way empowered, but for the rest of their lives they will truly see a lot of things differently. They will have seen horrible events that strain their emotions, yet increase their ability to understand tragedy and to value human courage in many different stripes and forms. They will have learned to appreciate the inherent contradictions between the pristine intellectual debates about war and the reality of a blood-soaked battlefield where decisions must be made in an instant while human lives hang precariously in the balance.

These lives comprise the burden and the value of military service. Neither the scars nor the lessons disappear when one leaves the battlefield or when one leaves the military. The men and women who step forward to serve carry this burden and share these values for the rest of their lives. Our veterans have given a portion of themselves to our country, and our country has always been good at reciprocating. Our veterans love America and America loves our veterans.

It is important to understand the impact that military service can have on one's life in order to comprehend what a disservice it is for others to pretend to have served. There is an old country song that says ''You've got to suffer if you want to sing the blues.'' Those who have not served, have not paid the price that comes with earning that respect. In many cases they are indeed attempting to gain tangible benefits that have been designed to reward and honor military service when they pretend to have served.

Here are a few of those benefits that are in the legislation I am outlining: benefits relating to the military service provided by the Federal Government or a State or local government; the ability to gain employment or professional advancement; financial remuneration, for instance, receiving money for books or writings related to the notion of having served; seeking an effect

on the outcome of criminal or civil court proceedings; and seeking to impact one's personal credibility in a political campaign. There are others, but those are clearly tangible benefits that come from stating that one served in the military when one did not.

The journey of this Stolen Valor legislation begins with one individual whom I have known for a very long time. His name is Jug Burkett. He was a Vietnam veteran, like myself. He grew up in the military. His father had a career in the military. He identified this problem many years ago and looked at the impact of those who had claimed to have served or who had claimed to have served in areas where they did not on all the areas I just mentioned.

He wrote a book many years called ''Stolen Valor.'' He had quite a journey with this book and has pursued the issue of honesty and integrity in our legal process and in other ways. It was largely because of Jug Burkett's effort that the Stolen Valor Act was passed in 2006.

I do not believe the Supreme Court decision in any way invalidates the concerns Jug Burkett and others have had. In fact, I think what we are doing with this legislation is to make sure proper concerns are laid out without being overly broad so that any words said in a bar room or someone sitting around personally is not going to have legal authorities measuring every single word anyone says.

We have designed this very specifically with respect to the concerns the Supreme Court laid out. I may be offering this bill as an amendment to the National Defense Authorization Act. My hope is this amended language could gain the support of all of our colleagues and that we could move this bill quickly, perhaps as an independent bill.

This bill respects the first amendment. It respects military service, and it assures a special place in our society that has always been reserved for those who have stepped forward and gone into harm's way on our behalf.

By Mrs. BOXER:

S. 3375. A bill to designate the Berryessa Snow Mountain National Conservation Area in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. BOXER. Mr. President, I am pleased to introduce the Berryessa Snow Mountain National Conservation Area 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.

This important legislation designates 319,000 acres of public lands in Lake, Mendocino, Napa, and Yolo Counties as the Berryessa Snow Mountain National Conservation Area, or NCA. The area is a haven for hiking, camping, rafting, and horseback riding, and is home to a diverse array of wildlife including black bears and bald eagles.

My bill does not add any new lands to the Federal Government—the lands included in this NCA are already managed by the Bureau of Land Management, the Bureau of Reclamation, and the U.S. Forest Service. A National Conservation Area designation will require these three agencies to develop a multi-agency management plan in consultation with stakeholders and the public, improving coordination on wildlife preservation, habitat restoration, and recreational opportunities. Creation of the NCA will also help the agencies take a more coordinated approach to preventing and fighting wildfires, combating invasive species and water pollution, and stopping the spread of illegal marijuana growth.

By unifying these individual places under one banner, my bill helps put the Berryessa Snow Mountain region on the map as a destination for new visitors. This region is one of the most biologically diverse, yet least known regions of California. By raising its profile, an NCA designation will boost tourism and increase business opportunities in the region's gateway communities. The Outdoor Industry Association has estimated that outdoor recreation supports 408,000 jobs and contributes $46 billion annually to California's economy, underscoring the immense potential of sites such as the proposed Berryessa Snow Mountain NCA to drive local economic growth. Additionally, the region will become recognized by more people as uniform signage and publications are created to reach more diverse audiences, allowing them to learn more about this beautiful area.

Finally, this designation enables more people to share in the management of these wonderful resources through the creation of a public advisory committee. Local citizens, outdoor enthusiasts, business owners, and other stakeholders will be granted an official avenue to provide input on how to best care for these beautiful rivers, ridges, forests, canyons, and creeks, along with their diverse plant and wildlife species.

Creation of this proposed National Conservation Area has strong support from a large coalition of local governments, elected officials, business owners, landowners, farmers, private individuals, and many conservation and recreation groups. This bill is the culmination of a grassroots effort of concerned citizens taking the initiative to care for the beautiful areas in their communities, and I am proud to support their work and commitment. I particularly applaud Tuleyome, a local nonprofit active in protecting wilderness and agriculture in the western Sacramento Valley and Inner Coast Range, for their leadership on this effort.

I look forward to working with my colleagues to pass this important legislation. The Berryessa Snow Mountain region deserves national status and recognition, and I urge my colleagues to join me in supporting this effort.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2508. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; which was ordered to lie on the table.

SA 2509. Mr. HATCH (for himself, Mr. BROWN of Massachusetts, Mr. TOOMEY, Mr. RISCH, Mr. PORTMAN, Mr. ROBERTS, Mr. ISAKSON, Mr. JOHANNS, Mr. COATS, Mr. KIRK, Ms. COLLINS, Mrs. HUTCHISON, Mr. KYL, Mr. BARRASSO, Mr. MCCAIN, Mr. COBURN, Mr. BURR, Ms. AYOTTE, Mr. RUBIO, Mr. LUGAR, Mr. CRAPO, Mr. CORNYN, Mr. INHOFE, Mr. ALEXANDER, Mr. HELLER, Mr. BOOZMAN, Mr. GRAHAM, Mr. HOEVEN, Mr. THUNE, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2510. Mr. HATCH (for himself, Mr. JOHANNS, Mr. RISCH, Mr. PORTMAN, Mr. ROBERTS, Mr. ISAKSON, Mr. COATS, Mr. KIRK, Ms. COLLINS, Mrs. HUTCHISON, Mr. KYL, Mr. BARRASSO, Mr. MCCAIN, Mr. COBURN, Mr. BURR, Mr. COCHRAN, Mr. RUBIO, Mr. CRAPO, Mr. CORNYN, Mr. INHOFE, Mr. ALEXANDER, Mr. HELLER, Mr. BOOZMAN, Mr. GRAHAM, Mr. HOEVEN, Mr. THUNE, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2511. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2512. Mr. BROWN of Ohio submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2513. Mr. BROWN of Ohio (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2514. Mr. THUNE (for himself, Mr. ROBERTS, Mr. BLUNT, and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2515. Mr. BENNET (for himself, Mr. MORAN, Mr. UDALL of Colorado, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2516. Mr. FRANKEN (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2517. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2518. Mr. THUNE (for himself, Mr. RUBIO, Mr. GRAHAM, and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2519. Mr. WHITEHOUSE (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2520. Mr. BENNET (for himself, Mr. MORAN, Mr. UDALL of Colorado, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2521. Mr. REID (for Ms. LANDRIEU) proposed an amendment to the bill S. 2237, supra.

SA 2522. Mr. REID proposed an amendment to amendment SA 2521 proposed by Mr. REID (for Ms. LANDRIEU) to the bill S. 2237, supra.

SA 2523. Mr. REID proposed an amendment to amendment SA 2522 proposed by Mr. REID to the amendment SA 2521 proposed by Mr. REID (for Ms. LANDRIEU) to the bill S. 2237, supra.

SA 2524. Mr. REID proposed an amendment to the bill S. 2237, supra.

SA 2525. Mr. REID proposed an amendment to amendment SA 2524 proposed by Mr. REID to the bill S. 2237, supra.

SA 2526. Mr. REID proposed an amendment to the bill S. 2237, supra.

SA 2527. Mr. REID proposed an amendment to amendment SA 2526 proposed by Mr. REID to the bill S. 2237, supra.

SA 2528. Mr. REID proposed an amendment to amendment SA 2527 proposed by Mr. REID to the amendment SA 2526 proposed by Mr. REID to the bill S. 2237, supra.

SA 2529. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2530. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2531. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2508. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____. POINT OF ORDER ON LEGISLATION THAT RAISES INCOME TAX RATES ON SMALL BUSINESSES.

(a) POINT OF ORDER.—

(1) IN GENERAL.—In the Senate, it shall not be in order to consider any bill, joint resolution, amendment, motion, or conference report that includes any provision which increases Federal income tax rates.

(2) DEFINITION.—In this section, the term ''Federal income tax rates'' means any rate of tax under—

(A) subsection (a), (b), (c), (d), or (e) of section 1 of the Internal Revenue Code of 1986,

(B) section 11(b) of such Code, or

(C) section 55(b) of such Code.

(b) SUPERMAJORITY WAIVER AND APPEALS.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, dully chosen and sworn.

(2) APPEALS.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SA 2509. Mr. HATCH (for himself, Mr. BROWN of Massachusetts, Mr. TOOMEY, Mr. RISCH, Mr. PORTMAN, Mr. ROBERTS, Mr. ISAKSON, Mr. JOHANNS, Mr. COATS, Mr. KIRK, Ms. COLLINS, Mrs. HUTCHINSON, Mr. KYL, Mr. BARRASSO, Mr. MCCAIN, Mr. COBURN, Mr. BURR, Ms. AYOTTE, Mr. RUBIO, Mr. LUGAR, Mr. CRAPO, Mr. CORNYN, Mr. INHOFE, Mr. ALEXANDER, Mr. HELLER, Mr. BOOZMAN, Mr. GRAHAM, Mr. HOEVEN, Mr. THUNE, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the first word and insert the following:

1. REPEAL OF MEDICAL DEVICE EXCISE TAX.

(a) IN GENERAL.—Chapter 32 of the Internal Revenue Code of 1986 is amended by striking subchapter E.

(b) CONFORMING AMENDMENTS.—

(1) Subsection (a) of section 4221 of such Code is amended by striking the last sentence.

(2) Paragraph (2) of section 6416(b) of such Code is amended by striking the last sentence.

(c) CLERICAL AMENDMENT.—The table of subchapters for chapter 32 of such Code is amended by striking the item relating to subchapter E.

SA 2510. Mr. HATCH (for himself, Mr. JOHANNS, Mr. RISCH, Mr. PORTMAN, Mr. ROBERTS, Mr. ISAKSON, Mr. COATS, Mr. KIRK, Ms. COLLINS, Mrs. HUTCHISON, Mr. KYL, Mr. BARRASSO, Mr. MCCAIN, Mr. COBURN, Mr. BURR, Mr. COCHRAN, Mr. RUBIO, Mr. CRAPO, Mr. CORNYN, Mr. INHOFE, Mr. ALEXANDER, Mr. HELLER, Mr. BOOZMAN, Mr. GRAHAM, Mr. HOEVEN, Mr. THUNE, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the first word and insert the following:

1. REPEAL OF TAX ON INDIVIDUALS WHO FAIL TO MAINTAIN MINIMUM ESSENTIAL COVERAGE.

Section 5000A of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(h) TERMINATION.—This section shall not apply with respect to any month beginning after the date of the enactment of this subsection.''.

SA 2511. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE II—GRAZING IMPROVEMENT ACT OF 2012

SEC. 201. SHORT TITLE.

This title may be cited as the ''Grazing Improvement Act of 2012''.

SEC. 202. TERMS OF GRAZING PERMITS AND LEASES.

Section 402 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1752) is amended—

(1) by striking ''ten years'' each place it appears and inserting ''20 years''; and

(2) in subsection (b)—

(A) by striking ''or'' at the end of each of paragraphs (1) and (2);

(B) in paragraph (3), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(4) the initial environmental analysis under National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) regarding a grazing allotment, permit, or lease has not been completed.''.

SEC. 203. RENEWAL, TRANSFER, AND REISSUANCE OF GRAZING PERMITS AND LEASES.

Title IV of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751 et seq.) is amended by adding at the end the following:

''SEC. 405. RENEWAL, TRANSFER, AND REISSUANCE OF GRAZING PERMITS AND LEASES.

''(a) DEFINITIONS.—In this section:

''(1) CURRENT GRAZING MANAGEMENT.—The term 'current grazing management' means grazing in accordance with the terms and conditions of an existing permit or lease and includes any modifications that are consistent with an applicable Department of Interior resource management plan or Department of Agriculture land use plan.

''(2) SECRETARY CONCERNED.—The term 'Secretary concerned' means—

''(A) the Secretary of Agriculture, with respect to National Forest System land; and

''(B) the Secretary of the Interior, with respect to land under the jurisdiction of the Department of the Interior.

''(b) RENEWAL, TRANSFER, REISSUANCE, AND PENDING PROCESSING.—A grazing permit or lease issued by the Secretary of the Interior, or a grazing permit issued by the Secretary of Agriculture regarding National Forest System land, that expires, is transferred, or is waived shall be renewed or reissued under, as appropriate—

''(1) section 402;

''(2) section 19 of the Act of April 24, 1950 (commonly known as the 'Granger-Thye Act'; 16 U.S.C. 5801);

''(3) title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010 et seq.); or

''(4) section 510 the California Desert Protection Act of 1994 (16 U.S.C. 410aaa–50).

''(c) TERMS; CONDITIONS.—The terms and conditions (except the termination date) contained in an expired, transferred, or waived permit or lease described in subsection (b) shall continue in effect under a renewed or reissued permit or lease until the date on which the Secretary concerned completes the processing of the renewed or reissued permit or lease that is the subject of the expired, transferred, or waived permit or lease, in compliance with each applicable law.

''(d) CANCELLATION; SUSPENSION; MODIFICATION.—Notwithstanding subsection (c), a permit or lease described in subsection (b) may be cancelled, suspended, or modified in accordance with applicable law.

''(e) RENEWAL TRANSFER REISSUANCE AFTER PROCESSING.—When the Secretary concerned has completed the processing of the renewed or reissued permit or lease that is the subject of the expired, transferred, or waived permit or lease, the Secretary concerned may renew or reissue the permit or lease for a term of 20 years after completion of processing.

''(f) COMPLIANCE WITH NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—The renewal, reissuance, or transfer of a grazing permit or lease by the Secretary concerned may, at their sole discretion, be categorically excluded from the requirement to prepare an environmental assessment or an environmental impact statement if—

''(1) the decision to renew, reissue, or transfer continues the current grazing management of the allotment;

''(2) monitoring of the allotment has indicated that the current grazing management has met, or has satisfactorily progressed towards meeting, objectives contained in the

land use and resource management plan of the allotment, as determined by the Secretary concerned; or

''(3) the decision is consistent with the policy of the Department of the Interior or the Department of Agriculture, as appropriate, regarding extraordinary circumstances.

''(g) PRIORITY AND TIMING FOR COMPLETING ENVIRONMENTAL ANALYSES.—The Secretary concerned, in the sole discretion of the Secretary concerned, shall determine the priority and timing for completing each required environmental analysis regarding any grazing allotment, permit, or lease based on the environmental significance of the allotment, permit, or lease and available funding for that purpose.

''(h) NEPA EXEMPTIONS.—The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to the following:

''(1) Crossing and trailing authorizations of domestic livestock.

''(2) Transfer of grazing preference.''.

SA 2512. Mr. BROWN of Ohio submitted an amendment intended to be proposed by him to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____. SMALL BUSINESS HUBZONES.

(a) DEFINITION.—In this section, the term ''covered base closure area'' means a base closure area that, on or before the date of enactment of this Act, was treated as a HUBZone for purposes of the Small Business Act (15 U.S.C. 631 et seq.) pursuant to section 152(a)(2) of the Small Business Reauthorization and Manufacturing Assistance Act of 2004 (15 U.S.C. 632 note).

(b) TREATMENT AS HUBZONE.—A covered base closure area shall be treated as a HUBZone for purposes of the Small Business Act (15 U.S.C. 631 et seq.) during the 5-year period beginning on the date of enactment of this Act.

SA 2513. Mr. BROWN of Ohio (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE ____—21ST CENTURY INVESTMENT

SEC. ____1. SHORT TITLE.

This title may be cited as the ''21st Century Investment Act of 2012''.

SEC. ____2. RESEARCH CREDIT MADE PERMANENT.

(a) IN GENERAL.—Section 41 of the Internal Revenue Code of 1986 is amended by striking subsection (h).

(b) CONFORMING AMENDMENT.—Paragraph (1) of section 45C(b) of such Code is amended by striking subparagraph (D).

(c) EFFECTIVE DATE.—The amendments made by this subsection shall apply to amounts paid or incurred after December 31, 2011.

SEC. ____3. INCREASE IN SIMPLIFIED RESEARCH CREDIT.

(a) IN GENERAL.—Subparagraph (A) of section 41(c)(5) of the Internal Revenue Code of 1986 is amended by striking ''14 percent (12 percent in the case of taxable years ending before January 1, 2009)'' and inserting ''20 percent''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. ____4. INCREASE IN RESEARCH CREDIT FOR RESEARCH WITH UNITED STATES BUSINESSES.

(a) IN GENERAL.—Section 41 of the Internal Revenue Code of 1986, as amended by section 2 of this Act, is amended by redesignating subsection (h) as subsection (i) and by inserting after subsection (g) the following new subsection:

''(h) SPECIAL RULE FOR RESEARCH WITH UNITED STATES MANUFACTURING BUSINESS.—

''(1) IN GENERAL.—If the taxpayer elects the application of this subsection, subsection (a)(1) shall be applied by substituting '25 percent' for '20 percent' with respect to qualified United States research expenses.

''(2) QUALIFIED UNITED STATES RESEARCH EXPENSES.—For purposes of this subsection, the term 'qualified United States research expenses' means qualified research expenses for qualified research, substantially all of which occurs in the United States.

''(3) SEPARATE APPLICATION OF SECTION.—In the case of any election of the application of this subsection, this section shall be applied separately with respect qualified United States research expenses.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred for taxable years beginning after the date of the enactment of this Act.

SEC. ____5. INCREASE IN DOMESTIC PRODUCTION ACTIVITIES DEDUCTION FOR MANUFACTURED PROPERTY RESEARCHED AND DEVELOPED IN UNITED STATES.

(a) IN GENERAL.—Subsection (d) of section 199 of the Internal Revenue Code of 1986 is amended by redesignating paragraph (10) as paragraph (11) and by inserting after paragraph (9) the following new paragraph:

''(10) SPECIAL RULE FOR CERTAIN MANUFACTURING.—

''(A) IN GENERAL.—In the case qualified production activities income attributable to the manufacture or production of qualifying production property substantially all of the research and development of which occurred in the United States, subsection (a) shall be applied by substituting '15 percent' for '9 percent'.

''(B) SPECIAL RULE WHEN TAXABLE INCOME USED TO DETERMINE DEDUCTION.—In the case of any taxable year for which the taxpayer's qualified production activities income exceeds the taxpayer's taxable income (determined without regard to this section), the amount of taxable income to which the 15 percent amount in subparagraph (A) applies under subsection (a)(1) shall be an amount equal to the amount which bears the same ratio to such taxable income (as so determined) as—

''(i) the amount of qualified production activities income of the taxpayer for the taxable year which is attributable to the manufacture or production of qualifying production property substantially all of the research and development with respect to which occurred in the United States, bears to

''(ii) all qualified production activities income of the taxpayer for the taxable year.

''(C) TERMINATION.—This paragraph shall not apply to taxable years beginning after December 31, 2020.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 2514. Mr. THUNE (for himself, Mr. ROBERTS, Mr. BLUNT, and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2.

SA 2515. Mr. BENNET (for himself, Mr. MORAN, Mr. UDALL of Colorado, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____. EXTENSION OF CREDITS FOR WIND FACILITIES.

(a) PRODUCTION TAX CREDIT.—Paragraph (1) of section 45(d) of the Internal Revenue Code of 1986 is amended by striking ''January 1, 2013'' and inserting ''January 1, 2015''.

(b) INVESTMENT TAX CREDIT.—Clause (i) of section 48(a)(5)(C) of the Internal Revenue Code of 1986 is amended by striking ''or 2012'' and inserting ''2012, 2013, or 2014''.

(c) CONFORMING AMENDMENT.—Paragraph (1) of section 1603(e) of division B of the American Recovery and Reinvestment Act of 2009 is amended by striking ''January 1, 2013'' and inserting ''January 1, 2015''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to facilities placed in service after December 31, 2012.

SEC. ____. DELAY IN APPLICATION OF WORLDWIDE INTEREST.

(a) IN GENERAL.—Paragraphs (5)(D) and (6) of section 864(f) of the Internal Revenue Code of 1986 are each amended by striking ''December 31, 2020'' and inserting ''December 31, 2022''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SA 2516. Mr. FRANKEN (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____. EXTENSION OF TIME FOR MAKING S CORPORATION ELECTIONS.

(a) IN GENERAL.—Subsection (b) of section 1362 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) WHEN MADE.—

''(1) RULES FOR NEW CORPORATIONS.—Except as provided in paragraph (2)—

''(A) IN GENERAL.—An election under subsection (a) may be made by a small business corporation for any taxable year at any time during the period—

''(i) beginning on the first day of the taxable year for which made, and

''(ii) ending on the due date (with extensions) for filing the return for the taxable year.

''(B) CERTAIN ELECTIONS TREATED AS MADE FOR NEXT TAXABLE YEAR.—If—

''(i) an election under subsection (a) is made for any taxable year within the period described in subparagraph (A), but

''(ii) either—

''(I) on 1 or more days in such taxable year and before the day on which the election was made the corporation did not meet the requirements of subsection (b) of section 1361, or

''(II) 1 or more of the persons who held stock in the corporation during such taxable year and before the election was made did not consent to the election,

then such election shall be treated as made for the following taxable year.

''(C) ELECTION MADE AFTER DUE DATE TREATED AS MADE FOR FOLLOWING TAXABLE YEAR.—If—

''(i) a small business corporation makes an election under subsection (a) for any taxable year, and

''(ii) such election is made after the due date (with extensions) for filing the return for such year and on or before the due date (with extensions) for filing the return for the following taxable year,

then such election shall be treated as made for the following taxable year.

''(2) RULES FOR EXISTING C CORPORATIONS.—In the case of any small business corporation which was a C corporation for the taxable year prior to the taxable year for which the election is made under subsection (a), the rules under this paragraph shall apply in lieu of the rules under paragraph (1):

''(A) IN GENERAL.—An election under subsection (a) may be made by a small business corporation for any taxable year—

''(i) at any time during the preceding taxable year, or

''(ii) at any time during the taxable year and on or before the 15th day of the 3d month of the taxable year.

''(B) CERTAIN ELECTIONS MADE DURING 1ST 2½ MONTHS TREATED AS MADE FOR NEXT TAXABLE YEAR.—If—

''(i) an election under subsection (a) is made for any taxable year during such year and on or before the 15th day of the 3d month of such year, but

''(ii) either—

''(I) on 1 or more days in such taxable year and before the day on which the election was made the corporation did not meet the requirements of subsection (b) of section 1361, or

''(II) 1 or more of the persons who held stock in the corporation during such taxable year and before the election was made did not consent to the election,

then such election shall be treated as made for the following taxable year.

''(C) ELECTION MADE AFTER 1ST 2½ MONTHS TREATED AS MADE FOR FOLLOWING TAXABLE YEAR.—If—

''(i) a small business corporation makes an election under subsection (a) for any taxable year, and

''(ii) such election is made after the 15th day of the 3d month of the taxable year and on or before the 15th day of the 3rd month of the following taxable year,

then such election shall be treated as made for the following taxable year.

''(D) TAXABLE YEARS OF 2½ MONTHS OR LESS.—For purposes of this paragraph, an election for a taxable year made not later than 2 months and 15 days after the first day of the taxable year shall be treated as timely made during such year.

''(3) AUTHORITY TO TREAT LATE ELECTIONS, ETC., AS TIMELY.—If—

''(A) an election under subsection (a) is made for any taxable year after the date prescribed by this subsection for making such election for such taxable year or no such election is made for any taxable year, and

''(B) the Secretary determines that there was reasonable cause for the failure to timely make such election,

the Secretary may treat such an election as timely made for such taxable year.

''(4) MANNER OF ELECTION.—Elections may be made at any time as provided in this subsection by filing a form prescribed by the Secretary. For purposes of any election described under paragraph (1), the Secretary shall provide that the election may be made on any timely filed small business corporation return for such taxable year, with the consents of all persons who held stock in the corporation during such taxable year included therewith.

''(5) SECRETARIAL AUTHORITY.—The Secretary may prescribe such regulations, rules, or other guidance as may be necessary or appropriate for purposes of applying this subsection.''.

(b) REVOCATIONS.—Paragraph (1) of section 1362(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''subparagraph (D)'' in subparagraph (C) and inserting ''subparagraphs (D) and (E)'', and

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

''(E) AUTHORITY TO TREAT LATE REVOCATIONS AS TIMELY.—If—

''(i) a revocation under subparagraph (A) is made for any taxable year after the date prescribed by this paragraph for making such revocation for such taxable year or no such revocation is made for any taxable year, and

''(ii) the Secretary determines that there was reasonable cause for the failure to timely make such revocation,

the Secretary may treat such a revocation as timely made for such taxable year.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to elections for taxable years beginning after the date of the enactment of this Act.

SA 2517. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. ELECTION FOR SMALL BUSINESSES TO EXPENSE DEPRECIABLE PROPERTY.

(a) IN GENERAL.—Part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 179E the following new section:

''SEC. 179F. ELECTION FOR SMALL BUSINESSES TO EXPENSE CERTAIN DEPRECIABLE PROPERTY.

''(a) IN GENERAL.—An eligible small business may elect to treat the cost of any qualified property as an expense which is not chargeable to a capital account.

''(b) ELIGIBLE SMALL BUSINESS.—For purposes of this section—

''(1) IN GENERAL.—The term 'eligible small business' means, with respect to any taxable year, any trade or business the net profit of which does not exceed $1,000,000.

''(2) NET PROFIT.—The term 'net profit' means the excess of the aggregate gross receipts over the sum of—

''(A) the costs of goods sold which are allocable to such receipts, and

''(B) other expenses, losses, or deductions which are properly allocable to such receipts.

''(3) AGGREGATION RULES.—All persons treated as a single employer under subsection (a) or (b) of section 52 or subsection (m) or (o) of section 414 shall be treated as a single trade or business for purposes of this subsection.

''(c) ELECTION.—An election under this section for any taxable year shall be made on the taxpayer's return of the tax imposed by this chapter for the taxable year. Such election shall be made in such manner as the Secretary may by regulation prescribe.

''(d) DEFINITIONS AND SPECIAL RULES.—

''(1) QUALIFIED PROPERTY.—For purposes of this section, the term 'qualified property' means any property which is section 179 property as defined in section 179(d)(1), determined—

''(A) without regard to any placed in service date under subparagraph (A)(ii) thereof, and

''(B) without regard to any taxable year limitation under section 179(f).

''(2) SPECIAL RULES.—For purposes of this section, rules similar to the rules of paragraphs (3), (4), (5), (9), and (10) of section 179(d) shall apply.''.

(b) CLERICAL AMENDMENT.—Part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 179E the following new item:

''Sec. 179F. Election for small businesses to expense certain depreciable property.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2012.

SA 2518. Mr. THUNE (for himself, Mr. RUBIO, Mr. GRAHAM, and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE ____—DEATH TAX REPEAL

SEC. ____1. SHORT TITLE.

This title may be cited as the ''Death Tax Repeal Permanency Act of 2012''.

SEC. ____2. REPEAL OF ESTATE AND GENERATION-SKIPPING TRANSFER TAXES.

(a) ESTATE TAX REPEAL.—Subchapter C of chapter 11 of subtitle B of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 2210. TERMINATION.

''(a) IN GENERAL.—Except as provided in subsection (b), this chapter shall not apply to the estates of decedents dying on or after the date of the enactment of the Death Tax Repeal Permanency Act of 2012.

''(b) CERTAIN DISTRIBUTIONS FROM QUALIFIED DOMESTIC TRUSTS.—In applying section 2056A with respect to the surviving spouse of a decedent dying before the date of the enactment of the Death Tax Repeal Permanency Act of 2012—

''(1) section 2056A(b)(1)(A) shall not apply to distributions made after the 10-year period beginning on such date, and

''(2) section 2056A(b)(1)(B) shall not apply on or after such date.''.

(b) GENERATION-SKIPPING TRANSFER TAX REPEAL.—Subchapter G of chapter 13 of subtitle B of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 2664. TERMINATION.

''This chapter shall not apply to generation-skipping transfers on or after the date of the enactment of the Death Tax Repeal Permanency Act of 2012.''.

(c) CONFORMING AMENDMENTS.—

(1) The table of sections for subchapter C of chapter 11 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 2210. Termination.''.

(2) The table of sections for subchapter G of chapter 13 of such Code is amended by adding at the end the following new item:

''Sec. 2664. Termination.''.

(d) RESTORATION OF PRE-EGTRRA PROVISIONS NOT APPLICABLE.—

(1) IN GENERAL.—Section 301 of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 shall not

apply to estates of decedents dying, and transfers made, on or after the date of the enactment of this Act.

(2) EXCEPTION FOR STEPPED-UP BASIS.—Paragraph (1) shall not apply to the provisions of law amended by subtitle E of title V of the Economic Growth and Tax Relief Reconciliation Act of 2001 (relating to carryover basis at death; other changes taking effect with repeal).

(e) SUNSET NOT APPLICABLE.—

(1) Section 901 of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall not apply to title V of such Act in the case of estates of decedents dying, and transfers made, on or after the date of the enactment of this Act.

(2) Section 304 of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 is hereby repealed.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to the estates of decedents dying, and generation-skipping transfers, after the date of the enactment of this Act.

SEC. ___3. MODIFICATIONS OF GIFT TAX.

(a) COMPUTATION OF GIFT TAX.—Subsection (a) of section 2502 of the Internal Revenue Code of 1986 is amended to read as follows:

''(a) COMPUTATION OF TAX.—

''(1) IN GENERAL.—The tax imposed by section 2501 for each calendar year shall be an amount equal to the excess of—

''(A) a tentative tax, computed under paragraph (2), on the aggregate sum of the taxable gifts for such calendar year and for each of the preceding calendar periods, over

''(B) a tentative tax, computed under paragraph (2), on the aggregate sum of the taxable gifts for each of the preceding calendar periods.

''(2) RATE SCHEDULE.—

''If the amount with respect to which the tentative tax to be computed is:	**The tentative tax is:**
Not over $10,000	18% of such amount.
Over $10,000 but not over $20,000	$1,800, plus 20% of the excess over $10,000.
Over $20,000 but not over $40,000	$3,800, plus 22% of the excess over $20,000.
Over $40,000 but not over $60,000	$8,200, plus 24% of the excess over $40,000.
Over $60,000 but not over $80,000	$13,000, plus 26% of the excess over $60,000.
Over $80,000 but not over $100,000	$18,200, plus 28% of the excess over $80,000.
Over $100,000 but not over $150,000	$23,800, plus 30% of the excess over $100,000.
Over $150,000 but not over $250,000	$38,800, plus 32% of the excess of $150,000.
Over $250,000 but not over $500,000	$70,800, plus 34% of the excess over $250,000.
Over $500,000	$155,800, plus 35% of the excess of $500,000.''.

(b) TREATMENT OF CERTAIN TRANSFERS IN TRUST.—Section 2511 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(c) TREATMENT OF CERTAIN TRANSFERS IN TRUST.—Notwithstanding any other provision of this section and except as provided in regulations, a transfer in trust shall be treated as a taxable gift under section 2503, unless the trust is treated as wholly owned by the donor or the donor's spouse under subpart E of part I of subchapter J of chapter 1.''.

(c) LIFETIME GIFT EXEMPTION.—Paragraph (1) of section 2505(a) of the Internal Revenue Code of 1986 is amended to read as follows:

''(1) the amount of the tentative tax which would be determined under the rate schedule set forth in section 2502(a)(2) if the amount with respect to which such tentative tax is to be computed were $5,000,000, reduced by''.

(d) CONFORMING AMENDMENTS.—

(1) Section 2505(a) of the Internal Revenue Code of 1986 is amended by striking the last sentence.

(2) The heading for section 2505 of such Code is amended by striking ''**UNIFIED**''.

(3) The item in the table of sections for subchapter A of chapter 12 of such Code relating to section 2505 is amended to read as follows:

''Sec. 2505. Credit against gift tax.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to gifts made on or after the date of the enactment of this Act.

(f) TRANSITION RULE.—

(1) IN GENERAL.—For purposes of applying sections 1015(d), 2502, and 2505 of the Internal Revenue Code of 1986, the calendar year in which this title is enacted shall be treated as 2 separate calendar years one of which ends on the day before the date of the enactment of this Act and the other of which begins on such date of enactment.

(2) APPLICATION OF SECTION 2504(b).—For purposes of applying section 2504(b) of the Internal Revenue Code of 1986, the calendar year in which this title is enacted shall be treated as one preceding calendar period.

SA 2519. Mr. WHITEHOUSE (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; as follows:

At the end, add the following:

TITLE ____—SMALL BUSINESS REORGANIZATION EFFICIENCY AND CLARITY

SEC. ___01 SHORT TITLE.

This title may be cited as the ''Small Business Reorganization Efficiency and Clarity Act''.

SEC. ___02. FLEXIBILITY IN CONFIRMATION.

Section 1129(e) of title 11, United States Code, is amended by striking ''45 days'' and inserting ''90 days''.

SEC. ___03. CLARITY IN PERIODIC REPORTING REQUIREMENTS.

Section 308(b) of title 11, United States Code, is amended—

(1) in paragraph (4), by adding ''and'' at the end;

(2) in paragraph (5), by striking ''; and'' at the end and inserting a period; and

(3) by striking paragraph (6).

SEC. ___04. RETAINING PROFESSIONAL SERVICES.

(a) IN GENERAL.—Section 327 of title 11, United States Code, is amended by adding at the end the following:

''(g) Notwithstanding subsection (a), a person is not disqualified for employment under this section by a small business debtor solely because such person holds a claim of less than $5,000 that arose prior to the date of commencement of the case.''.

(b) ADJUSTMENTS TO DOLLAR AMOUNT.—Section 104 of title 11, United States Code, is amended by inserting ''327(g),'' after ''303(b),''.

SEC. ___05. ENFORCEMENT OF SMALL BUSINESS SELECTION.

Section 1112(b)(4) of title 11, United States Code, is amended—

(1) by redesignating subparagraphs (O) and (P) as subparagraphs (P) and (Q), respectively; and

(2) by inserting after subparagraph (N) the following:

''(O) failure of a small business debtor to designate itself as a small business debtor;''.

SEC. ___06. REPORT.

Not later than 12 months after the date of enactment of this Act, the Comptroller General of the United States, in consultation with the Administrative Office of United States Courts and the Executive Office of United States Trustees, shall submit a report to Congress detailing—

(1) the number and percentage of all cases filed under chapter 11 of title 11, United States Code, in which the debtor is a small business debtor, as that term is defined in section 101(51D) of title 11, United States Code;

(2) the number of cases and rates of confirmations for small business debtors in cases filed under chapter 11 of title 11, United States Code, as compared with—

(A) all debtors in cases filed under that chapter 11;

(B) all debtors in cases filed under that chapter 11 that are not small business debtors;

(C) debtors in cases filed under that chapter 11 that—

(i) are not small business debtors; and

(ii) have less than $5,000,000 in debt;

(D) debtors in cases filed under that chapter 11 that—

(i) are not small business debtors; and

(ii) have less than $10,000,000 in debt;

(E) debtors in cases filed under chapter 12 of title 11, United States Code; and

(F) debtors in cases filed under that chapter 13 that are business cases;

(3) the number of cases filed under chapter 11 of title 11, United States Code, in which the debtor has less than $2,343,300 in debt outstanding, but does not designate itself a small business debtor;

(4) recommendations for improving the confirmation rate for small business debtors; and

(5) an analysis on whether the definition of the term ''small business debtor'' should be amended to include businesses with—

(A) less than $5,000,000 in debt; and

(B) less than $10,000,000 in debt.

SA 2520. Mr. BENNET (for himself, Mr. MORAN, Mr. UDALL of Colorado, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; as follows:

At the end, add the following:

SEC. ___. EXTENSION OF CREDITS FOR WIND FACILITIES.

(a) PRODUCTION TAX CREDIT.—Paragraph (1) of section 45(d) of the Internal Revenue Code of 1986 is amended by striking ''January 1, 2013'' and inserting ''January 1, 2015''.

(b) INVESTMENT TAX CREDIT.—Clause (i) of section 48(a)(5)(C) of the Internal Revenue Code of 1986 is amended by striking ''or 2012'' and inserting ''2012, 2013, or 2014''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to facilities placed in service after December 31, 2012.

SEC. ___. DELAY IN APPLICATION OF WORLDWIDE INTEREST.

(a) IN GENERAL.—Paragraphs (5)(D) and (6) of section 864(f) of the Internal Revenue Code of 1986 are each amended by striking ''December 31, 2020'' and inserting ''December 31, 2022''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SA 2521. Mr. REID (for Ms. LANDRIEU) proposed an amendment to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

DIVISION A—SMALL BUSINESS JOBS AND TAX RELIEF

SECTION 1. SHORT TITLE.

This division may be cited as the ''Small Business Jobs and Tax Relief Act''.

SEC. 2. TEMPORARY TAX CREDIT FOR INCREASED PAYROLL.

(a) IN GENERAL.—In the case of a qualified employer who elects the application of this section, there shall be allowed as a credit against the tax imposed by chapter 1 of the Internal Revenue Code of 1986 for the taxable year which includes December 31, 2012, an amount equal to 10 percent of the excess (if any) of—

(1) the sum of the wages and compensation paid by such qualified employer for qualified services during calendar year 2012, over

(2) the sum of such wages and compensation paid during calendar year 2011.

(b) LIMITATION.—The amount of the excess taken into account under subsection (a) with respect to any qualified employer shall not exceed $5,000,000.

(c) WAGES AND COMPENSATION.—For purposes of this section—

(1) WAGES.—The term ''wages'' has the meaning given such term under section 3121 of the Internal Revenue Code of 1986 for purposes of the tax imposed by section 3111(a) of such Code.

(2) COMPENSATION.—The term ''compensation'' has the meaning given such term under section 3231 of such Code for purposes of the portion of the tax imposed by section 3221(a) of such Code that corresponds to the tax imposed by section 3111(a) of such Code.

(3) APPLICATION OF CONTRIBUTION AND BENEFIT BASE TO CALENDAR YEAR 2011.—For purposes of determining wages and compensation under subsection (a)(2), the contribution and benefit base as determined under section 230 of the Social Security Act shall be such amount as in effect for calendar year 2012.

(4) SPECIAL RULE WHEN NO WAGES OR COMPENSATION IN 2011.—In any case in which the sum of the wages and compensation paid by a qualified employer for qualified services during calendar year 2011 is zero, then the amount taken into account under subsection (a)(2) shall be 80 percent of the amount taken into account under subsection (a)(1).

(5) COORDINATION WITH OTHER EMPLOYMENT CREDITS.—The amount of the excess taken into account under subsection (a) shall be reduced by the sum of all other Federal tax credits determined with respect to wages or compensation paid in calendar year 2012.

(d) OTHER DEFINITIONS.—

(1) QUALIFIED EMPLOYER.—For purposes of this section—

(A) IN GENERAL.—The term ''qualified employer'' has the meaning given such term under section 3111(d)(2) of the Internal Revenue Code of 1986, determined by substituting ''section 101 of the Higher Education Act of 1965'' for ''section 101(b) of the Higher Education Act of 1965'' in subparagraph (B) thereof.

(B) AGGREGATION RULES.—Rules similar to the rules of sections 414(b), 414(c), 414(m), and 414(o) of such Code shall apply to determine when multiple entities shall be treated as a single employer, and rules with respect to predecessor and successor employers may be applied, in such manner as may be prescribed by the Secretary of the Treasury or the Secretary's designee (in this section referred to as the ''Secretary'').

(2) QUALIFIED SERVICES.—The term ''qualified services'' means services performed by an individual who is not described in section 51(i)(1) of such Code (applied by substituting ''qualified employer'' for ''taxpayer'' each place it appears)—

(A) in a trade or business of the qualified employer, or

(B) in the case of a qualified employer exempt from tax under section 501(a) of such Code, in furtherance of the activities related to the purpose or function constituting the basis of the employer's exemption under section 501 of such Code.

(e) APPLICATION OF CERTAIN RULES.—Rules similar to the rules of sections 280C(a) and 6501(m) of the Internal Revenue Code of 1986 shall apply with respect to the credit determined under this section.

(f) TREATMENT OF CREDIT.—For purposes of the Internal Revenue Code of 1986—

(1) TAXABLE EMPLOYERS.—

(A) IN GENERAL.—The credit allowed under subsection (a) with respect to qualified services described in subsection (d)(2)(A) for any taxable year shall be added to the current year business credit under section 38(b) of such Code for such taxable year and shall be treated as a credit allowed under subpart D of part IV of subchapter A of chapter 1 of such Code.

(B) LIMITATION ON CARRYBACKS.—No portion of the unused business credit under section 38 of such Code for any taxable year which is attributable to an increase in the current year business credit by reason of subparagraph (A) may be carried to a taxable year beginning before the date of the enactment of this section.

(2) TAX-EXEMPT EMPLOYERS.—

(A) IN GENERAL.—The credit allowed under subsection (a) with respect to qualified services described in subsection (d)(2)(B) for any taxable year—

(i) shall be treated as a credit allowed under subpart C of part IV of subchapter A of chapter 1 of such Code, and

(ii) shall be added to the credits described in subparagraph (A) of section 6211(b)(4) of such Code.

(B) CONFORMING AMENDMENT.—Section 1324(b)(2) of title 31, United States Code, is amended by inserting ''or due under section 2 of the Small Business Jobs and Tax Relief Act'' after ''the Housing Assistance Tax Act of 2008''.

(g) TREATMENT OF POSSESSIONS.—

(1) PAYMENTS TO POSSESSIONS.—

(A) MIRROR CODE POSSESSIONS.—The Secretary shall pay to each possession of the United States with a mirror code tax system amounts equal to the loss to that possession by reason of the application of subsections (a) through (f). Such amounts shall be determined by the Secretary based on information provided by the government of the respective possession of the United States.

(B) OTHER POSSESSIONS.—The Secretary shall pay to each possession of the United States which does not have a mirror code tax system the amount estimated by the Secretary as being equal to the loss to that possession that would have occurred by reason of the application of subsections (a) through (f) if a mirror code tax system had been in effect in such possession. The preceding sentence shall not apply with respect to any possession of the United States unless such possession establishes to the satisfaction of the Secretary that the possession has implemented (or, at the discretion of the Secretary, will implement) an income tax benefit which is substantially equivalent to the income tax credit allowed under such subsections.

(2) COORDINATION WITH CREDIT ALLOWED AGAINST UNITED STATES INCOME TAXES.—No increase in the credit determined under section 38(b) of the Internal Revenue Code of 1986 against United States income taxes for any taxable year determined by reason of subsection (f)(1)(A) shall be taken into account with respect to any person—

(A) to whom a credit is allowed against taxes imposed by the possession by reason of this section for such taxable year, or

(B) who is eligible for a payment under a plan described in paragraph (1)(B) with respect to such taxable year.

(3) DEFINITIONS AND SPECIAL RULES.—

(A) POSSESSION OF THE UNITED STATES.—For purposes of this subsection, the term ''possession of the United States'' includes American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, and the United States Virgin Islands.

(B) MIRROR CODE TAX SYSTEM.—For purposes of this subsection, the term ''mirror code tax system'' means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(C) TREATMENT OF PAYMENTS.—For purposes of section 1324(b)(2) of title 31, United States Code, the payments under this subsection shall be treated in the same manner as a refund due from credit provisions described in such section.

(h) REGULATIONS.—The Secretary shall prescribe such regulations or guidance as are necessary to carry out the provisions of this section.

SEC. 3. EXTENSION OF ALLOWANCE FOR BONUS DEPRECIATION FOR CERTAIN BUSINESS ASSETS.

(a) EXTENSION OF 100 PERCENT BONUS DEPRECIATION.—

(1) IN GENERAL.—Paragraph (5) of section 168(k) of the Internal Revenue Code of 1986 is amended—

(A) by striking ''January 1, 2012'' each place it appears and inserting ''January 1, 2013'', and

(B) by striking ''January 1, 2013'' and inserting ''January 1, 2014''.

(2) CONFORMING AMENDMENTS.—

(A) The heading for paragraph (5) of section 168(k) of such Code is amended by striking ''PRE-2012 PERIODS'' and inserting ''PRE-2013 PERIODS''.

(B) Clause (ii) of section 460(c)(6)(B) of such Code is amended by striking ''January 1, 2011 (January 1, 2012'' and inserting ''January 1, 2013 (January 1, 2014''.

(3) EFFECTIVE DATES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amendments made by this section shall apply to property placed in service after December 31, 2011.

(B) CONFORMING AMENDMENT.—The amendment made by paragraph (2)(B) shall apply to property placed in service after December 31, 2010.

(b) EXPANSION OF ELECTION TO ACCELERATE AMT CREDITS IN LIEU OF BONUS DEPRECIATION.—

(1) IN GENERAL.—Paragraph (4) of section 168(k) of the Internal Revenue Code of 1986 is amended to read as follows:

''(4) ELECTION TO ACCELERATE AMT CREDITS IN LIEU OF BONUS DEPRECIATION.—

''(A) IN GENERAL.—If a corporation elects to have this paragraph apply for any taxable year—

''(i) paragraph (1) shall not apply to any eligible qualified property placed in service by the taxpayer in such taxable year,

''(ii) the applicable depreciation method used under this section with respect to such property shall be the straight line method, and

''(iii) the limitation imposed by section 53(c) for such taxable year shall be increased by the bonus depreciation amount which is determined for such taxable year under subparagraph (B).

''(B) BONUS DEPRECIATION AMOUNT.—For purposes of this paragraph—

''(i) IN GENERAL.—The bonus depreciation amount for any taxable year is an amount equal to 20 percent of the excess (if any) of—

''(I) the aggregate amount of depreciation which would be allowed under this section for eligible qualified property placed in service by the taxpayer during such taxable year if paragraph (1) applied to all such property, over

''(II) the aggregate amount of depreciation which would be allowed under this section for eligible qualified property placed in service by the taxpayer during such taxable year if paragraph (1) did not apply to any such property.

The aggregate amounts determined under subclauses (I) and (II) shall be determined without regard to any election made under subsection (b)(2)(D), (b)(3)(D), or (g)(7) and without regard to subparagraph (A)(ii).

''(ii) LIMITATION.—The bonus depreciation amount for any taxable year shall not exceed the lesser of—

''(I) 50 percent of the minimum tax credit under section 53(b) for the first taxable year ending after December 31, 2011, reduced (but not below zero) by the sum of the bonus depreciation amounts for all taxable years ending after such date for which an election under this paragraph was made which precede the taxable year for which the determination is made (other than amounts determined with respect to property placed in service by the taxpayer on or before such date), or

''(II) the minimum tax credit under section 53(b) for such taxable year determined by taking into account only the adjusted minimum tax for taxable years ending before January 1, 2012 (determined by treating credits as allowed on a first-in, first-out basis).

''(iii) AGGREGATION RULE.—All corporations which are treated as a single employer under section 52(a) shall be treated—

''(I) as 1 taxpayer for purposes of this paragraph, and

''(II) as having elected the application of this paragraph if any such corporation so elects.

''(C) ELIGIBLE QUALIFIED PROPERTY.—For purposes of this paragraph, the term 'eligible qualified property' means qualified property under paragraph (2), except that in applying paragraph (2) for purposes of this paragraph—

''(i) 'March 31, 2008' shall be substituted for 'December 31, 2007' each place it appears in subparagraph (A) and clauses (i) and (ii) of subparagraph (E) thereof,

''(ii) 'April 1, 2008' shall be substituted for 'January 1, 2008' in subparagraph (A)(iii)(I) thereof, and

''(iii) only adjusted basis attributable to manufacture, construction, or production—

''(I) after March 31, 2008, and before January 1, 2010, and

''(II) after December 31, 2010, and before January 1, 2013, shall be taken into account under subparagraph (B)(ii) thereof.

''(D) CREDIT REFUNDABLE.—For purposes of section 6401(b), the aggregate increase in the credits allowable under part IV of subchapter A for any taxable year resulting from the application of this paragraph shall be treated as allowed under subpart C of such part (and not any other subpart).

''(E) OTHER RULES.—

''(i) ELECTION.—Any election under this paragraph may be revoked only with the consent of the Secretary.

''(ii) PARTNERSHIPS WITH ELECTING PARTNERS.—In the case of a corporation making an election under subparagraph (A) and which is a partner in a partnership, for purposes of determining such corporation's distributive share of partnership items under section 702—

''(I) paragraph (1) shall not apply to any eligible qualified property, and

''(II) the applicable depreciation method used under this section with respect to such property shall be the straight line method.

''(iii) CERTAIN PARTNERSHIPS.—In the case of a partnership in which more than 50 percent of the capital and profits interests are owned (directly or indirectly) at all times during the taxable year by one corporation (or by corporations treated as 1 taxpayer under subparagraph (B)(iii)), for purposes of subparagraph (B), each partner shall take into account its distributive share of the amounts determined by the partnership under subclauses (I) and (II) of clause (i) of such subparagraph for the taxable year of the partnership ending with or within the taxable year of the partner. The preceding sentence shall apply only to amounts determined with respect to property placed in service after December 31, 2011.

''(iv) SPECIAL RULE FOR PASSENGER AIRCRAFT.—In the case of any passenger aircraft, the written binding contract limitation under paragraph (2)(A)(iii)(I) shall not apply for purposes of subparagraphs (B)(i)(I) and (C).''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxable years ending after December 31, 2011.

(3) TRANSITIONAL RULE.—In the case of a taxable year beginning before January 1, 2012, and ending after December 31, 2011, the bonus depreciation amount determined under paragraph (4) of section 168(k) of the Internal Revenue Code of 1986 for such year shall be the sum of—

(A) such amount determined under such paragraph as in effect on the date before the date of enactment of this Act—

(i) taking into account only property placed in service before January 1, 2012, and

(ii) multiplying the limitation under subparagraph (C)(ii) of such paragraph (as so in effect) by a fraction the numerator of which is the number of days in the taxable year before January 1, 2012, and the denominator of which is the number of days in the taxable year, and

(B) such amount determined under such paragraph as amended by this Act—

(i) taking into account only property placed in service after December 31, 2011, and

(ii) multiplying the limitation under subparagraph (B)(ii) of such paragraph (as so in effect) by a fraction the numerator of which is the number of days in the taxable year after December 31, 2011, and the denominator of which is the number of days in the taxable year.

DIVISION B—SUCCESS ACT OF 2012

SEC. 1. SHORT TITLE.

This division may be cited as the ''Success Ultimately Comes from Capital, Contracting, Education, Strategic Partnerships, and Smart Regulations Act of 2012'' or the ''SUCCESS Act of 2012''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this division is as follows:

DIVISION B—SUCCESS ACT OF 2012

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

TITLE I—SMALL BUSINESS TAX EXTENDERS

Sec. 101. References.
Sec. 102. Extension of temporary exclusion of 100 percent of gain on certain small business stock.
Sec. 103. Extension of increased amount allowed as a deduction for start-up expenditures.
Sec. 104. Extension of reduction in recognition period for built-in gains tax.
Sec. 105. Extension of 5-year carryback of general business credits of eligible small businesses.
Sec. 106. Extension of increased expensing limitations and treatment of certain real property as section 179 property.

TITLE II—ACCESS TO CAPITAL

Subtitle A—Expanding Access to Capital for Entrepreneurial Leaders

Sec. 211. Short title.
Sec. 212. Program authorization.
Sec. 213. Family of funds.
Sec. 214. Adjustment for inflation.
Sec. 215. Public availability of information.
Sec. 216. Authorized uses of licensing fees.
Sec. 217. Sense of Congress.

Subtitle B—Low-Interest Refinancing

Sec. 221. Low-interest refinancing under the local development business loan program.

Subtitle C—SBA Lender Activity Index

Sec. 231. SBA lender activity index.

TITLE III—ACCESS TO GLOBAL MARKETS

Sec. 301. Short title.
Sec. 302. Report on improvements to Export.gov as a single window for export information.
Sec. 303. Report on developing a single window for information about export control compliance.

Sec. 304. Promotion of exporting.
Sec. 305. Export control education.
Sec. 306. Small Business Inter-Agency Task Force on Export Financing.
Sec. 307. Promotion of exports by rural small businesses.
Sec. 308. Registry of export management and export trading companies.
Sec. 309. Reverse trade missions.
Sec. 310. State Trade and Export Promotion Grant Program.
Sec. 311. Promotion of interagency details.
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TITLE IV—ACCESS TO MENTORING, EDUCATION, AND STRATEGIC PARTNERSHIPS
Subtitle A—Measuring the Effectiveness of Resource Partners
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Sec. 421. Short title.
Sec. 422. Definition.
Sec. 423. Office of Women's Business Ownership.
Sec. 424. Women's Business Center Program.
Sec. 425. Study and report on economic issues facing women's business centers.
Sec. 426. Study and report on oversight of women's business centers.
Subtitle C—Strengthening America's Small Business Development Centers
Sec. 431. Institutions of higher education.
Sec. 432. Updating funding levels for small business development centers.
Sec. 433. Assistance to out-of-state small businesses.
Sec. 434. Termination of small business development center defense economic transition assistance.
Sec. 435. National Small Business Development Center Advisory Board.
Sec. 436. Repeal of Paul D. Coverdell drug-free workplace program.
Subtitle D—Terminating the National Veterans Business Development Corporation
Sec. 441. National Veterans Business Development Corporation.
TITLE V—ACCESS TO GOVERNMENT CONTRACTING
Subtitle A—Bonds
Sec. 511. Removal of sunset dates for certain provisions of the Small Business Investment Act of 1958.
Subtitle B—Small Business Contracting Fraud Prevention
Sec. 521. Short title.
Sec. 522. Definitions.
Sec. 523. Fraud deterrence at the Small Business Administration.
Sec. 524. Veterans integrity in contracting.
Sec. 525. Section 8(a) program improvements.
Sec. 526. HUBZone improvements.
Sec. 527. Annual report on suspension, debarment, and prosecution.
Subtitle C—Fairness in Women-Owned Small Business Contracting
Sec. 531. Short title.
Sec. 532. Procurement program for women-owned small business concerns.
Sec. 533. Study and report on representation of women.
Subtitle D—Small Business Champion
Sec. 541. Short title.
Sec. 542. Offices of Small and Disadvantaged Business Utilization.
Sec. 543. Small Business Procurement Advisory Council.
TITLE VI—TRANSPARENCY, ACCOUNTABILITY, AND EFFECTIVENESS
Subtitle A—Small Business Common Application
Sec. 611. Definitions.
Sec. 612. Sense of Congress.
Sec. 613. Executive Committee On a Small Business Common Application.
Sec. 614. Authorization of appropriations.
Subtitle B—Government Accountability Office Review
Sec. 621. Government Accountability Office review.

TITLE I—SMALL BUSINESS TAX EXTENDERS

SEC. 101. REFERENCES.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 102. EXTENSION OF TEMPORARY EXCLUSION OF 100 PERCENT OF GAIN ON CERTAIN SMALL BUSINESS STOCK.

(a) IN GENERAL.—Paragraph (4) of section 1202(a) is amended—

(1) by striking ''January 1, 2012'' and inserting ''January 1, 2014'', and

(2) by striking ''AND 2011'' and inserting '', 2011, 2012, AND 2013'' in the heading thereof.

(b) TECHNICAL AMENDMENTS.—

(1) SPECIAL RULE FOR 2009 AND CERTAIN PERIOD IN 2010.—Paragraph (3) of section 1202(a) is amended by adding at the end the following new flush sentence:

''In the case of any stock which would be described in the preceding sentence (but for this sentence), the acquisition date for purposes of this subsection shall be the first day on which such stock was held by the taxpayer determined after the application of section 1223.''.

(2) 100 PERCENT EXCLUSION.—Paragraph (4) of section 1202(a) is amended by adding at the end the following new flush sentence:

''In the case of any stock which would be described in the preceding sentence (but for this sentence), the acquisition date for purposes of this subsection shall be the first day on which such stock was held by the taxpayer determined after the application of section 1223.''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsection (a) shall apply to stock acquired after December 31, 2011.

(2) SUBSECTION (b)(1).—The amendment made by subsection (b)(1) shall take effect as if included in section 1241(a) of division B of the American Recovery and Reinvestment Act of 2009.

(3) SUBSECTION (b)(2).—The amendment made by subsection (b)(2) shall take effect as if included in section 2011(a) of the Creating Small Business Jobs Act of 2010.

SEC. 103. EXTENSION OF INCREASED AMOUNT ALLOWED AS A DEDUCTION FOR START-UP EXPENDITURES.

(a) IN GENERAL.—Paragraph (3) of section 195(b) is amended—

(1) by inserting '', 2012, or 2013'' after ''2010'', and

(2) by inserting ''2012, AND 2013'' in the heading thereof.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred in taxable years beginning after December 31, 2011.

SEC. 104. EXTENSION OF REDUCTION IN RECOGNITION PERIOD FOR BUILT-IN GAINS TAX.

(a) IN GENERAL.—Paragraph (7) of section 1374(d) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D), and

(2) by inserting after subparagraph (B) the following new subparagraph:

''(C) SPECIAL RULE FOR 2012 AND 2013.—For dispositions of property in taxable years beginning in 2012 or 2013, subparagraphs (A) and (D) shall be applied by substituting '5-year' for '10-year'.''.

(b) TECHNICAL AMENDMENT.—Subparagraph (B) of section 1374(d)(2) is amended by inserting ''described in subparagraph (A)'' after '', for any taxable year''.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to taxable years beginning after December 31, 2011.

SEC. 105. EXTENSION OF 5-YEAR CARRYBACK OF GENERAL BUSINESS CREDITS OF ELIGIBLE SMALL BUSINESSES.

(a) IN GENERAL.—Subparagraph (A) of section 39(a)(4) is amended by inserting ''or in taxable years beginning in 2012, or 2013'' after ''2010''.

(b) TECHNICAL AMENDMENT.—Section 38(c)(5)(B) is amended—

(1) by striking ''the sum of'', and

(2) by inserting ''for any taxable year to which subparagraph (A) applies'' after ''or (4)''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply to credits determined in taxable years beginning after December 31, 2011.

(2) TECHNICAL AMENDMENTS.—The amendments made by subsection (b) shall take effect as if included in section 2013(a) of the Creating Small Business Jobs Act of 2010.

SEC. 106. EXTENSION OF INCREASED EXPENSING LIMITATIONS AND TREATMENT OF CERTAIN REAL PROPERTY AS SECTION 179 PROPERTY.

(a) IN GENERAL.—

(1) DOLLAR LIMITATION.—Section 179(b)(1) is amended—

(A) by striking ''and'' at the end of subparagraph (C),

(B) by redesignating subparagraph (D) as subparagraph (E),

(C) by inserting after subparagraph (C) the following new subparagraph:

''(D) $500,000 in the case of taxable years beginning in 2013, and'', and

(D) in subparagraph (E), as so redesignated, by striking ''2012'' and inserting ''2013''.

(2) REDUCTION IN LIMITATION.—Section 179(b)(2) is amended—

(A) by striking ''and'' at the end of subparagraph (C),

(B) by redesignating subparagraph (D) as subparagraph (E),

(C) by inserting after subparagraph (C) the following new subparagraph:

''(D) $2,000,000 in the case of taxable years beginning in 2013, and'', and

(D) in subparagraph (E), as so redesignated, by striking ''2012'' and inserting ''2013''.

(b) COMPUTER SOFTWARE.—Section 179(d)(1)(A)(ii) is amended by striking ''2013'' and inserting ''2014''.

(c) ELECTION.—Section 179(c)(2) is amended by striking ''2013'' and inserting ''2014''.

(d) SPECIAL RULES FOR TREATMENT OF QUALIFIED REAL PROPERTY.—

(1) IN GENERAL.—Section 179(f)(1) is amended by striking ''2010 or 2011'' and inserting ''2010, 2011, or 2013''.

(2) CARRYOVER LIMITATION.—Section 179(f)(4) is amended by striking subparagraphs (A) through (C) and inserting the following:

''(A) IN GENERAL.—Notwithstanding subsection (b)(3)(B)—

''(i) no amount attributable to qualified real property placed in service in any taxable year beginning in 2010 or 2011 may be carried over to any taxable year beginning after 2011, and

''(ii) no amount attributable to qualified real property placed in service in any taxable year beginning in 2013 may be carried over to any taxable year beginning after 2013.

''(B) TREATMENT OF DISALLOWED AMOUNTS.—Except as provided in subparagraph (C)—

''(i) TAXABLE YEARS BEGINNING AFTER 2011.—To the extent that any amount is not allowed to be carried over to a taxable year beginning after 2011 by reason of subparagraph (A)(i), this title shall be applied as if no election under this section had been made with respect to such amount.

''(ii) TAXABLE YEARS BEGINNING AFTER 2013.—To the extent that any amount is not allowed to be carried over to a taxable year beginning after 2013 by reason of subparagraph (A)(ii), this title shall be applied as if no election under this section had been made with respect to such amount.

''(C) AMOUNTS CARRIED OVER FROM CERTAIN TAXABLE YEARS.—

''(i) AMOUNTS CARRIED OVER FROM 2010.—If subparagraph (B)(i) applies to any amount (or portion of an amount) which is carried over from a taxable year other than the taxpayer's last taxable year beginning in 2011, such amount (or portion of an amount) shall be treated for purposes of this title as attributable to property placed in service on the first day of the taxpayer's last taxable year beginning in 2011.

''(ii) AMOUNTS CARRIED OVER FROM 2013.—If subparagraph (B)(ii) applies to any amount (or portion of an amount) which is carried over from a taxable year other than the taxpayer's last taxable year beginning in 2013, such amount (or portion of an amount) shall be treated for purposes of this title as attributable to property placed in service on the first day of the taxpayer's last taxable year beginning in 2013.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2012.

TITLE II—ACCESS TO CAPITAL

Subtitle A—Expanding Access to Capital for Entrepreneurial Leaders

SEC. 211. SHORT TITLE.

This subtitle may be cited as the ''EXCEL Act of 2012''.

SEC. 212. PROGRAM AUTHORIZATION.

Section 303(b) of the Small Business Investment Act of 1958 (15 U.S.C. 683(b)) is amended, in the matter preceding paragraph (1), in the first sentence, by inserting after ''issued by such companies'' the following: '', in a total amount that does not exceed $4,000,000,000 each fiscal year (adjusted annually to reflect increases in the Consumer Price Index established by the Bureau of Labor Statistics of the Department of Labor)''.

SEC. 213. FAMILY OF FUNDS.

Section 303(b)(2)(B) of the Small Business Investment Act of 1958 (15 U.S.C. 683(b)(2)(B)) is amended by striking ''$225,000,000'' and inserting ''$350,000,000''.

SEC. 214. ADJUSTMENT FOR INFLATION.

Section 303(b)(2) of the Small Business Investment Act of 1958 (15 U.S.C. 683(b)(2)) is amended by adding at the end the following:

''(E) ADJUSTMENTS.—

''(i) IN GENERAL.—The dollar amounts in subparagraph (A)(ii), subparagraph (B), and subparagraph (C)(ii)(I) shall be adjusted annually to reflect increases in the Consumer Price Index established by the Bureau of Labor Statistics of the Department of Labor (in this subparagraph referred to as the 'CPI').

''(ii) APPLICABILITY.—The adjustments required by clause (i)—

''(I) with respect to dollar amounts in subparagraphs (A)(ii) and (C)(ii)(I) shall initially reflect increases in the CPI during the period beginning on the effective date of section 505 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 156) through the date of enactment of this subparagraph and annually thereafter;

''(II) with respect to dollar amounts in subparagraph (B) shall reflect increases in the CPI annually on and after the date of enactment of this subparagraph.''.

SEC. 215. PUBLIC AVAILABILITY OF INFORMATION.

Section 303 of the Small Business Investment Act of 1958 (15 U.S.C. 683) is amended by adding at the end the following:

''(l) ACCESS TO FUND INFORMATION.—Annually, the Administrator shall make public on its website the following information with respect to each small business investment company:

''(1) The amount of capital deployed since fund inception.

''(2) The amount of leverage drawn since fund inception.

''(3) The number of investments since fund inception.

''(4) The number of businesses receiving capital since fund inception.

''(5) Industry sectors receiving investment since fund inception.

''(6) The amount of leverage principal repaid by the small business investment company since fund inception.

''(7) A basic description of investment strategy.''.

SEC. 216. AUTHORIZED USES OF LICENSING FEES.

Section 301 of the Small Business Investment Act of 1958 (15 U.S.C. 681) is amended—

(1) by redesignating subsection (e) as subsection (d); and

(2) in subsection (d)(2)(B), as so redesignated, by inserting before the period at the end the following: ''and other small business investment company program needs''.

SEC. 217. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) small business investment companies would benefit from partnerships with community banks and other lenders, and should work with community banks and other lenders, to ensure that if community banks and other lenders deny an application by a small business concern for a loan, the community banks or other lenders will refer the small business concern to small business investment companies; and

(2) the Administrator of the Small Business Administration (in this division referred to as the ''Administrator'') should—

(A) increase outreach to community banks and other lenders to encourage community banks and other lenders to invest in small business investment companies;

(B) use the Internet to make publicly available in a timely manner which small business investment companies are actively soliciting investments and making investments in small business concerns;

(C) partner with governors, mayors, States, and municipalities to increase outreach by small business investment companies to underserved and rural areas; and

(D) continue to make changes to the webpage for the small business investment company program, to make the webpage—

(i) a more prominent part of the website of the Administration; and

(ii) more user-friendly.

Subtitle B—Low-Interest Refinancing

SEC. 221. LOW-INTEREST REFINANCING UNDER THE LOCAL DEVELOPMENT BUSINESS LOAN PROGRAM.

Section 1122(b) of the Small Business Jobs Act of 2010 (15 U.S.C. 696 note) is amended by striking ''2 years'' and inserting ''on the date that is 3 years and 6 months''.

Subtitle C—SBA Lender Activity Index

SEC. 231. SBA LENDER ACTIVITY INDEX.

Section 4 of the Small Business Act (15 U.S.C. 633) is amended by adding at the end the following:

''(g) SBA LENDER ACTIVITY INDEX.—

''(1) DEFINITION.—In this subsection, the term 'covered loan' means a loan made or debenture issued under this Act or the Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.) by a private individual or entity.

''(2) REQUIREMENT.—Not later than 6 months after the date of enactment of this subsection, the Administrator shall make publicly available on the website of the Administration a user-friendly database of information relating to lenders making covered loans (to be known as the 'Lender Activity Index').

''(3) DATA INCLUDED.—

''(A) IN GENERAL.—The database made available under paragraph (2) shall include, for each lender making a covered loan—

''(i) the name of the lender;

''(ii) the number of covered loans made by the lender;

''(iii) the total dollar amount of covered loans made by the lender;

''(iv) a list of each ZIP code in which a recipient of a covered loan made by the lender is located;

''(v) a list of the industries of the recipients to which the lender made a covered loan;

''(vi) whether the covered loan is for an existing business or a new business;

''(vii) the number and total dollar amount of covered loans made by the lender to—

''(I) small business concerns owned and controlled by women;

''(II) socially and economically disadvantaged small business concerns (as defined in section 8(a)(4)(A)); and

''(III) small business concerns owned and controlled by veterans; and

''(viii) whether the covered loan was made under section 7(a) or under the program to provide financing to small business concerns through guarantees of loans under title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.).

''(B) INCORPORATION OF DATA.—The Administrator shall—

''(i) include in the database made available under paragraph (2) information relating to covered loans made during fiscal years 2009, 2010, 2011, and 2012; and

''(ii) incorporate information relating to covered loans on an ongoing basis.

''(C) PERIOD OF DATA AVAILABILITY.—The Administrator shall retain information relating to a covered loan in the database made available under paragraph (2) until not earlier than the end of the third fiscal year beginning after the fiscal year during which the covered loan was made.''.

TITLE III—ACCESS TO GLOBAL MARKETS

SEC. 301. SHORT TITLE.

This title may be cited as the ''Small Business Export Growth Act of 2012''.

SEC. 302. REPORT ON IMPROVEMENTS TO EXPORT.GOV AS A SINGLE WINDOW FOR EXPORT INFORMATION.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Director of International Trade of the Small Business Administration shall, after consultation with the entities specified in subsection (b), submit to the Committee on Small Business and Entrepreneurship and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Small Business and the Committee on Foreign Affairs of the House of Representatives a report that includes the recommendations of the Director for improving the experience provided by the website Export.gov (or a successor website) as—

(1) a comprehensive resource for information about exporting articles from the United States; and

(2) a single website for exporters to submit all information required by the Federal Government with respect to the exportation of articles from the United States.

(b) ENTITIES SPECIFIED.—The entities specified in this subsection are—

(1) small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) that are exporters; and

(2) the President's Export Council, State agencies with responsibility for export promotion or export financing, district export councils, and trade associations.

SEC. 303. REPORT ON DEVELOPING A SINGLE WINDOW FOR INFORMATION ABOUT EXPORT CONTROL COMPLIANCE.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Chief Counsel for Advocacy of the Small Business Administration shall submit to the appropriate congressional committees a report assessing the benefits of developing a website to serve as—

(1) a comprehensive resource for complying with and information about the export control laws and regulations of the United States; and

(2) a single website for exporters to submit all information required by the Federal Government with respect to export controls.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Commerce, Science, and Transportation, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Small Business and Entrepreneurship of the Senate; and

(2) the Committee on Energy and Commerce, the Committee on Foreign Affairs, and the Committee on Small Business of the House of Representatives.

SEC. 304. PROMOTION OF EXPORTING.

Section 22(c)(11) of the Small Business Act (15 U.S.C. 649(c)(11)) is amended by inserting '', which shall include conducting not fewer than 1 outreach event each fiscal year in each State that promotes exporting as a business development opportunity for small business concerns'' before the semicolon.

SEC. 305. EXPORT CONTROL EDUCATION.

Section 22 of the Small Business Act (15 U.S.C. 649) is amended—

(1) by redesignating subsection (l) as subsection (n); and

(2) by inserting after subsection (k) the following:

''(l) EXPORT CONTROL EDUCATION.—The Associate Administrator shall ensure that all programs of the Administration to support exporting by small business concerns place a priority on educating small business concerns about Federal export control regulations.''.

SEC. 306. SMALL BUSINESS INTER-AGENCY TASK FORCE ON EXPORT FINANCING.

The Administrator, in consultation with the Secretary of Agriculture, the President of the Export-Import Bank of the United States, and the President of the Overseas Private Investment Corporation shall jointly establish a Small Business Inter-Agency Task Force on Export Financing to—

(1) review and improve Federal export finance programs for small business concerns; and

(2) coordinate the activities of the Federal Government to assist small business concerns seeking to export.

SEC. 307. PROMOTION OF EXPORTS BY RURAL SMALL BUSINESSES.

(a) SMALL BUSINESS ADMINISTRATION-UNITED STATES DEPARTMENT OF AGRICULTURE INTERAGENCY COORDINATION.—

(1) EXPORT FINANCING PROGRAMS.—In coordination with the Secretary of Agriculture, the Administrator shall develop a program to cross-train export finance specialists and personnel from the Office of International Trade of the Administration on the export financing programs of the Department of Agriculture and the Foreign Agricultural Service.

(2) EXPORT ASSISTANCE AND BUSINESS COUNSELING PROGRAMS.—In coordination with the Secretary of Agriculture and the Foreign Agricultural Service, the Administrator shall develop a program to cross-train export finance specialists, personnel from the Office of International Trade of the Administration, Small Business Development Centers, women's business centers, the Service Corps of Retired Executives authorized by section 8(b)(1) of the Small Business Act (15 U.S.C. 637(b)(1)), Export Assistance Centers, and other resource partners of the Administration on the export assistance and business counseling programs of the Department of Agriculture.

(b) REPORT ON LENDERS.—Section 7(a)(16)(F) of the Small Business Act (15 U.S.C. 636(a)(16)(F)) is amended—

(1) in clause (i)—

(A) by redesignating subclauses (I) through (III) as items (aa) through (cc), respectively, and adjusting the margins accordingly;

(B) by striking ''list, have made'' and inserting the following: ''list—

''(I) have made'';

(C) in item (cc), as so redesignated, by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(II) were located in a rural area, as that term is defined in section 1393(a)(2) of the Internal Revenue Code of 1986, or a nonmetropolitan statistical area and have made—

''(aa) loans guaranteed by the Administration; or

''(bb) loans through the programs offered by the United States Department of Agriculture or the Foreign Agricultural Service.''; and

(2) in clause (ii)(II), by inserting ''and by resource partners of the Administration'' after ''the Administration''.

(c) COOPERATION WITH SMALL BUSINESS DEVELOPMENT CENTERS.—Section 21(c)(3)(M) of the Small Business Act (15 U.S.C. 648(c)(3)(M)) is amended by inserting after ''the Department of Commerce,'' the following: ''the Department of Agriculture,''.

(d) LIST OF RURAL EXPORT ASSISTANCE RESOURCES.—Section 22(c)(7) of the Small Business Act (15 U.S.C. 649(c)(7)) is amended—

(1) in subparagraph (C), by striking ''and'' at the end;

(2) by redesignating subparagraph (D) as subparagraph (E); and

(3) by inserting after subparagraph (C) the following:

''(D) publishing an annual list of relevant resources and programs of the district and regional offices of the Administration, other Federal agencies, the small business development center network, Export Assistance Centers, the network of women's business centers, chapters of the Service Corps of Retired Executives, State and local export promotion programs, and partners in the private sector, that—

''(i) are administered or offered by entities located in rural or nonmetropolitan statistical areas; and

''(ii) offer export assistance or business counseling services to rural small businesses concerns; and''.

SEC. 308. REGISTRY OF EXPORT MANAGEMENT AND EXPORT TRADING COMPANIES.

(a) COORDINATION WITH EXPORT MANAGEMENT COMPANIES AND EXPORT TRADING COMPANIES.—Not later than 1 year after the date of enactment of this Act, the Administrator shall establish a program to register export management companies, as that term is defined by the Department of Commerce, and export trading companies, as that term is defined in section 103 of the Export Trading Company Act of 1982 (15 U.S.C. 4002).

(b) REQUIREMENTS.—The program established under subsection (a) shall—

(1) be similar to the program of the Administration for registering franchise companies, as in effect on the date of enactment of this Act; and

(2) require that a list of the export management companies and export trading companies that register under the program, categorized by the type of product exported by the company, be made available on the website of the Administration.

SEC. 309. REVERSE TRADE MISSIONS.

Section 22(c) of the Small Business Act (15 U.S.C. 649(c)) is amended—

(1) in paragraph (12), by striking ''and'' at the end;

(2) in paragraph (13), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(14) in coordination with other relevant Federal agencies, encourage the participation of employees and resource partners of the Administration in reverse trade missions hosted or sponsored by the Federal Government.''.

SEC. 310. STATE TRADE AND EXPORT PROMOTION GRANT PROGRAM.

Section 1207(a)(5) of the Small Business Jobs Act of 2010 (15 U.S.C. 649b note) is amended by inserting after ''Guam,'' the following: ''the Commonwealth of the Northern Mariana Islands,''.

SEC. 311. PROMOTION OF INTERAGENCY DETAILS.

It is the sense of Congress that the Administrator should periodically detail staff of the Administration to other Federal agencies that are members of the Trade Promotion Coordinating Committee, to facilitate the cross training of the staff of the Administration on the export assistance programs of such other agencies.

SEC. 312. ANNUAL EXPORT STRATEGY.

Section 22 of the Small Business Act (15 U.S.C. 649), as amended by section 305 of this division, is amended by adding at the end the following:

''(m) SMALL BUSINESS TRADE STRATEGY.—

''(1) DEVELOPMENT OF SMALL BUSINESS TRADE STRATEGY.—The Associate Administrator shall develop and maintain a small business trade strategy that is included in the report on the governmentwide strategic plan for Federal trade promotion required to be submitted to Congress by the Trade Promotion Coordinating Committee under section 2312(f)(1) of the Export Enhancement Act of 1988 (15 U.S.C. 4727(f)(1)) that includes, at a minimum—

''(A) strategies to increase export opportunities for small business concerns, including a specific strategy to increase opportunities for small business concerns that are new to exporting;

''(B) recommendations to increase the competitiveness in the global economy of small business concerns in the United States that are part of industries in which small business concerns account for a high proportion of participating businesses;

''(C) recommendations to protect small business concerns from unfair trade practices, including intellectual property violations;

''(D) recommendations for strategies to promote and facilitate opportunities in the foreign markets that are most accessible for small business concerns that are new to exporting; and

''(E) strategies to expand the representation of small business concerns in the formation and implementation of United States trade policy.

''(2) ANNUAL REPORT TO CONGRESS.—At the beginning of each fiscal year, the Associate Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the small business trade strategy required under paragraph (1), which shall contain, at a minimum—

''(A) a description of each strategy and recommendation described in paragraph (1);

''(B) specific policies and objectives, together with timelines for the implementation of such policies and objectives; and

''(C) a description of the progress of the Administration in implementing the strategies and recommendations contained in the report submitted for the preceding fiscal year.''.

TITLE IV—ACCESS TO MENTORING, EDUCATION, AND STRATEGIC PARTNERSHIPS

Subtitle A—Measuring the Effectiveness of Resource Partners

SEC. 411. EXPANDING ENTREPRENEURSHIP.

Section 4 of the Small Business Act (15 U.S.C. 633), as amended by this division, is amended by adding at the end the following:

''(h) MANAGEMENT AND DIRECTION.—

''(1) PLAN FOR ENTREPRENEURIAL DEVELOPMENT AND JOB CREATION STRATEGY.—

''(A) PLAN REQUIRED.—The Administrator, in consultation with a representative from each entrepreneurial development program of the Administration, shall develop and submit to Congress a plan for using the entrepreneurial development programs of the Administration to create jobs during fiscal years 2013 and 2014.

''(B) CONTENTS OF PLAN.—The plan required under subparagraph (A) shall—

''(i) include the plan of the Administrator for using existing programs, including small business development centers, women's business centers, the Service Corps of Retired Executives authorized by section 8(b)(1), Veterans Business Outreach Centers, and programs of the Office of Native American Affairs, to create jobs;

''(ii) identify a strategy for each region of the Administration to use programs of the Administration to create or retain jobs in the region; and

''(iii) establish performance measures and criteria, including goals for job creation, job retention, and job retraining, to evaluate the success of the plan.

''(2) DATA COLLECTION PROCESS.—

''(A) IN GENERAL.—The Administrator shall, after notice and opportunity for comment, promulgate a rule to develop and implement a consistent data collection process for the entrepreneurial development programs.

''(B) CONTENTS.—The data collection process developed under subparagraph (A) shall collect data relating to job creation and performance and any other data determined appropriate by the Administrator.

''(3) COORDINATION AND ALIGNMENT OF SBA ENTREPRENEURIAL DEVELOPMENT PROGRAMS.—The Administrator, in consultation with other Federal departments and agencies as the Administrator determines is appropriate, shall submit an annual report to Congress describing opportunities to foster coordination of, limit duplication among, and improve program delivery for Federal entrepreneurial development programs.

''(4) DATABASE OF ENTREPRENEURIAL DEVELOPMENT SERVICE PROVIDERS.—

''(A) ESTABLISHMENT.—After providing a period of 60 days for public comment, the Administrator shall—

''(i) establish a database of providers of entrepreneurial development services; and

''(ii) make the database available through the website of the Administration.

''(B) SEARCHABILITY.—The database established under subparagraph (A) shall be searchable by industry, geographic location, and service required.

''(5) COMMUNITY SPECIALIST.—

''(A) DESIGNATION.—The Administrator shall designate not fewer than 1 staff member in each district office of the Administration as a community specialist whose full-time responsibility is working with local providers of entrepreneurial development services to increase coordination with Federal entrepreneurial development programs.

''(B) PERFORMANCE.—The Administrator shall develop benchmarks for measuring the performance of community specialists under this paragraph.''.

Subtitle B—Women's Small Business Ownership

SEC. 421. SHORT TITLE.

This subtitle may be cited as the ''Women's Small Business Ownership Act of 2012''.

SEC. 422. DEFINITION.

In this subtitle, the term ''Administrator'' means the Administrator of the Small Business Administration.

SEC. 423. OFFICE OF WOMEN'S BUSINESS OWNERSHIP.

(a) IN GENERAL.—Section 29(g) of the Small Business Act (15 U.S.C. 656(g)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B)—

(i) in clause (i), by striking ''in the areas'' and all that follows through the end of subclause (I), and inserting the following: ''to address issues concerning the management, operations, manufacturing, technology, finance, retail and product sales, international trade, Government contracting, and other disciplines required for—

''(I) starting, operating, and increasing the business of a small business concern;''; and

(ii) in clause (ii), by striking ''Women's Business Center program'' each place that term appears and inserting ''women's business center program''; and

(B) in subparagraph (C), by inserting before the period at the end the following: '', the National Women's Business Council, and any association of women's business centers''; and

(2) by adding at the end the following:

''(3) TRAINING.—The Administrator may provide annual programmatic and financial examination training for women's business ownership representatives and district office technical representatives of the Administration to enable representatives to carry out their responsibilities.

''(4) PROGRAM AND TRANSPARENCY IMPROVEMENTS.—The Administrator shall maximize the transparency of the women's business center financial assistance proposal process and the programmatic and financial examination process by—

''(A) providing public notice of any announcement for financial assistance under subsection (b) or a grant under subsection (l) not later than the end of the first quarter of each fiscal year;

''(B) in the announcement described in subparagraph (A), outlining award and program evaluation criteria and describing the weighting of the criteria for financial assistance under subsection (b) and grants under subsection (l);

''(C) minimizing paperwork and reporting requirements for applicants for and recipients of financial assistance under this section;

''(D) standardizing the programmatic and financial examination process; and

''(E) providing to each women's business center, not later than 60 days after the completion of a site visit to the women's business center (whether conducted for an audit, performance review, or other reason), a copy of any site visit reports or evaluation reports prepared by district office technical representatives or officers or employees of the Administration.''.

(b) CHANGE OF TITLE.—

(1) IN GENERAL.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended—

(A) in subsection (a)—

(i) by striking paragraphs (1) and (4);

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

(iii) by inserting before paragraph (4), as so redesignated, the following:

''(2) the term 'Director' means the Director of the Office of Women's Business Ownership established under subsection (g);'';

(B) by striking ''Assistant Administrator'' each place that term appears and inserting ''Director''; and

(C) in subsection (g)(2), in the paragraph heading, by striking ''ASSISTANT ADMINISTRATOR'' and inserting ''DIRECTOR''.

(2) WOMEN'S BUSINESS OWNERSHIP ACT OF 1988.—Title IV of the Women's Business Ownership Act of 1988 (15 U.S.C. 7101 et seq.) is amended—

(A) in section 403(a)(2)(B), by striking ''Assistant Administrator'' and inserting ''Director'';

(B) in section 405, by striking ''Assistant Administrator'' and inserting ''Director''; and

(C) in section 406(c), by striking ''Assistant Administrator'' and inserting ''Director''.

SEC. 424. WOMEN'S BUSINESS CENTER PROGRAM.

(a) WOMEN'S BUSINESS CENTER FINANCIAL ASSISTANCE.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended—

(1) in subsection (a), as amended by section 423(b) of this division—

(A) by inserting before paragraph (2) the following:

''(1) the term 'association of women's business centers' means an organization—

''(A) that represents not less than 51 percent of the women's business centers that participate in a program under this section; and

''(B) whose primary purpose is to represent women's business centers;'';

(B) by inserting after paragraph (2) the following:

''(3) the term 'eligible entity' means—

''(A) a private nonprofit organization;

''(B) a State, regional, or local economic development organization;

''(C) a development, credit, or finance corporation chartered by a State;

''(D) a junior or community college, as defined in section 312(f) of the Higher Education Act of 1965 (20 U.S.C. 1058(f)); or

''(E) any combination of entities listed in subparagraphs (A) through (D);''; and

(C) by adding after paragraph (5) the following:

''(6) the term 'women's business center' means a project conducted by an eligible entity under this section.'';

(2) in subsection (b)—

(A) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), and adjusting the margins accordingly;

(B) by striking ''The Administration'' and all that follows through ''5-year projects'' and inserting the following:

''(1) IN GENERAL.—The Administration may provide financial assistance to an eligible entity to conduct a project under this section'';

(C) by striking ''The projects shall'' and inserting the following:

''(2) USE OF FUNDS.—The project shall be designed to provide training and counseling that meets the needs of women, especially socially and economically disadvantaged women, and shall''; and

(D) by adding at the end the following:

''(3) AMOUNT OF FINANCIAL ASSISTANCE.—

''(A) IN GENERAL.—The Administrator may award financial assistance under this subsection of not less than $100,000 and not more than $150,000 per year.

''(B) LOWER AMOUNT.—The Administrator may award financial assistance under this subsection to a recipient in an amount that is less than $100,000 if the Administrator determines that the recipient is unable to make a non-Federal contribution of $100,000 or more, as required under subsection (c).

''(C) EQUAL ALLOCATIONS.—If the Administration has insufficient funds to provide financial assistance of not less than $100,000 for each recipient of financial assistance under this subsection in any fiscal year, the Administrator shall provide an equal amount of financial assistance to each recipient in the fiscal year, unless a recipient requests a lower amount than the allocated amount.

''(4) CONSULTATION WITH ASSOCIATIONS OF WOMEN'S BUSINESS CENTERS.—The Administrator shall consult with each association of women's business centers to develop—

''(A) a training program for the staff of women's business centers and the Administration; and

''(B) recommendations to improve the policies and procedures for governing the general operations and administration of the women's business center program, including grant program improvements under subsection (g)(4).'';

(3) in subsection (c)—

(A) in paragraph (1) by striking ''the recipient organization'' and inserting ''an eligible entity'';

(B) in paragraph (3), in the second sentence, by striking ''a recipient organization'' and inserting ''an eligible entity'';

(C) in paragraph (4)—

(i) by striking ''recipient of assistance'' and inserting ''eligible entity'';

(ii) by striking ''such organization'' and inserting ''the eligible entity''; and

(iii) by striking ''recipient'' and inserting ''eligible entity''; and

(D) in paragraph (5)—

(i) in subparagraph (A), by striking ''a recipient organization'' and inserting ''an eligible entity''; and

(ii) by striking ''the recipient organization'' each place it appears and inserting ''the eligible entity''; and

(E) by adding at end the following:

''(6) SEPARATION OF PROJECT AND FUNDS.—An eligible entity shall—

''(A) carry out a project under this section separately from other projects, if any, of the eligible entity; and

''(B) separately maintain and account for any financial assistance under this section.'';

(4) in subsection (e)—

(A) by striking ''applicant organization'' and inserting ''eligible entity'';

(B) by striking ''a recipient organization'' and inserting ''an eligible entity''; and

(C) by striking ''site'';

(5) by striking subsection (f) and inserting the following:

''(f) APPLICATIONS AND CRITERIA FOR INITIAL FINANCIAL ASSISTANCE.—

''(1) APPLICATION.—Each eligible entity desiring financial assistance under subsection (b) shall submit to the Administrator an application that contains—

''(A) a certification that the eligible entity—

''(i) has designated an executive director or program manager, who may be compensated using financial assistance under subsection (b) or other sources, to manage the center on a full-time basis;

''(ii) as a condition of receiving financial assistance under subsection (b), agrees—

''(I) to receive a site visit by the Administrator as part of the final selection process;

''(II) to undergo an annual programmatic and financial examination; and

''(III) to the maximum extent practicable, to remedy any problems identified pursuant to the site visit or examination under subclause (I) or (II); and

''(iii) meets the accounting and reporting requirements established by the Director of the Office of Management and Budget;

''(B) information demonstrating that the eligible entity has the ability and resources to meet the needs of the market to be served by the women's business center for which financial assistance under subsection (b) is sought, including the ability to obtain the non-Federal contribution required under subsection (c);

''(C) information relating to the assistance to be provided by the women's business center for which financial assistance under subsection (b) is sought in the area in which the women's business center is located;

''(D) information demonstrating the experience and effectiveness of the eligible entity in—

''(i) conducting financial, management, and marketing assistance programs, as described in subsection (b)(2), which are designed to teach or upgrade the business skills of women who are business owners or potential business owners;

''(ii) providing training and services to a representative number of women who are socially and economically disadvantaged; and

''(iii) working with resource partners of the Administration and other entities, such as universities; and

''(E) a 5-year plan that describes the ability of the women's business center for which financial assistance is sought—

''(i) to serve women who are business owners or potential business owners by conducting training and counseling activities; and

''(ii) to provide training and services to a representative number of women who are socially and economically disadvantaged.

''(2) ADDITIONAL INFORMATION.—The Administrator shall make any request for additional information from an organization applying for financial assistance under subsection (b) that was not requested in the original announcement in writing.

''(3) REVIEW AND APPROVAL OF APPLICATIONS FOR INITIAL FINANCIAL ASSISTANCE.—

''(A) IN GENERAL.—The Administrator shall—

''(i) review each application submitted under paragraph (1), based on the information described in such paragraph and the criteria set forth under subparagraph (B) of this paragraph; and

''(ii) to the extent practicable, as part of the final selection process, conduct a site visit to each women's business center for which financial assistance under subsection (b) is sought.

''(B) SELECTION CRITERIA.—

''(i) IN GENERAL.—The Administrator shall evaluate applicants for financial assistance under subsection (b) in accordance with selection criteria that are—

''(I) established before the date on which applicants are required to submit the applications;

''(II) stated in terms of relative importance; and

''(III) publicly available and stated in each solicitation for applications for financial assistance under subsection (b) made by the Administrator.

''(ii) REQUIRED CRITERIA.—The selection criteria for financial assistance under subsection (b) shall include—

''(I) the experience of the applicant in conducting programs or ongoing efforts designed to teach or enhance the business skills of women who are business owners or potential business owners;

''(II) the ability of the applicant to begin a project within a minimum amount of time;

''(III) the ability of the applicant to provide training and services to a representative number of women who are socially and economically disadvantaged; and

''(IV) the location for the women's business center proposed by the applicant, including whether the applicant is located in a State in which there is not a women's business center receiving funding from the Administration.

''(C) PROXIMITY.—If the principal place of business of an applicant for financial assistance under subsection (b) is located less than 50 miles from the principal place of business of a women's business center that received funds under this section on or before the date of the application, the applicant shall not be eligible for the financial assistance, unless the applicant submits a detailed written justification of the need for an additional center in the area in which the applicant is located.

''(D) RECORD RETENTION.—The Administrator shall maintain a copy of each application submitted under this subsection for not less than 7 years.''; and

(6) in subsection (m)—

(A) by striking paragraph (3) and inserting the following:

''(3) APPLICATION AND APPROVAL FOR RENEWAL GRANTS.—

''(A) SOLICITATION OF APPLICATIONS.—The Administrator shall solicit applications and award grants under this subsection for the first fiscal year beginning after the date of enactment of the Women's Small Business Ownership Act of 2012, and every third fiscal year thereafter.

''(B) CONTENTS OF APPLICATION.—Each eligible entity desiring a grant under this subsection shall submit to the Administrator an application that contains—

''(i) a certification that the applicant—

''(I) is an eligible entity;

''(II) has designated a full-time executive director or program manager to manage the women's business center operated by the applicant; and

''(III) as a condition of receiving a grant under this subsection, agrees—

''(aa) to receive a site visit as part of the final selection process;

''(bb) to submit, for the 2 full fiscal years before the date on which the application is submitted, annual programmatic and financial examination reports or certified copies of the compliance supplemental audits under OMB Circular A–133 of the applicant; and

''(cc) to remedy any problem identified pursuant to the site visit or examination under item (aa) or (bb);

''(ii) information demonstrating that the applicant has the ability and resources to meet the needs of the market to be served by the women's business center for which a grant under this subsection is sought, including the ability to obtain the non-Federal contribution required under paragraph (4)(C);

''(iii) information relating to assistance to be provided by the women's business center in the area served by the women's business center for which a grant under this subsection is sought;

''(iv) information demonstrating that the applicant has worked with resource partners of the Administration and other entities;

''(v) a 3-year plan that describes the ability of the women's business center for which a grant under this subsection is sought—

''(I) to serve women who are business owners or potential business owners by conducting training and counseling activities; and

''(II) to provide training and services to a representative number of women who are socially and economically disadvantaged; and

''(vi) any additional information that the Administrator may reasonably require.

''(C) REVIEW AND APPROVAL OF APPLICATIONS FOR GRANTS.—

''(i) IN GENERAL.—The Administrator shall—

''(I) review each application submitted under subparagraph (B), based on the information described in such subparagraph and the criteria set forth under clause (ii) of this subparagraph; and

''(II) whenever practicable, as part of the final selection process, conduct a site visit to each women's business center for which a grant under this subsection is sought.

''(ii) SELECTION CRITERIA.—

''(I) IN GENERAL.—The Administrator shall evaluate applicants for grants under this subsection in accordance with selection criteria that are—

''(aa) established before the date on which applicants are required to submit the applications;

''(bb) stated in terms of relative importance; and

''(cc) publicly available and stated in each solicitation for applications for grants under this subsection made by the Administrator.

''(II) REQUIRED CRITERIA.—The selection criteria for a grant under this subsection shall include—

''(aa) the total number of entrepreneurs served by the applicant;

''(bb) the total number of new startup companies assisted by the applicant;

''(cc) the percentage of clients of the applicant that are socially or economically disadvantaged; and

''(dd) the percentage of individuals in the community served by the applicant who are socially or economically disadvantaged.

''(iii) CONDITIONS FOR CONTINUED FUNDING.—In determining whether to make a grant under this subsection, the Administrator—

''(I) shall consider the results of the most recent evaluation of the women's business center for which a grant under this subsection is sought, and, to a lesser extent, previous evaluations; and

''(II) may withhold a grant under this subsection, if the Administrator determines that the applicant has failed to provide the information required to be provided under this paragraph, or the information provided by the applicant is inadequate.

''(D) NOTIFICATION.—Not later than 60 days after the date of each deadline to submit applications, the Administrator shall approve or deny any application under this paragraph and notify the applicant for each such application of the approval or denial.

''(E) RECORD RETENTION.—The Administrator shall maintain a copy of each application submitted under this paragraph for not less than 7 years.''; and

(B) by striking paragraph (5) and inserting the following:

''(5) AWARD TO PREVIOUS RECIPIENTS.—There shall be no limitation on the number of times the Administrator may award a grant to an applicant under this subsection.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended—

(A) in subsection (h)(2), by striking ''to award a contract (as a sustainability grant) under subsection (l) or'';

(B) in subsection (j)(1), by striking ''The Administration'' and inserting ''Not later than November 1 of each year, the Administrator'';

(C) in subsection (k)—

(i) by striking paragraphs (1), (2), and (4);

(ii) by redesignating paragraph (3) as paragraph (4); and

(iii) by inserting before paragraph (4), as so redesignated, the following:

''(1) IN GENERAL.—There are authorized to be appropriated to the Administration to carry out this section, to remain available until expended, $14,500,000 for each of fiscal years 2013, 2014, and 2015.

''(2) USE OF FUNDS.—Amounts made available under this subsection may only be used for grant awards and may not be used for costs incurred by the Administration in connection with the management and administration of the program under this section.

''(3) CONTINUING GRANT AND COOPERATIVE AGREEMENT AUTHORITY.—

''(A) PROMPT DISBURSEMENT.—Upon receiving funds to carry out this section for a fiscal year, the Administrator shall, to the extent practicable, promptly reimburse funds to any women's business center awarded financial assistance under this section if the center meets the eligibility requirements under this section.

''(B) SUSPENSION OR TERMINATION.—If the Administrator has entered into a grant or cooperative agreement with a women's business center under this section, the Administrator may not suspend or terminate the grant or cooperative agreement, unless the Administrator—

''(i) provides the women's business center with written notification setting forth the reasons for that action; and

''(ii) affords the women's business center an opportunity for a hearing, appeal, or other administrative proceeding under chapter 5 of title 5, United States Code.'';

(D) in subsection (m)—

(i) in paragraph (2), by striking ''subsection (b) or (l)'' and inserting ''this subsection or subsection (b)''; and

(ii) in paragraph (4)(D), by striking ''or subsection (l)''; and

(E) by redesignating subsections (m) and (n), as amended by this division, as subsections (l) and (m), respectively.

(2) PROSPECTIVE REPEAL.—Section 1401(c)(2) of the Small Business Jobs Act of 2010 (15 U.S.C. 636 note) is amended—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(C) by redesignating paragraph (6), as added by section 424(a)(3)(E) of the Women's Small Business Ownership Act of 2012, as paragraph (5).''.

(c) EFFECT ON EXISTING GRANTS.—

(1) TERMS AND CONDITIONS.—A nonprofit organization receiving a grant under section 29(m) of the Small Business Act (15 U.S.C. 656(m)), as in effect on the day before the date of enactment of this Act, shall continue to receive the grant under the terms and conditions in effect for the grant on the day before the date of enactment of this Act, except that the nonprofit organization may not apply for a renewal of the grant under section 29(m)(5) of the Small Business Act (15 U.S.C. 656(m)(5)), as in effect on the day before the date of enactment of this Act.

(2) LENGTH OF RENEWAL GRANT.—The Administrator may award a grant under section 29(l) of the Small Business Act, as so redesignated by subsection (b)(1)(E) of this section, to a nonprofit organization receiving a grant under section 29(m) of the Small Business Act (15 U.S.C. 656(m)), as in effect on the day before the date of enactment of this Act, for the period—

(A) beginning on the day after the last day of the grant agreement under such section 29(m); and

(B) ending at the end of the third fiscal year beginning after the date of enactment of this Act.

SEC. 425. STUDY AND REPORT ON ECONOMIC ISSUES FACING WOMEN'S BUSINESS CENTERS.

(a) STUDY.—The Comptroller General of the United States shall conduct a broad study of the unique economic issues facing women's business centers located in covered areas to identify—

(1) the difficulties such centers face in raising non-Federal funds;

(2) the difficulties such centers face in competing for financial assistance, non-Federal funds, or other types of assistance;

(3) the difficulties such centers face in writing grant proposals; and

(4) other difficulties such centers face because of the economy in the type of covered area in which such centers are located.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study under subsection (a), which shall include recommendations, if any, regarding how to—

(1) address the unique difficulties women's business centers located in covered areas face because of the type of covered area in which such centers are located;

(2) expand the presence of, and increase the services provided by, women's business centers located in covered areas; and

(3) best use technology and other resources to better serve women business owners located in covered areas.

(c) DEFINITION OF COVERED AREA.—In this section, the term ''covered area'' means—

(1) any State that is predominantly rural, as determined by the Administrator;

(2) any State that is predominantly urban, as determined by the Administrator; and

(3) any State or territory that is an island.

SEC. 426. STUDY AND REPORT ON OVERSIGHT OF WOMEN'S BUSINESS CENTERS.

(a) STUDY.—The Comptroller General of the United States shall conduct a study of the oversight of women's business centers by the Administrator, which shall include—

(1) an analysis of the coordination by the Administrator of the activities of women's business centers with the activities of small business development centers, the Service Corps of Retired Executives, and Veterans Business Outreach Centers;

(2) a comparison of the types of individuals and small business concerns served by women's business centers and the types of individuals and small business concerns served by small business development centers, the Service Corps of Retired Executives, and Veterans Business Outreach Centers; and

(3) an analysis of performance data for women's business centers that evaluates how well women's business centers are carrying out the mission of women's business centers and serving individuals and small business concerns.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study under subsection (a), which shall include recommendations, if any, for eliminating the duplication of services provided by women's business centers, small business development centers, the Service Corps of Retired Executives, and Veterans Business Outreach Centers.

Subtitle C—Strengthening America's Small Business Development Centers

SEC. 431. INSTITUTIONS OF HIGHER EDUCATION.

Section 21 of the Small Business Act (15 U.S.C. 648) is amended—

(1) in subsection (a)(1), by striking ": *Provided*, That" and all that follows through "on such date." and inserting the following: ". On and after December 31, 2013, the Administrator may only make a grant under this paragraph to an applicant that is an institution of higher education, as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), that is accredited (and not merely in preaccreditation status) by a nationally recognized accrediting agency or association recognized by the Secretary of Education for such purpose in accordance with section 496 of that Act (20 U.S.C. 1099b)."; and

(2) in subsection (c)(3)(K), by inserting "public and private institutions of higher education (including universities, community colleges, and junior colleges)," before "local and regional private consultants".

SEC. 432. UPDATING FUNDING LEVELS FOR SMALL BUSINESS DEVELOPMENT CENTERS.

(a) MINIMUM FUNDING LEVELS.—Section 21(a)(4)(C) of the Small Business Act (15 U.S.C. 648(a)(4)(C)) is amended—

(1) in clause (iii)—

(A) by striking "$90,000,000" each place that term appears and inserting "$98,500,000";

(B) by striking "$81,500,000" each place that term appears and inserting "$90,000,000"; and

(C) by striking "$500,000" each place that term appears and inserting "$600,000";

(2) in clause (v)(II), by striking "if the usage" and all that follows through the end of the subclause and inserting a period; and

(3) in clause (v), by striking subclause (I) and inserting the following:

"(I) IN GENERAL.—Of the amounts made available in any fiscal year to carry out this section—

"(aa) not more than $50,000 may be used by the Administration to pay the expenses enumerated in subparagraph (B) of section 20(a)(1);

"(bb) not more than $500,000 may be used by the Administration to pay the expenses enumerated in subparagraph (C) of section 20(a)(1); and

"(cc) not more than $250,000 may be used by the Administration to pay the expenses enumerated in subparagraph (D) of section 20(a)(1).".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 21(a)(4)(C)(vii) of the Small Business Act (15 U.S.C. 648(a)(4)(C)(vii)) is amended to read as follows:

"(vii) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subparagraph—

"(I) $135,000,000 for fiscal year 2013;

"(II) $135,000,000 for fiscal year 2014; and

"(III) $135,000,000 for fiscal year 2015.".

SEC. 433. ASSISTANCE TO OUT-OF-STATE SMALL BUSINESSES.

Section 21(b)(3) of the Small Business Act (15 U.S.C. 648(b)(3)) is amended—

(1) by striking "(3) At the discretion" and inserting the following:

"(3) ASSISTANCE TO OUT-OF-STATE SMALL BUSINESSES.—

"(A) IN GENERAL.—At the discretion"; and

(2) by adding at the end the following:

"(B) DISASTER RECOVERY ASSISTANCE.—

"(i) IN GENERAL.—At the discretion of the Administrator, the Administrator may authorize a small business development center to provide assistance, as described in subsection (c), to small business concerns located outside of the State, without regard to geographic proximity, if the small business concerns are located in an area for which the President has declared a major disaster under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), during the period of the declaration.

"(ii) CONTINUITY OF SERVICES.—A small business development center that provides counselors to an area described in clause (i) shall, to the maximum extent practicable, ensure continuity of services in any State in which the small business development center otherwise provides services.

"(iii) ACCESS TO DISASTER RECOVERY FACILITIES.—For purposes of this subparagraph, the Administrator shall, to the maximum extent practicable, permit the personnel of a small business development center to use any site or facility designated by the Administrator for use to provide disaster recovery assistance.".

SEC. 434. TERMINATION OF SMALL BUSINESS DEVELOPMENT CENTER DEFENSE ECONOMIC TRANSITION ASSISTANCE.

(a) IN GENERAL.—Section 21(c)(3) of the Small Business Act (15 U.S.C. 648(c)(3)) is amended—

(1) by striking subparagraph (G); and

(2) by redesignating subparagraphs (H) through (T) as subparagraphs (G) through (S), respectively.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 21(a) of the Small Business Act (15 U.S.C. 648(a)) is amended—

(1) in paragraph (4)(C)(vi), by striking "or (c)(3)(G)"; and

(2) in paragraph (6), by striking "subparagraphs (B) through (G) of subsection (c)(3)" and inserting "subparagraphs (B) through (F) of subsection (c)(3)".

(c) EXISTING GRANTS.—Nothing in this section shall affect any grant made to a small business development center before the date of enactment of this Act under section 21(c)(3)(G) of the Small Business Act (15 U.S.C. 648(c)(3)(G)), as in effect on the day before the date of enactment of this Act, and any such grant shall be subject to such section 21(c)(3)(G), as in effect on the day before the date of enactment of this Act.

SEC. 435. NATIONAL SMALL BUSINESS DEVELOPMENT CENTER ADVISORY BOARD.

(a) IN GENERAL.—Section 21(i)(1) of the Small Business Act (15 U.S.C. 648(i)(1)) is amended—

(1) in the first sentence, by striking "nine members" and inserting "10 members";

(2) in the second sentence, by striking "six" and inserting "the members who are not from universities or their affiliates";

(3) by striking the third sentence; and

(4) in the fourth sentence—

(A) by striking "Succeeding Boards" and inserting "The members of the Board"; and

(B) by inserting "not less than" before "one-third".

(b) INCUMBENTS.—An individual serving as a member of the National Small Business Development Center Advisory Board on the date of enactment of this Act may continue to serve on the Board until the end of the term of the member under section 21(i)(1) of the Small Business Act (15 U.S.C. 648(i)(1)), as in effect on the day before such date of enactment.

SEC. 436. REPEAL OF PAUL D. COVERDELL DRUG-FREE WORKPLACE PROGRAM.

Section 27 of the Small Business Act (15 U.S.C. 654) is repealed.

Subtitle D—Terminating the National Veterans Business Development Corporation

SEC. 441. NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION.

(a) IN GENERAL.—The Small Business Act (15 U.S.C. 631 et seq.) is amended by striking section 33 (15 U.S.C. 657c).

(b) CORPORATION.—On and after the date of enactment of this Act, the National Veterans Business Development Corporation and any successor thereto may not represent that the corporation is federally chartered or in any other manner authorized by the Federal Government.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SMALL BUSINESS ACT.—The Small Business Act (15 U.S.C. 631 et seq.), as amended by this section, is amended—

(A) by redesignating sections 34 through 45 as sections 33 through 44, respectively;

(B) in section 9(k)(1)(D) (15 U.S.C. 638(k)(1)(D)), by striking "section 34(d)" and inserting "section 33(d)";

(C) in section 33 (15 U.S.C. 657d), as so redesignated—

(i) by striking "section 35" each place it appears and inserting "section 34";

(ii) in subsection (a)—

(I) in paragraph (2), by striking "section 35(c)(2)(B)" and inserting "section 34(c)(2)(B)";

(II) in paragraph (4), by striking "section 35(c)(2)" and inserting "section 34(c)(2)"; and

(III) in paragraph (5), by striking "section 35(c)" and inserting "section 34(c)"; and

(iii) in subsection (h)(2), by striking "section 35(d)" and inserting "section 34(d)";

(D) in section 34 (15 U.S.C. 657e), as so redesignated—

(i) by striking "section 34" each place it appears and inserting "section 33"; and

(ii) in subsection (c)(1), by striking section "34(c)(1)(E)(ii)" and inserting section "33(c)(1)(E)(ii)";

(E) in section 36(d) (15 U.S.C. 657i(d)), as so redesignated, by striking "section 43" and inserting "section 42";

(F) in section 39(d) (15 U.S.C. 657l(d)), as so redesignated, by striking "section 43" and inserting "section 42"; and

(G) in section 40(b) (15 U.S.C. 657m(b)), as so redesignated, by striking "section 43" and inserting "section 42".

(2) TITLE 10.—Section 1142(b)(13) of title 10, United States Code, is amended by striking "and the National Veterans Business Development Corporation".

(3) TITLE 38.—Section 3452(h) of title 38, United States Code, is amended by striking "any of the" and all that follows and inserting "any small business development center described in section 21 of the Small Business Act (15 U.S.C. 648), insofar as such center offers, sponsors, or cosponsors an entrepreneurship course, as that term is defined in section 3675(c)(2).".

(4) FOOD, CONSERVATION, AND ENERGY ACT OF 2008.—Section 12072(c)(2) of the Food, Conservation, and Energy Act of 2008 (15 U.S.C. 636g(c)(2)) is amended by striking "section 43 of the Small Business Act, as added by this Act" and inserting "section 42 of the Small Business Act (15 U.S.C. 657o)".

(5) VETERANS ENTREPRENEURSHIP AND SMALL BUSINESS DEVELOPMENT ACT OF 1999.—Section 203(c)(5) of the Veterans Entrepreneurship and Small Business Development Act of 1999 (15 U.S.C. 657b note) is amended by striking "In cooperation with the National Veterans Business Development Corporation, develop" and inserting "Develop".

TITLE V—ACCESS TO GOVERNMENT CONTRACTING

Subtitle A—Bonds

SEC. 511. REMOVAL OF SUNSET DATES FOR CERTAIN PROVISIONS OF THE SMALL BUSINESS INVESTMENT ACT OF 1958.

(a) MAXIMUM BOND AMOUNT.—Section 411(a)(1) of the Small Business Investment Act of 1958 (15 U.S.C. 694b(a)(1)) is amended by striking "does not exceed" and all that follows and inserting "does not exceed $5,000,000.".

(b) DENIAL OF LIABILITY.—Section 411(e)(2) of the Small Business Investment Act of 1958 (15 U.S.C. 694b(e)(2)) is amended by striking ''bonds exceeds'' and all that follows and inserting ''bonds exceeds $5,000,000,''.

Subtitle B—Small Business Contracting Fraud Prevention

SEC. 521. SHORT TITLE.

This subtitle may be cited as the ''Small Business Contracting Fraud Prevention Act of 2012''.

SEC. 522. DEFINITIONS.

In this subtitle—

(1) the term ''8(a) program'' means the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a));

(2) the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof, respectively;

(3) the terms ''HUBZone'' and ''HUBZone small business concern'' and ''HUBZone map'' have the meanings given those terms in section 3(p) of the Small Business Act (15 U.S.C. 632(p)), as amended by this division; and

(4) the term ''recertification'' means a determination by the Administrator that a business concern that was previously determined to be a qualified HUBZone small business concern is a qualified HUBZone small business concern under section 3(p)(5) of the Small Business Act (15 U.S.C. 632(p)(5)).

SEC. 523. FRAUD DETERRENCE AT THE SMALL BUSINESS ADMINISTRATION.

Section 16 of the Small Business Act (15 U.S.C. 645) is amended—

(1) in subsection (d)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''Whoever'' and all that follows through ''oneself or another'' and inserting the following: ''A person shall be subject to the penalties and remedies described in paragraph (2) if the person misrepresents the status of any concern or person as a small business concern, a qualified HUBZone small business concern, a small business concern owned and controlled by socially and economically disadvantaged individuals, a small business concern owned and controlled by women, or a small business concern owned and controlled by service-disabled veterans, in order to obtain for any person'';

(ii) by amending subparagraph (A) to read as follows:

''(A) prime contract, subcontract, grant, or cooperative agreement to be awarded under subsection (a) or (m) of section 8, or section 9, 15, 31, or 35;'';

(iii) by striking subparagraph (B);

(iv) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(v) in subparagraph (C), as so redesignated, by striking '', shall be'' and all that follows and inserting a period;

(B) in paragraph (2)—

(i) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

(ii) by inserting after subparagraph (B) the following:

''(C) be subject to the civil remedies under subchapter III of chapter 37 of title 31, United States Code (commonly known as the 'False Claims Act');''; and

(C) by adding at the end the following:

''(3)(A) In the case of a violation of paragraph (1)(A) or subsection (g) or (h), for purposes of a proceeding described in subparagraph (A) or (C) of paragraph (2), the amount of the loss to the Federal Government or the damages sustained by the Federal Government, as applicable, shall be an amount equal to the amount that the Federal Government paid to the person that received a contract, grant, or cooperative agreement described in paragraph (1)(A), (g), or (h), respectively.

''(B) In the case of a violation of subparagraph (B) or (C) of paragraph (1), for the purpose of a proceeding described in subparagraph (A) or (C) of paragraph (2), the amount of the loss to the Federal Government or the damages sustained by the Federal Government, as applicable, shall be an amount equal to the portion of any payment by the Federal Government under a prime contract that was used for a subcontract described in subparagraph (B) or (C) of paragraph (1), respectively.

''(C) In a proceeding described in subparagraph (A) or (B), no credit shall be applied against any loss or damages to the Federal Government for the fair market value of the property or services provided to the Federal Government.'';

(2) by striking subsection (e) and inserting the following:

''(e) Any representation of the status of any concern or person as a small business concern, a HUBZone small business concern, a small business concern owned and controlled by socially and economically disadvantaged individuals, a small business concern owned and controlled by women, or a small business concern owned and controlled by service-disabled veterans, in order to obtain any prime contract, subcontract, grant, or cooperative agreement described in subsection (d)(1) shall be made in writing or through the Online Representations and Certifications Application process required under section 4.1201 of the Federal Acquisition Regulation, or any successor thereto.'';

and

(3) by adding at the end the following:

''(g) A person shall be subject to the penalties and remedies described in subsection (d)(2) if the person misrepresents the status of any concern or person as a small business concern, a qualified HUBZone small business concern, a small business concern owned and controlled by socially and economically disadvantaged individuals, a small business concern owned and controlled by women, or a small business concern owned and controlled by service-disabled veterans—

''(1) in order to allow any person to participate in any program of the Administration; or

''(2) in relation to a protest of a contract award or proposed contract award made under regulations issued by the Administration.

''(h)(1) A person that submits a request for payment on a contract or subcontract that is awarded under subsection (a) or (m) of section 8, or section 9, 15, 31, or 35, shall be deemed to have submitted a certification that the person complied with regulations issued by the Administration governing the percentage of work that the person is required to perform on the contract or subcontract, unless the person states, in writing, that the person did not comply with the regulations.

''(2) A person shall be subject to the penalties and remedies described in subsection (d)(2) if the person—

''(A) uses the services of a business other than the business awarded the contract or subcontract to perform a greater percentage of work under a contract than is permitted by regulations issued by the Administration; or

''(B) willfully participates in a scheme to circumvent regulations issued by the Administration governing the percentage of work that a contractor is required to perform on a contract.''.

SEC. 524. VETERANS INTEGRITY IN CONTRACTING.

(a) DEFINITION.—Section 3(q)(1) of the Small Business Act (15 U.S.C. 632(q)(1)) is amended by striking ''means a veteran'' and all that follows and inserting the following: ''means—

''(A) a veteran with a service-connected disability rated by the Secretary of Veterans Affairs as zero percent or more disabling; or

''(B) a former member of the Armed Forces who is retired, separated, or placed on the temporary disability retired list for physical disability under chapter 61 of title 10, United States Code.''.

(b) VETERANS CONTRACTING.—Section 4 of the Small Business Act (15 U.S.C. 633), as amended by this division, is amended by adding at the end the following:

''(i) VETERAN STATUS.—

''(1) IN GENERAL.—A business concern seeking status as a small business concern owned and controlled by service-disabled veterans shall—

''(A) submit an annual certification indicating that the business concern is a small business concern owned and controlled by service-disabled veterans by means of the Online Representations and Certifications Application process required under section 4.1201 of the Federal Acquisition Regulation, or any successor thereto; and

''(B) register with—

''(i) the Central Contractor Registration database maintained under subpart 4.11 of the Federal Acquisition Regulation, or any successor thereto; and

''(ii) the VetBiz database of the Department of Veterans Affairs, or any successor thereto.

''(2) VERIFICATION OF STATUS.—

''(A) VETERANS AFFAIRS.—The Secretary of Veterans Affairs shall determine whether a business concern registered with the VetBiz database of the Department of Veterans Affairs, or any successor thereto, as a small business concern owned and controlled by veterans or a small business concern owned and controlled by service-disabled veterans is owned and controlled by a veteran or a service-disabled veteran, as the case may be.

''(B) FEDERAL AGENCIES GENERALLY.—The head of each Federal agency shall—

''(i) for a sole source contract awarded to a small business concern owned and controlled by service-disabled veterans or a contract awarded with competition restricted to small business concerns owned and controlled by service-disabled veterans under section 35, determine whether a business concern submitting a proposal for the contract is a small business concern owned and controlled by service-disabled veterans; and

''(ii) use the VetBiz database of the Department of Veterans Affairs, or any successor thereto, in determining whether a business concern is a small business concern owned and controlled by service-disabled veterans.

''(3) DEBARMENT AND SUSPENSION.—If the Administrator determines that a business concern knowingly and willfully misrepresented that the business concern is a small business concern owned and controlled by service-disabled veterans, the Administrator may debar or suspend the business concern from contracting with the United States.''.

(c) INTEGRATION OF DATABASES.—The Administrator for Federal Procurement Policy and the Secretary of Veterans Affairs shall ensure that data is shared on an ongoing basis between the VetBiz database of the Department of Veterans Affairs and the Central Contractor Registration database maintained under subpart 4.11 of the Federal Acquisition Regulation.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (b) and the requirements under subsection (c) shall take effect on the date on which the Secretary of Veterans Affairs (referred to in this subsection as the ''Secretary'') publishes in the Federal Register a

determination that the Department of Veterans Affairs has the necessary resources and capacity to carry out the additional responsibility of determining whether small business concerns registered with the VetBiz database of the Department of Veterans Affairs are owned and controlled by a veteran or a service-disabled veteran, as the case may be, in accordance with subsection (i) of section 4 of the Small Business Act (15 U.S.C. 633), as added by subsection (b).

(2) TIMELINE.—If the Secretary determines that the Secretary is not able to publish the determination under paragraph (1) before the date that is 1 year after the date of enactment of this Act, the Secretary shall, not later than 1 year after the date of enactment of this Act, submit a report containing an estimate of the date on which the Secretary will publish the determination under paragraph (1) to the Committee on Small Business and Entrepreneurship and the Committee on Veterans' Affairs of the Senate and the Committee on Small Business and the Committee on Veterans' Affairs of the House of Representatives.

SEC. 525. SECTION 8(a) PROGRAM IMPROVEMENTS.

(a) REVIEW OF EFFECTIVENESS.—Section 8(a) of the Small Business Act (15 U.S.C. 637(a)) is amended by adding at the end the following:

''(22) Not later than 3 years after the date of enactment of this paragraph, and every 3 years thereafter, the Comptroller General of the United States shall—

''(A) conduct an evaluation of the effectiveness of the program under this subsection, including an examination of—

''(i) the number and size of contracts applied for, as compared to the number received by, small business concerns after successfully completing the program;

''(ii) the percentage of small business concerns that continue to operate during the 3-year period beginning on the date on which the small business concerns successfully complete the program;

''(iii) whether the business of small business concerns increases during the 3-year period beginning on the date on which the small business concerns successfully complete the program; and

''(iv) the number of training sessions offered under the program; and

''(B) submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding each evaluation under subparagraph (A).''.

(b) OTHER IMPROVEMENTS.—In order to improve the 8(a) program, the Administrator shall—

(1) not later than 90 days after the date of enactment of this Act, begin to—

(A) evaluate the feasibility of—

(i) using additional third-party data sources;

(ii) making unannounced visits of sites that are selected randomly or using risk-based criteria;

(iii) using fraud detection tools, including data-mining techniques; and

(iv) conducting financial and analytical training for the business opportunity specialists of the Administration;

(B) evaluate the feasibility and advisability of amending regulations applicable to the 8(a) program to require that calculations of the adjusted net worth or total assets of an individual include assets held by the spouse of the individual; and

(C) develop a more consistent enforcement strategy that includes the suspension or debarment of contractors that knowingly make misrepresentations in order to qualify for the 8(a) program; and

(2) not later than 1 year after the date on which the Comptroller General submits the report under section 8(a)(22)(B) of the Small Business Act, as added by subsection (c), issue, in final form, proposed regulations of the Administration that—

(A) determine the economic disadvantage of a participant in the 8(a) program based on the income and asset levels of the participant at the time of application and annual recertification for the 8(a) program; and

(B) limit the ability of a small business concern to participate in the 8(a) program if an immediate family member of an owner of the small business concern is, or has been, a participant in the 8(a) program, in the same industry.

SEC. 526. HUBZONE IMPROVEMENTS.

(a) PURPOSE.—The purpose of this section is to reform and improve the HUBZone program of the Administration.

(b) IN GENERAL.—The Administrator shall—

(1) ensure the HUBZone map is—

(A) accurate and up-to-date; and

(B) revised as new data is made available to maintain the accuracy and currency of the HUBZone map;

(2) implement policies for ensuring that only HUBZone small business concerns determined to be qualified under section 3(p)(5) of the Small Business Act (15 U.S.C. 632(p)(5)) are participating in the HUBZone program, including through the appropriate use of technology to control costs and maximize, among other benefits, uniformity, completeness, simplicity, and efficiency;

(3) submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding any application to be designated as a HUBZone small business concern or for recertification for which the Administrator has not made a determination as of the date that is 60 days after the date on which the application was submitted or initiated, which shall include a plan and timetable for ensuring the timely processing of the applications; and

(4) develop measures and implement plans to assess the effectiveness of the HUBZone program that—

(A) require the identification of a baseline point in time to allow the assessment of economic development under the HUBZone program, including creating additional jobs; and

(B) take into account—

(i) the economic characteristics of the HUBZone; and

(ii) contracts being counted under multiple socioeconomic subcategories.

(c) EMPLOYMENT PERCENTAGE.—Section 3(p) of the Small Business Act (15 U.S.C. 632(p)) is amended—

(1) in paragraph (5), by adding at the end the following:

''(E) EMPLOYMENT PERCENTAGE DURING INTERIM PERIOD.—

''(i) DEFINITION.—In this subparagraph, the term 'interim period' means the period beginning on the date on which the Administrator determines that a HUBZone small business concern is qualified under subparagraph (A) and ending on the day before the date on which a contract under the HUBZone program for which the HUBZone small business concern submits a bid is awarded.

''(ii) INTERIM PERIOD.—During the interim period, the Administrator may not determine that the HUBZone small business is not qualified under subparagraph (A) based on a failure to meet the applicable employment percentage under subparagraph (A)(i)(I), unless the HUBZone small business concern—

''(I) has not attempted to maintain the applicable employment percentage under subparagraph (A)(i)(I); or

''(II) does not meet the applicable employment percentage—

''(aa) on the date on which the HUBZone small business concern submits a bid for a contract under the HUBZone program; or

''(bb) on the date on which the HUBZone small business concern is awarded a contract under the HUBZone program.''; and

(2) by adding at the end the following:

''(8) HUBZONE PROGRAM.—The term 'HUBZone program' means the program established under section 31.

''(9) HUBZONE MAP.—The term 'HUBZone map' means the map used by the Administration to identify HUBZones.''.

(d) REDESIGNATED AREAS.—Section 3(p)(4)(C)(i) of the Small Business Act (15 U.S.C. 632(p)(4)(C)(i)) is amended to read as follows:

''(i) 3 years after the first date on which the Administrator publishes a HUBZone map that is based on the results from the 2010 decennial census; or''.

SEC. 527. ANNUAL REPORT ON SUSPENSION, DEBARMENT, AND PROSECUTION.

The Administrator shall submit an annual report to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives that contains—

(1) the number of debarments from participation in programs of the Administration issued by the Administrator during the 1-year period preceding the date of the report, including—

(A) the number of debarments that were based on a conviction; and

(B) the number of debarments that were fact-based and did not involve a conviction;

(2) the number of suspensions from participation in programs of the Administration issued by the Administrator during the 1-year period preceding the date of the report, including—

(A) the number of suspensions issued that were based upon indictments; and

(B) the number of suspensions issued that were fact-based and did not involve an indictment;

(3) the number of suspension and debarments issued by the Administrator during the 1-year period preceding the date of the report that were based upon referrals from offices of the Administration, other than the Office of Inspector General;

(4) the number of suspension and debarments issued by the Administrator during the 1-year period preceding the date of the report based upon referrals from the Office of Inspector General; and

(5) the number of persons that the Administrator declined to debar or suspend after a referral described in paragraph (8), and the reason for each such decision.

Subtitle C—Fairness in Women-Owned Small Business Contracting

SEC. 531. SHORT TITLE.

This subtitle may be cited as the ''Fairness in Women-Owned Small Business Contracting Act of 2012''.

SEC. 532. PROCUREMENT PROGRAM FOR WOMEN-OWNED SMALL BUSINESS CONCERNS.

Section 8(m) of the Small Business Act (15 U.S.C. 637(m)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by striking ''who are economically disadvantaged'';

(B) in subparagraph (C), by striking ''paragraph (3)'' and inserting ''paragraph (4)'';

(C) by striking subparagraph (D); and

(D) by redesignating subparagraphs (E) and (F) as subparagraphs (D) and (E), respectively; and

(2) by adding at the end the following:

''(7) SOLE SOURCE CONTRACTS.—A contracting officer may award a sole source contract under this subsection to a small business concern owned and controlled by women under the same conditions as a sole source contract may be awarded to a qualified HUBZone small business concern under section 31(b)(2)(A).''.

SEC. 533. STUDY AND REPORT ON REPRESENTATION OF WOMEN.

Section 29 of the Small Business Act (15 U.S.C. 656), as amended by section 424 of this division, is amended by adding at the end the following:

''(n) STUDY AND REPORT ON REPRESENTATION OF WOMEN.—

''(1) STUDY.—The Administrator shall periodically conduct a study to identify any United States industry, as defined under the North American Industry Classification System, in which women are underrepresented.

''(2) REPORT.—Not later than 5 years after the date of enactment of this subsection, and every 5 years thereafter, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the results of each study under paragraph (1) conducted during the 5-year period ending on the date of the report.''.

Subtitle D—Small Business Champion

SEC. 541. SHORT TITLE.

This subtitle may be cited as the ''Small Business Champion Act of 2012''.

SEC. 542. OFFICES OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION.

(a) APPOINTMENT AND POSITION OF DIRECTOR.—Section 15(k)(2) of the Small Business Act (15 U.S.C. 644(k)(2)) is amended by striking ''such agency,'' and inserting ''such agency to a position that is a Senior Executive Service position (as such term is defined under section 3132(a) of title 5, United States Code), except that, for any agency in which the positions of Chief Acquisition Officer and senior procurement executive (as such terms are defined under section 43(a) of this Act) are not Senior Executive Service positions, the Director of Small and Disadvantaged Business Utilization may be appointed to a position compensated at not less than the minimum rate of basic pay payable for grade GS–15 of the General Schedule under section 5332 of such title (including comparability payments under section 5304 of such title);''.

(b) PERFORMANCE APPRAISALS.—Section 15(k)(3) of the Small Business Act (15 U.S.C. 644(k)(3)) is amended—

(1) by striking ''be responsible only to, and report directly to, the head'' and inserting ''shall be responsible only to (including with respect to performance appraisals), and report directly and exclusively to, the head''; and

(2) by striking ''be responsible only to, and report directly to, such Secretary'' and inserting ''be responsible only to (including with respect to performance appraisals), and report directly and exclusively to, such Secretary''.

(c) SMALL BUSINESS TECHNICAL ADVISERS.—Section 15(k)(8)(B) of the Small Business Act (15 U.S.C. 644(k)(8)(B)) is amended by striking ''and 15 of this Act,'' and inserting '', 15, and 43 of this Act;''.

(d) ADDITIONAL REQUIREMENTS.—Section 15(k) of the Small Business Act (15 U.S.C. 644(k)) is amended by inserting after paragraph (10) the following:

''(11) shall review and advise such agency on any decision to convert an activity performed by a small business concern to an activity performed by a Federal employee;

''(12) shall provide to the Chief Acquisition Officer and senior procurement executive of such agency advice and comments on acquisition strategies, market research, and justifications related to section 43 of this Act;

''(13) may provide training to small business concerns and contract specialists, except that such training may only be provided to the extent that the training does not interfere with the Director carrying out other responsibilities under this subsection;

''(14) shall carry out exclusively the duties enumerated in this Act, and shall, while the Director, not hold any other title, position, or responsibility, except as necessary to carry out responsibilities under this subsection;

''(15) shall submit, each fiscal year, to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a report describing—

''(A) the training provided by the Director under paragraph (13) in the most recently completed fiscal year;

''(B) the percentage of the budget of the Director used for such training in the most recently completed fiscal year; and

''(C) the percentage of the budget of the Director used for travel in the most recently completed fiscal year; and

''(16) shall have not less than 10 years of relevant procurement experience.''.

(e) TECHNICAL AMENDMENTS.—Section 15(k) of the Small Business Act (15 U.S.C. 644(k)), as amended by subsection (d), is further amended—

(1) in the matter preceding paragraph (1) by striking ''who shall'' and inserting ''who'';

(2) in paragraph (1)—

(A) by striking ''be known'' and inserting ''shall be known''; and

(B) by striking ''such agency,'' and inserting ''such agency;'';

(3) in paragraph (2) by striking ''be appointed by'' and inserting ''shall be appointed by'';

(4) in paragraph (3)—

(A) by striking ''director'' and inserting ''Director''; and

(B) by striking ''Secretary's designee,'' and inserting ''Secretary's designee;'';

(5) in paragraph (4)—

(A) by striking ''be responsible'' and inserting ''shall be responsible''; and

(B) by striking ''such agency,'' and inserting ''such agency;'';

(6) in paragraph (5) by striking ''identify proposed'' and inserting ''shall identify proposed'';

(7) in paragraph (6) by striking ''assist small'' and inserting ''shall assist small'';

(8) in paragraph (7)—

(A) by striking ''have supervisory'' and inserting ''shall have supervisory''; and

(B) by striking ''this Act,'' and inserting ''this Act;'';

(9) in paragraph (8)—

(A) by striking ''assign a'' and inserting ''shall assign a''; and

(B) by striking ''the activity, and'' and inserting ''the activity; and'';

(10) in paragraph (9)—

(A) by striking ''cooperate, and'' and inserting ''shall cooperate, and''; and

(B) by striking ''subsection, and'' and inserting ''subsection;''; and

(11) in paragraph (10)—

(A) by striking ''make recommendations'' and inserting ''shall make recommendations'';

(B) by striking ''subsection (a), or section'' and inserting ''subsection (a), section'';

(C) by striking ''Act or section 2323'' and inserting ''Act, or section 2323'';

(D) by striking ''Code. Such recommendations shall'' and inserting ''Code, which shall''; and

(E) by striking ''contract file.'' and inserting ''contract file;''.

SEC. 543. SMALL BUSINESS PROCUREMENT ADVISORY COUNCIL.

(a) DUTIES.—Section 7104(b) of the Federal Acquisition Streamlining Act of 1994 (15 U.S.C. 644 note) is amended—

(1) in paragraph (1) by striking ''and'' at the end;

(2) in paragraph (2) by striking ''authorities.'' and inserting ''authorities;''; and

(3) by adding at the end the following:

''(3) to conduct reviews of each Office of Small and Disadvantaged Business Utilization established under section 15(k) of the Small Business Act (15 U.S.C. 644(k)) to determine the compliance of each Office with requirements under such section;

''(4) to identify best practices for maximizing small business utilization in Federal contracting that may be implemented by Federal agencies having procurement powers; and

''(5) to submit, annually, to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a report describing—

''(A) the comments submitted under paragraph (2) during the 1-year period ending on the date on which the report is submitted, including any outcomes related to the comments;

''(B) the results of reviews conducted under paragraph (3) during such 1-year period; and

''(C) best practices identified under paragraph (4) during such 1-year period.''.

(b) MEMBERSHIP.—Section 7104(c) of the Federal Acquisition Streamlining Act of 1994 (15 U.S.C. 644 note) is amended by striking ''(established under section 15(k) of the Small Business Act (15 U.S.C. 644(k))''.

(c) CHAIRMAN.—Section 7104(d) of the Federal Acquisition Streamlining Act of 1994 (15 U.S.C. 644 note) is amended by inserting after ''Small Business Administration'' the following: ''(or the designee of the Administrator)''.

TITLE VI—TRANSPARENCY, ACCOUNTABILITY, AND EFFECTIVENESS

Subtitle A—Small Business Common Application

SEC. 611. DEFINITIONS.

In this subtitle—

(1) the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof, respectively;

(2) the term ''Executive agency'' has the meaning given that term under section 105 of title 5, United States Code;

(3) the term ''Executive Committee'' means the Executive Committee on a Small Business Common Application established under section 613(a);

(4) the term ''small business concern'' has the meaning given that term under section 3 of the Small Business Act (15 U.S.C. 632);

SEC. 612. SENSE OF CONGRESS.

It is the sense of Congress that Executive agencies should—

(1) reduce paperwork burdens on small business concerns pursuant to section 3501 of title 44, United States Code;

(2) maximize the ability of small business concerns to use common applications, where practicable, and use consolidated web portals to interact with Executive agencies;

(3) maintain high standards for data privacy and security;

(4) increase the degree and ease of information sharing and coordination among programs serving small business concerns that are carried out by Executive agencies, including State and local offices of Executive agencies; and

(5) minimize redundancy in the administration of programs that can utilize common applications, where practicable, and consolidated web portals.

SEC. 613. EXECUTIVE COMMITTEE ON A SMALL BUSINESS COMMON APPLICATION.

(a) ESTABLISHMENT.—There is established in the Administration an Executive Committee on a Small Business Common Application, which shall make recommendations regarding the establishment, if practicable, of a small business common application and web portal.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The members of the Executive Committee shall consist of—

(A) the Administrator;

(B) the Assistant Secretary of Commerce for Economic Development; and

(C) 1 senior officer or employee having policy and technical expertise appointed by each of—

(i) the Administrator of the General Services Administration;

(ii) the Director of the National Institutes of Health;

(iii) the Director of the National Science Foundation;

(iv) the President of the Export-Import Bank;

(v) the Secretary of Agriculture;

(vi) the Secretary of Defense;

(vii) the Secretary of Health and Human Services;

(viii) the Secretary of Labor;

(ix) the Secretary of State;

(x) the Secretary of the Treasury; and

(xi) the Secretary of Veterans Affairs.

(2) CHAIRPERSON.—The Administrator shall serve as chairperson of the Executive Committee.

(3) PERIOD OF APPOINTMENT.—Members of the Executive Committee shall be appointed for a term of 1 year.

(4) VACANCIES.—A vacancy in the Executive Committee shall be filled in the same manner as the original appointment, not later than 30 days after the date on which the vacancy occurs.

(c) MEETINGS.—

(1) IN GENERAL.—The Executive Committee shall meet at the call of the chairperson of the Executive Committee.

(2) QUORUM.—A majority of the members of the Executive Committee shall constitute a quorum.

(3) FIRST MEETING.—The first meeting of the Executive Committee shall take place not later than 30 days after the date of enactment of this subtitle.

(4) PUBLIC MEETING.—The Executive Committee shall hold at least 1 public meeting before the date described in subsection (d)(1) to receive comments from small business concerns and other interested parties.

(d) DUTIES.—

(1) RECOMMENDATIONS.—Not later than 270 days after the date of enactment of this Act, upon a vote of the majority of members of the Executive Committee then serving, the Executive Committee shall submit to the Administrator recommendations relating to the feasibility of establishing a small business common application and web portal in order to meet the goals described in section 612.

(2) TRANSMISSION TO EXECUTIVE AGENCIES.—The Executive Committee shall transmit to each Executive agency a complete copy of the recommendations submitted under paragraph (1).

(3) TRANSMISSION TO CONGRESS.—The Executive Committee shall transmit to each relevant committee of Congress a complete copy of the recommendations submitted under paragraph (1).

(4) RECOMMENDATIONS BY EXECUTIVE AGENCIES.—Not later than 30 days after the date on which the Executive Committee transmits recommendations to the Executive agency under paragraph (2), each Executive agency that provides Federal assistance to small business concerns shall submit to Congress recommendations, if any, for legislative changes necessary for the Executive agency to carry out the recommendations under paragraph (1).

(e) PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—The members of the Executive Committee shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(2) DETAIL OF EMPLOYEES.—The Administrator may detail to the Executive Committee any employee of the Economic Development Administration, and such detail shall be without interruption or loss of civil service status or privilege.

(f) FEDERAL ADVISORY COMMITTEE ACT.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply with respect to the Executive Committee.

SEC. 614. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Administrator such sums as may be necessary to carry out this subtitle.

Subtitle B—Government Accountability Office Review

SEC. 621. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives that evaluates the status of the programs authorized under this division and the amendments made by this division, including the extent to which such programs have been funded and implemented and have contributed to promoting job creation among small business concerns.

SA 2522. Mr. REID proposed an amendment to amendment SA 2521 proposed by Mr. REID (for Ms. LANDRIEU) to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; as follows:

At the end, add the following new section:

SEC. _____.

This Act shall become effective 7 days after enactment.

SA 2523. Mr. REID proposed an amendment to amendment SA 2522 proposed by Mr. REID to the amendment SA 2521 proposed by Mr. REID (for Ms. LANDRIEU) to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; as follows:

In the amendment, strike ''7 days'' and insert ''6 days''.

SA 2524. Mr. REID proposed an amendment to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; as follows:

Strike all after the first word and insert the following:

1. SHORT TITLE.

This Act may be cited as the ''Small Business Tax Cut Act''.

SEC. 2. DEDUCTION FOR DOMESTIC BUSINESS INCOME OF QUALIFIED SMALL BUSINESSES.

(a) IN GENERAL.—Part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 200. DOMESTIC BUSINESS INCOME OF QUALIFIED SMALL BUSINESSES.

''(a) ALLOWANCE OF DEDUCTION.—In the case of a qualified small business, there shall be allowed as a deduction an amount equal to 20 percent of the lesser of—

''(1) the qualified domestic business income of the taxpayer for the taxable year, or

''(2) taxable income (determined without regard to this section) for the taxable year.

''(b) DEDUCTION LIMITED BASED ON WAGES PAID.—

''(1) IN GENERAL.—The amount of the deduction allowable under subsection (a) for any taxable year shall not exceed 50 percent of the greater of—

''(A) the W–2 wages of the taxpayer paid to non-owners, or

''(B) the sum of—

''(i) the W–2 wages of the taxpayer paid to individuals who are non-owner family members of direct owners, plus

''(ii) any W–2 wages of the taxpayer paid to 10-percent-or-less direct owners.

''(2) DEFINITIONS RELATED TO OWNERSHIP.—For purposes of this section—

''(A) NON-OWNER.—The term 'non-owner' means, with respect to any qualified small business, any person who does not own (and is not considered as owning within the meaning of subsection (c) or (e)(3) of section 267, as the case may be) any stock of such business (or, if such business is other than a corporation, any capital or profits interest of such business).

''(B) NON-OWNER FAMILY MEMBERS.—An individual is a non-owner family member of a direct owner if—

''(i) such individual is family (within the meaning of section 267(c)(4)) of a direct owner, and

''(ii) such individual would be a non-owner if subsections (c) and (e)(3) of section 267 were applied without regard to section 267(c)(2).

''(C) DIRECT OWNER.—The term 'direct owner' means, with respect to any qualified small business, any person who owns (or is considered as owning under the applicable non-family attribution rules) any stock of such business (or, if such business is other than a corporation, any capital or profits interest of such business).

''(D) 10-PERCENT-OR-LESS DIRECT OWNERS.—The term '10-percent-or-less direct owner' means, with respect to any qualified small business, any direct owner of such business who owns (or is considered as owning under the applicable non-family attribution rules)—

''(i) in the case of a qualified small business which is a corporation, not more than 10 percent of the outstanding stock of the corporation or stock possessing more than 10 percent of the total combined voting power of all stock of the corporation, or

''(ii) in the case of a qualified small business which is not a corporation, not more than 10 percent of the capital or profits interest of such business.

''(E) APPLICABLE NON-FAMILY ATTRIBUTION RULES.—The term 'applicable non-family attribution rules' means the attribution rules of subsection (c) or (e)(3) of section 267, as the case may be, but in each case applied without regard to section 267(c)(2).

''(3) W–2 WAGES.—For purposes of this section—

''(A) IN GENERAL.—The term 'W–2 wages' means, with respect to any person for any taxable year of such person, the sum of the amounts described in paragraphs (3) and (8) of section 6051(a) paid by such person with respect to employment of employees by such person during the calendar year ending during such taxable year.

''(B) LIMITATION TO WAGES ATTRIBUTABLE TO QUALIFIED DOMESTIC BUSINESS INCOME.—Such term shall not include any amount which is not properly allocable to domestic business gross receipts for purposes of subsection (c)(1).

''(C) OTHER REQUIREMENTS.—Except in the case of amounts treated as W–2 wages under paragraph (4)—

''(i) such term shall not include any amount which is not allowed as a deduction under section 162 for the taxable year, and

''(ii) such term shall not include any amount which is not properly included in a return filed with the Social Security Administration on or before the 60th day after the due date (including extensions) for such return.

''(4) CERTAIN PARTNERSHIP DISTRIBUTIONS TREATED AS W–2 WAGES.—

''(A) IN GENERAL.—In the case of a qualified small business which is a partnership and elects the application of this paragraph for the taxable year—

''(i) the qualified domestic business taxable income of such partnership for such taxable year (determined after the application of clause (ii)) which is allocable under rules similar to the rules of section 199(d)(1)(A)(ii) to each qualified service-providing partner shall be treated for purposes of this section as W–2 wages paid during such taxable year to such partner as an employee, and

''(ii) the domestic business gross receipts of such partnership for such taxable year shall be reduced by the amount so treated.

''(B) QUALIFIED SERVICE-PROVIDING PARTNER.—For purposes of this paragraph, the term 'qualified service-providing partner' means, with respect to any qualified domestic business taxable income, any partner who is a 10-percent-or-less direct owner and who materially participates in the trade or business to which such income relates.

''(5) ACQUISITIONS AND DISPOSITIONS.—The Secretary shall provide for the application of this subsection in cases where the taxpayer acquires, or disposes of, the major portion of a trade or business or the major portion of a separate unit of a trade or business during the taxable year.

''(c) QUALIFIED DOMESTIC BUSINESS INCOME.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified domestic business income' for any taxable year means an amount equal to the excess (if any) of—

''(A) the taxpayer's domestic business gross receipts for such taxable year, over

''(B) the sum of—

''(i) the cost of goods sold that are allocable to such receipts, and

''(ii) other expenses, losses, or deductions (other than the deduction allowed under this section), which are properly allocable to such receipts.

''(2) DOMESTIC BUSINESS GROSS RECEIPTS.—

''(A) IN GENERAL.—The term 'domestic business gross receipts' means the gross receipts of the taxpayer which are effectively connected with the conduct of a trade or business within the United States within the meaning of section 864(c) but determined—

''(i) without regard to paragraphs (3), (4), and (5) thereof, and

''(ii) by substituting 'qualified small business (within the meaning of section 200)' for 'nonresident alien individual or a foreign corporation' each place it appears therein.

''(B) EXCEPTIONS.—For purposes of paragraph (1), domestic business gross receipts shall not include any of the following:

''(i) Gross receipts derived from the sale or exchange of—

''(I) a capital asset, or

''(II) property used in the trade or business (as defined in section 1231(b)).

''(ii) Royalties, rents, dividends, interest, or annuities.

''(iii) Any amount which constitutes wages (as defined in section 3401).

''(3) APPLICATION OF CERTAIN RULES.—Rules similar to the rules of paragraphs (2) and (3) of section 199(c) shall apply for purposes of this section (applied with respect to qualified domestic business income in lieu of qualified production activities income and with respect to domestic business gross receipts in lieu of domestic production gross receipts).

''(d) QUALIFIED SMALL BUSINESS.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified small business' means any employer engaged in a trade or business if such employer had fewer than 500 full-time equivalent employees for either calendar year 2010 or 2011.

''(2) FULL-TIME EQUIVALENT EMPLOYEES.—The term 'full-time equivalent employees' has the meaning given such term by subsection (d)(2) of section 45R applied—

''(A) without regard to subsection (d)(5) of such section,

''(B) with regard to subsection (e)(1) of such section, and

''(C) by substituting 'calendar year' for 'taxable year' each place it appears therein.

''(3) EMPLOYERS NOT IN EXISTENCE PRIOR TO 2012.—In the case of an employer which was not in existence on January 1, 2012, the determination under paragraph (1) shall be made with respect to calendar year 2012.

''(4) APPLICATION TO CALENDAR YEARS IN WHICH EMPLOYER IN EXISTENCE FOR PORTION OF CALENDAR YEAR.—In the case of any calendar year during which the employer comes into existence, the number of full-time equivalent employees determined under paragraph (2) with respect to such calendar year shall be increased by multiplying the number so determined (without regard to this paragraph) by the quotient obtained by dividing—

''(A) the number of days in such calendar year, by

''(B) the number of days during such calendar year which such employer is in existence.

''(5) SPECIAL RULES.—

''(A) AGGREGATION RULE.—For purposes of paragraph (1), any person treated as a single employer under subsection (a) or (b) of section 52 (applied without regard to section 1563(b)) or subsection (m) or (o) of section 414 shall be treated as a single employer for purposes of this subsection.

''(B) PREDECESSORS.—Any reference in this subsection to an employer shall include a reference to any predecessor of such employer.

''(e) SPECIAL RULES.—

''(1) ELECTIVE APPLICATION OF DEDUCTION.—Except as otherwise provided by the Secretary, the taxpayer may elect not to take any item of income into account as domestic business gross receipts for purposes of this section.

''(2) COORDINATION WITH SECTION 199.—If a deduction is allowed under this section with respect to any taxpayer for any taxable year—

''(A) any gross receipts of the taxpayer which are taken into account under this section for such taxable year shall not be taken into account under section 199 for such taxable year, and

''(B) the W–2 wages of the taxpayer which are taken into account under this section shall not be taken into account under section 199 for such taxable year.

''(3) APPLICATION OF CERTAIN RULES.—Rules similar to the rules of paragraphs (1), (2), (3), (4), (6), and (7) of section 199(d) shall apply for purposes of this section (applied with respect to qualified domestic business income in lieu of qualified production activities income).

''(f) REGULATIONS.—The Secretary shall prescribe such regulations as are necessary to carry out the purposes of this section, including regulations which prevent a taxpayer which reorganizes from being treated as a qualified small business if such taxpayer would not have been treated as a qualified small business prior to such reorganization.

''(g) APPLICATION.—Subsection (a) shall apply only with respect to the first taxable year of the taxpayer beginning after December 31, 2011.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 56(d)(1)(A) of such Code is amended by striking ''deduction under section 199'' both places it appears and inserting ''deductions under sections 199 and 200''.

(2) Section 56(g)(4)(C) of such Code is amended by adding at the end the following new clause:

''(vii) DEDUCTION FOR DOMESTIC BUSINESS INCOME OF QUALIFIED SMALL BUSINESSES.—Clause (i) shall not apply to any amount allowable as a deduction under section 200.''.

(3) The following provisions of such Code are each amended by inserting ''200,'' after ''199,''.

(A) Section 86(b)(2)(A).
(B) Section 135(c)(4)(A).
(C) Section 137(b)(3)(A).
(D) Section 219(g)(3)(A)(ii).
(E) Section 221(b)(2)(C)(i).
(F) Section 222(b)(2)(C)(i).
(G) Section 246(b)(1).
(H) Section 469(i)(3)(F)(iii).

(4) Section 163(j)(6)(A)(i) of such Code is amended by striking ''and'' at the end of subclause (III) and by inserting after subclause (IV) the following new subclause:

''(V) any deduction allowable under section 200, and''.

(5) Section 170(b)(2)(C) of such Code is amended by striking ''and'' at the end of clause (iv), by striking the period at the end of clause (v) and inserting '', and'', and by inserting after clause (v) the following new clause:

''(vi) section 200.''.

(6) Section 172(d) of such Code is amended by adding at the end the following new paragraph:

''(8) DOMESTIC BUSINESS INCOME OF QUALIFIED SMALL BUSINESSES.—The deduction under section 200 shall not be allowed.''.

(7) Section 613(a) of such Code is amended by striking ''deduction under section 199'' and inserting ''deductions under sections 199 and 200''.

(8) Section 613A(d)(1) of such Code is amended by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively, and by inserting after subparagraph (B) the following new subparagraph:

''(C) any deduction allowable under section 200,''.

(9) Section 1402(a) of such Code is amended by striking ''and'' at the end of paragraph (16), by redesignating paragraph (17) as paragraph (18), and by inserting after paragraph (16) the following new paragraph:

''(17) the deduction provided by section 200 shall not be allowed; and''.

(c) CLERICAL AMENDMENT.—The table of sections for part VI of subchapter B of chapter 1 of such Code is amended by adding at the end the following new item:

''Sec. 200. Domestic business income of qualified small businesses.''.

SA 2525. Mr. REID proposed an amendment to amendment SA 2524 proposed by Mr. REID to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus

depreciation for an additional year, and for other purposes; as follows:

At the end, add the following new section:

SEC. ____.

This title shall become effective 5 days after enactment.

SA 2526. Mr. REID proposed an amendment to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; as follows:

SEC. ____.

This Act shall become effective 3 days after enactment.

SA 2527. Mr. REID proposed an amendment to amendment SA 2526 proposed by Mr. REID to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; as follows:

In the amendment, strike ''3 days'' and insert ''2 days''.

SA 2528. Mr. REID proposed an amendment to amendment SA 2527 proposed by Mr. REID to the amendment SA 2526 proposed by Mr. REID to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; as follows:

In the amendment, strike ''2 days'' and insert ''1 day''.

SA 2529. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. MODIFICATION AND PERMANENT EXTENSION OF THE INCENTIVES TO REINVEST FOREIGN EARNINGS IN THE UNITED STATES.

(a) REPATRIATION SUBJECT TO 5 PERCENT TAX RATE.—Subsection (a)(1) of section 965 of the Internal Revenue Code of 1986 is amended by striking ''85 percent'' and inserting ''85.7 percent''.

(b) PERMANENT EXTENSION TO ELECT REPATRIATION.—Subsection (f) of section 965 of the Internal Revenue Code of 1986 is amended to read as follows:

''(f) ELECTION.—The taxpayer may elect to apply this section to any taxable year only if made on or before the due date (including extensions) for filing the return of tax for such taxable year.''.

(c) REPATRIATION INCLUDES CURRENT AND ACCUMULATED FOREIGN EARNINGS.—

(1) IN GENERAL.—Paragraph (1) of section 965(b) of the Internal Revenue Code of 1986 is amended to read as follows:

''(1) IN GENERAL.—The amount of dividends taken into account under subsection (a) shall not exceed the sum of the current and accumulated earnings and profits described in section 959(c)(3) for the year a deduction is claimed under subsection (a), without diminution by reason of any distributions made during the election year, for all controlled foreign corporations of the United States shareholder.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 965(b) of such Code is amended by striking paragraphs (2) and (4) and by redesignating paragraph (3) as paragraph (2).

(B) Section 965(c) of such Code is amended by striking paragraphs (1) and (2) and by redesignating paragraphs (3), (4), and (5) as paragraphs (1), (2), and (3), respectively.

(C) Paragraph (3) of section 965(c) of such Code, as redesignated by subparagraph (B), is amended to read as follows:

''(3) CONTROLLED GROUPS.—All United States shareholders which are members of an affiliated group filing a consolidated return under section 1501 shall be treated as one United States shareholder.''.

(d) CLERICAL AMENDMENTS.—

(1) The heading for section 965 of the Internal Revenue Code of 1986 is amended by striking ''**TEMPORARY**''.

(2) The table of sections for subpart F of part III of subchapter N of chapter 1 of such Code is amended by striking ''Temporary dividends'' and inserting ''Dividends''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

SA 2530. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. PERMANENT EXTENSION OF TAX RELIEF.

(a) 2001 TAX RELIEF.—The Economic Growth and Tax Relief Reconciliation Act of 2001 is amended by striking title IX.

(b) 2003 RELIEF.—Title III of the Jobs and Growth Tax Relief Reconciliation Act of 2003 is amended by striking section 303.

(c) ALTERNATIVE MINIMUM TAX EXEMPTION AMOUNTS.—

(1) INCREASED EXEMPTION AMOUNTS MADE PERMANENT.—

(A) IN GENERAL.—Paragraph (1) of section 55(d) of the Internal Revenue Code of 1986 is amended—

(i) by striking ''$45,000 ($72,450 in the case of taxable years beginning in 2010 and $74,450 in the case of taxable years beginning in 2011)'' in subparagraph (A) and inserting ''$74,450'',

(ii) by striking ''$33,750 ($47,450 in the case of taxable years beginning in 2010 and $48,450 in the case of taxable years beginning in 2011)'' in subparagraph (B) and inserting ''$48,450'', and

(iii) by striking ''paragraph (1)(A)'' in subparagraph (C) and inserting ''subparagraph (A)''.

(2) EXEMPTION AMOUNTS INDEXED FOR INFLATION.—Subsection (d) of section 55 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(4) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of any taxable year beginning in a calendar year after 2011, each of the dollar amounts contained in subparagraphs (A) and (B) of paragraph (1) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2010' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—Any increase determined under subparagraph (A) shall be rounded to the nearest multiple of $100.''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after December 31, 2011.

(d) ALTERNATIVE MINIMUM TAX RELIEF FOR NONREFUNDABLE CREDITS.—

(1) IN GENERAL.—Subsection (a) of section 26 of the Internal Revenue Code of 1986 is amended to read as follows:

''(a) LIMITATION BASED ON AMOUNT OF TAX.—The aggregate amount of credits allowed by this subpart for the taxable year shall not exceed the sum of—

''(1) the taxpayer's regular tax liability for the taxable year reduced by the foreign tax credit allowable under section 27(a), and

''(2) the tax imposed by section 55(a) for the taxable year.''.

(2) CONFORMING AMENDMENTS.—

(A) ADOPTION CREDIT.—

(i) Section 23(b) of the Internal Revenue Code of 1986 is amended by striking paragraph (4).

(ii) Section 23(c) of such Code is amended by striking paragraphs (1) and (2) and inserting the following:

''(1) IN GENERAL.—If the credit allowable under subsection (a) for any taxable year exceeds the limitation imposed by section 26(a) for such taxable year reduced by the sum of the credits allowable under this subpart (other than this section and sections 25D and 1400C), such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a) for such taxable year.''.

(iii) Section 23(c) of such Code is amended by redesignating paragraph (3) as paragraph (2).

(B) CHILD TAX CREDIT.—

(i) Section 24(b) of such Code is amended by striking paragraph (3).

(ii) Section 24(d)(1) of such Code is amended—

(I) by striking ''section 26(a)(2) or subsection (b)(3), as the case may be,'' each place it appears in subparagraphs (A) and (B) and inserting ''section 26(a)'', and

(II) by striking ''section 26(a)(2) or subsection (b)(3), as the case may be'' in the second last sentence and inserting ''section 26(a)''.

(C) CREDIT FOR INTEREST ON CERTAIN HOME MORTGAGES.—Section 25(e)(1)(C) of such Code is amended to read as follows:

''(C) APPLICABLE TAX LIMIT.—For purposes of this paragraph, the term 'applicable tax limit' means the limitation imposed by section 26(a) for the taxable year reduced by the sum of the credits allowable under this subpart (other than this section and sections 23, 25D, and 1400C).''.

(D) SAVERS' CREDIT.—Section 25B of such Code is amended by striking subsection (g).

(E) RESIDENTIAL ENERGY EFFICIENT PROPERTY.—Section 25D(c) of such Code is amended to read as follows:

''(c) CARRYFORWARD OF UNUSED CREDIT.—If the credit allowable under subsection (a) exceeds the limitation imposed by section 26(a) for such taxable year reduced by the sum of the credits allowable under this subpart (other than this section), such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a) for such succeeding taxable year.''.

(F) CERTAIN PLUG-IN ELECTRIC VEHICLES.—Section 30(c)(2) of such Code is amended to read as follows:

''(2) PERSONAL CREDIT.—For purposes of this title, the credit allowed under subsection (a) for any taxable year (determined after application of paragraph (1)) shall be treated as a credit allowable under subpart A for such taxable year.''.

(G) ALTERNATIVE MOTOR VEHICLE CREDIT.—Section 30B(g)(2) of such Code is amended to read as follows:

''(2) PERSONAL CREDIT.—For purposes of this title, the credit allowed under subsection (a) for any taxable year (determined after application of paragraph (1)) shall be treated as a credit allowable under subpart A for such taxable year.''.

(H) NEW QUALIFIED PLUG-IN ELECTRIC VEHICLE CREDIT.—Section 30D(c)(2) of such Code is amended to read as follows:

''(2) PERSONAL CREDIT.—For purposes of this title, the credit allowed under subsection (a) for any taxable year (determined after application of paragraph (1)) shall be treated as a credit allowable under subpart A for such taxable year.''.

(I) CROSS REFERENCES.—Section 55(c)(3) of such Code is amended by striking ''26(a), 30C(d)(2),'' and inserting ''30C(d)(2)''.

(J) FOREIGN TAX CREDIT.—Section 904 of such Code is amended by striking subsection (i) and by redesignating subsections (j), (k), and (l) as subsections (i), (j), and (k), respectively.

(K) FIRST-TIME HOME BUYER CREDIT FOR THE DISTRICT OF COLUMBIA.—Section 1400C(d) of such Code is amended to read as follows:

''(d) CARRYFORWARD OF UNUSED CREDIT.—If the credit allowable under subsection (a) exceeds the limitation imposed by section 26(a) for such taxable year reduced by the sum of the credits allowable under subpart A of part IV of subchapter A (other than this section and section 25D), such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a) for such taxable year.''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after December 31, 2011.

TITLE ____—DEATH TAX REPEAL

SEC. ___1. SHORT TITLE.

This title may be cited as the ''Death Tax Repeal Permanency Act of 2012''.

SEC. ___2. REPEAL OF ESTATE AND GENERATION-SKIPPING TRANSFER TAXES.

(a) ESTATE TAX REPEAL.—Subchapter C of chapter 11 of subtitle B of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 2210. TERMINATION.

''(a) IN GENERAL.—Except as provided in subsection (b), this chapter shall not apply to the estates of decedents dying on or after the date of the enactment of the Death Tax Repeal Permanency Act of 2012.

''(b) CERTAIN DISTRIBUTIONS FROM QUALIFIED DOMESTIC TRUSTS.—In applying section 2056A with respect to the surviving spouse of a decedent dying before the date of the enactment of the Death Tax Repeal Permanency Act of 2012—

''(1) section 2056A(b)(1)(A) shall not apply to distributions made after the 10-year period beginning on such date, and

''(2) section 2056A(b)(1)(B) shall not apply on or after such date.''.

(b) GENERATION-SKIPPING TRANSFER TAX REPEAL.—Subchapter G of chapter 13 of subtitle B of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 2664. TERMINATION.

''This chapter shall not apply to generation-skipping transfers on or after the date of the enactment of the Death Tax Repeal Permanency Act of 2012.''.

(c) CONFORMING AMENDMENTS.—

(1) The table of sections for subchapter C of chapter 11 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 2210. Termination.''.

(2) The table of sections for subchapter G of chapter 13 of such Code is amended by adding at the end the following new item:

''Sec. 2664. Termination.''.

(d) RESTORATION OF PRE-EGTRRA PROVISIONS NOT APPLICABLE.—

(1) IN GENERAL.—Section 301 of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 shall not apply to estates of decedents dying, and transfers made, on or after the date of the enactment of this Act.

(2) EXCEPTION FOR STEPPED-UP BASIS.—Paragraph (1) shall not apply to the provisions of law amended by subtitle E of title V of the Economic Growth and Tax Relief Reconciliation Act of 2001 (relating to carryover basis at death; other changes taking effect with repeal).

(e) SUNSET NOT APPLICABLE.—Section 304 of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 is hereby repealed.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to the estates of decedents dying, and generation-skipping transfers, after the date of the enactment of this Act.

SEC. ___3. MODIFICATIONS OF GIFT TAX.

(a) COMPUTATION OF GIFT TAX.—Subsection (a) of section 2502 of the Internal Revenue Code of 1986 is amended to read as follows:

''(a) COMPUTATION OF TAX.—

''(1) IN GENERAL.—The tax imposed by section 2501 for each calendar year shall be an amount equal to the excess of—

''(A) a tentative tax, computed under paragraph (2), on the aggregate sum of the taxable gifts for such calendar year and for each of the preceding calendar periods, over

''(B) a tentative tax, computed under paragraph (2), on the aggregate sum of the taxable gifts for each of the preceding calendar periods.

''(2) RATE SCHEDULE.—

''If the amount with respect to which the tentative tax to be computed is:.	**The tentative tax is:**
Not over $10,000	18% of such amount.
Over $10,000 but not over $20,000.	$1,800, plus 20% of the excess over $10,000.
Over $20,000 but not over $40,000.	$3,800, plus 22% of the excess over $20,000.
Over $40,000 but not over $60,000.	$8,200, plus 24% of the excess over $40,000.
Over $60,000 but not over $80,000.	$13,000, plus 26% of the excess over $60,000.
Over $80,000 but not over $100,000.	$18,200, plus 28% of the excess over $80,000.
Over $100,000 but not over $150,000.	$23,800, plus 30% of the excess over $100,000.
Over $150,000 but not over $250,000.	$38,800, plus 32% of the excess of $150,000.
Over $250,000 but not over $500,000.	$70,800, plus 34% of the excess over $250,000.
Over $500,000	$155,800, plus 35% of the excess of $500,000.''.

(b) TREATMENT OF CERTAIN TRANSFERS IN TRUST.—Section 2511 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(c) TREATMENT OF CERTAIN TRANSFERS IN TRUST.—Notwithstanding any other provision of this section and except as provided in regulations, a transfer in trust shall be treated as a taxable gift under section 2503, unless the trust is treated as wholly owned by the donor or the donor's spouse under subpart E of part I of subchapter J of chapter 1.''.

(c) LIFETIME GIFT EXEMPTION.—Paragraph (1) of section 2505(a) of the Internal Revenue Code of 1986 is amended to read as follows:

''(1) the amount of the tentative tax which would be determined under the rate schedule set forth in section 2502(a)(2) if the amount with respect to which such tentative tax is to be computed were $5,000,000, reduced by''.

(d) CONFORMING AMENDMENTS.—

(1) Section 2505(a) of the Internal Revenue Code of 1986 is amended by striking the last sentence.

(2) The heading for section 2505 of such Code is amended by striking ''**unified**''.

(3) The item in the table of sections for subchapter A of chapter 12 of such Code relating to section 2505 is amended to read as follows:

''Sec. 2505. Credit against gift tax.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to gifts made on or after the date of the enactment of this Act.

(f) TRANSITION RULE.—

(1) IN GENERAL.—For purposes of applying sections 1015(d), 2502, and 2505 of the Internal Revenue Code of 1986, the calendar year in which this title is enacted shall be treated as 2 separate calendar years one of which ends on the day before the date of the enactment of this Act and the other of which begins on such date of enactment.

(2) APPLICATION OF SECTION 2504(b).—For purposes of applying section 2504(b) of the Internal Revenue Code of 1986, the calendar year in which this title is enacted shall be treated as one preceding calendar period.

SA 2531. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; which was ordered to lie on the table; as follows:

On page __, between lines __ and __, insert the following:

SEC. _____. EXTENSION OF AUTHORITY OF SECRETARY OF THE TREASURY TO RELEASE A LEVY ON A TAXPAYER'S PROPERTY BASED ON AN ECONOMIC HARDSHIP DUE TO THE FINANCIAL CONDITION OF THE TAXPAYER'S BUSINESS.

(a) IN GENERAL.—Paragraph (1) of section 6343 of the Internal Revenue Code of 1986 is amended—

(1) by inserting ''or the taxpayer's trade or business'' after ''taxpayer'' in subparagraph (D), and

(2) by adding at the end the following new sentence: ''For purposes of subparagraph (D), in making the determination to release a levy against a trade or business on economic hardship grounds, the Secretary shall consider the economic viability of the trade or business, the nature and extent of the hardship (including whether the taxpayer exercised ordinary business care and prudence), the potential harm to individuals if the trade or business is liquidated, and whether the taxes could be collected from a responsible person under an assessment under section 6672.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to levies issued on or after the date of the enactment of this Act.

NOTICE OF HEARING

SUBCOMMITTEE ON WATER AND POWER

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public

that a hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources. The hearing will be held on Wednesday, July 25, 2012, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this oversight hearing is to examine the role of water use efficiency and its impact on energy use.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by email to Meagan_Gins@energy.senate.gov.

For further information, please contact Sara Tucker at (202) 224–6224 or Meagan Gins at (202) 224–0883.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on July 11, 2012, at 10 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a roundtable to discuss ''Medicare Physician Payments: Perspectives from Physicians.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 11, 2012, at 10 a.m., to conduct a hearing titled ''The Future of Homeland Security: Evolving and Emerging Threats.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 11, 2012, at 9:30 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Oversight of the Impact on Competition of Exclusion Orders to Enforce Standard-Essential Patents.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 11, 2012, at 2 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Judicial Nominations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

RAOUL WALLENBERG CENTENNIAL CELEBRATION ACT

Mr. BENNET. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 3001, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3001) to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

There being no objection, the Senate proceeded to consider the bill.

Mr. BENNET. Mr. President, I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, without any intervening action or debate, and any related statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3001) was ordered to a third reading, was read the third time, and passed.

VETERAN SKILLS TO JOBS ACT

Mr. BENNET. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 4155, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4155) 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.

There being no objection, the Senate proceeded to consider the bill.

Mr. BENNET. Mr. President, I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any related statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 4155) was ordered to a third reading, was read the third time, and passed.

ORDERS FOR THURSDAY, JULY 12, 2012

Mr. BENNET. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, July 12; 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 the first hour be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BENNET. Mr. President, this evening the majority leader filed cloture on the Landrieu substitute and the underlying Small Business Jobs and Tax Relief Act. As a result, the filing deadline for amendments to the Landrieu substitute amendment and to S. 2237 is 1 p.m. tomorrow.

Unless an agreement is reached, the cloture votes will be on Friday. We hope we can come to an agreement to have them tomorrow.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BENNET. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:03 p.m., adjourned until Thursday, July 12, 2012, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

DOROTHY KOSINSKI, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2016, VICE RICARDO QUINONES, TERM EXPIRED.

DEPARTMENT OF STATE

DAWN M. LIBERI, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BURUNDI.

STEPHEN D. MULL, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF POLAND.

WALTER NORTH, OF WASHINGTON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO PAPUA NEW GUINEA, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SOLOMON ISLANDS AND AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF VANUATU.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DAVID R. HOGG

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. JOYCE L. STEVENS

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. KYLE E. GOERKE

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. JOHN L. GRONSKI

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF ADMIRAL IN THE UNITED STATES

NAVY WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601 AND TITLE 42, U.S.C., SECTION 7158:

TO BE DIRECTOR, NAVAL NUCLEAR PROPULSION PROGRAM

To be admiral

VICE ADM. JOHN M. RICHARDSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. DAVID A. DUNAWAY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

JOEL A. AHLGRIM
ZACHARY M. ALEXANDER
DAVID A. BARROWS
DAVID A. BESACHIO
JONATHAN BESCHLOSS
KENNETH O. BONAPARTE
BRANDON J. BRYANT
NATALIE J. BURMAN
JOSEPH R. CARNEY
LEO A. CARNEY
ROBERT J. CARPENTER III
JERRY W. CHANDLER II
THOMAS L. CHUNG
SHAWN S. CLAUSEN
DANIEL E. COOPER
JANINE R. DANKO
SOPHIA E. DEBEN
MICHAEL L. DEVAN
ANDREW P. DOAN
JOHN D. DUERDEN
CHRISTOPHER A. DUPLESSIS
MARILISA G. ELROD
JILL E. EMERICK
CHRISTIN M. B. FOSTER
STEPHEN L. FOSTER
DANIEL W. GABIER
THOMAS Q. GALLAGHER
TODD A. GARDNER
STEVEN J. GAUERKE
JON C. GIACOMAN
JOSE E. GOMEZ
CARLOS E. GOMEZSANCHEZ
ISAAC GOODING
THOMAS R. GRANT
ELIZABETH A. GRASMUCK
JOY A. GREER
ERICA S. GROGAN
PETER M. HAMMER
RYAN J. HARRIS
JESSICA M. HAYFORD
JUSTIN W. HEIL
JASON W. HOLLENSBE
EWELL M. HOLLIS
ARLENE J. HUDSON
DAVID C. JANNOTTA
ANTHONY W. KELLER
ROLAND S. KENT
MIN K. KIM
LEO T. KROONEN
CORRY J. KUCIK
RYAN D. LAMOND
DUANE M. LAWRENCE
FERNANDO F. LEYVA
ANDREW H. LIN
ROBERT A. LIOTTA
MICHELLE F. LIU
JASON J. LUKAS
STEVEN R. MAIER
DEBRA A. MANNING
CHAD Y. MAO
MATTHEW J. MARCUSON
JEFFREY S. MARTENS
GREGORY S. MCNABB
ALEX R. MINTER
EMORI A. MOORE
CHRISTOPHER J. NEAL
BRIAN G. NORWOOD
TIMOTHY R. OELTMANN
TAWAKALITU O. OSENI
JAMES K. PALMA
GREGORY A. PATE
GERALD W. PLATT
OBIE M. POWELL
STEVEN P. PRASKE
BRYAN D. PROPES
ELIZABETH T. REEVES
KRISTIE A. ROBSON
CORBY D. ROPP
KAREN B. RUSSELL
VICTOR L. RUTERBUSCH
PATCHO N. SANTIAGO
JOEL M. SCHOFER
JASON W. SCHROEDER
CYNTHIA M. SCHULTZ
PETER J. SEBENY
JOHN H. SEOK
BRADLEY A. SERWER
WILLIAM W. SHIELDS
JEFFREY W. SINGLEY
LEAH K. SOLEY
SCOTT A. SPARKS
SEAN P. STROUP
MICHAEL A. SULLIVAN
MATTHEW J. SWIBER
STEPHEN S. TANTAMA
CHRISTOPHER R. TATRO
JOHN C. VENTURA
ERIK P. VOOGD
RUSTIN C. WALTERS
DIRK A. WARREN
JOHN B. WEATHERWAX
DAVID A. WEIS
TIMOTHY M. WIMMER
CAROLYN A. WINNINGHAM
STACEY Q. WOLFE
MARK L. WOODBRIDGE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

JOHN E. BISSELL
ROBERT P. BOLTON
CYNTHIA CHINH
RONNIE M. CITRO
HARRY R. COLE, JR.
CHRISTOPHER M. HAMLIN
MATTHEW B. B. MILLER
ROBERT H. MINER
JOHVIN PERRY
SEPEHR RAJAEI
ALEXANDER ROYZENBLAT
HOWARD K. VANNESS
RASHA H. WELCH
SABINA S. YUN
STEPHEN S. YUNE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ROBERT L. ANDERSON II
BRENNAN S. AUTRY
DEBRA L. BAKER
CHRISTOPHER T. BLAIR
GORDON R. BLIGHTON
WILLIE J. BROWN
GERALD F. BURKE
STEPHEN A. CHAPMAN
SERGIO CHAVEZ
MATTHEW C. DOAN
MICHAEL O. ENRIQUEZ
WILLIAM E. GRADY
MICHAEL J. GRANDE
DARRYL E. GREEN
RONA D. GREEN
GARY C. GROTHE, JR.
MATTHEW J. HOLCOMB
WILLIAM R. HOWARD
THOMAS D. JENKINS
FRANCA R. JONES
WILLIAM E. KELLY
JASON T. LEWIS
KATHRYN T. LINDSEY
NILO M. LLAGAS
CHRISTOPHER J. MALDARELLA
ANDREW L. MARTIN
WILLIAM J. PLUMMER III
DONNA POULIN
JAMES C. QUICK III
ROBERT C. RAWLEIGH
JEFFREY J. REPASS
DUNELEY A. ROCHINO
RONALD L. SCHOONOVER
THAD J. SHARP
MICHAEL D. SMITH
DANIELLE M. WOOTEN
CAROL B. ZWIEBACH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MARC S. BREWEN
HUGH BURKE
ARTHUR L. GASTON III
STACIA J. GAWRONSKI
CHRISTOPHER J. GREER
MATTHEW B. KUREK
JOAN M. MALIK
KIMBERLEY B. MCCANN
KEVIN W. MESSER
MARK P. NEVITT
HEATHER D. PARTRIDGE
STEPHEN C. REYES
ANGELA C. RONGOTES
JEFFREY A. SUTTON
DUSTIN E. WALLACE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

LUCELINA B. BADURA
LAURIE E. BASABE
SHELLY B. BENFIELD
CHERIE L. BLANK
SUSANNE E. BLANKENBAKER
JOHANNA M. BRENNER
WILLIAM H. BROOKS
CHAWN T. BROWN
JENNIFER J. BUECHEL
JENNY S. BURKETT
KEVIN J. BURNS
WILLIAM S. BYERS
CARLIN A. CALLAWAY
SANTIAGO B. CAMANO
BRIAN E. CARMAN
MICHELLE N. CARR
JASEN P. CHRISTENSEN
DANIEL W. CLARK
NATHANIEL R. CLARK
JULIE A. CONRARDY
WENDY A. COOK
PATRICIA L. CRELLER
JULIE A. DARLING
DANIEL A. DAURORA
JOSEPH L. DESAMERO
AMY L. DRAYTON
KENNETH N. DUBROWSKI
JASON B. ELLIS
ALISON E. FAITH
RONALD A. FANCHER
MIKE T. FINCKBONE
PATRICK J. FITZPATRICK
JOSE D. FLORES
FLEMING L. FRENCH
MICHELLE A. FRENCH
KATHRYN A. GARNER
TRACEY R. GILES
CARL W. GOFORTH
JOSEPH A. GOMEZ
MATTHEW J. GRASER
ERIC C. GRYN
RHONDA O. HINDS
SHARON L. HOUSE
DIANA L. HOWELL
JEFFREY L. HUFF
BOBBY J. HURT
TRACY R. ISAAC
MARC E. JASEK
SHAWN B. KASE
MARIE J. KELLEY
SHAUNA R. KINGHOLLIS
KATHRYN J. KRAUSE
MARK R. LANG
RACHEL M. LEWIS
DAVID M. LOSHBAUGH
ANGELO P. LUCERO
JOSEPH A. MARCANTEL
ABIGAIL E. MARTER
FREDORA A. MCRAE
JENNIFER A. MILLS
CHRISTOPHER P. NILES
SALEE J. P. OBOZA
RONNIE G. OKIALDA
CHRISTINE C. PALARCA
MARY K. PARKER
ELISABET PRIETO
ROBERT B. PROPES
KEVIN G. QUINN
SARA E. SHAFFER
KIM P. SHAUGHNESSY
PATRICK S. SHUSTER
LISA M. SNYDER
DARRYL B. SOL
TIMOTHY K. STACKS
PAULINE M. STAJNER
WENDY L. STONE
MAVIS R. THOMAS
PAUL S. VILLAIRE
PHILIP D. VOYER
MICHELE A. WAARA
PAMELA H. WALL
MICHELLE E. WEDDLE
GERARD J. WHITE
WILLIAM W. WIEGMANN
FRANCISCO I. WONPAT
HEATHER G. WYCKOFF
WILLIAM A. YOUNG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

JASON W. ADAMS
STERLEN D. BARNES
ROMEO O. BAUTISTA
STEVEN E. BOYCOURT
ARCANGELO P. DELLANNO
PAUL W. DEMEYER
JOHN H. HAMILTON IV
MICHAEL D. KRISMAN
ANDREW J. LEWIS
RYAN D. LOOKABILL
BRIAN W. MAXWELL
JOHN G. MONTINOLA
ERIK R. NALEY
ERNAN S. OBELLOS
JOEL P. PITEL
JEREMY C. POWELL
ANDRE T. SADOWSKI
MARTIN C. THOMAS
ANGELA S. S. TORRES
SHAWN M. TRIGGS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

DAVID L. CLINE
BRUCE W. CROUTERFIELD
ROY E. HOFFMAN
JOHN T. JOHNS
ROBERT L. JONES, JR.
ERIK P. LEE
EMORY C. LUSSI
LEROY G. MACK III
HAGAN R. MCCLELLAN, JR.
GABRIEL MENSAH
PATRICK A. NIEMEYER
SANTIAGO RODRIGUEZ
RYAN R. RUPE

BETH A. STALLINGA
MARK A. TANIS
MICHAEL L. TOMLINSON
PAUL S. TREMBLAY
BRIAN D. WEIGELT
TEDDY L. WILLIAMS, JR.
DAVID S. YANG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

EMILY Z. ALLEN
JAY A. BIESZKE
DEANNA S. CARPENTER
MICHAEL W. CHUCRAN
GARY W. DOSS
RICHARD A. FICARELLI
ANA I. FRANCO
JOSEPH D. HARDER III
RANDALL E. HARMEYER
MICHAEL A. JAMES
RONALD J. JENKINS
CHAD C. KOSTER
PHILLIP M. LAVALLEE
WALTER S. LUDWIG
THOMAS J. LYONS III
EDWARD B. MILLER IV
MICHAEL K. OBEIRNE
JEFFREY M. PFEIL
JOSEPH C. POPE
JEFFREY W. SHERWOOD
JENNIFER L. TETATZIN
ROBERT G. TETREAULT
MARK I. TIPTON
DUDE L. UNDERWOOD
JONATHAN P. WITHAM

EXTENSIONS OF REMARKS

CONFERENCE REPORT ON H.R. 4348, MOVING AHEAD FOR PROGRESS IN THE 21ST CENTURY ACT

SPEECH OF

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. MICA. Madam Speaker, I would like to extend my personal appreciation to the dedicated staff in the Office of Legislative Counsel here in the House of Representatives for helping us to write important legislation reauthorizing surface transportation programs. In addition, I would like to thank the staff of the Federal Highway Administration and the Federal Transit Administration for providing us with their technical assistance and expertise. In particular, I would like to thank the following individuals for their work on this legislation:

FROM THE OFFICE OF LEGISLATIVE COUNSEL

TRANSPORTATION AND INFRASTRUCTURE ATTORNEYS

Curt Haensel
Rosemary Gallagher
Tom Dillon
Kakuti Lin
Tim Brown

CLERKS

Nancy McNeillie
Debra Birch

RAMSEYER TEAM

Craig Sterkx
Thomas Meryweather
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FROM THE FEDERAL HIGHWAY ADMINISTRATION

Tim Arnade
Andrew Wishnia
Jennifer Steinhoff
Steven Frankel
Carolyn Edwards
Todd Kohr
Kimberly Monaco

FROM THE FEDERAL TRANSIT ADMINISTRATION

Rich Steinmann
Kate Webb
Bonnie Graves
Rita Maristch

Thanks to the dedication of these experts we have achieved a major accomplishment in the passage of H.R. 4348.

CELEBRATING THE 175TH ANNIVERSARY OF THE CITY OF ALTON, ILLINOIS

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the 175th Anniversary of the City of Alton, Illinois.

Among the first Europeans to explore the area later settled as Alton, Illinois were Father Jacques Marquette and Louis Joliet in 1673. The Illiniwek tribes had lived in the area for many years and a Native American drawing, the Piasa, a fierce-looking bird that was painted on the bluffs overlooking the Mississippi River was first documented by Fr. Marquette. The drawing has been reproduced many times and the Piasa can still be seen on the bluffs today.

Situated on the banks of the Mississippi, between its confluences with the Missouri and Illinois Rivers, Alton was a natural location for development as a river town in the early 19th Century. Rufus Easton, a St. Louis businessman who ran a ferry operation at Alton named the town after his eldest son in 1818. Because of its excellent location, the community experienced tremendous growth and was incorporated as a city in 1837.

1837 was the year of another important event in Alton's history, although hardly a highlight. Abolitionist printer, Elijah Lovejoy, who had moved from St. Louis to Alton because of increasing tensions in the slave state of Missouri, was killed by a mob in Alton as he attempted to protect his printing press. Other significant historical notes of Alton in the mid-19th Century included being a major stop on the Underground Railroad and the site of a Union prison for Confederate soldiers, many of whom died there due to rampant disease. Alton was also the location for the final Lincoln-Douglas debate, in 1858.

Famous people from Alton include renowned jazz musician Miles Davis and Robert Wadlow, known as the "Alton Giant," and still the tallest human in recorded history at 8 ft. 11 inches tall.

The 20th Century saw an increase in manufacturing in the Alton area, with steel, glass and cardboard boxes among the leading industries that provided employment for Alton residents. As Alton has expanded and diversified, it has always remained tied to the river. The area is referred to as Riverbend because of the arc of the Mississippi at Alton. The National Great Rivers Museum and the National Great Rivers Research and Education Center, both near the Melvin Price Lock and Dam at Alton, are two recent additions that promote the study and appreciation of the rivers that gave rise to many cities like Alton.

Mr. Speaker, I ask my colleagues to join me in celebrating the 175th Anniversary of the City of Alton, Illinois and to wish them the very best for a bright and prosperous future.

IN RECOGNITION OF THE 40TH ANNIVERSARY OF TITLE IX

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. DAVIS of Illinois. Mr. Speaker, I wish to recognize the 40th anniversary of Title IX. This historic piece of legislation has had a profound and lasting impact on gender equity in this country. While many people associate Title IX with primarily promoting funding equality in collegiate athletics, its impact is much greater—affecting the role of women as leaders and role models in our society. Title IX of the Education Amendments in 1972 prohibited sex discrimination in education programs and activities receiving federal financial assistance. It is the cornerstone of federal statutes that require equal access to all areas of education for women. Title IX sent a message to young women across this country that their achievements were just as great as those of their male counterparts.

The opportunity to succeed is an essential tenet of our American spirit; Title IX provides women with an opportunity to succeed in collegiate athletics and beyond. An entire generation of young women has seized this opportunity, as evidenced by their many achievements. In the past 40 years, women have excelled in all aspects of society. In law and government, we have seen the first female Speaker of the House, the first female Supreme Court Justice and the first female Secretary of State. In science and technology, we have seen the first female astronaut enter space and six female scientists receive Nobel Prizes. Title IX has helped lay the foundation for equal educational access for these achievements.

In addition, Title IX has helped create a generation of young female athletes: in 1972, only 1 in 27 women participated in high school sports; now 1 in 3 participate. Sports can play a key role in a young person's successful growth and development. Young people who participate in sports are more likely to be goal-oriented, healthy, confident and ambitious. These athletes have lower teenage pregnancy rates, are less likely to commit crimes and are less likely to use drugs or alcohol. The dramatic increase in female sports participation is undoubtedly an important factor in women's success and advancement in the past 40 years.

Women have come a long way since the 1970s, but considerable work remains. On average, a woman still earns only 77 cents for every dollar earned by a man across all occupations and levels of educational attainment. Further, women's rights to healthcare and prevention services are being challenged by courts and legislatures across this country. As policymakers, we must remember how long it has taken women to get to this point and must not allow gender equity to recede. We must continue to legislate with the spirit of equality and opportunity, as the Members of the 88th Congress did 40 years ago. I commend the many achievements that women have made since the passage of Title IX and look forward to seeing many more in the future.

RECOGNIZING THE NIXA HIGH SCHOOL BOWLING TEAM

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. LONG. Mr. Speaker, I rise today to congratulate the Nixa High School Bowling Team for winning their second State High School Bowling Championship.

Nixa High School's bowling team, in its second year of existence, returned to defend its championship title at the Missouri State Tournament and left its competition in the gutter. The Eagles advanced with 3 other local teams to the Missouri State Championships where they competed against 23 other teams from all across the state.

The team, which included seniors Kyle Bates and Jacob Nelson; juniors Justin Lair, Kristen Nunn, Nick Zummo, and Brandon Maser; and sophomores David Krol, Shannon Burns, and Dylan Brentlinger, initially competed in 24 games which followed the Baker Format.

The Baker format is patterned after college bowling competitions and is used to maintain a quicker pace from game to game, yielding more excitement. Nixa bowling was the Number 1 seed out of the top five teams to advance to the championship round, and the team ultimately prevailed against Jefferson City after two straight games with scores of 215–174 and 211–196.

While bowling is usually recognized as an individual sport, the Baker competition format required each member of the Nixa bowling team to think as a team because each shot would be included as part of one score. As a result, teams competing in this format will only be as good as their weakest link because all players participate in only 2 frames each.

Coaches David Krol and Larry Hughes worked diligently to instill that concept in their team and should be proud of their accomplishment in guiding such a phenomenal group of young men and women. I commend them all on a job well done.

The Nixa community is justifiably proud of this extraordinary group of young and talented future leaders.

I urge my colleagues to join me in congratulating the Nixa High School Bowling Team as they celebrate their second State Bowling Championship.

IN MEMORY OF SERGEANT JOSE RODRIGUEZ

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. CARDOZA. Mr. Speaker, it is with great sadness that I rise today with my colleague Congressman JIM COSTA to honor the late Sgt. Jose Rodriguez who was killed on June 19, 2012 in Kandahar province, Afghanistan while supporting Operation Enduring Freedom. Sergeant Rodriguez paid the ultimate price, sacrificing his life, while protecting and serving the United States of America.

Sergeant Rodriguez was raised in Newman and Gustine. He graduated from Gustine High School in 2008 and joined the army shortly thereafter. He was assigned to Joint Base Lewis-McChord near Tacoma, Washington in 2009. His first deployment was in July 2009 where he was a part of the 5th Brigade, 2nd Infantry Division. Sergeant Rodriguez decided to re-deploy on a second tour of duty in order to better provide for his wife and young son. On his second tour, he was in the 4th Battalion, 23rd Infantry Regiment, 2nd Stryker Brigade Combat Team, 2nd Infantry Division. He received the Army Achievement Medal, Army Good Conduct Medal, National Defense Service Medal, Army Commendation Medal Combat Service, Global War on Terrorism Service Medal, Non-Commissioned Officers Professional Development Ribbon, Army Service Ribbon, Overseas Ribbon, NATO Medal, Certificate of Achievement, and Combat Infantry Badge.

Sergeant Rodriguez's family called him a responsible, quiet, and caring man. He had hoped to become a firefighter after returning home next year. He leaves behind a loving wife, Maria ''Lupita'' Rodriguez and a thirteen month old son, Octavian. He is also survived by his parents Margarita Rodriguez and Augustine Rodriguez; his brothers, Ruben Rodriguez, Julian Rodriguez, Edgar Rodriguez, Jonathon Rodriguez and his two sisters, Judith Rodriguez and Jacqueline Rodriguez.

Mr. Speaker, together with my colleague, Congressman JIM COSTA, the recognition that we are offering today before the House of Representatives for Sergeant Jose Rodriguez is small compared to the contributions and impact he had on the lives of so many. He was truly an invaluable member of our community and an outstanding human being. My thoughts are with Sergeant Rodriguez's family and the community as they grieve the loss of this wonderful young man.

BATTLE CRY, A CRY TO ACTION

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. HALL. Mr. Speaker, I rise today to present a poem by Dona Julian Cassel. Ms. Cassel graduated from East Texas State University, currently Texas A&M University-Commerce, in 1967 with a bachelor's degree in Elementary Education and 1971 with a master's degree in English. She is a retired teacher who has since formed her own training company which works with businesses to teach their staff communication and customer service skills.

Ms. Cassel's writing is timely for our Nation, and something I believe can inspire Americans to act.

BATTLE CRY, A CALL TO ACTION

Now is the time to take your stand!
Don't huddle in the shadows anymore—
Your collective voices must soon be heard.
Send your lawmakers a resounding roar!

Make your earnest requests be known!
Demand from Congress and from your state—
Empowerment to teach as you know best
To produce the results that made America great!

O teachers! What power you still possess!
Immortal forces upon the ages—
This noble profession which is your calling
Deserves respect and rightful wages!

Defend the honor of your vocation!
Keep its standards lifted high!
Unite! Join this call to action!
Embrace these stanzas as your battle cry!

IN HONOR OF MANDELA DAY

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Ms. RICHARDSON. Mr. Speaker, I happily rise today to celebrate Nelson Mandela's birthday on July 18. Mr. Mandela is a man whose life has been absolutely dedicated to service and social justice.

From a young age, Mr. Mandela was aware of the economic and civil injustices that plagued South Africa under apartheid, where racial discrimination was official government policy. Mr. Mandela joined the African National Congress and worked to end minority rule in his home country, becoming an enemy of the South African government.

In 1963, Mr. Mandela was sentenced to life imprisonment for political offenses, ultimately serving 27 years. During this time, he refused to renounce his political beliefs in exchange for a reduced term, and he remained steadfastly committed to his cause. Many would see a life sentence as total defeat, but Mr. Mandela continued his campaign and, in doing so, became an international symbol of resistance.

Despite a lifetime of constant struggle, Mr. Mandela never became bitter or overcome with anger. He instead looked ahead to the possibility of equality and freedom in a country that had always been divided by race. His dream was not to wage war against his oppressors. Rather he sought to liberate them from ignorance and hatred and create a unified nation.

Mr. Mandela's struggle has distinguished him as an extraordinary leader in the eyes of the international community and his fellow South Africans. Mr. Mandela was presented with the Nobel Peace Prize in 1993, and he accepted the award on behalf of all South Africans who had made tremendous sacrifices in the name of peace and liberty. The following year, he was elected President of South Africa in the first fully representative democratic election, defeating apartheid rule.

Even after stepping down from the South African presidency, Mr. Mandela's commitment to service did not waiver. Mr. Mandela has since founded three foundations: The Nelson Mandela Centre of Memory, the Nelson Mandela Children's Fund, and the Mandela-Rhodes Foundation. I am truly inspired by Mr. Mandela's tireless work and continued advocacy.

In 2009, July 18 was adopted by the United Nations as Nelson Mandela International Day of Service. Mr. Mandela gave 67 years of his life to the fight for human rights, and people all over the world are asked to spend Mandela Day giving 67 minutes of their time to serve their local communities and charities.

Mr. Speaker, apartheid has ended, but struggles for peace and human dignity persist in all corners of the world. I remember one passage that Mr. Mandela wrote: ''After climbing a great hill, one only finds that there are

many more hills to climb.'' With this sentiment in mind, I ask my colleagues and fellow Americans to join me in observing Mandela Day and continuing Mr. Mandela's legacy in our own communities.

HONORING JOHN P. BRODER

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mrs. MCCARTHY of New York. Mr. Speaker, I rise today to recognize and honor my friend, John P. Broder, upon his retirement from Winthrop-University Hospital.

Mr. Broder has been in the marketing, public affairs and development profession for 42 years. For the past 20 years, he has been the Vice President for External Affairs and Development at Winthrop-University Hospital. He was responsible for government relations and development programs and has been instrumental in establishing the marketing, advertising and public affairs department at the Hospital.

Mr. Broder received his degree in business administration from the St. Michael's College in Vermont and earned his MBA in Marketing from the Hagen Graduate School of Business at Iona College. In addition, Mr. Broder was honorably discharged from the U.S. Army after serving a combat tour in the Republic of Vietnam. He began his career with the United Way of Tri-State before moving to the Columbia Presbyterian Medical Center where he was responsible for the hospital's successful $110 million capital campaign. Prior to joining the team at Winthrop, Mr. Broder was the Vice President in charge of the development programs at Long Island Jewish Medical Center.

In addition to his impressive career, Mr. Broder has made time to serve the community through a variety of organizations. He is the Vice President of the Mineola Chamber of Commerce, a board member and past President of the Mineola Lions Club, Director of the Fair Media Council, works with the Mineola Community Planning Committee, and is a member of the Corporate Advisory Committee of Literacy Nassau, to name a few.

For more than 30 years Mr. Broder has been a resident of Long Island and through his work and his volunteer service he has done a great deal to help improve our communities.

Mr. Speaker, it is with admiration and respect that I offer my thanks and recognition to my friend John P. Broder for his many years of hard work and friendship.

HONORING RICE UNIVERSITY ON THEIR CENTENNIAL ANNIVERSARY

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. BRADY of Texas. Mr. Speaker, I rise today to celebrate the 100th Anniversary of Rice University in Houston, Texas as a prominent research university advancing education in the arts, humanities and sciences. Inaugurated on October 12, 1912 and named after its benefactor, William Marsh Rice, the university has continued to excel, with an impressive list of accomplishments and achievements over the past century.

As a leading research university with a commitment to undergraduate education, Rice consistently ranks among the top 20 universities in the United States overall and ranks among the world's top 100 universities every year.

The University is leading research in a wide range of fields, from bioinformatics, cellular technology, and health, to nanotechnology, and space. Rice is the first university in the United States to create a department dedicated to space exploration. In fact, the land that is now home to the Johnson Space Center of the National Aeronautics and Space Administration in Houston was originally donated by Rice.

The university also has a proven track record of producing strong, dependable community and national leaders including: Former U.S. Secretary of State James Baker, Former Attorney General Alberto Gonzalez, current City of Houston Mayor Annise Parker, Nobel Prize of Chemistry Dr. Richard Smalley, NASA Astronaut Peggy Whitson, and All-Star Major League Baseball player Lance Berkman, just to name a few.

Truth be told, each year I take my two sons down to Reckling Park to watch from the hill and left field the Rice Owls compete in NCAA baseball. It's a tradition in our family.

Mr. Speaker, it is an honor to join with Rice University administration, staff, alumni, students and community in celebrating this milestone and I look forward to the bright future and successes coming out of Rice University over the next centennial. I am confident the best is yet to come.

PERSONAL EXPLANATION

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Ms. CLARKE of New York. Mr. Speaker, on the Legislative Day of July 9, 2012, I missed two votes. Had I been present for these rollcall votes, I would have voted ''Yes'' on rollcall 452—H.R. 4155—Veteran Skills to Jobs Act and ''Yes'' on rollcall 453—H.R. 4367—ATM Fee Disclosure Requirement.

HONORING NORTH CAROLINA STATE SENATOR EDWARD JONES ON THE OCCASION OF RECOGNITION BY DOWNTOWN ENFIELD RESTORATION AND PRESERVATION

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. BUTTERFIELD. Mr. Speaker, I rise with great pleasure to honor North Carolina State Senator Edward Jones. Senator Jones' steadfast commitment to North Carolina and its Fourth Senatorial District is to be applauded as a fine example of a public servant. As the only retired State Trooper elected to the North Carolina Senate, Senator Edward Jones serves his constituency with a legacy of humility and patriotism. He truly embodies his personal motto, ''We are not judged by the titles we possess, but by the job we do.''

Senator Jones' public service extends back to his duties in the 82nd Airborne Division of the U.S. Army. After an honorable discharge from the military, Edward Jones served as Deputy Sheriff in Buncombe County prior to enrolling in the North Carolina Justice Academy where he became a patrolman in 1975. At the time, he was one of only three African American troopers in North Carolina, and defied odds by rising to the rank of Sergeant in 1985 and ultimately First Sergeant in 1995.

Upon retirement from the State Highway Patrol, he went on to serve as Chief of Police and later Mayor for the city of Enfield, located in Halifax County. His service in these two roles provided significant exposure to local concerns and a firm foundation for his subsequent political career.

In 2005, Jones was appointed to the North Carolina General Assembly to complete the unexpired term of Representative John Hall. In 2007, he was appointed again, this time to complete the unexpired term of Senator Robert Holloman. In this seat, which remains as his current post, he serves North Carolina Senate's Fourth District, one of the largest districts in the legislature. As Senator, Jones has distinguished himself in the area of crime and public safety. He not only leads from the senate floor, but also on a grassroots level as he frequently visits communities, agencies, and organizations to assess respective needs and concerns.

Outside the legislature, Senator Jones is decorated with many achievements. He is the first African American to serve on the Board of Trustees at Chowan University. He is a member of the Governor's Crime Commission, the North Carolina Legislative Black Caucus, and board member of the Halifax County Boys and Girls Club.

While his commitment to public service is commendable, it is noteworthy that he is deeply rooted in his faith and family. Jones is the proud husband to wife, Mary Ann, father to daughters Alesha and Andrea, and ''Papa'' to granddaughters, Charisma, Carmen, and Farrah.

Senator Jones is a man of honor, valor, and commitment. I urge my colleagues to join me in applauding Senator Edward Jones' lifelong dedication to the people of North Carolina.

PERSONAL EXPLANATION

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. ELLISON. Mr. Speaker, on July 9, 2012, I missed rollcall votes No. 452–454 due to a family obligation. Had I been present I would have voted ''yea.''

HONORING THE WORLD WAR II VETERANS OF ILLINOIS

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. QUIGLEY. Mr. Speaker, I rise to honor the World War II veterans who traveled to Washington, DC, on July 11, 2012 with Honor Flight Chicago, a program that provides World War II veterans the opportunity to visit the World War II Memorial on The National Mall in Washington, D.C. This memorial was built to honor their courage and service to their country.

The American Veteran is one of our greatest treasures. The Soldiers, Airmen, Sailors, Marines, and Coast Guardsmen who traveled here on July 11 answered our nation's call to service during one of its greatest times of need. From the European Campaign to the Pacific Asian Theatre to the African Theater, these brave Americans risked life and limb, gave service and sacrificed much, all while embodying what it is to be a hero. We owe them more gratitude than can ever be expressed.

I welcome these brave veterans to Washington and to their memorial. I am proud to submit the names of these men and women for all to see, hear, and recognize, and I call on my colleagues to rise and join me in expressing gratitude.

Russell J. Abbott, Elizabeth M. Adamo, Kenneth H. Amdall, William B. Barnard, Philip Basic, Marvin D. Berns, Joseph A. Berttucci, Forest Black, Edward N. Boersma, Robert Bourdage, John A. Brodinski, Michael P. Cernyar, Leonard E. Chapp, Bernard J. Chesner, Daniel L. Chorney, Raymond E. Crotty, John A. Deora, Xenophon Doudalis, Robert C. Ellis, David Epstein, E. John Faassen, Natale Fazio, Peter A. Ferro, Ruthe C. Foster, Walter C. Gardynski, August Genge, Jr., Owen Gillespie, Helmuth Goering, Kent Goldbranson, W. Leonard Gregory, Lad Gregurich, John F. Gruber, Lewis Hague, Rueben W. Helander, Raymond F. Henders, James H. Hurley, Howard J. Jacklin, William N. Johnson, Raymond G. Kapinus, Edward Kelby, Vette E. Kell, Arthur M. Koblish, Ronald E. Kregel, Sophie E. Kulaga, James Lamont, Donald L. Lawler, Richard H. Leadbetter, Albert Lee, Howard D. Levinson, Philip J. LoMonaco, Louis Lowy, Raymond Lowy, Teddy A. Madej, Alvin B. Manheim, Randall E. McMinn, Eugene S. Mikos, John R. Minerick, Salvatore Morello, William R. Morrow, Glen E. Nelson, Henry L. Offerman, Edwin Ogonowski, Arthur Olsen, Calvin Parmele, Myron Petrakis, Raymond Anthony Pfeifer, Martin A. Poenisch, Daniel C. Reese, Amos John Roberts, John Patrick Roche, Ray Rooney, Frederick Rosenow, Eugene H. Seibert, Richard A. Siver, Donald E. Skelton, Charles A. Smith, Ora L. Smith, Richard L. Soderlund, Thomas E. Sullivan, Arthur R. Tessmann, Jasper C. Tromp, William John Unger, Jack Vollriede, Owen F. Wagener, Harry R. Warren, Joseph G. Wegrzyn, Oddie Wiley, Raymond A. Wilke, Ferguson L. Willis, William Fred Wilson, William F. Wolf, Arthur W. Youngberg.

HEALTHCARE REPEAL AND WOMEN'S RIGHTS

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Ms. SLAUGHTER. Mr. Speaker, this bill will never become law, and it is a perfect symbol of the failure of this Congress.

Over the last two years we've voted more than 30 times to mess with the healthcare reforms in the Affordable Care Act. This Congress could barely bring itself to pass a transportation bill, yet it found the time to vote on the same issue 30 times.

The second biggest priority of this Congress appears to be the legislative war on women. We've taken at least 9 votes to take away rights and protections away from women, and specifically attacking women's health.

In short, this Congress has spent two years actively working against the rights of women and healthcare of American families.

Prior to the Affordable Care Act becoming law, being a woman was a pre-existing condition. Women were denied health insurance coverage because they were victims of domestic abuse, and when they were given health insurance coverage, they oftentimes paid more than men for the same level of care. Companies that have a large number of female employees faced higher healthcare costs than other companies—all because health insurance companies could, and did, get away with price discrimination.

The Affordable Care Act finally gave women equal rights when it came to healthcare, and it is the reason I rise to defend that lifesaving legislation today. I strongly oppose the political charade that is being carried out here today—and on behalf of every woman who is no longer a second-class citizen, I urge my colleagues to vote against today's bill.

SUPPORTING PROTECTION OF FEDERAL FINANCIAL ASSISTANCE FOR HIGHER EDUCATION

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. DAVIS of Illinois. Mr. Speaker, President Franklin Delano Roosevelt once said, "We cannot always build the future for our youth, but we can build our youth for the future." College access and success are fundamental stepping stones toward economic security and global competitiveness. As policymakers, it is imperative that we support students in making college affordable so that our citizens and nation can prosper.

I strongly supported the passage by the House of the bipartisan Senate agreement to prevent a doubling of the student loan interest rates. Without this action before July 1, more than seven million students would have seen their interest rates double, resulting in an approximate $1000 additional debt burden per student for this year. Indeed, failure to act would have added $6.3 billion to students' debt burden in 2012, with 1.5 million African-American students and 1 million Latino students experiencing an additional $1.5 billion and $1 billion in loan repayment costs, respectively.

Unfortunately, the agreement prevents the interest rate hike by cutting student financial aid, continuing a disturbing trend in which the Republican Leadership insists that low-income and middle-class students pay for federal student aid programs and deficit reduction. In the last two years, the Republican Leadership has insisted on multiple cuts to student aid, including: elimination of the interest subsidy for graduate student loans; elimination of the interest subsidy for the six-month grace period after finishing school; elimination of summer Pell grants; reduction in the number of semesters a student can receive Pell grants; erection of barriers to qualifying for the maximum Pell grant; and reduced eligibility for the minimum Pell grant award. These cuts require low-income and middle-class students to incur roughly $20 billion in the cost of their federal loans and resulted in 145,000 students losing their Pell grants. Rather than viewing federal support for higher education as an investment in our nation, Republicans in the House prefer to subsidize oil companies that make tens of billions of dollars in profits rather than help low-income and middle-class students afford college. I firmly believe that we must help all citizens access the American dream, not just the most privileged. We must strengthen the system of student aid, not weaken it.

In addition to interest rates, there are multiple other education policies that lawmakers must support in order to prepare our youth for the future. For example, we must increase Pell Grants, which constitute a critical avenue by which low-income students access higher education. If Pell Grants are reduced in any way, attending and completing college will be beyond the financial reach of the vast majority of low-income students. Reductions in Pell also will have a disparate negative impact on racial and ethnic minority groups given that 46% of African Americans, 39% of Hispanics, 36% of American Indians, and 22% of Asian American and Pacific Islander undergraduate students rely on Pell, with African Americans representing about one-quarter and Latino Americans representing approximately one-fifth of Pell recipients. For the 2012–2013 academic year, the maximum Pell Grant will be at a historic low, covering less than one-third of the cost of a four-year degree. This is unacceptable.

Further, policymakers must also maintain consumer protections on student loans, such as income-based repayment as well as re-institute bankruptcy protections for private student loans. Income-based repayment is a critical improvement to financial aid that makes higher education affordable by limiting repayment based on the income and family size of borrowers. For most borrowers, loan payments end up being less than 10 percent of their income—or nothing if the borrower experiences financial difficulty. After 25 years of qualifying payments, the remaining loan amount is eligible for forgiveness. These Democratically-championed policies promise to help borrowers handle their student loan debt in a responsible manner as they enter the workforce, have families, and purchase homes.

Consumer protections related to bankruptcy for private student loan debt are equally important, but will require Congressional action. Unfortunately, without any hearings, in 2005 Congress made private student loans by for-

profit lenders extremely difficult to discharge in bankruptcy even after meeting the restrictive criteria for bankruptcy, treating private student debt in the same manner as debts for criminal penalties and back taxes. This 2005 change gave special federal protections to for-profit lenders, penalized borrowers for pursuing higher education, and provided no incentive to private lenders to lend responsibly. Private education debt is no different than other consumer debt; it involves private profit and deserves no privileged treatment. Congress must restore fairness in student lending by treating privately issued student loans in bankruptcy the same as other types of private debt This is why I introduced the Private Student Loan Bankruptcy Act, which I will continue to champion until it is law.

A strong economy requires an educated workforce, and an educated workforce comes from ensuring students and their families have what they need to prepare for, enroll in, and complete college. Given that student debt has surpassed credit card debt for the first time in history, our economy remains fragile, and the labor market demands increased skills, now is not the time to make deep and permanent cuts to critical college programs serving needy students. I urge the Republican Leadership to invest in education and support students. I will steadfastly protect federal financial assistance for higher education so that we can build our youth for the future.

HONORING THE LADY JACKET'S BASKETBALL TEAM

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. HALL. Mr. Speaker, I rise today in honor of the Lady Jacket Basketball team of Rockwall, Texas for their efforts during the 2012 4A State Championship game in Austin, Texas.

The game was extremely close; however, the Lady Jackets fell short 45–42, showing incredible heart and determination throughout the game. I commend their hard work throughout the entire season.

The Lady Jacket's head coach, Jill McDill, praised her team as one of the best defenses she had ever coached.

Special congratulations to Paige Turner and Alyssa Lang for being named to the Class 4A All-Tournament Team.

The reputation of the Lady Jacket Basketball program is one that is filled with pride and respect from the players, fans, and the entire Rockwall community.

Mr. Speaker, as we adjourn today, let us recognize Rockwall's Lady Jacket Basketball team, commend them for their successful season, and wish them continued success.

CONGRATULATING ORASURE TECHNOLOGIES FOR HIV/AIDS BREAKTHROUGH

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. DENT. Mr. Speaker, I am thrilled to draw attention to a landmark decision by the Food and Drug Administration (FDA) last week approving the OraQuick In-Home HIV test and commend OraSure Technologies for this profound advancement in HIV/AIDS diagnostics. This test is the first rapid over-the-counter HIV test approved in the United States. The OraQuick In-Home HIV test detects the presence of HIV antibodies roughly 20 minutes after a simple oral swab. It is also the first rapid diagnostic test for any infectious disease that has been approved by the FDA for sale over-the-counter.

The FDA's decision is a significant moment in the history of our fight against HIV/AIDS. Since the beginning of the epidemic, getting individuals tested has been a critical component of HIV prevention and linkage to care. HIV testing enables individuals to know their status and protect their health as well as the health of others. Yet, over 1 million Americans are unaware of their infection. Those who do not know they have HIV are disproportionately responsible for the nearly 50,000 new infections that occur each year. The availability of an over-the-counter test will lead to greater testing, increased diagnoses, reduced transmissions, earlier treatment and saved lives.

OraSure Technologies, located in the heart of the Lehigh Valley in the 15th Congressional District of Pennsylvania, has been at the forefront of rapid diagnostics for over a decade. This most recent accomplishment comes on the heels of the company receiving approval for our nation's first rapid test for Hepatitis C. Headquartered in Bethlehem, PA, OraSure's innovation has led to an economic resurgence on a brownfield site where Bethlehem Steel once stood proud.

Again, it is an honor to commend OraSure for leading the way in transforming diagnostic testing through innovative new technologies and playing a key role in what will hopefully be a transformation in the fight against HIV/AIDS. I want to extend my congratulations to the company and all of its employees for earning approval of the first over-the-counter in-home HIV test. This achievement will have a dramatic impact on the number of individuals who will learn their HIV status and most importantly, save countless lives.

FORCED ABORTION AT 7 MONTHS OF FENG JIANMEI SPARKS GLOBAL OUTRAGE—AND CONCERN

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. SMITH of New Jersey. Mr. Speaker, China's one-child policy in effect since 1979 is state sponsored murder and constitutes massive crimes against humanity. The Nuremberg Nazi war crimes tribunal properly construed forced abortion as a crime against humanity—nothing in human history compares to the magnitude of China's 33 year assault on women and children.

Abortion is a weapon of mass destruction. Millions have been exterminated.

Today in China, rather than being given maternal care, pregnant women without birth allowed permits are hunted down and forcibly aborted. They are mocked, belittled, and humiliated.

In recent days, the exploitation and forced abortion at seven months of Feng Jianmei has sparked global outrage—and deep concern for her welfare and that of the women of China (In early July, the European Parliament ''strongly condemned'' China's one child and forced abortion policy). While Feng remains in a hospital—she calls it a prison—her husband, Deng, has been beaten. Feng's gross mistreatment however is far too commonplace.

Feng Jianmei was forced to undergo an abortion on June 2nd, seven months into her pregnancy. Media reports indicate that local officials in northwestern Shaanxi Province held Ms. Feng for three days, blindfolded, and coerced her to consent to the abortion. Even with the supposed consent, it took five men to hold her down and administer the drug that induced the 48 hour labor. The injection was given directly to the child's head.

Ms. Feng's husband, Deng, posted graphic photos of his wife and the dead baby online, embarrassing the government. Deng Jicai, Mr. Deng's sister, said her brother and sister-in-law had refrained from speaking to media but decided to speak to German reporters who traveled to Shaanxi when the government did not produce investigation results as promised.

Ms. Deng reported to the media that the local government organized a backlash against the family members, calling them traitors and keeping them under surveillance, apparently angered over the family's contacts with journalists. Local residents took a long bus ride to the hospital where Ms. Feng was recovering from the abortion and demonstrated with banners reading, ''beat the traitors soundly and expel them from Zengjia township!'' Family members claim that the demonstration seemed to be a campaign organized and funded by the local authorities but made to look like a spontaneous public gesture. Mr. Deng reportedly also was beaten and labeled a traitor for speaking out about the crime.

The China Daily reported that there was no legal basis for the fine of $6,300 for the second pregnancy that Ms. Feng refused to pay. The local government also has admitted that Ms. Feng's legal rights were violated. Publicity surrounding the forced abortion prompted the firing of two local officials and warnings or demerits being issued against five others.

Mr. Deng escaped from the hospital where both he and his wife were being forcibly detained. He traveled to Beijing and hired a lawyer to sue the local government. Mr. Deng's location is now unknown, but it is believed that he is in hiding. Ms. Feng is still being held at the hospital.

The lawyer, Zhang Kai, said recently that he has sent a legal request on behalf of Feng's husband, Deng Jiyuan, asking local police and prosecutors to investigate criminal infractions in the case. Deng also is seeking unspecified compensation from the government, Zhang said.

The widespread circulation of the photos posted by Mr. Deng has prompted renewed debate in China and the world regarding the one-child policy, possibly including within the government itself. Researchers with a center affiliated with China's State Council, the equivalent of China's cabinet, argued in an essay published in the China Economic Times newspaper on July 3, 2012, that China should adjust the one-child policy ''as soon as possible'' to head off a potential demographic crisis.

The Wall Street Journal on July 6th also reported that a group of prominent Chinese scholars issued an open letter on Thursday calling for a rethink of the country's one-child policy. The group argued that the policy in its current form is incompatible with China's increasing respect for human rights and need for sustainable economic development. The letter comes less than a month after Feng's photo and story ignited public anger.

''The birth-approval system built on the idea of controlling population size as emphasized in the current 'Population and Family Planning Law' does not accord with provisions on the protection of human rights contained in the nation's constitution,'' the authors of Thursday's letter wrote, adding that a rewriting of the law was ''imperative.''

The list of signatories to Thursday's letter included several high-profile figures, including Beijing University sociologist Li Jianxin and Internet entrepreneur James Liang. ''This is a time during which people all over the world have realized there are problems with the [one-child] policy,'' Mr. Liang, the co-founder and chief executive of Chinese online travel site Ctrip.com, told The Wall Street Journal. Mr. Liang, who has spent the past five years pursuing a Ph.D. in economics at Stanford University and just published a book challenging the notion that China has too many people, said he has felt a recent opening up of discussion around the one-child policy.

Mr. Liang, who advocates a complete dismantling of the family-planning system rather than a two-child system put forward by others, said he initially became interested in the one-child policy when he came across research showing that innovation and entrepreneurship are dominated by young people. He said he feared a shrinking of the population of young people would hamper the country's efforts to evolve beyond being merely the world's factory. ''From an economic perspective, the one-child policy is irrational. From a human-rights perspective, it's even less rational,'' Mr. Liang said.

Earlier this week, I heard testimony from Guo Yangling, who like Feng, will tell us how she suffered a brutalizing late term forced abortion:

> Heading out to buy breakfast . . . I was stopped by an older woman in her 50s who asked me if I had a 'birth permit.' I said no . . . Then, two staff members from the Family Planning Commission came and asked me where I was from, where I lived and what my name was . . . I tried to walk away but they wouldn't let me go . . . 'Help, somebody!' But no one came to help. Then two vans arrived, their doors opened and people sitting inside . . . 'Get in quickly.' I refused and said, 'I don't know who you are, why you are asking me to get into your vehicle and where you are taking me?' They said, 'You will know after you get in' . . . On the road, in an attempt to save my baby who would soon be arriving in this world, I reached my hand for the van door. They grabbed me and held me down on the van floor, yanking my hair and trampling my limbs and body . . . I screamed again 'murder,' only to have a cloth used to wipe cars stuffed into my mouth . . . I got out, I was brought to the second floor of the building. There, I saw a number of female victims sitting on the benches in the corridor, their eyes filled with tears of anxiety, terror and sadness . . . a woman dressed in white and wearing a surgical mask told me to get on the delivery bed immediately. I refused, so they pinned me down on the bed by force. After the person in white pressed my belly with her hands and felt the position of my baby's head, she stuck a big, long, fatal needle deep into my abdomen . . . By then, my unborn baby had already been murdered and I lost heart.

This is the grim reality of the one-child-per-couple policy. As we have known for three decades, there are no single moms in China—except those who somehow evade the family planning cadres and conceal their pregnancy. For over three decades, brothers and sisters have been illegal; a mother has absolutely no right to protect her unborn baby from state sponsored violence.

The price for failing to conform to the one-child-per-couple policy is staggering. A Chinese woman who becomes pregnant without a permit will be put under mind-bending pressure to abort. She knows that ''out-of-plan'' illegal children are denied education, healthcare, and marriage, and that fines for bearing a child without a birth permit can be 10 times the average annual income of two parents, and those families that can't or won't pay are jailed, or their homes smashed in, or their young child is killed. If the brave woman still refuses to submit, she may be held in a punishment cell, or, if she flees, her relatives may be held and, very often, beaten. Group punishments will be used to socially ostracize her—her colleagues and neighbors will be denied birth permits. If the woman is by some miracle still able to resist this pressure, she may be physically dragged to the operating table and forced to undergo an abortion.

Her trauma, like Feng and Guo, is incomprehensible. It is a trauma she shares, in some degree, with every woman in China, whose experience of intimacy and motherhood is colored by the atmosphere of fear. The World Health Organization (WHO) reports staggering 500 female suicides per day in China. China is the only country in the world where the female suicide rate is higher than the male, and according to the Beijing Psychological Crisis Study and Prevention Center, in China the suicide rate for females is three times higher than for males.

The result of this policy is a nightmarish ''brave new world'' with no precedent in human history, where women are psychologically wounded, girls fall victim to sex-selective abortion (in some provinces 140 boys are born for every 100 girls), and most children grow up without brothers or sisters, aunts or uncles or cousins.

Over the years I have chaired 37 congressional human rights hearings focused in whole or in part on China's one-child policy. At one, the principal witness, Wuijan, a Chinese student attending a U.S. university testified about how her child was forcibly murdered by the government. She said, ''[T]he room was full of moms who had just gone through a forced abortion. Some moms were crying. Some moms were mourning. Some moms were screaming. And one mom was rolling on the floor with unbearable pain.'' Then Wuijan said it was her turn, and through her tears she described what she called her ''journey in hell.''

At another hearing, a woman who was the director of a family planning clinic in Fujian said that by day she was a monster, by night a wife and mother of one.

Women bear the major brunt of the one-child policy not only as victimized mothers. Due to the male preference in China's society and the limitation of the family size to one child, the policy has directly contributed to what is accurately described as gendercide—the deliberate extermination of a girl—born or unborn—simply because she happens to be a girl.

As a result of the Chinese government's barbaric attack on mothers and their children, there are some tens of millions of missing daughters in China today. It has been noted that the three most dangerous words in China today are: ''it's a girl!''

Because of the missing girls—China today has become the human sex trafficking magnet of the world. Women and young girls from outside the country are being sold as commodities throughout China—a direct consequence of the one-child policy.

I am the author of the Trafficking Victims Protection Act of 2000, a comprehensive law to prevent trafficking, prosecute traffickers and protect victims.

One provision of the law requires an annual assessment of every country. According to this year's TIP Report released on June 19th:

> China's birth limitation policy, coupled with a cultural preference for sons, creates a skewed sex ratio in China, which served as a key cause of trafficking of foreign women as brides for Chinese men and for forced prostitution.
>
> The government took no discernible steps to address the role that its birth limitation policy plays in fueling human trafficking in China, with gaping gender disparities resulting in a shortage of female marriage partners. The government failed to take any steps to change the policy; and in fact, according to the Chinese government, the number of foreign female trafficking victims in China rose substantially in the reporting period. The Director of the Ministry of Public Security's Anti-Trafficking Task Force stated in the reporting period that ''[t]he number of foreign women trafficked to China is definitely rising'' and that ''great demand from buyers as well as traditional preferences for boys in Chinese families are the main culprits fueling trafficking in China.

A June 26th op-ed in The People's Daily—the official newspaper of the Chinese Communist Party—shed light on the emerging demographic catastrophe that is China.

The article titled ''Leftover men to be a big problem'' admits that there is a ''bachelors'' crisis that will ''trigger a moral crisis of marriage and family'' and the ''continual accumulation of the number of unmarried men will greatly increase the risk of social instability.''

At a congressional hearing I chaired last September BYU Professor Valerie Hudson, author of Bare Branches: The Security Implications of Asia's Surplus Male Population, testified that ''by year 2020 young adult bare branches—ages 15–34 will number approximately 23–25 million . . . the foremost repercussions will be an increase in societal instability, marked increases in crime, crimes against woman . . . and the formation of gangs . . .''

Nicholas Eberstadt, a world-renowned demographer asks, ''What are the consequences for a society that has chosen to become simultaneously, more gray and more male.''

In her assessment for security and potential war, Professor Hudson testified ''faced with worsening instability at home, and an unsolvable economic decline at home (as China ages) China's government may well be tempted to use foreign policy to 'ride the tiger'

of domestic instability. The twin themes of anti-Japanese feeling and unfulfillment of China's reunification with Taiwan will be deeply resonant to much of the population of China. In the next two or three decades, we are likely to see observable security ramifications of the masculinization of China's growing young adult population, especially combined with an understanding of the consequences of global aging . . .''

Last August Vice President JOE BIDEN visited China, and told the audience that he was well aware of and ''fully understood'' the one-child policy, and that he was not ''second guessing'' the State for imposing it. Can you imagine what the public reaction would be if the Vice President had said that he ''fully understands'' and is not ''second guessing'' copyright infringement and gross violations of intellectual property rights?

The one-child-per-couple policy is the most egregious, vicious attack on women ever. For the Vice President of the United States to publicly state that he fully understands the one child policy and then say he won't second guess it is unconscionable, and sells out every mom in the PRC.

Although Vice President BIDEN attempted to modestly backtrack on his extraordinarily callous comment about the policy, his voting record as a Senator shines a spotlight on his long-held disregard for the severity of this human rights violation. On September 13, 2000, he joined 52 other senators in defeating an amendment by then-Senator Jessie Helms condemning the one-child policy. Then-Senator BIDEN reportedly did so because he was concerned that condemning China on fundamental human rights would interfere with the normalization of trade relations.

Not only is the Obama administration turning a blind eye to the atrocities being committed under the one-child policy, but it is even contributing financial support—contrary to U.S. law—to the United Nations Population Fund (UNFPA). Twenty eight years ago—on May 9, 1984—I authored the first amendment ever to a foreign aid bill to deny funding to organizations such as the UNFPA that are complicit with China's forced abortion and involuntary sterilization policy. It passed. After all these years, it is astonishing that policy makers—including and especially the Obama administration—remain indifferent or worse, supportive, of these massive crimes against women and children. The Obama administration has long enabled this cruel policy by its silence and financial support to the tune of over $165 million to the UNFPA, an organization that supports, plans, implements, defends and whitewashes the Chinese government's brutal program.

On one of several trips to Beijing, I challenged Peng Peiyun—then China's director of the nation's population control program—to end the coercion. Madame Peng told me that the UNFPA was very supportive of the one-child-per-couple program and that the UNFPA adamantly agrees with her that the program is voluntary and that coercion doesn't exist.

For over 30 years, the UNFPA has consistently heaped praise on China's population control program and repeatedly urged other countries to embrace similar policies.

A few years ago, the UNFPA and the Chinese government rolled out the red carpet and hosted high level diplomats from Africa including health ministers to sell ''child limitation'' policies. Despite the fact that China's enforcement mechanism relies on heavy coercion and its aging population will soon implode its economy, some African leaders seem to have taken the bait. Limitations on the number of children a mother may carry to term are under active consideration throughout the subcontinent.

And the UNFPA has tried to impose China-like child limitation policies on other nations as well, including the Philippines.

Finally, in 2000, I wrote a law—The Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act for fiscal years 2000 and 2001.

Section 801 of Title VIII of that Act still in effect today requires the Secretary of State not to issue any visa to, and the Attorney General not to admit to the United States, any foreign national whom the Secretary finds, based on credible and specific information, to have been directly involved in the establishment or enforcement of forced abortion or forced sterilization.

Owing to a glaring lack of implementation, only a handful of abusers of women have reportedly been denied visas to the U.S. That must change.

Lastly I thank each of our witnesses, who testified at a hearing I held earlier this week on this issue, for speaking out on this important topic.

CONGRATULATING GLENDALE HIGH SCHOOL'S SPENCER HAIK

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. LONG. Mr. Speaker, I rise today to congratulate Glendale High School's Spencer Haik for winning the 1600 Meter Run at the Missouri Class 4 State Track and Field Championships.

Through his hard work and dedication, Spencer placed first in the 1600 Meter Run with a winning time of 4:15.11. His winning time was 5 seconds off his previous school record of 4:20.23. This achievement also marked the third time this year Spencer established a new school record.

Spencer plans to participate in several meets across the country this summer and will be a junior at Glendale High School in the fall.

I urge my colleagues to join me in congratulating Spencer Haik, the winner of the 1600 Meter Run at the Missouri Class 4 State Track and Field Championships.

IN SUPPORT OF SMALL BUSINESS TAX CUTS

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to applaud the Administration for the immediate executive actions that will accelerate our nation's small business growth. There are 28.6 million small businesses in the U.S. and small businesses create two out of every three jobs in the country. In the state of California small businesses employ more than 50 percent of the state's 16 million workers and represent 90% of job growth for high-paying jobs. The statistics are clear, small businesses are the key to economic recovery and continued growth.

Ameliorating the burdens of small businesses stabilizes uncertainty and encourages critical job growth. Five of these initiatives are immediate executive actions that will accelerate Federal payments, reduce paperwork, and make it easier for small firms to access loans and tax credits, and one is a legislative proposal to raise the amount of investment small businesses can expense next year.

Mr. Speaker, let me briefly highlight some of the key initiatives:

(1) Accelerate payments to small business subcontractors: Through the Office of Management and Budget, agencies will be directed to make contract payments along an accelerated timeline to all prime contractors for the next year (typically 15 days after receipt of proper documentation, as opposed to 30 days), with the understanding that those prime contractors will similarly accelerate payments to their small business subcontractors.

(2) Announce support for Section 179 expensing at $250,000 for one year: President Obama is calling on Congress to write legislation to allow small businesses to write off up to $250,000 in capital investments in 2013, such as machinery and equipment, to drive productivity. Without an act from Congress, the expensing limit for small businesses is scheduled to decline to only $25,000 in 2013.

(3) Increase access to capital through SBA's Small Loan Advantage (SLA) 2.0: SBA is relaunching Small Loan Advantage, one of its key small dollar loan products, as SLA 2.0. This revamped program raises the maximum loan amount from $250,000 to $350,000, streamlines the loan process, and makes it easier for lenders to extend loans to small businesses across America.

(4) Launch ''Quick App'' for surety bond guarantees under $250,000: SBA is launching ''Quick App,'' a streamlined application that will eliminate the need for contractors to complete five unnecessary forms to apply for surety bonds. Providing small firms, particularly in the construction industry, streamlined access to these bonds will make it easier for them to compete for and win additional business, which is important to allowing them to expand and create jobs.

(5) Reduce paperwork for SBA's Disaster Loan Program: Cutting the online application from 80 screens to three or four screens (depending on loan type) will allow families and businesses easier and quicker access to support for rebuilding after a disaster.

(6) Align New Markets Tax Credit with the needs of investors in growing small firms: Reforms the existing New Markets Tax Credit that will make it easier for community development entities (CDEs) to attract private sector funds for investment in startups and small businesses operating in lower-income communities. The regulations are designed to encourage CDEs to invest in other types of small local businesses by relaxing the reinvestment requirements for CDEs investing in certain operating businesses. The Treasury Department is also considering regulatory reforms that would further simplify the requirements for these CDEs and intends to publish these for comment in the future.

Entrepreneurs and small businesses are engines of innovation and economic growth; the small businesses in my district are at the forefront of innovation. The diverse innovation of small businesses in my district from aerospace to healthcare will be able to expand market share with the support of these six key initiatives. I will continue to fight for legislation that will support the approximately 16,300 small businesses in my district.

Mr. Speaker, I would like to commend the Administration for taking the necessary steps to help small businesses expand their export programs and alleviate potential layoffs. I urge my colleagues to build upon the Administration's executive actions and provide more support for small businesses.

HONORING THE MEMBERS OF THE NATIONAL GUARD AND ARMED FORCES RESERVES

HON. KEVIN YODER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. YODER. Mr. Speaker, I rise today to honor all the members of our National Guard and Armed Forces Reserves who defend our nation at home and abroad, and to voice my support of the Employer Support of the Guard and Reserve (ESGR) program operated through the Department of Defense.

The ESGR provides education, consultation, and if necessary mediation for employers of Guard and Reserve employees. As the 1.3 million members of the National Guard and Reserve continue to perform an increasing number of unique missions within America's borders and beyond, ESGR will continue to be the resource for the employers of citizen warriors.

Members of the National Guard and Reserve bring a strong work ethic, leadership and specialized skills to the civilian workplace, and hiring veterans is a great way employers can show their appreciation for the service and sacrifice of our military men and women.

Mr. Speaker, I stand in support of ESGR and their mission to assure that all American employers support and value the employment and military service of members of the National Guard and Reserve forces.

IN CELEBRATION OF RICE UNIVERSITY'S 100TH ANNIVERSARY

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. GENE GREEN of Texas. Mr. Speaker, I rise to recognize the hundred-year anniversary of the founding of Rice University, one of our nation's preeminent research universities.

Founded through the estate of Mr. William Marsh Rice as a gift to the City of Houston, Rice Institute, as it was originally known, opened its doors on September 23, 1912, with 77 students and a dozen faculty.

From these humble beginnings, Rice University has risen to be a leader in science, engineering, medicine, music, and athletics.

Rice placed a critical part in the development of our nation's space program and was the site of President John Kennedy's famous ''moon speech'' in 1962.

Today, Rice is recognized as one of the top national research universities in the country by such publications as Forbes and U.S. News and World Report.

Rice is also recognized for its residential college system, similar to resident colleges at Oxford and Cambridge, its beautiful campus grounds and architecture, and the high quality of student life.

A list of famous alumni include a ''Who's who'' of Houston's most recognized citizens, including George R. Brown, Thomas Cruikshank, William Hobby, and our present mayor, Annise Parker.

I congratulate Rice University, its students, faculty, and alumni on their 100 years of success and thank them for the vital role they serve on behalf of the Houston community and wish them another 100 years of trailblazing, discovery, and success.

THE SACRIFICE A SOLDIER MAKES

HON. CHARLES J. "CHUCK" FLEISCHMANN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. FLEISCHMANN. Mr. Speaker, following is the essay written by Katie Smith in honor of her brother, SPC Andrew Smith, and all soldiers.

THE SACRIFICE A SOLDIER MAKES

(By Katie Smith)

The Tomb of the Unknown Soldier represents the sacrifices a soldier makes to defend our country. Knowing that I would be honoring the three fallen soldiers and any other soldier who made the sacrifice with laying the wreath meant the world to me. The history of the Tomb humbles me to know that people have given their lives protecting me and that they are still being honored for it. Multiple members of my family served in the U.S. military, including both of my grandfathers and my brother. In my opinion, the Unknown Soldier symbolizes the sacrifice, whether death or injury, a soldier risks taking.

I have personal experience with how a soldier sacrifices. My brother, SPC Andrew Smith, a soldier with the 82nd Airborne, was deployed to Afghanistan and was wounded in combat on March 8, 2012. While on patrol near Kandahar, an IED detonated next to him. He lost both of his legs and suffered some other severe wounds. Before he joined the Army, we asked why he wanted to do this, and he said, ''I will do anything and go anywhere to keep this fight from coming here.'' He was aware of the risks that were involved in being a soldier, but he was so devoted to protecting our freedom that he was willing to sacrifice in a major way. Even though he is away from the war, he is still fighting. He fights for his life, mobility, and a somewhat normal life. While I was at Walter Reed National Medical Center, I noticed a whole community of people with titanium limbs, and knowing that they made the sacrifice for me and my freedom, as my brother did, is humbling. I will never again take for granted any of my limbs, my mobility, or my freedom because now I know that people lost those things while keeping me safe. I couldn't imagine what it would be like if I had to say that my brother made the same exact sacrifice the Unknown Soldiers did, and I thank God every day that I don't have to. However, I would love to honor them in any way I can, all the same.

It is a great tragedy that has come over these soldiers, but it is also a great honor for them. They were brave enough to make that sacrifice, and they should be rewarded in every way possible. These men and women are true heroes, and I can't thank them enough for the service they've done for our country.

REMEMBERING HAROLD WILLIAMS

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. BLUMENAUER. Mr. Speaker, Portland was saddened by the loss of longtime civic leader and community activist Harold Williams.

Harold was best known as the longest serving board member of Portland Community College with over two decades of outstanding service. But he was already a fixture in our community long before that.

Harold earned two degrees, both his bachelor and masters degrees, at Portland State University where he was Director of the Education Center and where he exercised a strong voice on behalf of inclusion. From the very beginning, Harold Williams was a champion of opportunity for the underserved so it was only natural he would gravitate to Portland Community College. Young African American men received special attention from Harold, but he was a strong proponent of opportunity for everyone throughout our community.

Harold was a large man with an even larger personality and a greater heart until it failed him on July 1st. We extend our condolences to the Williams family and to his much larger family in Northeast Portland which will miss him dearly, but will forever be thankful for his many contributions.

CONGRATULATING DR. ROBERT FAWCETT

HON. TODD RUSSELL PLATTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. PLATTS. Mr. Speaker, I am delighted to offer my heartiest congratulations to Dr. Robert Fawcett of York, Pennsylvania on being named the 2012 Family Physician of the Year by the Pennsylvania Academy of Family Physicians. This is indeed an outstanding achievement.

Throughout his career, Dr. Fawcett has practiced a wide range of family medicine, including critical care, pediatrics, geriatrics and sports medicine. As evidenced by the previous awards for his medical work, Dr. Fawcett's skill and compassion has benefited hundreds of families throughout his career. In addition, his history of volunteer service has made his community a better place in which to live and work.

This dedication is shared by Dr. Andre Lijoi of York, who was previously named Pennsylvania's Family Physician of the Year in 2008. Dr. Lijoi has dedicated his career to making a meaningful contribution to the lives

of his patients. He has educated residents and students on the need to provide competent, compassionate care by strengthening the physician/patient relationship and by motivating patients to lead healthier lives. Dr. Lijoi has also been a very active community volunteer.

I once again offer my congratulations to Dr. Fawcett and Dr. Lijoi for personifying the best ideals and practices of family medicine. They have positively impacted countless of their fellow citizens throughout their careers and I know that their patients, friends, family and colleagues join with me in offering best wishes for continued success in their future endeavors.

H.R. 6079—OBAMACARE REPEAL ACT

HON. ERIC CANTOR

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. CANTOR. Mr. Speaker, there are many issues in the health care law that require Congressional attention. After repeal of ObamaCare, as we craft proposals to reform the health care system, there are a variety of issues that were dealt with in the original ObamaCare law that had nothing to do with the central elements of the law that we will seek to address. These include for example reforming the Medicaid program in a way that, among other things, addresses disparities in Medicaid funding amongst the states and territories. Puerto Rico Governor Fortuño has personally raised this latter issue with me. The Governor has taken commendable steps to reduce Puerto Rico's deficit and grow its economy and it is important that with respect to Medicaid, Puerto Rico and the other territories be treated fairly.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, on the 208th anniversary of the fatal wounding of Alexander Hamilton in his duel with Aaron Burr, it is $15,879,266,313,073.20. We've added $5,252,389,264,160.12 to our debt in just over 3 years. This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

RECOGNIZING THE IMPORTANCE OF EQUAL PAY FOR WOMEN

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. DAVIS of Illinois. Mr. Speaker, as we mark the 40th anniversary of Title IX—the historic law establishing equal access to education for women, I would like to take a moment to recognize the importance of equal pay for equal work, another federal policy that is essential to providing equal opportunity for women in our country. The contemporary push for women's rights began with the passage of the Equal Pay Act of 1963. Although this statute was a great advancement for women in society, much work remains to strengthen the reality of equal pay for women. For example, in 1963, women earned sixty cents for every dollar a man made. Today, according to the latest Census statistics, women only earn seventy-seven cents for every dollar a man makes—progress but still an egregiously-unfair and unequal disparity. Equal pay is the foundation for economic well-being and security. Policymakers must take action to ensure that equity in pay is a national priority.

In 2009, the 111th Congress took strides to further close the gender discrimination gap in the professional work environment by passing The Lilly Ledbetter Fair Pay Act into law. This law initiated great improvements for women in the workforce, such as allowing a time frame extension to file lawsuits against employers for wage discrepancies. However, additional protections are needed, which is why Democratic lawmakers are advancing the Paycheck Fairness Act. The Paycheck Fairness Act strengthens the equality provisions within the Lilly Ledbetter Fair Pay Act and eliminates the loopholes not seen in the past. For example, it increases penalties on employers who violate federal law and allows women to pursue legal matters if they are treated unjustly. The legislation also ensures equality in the tax code so that everyone—male and female, high-income earners and those living in poverty—pays their respective tax rate. Fairness should be applicable to all, in wages and in taxes. The Paycheck Fairness Act provides effective remedies to women who are not being paid equal wages for equal work, and Congress should pass the bill as soon as possible.

Equality in pay is an issue of civil rights. Women represent more than half of the workforce, and they deserve the full-amount of earnings for their work. Loss of hundreds of thousands of dollars over a lifetime due to unequal pay undermines the economic security of women and our nation. I will continue to steadfastly support and advance legislation that promotes gender equality and civil fairness.

CONGRATULATING VICTORIA FOLEY

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. LONG. Mr. Speaker, I rise today to congratulate Victoria Foley of the Joplin McAuley Catholic Track and Field Team for winning the Discus State Title at the Missouri Class 1 State Track and Field Championship.

Victoria worked hard throughout the season to achieve her state title. She continuously strove to better her performance, inspiring her teammates as well as earning the respect of her competitors.

Victoria is a solid definition of what it takes to be a great student athlete by virtue of her phenomenal talent and great sportsmanship. Through her hard work and dedication she won the Missouri Class 1 State Discus Championship with a throw of 121 feet 3 inches. In the end, she added herself among only 2 others who can share the State Champion title in the McAuley Catholic High School history.

I urge my colleagues to join me in congratulating Victoria Foley, the Missouri Class 1 State Discus Champion.

IN CELEBRATION OF MRS. BESSIE RUDOLPH ANDERSON'S 100TH BIRTHDAY

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to a beloved role model and gracious woman of faith, Mrs. Bessie Mae Rudolph Anderson. On Saturday, July 14, 2012, Mrs. Anderson will be honored at an event celebrating her 100th birthday in Albany, Georgia.

Mrs. Anderson was born on July 6, 1912 in Mount Willing, Alabama to Isiaah and Ada Eula Cabble Rudolph. She was the fifth of nine children. She and her brother, Will Arthur, are the only living siblings today.

As she grew up, Mrs. Anderson helped her father on the farm and her mother in the house. In her free time, she was the ''Belle of the Ball'' as she loved to dance. She has always enjoyed fishing, reading, telling stories about her childhood, and cooking her famous biscuits.

In 1924, Mrs. Anderson met William Anderson, a ''Georgia Boy.'' After dating for five years, they were married on July 28, 1929. They began their life together in Alabama where they had five children: William, Jr., Mattie Pearl, John Samuel, Rosie Maxine and Ernestine. In 1940, they moved to Georgia where they had six more children: Katherlean, Sim Hill, Lee Ernest, Lottye, Freddie Mae, and Charles Edward. Mrs. Anderson was a devoted wife and loving mother and worked hard to make a home for her family.

When her youngest child started school, Mrs. Anderson began working for the Pope family in Thomasville, Georgia as a housekeeper and caregiver for their three children: Sissy, Dusty, and Miller. She was like family to the Popes and she loved those three children as her own.

Mrs. Anderson often said she was a chemist and a nurse licensed in all states because whenever and wherever anyone fell ill, she was always willing to go and nurse them back to health using her own homemade medical remedies.

Mrs. Anderson has achieved numerous successes in her life, but none of this would have been possible without the love and support of her late husband, William, her eleven children, and her 194 grandchildren and great-grandchildren.

Most important to Mrs. Anderson is her sturdy and enduring relationship with the Lord. She is a longtime member of Mercy Seat Christian Church. She served as treasurer for the church for many years and still serves as Mother of the Church.

The race of life isn't given to the swift or to the strong, but to those who endure until the

end. Mrs. Anderson has run the race of life with grace and dignity and God has blessed her over her lifetime.

Mr. Speaker, I ask my colleagues to join me today in paying tribute to Mrs. Bessie Mae Rudolph Anderson as she and her family prepares to celebrate her 100th birthday.

RECOGNIZING ST ANN'S SCHOOL 148 YEARS OF EDUCATING YOUTH

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. REED. Mr. Speaker, I rise today to recognize St Ann's School of Hornell, New York for educating the youth of the 29th district for 148 years. On Wednesday, June 20th, St Ann's school closed its doors for the final time, bringing to a close a long legacy of providing a strong Catholic education to the children of the Southern Tier.

Since its founding in 1863, St Ann's School has committed itself not just to the development of the skills necessary for learning, but to the development of the whole child. Operating in an atmosphere permeated by Christian values, St Ann's School has long provided families with an affordable option to instill in their children the intellectual, emotional, and spiritual values necessary to become outstanding citizens.

It has been my privilege to represent St Ann's School for the past 2 years, and although I regret the decision that was made to close the school, I am truly thankful for its deep commitment to the education of the children of the 29th District of New York.

RECOGNIZING THE IMPORTANCE OF THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise today to speak in support of Supplemental Nutrition Assistance Program (SNAP) funding as the House Agriculture Committee marks up H.R. 6083, the Federal Agriculture Reform and Risk Management (FARMM) Act.

As families struggle to meet their basic needs during the economic downturn, the SNAP short-term food assistance program has become more important than ever. With over 14 percent of American households suffering from food insecurity, SNAP works to ensure that children, unemployed workers, and seniors have the nutrition and extra help they need. SNAP provides essential support for 46.3 million Americans (nearly half of which are children) in 22 million different households. Washington State alone has nearly 1 million people that rely on SNAP benefits.

Changes proposed in the FARMM Act to end broad-based categorical eligibility would hurt low-income families in Washington State. An estimated 80,000 Washingtonians that currently receive SNAP benefits would not qualify or would be dropped from the program. Further, an estimated 280,000 low-income children in SNAP-eligible households that currently have access to free or reduced school meals would no longer have access. Further, FARMM Act provisions to limit which Low Income Home Energy Assistance Program (LIHEAP) payments can apply to SNAP benefits, would further limit benefits received through SNAP. These changes would disproportionately impact children, seniors, and working families. In these trying economic times, many Washingtonians cannot afford these cuts.

Congress must stand up for SNAP funding, as the program plays a crucial role in our economic recovery. The best way to lower government spending on SNAP is not through major cuts, but by continuing to help families in need. In Washington State, the average SNAP recipient receives benefits for only nine months. In these tough economic times, SNAP is providing much-needed support in getting families back on their feet.

Mr. Speaker, I ask that my colleagues protect SNAP funding as the FARMM Act goes through the legislative process.

PERSONAL EXPLANATION

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise to correct an error I made in voting recently.

Rollcall vote 430, the twelfth Broun amendment, proposed to reduce the Public Housing Operating fund by $56 million. Because that particular series of votes included six successive amendments by Representative BROUN of Georgia, and these votes were shortened to two minutes in length, I mistakenly lost track of the order of amendments and voted ''yes'' on rollcall 430. I ask that the RECORD reflect I intended to vote ''no'' on rollcall 430.

CONGRATULATING ARENA PHARMACEUTICALS AND THE FDA

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. BILBRAY. Mr. Speaker, I rise today to congratulate Arena Pharmaceuticals and the Food and Drug Administration (FDA) on their work to approve a new weapon in the battle against obesity—Belviq. This is the first new drug for the treatment of this serous medical condition to be approved by the FDA in 13 years. According to the FDA, this innovative therapy works by activating the serotonin 2C receptor in the brain. Activation of this receptor may help a person eat less and feel full after eating smaller amounts of food.

Mr. Speaker, the health of our nation needs to be a top priority, and with over 93 million Americans impacted by obesity this type of innovation needs to be supported. The FDA's approval of Belviq is not only a step towards improving the lives of many Americans and significantly reducing healthcare costs, but it can also result in job retention and job growth in San Diego. Breakthroughs, like Belviq from the San Diego life science community, create jobs in their search for innovations to ensure a healthier future. Arena Pharmaceuticals invested over $1.5 billion dollars to get to this point, much of which was spent in California. In addition, all pivotal clinical trials were conducted here in the United States of America. By fostering cutting edge life science research, we can bring economic invigoration to San Diego and the U.S. while alleviating current medical ailments like obesity.

The life science industry employs over 2 million Americans, with the San Diego cluster being one of the largest at approximately 40,000 employees and 700 companies. Through successes in this industry with promising advancements like Belviq, more companies and research projects can emerge in the region to generate job opportunities. San Diego biotechnology is internationally renowned for important discoveries in the medical field. Belviq adds another distinction to San Diego biotechnology as our region is directly contributing to remedying obesity in the United States, which costs the nation $190 billion per year. These medical breakthroughs not only help our local businesses, but also contribute to a healthier America.

Currently, less than one third of Americans have a healthy body weight. Americans across all social and economic groups are consequently affected by medical issues caused by being overweight. This recent innovation can allow us to look towards a future in which less Americans are affected by this serious medical condition and other weight-related illnesses. As doctors have been asking for more research into new treatments for weight-loss, Belviq begins to answer these calls. Now we have taken the first steps in a new approach to obesity and will hopefully see new results.

Congratulations to Mr. Jack Lief of Arena Pharmaceuticals. The work of this innovative company will not only be felt in San Diego but across this great country.

50TH ANNIVERSARY OF THE GEORGIA PEANUT COMMISSION

HON. AUSTIN SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, with the discussion of a new farm bill heating up, I would like to pay special recognition to the Georgia Peanut Commission. In August, the Commission will be celebrating their 50th anniversary. Since 1961, they have successfully improved the profitability of peanuts and peanut products through research, promotion, and education, creating a better market for Georgia peanut farmers.

When the Georgia Peanut Commission began, farmers who harvested 475,000 acres of peanuts averaged yields of 1,200 pounds per acre. Last year, farmers who harvested the same 475,000 acres averaged over 3,500 pounds per acre, an increase of 350 percent. Due to their efforts, Georgia peanut yields are consistently higher than other states; possess superior quality, and contribute an estimated 2 billion dollars to the Georgia economy.

In fact, Georgia is number 1 in the national production of peanuts with nearly 50 percent of the annual crop.

And no one can miss those small red packs of peanuts. The Georgia Peanut Commission is recognized throughout the world by their red packages of Georgia peanuts. Annually, the Commission distributes 2 million of those little red packs, demonstrating their commitment to the peanut industry.

In addition, with farmers and ranchers being the true conservationists of America, the Commission, on August 1st, will open a net-zero energy building, which will serve as their new headquarters. During the construction of this new building, only local contractors and businesses were used and no government funding was provided, further showing their commitment to Georgia's agricultural future.

Mr. Speaker, with agriculture being one of the economic pillars of this great country, it is with pride that I congratulate the Georgia Peanut Commission on its 50th anniversary, and I look forward to working with the Commission for another 50 years.

CONGRATULATING QUINTIN SMITH

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. LONG. Mr. Speaker, I rise today to congratulate Quintin Smith on his 200 Meter Dash State Title at the Missouri Class 4 State Track and Field Championships.

Quintin Smith, a senior at Parkview High School, took home first place for the Vikings in the 200 Meter Dash with a time of 21.50.

I urge my colleagues to join me in congratulating Quintin Smith on his 200 Meter Dash State Track and Field Title.

HONORING MILLENNIUM MOMENTUM FOUNDATION, INC. FOR THEIR STRONG PUBLIC SERVICE

HON. KAREN BASS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Ms. BASS of California. Mr. Speaker, today I recognize an exceptional foundation in California's 33rd District—Millennium Momentum Foundation, Inc. (MMF). This Los Angeles based organization was formed on July 12, 2002 as a 501(c)(3) with the critical mission to increase the number of students and young adults from various backgrounds in the public service system through higher education, scholarships, mentoring, and leadership development training.

MMF empowers and encourages students to further develop their passion for service, commitment to change, and to become leaders within their communities. The program rewards exceptional student leaders with scholarships that are matched by their own institutions, providing more financial resources for students to complete their college degrees. Students attend life changing leadership development workshops focusing on important issues such as personal finance, professional communication, dispute resolution, and résumé and interview preparation. This foundation has an outstanding and effectual track record of equipping young people with the tools and skills they need to reach success in public service.

Millennium Momentum Foundation, Inc. has become one of the premier providers of leadership development training in the nation with a 96 percent college graduation rate and an 85 percent employment matriculation rate among program participants completing service delivery from 2004 to 2011. MMF's capacity to effectively reach, educate, train, and professionally develop young adults was so impressive, it was selected by the Obama administration in 2012 to serve as a national partner to help implement the White House Young America Series, a non-partisan educational conference initiative aiming to merge President Obama's vision with young America's needs in 17 cities around the nation.

Mr. Speaker, we are very proud to have such an outstanding organization as part of the Los Angeles Community and California's 33rd Congressional District.

CELEBRATING THE BIRTH OF SALLY WILLOUGHBY WILSON

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. WILSON of South Carolina. Mr. Speaker, I am happy to congratulate my son Julian Wilson and his wife Joy Wilson of Lexington, South Carolina, on the birth of their new baby girl. Sally Willoughby Wilson was born at 10:48 p.m., on Saturday, June 30, 2012, weighing 7 pounds and measuring 19 and ¾ inches long. Sally joins an older brother, Jack Wilson. She has been born into a loving home where she will be raised by parents who are devoted to her well-being and bright future.

I would also like to congratulate Sally's grandparents Gary Strickland and Sherry Strickland of Nichols, South Carolina, and my wife, Roxanne Wilson of Springdale, South Carolina. I am so excited for this new addition to the Wilson family.

ON THE OCCASION OF THE ANNEXATION OF ELSMERE CANYON IN SANTA CLARITA, CA

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. McKEON. Mr. Speaker, I rise today to recognize the City of Santa Clarita and its residents on the recent annexation of Elsmere Canyon. This annexation completes a 25-year journey to protect a beautiful canyon that provides outstanding recreation opportunities to residents of the Santa Clarita Valley and visitors from surrounding areas.

Elsmere Canyon serves as an important wildlife corridor and is an integral part of the City's greenbelt. The Canyon is a popular destination for hikers and outdoor enthusiasts, and greatly enriches the recreational opportunities available in our area.

I am proud to have fought for, and won inclusion of, a legislative provision that was written into law which will forever protect Elsmere Canyon from being developed as a massive landfill. In February of 1995, I introduced H.R. 924, legislation that would prohibit the Secretary of Agriculture from transferring any part of the Angeles National Forest from federal ownership to be used as a landfill. This language was included in the Omnibus Parks and Public Lands Management Act of 1996, which was signed into law that year.

I would like to recognize the efforts of the Santa Clarita City Council, Supervisor Antonovich, and the Santa Monica Mountains Conservancy for working together to purchase the land in 2010, which helped to pave the way for annexation into the City this spring. It is my sincere hope that Elsmere Canyon serves as a reminder that when residents, elected officials, and community organizations come together, we can create great opportunities for the residents that live in our beautiful valley.

HONORING JAMES ROMAN CUTSHAW

HON. PAUL C. BROUN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. BROUN of Georgia. Mr. Speaker, I rise today to honor a dear friend, a selfless humanitarian, a loving son, brother, husband, and father—Mr. James Roman Cutshaw, better known as Roman.

In addition to his unwavering dedication to his family, Roman is also a lifelong Marine who served in World War II as an artilleryman. Roman's father taught him about how precious freedom and liberty are, as he served during World War I. He encouraged each of his sons to enlist as well. Not only did Roman make his father extremely proud, he also took away intangible life lessons about camaraderie, duty, and honor that are still with him today.

After the war Mr. Cutshaw continued his education and received a Bachelor of Science in Accounting. He later moved his family from Greeneville, Tennessee, to Athens, Georgia, where he became a successful businessman, father to four boys, and pillar of the community.

After his retirement, Mr. Cutshaw has continued an active and engaging lifestyle all the while maintaining a constant drive to better himself in every way possible. At age 77 he returned to school to obtain a second degree in Heating and Air Engineering and at age 86 he received a third degree in Theology. Roman maintains a garden large enough to feed several families in his community and has done countless free repairs on refrigerators, freezers, and air conditioners in the hot Georgia summers for those not fortunate enough to afford these costly services. He is truly an example of what it means to put others' needs before your own and to always trust in the Lord.

In 2011, Roman was diagnosed with cancer and is now in his hardest battle yet. Just last week, he turned 92 years old and days before was placed under the care of Hospice. Our thoughts and prayers are with him, but we know God has blessed and will continue to bless Roman. This is a man who has not been afraid to get his hands dirty or make sacrifices on behalf of his neighbors. He understands the value of a hard day's work, the loyalty it

takes to make 50 years of marriage work, and above all, the importance of prayer. He has touched many lives, especially those of his children, and he continues to be an inspiration to all who know him. Please join me in honoring Roman and wishing him a very blessed 92nd birthday.

ATTACKS ON CHRISTIANS IN NIGERIA: UNPROVOKED, UNCONSCIONABLE

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. SMITH of New Jersey. Mr. Speaker, earlier this week I held a hearing to examine U.S. policy and policy options for managing relations with Nigeria in light of concerns on terrorism and social and political unrest.

The stability and commitment to justice and the rule of law of the Nigerian government is critical to regional, continental and global economic interests. Nigeria is hugely important on many fronts. Nigeria, Africa's largest producer of oil and its largest democracy, is one of the U.S. government's key strategic partners on the continent. It is Africa's most populous country, with more than 155 million people, roughly half Muslim and half Christian, and its second-largest economy. Nigeria supplies nearly three times the volume of imports to the United States as Angola, the second leading U.S. import supplier. The United States receives nearly 20% of our petroleum exports from Nigeria.

Consequently, Nigeria's stability is of critical interest for the U.S. economy and American policy interests in Africa.

Attacks by the Nigerian Islamic terrorist group Boko Haram on Christians, including attacks launched this past weekend, are unprovoked and unconscionable. People of all faiths—and all people of goodwill—must demand immediate action against this terrorist organization.

According to Catholic News Agency/EWTN News:

''Archbishop Ignatius A. Kaigama is concerned over the seemingly endless violence against Christians that claimed at least 58 lives this past weekend and hundreds of others in recent weeks. It is 'our prayer that something definitive will be done to stop the situation that is inhuman,' the Archbishop of Jos, Nigeria and Nigerian Bishops' Conference president said. In a July 9 interview with Vatican Radio, Archbishop Kaigama said that the violence against Christian villages around Jos 'doesn't seem to stop.' Although he was recently awarded the Institute for International Research's annual peace building award, the archbishop said he and his priests are discouraged by the silence of foreign governments surrounding the violence in Nigeria. A peaceful resolution 'cannot be left to just one country,' the archbishop said, urging a, 'collective effort.' ''

Boko Haram reportedly is in league with al-Qaeda in the Mahgreb and is involved at some level with Tuareg rebels in northern Mali, Islamists in Somalia and possibly even the Taliban in Afghanistan.

In addition to its well-publicized attacks on Christians in Nigeria, Boko Haram has been involved in murdering those they consider moderate Muslims or Muslims collaborating with the central government or the West, including several Muslim clerics, the leader of the All Nigeria People's Party and the brother of the Shehu of Borno, a northern Muslim religious leader. There are reports that some northern Nigerian leaders may be supporting Boko Haram in some way as leverage against a government they oppose.

U.S. policy toward Nigeria also must take into account ethnic, religious and political challenges the Nigerian government faces outside of the Boko Haram dynamic. Furthermore, development deficits in Nigeria have had unequal impacts on various minority ethnic groups, such as in Nigeria's Delta region. This lack of attention to equitable development in Nigeria has led to violent uprisings that do not appear to be resolved in any part of the country, certainly not in the Niger Delta.

In Nigeria, President Goodluck Jonathan is considered to be the personification of his name: a fortunate politician who has been in the right place at the right time to enable him to enjoy a meteoric rise in politics with no perceived political base or political distinction in his relatively brief career. He was an obscure government employee before he entered politics in 1998, and a year later, he was elected Deputy Governor of Bayelsa State. Except for his success in negotiations with his fellow Ijaws in the troubled delta region, he served without any special distinction until he became the Governor of Bayelsa State, after his predecessor was impeached on corruption charges in 2005.

Outgoing President Olusegun Obasanjo selected then-Governor Jonathan to be the People's Democratic Party vice presidential candidate with Umaru Yar'Adua, a presidential candidate from the north, in the 2007 elections. Yar'Adua was ill for much of his time in office, and Jonathan was called on to exercise presidential authority in November 2009 when Yar'Adua was unable to do so. Nigerian power brokers accepted Jonathan as official Acting President in February 2010. When Yar'Adua finally died in May 2010, these power brokers only accepted Jonathan to be sworn in as president because he was not considered a threat and likely wouldn't run for reelection.

However, Jonathan surprised them by announcing in September 2010 that he had consulted widely throughout Nigeria and would run for president. Jonathan won the presidential election convincingly, but his ruling People's Democratic Party lost seats in the Senate and the House of Representatives, and PDP now holds four fewer governorships—down to 23 of 36.

In October 2010, the Jonathan Administration called for the fuel subsidy to be removed. The government's decision was met with demonstrations and strikes by national unions. But while the unions agreed to end strikes and protests, the Joint Action Forum, a civil society affiliate of the unions, continued protests for a time throughout the country. The government responded with what human rights groups charged was excessive force. In northern Kano State, a student was shot to death in the course of breaking up a rally.

In addition to the resentment caused by government brutality in dealing with the largely youth-led fuel subsidy protests, high unemployment, resentment over perceived government corruption, and mismanagement and experience in organizing social protests may yet have a lasting impact on Nigerian politics and society.

The issues of excessive government force in the Niger Delta, northern Nigeria and other areas of the country over several past governments in Nigeria has fed resentment. Combined with the northern political opposition, the increasing resistance by minorities and the civil society political revolt, the Jonathan Administration faces significant forces arrayed against it. The questions our government must answer are: will this government withstand its opposition and what can we do to help Nigeria to remain Africa's essential nation?

A TRIBUTE TO SUSANNAH MUSHATT JONES ON HER 113TH BIRTHDAY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. TOWNS. Mr. Speaker, I rise today to pay tribute and to honor Susannah Mushatt Jones on the occasion of her 113th birthday celebration. Lovingly called ''Miss Susie'', she is a symbol of longevity and commitment to family for all New Yorkers and our nation.

Susie Jones was born July 6, 1899 in Lowndes County, Alabama and was the third of 11 children. Susie survives all of her siblings and is a firsthand historian of a unique quantity of our American history and growth as a country. She never had children but has more than 100 nieces and nephews. She is generous to the core paying for two nieces through college and lavishing gifts on the rest.

Miss Susie grew up in the segregated South and taught for two months after graduating high school. She then moved to New Jersey to work with a wealthy family in 1922. The following year she moved to work with a Westchester County family. Her work with various families over those years took her from the East Coast to the West Coast. At one point, Miss Susie worked for a prominent Hollywood family, socializing with movie stars and attending movie premieres. According to her, one time she was ''close enough to Ronald Reagan to reach out and touch him.'' ''Clark Gable, Cary Grant, I saw them all. George Raft was my favorite.''

Miss Susie uses the word wonderful a lot, but about the only time she doesn't use it is in reference to her ex-husband, Henry. ''We married in 1928, I think. He wasn't a mean person. He was a very good cook,'' she says. ''But I don't know what happened to him.''

Miss Susie retired in 1965 during the Civil Rights Movement and witnessed the continued change in the country through the following years. She lost her vision about 12 years ago and maintains her infectious laugh and upbeat attitude. Although she now has limited mobility, Miss Susie was an active member of the Vandalia Houses Senior Center tenant patrol well beyond her 100 years. Twice a day she sat in the lobby checking the guests as they signed in.

We can all learn from Miss Susie's secrets to a long life. She never smoked, drank. She works hard and loves faithfully. ''I thank the Lord for the love I receive from my family,'' she says.

Mr. Speaker, I would like to recognize the wonderful life and important contributions of Susannah Mushatt Jones. She is a treasured and active member of Vandalia Senior Center. We are proud that she is still part of our community. This milestone gives all of us hope that people can truly live a long prosperous life.

HONORING COLONEL CHARLES C. GIBSON

HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. MARINO. Mr. Speaker, I rise today to honor my constituent, Colonel Charles C. Gibson, and congratulate him on his relocation to the United States Army Communications Electronics Command Headquarters at Aberdeen Proving Ground, Maryland, as Chief of Staff.

Currently serving as a commander of Tobyhanna Army Depot, Colonel Gibson has devoted over two decades of heroic service to our country, demonstrating his devotion to the preservation of the United States of America and to our safety through numerous military campaigns, decorations and advancement to leadership positions.

Originally from Baltimore, Maryland, Colonel Charles Gibson was commissioned a second lieutenant in the Ordnance Corps in 1986. After receiving his degree in Mathematics from Bowie State University in 1987, he began his military career as a Platoon Leader for the 122nd Main Support Battalion, 3rd Armored Division, Hanau, Germany, which later deployed with the 3rd Armored Division to Operations Desert Shield/Desert Storm in 1990.

Upon his return, Colonel Gibson assumed the position of Maintenance Officer, Support Operations Cell and Battalion S–3, 264th Corps Support Battalion, Fort Bragg, NC, and deployed to Haiti in 1994. Subsequently, he served in several leadership positions while assigned to the 25th Infantry Division, Schofield Barracks, Hawaii including; Support Operations Officer, G4 Division Logistics Planner, Battalion Commander of a Stryker BSB, 2nd Stryker Brigade, and Assistant Chief of Staff, Logistics Division G4. While with the 25th Infantry Division, he deployed to Bosnia as the Logistics Operations Planner. He also served one year as the BDE Support Operations Officer with the 45th Corps Support Group with a deployment to Thailand.

Colonel Gibson's awards and decorations for his service in the United States Army include the Bronze Star Medal, Meritorious Service Medal with five oak leaf clusters, Army Commendation Medal with three oak leaf clusters, Army Achievement Medal, Meritorious Unit Commendation, National Defense Service Medal, Armed Forces Expeditionary Medal, Southwest Asia Medal, Global War on Terrorism Service Ribbon, Kuwaiti Defense Service Medal, Army Service Ribbon, Overseas Service Ribbon, Southwest Asia Kuwaiti Liberation Medal, NATO Medal and Parachutist Badge.

Mr. Speaker, I rise today to honor Colonel Charles C. Gibson, and ask my colleagues to join me in praising his commitment to the protection and defense of our great nation.

RICE UNIVERSITY 100TH BIRTHDAY

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. CONAWAY. Mr. Speaker, I rise today to congratulate Rice University on its 100th birthday. For over a century it has stood as one of the premier educational institutions in the world.

Over the past 100 years, Rice University's name has come to be synonymous with excellence. The institution consistently ranks among the top 20 national universities in the U.S. News & World Report and holds many other marks of excellence.

For example, in 2010 Rice University was ranked No. 1 worldwide in materials science research. In 2011, the Carnegie Foundation gave the university top classifications for ''very high research activity'' and ''comprehensive doctoral program''.

While this is an amazing accomplishment, Rice's work is more than just a statistic—it has changed the world we live in. The research performed by the university has proved groundbreaking on several fronts, most notably the discovery of ''buckyballs.'' The discovery launched the field of Nanotechnology which has led directly to advances many fields, including medicine, technology, energy, defense, and transportation. Nanotechnology is already playing a powerful role in the lives of Americans, from its capacity to help find cures to deadly diseases to reducing the cost and extending the lifespan of consumer products like clothes and cars.

Rice's School of Business, Architecture, Engineering, Social Sciences, Music, Humanities, Institute of Public Policy, and the Alliance of Technology and Entrepreneurship all hold similar national standing.

Not only is Rice University a heavyweight contender in academic and research fields, the university also maintains a noteworthy athletic department. For 17 consecutive years, Rice has produced a NCAA conference championship team—another outstanding accomplishment.

Again, congratulations to Rice University on its 100th birthday. Rice University's devoted faculty and student body have continually endeavored for excellence, and as a result Texans, Americans, and people all over our world have benefited.

RECOGNIZING THE CENTENNIAL CELEBRATION OF RICE UNIVERSITY

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. NEUGEBAUER. Mr. Speaker, I rise today to commend Rice University and celebrate 100 years since its founding in Houston, TX. Since its first class in the fall of 1912, Rice has established itself as a flagship of Texas universities. This October, faculty, students and alumni will celebrate a century of excellence and distinction in the Houston community and the state of Texas.

Rice and Texas Tech, my alma mater, were in the Southwest Conference together during my college years. We Tech fans are often described as very passionate at our football games and other sporting events. I remember how much fun we had when we played against Rice, because Rice fans are just as fanatical about their school as we are about ours.

Rice University cultivates a flourishing learning environment and empowers its students to explore opportunities in and out of the classroom. It has a prestigious and notable alumni list comprised of many people I respect and admire in Texas and throughout the country, including my friend and Texas colleague, Congressman PETE OLSON. I'm proud Texas can boast of a quality university like Rice, and I stand today to congratulate Rice University on 100 years of excellence.

RICE UNIVERSITY'S CENTENNIAL COMMEMORATION

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. BARTON of Texas. Mr. Speaker, I rise today to commemorate Rice University on reaching its centennial. Since its founding a hundred years ago, Rice University has become a distinguished institution, high in the ranks of academic achievement amongst our country's best colleges and universities. Rice's research programs are highly regarded and it is the proud alma mater of many intellectuals who have been recognized for their accomplishments, including numerous Marshall Scholars, Rhodes Scholars, and Fulbright Scholars.

In addition to their extraordinary academic programs, Rice has made a name for itself in the area of collegiate sports. The Rice University Owls became the kings of baseball when they won the 2003 College World Series, and they have continued to stand in the ranks with the country's best college baseball teams. Rice has also succeeded in the area of women's athletics. Its volleyball, soccer, basketball, and tennis teams have competed in many NCAA tournaments, earning Rice a varied set of achievements.

As Rice University reaches its centennial in October, I want to give credit to its students and professors for their hard work and commitment to higher education. Their consistent dedication to academic advancement makes Rice the prestigious institution it is today.

I commend Rice University for reaching this impressive milestone, and I wish them the best of luck for the next 100 years. I look forward to seeing the big things the faculty, alumni, and current students at Rice will undoubtedly continue to accomplish.

I hope all Members will join me in congratulating Rice University for 100 years of academic excellence.

CONGRATULATORY REMARKS FOR OBTAINING THE RANK OF EAGLE SCOUT

HON. SANDY ADAMS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mrs. ADAMS. Mr. Speaker, I would like to congratulate Joshua Whetman for achieving the rank of Eagle Scout.

For his Eagle Scout Project, Joshua developed an action archery course to benefit a local youth camp. Throughout the history of the Boy Scouts of America, the rank of Eagle Scout has only been attained through dedication to concepts such as honor, duty, country and charity. By applying these concepts to daily life, Joshua has proven his true and complete understanding of their meanings, and thereby deserves this honor.

I offer my congratulations on a job well done and best wishes for the future.

RECOGNIZING PARKVIEW HIGH SCHOOL BOYS 4X100M RELAY TEAM

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 2012

Mr. LONG. Mr. Speaker, I rise today to congratulate the Parkview High School Boys 4x100m Relay Team for winning Missouri Class 4 State Track and Field Championships.

The team, which included juniors Christopher Hargrove, AJ Green and Myron Willis, and senior Quintin Smith, won the relay event with a time of 42.17.

Coach Jay Miller and his talented coaching staff should be proud of their accomplishment in guiding this group of talented athletes. I commend them all on a job well done.

I urge my colleagues to join me in congratulating the Parkview High School State Champion Boys 4x100m Relay team.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, July 12, 2012 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 17

9:30 a.m.

Foreign Relations

To hold hearings to examine the next ten years in the fight against human trafficking, focusing on attacking the problem with the right tools.

SD–419

Homeland Security and Governmental Affairs

Investigations Subcommittee

To hold hearings to examine United States vulnerabilities to money laundering, drugs, and terrorist financing, focusing on HSBC case history.

SD–106

10 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings to examine the ''Dodd-Frank Wall Street Reform and Consumer Protection Act'', focusing on two years later.

SR–328A

Banking, Housing, and Urban Affairs

To hold hearings to examine the semi-annual Monetary Policy Report to Congress.

SD–G50

Energy and Natural Resources

To hold hearings to examine the status of action taken to ensure that the electric grid is protected from cyber attacks.

SD–366

2:30 p.m.

Appropriations

Financial Service and General Government Subcommittee

To hold hearings to examine if consumers are adequately protected from flammability of upholstered furniture, focusing on the effectiveness of furniture flammability standards and flame retardant chemicals.

SD–138

Intelligence

To hold a closed mark-up to consider certain intelligence matters.

SH–219

JULY 18

10 a.m.

Homeland Security and Governmental Affairs

To hold hearings to examine improving the transparency of Federal spending.

SD–342

Judiciary

To hold hearings to examine improving forensic science in the criminal justice system.

SD–226

Veterans' Affairs

To hold hearings to examine the nomination of Thomas Skerik Sowers II, of Missouri, to be Assistant Secretary of Veterans Affairs for Public and Intergovernmental Affairs.

SR–418

2 p.m.

Aging

To hold hearings to examine Medicare and Medicaid coordination for dual-eligibles.

SH–216

2:30 p.m.

Homeland Security and Governmental Affairs

Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee

To hold hearings to examine the census, focusing on planning ahead for 2020.

SD–342

Foreign Relations

To hold hearings to examine to examine the nominations of Marcie B. Ries, of the District of Columbia, to be Ambassador to the Republic of Bulgaria, John M. Koenig, of Washington, to be Ambassador to the Republic of Cyprus, Michael David Kirby, of Virginia, to be Ambassador to the Republic of Serbia, Thomas Hart Armbruster, of New York, to be Ambassador to the Republic of the Marshall Islands, and Greta Christine Holtz, of Maryland, to be Ambassador to the Sultanate of Oman, all of the Department of State.

SD–419

Judiciary

Privacy, Technology and the Law Subcommittee

To hold hearings to examine what facial recognition technology means for privacy and civil liberties.

SD–226

3 p.m.

Commerce, Science, and Transportation

Aviation Operations, Safety, and Security Subcommittee

To hold hearings to examine the global competitiveness of the United States Aviation Industry, focusing on addressing competition issues to maintain United States leadership in the aerospace market.

SR–253

JULY 19

10 a.m.

Health, Education, Labor, and Pensions

To hold hearings to examine making college affordability a priority, focusing on promising practices and strategies.

SD–430

2:15 p.m.

Indian Affairs

To hold an oversight hearing to examine climate change, focusing on impacts on treaty rights, traditional lifestyles, and tribal homelands.

SD–628

2:30 p.m.

Intelligence

To hold closed hearings to examine certain intelligence matters.

SH–219

JULY 25

10 a.m.

Judiciary

To hold hearings to examine ensuring judicial independence through civics education.

SH–216

2:30 p.m.

Energy and Natural Resources

Water and Power Subcommittee

To hold an oversight hearing to examine the role of water use efficiency and its impact on energy use.

SD–366

AUGUST 1

9 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings to examine MF Global, focusing on accountability in the futures markets.

SR–328A

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4835–S4918

Measures Introduced: Seven bills and one resolution were introduced, as follows: S. 3370–3376 and S.J. Res. 47. **Pages S4892–93**

Measures Passed:

Raoul Wallenberg Centennial Celebration Act: Senate passed H.R. 3001, to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust. **Page S4916**

Veteran Skills to Jobs Act: Senate passed H.R. 4155, 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. **Page S4916**

Measures Considered:

Small Business Jobs and Tax Relief Act: Senate began consideration of S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, after agreeing to the motion to proceed, and taking action on the following amendments and motions proposed thereto: **Pages S4835–85**

Pending:

Reid (for Landrieu) Amendment No. 2521, in the nature of a substitute. **Page S4884**

Reid Amendment No. 2522 (to Amendment No. 2521), to change the enactment date. **Page S4884**

Reid Amendment No. 2523 (to Amendment No. 2522), of a perfecting nature. **Page S4884**

Reid Amendment No. 2524 (to the language proposed to be stricken by Amendment No. 2521), of a perfecting nature. **Page S4884**

Reid Amendment No. 2525 (to Amendment No. 2524), to change the enactment date. **Pages S4884–85**

Reid motion to commit the bill to the Committee on Finance, with instructions, Reid Amendment No. 2526, to change the enactment date. **Page S4885**

Reid Amendment No. 2527 (to (the instructions) Amendment No. 2526), of a perfecting nature. **Page S4885**

Reid Amendment No. 2528 (to Amendment No. 2527), of a perfecting nature. **Page S4885**

A motion was entered to close further debate on Reid (for Landrieu) Amendment No. 2521 (listed above), and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, July 13, 2012. **Page S4884**

A motion was entered to close further debate on 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 Reid (for Landrieu) Amendment No. 2521 (listed above). **Page S4885**

Bring Jobs Back to America: Senate began consideration of the motion to proceed to consideration of S. 3364, to provide an incentive for businesses to bring jobs back to America. **Pages S4885–86**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the issuance of an Executive Order modifying the scope of the national emergency declared in Executive Order 13047 of May 20, 1997, with respect to Burma; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–55) **Pages S4890–91**

Nominations Received: Senate received the following nominations:

Dorothy Kosinski, of the District of Columbia, to be a Member of the National Council on the Humanities for a term expiring January 26, 2016.

Dawn M. Liberi, of Florida, to be Ambassador to the Republic of Burundi.

Stephen D. Mull, of Virginia, to be Ambassador to the Republic of Poland.

Walter North, of Washington, to be Ambassador to Papua New Guinea, and to serve concurrently and without additional compensation as Ambassador to the Solomon Islands and Ambassador to the Republic of Vanuatu.

4 Army nominations in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Navy. **Pages S4916–18**

Messages from the House: Page S4891

Measures Placed on the Calendar: Page S4891

Executive Communications: Pages S4891–92

Additional Cosponsors: Pages S4893–94

Statements on Introduced Bills/Resolutions: Pages S4894–95

Additional Statements: Page S4889

Amendments Submitted: Pages S4895–S4915

Notices of Hearings/Meetings: Pages S4915–16

Authorities for Committees to Meet: Page S4916

Adjournment: Senate convened at 9:30 a.m. and adjourned at 7:03 p.m., until 9:30 a.m. on Thursday, July 12, 2012. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4916.)

Committee Meetings

(Committees not listed did not meet)

MEDICARE PHYSICIAN PAYMENTS

Committee on Finance: Committee concluded a hearing to examine Medicare physician payments, focusing on perspectives from physicians, after receiving testimony from Ardis D. Hoven, American Medical Association, Lexington, Kentucky; Glen Stream, American Academy of Family Physicians, Spokane, Washington; Frank Opelka, American College of Surgeons, New Orleans, Louisiana; W. Douglas Weaver, American College of Cardiology, Detroit, Michigan; and Barbara McAneny, New Mexico Oncology Hematology Consultants, Albuquerque, on behalf of the American Society of Clinical Oncology.

HOMELAND SECURITY

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the future of Homeland Security, focusing on evolving and emerging threats, after receiving testimony from Michael V. Hayden, former Director, Central Intelligence Agency and National Security Agency, on behalf of the Chertoff Group, and Frank J. Cilluffo, George Washington University Homeland Security Policy Institute, Washington, D.C.; Brian Michael Jenkins, RAND Corporation, Santa Monica, California; and Stephen E. Flynn, Northeastern University George J. Kostas Research Institute for Homeland Security, Boston, Massachusetts.

STANDARD ESSENTIAL PATENTS

Committee on the Judiciary: Committee concluded a hearing to examine the impact on competition of exclusion orders to enforce standard-essential patents, after receiving testimony from Joseph F. Wayland, Acting Assistant Attorney General, Antitrust Division, Department of Justice; and Edith Ramirez, Commissioner, Federal Trade Commission.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Thomas M. Durkin, to be United States District Judge for the Northern District of Illinois, who was introduced by Senator Coons, and Jon S. Tigar, and William H. Orrick III, of the District of Columbia, both to be a United States District Judge for the Northern District of California, who were both introduced by Senators Feinstein and Boxer, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 8 public bills, H.R. 6098–6105, were introduced. Page H4827

Additional Cosponsors: Page H4828

Reports Filed: Reports were filed today as follows:

H.R. 3674, to amend the Homeland Security Act of 2002 to make certain improvements in the laws relating to cybersecurity, and for other purposes, with an amendment (H. Rept. 112–592, Pt. 1);

H.R. 3862, to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes, with an amendment (H. Rept. 112–593); and

H.R. 1996, to amend titles 5 and 28, United States Code, with respect to the award of fees and other expenses in cases brought against agencies of the United States, to require the Administrative Conference of the United States to compile, and make publicly available, certain data relating to the Equal Access to Justice Act, and for other purposes, with an amendment (H. Rept. 112–594). Page H4827

Recess: The House recessed at 11:25 a.m. and reconvened at 12 noon. Page H4786

Chaplain: The prayer was offered by the guest chaplain, Rabbi David Algaze, Havurat Yisrael Synagogue, Forest Hills, New York. **Page H4786**

National Strategic and Critical Minerals Production Act of 2012—Rule for Consideration: The House agreed to the rule that is providing for consideration of H.R. 4402, to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness, by a yea-and-nay vote of 245 yeas to 180 nays, Roll No. 461, after the previous question was ordered without objection. **Pages H4791–96, H4809**

Recess: The House recessed at 2:19 p.m. and reconvened at 3 p.m. **Page H4806**

Repeal of ObamaCare Act: The House passed H.R. 6079, to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010, by a recorded vote of 244 ayes to 185 noes, Roll No. 460. Consideration of the measure began yesterday, July 10th. **Pages H4796–H4806, H4806–08**

Rejected the Andrews motion to recommit the bill to the Committees on Energy and Commerce, Ways and Means, and Education and the Workforce with instructions to report the same to the House forthwith with an amendment, by a yea-and-nay vote of 180 yeas to 248 nays, Roll No. 459. **Pages H4806–08**

H. Res. 724, the rule providing for consideration of the bill, was agreed to yesterday, July 10th.

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow. **Page H4809**

Presidential Message: Read a message from the President wherein he reported to the Congress that he has issued an Executive Order that modifies the scope of the national emergency declared in Executive Order 13047 of May 20, 1997 with respect to the Government of Burma—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 112–123). **Pages H4810–11**

Quorum Calls—Votes: Two yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H4807–08, H4808, and H4809. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:47 p.m.

Committee Meetings

MISCELLANEOUS MEASURE

Committee on Agriculture: Full Committee began markup of H.R. 6083, the "Federal Agriculture Reform and Risk Management Act".

FUTURE OF U.S. SPECIAL OPERATIONS FORCES

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities held a hearing entitled "The Future of U.S. Special Operations Forces". Testimony was heard from public witnesses.

EPA'S EFFORTS TO ENSURE MARKET INTEGRITY IN THE RENEWABLE FUELS PROGRAM

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "RIN Fraud: EPA's Efforts to Ensure Market Integrity in the Renewable Fuels Program". Testimony was heard from Byron Bunker, Acting Director, Compliance Division, Office of Transportation and Air Quality, Environmental Protection Agency; and public witnesses.

HELPING VETERANS WITH EMERGENCY MEDICAL TRAINING TRANSITION TO CIVILIAN SERVICE

Committee on Energy and Commerce: Subcommittee on Health, hearing entitled "Helping Veterans with Emergency Medical Training Transition to Civilian Service". Testimony was heard from public witnesses.

IMPACT OF DODD-FRANK'S HOME MORTGAGE REFORMS: CONSUMER AND MARKET PERSPECTIVES

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled "The Impact of Dodd-Frank's Home Mortgage Reforms: Consumer and Market Perspectives". Testimony was heard from public witnesses.

TSA AND THE DEADLINE TO PROVIDE EXPEDITED SCREENING TO MILITARY SERVICE MEMBERS

Committee on Homeland Security: Subcommittee on Transportation Security held a hearing entitled "Has TSA Met the Deadline to Provide Expedited Screening to Military Service Members?". Testimony was heard from Christopher McLaughlin, Assistant Administrator for Security Operations, Transportation Security Administration, Department of Homeland Security; and Todd Rosenblum, Principal Deputy Assistant Secretary of Defense for Homeland Defense

and Americas' Security Affairs, Department of Defense.

NATIONAL SECURITY LEAKS AND THE LAW

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing entitled ''National Security Leaks and the Law''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Full Committee held a markup of the following measures: H.R. 3641, the ''Pinnacles National Park Act''; H.R. 4100, the ''Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2011''; H.R. 4484, the ''Y Mountain Access Enhancement Act''; H.R. 4606, to authorize the issuance of right-of-way permits for natural gas pipelines in Glacier National Park, and for other purposes; H.R. 5958, to name the Jamaica Bay Wildlife Refuge Visitor Contact Station of the Jamaica Bay Wildlife Refuge unit of Gateway National Recreation Area in honor of James L. Buckley; and H.R. 5987, the ''Manhattan Project National Historical Park Act''. The following measures were ordered reported, as amended: H.R. 3641; H.R. 4484; and H.R. 4606. The following measures were ordered reported, without amendment: H.R. 4100; H.R. 5958; and H.R. 5987.

IS FMCSA'S CSA PROGRAM DRIVING SMALL BUSINESSES OFF THE ROAD?

Committee on Small Business: Full Committee held a hearing entitled ''Is FMCSA's CSA Program Driving Small Businesses Off the Road?''. Testimony was heard from Bill Bronrott, Deputy Administrator, Federal Motor Carrier Safety Administration; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Veterans' Affairs: Full Committee held a markup of the following measures: H.R. 5948, the ''Veterans Fiduciary Reform Act of 2012''; H.R. 5747, the ''Military Family Home Protection Act''; and H.R. 4057, the ''Improving Transparency of Education Opportunities for Veterans Act of 2012''. The following measures were ordered reported, as amended: H.R. 4057; H.R. 5747; and H.R. 5948.

Joint Meetings

INTERNATIONAL EXTRADITION NORMS

Commission on Security and Cooperation in Europe: Commission concluded a hearing to examine international extradition norms and their impact on United States victims of international fugitives, focusing on the case of George Wright and factors that impede or prevent extradition of criminals in the United States, concerns the United States may have regarding extradition requests from other countries, and how the United States might work to advance justice in this process, after receiving testimony from Jonathan M. Winer, former Deputy Assistant Secretary of State, Washington, D.C.; and R. J. Gallagher, former Federal Bureau of Investigation Agent, Department of Justice, Bridgewater, New Jersey.

COMMITTEE MEETINGS FOR THURSDAY, JULY 12, 2012

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Commerce, Science, and Transportation: to hold hearings to examine medication and performance enhancing drugs in horse racing, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: to hold an oversight hearing to examine remediation of Federal legacy wells in the National Petroleum Reserve—Alaska, 9:30 a.m., SD–366.

Committee on Environment and Public Works: to hold hearings to examine the latest science on lead's impacts on children's development and public health, 10:15 a.m., SD–406.

Committee on Foreign Relations: to hold hearings to examine the Convention on the Rights of Persons with Disabilities (Treaty Doc. 112–7), 9 a.m., SD–G50.

Full Committee, to hold hearings to examine the nominations of Gene Allan Cretz, of New York, to be Ambassador to the Republic of Ghana, Deborah Ruth Malac, of Virginia, to be Ambassador to the Republic of Liberia, David Bruce Wharton, of Virginia, to be Ambassador to the Republic of Zimbabwe, and Alexander Mark Laskaris, of Maryland, to be Ambassador to the Republic of Guinea, all of the Department of State, 2:15 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine creating positive learning environments for all students, 10:30 a.m., SD–106.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the future of Homeland Security, focusing on the evolution of the Homeland Security Department's roles and missions, 10 a.m., SD–342.

Full Committee, to hold hearings to examine the nomination of Stephen Crawford, of Maryland, to be a Governor of the United States Postal Service, 2:30 p.m., SD–342.

Committee on Indian Affairs: to hold an oversight hearing to examine Federal recognition, focusing on political and legal relationship between governments, 2:15 p.m., SD–628.

Committee on the Judiciary: business meeting to consider S. 285, for the relief of Sopuruchi Chukwueke, S. 1744, to provide funding for State courts to assess and improve

the handling of proceedings relating to adult guardianship and conservatorship, to authorize the Attorney General to carry out a pilot program for the conduct of background checks on individuals to be appointed as guardians or conservators, and to promote the widespread adoption of information technology to better monitor, report, and audit conservatorships of protected persons, S. 3276, to extend certain amendments made by the FISA Amendments Act of 2008, and the nominations of Terrence G. Berg, to be United States District Judge for the Eastern District of Michigan, Jesus G. Bernal, and Fernando M. Olguin, both to be a United States District Judge for the Central District of California, Lorna G. Schofield, to be United States District Judge for the Southern District of New York, Frank Paul Geraci, Jr., to be United States District Judge for the Western District of New York, Malachy Edward Mannion, and Matthew W. Brann, both to be a United States District Judge for the Middle District of Pennsylvania, Danny Chappelle Williams, Sr., to be United States Attorney for the Northern District of Oklahoma, Department of Justice, and Charles R. Breyer, of California, to be a Member of the United States Sentencing Commission, 10 a.m., SD–226.

Select Committee on Intelligence: to hold a closed meeting to consider certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Armed Services, Subcommittee on Readiness, hearing entitled ''Department of the Air Force aircraft force structure reductions'', 11 a.m., 2212 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy and Power; and Subcommittee on Oversight and Investigations joint hearing, discussion draft on ''No More Solyndras Act''; and ''Smart Energy Act'', 9:15 a.m., 2123 Rayburn.

Subcommittee on Commerce, Manufacturing, and Trade, hearing entitled ''The renewal of the Federal Trade Commission's authority to combat cross-border spam, spyware and fraud through reauthorization of the U.S. SAFE WEB Act of 2006'', 10 a.m., 2322 Rayburn.

Committee on Homeland Security, Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies, hearing entitled ''Securing Ammonium Nitrate: Using Lessons Learned in Afghanistan to Protect the Homeland from IEDs'', 10 a.m., 311 Cannon. This hearing will begin as an open hearing and move to a closed hearing in HVC–302.

Committee on the Judiciary, Subcommittee on Courts, Commercial and Administrative Law, hearing entitled ''Clearing the Way for Jobs and Growth: Retrospective Review to Reduce Red Tape and Regulations'', 9:30 a.m., 2141 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Space and Aeronautics, hearing entitled ''Spurring Economic Growth and Competitiveness Through NASA Derived Technologies'', 10 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Investigations, Oversight and Regulations, hearing entitled ''Sinking the Marine Industry: How Regulations are Affecting Today's Maritime Businesses'', 10 a.m., 2360 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Thursday, July 12

Senate Chamber

Program for Thursday: The Majority Leader will be recognized. The filing deadline for amendments to Reid (for Landrieu) Amendment No. 2521 to S. 2237, Small Business Jobs and Tax Relief Act, is at 1 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Thursday, July 12

House Chamber

Program for Thursday: Consideration of H.R. 4402—National Strategic and Critical Minerals Production Act of 2012 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

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