United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158 WASHINGTON, TUESDAY, JULY 24, 2012 No. 111

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 24, 2012.

I hereby appoint the Honorable DAVID RIVERA to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

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

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

THE DRONES ARE COMING

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

Mr. POE of Texas. Mr. Speaker, for years, the United States has used drones to track terrorists overseas, catch outlaws along the border and other lawful purposes—but now, thousands of drones are heading to the homeland. The FAA plans to allow the expanded use of drones to operate nationwide by the year 2015. It is estimated, by 2020, 30,000 of them will be flying in American skies.

Yes, Mr. Speaker, the drones are coming.

Who will operate these drones, and what will be their mission? Could it be a suspicious government agent who thinks someone looks kind of funny? The EPA bureaucrat to monitor somebody's farm and watch Bessie the cow graze in the pasture? Or a nosy neighbor who wants to make sure someone's shutters are pretty and the flowers don't violate the homeowners' association rules? Or could it be a legitimate and lawful and legal purpose of drones that doesn't violate the right of privacy?

These are the kinds of situations Americans face as we enter this uncharted and unprecedented world of drone technology.

Congress has the legal obligation to ensure that the Fourth Amendment rights of private citizens are protected in this new ''drone world.'' You see, Mr. Speaker, the Fourth Amendment says this:

> The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated. No warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

The Fourth Amendment limits government intrusion into our lives. The Constitution limits eavesdropping, snooping, and spying on American citizens. While there are some legitimate uses for drones domestically, such as monitoring forest fires and floods and hurricanes, tracking an escaped bank robber, and other law enforcement uses, it is up to Congress to limit their use so that the Fourth Amendment and the right of privacy are protected.

That is why I am introducing the Preserving American Privacy Act.

Now is the time for Congress to act, not in 2015. With the increased technology of surveillance, Congress has to be proactive in controlling drone use to law enforcement and also in protecting civilians from the private use of drones. This bill will ensure the privacy of private citizens is protected by establishing guidelines about when and for what purposes law enforcement agencies, private citizens, and businesses can use drones.

I repeat: This bill will ensure the privacy of private citizens, that it is protected by establishing guidelines about when and for what purposes law enforcement agencies, private citizens, and businesses can use drones.

First, it would prevent the FAA from issuing a permit for the use of a drone to fly in United States airspace for law enforcement purposes unless it is pursuant to a warrant and in the investigation of a felony. This would apply to State, Federal, and local jurisdictions. The warrant exceptions and exigent circumstances rules that are already the law of the land would be the same as those that are applicable in the State, Federal, or local jurisdiction where that surveillance occurs.

It would also prevent the FAA from issuing a permit to any private individual for the use of a drone for the surveillance of a U.S. citizen or the property of a U.S. citizen unless that person under surveillance has consented or the owner of the property has consented. There may be some other lawful exceptions as well.

Lastly, this bill would ensure that no evidence obtained from the use of a drone may be used at an administrative hearing.

Americans expect their constitutional rights will be protected at any time in our history or our future, so Congress must decide when drones can and cannot be used in order to ensure constitutional safeguards. This decision cannot be left up to government agencies, special interest groups, or others. Mr. Speaker, technology may change with time, but the Constitution does not.

And that's just the way it is.

Printed on recycled paper.

THE NEAR COLLAPSE OF THE ECONOMY: AVOIDING A REPEAT PERFORMANCE

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

Mr. BLUMENAUER. There is plenty of blame for the near collapse of the economy over the last 5 years—greedy, even criminal business behavior, lax or nonexistent oversight with regulators asleep at the switch. Clearly, there were some reckless consumers and a failed political system. But as instructive as the postmortem might be, it's more important to avoid a repeat performance.

What should we do? I would suggest we simplify, regulate, and prosecute.

Let's begin by reinstating the Glass-Steagall, Depression-era bank regulation that helped promote stability in that industry. It would be a small step in the right direction, a signal that the era of deregulation, unfettered, is at an end. I hope we can move to performance-based regulation. The Dodd-Frank bill had many important and valuable features, but I fear that it is at risk of becoming a bureaucratic nightmare.

We do need to regulate. The cozy, light-touched, gentle—some would say diffident—approach that assumes that the gentle people in the financial industry will self-police must be a thing of the past. We should provide the various regulatory authorities with adequate staff and budget. We should pay them properly so that they aren't a training ground to be hired away for much higher salaries by the industry they're supposed to regulate. We should have high expectations that they will do their jobs, and then we should back them up and not undercut those efforts.

Finally, we should prosecute. Sending people to jail will send a message. All of the people in American prisons collectively have not stolen as much with guns as the American public, our pension funds, our businesses lost in the near meltdown of the economy. Every time somebody illegally profits from a financial transaction, somebody else loses. Crooks, whatever the color of their collars, should be held accountable.

To make this happen, the public needs to focus some of their frustration to make this an issue in the election. At a time when politicians and special interests are making strange and outrageous noises, here is a real issue for them to address.

REGULATORY REFORM: FINDING A BALANCE

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

Mr. WALBERG. Mr. Speaker, for the record, America's businesses and innovators do not need the administration mandating how they run their companies—yet it regularly does and in the form of burdensome and costly regulations. We all share in the responsibility to find the balance of making sure employees have the safest working conditions possible while allowing them to have a job to come back to every day. Burdensome, onerous regulations place such a heavy toll on businesses that hiring slows and they are forced to start cutting from their workforces.

□ 1010

Part of protecting employees' jobs is making sure that the business they work for is still able to grow and create more good-paying jobs for those in Michigan and across the country.

Over the course of this Congress, I have had the opportunity to speak with numerous small businesses, owners, and workers who state unequivocally that they'd rather Washington hand out less regulations and more certainty. According to a Chamber of Commerce small business outlook survey from earlier this year, nearly 80 percent of small businesses say taxes, regulations, and legislation make it harder for them to hire. That's because small businesses are forced to pay on average $10,000 per employee per year in order to comply with excessive regulations. The Small Business Administration has reported that when added up, those costs amount to $1.75 trillion annually, which is enough money for businesses to provide 35 million private sector jobs with an average salary of $50,000 per year.

Mr. Speaker, truly, the price of red tape is the loss of American jobs. Because of these regulations, the United States is also losing its competitive edge. According to the ''Global Competitiveness Report'' for 2011–2012, the U.S. fell to the fifth most competitive economy in the world. It is down from second place when President Obama took office in 2009. The reason stated by the report: more burdensome regulations.

I ask my Big Government colleagues: What's wrong with being number one? Regulations are important, and businesses should be held accountable for the safety of their employees. But how much is too much? So far this year, the Federal Register has run more than 40,000 pages of regulations that range from burdensome to downright ridiculous. It contains such provisions as multiple hospital claim reimbursement codes for injuries caused by parrots and burns from flaming water skis. We need regulatory reform that cleans up the system, removes duplicative regs, and wipes out burdensome and excessive rules.

My Republican colleagues and I in the House have passed dozens of bills to pull back the government's regulatory arm. We passed the Regulations From the Executive in Need of Scrutiny, or REINS, Act which would require both Congress and the President approve all major rulings created by Federal agencies. We also have passed rules that would discourage any regulation that will have an annual impact of more than $100 million, resulting in major increases in costs and prices, or impose a significant negative effect on competition and jobs.

This week, we'll vote on H.R. 4078, the Red Tape Reduction and Small Business Job Creation Act, which would prevent any Federal agency from taking a significant regulatory action until employment has reached 6 percent or less. House Republicans remain committed to growing the economy and requiring congressional approval for any regulation that has significant impact on the economy or burdens small businesses and costs jobs.

We must stop allowing unelected bureaucrats to enact job-killing rules with no checks or balances. By preventing these kinds of job-hindering proposals, we can give job creators more certainty about what rules they can expect. Small businesses are our country's real job creators, creating seven out of every 10 jobs.

To protect these jobs and our country and Michigan, I'll continue to fight for less red tape here and in Washington, and more jobs in our homeland.

TRIBUTE TO KATHLEEN ''KATHI'' WILKES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Speaker, these are tasks that we often do not find welcoming. I rise this morning to pay tribute to a public servant among us, someone who served in this House as a staff person, a chief of staff in my office. I rise this morning to pay tribute to Kathleen ''Kathi'' Wilkes, whose memorial service will be held this afternoon, July 24, 1:30 p.m., at the Alfred Street Baptist Church in Alexandria, Virginia.

Kathi died suddenly last Saturday. The good news is that so many of her friends were able to fly in, as I was able to do from Houston, and to be with her in those waning hours. One can always ask the question why, and there is no explanation for someone so full of life, so ready to serve, so willing to help, to lose their life so suddenly, even as she was so active the week of her death.

Kathi had a wonderful history of coming from Ohio, touching down in Pennsylvania, in Houston, and Washington, D.C. How often can what we call a ''civilian'' touch the lives of so many States and so many people? Kathi pulled herself up by her bootstraps, supported herself, and became a nurse. As she was so good at nursing as well, she continued to nurture people, maybe in the spirit of Florence Nightingale.

That was not enough for Kathi. She continued to put herself through school and ultimately graduated and became a lawyer. That brought her to Houston, Texas, working for one of the major

corporations there, but it brought her into my life so many years ago. There, she was a light as well, interested in helping and befriending not only my husband and myself, but my two little ones, Erica and Jason. Boy, did they have a buddy in Kathi Wilkes. She loved to do things that children much smaller and much younger than herself enjoyed. She was just a fun-loving person. Then, of course, she traveled to places around the world embracing friends.

As she came back to Washington, D.C., to become the chief of staff in the 18th Congressional District, what a light she was in the office, bringing in great talent and other young people who were nurtured, counseled by her, tutored, and made great. Then, of course, what a partner in legislation. She was there through the ups and downs of the 1990s, through the impeachment proceedings, as I was a member of the House Judiciary Committee. Through all these tough times, Kathi was there.

Then we were able to do something quite great, if I might say so myself. This House was built by slaves, the Capitol of the United States of America. But as we looked around a few years past, there were no statues of African Americans, less an African American woman. I passed legislation, along with then-Senator Clinton, to place a statue of Sojourner Truth in this House. Sojourner Truth was a person who had been an abolitionist, a suffragette, a slave, a mother of 13 children, who had seen most all of them sold into slavery.

Kathi worked without ceasing to ensure that that statue was sculpted, that we had the opportunity to place it historically in the United States Congress, and it was honored with 2,000 people coming to see the placement of the Sojourner Truth statue having then-Secretary Hillary Clinton and First Lady Michelle Obama and, of course, the Speaker, NANCY PELOSI, present. What a wonderful day and occasion and tribute to the hard work of Kathi Wilkes.

It is befitting that I rise today to express the deep pain that so many of us feel, friends from all around the world even, but certainly in this Nation. Friends, as I said from Ohio, to Pennsylvania, to Washington, D.C., to Texas, many of whom will be able to come today, others of whom will celebrate her in Houston and in Ohio. One may ask why she is deserving of such. In the backdrop of such terrible tragedies that have faced us in Aurora and places around the world, as we mourn the loss of so many in the occurrence of last Thursday, I stand here today to say that I know that if Kathi Wilkes were alive today, she would be somewhere trying to help, to nurture, to assist my office, to be of help, even as she is no longer a chief of staff, but really a former chief of staff.

That is simply the way Kathi Wilkes is to her mother, her son, and, of course, her granddaughter and her many relatives and many friends. We have lost a good friend, but I can see her now taking wings.

Farewell, my good friend. You have served well and made us proud. More importantly, you have given of yourself. May you rest in peace.

□ 1020

AFGHANISTAN

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

Mr. JONES. Mr. Speaker, last Saturday, I had the privilege to speak to well over 200 retirees. Many of the retirees are veterans of our previous wars for this country. They wanted me to be there with them to discuss sequestration, their benefits, and what do I think is going to happen, which I could not honestly tell them. And none of us really seem to know until we get back after the election in November.

But, Mr. Speaker, when I spoke to this group of retirees, I took this poster down, and I had it on a stand like this one. It says: ''Funding the Enemy: How U.S. Taxpayers Bankroll the Taliban.'' And I told these veterans that it was time to get our troops out of Afghanistan. It was time to stop sending money to a corrupt leader named Karzai and time to bring the troops home and spend the money here in America on our own people and guarantee the benefits for our veterans, which they have earned.

Mr. Speaker, I got a strong applause from those people, who have served this Nation, and their spouses. This took place in Jacksonville, North Carolina, which is in my district. The Camp LeJeune Marine base is in my district. And many of these in attendance served in the Marine Corps, the Navy, a few in the Air Force. And they agree with me, it is time to stop spending money, digging a hole that has no end to it, known as Afghanistan.

Mr. Speaker, in a critique on this book, ''Funding the Enemy,'' I read one of the most candid behind-the-scenes examples of war reportage. This book contains a host of voices that spell out the chaos and mayhem of America's longest war.

Mr. Speaker, it is a no-win situation. I'm a history major from college, but I'm not an expert on history. But in everything I have ever read about Afghanistan, the end is always the same. No nation has ever gone to Afghanistan and changed anything, nothing at all.

And, Mr. Speaker, speaking of mayhem, yesterday in The New York Times—and I will quote the article—the title of the article is ''Top Afghans Tied to Nineties Carnage, Researchers Say: Activists Say Powerful Figures Are Blocking 800-Page Report'' of carnage in the nineties by many of those that are leading Afghanistan today.

I don't know why there is not more outrage from Congress. Anytime we have a debate about Afghanistan, it's a few Republicans and a few Democrats who stand up. And we might get 10 minutes, but that's about all. Ten minutes? We are spending $10 billion a month; young men and women are losing their legs and arms. And 10 minutes is all we're going to debate the policy in Afghanistan? That, in itself, is crazy.

In this article, it further states:

> The American Embassy here has been another source of objection to the mass-graves report. American officials say releasing the report would be a bad idea, at least until after Afghanistan's 2014 Presidential election is complete.

This has been a failed policy. It should have stopped after Mr. Obama got bin Laden. The reason we went into Afghanistan was to get bin Laden and al Qaeda which was responsible for 9/11. Well, he is dead now; al Qaeda has been disbursed all around the world. It is time to stop this failed policy in Afghanistan.

And I will say to the embassy that does not want this report out, Why? Why do you continue to play this game with the American young men and women who give their lives and limbs in Afghanistan? Why won't you be honest with the American people and Congress and say, Bring the troops home; stop spending money we don't have.

The money is actually borrowed from China, Mr. Speaker. We owe China $1.3 trillion. We can't pay our own bills. Yet we're going to borrow the money from China to send to a corrupt leader named Karzai in Afghanistan. And, Mr. Speaker, the subtitle of this book, ''How U.S. Taxpayers Bankroll the Taliban''—it's the Taliban that are killing Americans.

Mr. Speaker, in closing, I will ask God to please bless our men and women in uniform.

ASSAULT WEAPONS BAN

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

Mr. JOHNSON of Georgia. Mr. Speaker, today I rise to express my heartfelt sorrow and condolences to the victims and their families and the community of Aurora, Colorado, a great tragedy. Words are inadequate to describe it. And it's certainly a reminder to everyone that no time is promised to any of us. And we never know what will happen in the next second or the next minute or the next hour and certainly the next day. So we give praise that we were able to wake up this morning, come to the floor of the House and talk about an issue that is going to take a lot of time to heal.

But while we are healing, we have work to do in this Congress. You see, the assault weapons ban, in place for 10 years, expired in 2004. And after the expiration of the assault weapons ban, it's been open season.

Now, I know that there are people who hold the Second Amendment dear.

And it is established clearly in law that citizens have a right to bear arms. Beyond that, the Constitution is silent. So it leaves it up to us to address issues concerning the reasonable regulation of that right. Should we not have any regulations, or should we have regulations that are reasonable?

Now, I just heard some of my colleagues on the other side of the aisle talking about the numerous bills that we will be considering this week having to do with stopping regulation in its tracks in all areas, whether or not it be child safety, food, drugs, car safety, whether or not it be air, water, food, drugs. I have heard talk that regulations stop jobs from being created. That is one that I disagree with; but nevertheless, we will be considering it today.

□ 1030

But there are some regulations governing the affairs of people that are reasonable, and that includes restrictions on who can bear arms and what kind of arms they can bear. To say that we should have no regulations on weapons, particularly weapons of mass destruction, to me is unwise. I don't understand why someone who has a gun in their home for protection needs to have a magazine that is capable of rapid fire, a hundred rounds in a couple of minutes or in a minute. I don't understand why someone needs that kind of firepower to protect their home.

I know people love to go hunting. I, myself, will one day have the opportunity to do that. I have never done it before, but I respect those who wait until hunting season begins on their particular prey of choice. They exercise that right and get a lot of joy and satisfaction out of it, and also bring home some food. I can't disagree with that, and we do need to cull our deer population and other populations. We have reasonable regulations on that. But you don't need an AK–47 to go deer hunting.

My 5 minutes went by very quickly, but I think you all understand what I'm saying.

HONORING PENNSYLVANIA STATE REPRESENTATIVE ANTHONY MELIO

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

Mr. FITZPATRICK. Mr. Speaker, I rise today to honor the life and memory of Pennsylvania State Representative Anthony Melio, who passed away on Thursday afternoon. To his family, friends, and neighbors, he was known simply as ''Tony,'' ''Pop Pop,'' and ''Uncle Tony.'' In the Pennsylvania State capitol, he was known as a hardworking and honorable State representative.

Having served his country in the Naval Reserves and working as one of the first employees in the United States Steel Fairless Works in Bucks County, Tony's story is the story of my hometown of Levittown, Pennsylvania, a town of dignified and hardworking people.

Tony Melio was a man who built his political career on bringing the community together with his contagious smile and his warm personality. He embodied the spirit of public service during his time in Harrisburg. As the people's representative from Lower Bucks County, Tony carried out his duties with dignity and perseverance. His commitment to his family and his community were the hallmarks of his service.

A man of great faith, Bucks County has lost one of its most well-respected and beloved public servants in Tony Melio. I, like so many, had the privilege of calling Tony a friend and a neighbor, and my thoughts and prayers are with the Melio family in this difficult time.

I thank the United States House of Representatives for stopping to remember this dignified public servant this morning.

DEVELOP AMERICA'S ENERGY RESOURCES

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, President Obama continues to pursue an energy agenda that is contrary to his all-of-the-above rhetoric. There is no better example than his administration's recently released 5-year offshore leasing plan.

According to the nonpartisan Congressional Research Service, the plan proposes a mere 15 lease sales over the next 5 years, which is the lowest number since 1980, when CRS began tracking that data. Instead of allowing the development of America's vast offshore oil and gas resources, the plan effectively imposes a moratorium on most development, a moratorium which Congress lifted nearly 4 years ago. The plan blocks drilling on 85 percent of the Outer Continental Shelf. Effectively, States which sought Federal approval will have to wait another 12 years before any production is possible.

Under current law, Congress has a 60-day review period to replace the President's plan. Last week, the House Natural Resources Committee passed H.R. 6082, a plan that will allow more development of our energy resources. Instead of a moratorium of a none-of-the-above energy policy, we should responsibly develop all of our resources for the long-term benefits of the American people.

Mr. Speaker, the American people deserve affordable and reliable energy.

PASS RUSSIA PNTR

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

Mr. DREIER. Mr. Speaker, I rise to discuss an issue which I hope we will be addressing in the coming days.

There is a great deal of confusion about the possibility of our passing PNTR for Russia. Some are laboring under the impression that this is a reward to Vladimir Putin and Russia; and, in fact, the opposite is the case. We know that Vladimir Putin—in fact, many people say they look at him and what they are reminded of is the KGB. We know that Vladimir Putin, according to many reports, is attempting to reassemble the former Soviet Union. We know that he has grossly violated human rights. We know that they have a massive bureaucracy, crony capitalism, and a very corrupt court system. That's why, Mr. Speaker, it is very important for us to make sure that we pass Russia PNTR.

According to The Wall Street Journal in an editorial last week, they made it clear, Vladimir Putin does not want to us to pass the Magnitsky Act, which is part of PNTR, and they go on to say that he probably would be just as happy if we did not have PNTR. Why? Because based on overwhelming votes that took place in the last 2 weeks in the Russian Parliament, in the Duma, the lower house, and the Federated Council, the upper house, overwhelming votes, Russia is going to become a member of the World Trade Organization. I personably believe that's a good thing. It will take a great step in the direction of forcing Russia to live with a rules-based trading system, to address those issues of crony capitalism, a corrupt court system, and a massive bureaucracy.

But, Mr. Speaker, having said that, I think it is important to note that we've seen action taken here in the House Foreign Affairs Committee, the Senate Finance Committee, and we have seen a great deal of enthusiasm focused on the Magnitsky Act.

What is the Magnitsky Act? It is legislation that is named for Sergei Magnitsky, who was a whistleblower who focused on basically corruption that existed within the tax reporting system, basically, tax fraud. He reported on that, and he was imprisoned. He died in 2009. Mr. Speaker, what happened, very sadly, according to most reports, is that he was beaten to death.

Well, what does this legislation do? Something, again, Vladimir Putin would be virulently opposed to. It actually penalizes anyone who was involved in those human rights violations against Sergei Magnitsky. So, Mr. Speaker, this is a good thing. And at the same time in passing PNTR, we will say that the 140 million consumers in Russia will have access to goods and services from the United States of America.

Under the measure that has passed both houses of the Russian Parliament, as I said, overwhelming majorities, it will go into effect within the next couple or 3 weeks. What we need to do, Mr. Speaker, we need to recognize that the

world will have access to that consumer market. We need to create jobs here in the United States of America. We need to open up that market for U.S. goods and services.

And so, Mr. Speaker, when this vote comes forward, don't believe that this is somehow a reward to Vladimir Putin and the people who are leading Russia. This, in fact, is a great benefit for workers in the United States of America, businesses in the United States of America, and a benefit to the consumers of Russia who will have access to our goods and services.

I want to congratulate, in closing, Mr. Speaker, my colleagues BILLY LONG and TOM REED, who, along with 71 other of the newly elected Members, sent a letter that indicates strong support of this effort.

□ 1040

RECOGNIZING BELL FLAVORS & FRAGRANCES

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

Mr. DOLD. Mr. Speaker, I certainly want to echo the comments of the esteemed chairman from the Rules Committee about the effects the Russian PNTR is going to have for American businesses. It really is going to allow us to compete more on a level playing field.

Mr. Speaker, I rise today also to recognize Bell Flavors & Fragrances of Northbrook, Illinois, who tomorrow will celebrate their 100-year anniversary on July 25. This is, indeed, a remarkable achievement and something that we should celebrate. Mr. James Heintz and his team at Bell Flavors & Fragrances are innovating and selling products that satisfy the needs of their customers. And their customers, Mr. Speaker, are literally all over the world. Headquartered in Northbrook, Illinois, Bell Flavors & Fragrances has sales offices in 40 countries around the world and tailors its products to meet the regional demands of its consumers.

Bell is one of the many small businesses in my district that has utilized the Export-Import Bank. They've utilized it this year to support their export operations. As a member of the Financial Services Committee and a strong supporter of the Export-Import Bank, I'm proud that here in Congress we were able to work together on a broad, bipartisan basis to reauthorize the Export-Import Bank. So many of our small and medium-sized businesses rely on support of the Export-Import Bank in order to more efficiently and effectively compete in the global marketplace.

Mr. Speaker, we don't always spend enough time, effort, or energy here in Washington, D.C., celebrating business growth and success. So today on behalf of the residents of the 10th District of Illinois, I want to congratulate the wonderful people who make up Bell Flavors & Fragrances on their centennial anniversary.

RECESS

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

Accordingly (at 10 o'clock and 41 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

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

PRAYER

Reverend Bud Roland, St. John Neumann Catholic Church, Austin, Texas, offered the following prayer:

Good and loving God, we thank You for this day. We thank You for the gift of public service.

We ask for Your blessings on these women and men who serve on our behalf. Grant them the wisdom to be humble in collaboration, the vision to consider the needs of all American citizens, and the desire to protect our freedom as they provide for the common good.

Direct their deliberations to be good leaders and guide them in fruitful dialogue.

May Your grace shine forth in all their proceedings. May they enact just laws for our government, and may they seek to preserve peace, promote national happiness, and continue to bring us the blessings of liberty and equality.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. CRAWFORD 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.

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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will remind the House that on July 24, 1998, at 3:40 p.m., Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police were killed in the line of duty defending the Capitol against an intruder armed with a gun.

At 3:40 p.m. today, the Chair will recognize the anniversary of this tragedy by observing a moment of silence in their memory.

WELCOMING REVEREND BUD ROLAND

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

Mr. MCCAUL. Mr. Speaker, I rise today to pay tribute to a good and decent man, a man of God and a man of faith, a man who has devoted his entire life to the service of his fellow man. Father Bud Roland, whom we affectionately call Father Bud, is our guest chaplain today and is the pastor of St. John Neumann Catholic Church in Austin, Texas.

A native of Amarillo, Father Bud was ordained a Roman Catholic priest in January 1999. He was inspired to convert to Catholicism by a loving and generous man in Amarillo named Jordan Grooms who also inspired scores of others to go into the priesthood.

I am thankful that this man impacted Father Bud, who has gone on to shepherd so many with great love and great leadership. Father Bud is revered, admired, and loved by all whose lives he has touched. It has been a great privilege to call him my pastor, and everyone who knows him experiences the true message of Christ. In his words, in his deeds and, above all, in his heart, his example is a beacon of light which draws us all closer to the Creator.

I am reminded of Romans 8:28, which says:

> We know that for those who love God all things work together for good, for those who are called according to His purpose.

We are blessed, and the world is a better place because Father Bud was called according to His purpose.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

RECOGNITION OF RETA HAMILTON

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

Mr. CRAWFORD. Mr. Speaker, I rise today to recognize the leadership and dedication Reta Hamilton has shown to the Republican Party of Arkansas and the Republican National Committee. Ms. Hamilton has made a lifelong commitment to advancing conservative causes.

Her career began as a volunteer in political activism in 1995; and she has

gone on to hold positions, including the first vice chairman of the Republican Party of Arkansas, an appointee to the Governor's Appointments Committee, and a member of the National Committee's Women's Leadership Forum.

She served as a national committeewoman for the Republican Party of Arkansas since 2004; and as a member of the national rules committee, she is able to influence party nominations and messages.

Ms. Hamilton has been a delegate to every Republican national convention since 1992. She is also a 2012 RNC convention committee member.

Mr. Speaker, today I honor Ms. Reta Hamilton for her commitment to our commonsense, conservative ideals and thank her for her service.

VETERANS TRANSITIONING TO CIVILIAN LIFE

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

Ms. HOCHUL. Mr. Speaker, exactly 2 months ago, I was in Afghanistan breaking bread with our troops, and I asked them, What is your biggest worry? What keeps you awake at night? I thought it had to be the Taliban lurking in the nearby mountains. Well, it wasn't. Their biggest fear—and I heard this over and over—was the fear of coming back to this country and not finding a job.

At this point in our country, over 30 percent is the rate of unemployment for recently returning veterans from Iraq and Afghanistan. That is absolutely unacceptable. We've taken some steps in Congress. The tax credit for employers is a good start, and I introduced the VETS bill, which will help veterans receive professional certification for the training and skills they've already acquired abroad.

I also want to recognize that the VA and DOD are recognizing that we need to do much more to help these individuals transition into civilian society. In fact, tomorrow we are having a joint hearing with the Armed Services and Veterans' Affairs Committees to address these matters.

As I told many veterans groups, we didn't get it right after Vietnam. We have to do so much more to help them reintegrate into society and help them heal their wounds. I say instead of just giving them a thank-you, let's give our veterans a job.

RED TAPE REDUCTION ACT HELPS CREATE JOBS

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

Mr. WILSON of South Carolina. Mr. Speaker, since the President took office, his administration has enacted over 400 new government regulations limiting small business owners from creating new jobs. This year alone, the Federal Register has published over 41,000 pages of regulations that would cost $56.6 billion and result in paperwork that would take over 114 million wasted hours to complete.

With record unemployment, it is sadly clear that the President's new taxes and policies are failing American families and destroying jobs. House Republicans are focused on putting Americans back to work. As a result, we have passed over 30 job-creation bills in the past year. Sadly, these bills remain stalled by the liberal-controlled Senate.

This week, the House, led by KEVIN BRADY, will vote on the Red Tape Reduction and Small Business Job Creation Act and, once again, attempt to remove government red tape prohibiting America's job creators from achieving economic success in creating jobs. I hope we can work together to support this legislation.

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

□ 1210

THINK BEFORE WE CUT

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

Mr. COHEN. Mr. Speaker, this weekend, the whole country was struck with the tragedy in Aurora, Colorado. A deranged individual murdered 12 citizens and wounded 58 others.

My mind went back to the day that Gabrielle Giffords was shot—another deranged individual. What it says to me is we need to spend more money, not less money, on mental health issues. There are a lot of mentally disturbed people out there who need mental health treatment, and this Congress has been cutting funds for mental health and for clinics and for health care. And we need more law enforcement and more protection.

There are cuts that can be made to protect our country's fiscal health, but to protect our Nation's physical health, some funds need to be maintained. Let's think before we cut.

CONGRATULATING DR. VIRGILIO I. BEATO NUNEZ

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

Ms. ROS-LEHTINEN. Mr. Speaker, it is with great pride, admiration, and affection that I rise to recognize Dr. Virgilio Beato Nunez, an outstanding member of the south Florida medical community, on his very well-deserved retirement.

In his 69 years of medical practice, he has improved the lives of countless individuals and has enjoyed a career of many achievements. Dr. Beato is a great example of the patriotism and dedication that we see throughout our Nation, and also to his profession.

Forced to flee from the oppressive Communist regime of Fidel Castro, Dr. Beato began his new life and his career in Miami. He then moved to San Antonio, Texas, where in 1974 he was elected vice president of the American Heart Association. In 1977, Dr. Beato moved back to Miami, where he helped many struggling young doctors who had moved to freedom in the United States.

He has received many awards, including a proclamation by the city of Miami naming ''Dr. Virgilio Beato Day,'' and a congressional recognition in 2006 for his many contributions to the medical field.

Congratulations to Dr. Beato on his retirement, and I wish him all the best in this new, exciting chapter in his life.

MARKETPLACE EQUITY ACT

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

Mr. WELCH. Mr. Speaker, retailing is an important part of the American economy. The Main Street retailers—brick-and-mortar retailers—play an essential function of providing access to stores in communities. They're the engine of downtown revitalization. E-commerce retailers are emerging as a very strong retailing force, providing convenience and low cost to consumers.

The challenge we face is having a level playing field between these two retailers. The way things stand right now, if a State assesses a sales tax, Main Street retailers have to collect it; e-retailers, more often than not, don't. That's not a level playing field for them to compete on a fair basis.

There are two bills in the House to resolve this: the Main Street Fairness Act and the Marketplace Equity Act. Both I am a cosponsor of, with bipartisan support.

Fair is fair. We're making progress on this. Just recently, the Governors from both parties attending the National Governors Association spoke in favor of the importance of updating Federal law so there will be this level playing field. And just this morning, in Chairman SMITH's House Judiciary Committee, there was a hearing on the Marketplace Equity Act.

Let's bring this to the floor for a vote. Let's pass it. Let's return fairness.

STOP THE TAX HIKE

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

Mr. GUINTA. Mr. Speaker, I rise today to add my voice to those calling attention to the harmful tax hikes that could soon come our way.

With tax cuts set to expire at midnight on December 31 of this year, the

Obama administration wants some of those taxes to increase. I think that that would inflict a body blow to our economy and prolong this recovery.

A recent study by the accounting firm Ernst & Young finds raising these taxes would cause the estimated loss of 700,000 jobs, wages would be reduced by 1.8 percent, and our economy would shrink by 1.3 percent.

My State of New Hampshire relies heavily on small businesses; they are the backbone of our economy. This tax hike would hit small businesses especially hard because at least 75 percent pay their taxes as individuals.

I think of the many job creators in my district, such as Hampshire Fire Protection in Londonderry. They face enough challenges without Washington imposing higher taxes and that burden on their small business. With the Nation's unemployment at 8.2 percent, we simply cannot afford to lose an additional 700,000 jobs. That is why I say we must stop this tax hike, Mr. Speaker.

AMERICA LOST A TRUE HERO

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

Mrs. DAVIS of California. Mr. Speaker, yesterday, we lost a true hero in Sally Ride. Dr. Ride was a constituent, and I recall my excitement in first meeting her years ago.

At the age of 32, Sally K. Ride broke her first barrier when she flew on the space shuttle Challenger in 1983. She was the first American woman ever to fly in space. But her journey didn't end there. She went back to space in 1984, and later on became director of the California Space Institute at UCSC, as well as a professor of physics.

She was a trailblazer in every sense of the word. She cracked open the door for women to enter the fields of science and engineering and helped inspire countless young girls to follow in her footsteps. I think of what it will mean to my granddaughter Jane to see her in our history books.

Dr. Ride will be missed by all those who knew her and all those whom she touched and will continue to reach with her courage, her determination, and fearless spirit.

FARM BILL

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

Mrs. NOEM. Mr. Speaker, I wanted to bring up a subject today that's on the minds of people all across this country, and this is the drought that is hitting so many people and our economy.

I was recently in the northwest corner of South Dakota and had the chance to drive all the way across the State and visit with producers and communities that have been hit so hard. I'll tell you the facts are clear. We have feed shortages, stock dams are going dry, and there are escalating feed costs that are hitting our producers every single day.

Our livestock producers undeniably take a great risk. They don't have the crop insurance programs that many of our commodity producers do have and that protects them and gives them a safety net. That's why our livestock disaster programs are so important.

I was proud of the fact that I introduced legislation that reauthorized this bill's programs earlier this year and that they were included in the committee version of the farm bill that came through the House Ag Committee earlier. That's why it's so important that we get our farm bill work done and that we bring it to the House floor and have a vote so that our livestock producers truly can have a safety net that our commodity producers already enjoy.

INTERNATIONAL AIDS CONFERENCE

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

Mr. HEINRICH. Mr. Speaker, this week, Washington plays host to the International AIDS Conference, a conference that brings together activists, scientists, and people living with HIV to mourn those millions who have been lost to that disease around this world but also to celebrate some very real progress made against that disease.

HIV is no longer a death sentence for those who are diagnosed. That's a very large accomplishment that the U.S. Government can claim some credit for through research at NIH, CDC, small things like the fact that the city of Washington can be host because the President's administration lifted the travel ban on people with HIV.

Mr. Speaker, there is also something for us to learn. The Bush administration—which I didn't always agree with—also can take enormous credit for PEPFAR, a program which saved millions of lives in Africa and Asia and which earned us the respect and the love of people around this planet. We should learn from that, to work together to end this disease, to make sure that those with it are treated and that we prevent it and ultimately end it. That should be our goal.

FEDERAL RESERVE TRANSPARENCY ACT

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

Mr. MARCHANT. Mr. Speaker, I rise today as an original cosponsor of the Federal Reserve Transparency Act of 2011, authored by my colleague from Texas, RON PAUL. I commend Congressman PAUL for his years of diligence in pursuing this issue. It has long since been time for the Federal Reserve to commit to an audit.

This legislation requires the Comptroller General to complete an audit of the Federal Reserve Board of Governors and of the Federal Reserve Bank. Many of my constituents have been calling and writing and asking me for this significant new transparency of the Federal Reserve. I agree with them on the urgent need for accountability. This legislation is an important step forward in achieving that goal.

I urge all of my colleagues to join me in supporting the Federal Reserve Transparency Act.

□ 1220

LOOK AT WHAT'S REALLY IN THE AFFORDABLE CARE ACT

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

Ms. SCHAKOWSKY. Now that it's the law of the land, it's time for everyone in the country to take a deep breath and look at what really is in the Affordable Care Act, ObamaCare.

If you're a senior citizen, you're now receiving a 50 percent discount on brand name drugs if you fall into what is called the doughnut hole, the Medicare prescription drug coverage gap.

If you're a woman, you now have free coverage of lifesaving preventive services such as mammograms; and beginning on August 1, free coverage is going to include many additional preventive care services, so take a good look at that.

If you're a parent, if you have children under age 19, they cannot be denied coverage by an insurance company because they have a preexisting condition.

And if you're a young adult, you can now stay on your parents' health care plan until your 26th birthday, which is really important if you don't have a job that has health insurance coverage.

And if you're a small business owner, like my son is, there are millions now of eligible small business owners that are receiving tax credits if you choose to offer coverage to your employees.

So take a look. It's really good for most Americans.

MD ANDERSON CANCER CENTER THE BEST IN THE WORLD

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

Mr. POE of Texas. Mr. Speaker, last week I met with Dr. Loretta Williams, an oncology nurse from MD Anderson Cancer Center in Houston, Texas. For 30 years, Dr. Williams has provided care to cancer patients, whether they have battled the disease for years or they are just beginning that fight. I was impressed by her compassion and her dedication.

People like Dr. Williams are why MD Anderson is the greatest cancer center in the world, named the top hospital

for cancer care for the 6th year in a row. While its innovative cancer research is most impressive, dedicated and knowledgeable staff are the reasons why it remains the number one center for cancer care.

It all starts at the top with Dr. Ronald DePinho. Dr. DePinho is an impressive individual. His main motivation is to provide the best care possible to patients while conducting creative research to dramatically reduce the number of deaths from cancer.

This year, MD Anderson will see its one-millionth patient since its doors opened in 1944. Each day lives are forever changed by the staff and the volunteers who are tenaciously determined to stop cancer.

And that's just the way it is.

KEEPING OUR WATERS HEALTHY AND FREE OF INVASIVE SPECIES IS A FEDERAL RESPONSIBILITY

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

Mr. HIGGINS. Mr. Speaker, a recent report issued by American and Canadian scientists for the Department of Fisheries and Oceans reveals alarming findings regarding the health of our Great Lakes.

The report warns that Asian carp are closer to entering the Great Lakes than we had anticipated. When introduction occurs, it will be irreversible and devastating to the ecology of the lakes and the economy of the region. This report is an urgent reminder that it is imperative that we intensify our efforts and act immediately to prevent Asian carp from entering the Great Lakes.

Today, I, along with 15 of my colleagues from both sides of the aisle, sent a bipartisan letter to the Environmental Protection Agency and the Army Corps of Engineers calling attention to this study, and urging swift action on the threat of the Asian carp to the Great Lakes environment.

Keeping our waters healthy and free of invasive species is a Federal responsibility. It's time to act—and to act now.

LET'S AUDIT THE FEDERAL RESERVE

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

Mr. DEFAZIO. In 1989, I sponsored a bill, along with 11 other Democrats, to audit the Federal Reserve.

The Wall Street Journal wrote an editorial saying we would destroy the American economy if we audited the Federal Reserve. Well, guess what? Eighteen years later, Wall Street destroyed the economy of the United States of America—Wall Street, the big banks—and then they were bailed out secretly by the Federal Reserve. We don't know how many trillions of dollars the Federal Reserve committed to them. We know their profits were billions, tens of billions on the bailout they got. So it's past time to audit the Federal Reserve.

Today we'll take up a bill, finally, RON PAUL's bill, to audit the Reserve. I strongly support it.

I also urge Members to support my bill, which would establish conflict-of-interest rules for the Federal Reserve and take the two-thirds of the Federal Reserve that is controlled by Wall Street banks, take those people off the board and put citizen representatives who represent the taxpayers and the consumers of the United States, not the big banks, on that board.

KEEP TAX RATES LOW FOR MIDDLE CLASS AMERICANS

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

Ms. HAHN. Mr. Speaker, yesterday the Government Accountability Office revealed that the debt ceiling crisis Republicans put this country through last August cost us taxpayers $1.3 billion. Now, Americans are hearing that they may be put through that wringer again.

I hope my Republican friends would agree with me that the middle class families are the backbone of our economy. Keeping their taxes at their historically low rate is the best way to get our economy back on track.

Unfortunately, that middle class tax cut extension is under threat. My friends on the other side of the aisle are demanding, instead, that the superrich get their tax breaks.

This isn't the way forward. We tried tax breaks for the rich and tax giveaways for the corporations during the Bush years. It didn't work.

Let's keep tax rates low for the middle class Americans and move this country forward.

DRILL, BABY, DRILL? WE HAVE, BABY, WE HAVE

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

Mr. CONNOLLY of Virginia. Mr. Speaker, some claim the solution to America's energy concerns is ''Drill, Baby, drill.'' Under President Obama, domestic oil and natural gas production increased every year, with the largest increase in the number of drilling rigs in American history. Domestic oil production last year was the highest in a decade, and natural gas production the highest ever in our history.

Under President Obama, we've reduced foreign oil imports by 1 million barrels of oil per day. Foreign oil dependence was 60 percent of U.S. consumption in 2005 under Bush. It's dropped to 49 percent in 2010 under Obama, and is now on pace to fall to 36 percent, reversing trends since the Nixon Presidency. By 2020, U.S. oil production will be up 11 percent, rivaling the largest producer in the world, Saudi Arabia.

Under this President, U.S. oil production and exploration are booming, while foreign oil imports are plummeting.

The U.S. consumes 21 percent of the world's energy but contains 2 percent of proven oil reserves. That's why it's so imperative we follow President Obama's lead and pursue multiple sources of energy to meet our ever-expanding needs.

So to those who say, ''Drill more,'' President Obama can respond, ''We have, Baby, we have.''

□ 1230

EXTEND MIDDLE CLASS TAX CUTS

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

Ms. HANABUSA. Mr. Speaker, both sides agree on one thing: that we must reduce taxes on the group of Americans that fuels our economy. We disagree as to who this group is. Republicans believe that it is the wealthy 2 percent. Democrats believe that it is the 98 percent—the middle class—that fuels our economy.

The bottom line is: Do you believe that the economy is going to be revived top down? But really, it isn't. Rather, it's going to be a strong and secure middle class.

Today, the White House released some figures.

For Hawaii, my State, 500,000 families qualify as middle class. Do you know what it means? If we extend the middle class tax credits and tax breaks, it will mean $1,600 more per family per year. More importantly, what does it mean for the super wealthy? If we let those tax breaks expire, like they should, we will be able to reduce the deficit by about $1.16 trillion in 10 years.

This is a no-brainer. Extend the middle class tax credits for those who really fuel our economy, and expire the Bush tax cuts.

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 12 o'clock and 31 minutes p.m.), the House stood in recess.

□ 1315

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. YODER) at 1 o'clock and 15 minutes p.m.

CONTINUATION OF NATIONAL EMERGENCY DECLARED WITH RESPECT TO THE ACTIONS OF CERTAIN PERSONS TO UNDERMINE THE SOVEREIGNTY OF LEBANON OR ITS DEMOCRATIC PROCESSES OR INSTITUTIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112–127)

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:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared with respect to the actions of certain persons to undermine the sovereignty of Lebanon or its democratic processes and institutions is to continue in effect beyond August 1, 2012.

Certain ongoing activities, such as continuing arms transfers to Hizballah that include increasingly sophisticated weapons systems, undermine Lebanese sovereignty, contribute to political and economic instability in the region, and continue to constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared on August 1, 2007, to deal with that threat and the related measures adopted on that date to respond to the emergency.

BARACK OBAMA.
THE WHITE HOUSE, *July 24, 2012*.

PROVIDING FOR CONSIDERATION OF H.R. 4078, RED TAPE REDUCTION AND SMALL BUSINESS JOB CREATION ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 6082, CONGRESSIONAL REPLACEMENT OF PRESIDENT OBAMA'S ENERGY-RESTRICTING AND JOB-LIMITING OFFSHORE DRILLING PLAN

Ms. FOXX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 738 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 738

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. 4078) to provide that no agency may take any significant regulatory action until the unemployment rate is equal to or less than 6.0 percent. 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 two hours equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and the chair and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments in the nature of a substitute recommended by the Committees on the Judiciary and Oversight and Government Reform now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-28, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules. Each such further 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 further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 6082) to officially replace, within the 60-day Congressional review period under the Outer Continental Shelf Lands Act, President Obama's Proposed Final Outer Continental Shelf Oil; Gas Leasing Program (2012-2017) with a congressional plan that will conduct additional oil and natural gas lease sales to promote offshore energy development, job creation, and increased domestic energy production to ensure a more secure energy future in the United States, and for other purposes. 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 112-29. 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 part C of 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.

□ 1320

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 1 hour.

Ms. FOXX. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), 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

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Ms. FOXX. House Resolution 738 is a structured rule providing for consideration of H.R. 6082, the Congressional Replacement of President Obama's Energy-Restricting and Job-Limiting Offshore Drilling Plan, from the Natural Resources Committee and Chairman HASTINGS, and seven other bills that will be considered as a single package, including mine, H.R. 373, the Unfunded Mandates Information and Transparency Act; H.R. 4078, the Regulatory Freeze for Jobs Act by Mr. GRIFFIN; H.R. 4607, the Midnight Rule Relief Act by Mr. RIBBLE; H.R. 3862, the Sunshine for Regulatory Decrees and Settlements Act by Mr. QUAYLE; H.R. 4377, the RAPID ACT by Mr. ROSS of Florida; H.R. 2308, the SEC Regulatory Accountability Act by Mr. GARRETT; and H.R. 1840, which is a bill by Mr. CONAWAY to improve consideration by the

Commodity Futures Trading Commission of the cost and benefits of its regulations and orders.

H.R. 6082 is a bill to replace the Obama administration's final offshore drilling plan announced on June 28, which keeps 85 percent of America's offshore areas off limits to energy production, with one that would establish a timeline for 29 specific leases, some of which are not open for drilling under the Obama plan.

The legislation would also require the Interior Department to prepare a multilease environmental impact statement for any leases required under the bill not in the June 2012 plan.

The remaining bills are rolled into one package; and while each has its own unique virtues, they're all intended to provide for Federal regulatory relief.

H.R. 373 is the culmination of nearly 5 years of work to build on the success of the Unfunded Mandates Reform Act, or UMRA, which is a bipartisan initiative that has not been modernized since its inception in 1995.

Given his express support for regulatory reform, my hope is that President Obama will support my bill, which incorporates many of his ideas, including those embodied in Executive Order 13563.

Mr. Speaker, so often we thank people for working on our legislation and for working in the Congress only at the time that they retire, but I want to give some thanks today for the hard work that's been done, particularly on H.R. 373. There's an enormous amount of work that has gone into bringing this bill to the floor.

I'd first like to thank Brandon Renz, my legislative director, who has worked with this for over 5 years. I thank Kristin Nelson and Peter Warren with the House Oversight and Government Reform Committee for providing the diligence and creative thinking needed to shape the product we're considering today.

I also thank Ryan Little, Austin Smythe, Daniel Flores, and Hugh Halpern for their help shepherding this bill through the various committees of jurisdiction. It's this kind of cooperation that's necessary to ensure the proper functioning of this legislative body.

I thank Chairman DARRELL ISSA for bringing this bill to the Oversight and Government Reform Committee. He is providing extraordinary leadership for that committee and our country. But it's my colleague and good friend, Congressman JAMES LANKFORD, the chairman of the House Oversight and Government Reform Committee's Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform, who is deserving of my most sincere appreciation and praise.

Mr. LANKFORD's dogged work and determination to build upon and improve on my initiative is only one demonstration of his keen intellect and exceptional legislative acumen. For a freshman with no prior legislative experience to have received such immense respect by peers of both parties further underscores his professionalism and amiable personality. Undoubtably, this House would be better off if it were filled with legislators as serious about seeking tangible solutions to problems as Mr. LANKFORD and Mr. ISSA.

Mr. Speaker, it's on that note that I urge my colleagues to support this rule and the underlying bill and reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentlelady for yielding me the customary 30 minutes.

I'd like to address process just very briefly, and that is that, when we began this session of Congress, we were advised by our Republican colleagues that we were going to bring up each measure individually and discuss them. This is a structured rule that does contemplate the opportunity for many Members to participate, but it isn't an open rule. What it is is it's a measure as the base bill that has cobbled to it six distinctly different measures—evidenced by the number of thank-yous that had to come from Dr. FOXX to the various committees.

I do agree with the one, Dr. FOXX, where you thank the young man for creative thinking. This is out of the box when it comes to us as far as process is concerned being creative. Cobbling six pieces of legislation—with another to make seven—is a bit much.

This rule provides for consideration of H.R. 4078, the Red Tape Reduction and Small Business Act of 2012, and H.R. 6082, which has such a long and convoluted name that the cost to the government to simply print the bill may require the Republican majority to raise the debt ceiling.

What the red tape bill should be called, Mr. Speaker, is the ''Eliminate the Government's Ability to Protect Its Own Citizens Act of 2012,'' because that is what the radical legislation—creative, though one may think it is—aims to do.

Under this legislation, Federal agencies would be prohibited from issuing new regulations until the unemployment rate falls below 6 percent.

□ 1330

And I defy any economist or anybody else in the world to tell me when that's going to be in an economy such as the one that we have. So too, would new regulations be prohibited between Election Day in early November and Inauguration Day in late January.

For the past 2 years, the Republican majority has been spending its time doing everything, it seems to me, to crash the economy by defaulting on our debt, eliminating the greatest health care protections made in decades, and turning sensible decisions about women's health care into a fantasy of religious persecution.

But now it appears that perhaps struggling Americans have finally managed to capture the Republicans' attention, except that the majority's response is not to make the kind of investments that will actually create jobs, but, instead, to gut the Federal Government's efforts to protect the health and safety of American citizens.

I realize that in the fantasy world inhabited by some far-right ideologues allowing polluters to run amok is tantamount to creating jobs, allowing corporations to pursue fantastic profits at the expense of public health and safety is somehow good governance, and enabling the middle class to fall farther and farther behind the ultra-wealthy is somehow a shining example of the American spirit.

But I have to ask, under this legislation, where will these new jobs come from?

I suppose we'll need more doctors to care for sick children, since the FDA will be prohibited from monitoring the safety of baby formula. We will need caregivers, I'm sure, willing to provide free care for older Americans, as Medicare will be unable to change its payments to providers. And we'll need new water treatment plant workers, as corporate polluters will have increased freedom to dump harmful chemicals into our drinking water, as they have for years.

If I sound extreme, Mr. Speaker, it's because this bill is extreme. A blanket prohibition on new regulations is not any kind of solution to grow our economy. The FDA, the EPA, and the Veterans Administration, these agencies are not responsible for the failure of our jobless recovery.

What is irresponsible is the failure to address the real needs of the American people. Rather than preventing the Federal Government from ensuring clean drinking water, we ought to be investing in the infrastructure that makes clean drinking water possible and that desalinates salt water.

We ought to be investing in economic development projects, in the national infrastructure, in clean energy technology, in education, and in the kinds of programs that support those Americans who are struggling the hardest. Rich CEOs of big polluters aren't one of those that are in need.

But speaking of rich CEOs out of touch with everyday Americans, it was Mitt Romney who said in 2009 that, ''You have to have regulation.'' He said that regulations need to be modernized, reviewed, and effective, and that Republicans ''misspeak'' when they say they don't like regulation.

I guess what Mitt Romney calls ''misspeak'' other people might call ''outright ridiculous'' because that is what the ideology behind this bill is. It is as ridiculous a notion that yet more drilling for oil will somehow—drilling in these places where companies like BP can cause the kind of incidents that we saw in the gulf—that somehow this is going to benefit the country. It won't.

The other bill to be considered under this rule is just the latest manifestation of the Republican energy doctrine: ''Only drilling, all the time, and everywhere.'' This legislation does exactly two things. It tears up environmental protections, and it further enriches oil company executives.

The House, under the Republican majority, has taken 142 pro-oil-and-gas drilling votes this Congress. Using the hourly cost of voting in the House, as calculated by the Congressional Research Service, the more than 90 hours we have spent debating these measures that everybody in this House knew were going nowhere when they left this House, we've spent $54 million of the taxpayers' money debating, and these are the people that would tell me they want to cut costs.

I suppose, Mr. Speaker, that there's always a chance that the Republicans will achieve success the 143rd time and additional hours that they try something. But once again, the majority's efforts reflect a dogged determination to rely on an outdated ideology that seeks only to reward the wealthiest corporations.

We are already drilling at historic levels in this country. The United States is home to more offshore drilling rigs than the entire rest of the world combined. Seventy percent of offshore areas currently leased are not even active yet.

This legislation isn't going to change the price of fuel for the average American. It does not mandate that oil drilled in the United States—Mr. MARKEY brought an amendment that allowed that if it's going to be drilled here, it ought to stay here. But this legislation doesn't allow for it to even be sold in the United States.

In fact, oil will simply be shipped out to the highest bidder, similar to what's going to happen with Keystone when it's completed, on the world market, generating enormous profits for the oil companies while sticking the American public with the bill.

I recently saw an editorial cartoon by Joel Pett. And in the cartoon, a man stands up at a climate change summit and asks, what happens if climate change is, indeed, a hoax, but we achieve energy independence anyway, that we preserve the environment anyway, that we create green jobs anyway, and livable cities, and have cleaner air and water. The answer, of course, is that we will all be better off.

Republicans can stick their heads in the tar sands all they want, but pumping more fossil fuels out of the ground and into the atmosphere will not sustain the American economy, nor provide the kind of economic prosperity that will benefit all Americans. And as I've said before, and I repeat again, I'll be the last person standing against drilling offshore of Florida.

At the same time, preventing the Federal Government from acting on behalf of public health and safety will not create new jobs. It won't return the unemployment rate to 6 percent, and it won't send a signal to the American public that their elected Representatives are ably minding public resources.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I just would like to point out to my colleague from Florida that we certainly agree on our side of the aisle with Governor Romney that we need regulations. These bills don't do away with all regulations. Republicans know you need government. We just want some common sense brought into our government. We want a cost-benefit analysis done to rules and regulations.

After all, we're here, we're breathing the air, we're drinking the water, we're eating the food. Our children, our grandchildren are, too. It doesn't make any sense these tired old accusations against Republicans that we don't care anything about our environment or our food because we're here living with them, also.

□ 1340

I don't think the American people are going to buy the arguments that my colleague made.

I would now like to yield 5 minutes to the distinguished gentleman from Oklahoma (Mr. LANKFORD).

Mr. LANKFORD. I thank Ms. FOXX, my colleague, for her kind introduction on that.

All aspects of this bill, each part of it, has gone through the committee process. Multiple of them have had multiple hearings related to them. There has been plenty of opportunity to be able to allow for input and for votes through the traditional committee process on this.

The reality is that red tape is strangling our businesses. Each day, they wake up, and they are worried about what the Federal Government is going to do to them rather than what the Federal Government is going to do for them. There is an appropriate role for the Federal Government for regulations, but it seems like there is a never-ending acceleration of regulations—and not just small—they get larger and larger and larger and more and more expensive and more and more nonsensical at times.

Let me just give you one quick example of this: community bankers that are facing hundreds of new regulations.

When the problem seemed to be the largest investment banks, the one who got hit the hardest with the regulations were the community banks. Now community banks have to step aside. A bank that may have 14 to 20 employees and $50 million or less in total assets, which is a very small rural bank, has to go and prove that these rules don't apply to them. That involves their hiring outside attorneys. That involves setting aside staff that should be doing loans. That involves setting aside additional time to prove these hundreds of rules don't apply to them and that they're not a big bank. Regulations passed on to them—death by a thousand paper cuts is how they explain it to me.

Simplicity and common sense need to be applied to how we do regulations. When there is no check and balance in the regulatory environment, it needs to have that.

Now, the other side seems to assume that, occasionally, Americans are in need of daily oversight by the Federal Government, that unless some Federal bureaucrat or some Federal regulator is not standing next to their beds when they get up that they won't know how to get to work and that, when they get to work, they're going to cheat a neighbor and that, on the way home, they're going to cheat another neighbor, so we'd better have a Federal regulator standing right next to them because American citizens can't be trusted to do the right thing without Federal control.

I would say the neighbors that I live around, in the cities that I visit all over America, have great citizens who want to do the right thing and are doing the right thing and are serving their neighbors. We have great city and State governments. They're doing very good regulatory schemes. We should trust them more to engage in what they're doing in the communities that they live in, where they eat the food, where they drink the water. They are the first line of defense on that, rather than taking all those things to Washington, D.C., and assuming all Americans can't function without someone from Washington, D.C., checking on them each and every day. Let me just give you a couple things on that.

During the first hearing that I participated in here in this Congress, someone from the other side extolled the benefits of adding more regulations because companies were sitting on money and were not spending it. This was a way to force companies to hire additional people by hiring compliance officers—people to oversee regulations—and that, if we couldn't increase employment in America through producing more goods and services, we would increase employment in America by creating more bureaucrats just in the private business.

That's not how I see that you should grow an economy. Let me just highlight one area, one title of this great bill.

Title IV of this is the Unfunded Mandates Information and Transparency Act of 2011. This was a bill that started in the previous Congress with Ms. VIRGINIA FOXX as the author. That bill went through multiple processes in the previous Congress. We picked it up in the Oversight and Government Reform Committee, and we did three hearings on it at the beginning of last year. We had city leaders, we had State and county leaders, we had private business leaders, and we had administration individuals from this administration and from the previous administration come and testify.

In 1995, the House and the Senate and the President signed a bill called the Unfunded Mandates Reform Act. It was a wide bipartisan act—394 votes in the House and 91 votes in the Senate—to give information to the House and to the Senate before decisions were made about what is an unfunded mandate, and what effect will that have.

There are large loopholes that have been exploited in the last 17 years. This bill aims to fix those loopholes:

It takes in all the independent agencies, and it also puts them under those same requirements;

It puts in the language that President Clinton put in in Executive Order 12866 in order to clarify this, that the administration's functioned under. It puts that language and codifies it from President Clinton into this bill. It also takes a clarification of President Obama's that he has for this bill and also adds it into the language;

It redefines ''direct costs'' with how the CBO already defines ''direct costs,'' and it actually codifies that language and provides ability;

It allows for a ranking member or a chairman of a committee to do an analysis of a rule to make sure that it is not exceeding our unfunded mandates requirements. It is very bipartisan. It's not just the chairman. A chairman or a ranking member can get in on that.

It is the intent of this, in this modern regulatory environment, to clean this up and to make sure Congress has the information to make their decisions.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 5 minutes to my good friend, the distinguished gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. I thank my good friend from Florida on the Rules Committee for yielding time.

I rise to oppose the rule and the underlying bills, particularly H.R. 6082, because that bill unreasonably expands offshore drilling without the corresponding and necessary safety standards.

The Republicans are ignoring the lessons that we learned after the BP Deepwater Horizon blowout. Again, they are putting the profits of the oil companies ahead of the safety and larger economic concerns of families and businesses all across our great country.

Certainly, memories cannot be so short that we don't remember the devastation caused by the BP Deepwater Horizon blowout and disaster. That oil spewed for months and months, and they could not cap the well. In the meantime, it caused serious economic damage, not just to my home State of Florida and to the tourism industry and fishing and to the hotels and motels and restaurants, but all across the gulf coast and all across the country.

I recall very well, prior to the blowout, they said it was safe. They said drilling in deep water and offshore was safe and that there hadn't been very many accidents. But they were wrong. I remember Tony Hayward came in front of our committee, and he said, We were wrong. We didn't anticipate this would happen.

You've got to anticipate that it will happen.

Unfortunately, in the aftermath, we appointed a blue ribbon commission, the National Commission on the BP Deepwater Horizon blowout. They issued their report in January of 2011. They had many recommendations from experts in how you make offshore drilling safe. The Congress has not acted on any of those recommendations to make it safe. Yet, in this bill, they press ahead to open even more areas for oil drilling. That's not right. You're putting our economy and our environment at risk when you do so.

This was a great commission, by the way, because they didn't just stop there. They've issued progress reports along the way. I know people oftentimes don't like report cards, and the Congress is not going to like this report card. They've broken it down into safety and environmental protection, spill response and containment, and ensuring adequate resources.

Under safety and environmental protection, they say Congress has done nothing to make permanent the improvements that have been made by industry and the Obama administration. We've got to enact these into law before we go forward with more offshore drilling in new and pristine areas.

They say Congress has provided little support for spill response and containment. If we're going to expand drilling—and it certainly has to be part of our energy portfolio—we have to be able to respond to a disaster, and yet Congress has done nothing there.

It says, although the administration has provided increases in funding to oversight, Congress has taken little action to adjust the unrealistic limits on liability. Who is going to pay? It shouldn't be the taxpayers who pay for these disasters. Right now, they have not adjusted the outrageous liability limits that these oil companies have when there are accidents.

What you're doing is really thumbing your nose at—you're turning a blind eye to—the hard work done by the commission, the commission that proposed to protect us if we were going to rely on offshore oil. I think it's going to be part of our portfolio, so why not adopt reasonable safety standards?

I know some of my colleagues say, Well, we don't like red tape. I don't like red tape either, but this isn't red tape. These are vital environmental and economic safety standards to ensure that the $60 billion tourism industry in Florida is maintained. Those are hardworking folks and good jobs back home. For the hotels and motels, even though the oil was coming out of the ocean 350 miles away, their businesses fell off. All we ask is that simple safety standards be adopted.

Mr. MARKEY and Mr. HOLT have proposed some of those as amendments. The Republicans rejected other ones. We need to adopt these. Otherwise, it is irresponsible to press ahead with expansive, new deepwater drilling in deeper areas, in pristine areas.

□ 1350

These recommendations are reasonable. And if the Republican Congress cannot take up reasonable safety standards in the wake of one of the worst economic and environmental disasters in our history, then I'd hate to say what's at risk for this great country.

Ms. FOXX. Mr. Speaker, I now yield 3 minutes to my colleague from Florida (Mr. ROSS).

Mr. ROSS of Florida. Mr. Speaker, I thank the gentlelady from North Carolina.

Mr. Speaker, recent economic indicators show that another recession is a real danger. Consumer confidence is plummeting, businesses aren't hiring, and recovery continues to slow. Real unemployment is at 14.9 percent, and millions of Americans have given up hope. The World Bank reports that the U.S. is now 13th in the world when measuring the ease of starting a new business. In 2007, we were ranked third. Last month, American manufacturing shrank for the first time in nearly 2 years. Economists are revising their growth projections downward. Inflation looms on the horizon, and Europe's sovereign debt crisis continues unabated.

Some of the circumstances that led to this crisis are out of anybody's control, but many of these circumstances are not. Policymakers in Washington have an obligation to our constituents and to this country to work together to create an environment where the American people prosper. We have such an opportunity today. The Red Tape Reduction and Small Business Job Creation Act takes a balanced approach towards regulatory reforms that are desperately needed in today's market.

For 25 years, before I was elected, I was a small businessman. I started a business not because of a government program or because of government lending; in fact, I couldn't even get a bank to loan me money. I borrowed money from a friend and grew that business over 20-some years to 27 employees. I didn't do it because there were good bridges and roads next door to me. I saw a need, I took a risk, and worked harder than the next guy. I also knew the rules and understood that government was the referee, not the player.

Today, the regulatory climate and litigious nature of many government agencies create uncertainty. Some falsely claim that certainty has nothing to do with our current economic crisis. Mr. Speaker, economics is as much a behavioral science as anything. When businesses don't know what the next regulatory hurdle will be, they won't invest.

The Florida Chamber of Commerce has recently done a study of small

businesses in Florida. The results were clear: uncertainty is the number one issue facing job creators and entrepreneurs. Right now there are projects waiting on the sidelines that have the potential to create 1.9 million jobs annually in this country. Talk about a shot in the arm to the economy.

The only thing certain about this President has been the uncertainty that he has provided and the regulatory reform and tax reform for small business. Take my home State of Florida for example. According to research by the U.S. Chamber of Commerce, there is potential for 121,000 jobs there if we have regulatory certainty. In the first year of operations, businesses could generate over $2 billion in employment earnings. This bill is not about generating profits for fat cats and Big Oil. How do I know? Because I have seen firsthand a project in my area come to a halt because of a litigious activist group that affected 200 blue color jobs: secretaries, machinists, and more. There were 14 Federal agencies, State and local agencies, 7 years of permits and review, only to have a lawsuit 1 month later kill the dreams of a better life for my neighbors.

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

Ms. FOXX. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Florida.

Mr. ROSS of Florida. Mr. Speaker, one thing I know about government is that before it gives to someone, it must take from someone else. This legislation presents solutions that are sensible and immediately effective. My neighbors are tired of the regulatory burden. I'm tired of the regulatory burden.

Mr. Speaker, I urge my colleagues to support this rule and the underlying bill.

Mr. HASTINGS of Florida. Mr. Speaker, I would say to my good friend and colleague from Florida that when he speaks about 120,000 jobs that may have been created, Governor Rick Scott categorically rejected money for light rail between the I–4 corridor of Orlando and Tampa that would definitely have produced 18,000 jobs.

You can't have it both ways. You can't one minute say that you don't want something, and then the next minute say that some fictional number is going to take place that's a magic bullet. We worked hard to get that money appropriated. The last statement that he made was that you can't give something unless you get something. Well, they got from Florida, and that money went to the east coast corridor, to California, to Illinois. I'm not certain about whether any of it went to Kentucky, but I'm sure that the next speaker would be prepared to address that.

Mr. Speaker, I yield 2 minutes to my good friend, the gentleman from Kentucky (Mr. YARMUTH).

Mr. YARMUTH. I thank my friend from Florida. Mr. Speaker, I rise in opposition to the rule which, if enacted, will block United States servicemembers and veterans from getting the best care and services we can offer.

In the Rules Committee, I offered an amendment to exempt from the proposed moratorium any regulation that is related to the health and safety of United States servicemembers and veterans. I did so because I believe, as I'm certain all my colleagues do, that servicemembers and veterans are best served when the agencies that serve them can provide critical treatment and assistance in a timely and responsive manner. Doing so often requires writing new rules and regulations. We should not, for example, block a new regulation that allows the VA to provide medical or other benefits to caregivers of veterans and servicemembers in exchange for a new talking point about the economy.

My colleagues on the Oversight and Government Reform Committee agreed. My amendment was unanimously approved in a bipartisan fashion. Yet, inexplicably, Republicans are now blocking it from a full vote. Suddenly, they're ready to let our commitments to our heroes lapse. And for what, a new talking point? Over the next 5 years, more than 1 million veterans will return home from war. Part of our commitment to them must be to ensure that they have the best services available, whether that's in health care, job training, or educational benefits.

Mr. Speaker, most legislation has unanticipated consequences. This legislation has a consequence that is easily anticipated, and that is that we will be tying the hands of the agencies that serve our brave men and women in the armed services. I ask any one of my Republican colleagues from the Rules Committee to explain why this amendment wasn't made in order and why this rule is sending a message to our military and veterans that they aren't entitled to the best we have.

I urge my colleagues to vote against this rule and the bill.

Ms. FOXX. Mr. Speaker, as I often do when I'm handling a rule, I have to make sure that the public understands the facts.

It's my understanding that the amendment that the gentleman spoke of that was adopted in the committee and then presented in the way that it was presented for this bill was not germane. I need to point out to the public that it was not the majority, it wasn't the Republicans, who decided the amendment wasn't germane. It is our Parliamentarians, who are nonpartisan.

I would now like to yield 3½ minutes to my colleague from Texas, Representative CANSECO.

Mr. CANSECO. Mr. Speaker, I thank the gentlelady from North Carolina, and I rise today in strong support of the rule for H.R. 4078.

The Regulatory Freeze for Jobs Act is an important piece of legislation that will ensure the government does not stand in the way of America's job creators.

I have the honor of representing a district that reaches from San Antonio, Texas, to El Paso, Texas, including nearly 800 miles of U.S.-Mexico border. When I head home for a work period, my days are spent on the road meeting with diverse groups of small businessmen, entrepreneurs, community bankers, farmers, energy producers, teachers, and law enforcement agents.

The most common theme that I hear from my constituents, whether they're Democrat or Republican, conservatives or liberals, to the left or to the right, is that the Federal Government is intrusive and standing in the way of job creation by issuing job-killing regulations. One constituent even sent a letter to my office on how regulations and high energy costs are impacting his family. He writes:

> Our family is on a fixed income. It has become a hardship to buy gasoline. Now, with the coal mines being shut down, our electric bills are going to go through the roof. I guess the wife and I will have to get a block of ice and a box fan to stay cool this summer.

□ 1400

Since President Obama took office, we have seen a 52 percent increase in regulations deemed economically significant, which means a regulation costs the economy at least $100 million annually. And according to a September 2010 report from the Small Business Administration, total regulatory costs amount to $1.75 trillion annually, enough money for business to provide 35 million private sector jobs with an average salary of $50,000. In the midst of an economic downturn in which the unemployment rate has been above 8 percent for 41 consecutive months, 35 million private sector jobs is a very significant amount of jobs.

The legislation we begin to consider today is an important step in the right direction to provide certainty to our Nation's job creators so they can start hiring again and get our economy back on track.

It is amazing that this year alone, the Federal Register, where rules and regulations are published for the public to view, has seen more than 41,000 pages alone devoted to this regulatory explosion. These regulations would cost $56 billion and result in paperwork burdens that would take 114 million hours to complete. That is 13,000 years working 24 hours a day, 7 days a week. Imagine how many jobs we could create in America if those 114 million paperwork hours were spent on building roads, issuing loans, expanding small businesses, and selling products instead of pushing paperwork across a desk to please a government regulator.

From regulating farm dust, stock tanks, and streams on private property, keeping young people off the farm, and imposing the most expensive rule ever on the energy sector, nothing is off limits for the out-of-control regulators in this administration. Even

though the House of Representatives has had some success in reining in job-killing regulations, right now it is still a good time to go to work for the Federal Government as a regulator in Washington, DC, because they are hiring.

If we want more jobs on Main Street, we need less red tape from bureaucrats and other regulators in Washington, DC.

Mr. HASTINGS of Florida. Mr. Speaker, would you be so kind as to tell both sides how much time remains.

The SPEAKER pro tempore (Mr. WOMACK). The gentleman from Florida has 12 minutes remaining. The gentlewoman from North Carolina has 12 minutes remaining.

Mr. HASTINGS of Florida. Mr. Speaker, at this time, I am very pleased to yield 1 minute to my good friend from Connecticut (Mr. COURTNEY), whose State did benefit from that money that was to go to Florida, as appropriated.

Mr. COURTNEY. Mr. Speaker, I rise in opposition to the rule on the so-called regulatory freeze bill which will act as a chain saw, going through parts of the government that have absolutely nothing to do with small business or small business job creation. And I say that as a former small employer.

One of the regulations which will be butchered under this law is the income-based repayment program which the Department of Education is now in the middle of fashioning, which will provide loan payment relief for people paying title IV student loans. For a teacher making $25,000 a year with maybe about $20,000 in student loan debt, that program will reduce monthly payments by $100 a month. That is real help for people who are contributing to the U.S. economy. Allowing that regulation to go forward will not hurt the U.S. economy. In fact, it will provide more basis for that teacher to go out and survive and spend money on housing, car loans, et cetera.

Yet this bill, in the name of job creation, will knock down the income-based repayment program.

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

Mr. HASTINGS of Florida. I yield the gentleman an additional 30 seconds.

Mr. COURTNEY. The income-based repayment program is trying to provide student loan relief at a time when student loan debt in this country now exceeds $1 trillion—higher than credit card debt, higher than car loan debt. It is a commonsense program, fully paid for.

The Student Aid and Fiscal Responsibility Act, signed into law in 2010, offset every nickel of cost in the income-based repayment program; and yet here we are, debating a bill at a time of crisis for middle class families because of student loan debt, denying them the needed relief which will help the U.S. economy.

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

The rule before us today provides for consideration of my bill, H.R. 373, the Unfunded Mandates Information and Transparency Act, as I mentioned before. While working on this legislation over the years, I have come to appreciate that the subject matter is not one of the most thrilling ever to be considered by this House. In fact, I'm confident that reading a summary of my bill would provide an effective remedy for even the most stubborn case of insomnia.

Some have compared observing the legislative process with that of making sausage. Admittedly, in the case of my bill, it more closely resembles watching paint dry. Nor do I expect many in the media will sell many advertisements dissecting legislation entitled the Unfunded Mandates Information and Transparency Act. However, this certainly does not diminish the meaning or value of this important work.

By collaborating with the House Oversight and Government Reform Committee, we've worked to create a comprehensive legislative package that promotes the principles of good government, accountability, and transparency that my constituents sent me to Congress to represent. These principles have been a top priority of mine throughout my legislative career, starting in the North Carolina State Senate.

Very simply, H.R. 373 advances these priorities by drawing upon bipartisan initiatives to expand access to information. The legislative text, itself, identifies the stated purpose of H.R. 373 as improving:

> the quality of the deliberations of Congress with respect to proposed Federal mandates by providing Congress and the public with more complete information about the effects of such mandates, ensuring that Congress acts on such mandates only after focused deliberation on their effects while enhancing the ability of Congress and the public to identify Federal mandates that may impose undue harm on consumers, workers, employers, small businesses, and State, local, and tribal governments.

But it does so much more than that. The strength of the bill is that it serves to inform more fully decision-makers engaged in the policymaking process while letting affected State and local governments and those in the private sector who must put Washington dictates into practice know what's coming and better participate in the process.

Many provisions of the bill simply codify, clarify, and streamline existing practice. Others enhance the purpose of UMRA by applying its disclosure requirements to more circumstances while initiating more complete, detailed, useful, and accurate cost estimates to expose otherwise hidden costs. Yet others still protect legislative intent by closing loopholes in current law, allowing enterprising rule-makers to circumvent disclosure requirements while imposing costly mandates.

All of these provisions are harmonized in a way that provides something for everyone—which, unfortunately, is a rare legislative virtue—yet underscores the unique opportunity Members of both parties have to vote for a modest, yet effective legislative solution.

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

Mr. HASTINGS of Florida. Mr. Speaker, I would advise the gentlelady that I'm going to be the last speaker, and I am prepared to close.

Ms. FOXX. That would be fine with me, Mr. Speaker, if the gentleman is prepared to close. I will have some more comments to make, and then I will close.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the balance of my time.

We could go back to the days when government was helpless against the robber barons who abused our public resources. We could go back to the days when citizens had no recourse against corporations who valued profit above individual health and safety. And we could go back to the days when unelected oligarchs drove this Nation's destiny, rather than democratically elected governments representing the interests of the American public.

Prohibiting Federal agencies from carrying out necessary and essential public protections will not create new jobs. It will not boost our economy. It will not protect the most vulnerable and disadvantaged Americans in a time of extraordinary uncertainty.

Drilling for oil everywhere and anywhere is not a solution. It won't even provide much benefit, unless you consider further enriching oil executives to be a benefit for millions of struggling Americans.

□ 1410

What Americans need is government that is willing to invest in its citizens.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to this rule to make in order an amendment which proposes that Congress will not adjourn until the President signs middle class tax cuts into law.

We have an opportunity to extend the middle class tax cuts for 98 percent of Americans who make less than $250,000. This should not be a partisan fight; this is what we were elected to do. We should not adjourn into August recess while American families across this country are trying to make ends meet. It is imperative that Congress act on behalf of families across this Nation and bring them the certainty and security that their taxes will not go up in 6 months.

I don't know about all of my colleagues here, but I have had the misfortune of having been involved in lame duck sessions; and the one that is coming up where we are about to go off the cliff is going to be brutal for some of the newcomers in this institution who do not understand that it seems to be a methodology to wait until the last

minute before we do something. We can do it in August. We can give 98 percent of the American people certainty about their taxes and be assured that if they make less than $250,000 their taxes will not go up in December, or that their taxes will not be leveraged so we can avoid seeing to it that the Bush tax cuts on the 2 percent of Americans that are even concerned about the little bit of money that each one of them would have to provide in order for us to ensure safety for children, education for children, safety for old people, and understanding that the middle class has this great need.

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

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, I urge my colleagues to vote ''no'' and defeat the previous question. I urge a ''no'' vote on the rule, and I yield back the balance of my time.

Ms. FOXX. Mr. Speaker, the various elements of the comprehensive reform contained in title IV of the underlying bill can be overwhelming, which is why it may be helpful to elaborate on the purpose of some of the most prominent individual provisions within the package.

In that light, it is important for the American people to understand the oppressive nature and full scope of the costs associated with complying with Federal mandates.

As a former small business owner, I experienced a myriad of costly, overly burdensome Federal mandates, and I hear from my constituents every day about the challenges that they face in dealing with them.

In my position as chairwoman of the House Subcommittee on Higher Education and Workforce Training, I have become familiar with an example of a ridiculous rule that will unnecessarily complicate student access to higher education. As we all know, in recent months, students and families have urged Congress to act to stem the ever-increasing cost of higher education. In response, the Obama administration has offered several proposals claiming to reduce student loan debt and rein in tuition. However, these initiatives only further entrench the Federal Government in the affairs of States and institutions.

In response, higher education officials are crying foul over a 2010 Department of Education rule establishing a Federal definition of a credit hour. Higher education personnel believe this regulation will restrict innovation, limit flexibility, and pave the way for additional Federal overreach into higher education. As we've seen many times before, onerous Federal regulation always come with a price, which in this case is paid by students or their families.

It's time to take a comprehensive view of the problems facing our Nation's higher education system and eliminate burdensome Federal regulations that pile unnecessary costs on institutions and students. Rather than getting the Federal Government further entrenched in higher education, we should be working together to remove costly mandates that pile unnecessary financial burdens on colleges and universities.

Mr. Speaker, I enter into the RECORD a statement from the 2012 edition of ''Ten Thousand Commandments'' issued by the Competitive Enterprise Institute relative to the explosive growth of regulations by Federal agencies in the past 2 years.

Mr. Speaker, again I want to say that Republicans, contrary to what our colleagues have said across the aisle, are not opposed to all regulations and rules. We are not opposed to government. We understand that we have to have government in order to have a civil society. We understand that we have to have regulations to protect us in some cases from each other and to make sure that we have an orderly society.

We live in the greatest country in the world, Mr. Speaker; and we got here not because of the government, but we got here because of the hardworking Americans who have good values, who love this country and want to see it continue to thrive. We can count on those hardworking Americans to do the right things in almost every case. What Republicans want are commonsense regulations, and we want to stop the flood of regulations that have come particularly from this administration. And the materials that I have submitted to the RECORD, Mr. Speaker, will document the unnecessary rules and regulations that have come, particularly in this administration.

We have heard today many reasons for Congress and President Obama to pursue Federal regulatory reform as a cost-free way in which the Federal Government can promote economic growth. We have the worst deficit, the worst debt we've ever had in this country. We have an unemployment rate that is stifling economic growth. What we're proposing here today will help our economy, will help revive our economy, and will bring jobs to this country.

This legislative package, with the passage of this rule, represents a variety of ways we can move towards these ends. As Americans look to Congress for innovative solutions to spur private sector job growth, I call on my colleagues to support this rule and the underlying legislation.

The 2011 Federal Register stands at 81,247 pages. That number is just shy of 2010's all-time record-high 81,405 pages. These years are the only two in which the number of Federal Register pages topped 81,000.

In 2011, agencies issued 3,807 final rules, compared with 3,573 in 2010, a 6.5-percent increase.

Proposed rules appearing in the Federal Register increased even more than the number of final rules, from 2,439 to 2,898, an 18.8-percent increase that signals a likely future rise in final rules.

Although regulatory agencies issued 3,807 final rules in 2011, Congress passed and the president signed into law a comparatively few 81 bills. Substantial lawmaking power is delegated to unelected bureaucrats at agencies.

Of the 4,128 regulations now in the pipeline, 822 affect small businesses and 212 are 'economically significant' rules wielding at least $100 million in economic impact. That number represents a 32.5-percent jump over the 160 rules five years ago, in 2006, and a higher level than any year of the past decade except for the 224 rules in 2010.

The number of final 'major rule' reports issued by agencies and reviewed by the Government Accountability Office (GAO) has grown. The 99 rules of 2010 represented the highest number since this tabulation began. Five years ago, there were 56 such reports.

The five most active rule-producing agencies—the departments of the Treasury, Commerce, the Interior, and Agriculture, along with the Environmental Protection Agency (EPA)—account for 1,733 rules, or 42 percent of all rules in the Unified Agenda pipeline.

The government's reach extends well beyond the taxes Washington collects and its deficit spending and borrowing. Federal environmental, safety and health, and economic regulations cost hundreds of billions—perhaps trillions—of dollars every year over and above the costs of the official federal outlays that dominate the policy debate.

Economics 101 on tax incidence explains how and why firms generally pass along to consumers the costs of some taxes. Likewise, some regulatory compliance costs that businesses face will find their way into the prices consumers pay and into wages earned.

Taxation and regulation can substitute for each other because regulation can advance government initiatives without using tax dollars. Rather than pay directly and book expenses for new programs, the government can require the private sector—as well as state and local governments—to pay for federal initiatives through compliance costs.

Because such regulatory costs are not budgeted and lack the formal public disclosure of federal spending, they may generate comparatively little public outcry. Regulation thus becomes a form of off-budget or hidden taxation.

As the mounting federal debt causes concern, the impulse to regulate instead can also mount. Deficit spending, in a manner of speaking, can manifest itself as regulatory compliance costs that go largely unacknowledged by the federal government. Worse, if regulatory compliance costs prove burdensome, Congress can escape accountability by blaming the agencies that issue the unpopular rules.

Openness about regulatory facts and figures is critical, just as disclosure of program costs is critical in the federal budget . . .

[But] Disclosure of and accountability for regulatory costs are spotty. This allows policy makers to be reckless about imposing regulatory costs relative to undertaking ordinary—but more publicly visible—government spending.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

AN AMENDMENT TO H. RES. 738 OFFERED BY MR. HASTINGS OF FLORIDA

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

SEC. 3

It shall not be in order to consider a concurrent resolution providing for adjournment or adjournment sine die unless the

House has been notified that the President has signed a bill to extend for one year certain expired or expiring tax provisions that apply to middle-income taxpayers with income below $250,000 for married couples filing jointly, and below $200,000 for single filers, including, but not limited to, marginal rate reductions, capital gains and dividend rate preferences, alternative minimum tax relief, marriage penalty relief, and expanded tax relief for working families with children and college students.

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

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

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

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

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 2 o'clock and 17 minutes p.m.), the House stood in recess.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 2 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed. Votes will be taken in the following order:

Ordering the previous question on House Resolution 738, and adopting House Resolution 738, if ordered.

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

The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 738) providing for consideration of the bill (H.R. 4078) to provide that no agency may take any significant regulatory action until the unemployment rate is equal to or less than 6.0 percent; and providing for consideration of the bill (H.R. 6082) to officially replace, within the 60-day Congressional review period under the Outer Continental Shelf Lands Act, President Obama's Proposed Final Outer Continental Shelf Oil & Gas Leasing Program (2012–2017) with a congressional plan that will conduct additional oil and natural gas lease sales to promote offshore energy development, job creation, and increased domestic energy production to ensure a more secure energy future in the United States, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 238, nays 177, not voting 16, as follows:

[Roll No. 502]

YEAS—238

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
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)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
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 (FL)
Young (IN)

NAYS—177

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
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
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
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Israel
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
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—16

Akin
Bass (CA)
Bishop (UT)
Chabot
Cleaver
Clyburn
Edwards
Grijalva
Hirono
Jackson (IL)
Jackson Lee (TX)
Lee (CA)
Reyes
Smith (WA)
Stivers
Young (AK)

□ 1456

Messrs. ISRAEL, FILNER, and Ms. WILSON of Florida changed their vote from ''yea'' to ''nay.''

Mr. LEWIS of California changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. PERLMUTTER was allowed to speak out of order.)

AURORA, COLORADO TRAGEDY

Mr. PERLMUTTER. Mr. Speaker, I stand here with a lot of sadness with my friends from the Colorado delegation. We Democrats and Republicans are a pretty tight-knit group. We had a terrible incident in Aurora, Colorado, on Friday, you all are well aware of, where 12 people were killed and 58 were wounded. It is with sadness and grief that we come before you today. As our Governor said at the vigil on Sunday night, we will remember these 12 and those who were shot.

But there was a silver lining in this very, very dark moment in the history of Colorado. We saw bravery and selflessness and heroism among the people who were in the theater that night. Any one of us can tell you stories of how complete strangers were willing to give up their own lives to save the lives of the strangers next to them. In times when it is difficult like that, you want to find bright spots—and there were many. Another bright spot was the courage demonstrated by the Aurora police and the fire department and the FBI and the ATF in the face of what was a monstrous action by this guy.

In Colorado, we consider ourselves to be pretty tough. Aurorans, where this act took place, are pretty tough. It hurts—we all hurt—but we are resilient and we will get through it, and the stories being shared of some of those who were injured actually really do lighten the day. I know any one of us would be happy to talk to you all about that.

There has been a tremendous outpouring of sympathy and condolences and compassion from all of you. I know I speak on behalf of our entire delegation when I thank you for thinking about us and where we live and our community, because we are in this together. We just thank you very much.

MOMENT OF SILENCE

So I ask that all of you stand with me and our delegation in a moment of silence to honor the memory of those who were killed, the wounded victims and all Americans during this time of healing. As I said once before and as our Governor said, we will remember these people who were hurt, and we will help them all along the way.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

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.

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. 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 170, not voting 17, as follows:

[Roll No. 503]

AYES—244

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
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
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
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
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
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
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—170

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
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
Doyle
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Israel
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe

Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
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
Richardson
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
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—17

Akin
Bass (CA)
Bishop (UT)
Chabot
Edwards
Hastings (FL)
Hirono
Jackson (IL)
Jackson Lee (TX)
Lee (CA)
Marchant
McDermott
Reyes
Richmond
Schakowsky
Smith (WA)
Stivers

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1506

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.

PERSONAL EXPLANATION

Mr. AKIN. Mr. Speaker, on rollcall Nos. 502 and 503 I was delayed and unable to vote. Had I been present I would have voted "aye" on rollcall No. 502 and "aye" on rollcall No. 503.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

□ 1510

FEDERAL RESERVE TRANSPARENCY ACT OF 2012

Mr. ISSA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 459) to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States before the end of 2012, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 459

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Reserve Transparency Act of 2012''.

SEC. 2. AUDIT REFORM AND TRANSPARENCY FOR THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) IN GENERAL.—Notwithstanding section 714 of title 31, United States Code, or any other provision of law, an audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks under subsection (b) of such section 714 shall be completed within 12 months of the date of enactment of this Act.

(b) REPORT.—

(1) IN GENERAL.—A report on the audit required under subsection (a) shall be submitted by the Comptroller General to the Congress before the end of the 90-day period beginning on the date on which such audit is completed and made available to the Speaker of the House, the majority and minority leaders of the House of Representatives, the majority and minority leaders of the Senate, the Chairman and Ranking Member of the committee and each subcommittee of jurisdiction in the House of Representatives and the Senate, and any other Member of Congress who requests it.

(2) CONTENTS.—The report under paragraph (1) shall include a detailed description of the findings and conclusion of the Comptroller General with respect to the audit that is the subject of the report, together with such recommendations for legislative or administrative action as the Comptroller General may determine to be appropriate.

(c) REPEAL OF CERTAIN LIMITATIONS.—Subsection (b) of section 714 of title 31, United States Code, is amended by striking all after ''in writing.''.

(d) TECHNICAL AND CONFORMING AMENDMENT.—Section 714 of title 31, United States Code, is amended by striking subsection (f).

SEC. 3. AUDIT OF LOAN FILE REVIEWS REQUIRED BY ENFORCEMENT ACTIONS.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct an audit of the review of loan files of homeowners in foreclosure in 2009 or 2010, required as part of the enforcement actions taken by the Board of Governors of the Federal Reserve System against supervised financial institutions.

(b) CONTENT OF AUDIT.—The audit carried out pursuant to subsection (a) shall consider, at a minimum—

(1) the guidance given by the Board of Governors of the Federal Reserve System to independent consultants retained by the supervised financial institutions regarding the procedures to be followed in conducting the file reviews;

(2) the factors considered by independent consultants when evaluating loan files;

(3) the results obtained by the independent consultants pursuant to those reviews;

(4) the determinations made by the independent consultants regarding the nature and extent of financial injury sustained by each homeowner as well as the level and type of remediation offered to each homeowner; and

(5) the specific measures taken by the independent consultants to verify, confirm, or rebut the assertions and representations made by supervised financial institutions regarding the contents of loan files and the extent of financial injury to homeowners.

(c) REPORT.—Not later than the end of the 6-month period beginning on the date of the enactment of this Act, the Comptroller General shall issue a report to the Congress containing all findings and determinations made in carrying out the audit required under subsection (a).

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

H.R. 459, the Federal Reserve Transparency Act, directs the GAO to conduct a full audit of the Federal Reserve. The Dodd-Frank legislation mandated a GAO audit of the Fed, but that audit, issued by the Government Accountability Office in July of 2011, focused solely on the issues concerning emergency credit facilities.

GAO remains restricted, under the current law, from conducting a broader audit of the Fed that includes, for instance, a review of the Fed's monetary policy operations and its agreements with foreign governments and central banks. The bill remedies this situation by permitting GAO, the investigative arm of Congress, to conduct a nonpartisan audit that will review all of these transactions. The findings of the audit are to be reported to Congress.

It is particularly appropriate that we consider this legislation at this time. While Congress should not manage or micromanage details of monetary policy, it needs to be able to conduct oversight of the Fed. The Fed was created by Congress to be a central bank, independent of the influence of the U.S. Treasury. It was never intended to, in fact, be independent of Congress or independent of the American people.

In recent years, the Fed's extraordinary interventions into the economy and financial markets have led some to call into question its independence. We do not ask for an audit for that reason. We ask for an audit because the American people ultimately must be able to hold the Fed accountable; and to do so, they must know, at least in retrospect, what the Fed has done over these many years that it has been without an audit. That is why I support H.R. 459, a bipartisan bill with 273 other cosponsors.

I urge my colleagues' support, and I reserve the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded not to traffic the well while another Member is under recognition.

Mr. CUMMINGS. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

Mr. Speaker, when the sponsors of this bill talk about ''auditing'' the Federal Reserve, they don't mean a traditional audit. An outside, independent accounting firm already audits the Federal Reserve's annual financial statements, and GAO is already empowered to review the Fed's financial

statements and a broad range of its functions.

In fact, the Wall Street reform legislation Democrats passed last Congress expanded the types of audits GAO can conduct, as has been mentioned by Mr. ISSA. So there is transparency and accountability when it comes to the Federal Reserve's finances and operations. However, this bill would, instead, jeopardize the Fed's independence by subjecting its decisions on interest rates and monetary policy to a GAO audit.

The Fed, like every other major central bank in the world, is independent, and Congress has rightly insulated the Fed from short-term political pressures.

I agree with Chairman Bernanke that congressional review of the Fed's monetary policy decisions would be a ''nightmare scenario,'' especially judging by the track record of this Congress when it comes to governing effectively and intervening in the courts and other areas. We don't have to look any further than the Congress unnecessarily taking the country to the brink of default last summer in a display of politics.

All of us, Mr. Speaker, want transparency. All of us here want to make sure that the Federal Reserve is working to carry out the economic goals of the American people, which are maximum employment and price stability. But that's not what this bill is about. This bill increases the likelihood that the Fed will make decisions based on political rather than economic considerations, and that is not a recipe for sound monetary policy.

I urge my colleagues to defeat this bill and preserve the independence of the Fed so it can keep our currency stable and cultivate the best conditions for our economy to grow and create jobs.

Unfortunately, Mr. Speaker, we, in Congress, have shown too frequently our inability in a political environment to make tough choices. That failure has led us, in part, to where we are today. I urge my colleagues to defeat this unwarranted, unjustified, and dangerous legislation.

Mr. ISSA. Mr. Speaker, it's now my honor to yield 2 minutes to the gentleman from Texas (Mr. PAUL), the author of this bill and the man who understands that not knowing should never be an answer.

Mr. PAUL. I thank the gentleman for yielding.

I rise, obviously, in strong support of this legislation. I don't know how anybody could be against transparency.

They want secrecy, especially when the secrecy is to protect individuals who deal in trillions of dollars, much bigger than what the Congress does. And these trillions of dollars bail out all the wealthy, rich people; the banks and the big corporations; international, overseas banks; bailing out Europe; dealing with central banks around Europe and different places.

And to say that we should have secrecy and to say that it's political to have transparency, well, it's very political when you have a Federal Reserve that can bail out one company and not another company. That's pretty political.

I think when people talk about independence and having this privacy of the central bank means they want secrecy, and secrecy is not good. We should have privacy for the individual, but we should have openness of government all the time, and we've drifted a long way from that.

The bill essentially removes the prohibitions against a full audit. To audit, we should know what kind of transactions there are. We should know about the deals that they made when they were fixing the price of LIBOR. These are the kinds of things that have gone on for years that we have no access to.

Congress has this responsibility. We are reneging on our responsibility. We have had the responsibility and we have not done it, so it is up to us to reassert ourselves.

The Constitution is very clear who has the responsibility, but the law conflicts with the Constitution. The law comes along and says the Congress can't do it. Well, you can't change the Constitution and prohibit the Congress from finding out what's going on by writing a law, and this is what has happened.

So it is time that we repeal this prohibition against a full audit of the Federal Reserve. We deserve it. The American people deserve it. The American people know about it and understand it, and that's what they're asking for. They're sick and tired of what happened in the bailout, where the wealthy got bailed out and the poor lost their jobs and they lost their homes.

Mr. CUMMINGS. I yield 4 minutes to the distinguished gentleman from Massachusetts (Mr. FRANK), the ranking member of the Financial Services Committee.

Mr. FRANK of Massachusetts. Mr. Speaker, I think this is a bad idea, and I am somewhat confused.

By the way, we will be debating tomorrow a bill which restricts rulemaking, and it exempts the Federal Reserve, as I read it. So we're kind of on again/off again about the Federal Reserve. It seems to me what we're talking about is taking some fake punches at the Federal Reserve but not doing anything serious.

My Republican colleagues brought up a reconciliation bill that was going to subject the Consumer Bureau to appropriations.

□ 1520

So I offered an amendment to subject the Federal Reserve to appropriations. That was voted down. So we're not going to restrict their rulemaking. We're not going to subject them to appropriations, even though that's being done elsewhere. We're going to audit them, which is a way to look tough without really being tough.

Mr. ISSA. Will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from California.

Mr. ISSA. I thank the gentleman. Would you suggest that we should do both of those?

Mr. FRANK of Massachusetts. No. I reclaim my time and say we should do none of them. I was saying I have a consistent position. I don't think we should do any of them. What I'm saying is, people who get up there and beat their chest about how tough they are and they're not afraid of the Federal Reserve but exempt it from the great rulemaking bill, and subject the Consumer Bureau—that terrible threat to the well-being of Americans—to the appropriations process, but let the Federal Reserve, which spends about 150 times as much, go free—I am inclined to doubt their seriousness. Not their purity, that would be a violation of the rules, but their seriousness. This is a way to shake your fist at that big, bad Fed. And it's not a good way.

We hear a lot about uncertainty. Remember, the Federal Reserve is now subject to a complete openness about all of its transactions with private companies. We did that last year. The gentleman from Texas had a major role in that. When the Federal Reserve deals with any other institution, we know what it does. We don't know it necessarily the same day. There were these predictions about what terrible things were going to happen when the Federal Reserve did this and that. They haven't come true. Maybe they will some day, but we will know it.

This makes this exception: it says that we will audit the decisions about monetary policy. It says that members who vote on what the interest rate should be will now be audited. They will be subject to being quizzed about why they did that. Now, I will tell my Democratic friends, understand that one part of this problem is the objection on the part of the Republican Party to the fact that our Federal Reserve, unusual among central banks, has a dual mandate. They are charged under our statute to be concerned about inflation and about unemployment.

Now, the Republicans have an agenda they're keeping on low key until next year. They have a bill, but they won't act on it yet. But they would like to strip that part of the mandate. They would like the Federal Reserve to be only involved in inflation. They don't like the notion that the Federal Reserve deals with unemployment, and this is a way that, if it were ever to become law, and no one thinks it will—this is a, Look how tough we are. We are going to wave our fists at the Fed. But it would be a way to kind of put pressure on members of the Open Market Committee and see, were you worried about unemployment when you did this? That's the audit. This has nothing to do with how they spend their money. It has nothing to do with whom they contract. That is what people usually think about an audit. It doesn't

have anything to do with whether they are efficient or not. It is an ideological agenda by a group of people who didn't like what the Federal Reserve was doing—under, by the way, George Bush, there was reference to the bailouts, which were, of course, under the Bush administration. One of the things that we did, by the way, in our bill 2 years ago—and all my Republican colleagues voted against the bill—was to take away from the Federal Reserve the power they used—under President Bush—to give/lend $85 billion to AIG. We rescinded that. I don't think Mr. Bernanke, a Bush appointee, was doing the wrong thing necessarily, but we took back that power.

So this is partly a show because on the two serious efforts to curtail the Fed's powers, my Republican colleagues aren't there. But secondly—and as I said, I'm consistent—I don't think that we should do any of these things. I think what we did with regard to openness makes sense. I'm not pretending to be tough when I'm not.

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

Mr. CUMMINGS. I yield the gentleman 1 additional minute.

Mr. FRANK of Massachusetts. But what it will do is destabilize. We have worries about expectations. There is a fear that we will be too inflationary or that we won't grow enough. People on Wall Street are not as sophisticated as some people think. I don't mean they're not sophisticated about their own business, as we know, but they will read this and take it more seriously than the Members here do who think it might eventually become law, and it will destabilize some of the financial system. They will see it as political interference not with the contracting procedures, not with the budget, not with how many cars they have, but with how they decide on interest rates. And the perception that the Congress is going to politicize the way in which interest rates are set will in itself have a destabilizing effect.

And as I said, nobody here thinks this will ever become law. But there is this fear on the part of others who don't know that that will translate into precisely the kind of uncertainty, precisely the kind of unsettling on investments that my Republican colleagues pretend to fear, and it will also send them the message, stop worrying about unemployment.

Mr. ISSA. As I introduced my good friend and leader on this issue, Mr. CHAFFETZ, I might note that when the word ''Democrat'' and ''Republican'' are used in this Hall, hopefully when there are 45 Democratic Members on this bill as cosponsors, we would recognize this is a bipartisan bill.

I now yield 2 minutes to the gentleman from Utah (Mr. CHAFFETZ).

Mr. CHAFFETZ. I thank the chairman.

I also want to appreciate and congratulate Dr. RON PAUL for his tireless pursuit of this openness and transparency. Without his leadership, we wouldn't be at this point today, and I applaud him and thank him for that.

Some would say that the Fed is already audited, but there are some key points where it is not. These include transactions with foreign central banks, discussion and actions on monetary policy, and transactions made under the direction of the Federal Open Market Committee.

If we are truly about openness and transparency in this Nation, which distinguishes us above and beyond so many others, we deserve and need to know this information.

We need also understand the imperative that is before us because the Federal Reserve balance sheet has exploded in recent years. In fact, since 2008, it has literally tripled. It's gone from $908 billion on its balance sheet to over $2.8 trillion, nearly a 33 percent annualized increase since January 2008.

The Federal Reserve ownership of Treasuries has also increased substantially in recent years, having more than doubled from January of 2008 to January of 2012, where it went from $741 billion to $1.66 trillion.

Let's understand also that in fiscal year 2011, the Federal Reserve purchased 76 percent of new Treasuries. Certainly the American people and this Congress deserves more openness, transparency, and at the very least an audit. I encourage my colleagues on both sides of the aisle to support this commonsense piece of legislation, and again congratulate Dr. PAUL, and continue to hope for his pursuit of this issue.

Mr. CUMMINGS. I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. This is an absolute terrible idea. Although I am in total agreement with Mr. PAUL that transparency is a virtue, I also believe that the Federal Reserve must be free of any political influence, and I'm afraid this bill opens the door for precisely that to happen. I don't believe there is anyone in this Chamber that thinks that what the process needs is more politics.

Make no mistake, I agree that maximum transparency is necessary and desirable, and that's precisely why we included numerous transparency requirements in the financial reform bill, as well as numerous audit requirements. We authorized the GAO to audit the Fed's emergency lending facility. We authorized the GAO to audit any special facility created within the Fed. And we required the Fed to issue an assessment 2 years after institutions were granted access to the Fed's discount window.

We crafted those measures and more in a way that ensures transparency but still preserves the independence of the Federal Reserve in its decision-making process in the critical area of monetary policy. But this bill, as it now stands, would provide information without a proper context. That could have unintended consequences and have totally unwarranted effects on consumer confidence in our financial institutions.

If the individual members of the Open Markets Committee know that each one of their decisions are subject to potential political pressure, it would significantly alter that decision-making process. An open door to the Federal Open Markets Committee would invite political pressures. And having decisions that are driven by politics and polling data is not the path to sound monetary policy.

Decisions about monetary policy should never be based on the raw political needs of the moment but instead should always be based strictly on objective economic considerations and guided by the twin mandates of low inflation and full employment. The unintended consequences of this bill would be to open the Federal Reserve to political influence, and that would have a negative impact on the Fed's independence and its ability to produce sound economic policy. I urge a strong bipartisan ''no'' vote.

□ 1530

Mr. ISSA. It is now my honor to yield 1 minute to the gentleman from Texas (Mr. FARENTHOLD).

Mr. FARENTHOLD. Mr. Speaker, the Constitution grants us the power to coin money and regulate the value thereof, and we've delegated this to the Fed. Unfortunately, we've tied our hands behind our back with respect to seeing what they're doing, and it's our duty to conduct oversight. A moment ago, Mr. FRANK said the audit was just fist pounding and chest pounding. I disagree. It's the first step. It is our doing our homework to determine what needs to be done to reform the Fed.

Chairman Bernanke said this bill would be a ''nightmare scenario'' of political meddling in monetary affairs. I disagree. I think the current situation is a nightmare scenario in unaccountable government. As Justice Brandeis said, ''Sunshine is always the best disinfectant.'' As a member of the Oversight and Government Reform Committee, we demand transparency from agencies like the GSA, the TSA, and other Fed agencies.

I join my friend and neighbor in Congress, Dr. PAUL, in demanding for the American people that sunshine be shined into the Fed and this audit be conducted. I urge my colleagues to support this bill because the American people have a right to know.

Mr. CUMMINGS. I yield 1 minute to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, to illustrate the misconceptions about this bill, let's refer to what the gentleman from Utah (Mr. CHAFFETZ) had to say. He said 76 percent of the purchasers of this and that. Well, if they were so nontransparent, I don't know how he would know that. He didn't have a subpoena. But the fact is, yes, he knows that because of the

transparency we've already built in. But all the more important, the details, the specifics of every one of those transactions are already public.

This isn't about those transactions or about with whom they were done and under what time period. It's about the motives of the people setting monetary policy.

And let me address the Constitution. Yes, it is true that the Constitution gives us the power to do this. The Constitution gives us a lot of power. It gives us power to declare war on Canada. It gives us the power to do a lot of things. Wise people pick and choose which powers they use.

But this is not about getting more information about their transactions. All of that is out there. This is an effort to give politicians, a wonderful group of people of which I am one, more direct involvement in the actual decisions on setting of interest rates than is good for the economy.

Mr. ISSA. It is now my honor to yield 1 minute to the gentleman from Michigan (Mr. AMASH).

Mr. AMASH. I would like to thank Chairman ISSA and thank and congratulate Dr. RON PAUL for his tireless work on this issue for many decades.

Mr. Speaker, what is the Federal Reserve? I think even many Members of this body couldn't answer that question. And yet Congress has delegated its constitutional authority to this committee of bankers and Presidential appointees. To no institution in our country's history has Congress given so much power while knowing so little.

As our central bank, we've entrusted the Federal Reserve with managing inflation. That means the Fed can change the value of Americans' life savings, their retirement accounts and their mortgages. Lately, the Fed has taken on the role of ''lender of last resort.'' It has made unprecedented market interventions, promising billions of dollars to the country's largest financial institutions. When investors wouldn't buy mortgages, the Fed did. When creditors became wary of Congress' spending binge, the Feds stepped in.

Years ago, Congress enacted an audit statute, but it prevents an audit of monetary policy. The government's accountants understandably were outraged, saying they couldn't ''satisfactorily audit the Federal Reserve system without authority to examine the Fed's largest assets.''

Congress should be wary of all types of central planning. We should be especially vigilant against unaccountable groups that profoundly affect Americans' lives and liberty.

Pass this bill, and let's audit the Fed.

Mr. CUMMINGS. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. WATT).

Mr. WATT. I thank the gentleman.

Let me say, first, that this bill is not about sunshine and it's not about transparency. It is about dissatisfaction that some individuals have with the mandate that Congress has given to the Federal Reserve.

The gentleman who just spoke is absolutely right; They are supposed to deal with inflation. That's what we told them to do in their mandate. They're supposed to deal with unemployment. That's what we told them to do in the mandate we gave.

And some people over there are dissatisfied with the fact that—they don't want them to deal with unemployment. They don't want them to try to adjust and make changes that will be beneficial to our economy. And if they don't want that, they ought to just introduce a bill that repeals the mandate that we gave to them.

Don't come and say that we are talking about sunshine and transparency.

Every time I turn on the television now, I hear the Federal Reserve, Chairman Bernanke and members of the Federal Reserve, talking about how the economy is going. That is not lack of sunshine and lack of information. I thought we had dealt with this when Mr. PAUL was the ranking member of the subcommittee and I was the chairman.

Mr. PAUL's problem is he doesn't like the Federal Reserve. He is avowedly in favor of doing away with the Federal Reserve. That's an honest position. But don't come in and try to cloak it in the guise of this agency is not transparent or it lacks sunshine. If you don't like the mandate that they have, then have the guts to stand up and introduce a bill that says that we are doing away with the Federal Reserve.

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

Mr. CUMMINGS. I yield the gentleman 1 additional minute.

Mr. WATT. If you think we are in trouble now, if you get the politics and the Congress involved in transactions with foreign governments and the decisions about how we get ourselves out of this unemployment situation, if we have some answers about how to get out of unemployment, then I would assume we would come forward with them. And nobody on this floor of this Congress has done anything to take up an unemployment bill. So I'm glad we have the Federal Reserve over there at least trying to figure out how to make some adjustments in our economy that will deal with unemployment.

The last thing I want is for this Congress to be second-guessing—or an auditor that is not elected by anybody to be second-guessing—the decisions of the people who are on the Federal Reserve. An auditor might be a good accountant, he can count, but I want somebody on the Federal Reserve, and hopefully it would be nice to have some people in Congress who can make some decisions about how to deal with unemployment.

Mr. ISSA. Mr. Speaker, the rules of the House prohibit going after someone's motivation. I'm very concerned that a bill that, in a substantially similar form, was placed into Dodd-Frank by then-Chairman BARNEY FRANK is now being characterized as somehow ill-intended and mischievous activity by the proponent. I would trust that that is not the intent of the speakers on behalf of that side of the aisle about this bipartisan bill. It is virtually identical to the language that BARNEY FRANK put into Dodd-Frank.

Mr. WATT. Will the gentleman yield?

Mr. ISSA. I yield to the gentleman from North Carolina.

Mr. WATT. I just want to be clear that Mr. FRANK and I both voted against the bill that you're talking about, so don't try to make it sound like it's Mr. FRANK's and my bill. We voted against the bill. This is RON PAUL's bill. We thought it was a terrible idea then, and we think it's a terrible idea now.

Mr. ISSA. Reclaiming my time, I would like to yield 15 seconds to the gentleman from Texas, the author of the bill.

Mr. PAUL. Did you vote against Dodd-Frank? Because it was in Dodd-Frank. It wasn't a separate bill. Maybe on a separate vote you might have done it, but it was in Dodd-Frank.

Mr. ISSA. I now yield 1 minute to the gentleman from Montana (Mr. REHBERG).

Mr. REHBERG. Thank you, Mr. ISSA, and I especially thank you, Dr. PAUL.

Tomorrow, the House of Representatives will uphold our constitutional duty and vote to pull back the secretive curtain of the Federal Reserve. The American people have a right to know. It's an important step in openness and government transparency that's long overdue.

Just a few years ago, the Senate rejected an effort to add this strong audit language to the Dodd-Frank bill, but times are changing. As our economy struggles and job creation lags, it's more important than ever to look under the hood of the Federal Reserve. We need to find out exactly what they are doing and why. That way, we can determine if the Fed is actually hurting our economy and discouraging job growth.

In a democracy, no government body should be allowed to hide behind a curtain of secrecy. That's why I stand strongly behind this legislation.

□ 1540

MOMENT OF SILENCE IN MEMORY OF OFFICER JACOB J. CHESTNUT AND DETECTIVE JOHN M. GIBSON

The SPEAKER pro tempore. Pursuant to the Chair's announcement of earlier today, the House will now observe a moment of silence in memory of Officer Jacob J. Chestnut and Detective John M. Gibson.

Will all present please rise in observance of a moment of silence.

Mr. CUMMINGS. Mr. Speaker, I yield 30 seconds to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I'm glad that the Committee on Government and Oversight isn't the

official House historian. In fact, there was a motion to include language like this offered to the financial reform bill. I voted ''no,'' as did Mr. WATT. It was included in the bill. It's true, I voted for the bill. Of course, the gentleman from Texas voted against the bill. So if your vote on the whole bill is taken as an account of what you feel, he was against it.

But when it went to conference, it was not in the Senate bill—which was the text of the conference—so it did not come up, and no Republican conferee offered it as an amendment. That is, in the conference, that language which I and the gentleman from North Carolina voted against was not offered by any Member of the conference, Democrat or Republican.

Mr. ISSA. History records that Democrats broadly voted for it when it was voted out of this body. Nothing more need be said.

With that, I yield 1 minute to the gentlelady from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. I thank the gentleman from California for the time. And I want to commend the gentleman from Texas (Mr. PAUL) for his excellent work on this issue.

Recently, I had a constituent say to me in a townhall meeting they thought it was time for Congress to start putting some mandates on the Federal Government. They're tired of government mandates on them. Why don't we mandate, why don't we hold them accountable?

This is a piece of legislation that does exactly that. It requires the GAO to conduct a full audit of the Board of Governors of the Federal Reserve System and of the Federal Reserve banks by the Comptroller General before the end of the year. That is significant. A timeline to do a job, to be held accountable to the people of this great Nation for how they spend their time, their money, the decisions they make that affect us.

It is imperative that we get this economy back on track. The actions that we will vote on today are part of that, having a Federal Reserve that is accountable—accountable to our constituents, accountable to the people of this Nation. I commend the gentleman for a move toward transparency and accountability.

Mr. CUMMINGS. Mr. Speaker, may I inquire as to how much time we have.

The SPEAKER pro tempore. The gentleman from Maryland has 6½ minutes remaining. The gentleman from California has 9¼ minutes remaining.

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

Mr. Speaker, I rise today in opposition to H.R. 459, which passed out of the Oversight Committee without even a single hearing and without testimony from any Federal Reserve officials.

Let me be clear: the Government Accountability Office has had the authority to audit the Federal Reserve's books for three decades. In 2010, the Dodd-Frank Act expanded the types of audits GAO conducts of the Federal Reserve, as well as the data the Fed must disclose to the public. For example, Dodd-Frank required the GAO to audit the emergency financial assistance provided during the financial crisis.

The act also opens discount window operations and open market operations to audit so GAO can assess the operational integrity, collateral policies, fairness, and use of third-party contractors. And Dodd-Frank requires the Federal Reserve to release information regarding borrowers and counterparties participating in discount-lending programs and open market operations. Mr. Speaker, as a conferee who helped craft the final Dodd-Frank legislation, I supported all of these provisions.

I believe other areas of the Federal Reserve's operations are also ripe for audit. During the committee's consideration of this legislation, I offered an amendment that would require GAO to perform an audit of the independent foreclosure reviews currently being conducted by the Federal Reserve and the Office of the Comptroller of the Currency.

Fourteen mortgage servicers have been required to establish a process under which borrowers can request an independent review of their loan histories. But at the end of May, only 200,000 out of about 4.4 million eligible borrowers had requested an independent review of their foreclosure cases. We need to understand whether the design of the program has limited the number of borrowers who have sought reviews of their cases.

Further, it is unclear how the types and amounts of remediation are being determined. This is precisely the type of issue that should be reviewed by the GAO. Certainly, the public has a right and the Congress has a responsibility to know and understand the transactions and enforcement actions undertaken by the Nation's central bank. However, when Congress established the Fed in 1913, it understood that independence from political interference was critical to the bank's ability to fulfill its monetary policy responsibilities.

The Dodd-Frank Act was carefully crafted to expand transparency while preserving the protections that ensure the independence of the Federal Reserve's internal deliberations on monetary policy matters. The Board of Governors of the Federal Reserve must be able to pursue the policies it considers most responsive to our Nation's current economic conditions and most likely to fulfill its dual mandate of promoting maximum employment and stable prices.

We should not allow GAO examinations to be the back door through which politics intrude on monetary policy—which is what this legislation would allow. Opening the Federal Reserve's internal policy deliberations to GAO review could influence how such deliberations are conducted and potentially the policies that are chosen, thus degrading the Fed's independence.

Last week, the Chairman of the Federal Reserve, Mr. Bernanke, described the potential impact of this bill to the Financial Services Committee. He said:

> The nightmare scenario I have is one in which some future Fed Chairman would decide and say to raise the Federal funds rate to 25 basis points and somebody would say, I don't like that decision. I want the GAO to go in and get all the records, get all the transcripts, get all the preparatory materials and give us an independent opinion whether or not that was the right decision.

I share Chairman Bernanke's concern. For that reason, during the markup of this legislation in the Oversight Committee, I offered an amendment that would have retained the protections for the Board of Governors' internal monetary policy deliberations to ensure that the audit required by this legislation did not intrude on the Federal Reserve's independence. I continue to believe this provision is needed to ensure this bill does not prohibit the ability of the Federal Reserve to implement monetary policies to strengthen our Nation's economy as it has done repeatedly throughout the recent financial crisis.

I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, can I inquire how much time we both have remaining, please.

The SPEAKER pro tempore. The gentleman from California has 9¼ minutes remaining. The gentleman from Maryland has 2 minutes remaining.

Mr. ISSA. I now yield 1 minute to the gentlelady from Kansas (Ms. JENKINS).

Ms. JENKINS. I thank the gentleman for yielding, and I thank Dr. PAUL for his leadership on this very important issue.

Mr. Speaker, the Federal Reserve lent out $16 trillion during the fiscal crisis. That's larger than the entire U.S. economy—or worse, our Federal debt. Trillions of taxpayer dollars, and we have very little understanding of where it went.

Congress holds the purse, but we have no oversight over how the Fed manages the funds. This is why I've cosponsored a bipartisan effort to audit the Fed in full. It's our responsibility.

Current monetary policy audits of the Fed are insufficient. Most Fed operations consist of transactions with foreign central banks, and yet they are exempt from review. When corruption is suspected, a common refrain is: follow the money. With the historic sovereign debt crisis brewing in Europe, we must look closely at our own balance sheet. We must follow the money.

As a CPA, I know we need more transparency in Washington. It should start with the Federal Reserve.

□ 1550

Mr. CUMMINGS. I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I would like to include in the record of this debate an article about the Fed's policy model

sacrificing its maximum employment mandate and targeting 5 to 6 percent as unemployment.

SPEECH BY JANET L. YELLEN, VICE CHAIR, BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM AT THE BOSTON ECONOMIC CLUB DINNER, BOSTON, MASSACHUSETTS JUNE 6, 2012

PERSPECTIVES ON MONETARY POLICY

Good evening. I'm honored to have the opportunity to address the Boston Economic Club and I'm grateful to Chip Case for inviting me to speak to you tonight. As most of you probably know, Chip was one of the first economists to document worrisome signs of a housing bubble in parts of the United States. After sounding an early alarm in 2003, Chip watched the bubble grow and was prescient in anticipating the very serious toll that its unwinding would impose on the economy. Chip recognized that declining house prices would affect not just residential construction but also consumer spending, the ability of households to borrow, and the health of the financial system. In light of these pervasive linkages, the repeat sales house price index that bears Chip's name is one of the most closely watched of all U.S. economic indicators. Indeed, as I will discuss this evening, prolonged weakness in the housing sector remains one of several serious headwinds facing the U.S. economy. Given these headwinds, I believe that a highly accommodative monetary policy will be needed for quite some time to help the economy mend. Before continuing, let me emphasize that my remarks reflect my own views and not necessarily those of others in the Federal Reserve System.

ECONOMIC CONDITIONS AND THE OUTLOOK

In my remarks tonight, I will describe my perspective on monetary policy. To begin, however, I'll highlight some of the current conditions and key features of the economic outlook that shape my views. To anticipate the main points, the economy appears to be expanding at a moderate pace. The unemployment rate is almost 1 percentage point lower than it was a year ago, but we are still far from full employment. Looking ahead, I anticipate that significant headwinds will continue to restrain the pace of the recovery so that the remaining employment gap is likely to close only slowly. At the same time, inflation (abstracting from the transitory effects of movements in oil prices) has been running near 2 percent over the past two years, and I expect it to remain at or below the Federal Open Market Committee's (the FOMC's) 2 percent objective for the foreseeable future. As always, considerable uncertainty attends the outlook for both growth and inflation; events could prove either more positive or negative than what I see as the most likely outcome. That said, as I will explain, I consider the balance of risks to be tilted toward a weaker economy.

Starting with the labor market, conditions have gradually improved over the past year, albeit at an uneven pace. Average monthly payroll gains picked up from about 145,000 in the second half of 2011 to 225,000 during the first quarter of this year. However, these gains fell back to around 75,000 a month in April and May. The deceleration of payroll employment from the first to the second quarter was probably exacerbated by some combination of seasonal adjustment difficulties and an unusually mild winter that likely boosted employment growth earlier in the year. Payback for that earlier strength probably accounts for some of the weakness we've seen recently. Smoothing through these fluctuations, the average pace of job creation for the year to date, as well as recent unemployment benefit claims data and other indicators, appear to be consistent with an economy expanding at only a moderate rate, close to its potential.

Such modest growth would imply little additional progress in the near term in improving labor market conditions, which remain very weak. Currently, the unemployment rate stands around 3 percentage points above where it was at the onset of the recession—a figure that is stark enough as it is, but does not even take account of the millions more who have left the labor force or who would have joined under more normal circumstances in the past four years. All told, only about half of the collapse in private payroll employment in 2008 and 2009 has been reversed. A critical question for monetary policy is the extent to which these numbers reflect a shortfall from full employment versus a rise in structural unemployment. While the magnitude of structural unemployment is uncertain, I read the evidence as suggesting that the bulk of the rise during the recession was cyclical, not structural in nature.

Consider figure 1, which presents three indicators of labor market slack. The black solid line is the unemployment gap, defined as the difference between the actual unemployment rate and the Congressional Budget Office (CBO) estimate of the rate consistent with inflation remaining stable over time. The red dashed line is an index of the difficulty households perceive in finding jobs, based on results from a survey conducted by the Conference Board. And the red dotted line is an index of firms' ability to fill jobs, based on a survey conducted by the National Federation of Independent Business. All three measures show similar cyclical movements over the past 20 years, and all now stand at very high levels. This similarity runs counter to claims that the CBO's and other estimates of the unemployment gap overstate the true amount of slack by placing insufficient weight on structural explanations, such as a reduced efficiency of matching workers to jobs, for the rise in unemployment since 2007. If that were the case, why would firms now find it so easy to fill positions? Other evidence also points to the dominant role of cyclical forces in the recent rise in unemployment: job losses have been widespread, rather than being concentrated in the construction and financial sectors, and the co-movement of job vacancies and unemployment over the past few years does not appear to be unusual.

As I mentioned, I expect several factors to restrain the pace of the recovery and the corresponding improvement in the labor market going forward. The housing sector remains a source of very significant headwinds. Housing has typically been a driver of economic recoveries, and we have seen some modest improvement recently, but continued uncertainties over the direction of house prices, and very restricted mortgage credit availability for all but the most creditworthy buyers, will likely weigh on housing demand for some time to come. When housing demand does pick up more noticeably, the huge overhang of both unoccupied dwellings and homes in the foreclosure pipeline will likely allow a good deal of that demand to be met for a time without a sizeable expansion in homebuilding. Moreover, the enormous toll on household wealth resulting from the collapse of house prices—almost a 35 percent decline from its 2006 peak, according to the Case-Shiller index—imposes ongoing restraint on consumer spending, and the loss of home equity has impaired many households' ability to borrow.

A second headwind that will likely become more important over coming months relates to fiscal policy. At the federal level, stimulus-related policies are scheduled to wind down, while both defense and nondefense purchases are expected to decline in inflation-adjusted terms over the next several years. Toward the end of this year, important decisions regarding the extension of current federal tax and budget policies loom. I will return to the associated uncertainties and their potentially detrimental effects later.

A third factor weighing on the outlook is the likely sluggish pace of economic growth abroad. Strains in global financial markets have resurfaced in recent months, reflecting renewed uncertainty about the resolution of the European situation. Risk premiums on sovereign debt and other securities have risen again in many European countries, while European banks continue to face pressure to shrink their balance sheets. Even without a further intensification of stresses, the slowdown in economic activity in Europe will likely hold back U.S. export growth. Moreover, the perceived risks surrounding the European situation are already having a meaningful effect on financial conditions here in the United States, further weighing on the prospects for U.S. growth.

Given these formidable challenges, most private sector forecasters expect only gradual improvement in the labor market and I share their view. Figure 2 shows the unemployment rate together with the median forecast from last month's Survey of Professional Forecasters (SPF), the dashed blue line. The figure also shows the central tendency of the unemployment projections that my FOMC colleagues and I made at our April meeting: Those projections reflect our assessments of the economic outlook given our own individual judgements about the appropriate path of monetary policy. Included in the figure as well is the central tendency of FOMC participants' estimates of the longer-run normal unemployment rate, which ranges from 5.2 percent to 6 percent. Like private forecasters, most FOMC participants expect the unemployment rate to remain well above its longer-run normal value over the next several years.

Of course, considerable uncertainty attends this outlook: The shaded area provides an estimate of the 70 percent confidence interval for the future path of the unemployment rate based on historical experience and model simulations. Its width suggests that these projections could be quite far off, in either direction. Nevertheless, the figure shows that labor market slack at present is so large that even a very large and favorable forecast error would not change the conclusion that slack will likely remain substantial for quite some time.

Turning to inflation, figure 3 summarizes private and FOMC forecasts. Overall consumer price inflation has fluctuated quite a bit in recent years, largely reflecting movements in prices for oil and other commodities. In early 2011 and again earlier this year, prices of crude oil, and thus of gasoline, rose noticeably. Smoothing through these fluctuations, inflation as measured by the price index for personal consumption expenditures (PCE) averaged near 2 percent over the past two years. In recent weeks, however, oil and gasoline prices have moderated and are now showing through to the headline inflation figures. Looking ahead, most FOMC participants at the time of our April meeting expected inflation to be at, or a bit below, our long-run objective of 2 percent through 2014; private forecasters on average also expect inflation to be close to 2 percent. As with unemployment, uncertainty around the inflation projection is substantial.

In the view of some observers; the stability of inflation in the face of high unemployment in recent years constitutes evidence

that much of the remaining unemployment is structural and not cyclical. They reason that if there were truly substantial slack in the labor market, simple accelerationist ''Phillips curve'' models would predict more noticeable downward pressure on inflation. However, substantial cross-country evidence suggests that, in low-inflation environments, inflation is notably less responsive to downward pressure from labor market slack than it is when inflation is elevated.

In other words, the short-run Phillips curve may flatten out. One important reason for this non-linearity, in my view, is downward nominal wage rigidity—that is, the reluctance or inability of many firms to cut nominal wages.

The solid blue bars in figure 4 present a snapshot of the distribution of nominal wage changes for individual jobs during the depth of the current labor market slump, based on data collected by the Bureau of Labor Statistics. For comparison, the dashed red line presents a hypothetical distribution of wage changes, using a normal distribution that approximates the actual distribution of wage changes greater than zero. The distribution of actual wage changes shows that a relatively high percentage of workers saw no change in their nominal wage, and relatively few experienced modest wage cuts. This pile-up phenomenon at zero suggests that, even when the unemployment rate was around 10 percent, many firms were reluctant to cut nominal wage rates. In the absence of this barrier, nominal gains in wages and unit labor costs would have likely been even more subdued given the severity of the economic downturn, with the result that inflation would probably now be running at a lower rate.

Anchored inflation expectations are another reason why inflation has remained close to 2 percent in the face of very low resource utilization. As shown in figure 5, survey measures of longer-horizon inflation expectations have remained nearly constant since the mid-1990s even as actual inflation has fluctuated. As a result, the current slump has not generated the downward spiral of falling expected and actual inflation that a simple accelerationist model of inflation might have predicted. Indeed, keeping inflation expectations from declining has been an important success of monetary policy over the past few years. At the same time, the fact that longer-term inflation expectations have not risen above 2 percent has also proved extremely valuable, for it has freed the FOMC to take strong actions to support the economic recovery without greatly worrying that higher energy and commodity prices would become ingrained in inflation and inflation expectations, as they did in the 1970s.

While my modal outlook calls for only a gradual reduction in labor market slack and a stable pace of inflation near the FOMC's longer-run objective of 2 percent, I see substantial risks to this outlook, particularly to the downside. As I mentioned before, even without any political gridlock, fiscal policy is bound to become substantially less accommodative from early 2013 on. However, federal fiscal policy could turn even more restrictive if the Congress does not reach agreement on several important tax and budget policy issues before the end of this year; in fact, the CBO recently warned that the potential hit to gross domestic product (GDP) growth could be sufficient to push the economy into recession in 2013. The deterioration of financial conditions in Europe of late, coupled with notable declines in global equity markets, also serve as a reminder that highly destabilizing outcomes cannot be ruled out. Finally, besides these clearly identifiable sources of risk, there remains the broader issue that economic forecasters have repeatedly overestimated the strength of the recovery and so still may be too optimistic about the prospects that growth will strengthen.

Although I view the bulk of the increase in unemployment since 2007 as cyclical, I am concerned that it could become a permanent problem if the recovery were to stall. In this economic downturn, the fraction of the workforce unemployed for six months or more has climbed much more than in previous recessions, and remains at a remarkably high level. Continued high unemployment could wreak long-term damage by eroding the skills and labor force attachment of workers suffering long-term unemployment, thereby turning what was initially cyclical into structural unemployment. This risk provides another important reason to support the recovery by maintaining a highly accommodative stance of monetary policy.

THE CONDUCT OF POLICY WITH UNCONVENTIONAL TOOLS

Now turning to monetary policy, I will begin by discussing the FOMC's reliance on unconventional tools to address the disappointing pace of recovery. I will then elaborate my rationale for supporting a highly accommodative policy stance.

As you know, since late 2008, the FOMC's standard policy tool, the target federal funds rate, has been maintained at the zero lower bound. To provide further accommodation, we have employed two unconventional tools to support the recovery—extended forward guidance about the future path of the federal funds rate, and large-scale asset purchases and other balance sheet actions that have greatly increased the size and duration of the Federal Reserve's portfolio.

These two tools have become increasingly important because the recovery from the recession has turned out to be persistently slower than either the FOMC or private forecasters anticipated. Figure 6 illustrates the magnitude of the disappointment by comparing Blue Chip forecasts for real GDP growth made two years ago with ones made earlier this year. As shown by the dashed blue line, private forecasters in early 2010 anticipated that real GDP would expand at an average annual rate of just over 3 percent from 2010 through 2014. However, actual growth in 2011 and early 2012 has turned out to be much weaker than expected, and, as indicated by the dotted red line, private forecasters now anticipate only a modest acceleration in real activity over the next few years.

In response to the evolving outlook, the FOMC has progressively added policy accommodation using both of its unconventional tools. For example, since the federal funds rate target was brought down to a range of 0 to ¼ percent in December 2008, the FOMC has gradually adjusted its forward guidance about the anticipated future path of the federal funds rate. In each meeting statement from March 2009 through June 2011, the Committee indicated its expectation that economic conditions ''are likely to warrant exceptionally low levels of the federal funds rate for an extended period.'' At the August 2011 meeting, the Committee decided to provide more specific information about the likely time horizon by substituting the phrase ''at least through mid-2013'' for the phrase ''for an extended period''; at the January 2012 meeting, this horizon was extended to ''at least through late 2014.'' Has this guidance worked? Figure 7 illustrates how dramatically forecasters' expectations of future short-term interest rates have changed. As the dashed blue line indicates, the Blue Chip consensus forecast made in early 2010 anticipated that the Treasury-bill rate would now stand at close to 3½ percent; today, in contrast, private forecasters expect short-term interest rates to remain very low in 2014.

Of course, much of this revision in interest rate projections would likely have occurred in the absence of explicit forward guidance; given the deterioration in projections of real activity due to the unanticipated persistence of headwinds, and the continued subdued outlook for inflation, forecasters would naturally have anticipated a greater need for the FOMC to provide continued monetary accommodation. However, I believe the changes over time in the language of the FOMC statement, coupled with information provided by Chairman Bernanke and others in speeches and congressional testimony, helped the public understand better the Committee's likely policy response given the slower-than-expected economic recovery. As a result, forecasters and market participants appear to have marked down their expectations for future short-term interest rates by more than they otherwise would have, thereby putting additional downward pressure on long-term interest rates, improving broader financial conditions, and lending support to aggregate demand.

The FOMC has also provided further monetary accommodation over time by altering the size and composition of the Federal Reserve's securities holdings, shown in figure 8. The expansion in the volume of securities held by the Federal Reserve is shown in the left panel of the figure. During 2009 and early 2010, the Federal Reserve purchased about $1.4 trillion in agency mortgage-backed securities and agency debt securities and about $300 billion in longer-term Treasury securities. In November 2010, the Committee initiated an additional $600 billion in purchases of longer-term Treasury securities, which were completed at the end of June of last year. Last September, the FOMC decided to implement the ''Maturity Extension Program,'' which affected the maturity composition of our Treasury holdings as shown in the right panel. Through this program, the FOMC is extending the average maturity of its securities holdings by selling $400 billion of Treasury securities with remaining maturities of 3 years or less and purchasing an equivalent amount of Treasury securities with remaining maturities of 6 to 30 years. These transactions are currently scheduled to be completed at the end of this month.

Research by Federal Reserve staff and others suggests that our balance sheet operations have had substantial effects on longer-term Treasury yields, principally by reducing term premiums on longer-dated Treasury securities. Figure 9 provides an estimate, based on Federal Reserve Board staff calculations, of the cumulative reduction of the term premium on 10-year Treasury securities from the three balance sheet programs. These results suggest that our portfolio actions are currently keeping 10-year Treasury yields roughly 60 basis points lower than they otherwise would be. Other evidence suggests that this downward pressure has had favorable spillover effects on other financial markets, leading to lower long-term borrowing costs for households and firms, higher equity valuations, and other improvements in financial conditions that in turn have supported consumption, investment, and net exports. Because the term premium effect depends on both the Federal Reserve's current and expected future asset holdings, most of this effect—without further actions—will likely wane over the next few years as the effect depends less and less on the current elevated level of the balance sheet and increasingly on the level of holdings during and after the normalization of our portfolio.

THE RATIONALE FOR HIGHLY ACCOMMODATIVE POLICY

I have already noted that, in my view, an extended period of highly accommodative policy is necessary to combat the persistent headwinds to recovery. I will next explain how I've reached this policy judgment. In evaluating the stance of policy, I find the prescriptions from simple policy rules a logical starting point. A wide range of such rules has been examined in the academic literature, the most famous of which is that proposed by John Taylor in his 1993 study. Rules of the general sort proposed by Taylor (1993) capture well our statutory mandate to promote maximum employment and price stability by prescribing that the federal funds rate should respond to the deviation of inflation from its longer-run goal and to the output gap, given that the economy should be at or close to full employment when the output gap—the difference between actual GDP and an estimate of potential output—is closed. Moreover, research suggests that such simple rules can be reasonably robust to uncertainty about the true structure of the economy, as they perform well in a variety of models. Today, I will consider the prescriptions of two such benchmark rules—Taylor's 1993 rule, and a variant that is twice as responsive to economic slack. In my view, this latter rule is more consistent with the FOMC's commitment to follow a balanced approach to promoting our dual mandate, and so I will refer to it as the ''balanced-approach'' rule.

To show the prescriptions these rules would have called for at the April FOMC meeting, I start with an illustrative baseline outlook constructed using the projections for unemployment, inflation, and the federal funds rate that FOMC participants reported in April. I then employ the dynamics of one of the Federal Reserve's economic models, the FRB/US model, to solve for the joint paths of these three variables if the short-term interest rate had instead been set according to the Taylor (1993) rule or the balanced-approach rule, subject, in both cases, to the zero lower bound constraint on the federal funds rate. The dashed red line in figure 10 shows the resulting path for the federal funds rate under Taylor (1993) and the solid blue line with open circles illustrates the corresponding path using the balanced-approach rule. In both simulations, the private sector fully understands that monetary policy follows the particular rule in force. Figure 10 shows that the Taylor rule calls for monetary policy to tighten immediately, while the balanced-approach rule prescribes raising the federal funds rate in the fourth quarter of 2014—the earliest date consistent with the FOMC's current forward guidance of ''exceptionally low levels for the federal funds rate at least through late 2014.''

Although simple rules provide a useful starting point in determining appropriate policy, they by no means deserve the ''last word''—especially in current circumstances. An alternative approach, also illustrated in figure 10, is to compute an ''optimal control'' path for the federal funds rate using an economic model—FRB/US, in this case. Such a path is chosen to minimize the value of a specific ''loss function'' conditional on a baseline forecast of economic conditions. The loss function attempts to quantify the social costs resulting from deviations of inflation from the Committee's longer-run goal and from deviations of unemployment from its longer-run normal rate. The solid green line with dots in figure 10 shows the ''optimal control'' path for the federal funds rate, again conditioned on the illustrative baseline outlook. This policy involves keeping the federal funds rate close to zero until late 2015, four quarters longer than the balanced-approach rule prescription and several years longer than the Taylor rule. Importantly, optimal control calls for a later lift-off date even though this benchmark—unlike the simple policy rules—implicitly takes full account of the additional stimulus to real activity and inflation being provided over time by the Federal Reserve's other policy tool, the past and projected changes to the size and maturity of its securities holdings.

Figure 11 shows that, by keeping the federal funds rate at its current level for longer, monetary policy under the balanced-approach rule achieves a more rapid reduction of the unemployment rate than monetary policy under the Taylor (1993) rule does, while nonetheless keeping inflation near 2 percent. But the improvement in labor market conditions is even more notable under the optimal control path, even as inflation remains close to the FOMC's long-run inflation objective.

As I noted, simple rules have the advantage of delivering good policy outcomes across a broad range of models, and are thereby relatively robust to our limited understanding of the precise working of the economy—in contrast to optimal-control policies, whose prescriptions are sensitive to the specification of the particular model used in the analysis. However, simple rules also have their shortcomings, leading them to significantly understate the case for keeping policy persistently accommodative in current circumstances.

One of these shortcomings is that the rules do not adjust for the constraints that the zero lower bound has placed on conventional monetary policy since late 2008. A second is that they do not fully take account of the protracted nature of the forces that have been restraining aggregate demand in the aftermath of the housing bust. As I've emphasized, the pace of the current recovery has turned out to be persistently slower than most observers expected, and forecasters expect it to remain quite moderate by historical standards. The headwinds that explain this disappointing performance represent a substantial departure from normal cyclical dynamics. As a result, the economy's equilibrium real federal funds rate—that is, the rate that would be consistent with full employment over the medium run—is probably well below its historical average, which the intercept of simple policy rules is supposed to approximate. By failing to fully adjust for this decline, the prescriptions of simple policy rules—which provide a useful benchmark under normal circumstances—could be significantly too restrictive now and could remain so for some time to come. In this regard, I think it is informative that the Blue Chip consensus forecast released in March showed the real three-month Treasury bill rate settling down at only 1¼ percent late in the decade, down 120 basis points from the long-run projections made prior to the recession.

LOOKING AHEAD

Recent labor market reports and financial developments serve as a reminder that the economy remains vulnerable to setbacks. Indeed, the simulations I described above did not take into account this new information. In our policy deliberations at the upcoming FOMC meeting we will assess the effects of these developments on the economic forecast. If the Committee were to judge that the recovery is unlikely to proceed at a satisfactory pace (for example, that the forecast entails little or no improvement in the labor market over the next few years), or that the downside risks to the outlook had become sufficiently great, or that inflation appeared to be in danger of declining notably below its 2 percent objective, I am convinced that scope remains for the FOMC to provide further policy accommodation either through its forward guidance or through additional balance-sheet actions. In taking these decisions, however, we would need to balance two considerations.

On the one hand, our unconventional tools have some limitations and costs. For example, the effects of forward guidance are likely to be weaker the longer the horizon of the guidance, implying that it may be difficult to provide much more stimulus through this channel. As for our balance sheet operations, although we have now acquired some experience with this tool, there is still considerable uncertainty about its likely economic effects. Moreover, some have expressed concern that a substantial further expansion of the balance sheet could interfere with the Fed's ability to execute a smooth exit from its accommodative policies at the appropriate time. I disagree with this view: The FOMC has tested a variety of tools to ensure that we will be able to raise short-term interest rates when needed while gradually returning the portfolio to a more normal size and composition. But even if unjustified, such concerns could in theory reduce confidence in the Federal Reserve and so lead to an undesired increase in inflation expectations.

On the other hand, risk management considerations arising from today's unusual circumstances strengthen the case for additional accommodation beyond that called for by simple policy rules and optimal control under the modal outlook. In particular, as I have noted, there are a number of significant downside risks to the economic outlook, and hence it may well be appropriate to insure against adverse shocks that could push the economy into territory where a self-reinforcing downward spiral of economic weakness would be difficult to arrest.

CONCLUSION

In my remarks this evening I have sought to explain why, in my view, a highly accommodative monetary policy will remain appropriate for some time to come. My views concerning the stance of monetary policy reflect the FOMC's firm commitment to the goals of maximum employment and stable prices, my appraisal of the medium term outlook (which is importantly shaped by the persistent legacy of the housing bust and ensuing financial crisis), and by my assessment of the balance of risks facing the economy. Of course, as I've emphasized, the outlook is uncertain and the Committee will need to adjust policy as appropriate as actual conditions unfold. For this reason, the FOMC's forward guidance is explicitly conditioned on its anticipation of ''low rates of resource utilization and a subdued outlook for inflation over the medium run.'' If the recovery were to proceed faster than expected or if inflation pressures were to pick up materially, the FOMC could adjust policy by bringing forward the expected date of tightening. In contrast, if the Committee judges that the recovery is proceeding at an insufficient pace, we could undertake portfolio actions such as additional asset purchases or a further maturity extension program. It is for this reason that the FOMC emphasized, in its statement following the April meeting, that it would ''regularly review the size and composition of its securities holdings and is prepared to adjust those holdings as appropriate to promote a stronger economic recovery in a context of price stability.''

Mr. KUCINICH. I would also like to include in the record of this debate an article from Bloomberg News that talks about how secret Fed loans gave

banks billions that were undisclosed to Congress.

[From: Bloomberg Markets Magazine, Nov. 27, 2011]

SECRET FED LOANS GAVE BANKS $13 BILLION UNDISCLOSED TO CONGRESS

(By Bob Ivry, Bradley Keoun, and Phi Kuntz)

The Federal Reserve and the big banks fought for more than two years to keep details of the largest bailout in U.S. history a secret. Now, the rest of the world can see what it was missing. The Fed didn't tell anyone which banks were in trouble so deep they required a combined $1.2 trillion on Dec. 5, 2008, their single neediest day. Bankers didn't mention that they took tens of billions of dollars in emergency loans at the same time they were assuring investors their firms were healthy. And no one calculated until now that banks reaped an estimated $13 billion of income by taking advantage of the Fed's below-market rates, Bloomberg Markets magazine reports in its January issue.

Saved by the bailout, bankers lobbied against government regulations, a job made easier by the Fed, which never disclosed the details of the rescue to lawmakers even as Congress doled out more money and debated new rules aimed at preventing the next collapse.

A fresh narrative of the financial crisis of 2007 to 2009 emerges from 29,000 pages of Fed documents obtained under the Freedom of Information Act and central bank records of more than 21,000 transactions. While Fed officials say that almost all of the loans were repaid and there have been no losses, details suggest taxpayers paid a price beyond dollars as the secret funding helped preserve a broken status quo and enabled the biggest banks to grow even bigger.

''CHANGE THEIR VOTES''

''When you see the dollars the banks got, it's hard to make the case these were successful institutions,'' says Sherrod Brown, a Democratic Senator from Ohio who in 2010 introduced an unsuccessful bill to limit bank size. ''This is an issue that can unite the Tea Party and Occupy Wall Street. There are lawmakers in both parties who would change their votes now.'' The size of the bailout came to light after Bloomberg LP, the parent of Bloomberg News, won a court case against the Fed and a group of the biggest U.S. banks called Clearing House Association LLC to force lending details into the open.

The Fed, headed by Chairman Ben S. Bernanke, argued that revealing borrower details would create a stigma—investors and counterparties would shun firms that used the central bank as lender of last resort—and that needy institutions would be reluctant to borrow in the next crisis. Clearing House Association fought Bloomberg's lawsuit up to the U.S. Supreme Court, which declined to hear the banks' appeal in March 2011.

$7.77 TRILLION

The amount of money the central bank parceled out was surprising even to Gary H. Stern, president of the Federal Reserve Bank of Minneapolis from 1985 to 2009, who says he ''wasn't aware of the magnitude.'' It dwarfed the Treasury Department's better-known $700 billion Troubled Asset Relief Program, or TARP. Add up guarantees and lending limits, and the Fed had committed $7.77 trillion as of March 2009 to rescuing the financial system, more than half the value of everything produced in the U.S. that year.

''TARP at least had some strings attached,'' says Brad Miller, a North Carolina Democrat on the House Financial Services Committee, referring to the program's executive-pay ceiling. ''With the Fed programs, there was nothing.''

Bankers didn't disclose the extent of their borrowing. On Nov. 26, 2008, then-Bank of America (BAC) Corp. Chief Executive Officer Kenneth D. Lewis wrote to shareholders that he headed ''one of the strongest and most stable major banks in the world.'' He didn't say that his Charlotte, North Carolina-based firm owed the central bank $86 billion that day.

''MOTIVATE OTHERS''

JPMorgan Chase & Co. CEO Jamie Dimon told shareholders in a March 26, 2010, letter that his bank used the Fed's Term Auction Facility ''at the request of the Federal Reserve to help motivate others to use the system.'' He didn't say that the New York-based bank's total TAF borrowings were almost twice its cash holdings or that its peak borrowing of $48 billion on Feb. 26, 2009, came more than a year after the program's creation.

Howard Opinsky, a spokesman for JPMorgan (JPM), declined to comment about Dimon's statement or the company's Fed borrowings. Jerry Dubrowski, a spokesman for Bank of America, also declined to comment.

The Fed has been lending money to banks through its so- called discount window since just after its founding in 1913. Starting in August 2007, when confidence in banks began to wane, it created a variety of ways to bolster the financial system with cash or easily traded securities. By the end of 2008, the central bank had established or expanded ii lending facilities catering to banks, securities firms and corporations that couldn't get short-term loans from their usual sources.

''CORE FUNCTION''

''Supporting financial-market stability in times of extreme market stress is a core function of central banks,'' says William B. English, director of the Fed's Division of Monetary Affairs. ''Our lending programs served to prevent a collapse of the financial system and to keep credit flowing to American families and businesses.''

The Fed has said that all loans were backed by appropriate collateral. That the central bank didn't lose money should ''lead to praise of the Fed, that they took this extraordinary step and they got it right,'' says Phillip Swagel, a former assistant Treasury secretary under Henry M. Paulson and now a professor of international economic policy at the University of Maryland. The Fed initially released lending data in aggregate form only. Information on which banks borrowed, when, how much and at what interest rate was kept from public view.

The secrecy extended even to members of President George W. Bush's administration who managed TARP. Top aides to Paulson weren't privy to Fed lending details during the creation of the program that provided crisis funding to more than 700 banks, say two former senior Treasury officials who requested anonymity because they weren't authorized to speak.

BIG SIX

The Treasury Department relied on the recommendations of the Fed to decide which banks were healthy enough to get TARP money and how much, the former officials say. The six biggest U.S. banks, which received $160 billion of TARP funds, borrowed as much as $460 billion from the Fed, measured by peak daily debt calculated by Bloomberg using data obtained from the central bank. Paulson didn't respond to a request for comment.

The six—JPMorgan, Bank of America, Citigroup Inc. (C), Wells Fargo & Co. (WFC), Goldman Sachs Group Inc. (GS) and Morgan Stanley—accounted for 63 percent of the average daily debt to the Fed by all publicly traded U.S. banks, money managers and investment- services firms, the data show. By comparison, they had about half of the industry's assets before the bailout, which lasted from August 2007 through April 2010. The daily debt figure excludes cash that banks passed along to money-market funds.

BANK SUPERVISION

While the emergency response prevented financial collapse, the Fed shouldn't have allowed conditions to get to that point, says Joshua Rosner, a banking analyst with Graham Fisher & Co. in New York who predicted problems from lax mortgage underwriting as far back as 2001. The Fed, the primary supervisor for large financial companies, should have been more vigilant as the housing bubble formed, and the scale of its lending shows the ''supervision of the banks prior to the crisis was far worse than we had imagined,'' Rosner says.

Bernanke in an April 2009 speech said that the Fed provided emergency loans only to ''sound institutions,'' even though its internal assessments described at least one of the biggest borrowers, Citigroup, as ''marginal.''

On Jan. 14, 2009, six days before the company's central bank loans peaked, the New York Fed gave CEO Vikram Pandit a report declaring Citigroup's financial strength to be ''superficial,'' bolstered largely by its $45 billion of Treasury funds. The document was released in early 2011 by the Financial Crisis Inquiry Commission, a panel empowered by Congress to probe the causes of the crisis.

''NEED TRANSPARENCY''

Andrea Priest, a spokeswoman for the New York Fed, declined to comment, as did Jon Diat, a spokesman for Citigroup.

''I believe that the Fed should have independence in conducting highly technical monetary policy, but when they are putting taxpayer resources at risk, we need transparency and accountability,'' says Alabama Senator Richard Shelby, the top Republican on the Senate Banking Committee.

Judd Gregg, a former New Hampshire senator who was a lead Republican negotiator on TARP, and Barney Frank, a Massachusetts Democrat who chaired the House Financial Services Committee, both say they were kept in the dark.

''We didn't know the specifics,'' says Gregg, who's now an adviser to Goldman Sachs.

''We were aware emergency efforts were going on,'' Frank says. ''We didn't know the specifics.''

DISCLOSE LENDING

Frank co-sponsored the Dodd-Frank Wall Street Reform and Consumer Protection Act, billed as a fix for financial-industry excesses. Congress debated that legislation in 2010 without a full understanding of how deeply the banks had depended on the Fed for survival. It would have been ''totally appropriate'' to disclose the lending data by mid-2009, says David Jones, a former economist at the Federal Reserve Bank of New York who has written four books about the central bank.

''The Fed is the second-most-important appointed body in the U.S., next to the Supreme Court, and we're dealing with a democracy,'' Jones says. ''Our representatives in Congress deserve to have this kind of information so they can oversee the Fed.''

The Dodd-Frank law required the Fed to release details of some emergency-lending programs in December 2010. It also mandated disclosure of discount-window borrowers after a two- year lag.

PROTECTING TARP

TARP and the Fed lending programs went ''hand in hand,'' says Sherrill Shaffer, a banking professor at the University of Wyoming in Laramie and a former chief economist at the New York Fed. While the TARP

money helped insulate the central bank from losses, the Fed's willingness to supply seemingly unlimited financing to the banks assured they wouldn't collapse, protecting the Treasury's TARP investments, he says.

''Even though the Treasury was in the headlines, the Fed was really behind the scenes engineering it,'' Shaffer says.

Congress, at the urging of Bernanke and Paulson, created TARP in October 2008 after the bankruptcy of Lehman Brothers Holdings Inc. made it difficult for financial institutions to get loans. Bank of America and New York-based Citigroup each received $45 billion from TARP. At the time, both were tapping the Fed. Citigroup hit its peak borrowing of $99.5 billion in January 2009, while Bank of America topped out in February 2009 at $91.4 billion.

NO CLUE

Lawmakers knew none of this.

They had no clue that one bank, New York-based Morgan Stanley (MS), took $107 billion in Fed loans in September 2008, enough to pay off one-tenth of the country's delinquent mortgages. The firm's peak borrowing occurred the same day Congress rejected the proposed TARP bill, triggering the biggest point drop ever in the Dow Jones Industrial Average. (INDU) The bill later passed, and Morgan Stanley got $10 billion of TARP funds, though Paulson said only ''healthy institutions'' were eligible.

Mark Lake, a spokesman for Morgan Stanley, declined to comment, as did spokesmen for Citigroup and Goldman Sachs.

Had lawmakers known, it ''could have changed the whole approach to reform legislation,'' says Ted Kaufman, a former Democratic Senator from Delaware who, with Brown, introduced the bill to limit bank size.

MORAL HAZARD

Kaufman says some banks are so big that their failure could trigger a chain reaction in the financial system. The cost of borrowing for so-called too-big-to-fail banks is lower than that of smaller firms because lenders believe the government won't let them go under. The perceived safety net creates what economists call moral hazard—the belief that bankers will take greater risks because they'll enjoy any profits while shifting losses to taxpayers.

If Congress had been aware of the extent of the Fed rescue, Kaufman says, he would have been able to line up more support for breaking up the biggest banks.

Byron L. Dorgan, a former Democratic senator from North Dakota, says the knowledge might have helped pass legislation to reinstate the Glass-Steagall Act, which for most of the last century separated customer deposits from the riskier practices of investment banking.

''Had people known about the hundreds of billions in loans to the biggest financial institutions, they would have demanded Congress take much more courageous actions to stop the practices that caused this near financial collapse,'' says Dorgan, who retired in January.

GETTING BIGGER

Instead, the Fed and its secret financing helped America's biggest financial firms get bigger and go on to pay employees as much as they did at the height of the housing bubble.

Total assets held by the six biggest U.S. banks increased 39 percent to $9.5 trillion on Sept. 30, 2011, from $6.8 trillion on the same day in 2006, according to Fed data.

For so few banks to hold so many assets is ''un-American,'' says Richard W. Fisher, president of the Federal Reserve Bank of Dallas. ''All of these gargantuan institutions are too big to regulate. I'm in favor of breaking them up and slimming them down.''

Employees at the six biggest banks made twice the average for all U.S. workers in 2010, based on Bureau of Labor Statistics hourly compensation cost data. The banks spent $146.3 billion on compensation in 2010, or an average of $126,342 per worker, according to data compiled by Bloomberg. That's up almost 20 percent from five years earlier compared with less than 15 percent for the average worker. Average pay at the banks in 2010 was about the same as in 2007, before the bailouts.

''WANTED TO PRETEND''

''The pay levels came back so fast at some of these firms that it appeared they really wanted to pretend they hadn't been bailed out,'' says Anil Kashyap, a former Fed economist who's now a professor of economics at the University of Chicago Booth School of Business. ''They shouldn't be surprised that a lot of people find some of the stuff that happened totally outrageous.''

Bank of America took over Merrill Lynch & Co. at the urging of then-Treasury Secretary Paulson after buying the biggest U.S. home lender, Countrywide Financial Corp. When the Merrill Lynch purchase was announced on Sept. 15, 2008, Bank of America had $14.4 billion in emergency Fed loans and Merrill Lynch had $8.1 billion. By the end of the month, Bank of America's loans had reached $25 billion and Merrill Lynch's had exceeded $60 billion, helping both firms keep the deal on track.

PREVENT COLLAPSE

Wells Fargo bought Wachovia Corp., the fourth-largest U.S. bank by deposits before the 2008 acquisition. Because depositors were pulling their money from Wachovia, the Fed channeled $50 billion in secret loans to the Charlotte, North Carolina-based bank through two emergency-financing programs to prevent collapse before Wells Fargo could complete the purchase. ''These programs proved to be very successful at providing financial markets the additional liquidity and confidence they needed at a time of unprecedented uncertainty,'' says Ancel Martinez, a spokesman for Wells Fargo.

JPMorgan absorbed the country's largest savings and loan, Seattle-based Washington Mutual Inc., and investment bank Bear Stearns Cos. The New York Fed, then headed by Timothy F. Geithner, who's now Treasury secretary, helped JPMorgan complete the Bear Stearns deal by providing $29 billion of financing, which was disclosed at the time. The Fed also supplied Bear Stearns with $30 billion of secret loans to keep the company from failing before the acquisition closed, central bank data show. The loans were made through a program set up to provide emergency funding to brokerage firms.

''REGULATORY DISCRETION''

''Some might claim that the Fed was picking winners and losers, but what the Fed was doing was exercising its professional regulatory discretion,'' says John Deane, a former speechwriter at the New York Fed who's now executive vice president for policy at the Financial Services Forum, a Washington-based group consisting of the CEOs of 20 of the world's biggest financial firms. ''The Fed clearly felt it had what it needed within the requirements of the law to continue to lend to Bear and Wachovia.''

The bill introduced by Brown and Kaufman in April 2010 would have mandated shrinking the six largest firms.

''When a few banks have advantages, the little guys get squeezed,'' Brown says. ''That, to me, is not what capitalism should be.''

Kaufman says he's passionate about curbing too-big-to-fail banks because he fears another crisis.

''CAN WE SURVIVE?''

''The amount of pain that people, through no fault of their own, had to endure—and the prospect of putting them through it again—is appalling,'' Kaufman says. ''The public has no more appetite for bailouts. What would happen tomorrow if one of these big banks got in trouble? Can we survive that?''

Lobbying expenditures by the six banks that would have been affected by the legislation rose to $29.4 million in 2010 compared with $22.1 million in 2006, the last full year before credit markets seized up—a gain of 33 percent, according to OpenSecrets.org, a research group that tracks money in U.S. politics. Lobbying by the American Bankers Association, a trade organization, increased at about the same rate, OpenSecrets.org reported.

Lobbyists argued the virtues of bigger banks. They're more stable, better able to serve large companies and more competitive internationally, and breaking them up would cost jobs and cause ''long-term damage to the U.S. economy,'' according to a Nov. 13, 2009, letter to members of Congress from the FSF.

The group's website cites Nobel Prize-winning economist Oliver E. Williamson, a professor emeritus at the University of California, Berkeley, for demonstrating the greater efficiency of large companies.

''SERIOUS BURDEN''

In an interview, Williamson says that the organization took his research out of context and that efficiency is only one factor in deciding whether to preserve too-big-to-fail banks.

''The banks that were too big got even bigger, and the problems that we had to begin with are magnified in the process,'' Williamson says. ''The big banks have incentives to take risks they wouldn't take if they didn't have government support. It's a serious burden on the rest of the economy.''

Deane says his group didn't mean to imply that Williamson endorsed big banks.

Top officials in President Barack Obama's administration sided with the FSF in arguing against legislative curbs on the size of banks.

GEITHNER, KAUFMAN

On May 4, 2010, Geithner visited Kaufman in his Capitol Hill office. As president of the New York Fed in 2007 and 2008, Geithner helped design and run the central bank's lending programs. The New York Fed supervised four of the six biggest U.S. banks and, during the credit crunch, put together a daily confidential report on Wall Street's financial condition. Geithner was copied on these reports, based on a sampling of e-mails released by the Financial Crisis Inquiry Commission.

At the meeting with Kaufman, Geithner argued that the issue of limiting bank size was too complex for Congress and that people who know the markets should handle these decisions, Kaufman says. According to Kaufman, Geithner said he preferred that bank supervisors from around the world, meeting in Basel, Switzerland, make rules increasing the amount of money banks need to hold in reserve. Passing laws in the U.S. would undercut his efforts in Basel, Geithner said, according to Kaufman.

Anthony Coley, a spokesman for Geithner, declined to comment.

''PUNISHING SUCCESS''

Lobbyists for the big banks made the winning case that forcing them to break up was ''punishing success,'' Brown says. Now that they can see how much the banks were borrowing from the Fed, senators might think differently, he says.

The Fed supported curbing too-big-to-fail banks, including giving regulators the power to close large financial firms and implementing tougher supervision for big banks, says Fed General Counsel Scott G. Alvarez. The Fed didn't take a position on whether large banks should be dismantled before they get into trouble.

Dodd-Frank does provide a mechanism for regulators to break up the biggest banks. It established the Financial Stability Oversight Council that could order teetering banks to shut down in an orderly way. The council is headed by Geithner.

''Dodd-Frank does not solve the problem of too big to fail,'' says Shelby, the Alabama Republican. ''Moral hazard and taxpayer exposure still very much exist.''

BELOW MARKET

Dean Baker, co-director of the Center for Economic and Policy Research in Washington, says banks ''were either in bad shape or taking advantage of the Fed giving them a good deal. The former contradicts their public statements. The latter—getting loans at below-market rates during a financial crisis—is quite a gift.''

The Fed says it typically makes emergency loans more expensive than those available in the marketplace to discourage banks from abusing the privilege. During the crisis, Fed loans were among the cheapest around, with funding available for as low as 0.01 percent in December 2008, according to data from the central bank and money-market rates tracked by Bloomberg.

The Fed funds also benefited firms by allowing them to avoid selling assets to pay investors and depositors who pulled their money. So the assets stayed on the banks' books, earning interest.

Banks report the difference between what they earn on loans and investments and their borrowing expenses. The figure, known as net interest margin, provides a clue to how much profit the firms turned on their Fed loans, the costs of which were included in those expenses. To calculate how much banks stood to make, Bloomberg multiplied their tax-adjusted net interest margins by their average Fed debt during reporting periods in which they took emergency loans.

ADDED INCOME

The 190 firms for which data were available would have produced income of $13 billion, assuming all of the bailout funds were invested at the margins reported, the data show.

The six biggest U.S. banks' share of the estimated subsidy was $4.8 billion, or 23 percent of their combined net income during the time they were borrowing from the Fed. Citigroup would have taken in the most, with $1.8 billion.

''The net interest margin is an effective way of getting at the benefits that these large banks received from the Fed,'' says Gerald A. Hanweck, a former Fed economist who's now a finance professor at George Mason University in Fairfax, Virginia.

While the method isn't perfect, it's impossible to state the banks' exact profits or savings from their Fed loans because the numbers aren't disclosed and there isn't enough publicly available data to figure it out.

Opinsky, the JPMorgan spokesman, says he doesn't think the calculation is fair because ''in all likelihood, such funds were likely invested in very short-term investments,'' which typically bring lower returns.

STANDING ACCESS

Even without tapping the Fed, the banks get a subsidy by having standing access to the central bank's money, says Viral Acharya, a New York University economics professor who has worked as an academic adviser to the New York Fed.

''Banks don't give lines of credit to corporations for free,'' he says. ''Why should all these government guarantees and liquidity facilities be for free?''

In the September 2008 meeting at which Paulson and Bernanke briefed lawmakers on the need for TARP, Bernanke said that if nothing was done, ''unemployment would rise—to 8 or 9 percent from the prevailing 6.1 percent,'' Paulson wrote in ''On the Brink'' (Business Plus, 2010).

OCCUPY WALL STREET

The U.S. jobless rate hasn't dipped below 8.8 percent since March 2009, 3.6 million homes have been foreclosed since August 2007, according to data provider RealtyTrac Inc., and police have clashed with Occupy Wall Street protesters, who say government policies favor the wealthiest citizens, in New York, Boston, Seattle and Oakland, California.

The Tea Party, which supports a more limited role for government, has its roots in anger over the Wall Street bailouts, says Neil M. Barofsky, former TARP special inspector general and a Bloomberg Television contributing editor.

''The lack of transparency is not just frustrating; it really blocked accountability,'' Barofsky says. ''When people don't know the details, they fill in the blanks. They believe in conspiracies.''

In the end, Geithner had his way. The Brown-Kaufman proposal to limit the size of banks was defeated, 60 to 31. Bank supervisors meeting in Switzerland did mandate minimum reserves that institutions will have to hold, with higher levels for the world's largest banks, including the six biggest in the U.S. Those rules can be changed by individual countries. They take full effect in 2019.

Meanwhile, Kaufman says, ''we're absolutely, totally, 100 percent not prepared for another financial crisis.''

This is all about disclosure and accountability. You know, the Fed's not some kind of hocus-pocus, black box operation. The Fed essentially supplants the constitutional mandate in article I, section 8 that belongs to the Congress of the United States.

Let's look at some recent history here: 2008, subprime meltdown, collateralized debt obligations go back to mortgage-backed securities. Neighborhoods in Cleveland melting down, people losing their homes. The Fed looked the other way.

And we're saying, don't go into the Fed; it will be political. Yes, it's political. We have unemployment because of politics. We have people losing their homes because of politics. We have banks getting uncalculated amounts of money from the Federal Reserve, and we don't even know about it.

Meanwhile, people can't get a loan to keep their home or keep their business.

Audit the Fed? You bet we should audit the Fed. We have to have accountability. It's time the Congress stood up for its constitutional role. Article I, section 8: power to coin and create money.

It's time that we stood up for America's 99 percent. It's time that we stood up to the Federal Reserve that right now acts like it's some kind of high, exalted priesthood, unaccountable in a democracy.

Let's change that by voting for the Paul bill.

Mr. ISSA. I yield 1 minute to the gentlewoman from Wyoming (Mrs. LUMMIS).

Mrs. LUMMIS. Mr. Speaker, before the financial crisis, the Fed's lending to the financial system was minimal, and monetary policy was limited; but since 2008, they've tripled their balance sheet and transacted nearly $16 trillion in loans.

Clearly, Congress has delegated monetary policy to the Fed; and I, for one, am not advocating that we abolish the Fed. But Congress retains oversight responsibility, and Congress should insist on an accurate accounting of the Fed so Members of Congress can better understand monetary policy.

Our colleague, RON PAUL, was instrumental in getting an audit of the Fed's emergency activities during the financial crisis, but restrictions remain in place on examining monetary policy actions such as quantitative easing and assisting failing banks in Europe.

When the Fed's cumulative lending hits the size and scope to be greater than the entire GDP of the United States, it's past time for Congress to insist on transparency.

Mr. CUMMINGS. Mr. Speaker, I reserve the balance of my time.

Mr. ISSA. I yield myself 2 minutes.

Mr. Speaker, it appears as though we agree on certain things. We agree that some transparency is required. We certainly agree, on a bipartisan basis, that what the GAO did, under Dodd-Frank, at a minimum, was a good thing. I think there's no question my colleague who was here earlier, Mr. FRANK, certainly would agree to the numbers, the expansion of the Fed in that period that Mrs. LUMMIS talked about between 2008 and now.

I think we would all agree the Federal Reserve is the people's bank. It is broadly owned by 316 or 320 million Americans.

I served on the board of a public company, one that I founded. I understand that if you have more than 500 stockholders, you have an obligation to considerable disclosure.

Although the Fed is audited to see whether, basically, some numbers are correct or not on a limited basis, the truth is the Federal Reserve is not open and transparent, not even years after they make decisions.

I think the American people have a piercing question right now, one that is not the question that Dr. PAUL was asking when he first wanted to audit the Fed. The question is, Will we be like Greece? Will we be like Germany? Will we be like the trauma that's sweeping over the European Union?

Do we, in fact, know the true numbers? Do we know the extent of the leverage and the policies and the accuracy and the knowledge of the Federal Reserve?

I think calmly we have to ask that question. Do we know what we need to know, or are we willing to not know, in hopes that we won't be political because we don't know?

I've been in Congress for 12 full years at the end of this term, and I've learned one thing: Congress has a tendency to do two things well: nothing at

all, and overreact. I trust today will be a day in which we're in between.

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

Mr. ISSA. I yield myself an additional minute.

We would do something so that we would know more a year from now than we know today. We would not overreact. We would not want to stifle what the Fed has done historically, without an awful lot more study. Changes to an entity like the Central Bank should be done thoughtfully and over time.

My friend, Dr. PAUL, would like to do more than this bill does; but this minimal effort, offered on a bipartisan basis, is offered today because we believe the American people have a right to know, an interest to know, and a need to know.

With that, I reserve the balance of my time.

Mr. CUMMINGS. I yield 1 minute to the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. Mr. Speaker, I rise in support of H.R. 459. This bill directs the Comptroller General to conduct an audit of the Federal Reserve.

Since 1982, the GAO has had authority to audit the Federal Reserve Board and Bank, subject to exceptions for monetary policy-related decisions and activities.

In 2009, Congress provided authority for the GAO to audit actions by the Fed under section 13(3) of the Federal Reserve Act to lend to any single and specific partnership or corporation, notwithstanding the generally applicable monetary policy-related exceptions.

In 2010, the Dodd-Frank Wall Street Reform Act added new audit authorities. In addition, GAO has conducted a number of other reviews of Federal Reserve activities; but we need a full audit, and I urge my colleagues to vote for the bill.

Mr. ISSA. Mr. Speaker, could I inquire how much time is available.

The SPEAKER pro tempore. The gentleman from California has 4¼ minutes remaining. The time of the gentleman from Maryland has expired.

Mr. ISSA. Mr. Speaker, I won't use all of our time.

I have a slightly different opinion than the ranking member's. I believe regular order has been followed on this bill, followed and then some.

This is something that Dr. PAUL has worked on, on a bipartisan basis, with Republican Presidents and Democratic Presidents, with Republican Congresses and Democratic Congresses. The support for this, as you saw here today, goes to Republicans and Democrats, Progressives, Conservatives, Blue Dogs.

The American people want to know. I don't believe the American people are afraid to know. Of course, the American people would not be comfortable with interference with the Fed, with micromanaging policy decisions, with tearing down the institution.

But, in fact, I think that the 9/11 of the financial market, if you will, the meltdown in 2008 and 2009, $1 trillion nearly in TARP money, and countless trillions in expansion of the balance sheet, have taught us one thing: what we don't know can hurt us.

Now, before 9/11 of the financial market, before the meltdown, before Lehman Brothers and Bear, Stearns evaporated, we would have thought, well, there are some very smart people on Wall Street, and we'd have been right. But smart people can be wrong.

We put very good people on the Federal Reserve Board. We choose very good chairmen. Chairman Bernanke was a choice of Republicans and Democrats alike.

But, ultimately, looking over the shoulder by Congress, by my committee, by the Financial Services Committee, just to ask the question, are those numbers undeniable truths brought down on tablets; or are they, in fact, open to second guessing after the fact, questioning of whether or not a model works or whether there is just a small, but meaningful, opportunity for tens of trillions of dollars to fall on the backs of the American people if they got it wrong?

□ 1600

That's the question the American people asked, and after 2008, it's a question Congress must ask.

When Chairman FRANK voted for RON PAUL's bill, perhaps he didn't want it, but he voted for it as did countless Democrats. Ultimately, it was reduced—but not eliminated—in conference. There was some recognition that it needed to be audited.

Today, what we are doing is asking to send to the Senate a piece of legislation that more purely and clearly says: I believe the American people have a right to know. Perhaps the Senate will take up a slightly different version. Perhaps it will be truly a one-time audit. Perhaps it will be limited.

The American people need to hold us in the House and our counterparts in the Senate responsible, that we do know what we need to know and that we will never again say we rely on other people to be so smart that we shouldn't look over their shoulders. That's not the America that I grew up in. It's not the clear and transparent America the American people are asking for.

With that, I urge the passage of this bipartisan bill, and I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Speaker, I rise in strong support of H.R. 459, the Federal Reserve Transparency Act. I am an original cosponsor of this important measure and I have long supported Representative PAUL's efforts to authorize a full audit of the Federal Reserve by the Government Accountability Office (GAO).

In 2009, I conducted a "We the People Town Hall By Mail" and asked my constituents how they felt about several issues before the Congress. Of the 32,000 Pinellas County residents who responded, 95 percent said they supported a full audit of the Federal Reserve.

The Constitution gives the Congress the authority to coin money and to regulate the dollar's value. In an effort to remove politics from decisions about monetary policy, the Congress outsourced this responsibility to an independent Federal Reserve almost one hundred years ago.

Unfortunately, for too long the Fed has operated in secret. Current law actually prohibits the Congress from having access to all of the Federal Reserve's books. The GAO serves as Congress's watchdog, and should be allowed to audit the Fed just as it does other agencies. Only through increased transparency can the Congress conduct the necessary oversight of the Fed and hold it accountable for the American people. This institution plays an important role in managing the dollar and the American people deserve to know what is being done to our currency.

One of the few good provisions of the Dodd-Frank financial reform legislation was that it permitted a limited audit of the Federal Reserve's response to the financial crisis. What the GAO uncovered in this limited audit was astonishing. Between December 2007 and July 2010, Fed committed trillions of dollars to backstop hundreds of financial institutions. Some of the largest of recipients of this aid were even foreign banks. According to Bloomberg News, "the Fed and its secret financing helped America's biggest financial firms get bigger and go on to pay employees as much as they did at the height of the housing bubble."

Much of this emergency action was run through the Federal Reserve Bank of New York, which at that time was headed by Tim Geithner, who is now President Obama's Treasury Secretary.

The Fed has continued its extraordinary tactics. In addition to holding the federal funds rate at practically zero since December 2008, the Fed has engaged in programs called Quantitative Easing 1, Quantitative Easing 2, and Operation Twist. In 2011 alone, the Fed's balance sheet grew by 20 percent. The Federal Reserve says it will likely hold interest rates at "exceptionally low levels" through 2014 and there is speculation that it will soon implement a third round of quantitative easing.

Mr. Speaker, this legislation has broad support from all sides. In fact, it seems like the only one who opposes H.R. 459 is the Chairman of the Federal Reserve Ben Bernanke. My question would be: "What is there to hide?" We should have passed this legislation long ago, and it is my hope that my colleagues in the Senate will follow the House's lead and act quickly to approve the Federal Reserve Transparency Act so that we can finally shine a light on the Fed's policies.

Mr. GINGREY of Georgia. Mr. Speaker, I rise in strong support of H.R. 459, the Federal Reserve Transparency Act of 2012, and I would like to commend our colleague from Texas, Dr. RON PAUL, who has worked tirelessly as the author of this legislation for a number of years.

With its ability to control monetary supply policy, the Federal Reserve is arguably the most powerful entity of the federal government. Yet, despite this power, current law specifically prevents Congress from fully auditing the monetary policy actions the Fed takes that impact each of us on a daily basis.

Mr. Speaker, as a proud cosponsor of H.R. 459, I believe it is well past time to change that policy. This legislation would simply require the Comptroller General to conduct a full audit of the Federal Reserve before the end of 2012.

At a time when the Federal Reserve has expanded its balance sheet to $3 trillion as of last month, the American people deserve to have transparency and accountability when it comes to our monetary supply policy. I urge all of my colleagues to support H.R. 459.

Mrs. MILLER of Michigan. Mr. Speaker, in America we believe in freedom, in democracy and in the belief that in this country the people rule. And in order for the people to rule responsibly they must have knowledge and information about the handling of our economy.

Unfortunately, the American people are denied the basic information they need on one of the most important pillars of our economy, the Federal Reserve.

Today the Federal Reserve operates in secrecy. It creates money out of thin air, it can make purchases of questionable assets from friendly Wall Street firms and it can loan hundreds of billions of dollars to foreign governments and central banks—all out of the sight of the American people and even policy makers in Washington.

It is time to lift the veil of secrecy by passing H.R. 459, the Federal Reserve Transparency Act.

This bill will allow for a thorough audit of the Fed, including transactions with foreign governments, central banks and the decision making process in setting monetary policy.

We should never fear transparency in a free society—it is vital—and we should embrace it. Today I urge my colleagues to join me in supporting this bill which provides for a long overdue audit of the Fed.

Mr. TIPTON. Mr. Speaker, the ability to provide oversight of the Federal Reserve's dealings is hindered by current law that prohibits the Government Accountability Office from auditing aspects of the Bank's activities including monetary policy matters and transactions with foreign entities. H.R. 459 would remove these and other restrictions on GAO audits of the Federal Reserve, increasing transparency.

It defies common sense that there is currently no full oversight over the Federal Reserve, which sets the monetary policy that impacts every American citizen and holds a balance sheet of $3 trillion. H.R. 459 will increase transparency of the Federal Reserve by allowing a full audit of all aspects of the bank's dealings including the decision-making behind its monetary policy. The ability to fully audit the Federal Reserve is long overdue, and this bill is a victory for all who strive for a more transparent government.

Mr. MICA. Mr. Speaker, I rise in strong support of legislation that will provide greater transparency within our Federal Reserve System.

H.R. 459, the Federal Reserve Transparency Act, requires an audit of that agency. As a cosponsor, I urge my colleagues to join me in voting for this crucial piece of legislation. In order to get our financial house in order, we must take all necessary steps to ensure the Federal Reserve, which sets the conditions for the free market to thrive; is operating in the most efficient manner possible. The auditing of the Federal Reserve is the first step in inspecting this important level of government for financial and regulatory waste and inefficiency.

It was recently revealed that the New York District Federal Reserve had previous knowledge of dangers threatening our financial markets before the financial market collapsed in 2007. The New York Fed, led then by Treasury Secretary Timothy Geithner, had knowledge that certain rates were being manipulated but failed to act. Auditing the Federal Reserve will pinpoint responsibility, foster accountability and provide Congress and the American people with transparency over this powerful Federal entity. Our Nation's central bank should not be exempt from financial audit, especially with the immense financial power it controls. In its hands lies the fate of our country's financial stability.

As I have worked to uncover waste throughout government as Chairman of the House Transportation Committee and as a senior member of the House Oversight and Government Reform Committee, I must insist that our Nation's financial operators be subject to the same level of scrutiny. An audit is the first positive step in that direction, and I will continue to work for passage of the Federal Reserve Transparency Act.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, H.R. 459, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

PRESERVING AMERICA'S FAMILY FARMS ACT

Mr. WALBERG. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4157) to prohibit the Secretary of Labor from finalizing a proposed rule under the Fair Labor Standards Act of 1938 relating to child labor, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4157

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

SECTION 1. SHORT TITLE AND FINDINGS.

(a) SHORT TITLE.—This Act may be cited as the ''Preserving America's Family Farms Act''.

(b) FINDINGS.—Congress finds that—

(1) family farms have a long history and tradition of providing youth with valuable work experience;

(2) Department of Labor regulations should not adversely impact the longstanding tradition of youth working on farms where they can gain valuable skills and lessons on hard work, character, and leadership;

(3) the Department of Labor's proposed regulations would have curtailed opportunities for youth to gain experiential learning and hands-on skills for enrollment in vocational agricultural training;

(4) the proposed regulations would have obstructed the opportunity for youth to find rewarding employment and earn money for a college education or other meaningful purposes;

(5) the proposed regulations would have limited opportunities for young farmers wishing to pursue a career in agriculture at a time when the average age of farmers continues to rise; and

(6) working on a farm has become a way of life for thousands of youth across the rural United States.

SEC. 2. RULE RELATING TO CHILD LABOR.

The Secretary of Labor shall not reissue in substantially the same form, or issue a new rule that is substantially the same as, the proposed rule entitled ''Child Labor Regulations, Orders and Statements of Interpretation; Child Labor Violations—Civil Money Penalties'' (published at 76 Fed. Reg. 54836 (September 2, 2011)).

The SPEAKER pro tempore (Mr. DOLD). Pursuant to the rule, the gentleman from Michigan (Mr. WALBERG) and the gentlewoman from California (Ms. WOOLSEY) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. WALBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 4157.

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

There was no objection.

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

I want to first thank my colleague from Iowa, Congressman TOM LATHAM, for introducing this very important legislation. Representative LATHAM is a long-time advocate for farmers and agribusiness, and his leadership in Congress is greatly appreciated.

According to a report on MLive.com, which is a new site from my home State of Michigan, parts of the country are experiencing the worst drought in more than 20 years. Jim Spink, a sixth-generation farmer from Michigan's Liberty Township, said:

> It's going to be one of the years that separates those that are positioned well financially and those that are not.

Unpredictability in the weather and harvest is not a new challenge for American farmers. Quite the contrary, it's a way of life. Farmers work each day under difficult circumstances, growing the food and resources necessary to power this Nation and this world. Often the presence of a son or a daughter working with his or her parents is important to a farm's long-term success.

Federal labor policies recognize the support youth provide to family farms by exempting farmworkers between 14 and 16 years of age from restrictions on agriculture activities. For decades, this exemption has applied to youth working on a farm owned or operated by the parent or an individual standing in place of his or her parent. With farmers facing a tough year with high temperatures and low rainfall, we should continue to support the ability for youth

to experience safe employment in American farming. That's why many were shocked when the Obama administration announced new rules that would make it difficult for young people to work on family farms.

Last September, the Department of Labor proposed regulatory changes that would negatively affect youth employment in agriculture, such as narrowing the parental exemption, restricting the rules of farm ownership, and prohibiting the use of certain equipment central to a farm's operation, even for young people who have received safety training through the Federal Services Extension program. The Labor Department even tried to prevent youth from working with nontoxic pesticides available at the local hardware store.

These proposed regulatory shifts fail to reflect the changes in farming that have occurred in recent years. We all want to keep young people safe from harm, especially when they work in an inherently dangerous environment. However, the administration's proposal would deny youth an opportunity to gain hands-on experience that is crucial to a farm's survival.

Throughout our history, farms have been handed down from one generation to the next through the knowledge a future farmer gained from working alongside his or her parents. Public policy should promote this great American tradition, not dismantle it.

Mr. Speaker, across the country, many farmers are struggling. While I recognize the Department has withdrawn its proposal for now, we owe it to these hardworking men and women to remove as much uncertainty as we can, especially the uncertainty caused by flawed government policies. I am proud to support the Preserving America's Family Farms Act, and I urge my colleagues to vote ''yes.''

I reserve the balance of my time.

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

Last September, the Department of Labor published a proposed rule on children employed in agriculture. I saw it as an important regulation that would protect young people working in one of the top three most hazardous industries in the Nation—agriculture. But in May, the Department withdrew the rule. I want to say this again: in May of this year, the Department withdrew the rule.

That wasn't enough, apparently, for the Republican majority. Today, they've decided to waste precious legislative time on a bill that tells the Department of Labor not to issue this regulation—again, a regulation the Department already withdrew. Today's debate gives new meaning to the idea of government waste. Not only did the Department of Labor withdraw this rule; the administration has said it will not reissue the rule.

I was disappointed that the Department chose not to pursue the rule in the first place because the rule sought to implement specific recommendations made by the National Institute for Occupational Safety and Health, OSHA, and increase parity between the agriculture and non-agriculture child labor provisions.

Agriculture is dangerous, Mr. Speaker. Children working on farms, like their adult counterparts, work with or around toxic pesticides. They carry very heavy materials, and they use dangerous equipment. The fatality rate for child farmworkers is four times higher than for children in other industries. There are an estimated 400,000 children working on farms that are not owned by family members, and those children deserve health and safety protections. That is all this rule would have required. Children under 16 should not be permitted or required to work with hazardous pesticides or dangerous equipment—period.

But let's be clear. Nothing in the proposed rule would have applied to children working on their parents' farms in the first place. I've been a steadfast supporter of family farms throughout my 20 years in Congress. We have many family farms in California's Sixth Congressional District.

□ 1610

They are the important economic engine and a part of the fabric of our beautiful and diverse community.

Mr. Speaker, my intent here is simply to protect children who are in danger of being exploited and injured. The withdrawal of this rule was disappointing. Today's debate, however, is a disgrace. There are nearly 24 million Americans unemployed or underemployed. Instead of addressing the real issues that affect them, we are debating legislation that does nothing that hasn't already been done. It prevents a rule that has been already prevented by powerful special interests—and talk about a waste of taxpayer money.

With the Republican majority taking floor time with meaningless legislation like this, it's no wonder Congress has an approval rating in the low teens.

With that, I reserve the balance of my time.

Mr. WALBERG. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa, the sponsor of the bill, Mr. LATHAM.

Mr. LATHAM. Mr. Speaker, I thank the gentleman for yielding.

I'm pleased to stand today in support of H.R. 4157, Preserving America's Family Farm Act. This is a very bipartisan bill that I think really gets to what we're concerned about in agriculture today. Anymore these days, it seems like armies of Federal bureaucrats are drawing up new regulations, often with little or no consideration or understanding of the very industries that they're trying to regulate.

While some regulations do serve a legitimate purpose, others do little more than create uncertainty and additional costs for hardworking taxpayers, farmers, and small business owners. I believe if we want to put America back in business, back to work, one of the first things we must do is crack down on overregulation.

I've introduced a proposal called the Regulatory Accountability and Economic Freedom Act that would take a number of steps to reverse our government's direction and overregulation. Unfortunately, we're standing here today to fight one of those misguided regulation attempts. Last September, the Department of Labor proposed rules that would have dramatically limited the ability of America's youth to contribute to work on their family's farm or agricultural operations, and it would have restricted, if not completely eliminated, educational training opportunities for youth in rural America. As a result, I introduced H.R. 4157 as the solution to block the DOL's overly burdensome regulations.

We can't allow Federal bureaucrats, many of whom have never set foot on a farm, to tell Iowa farm families how they can run their operations. As a person who grew up on a family farm and later became a farmer myself, I can attest to the valuable skills that are developed through days of bailing hay and detassling cornfields and showing cattle at the county fair. I, like so many thousands of youth across this country today, utilized my own farm experience to learn the often difficult lessons of hard work, character development, problem solving skills, and leadership.

Life on the farm is never easy, but the valuable lessons learned while producing America's food, feed, and fiber make for a rewarding way of life. I think it goes without saying that the safety and well-being of all farmworkers, especially our youth, is of the utmost importance to our Nation's farmers and ranchers. However, the regulations proposed by the DOL went beyond all common sense and would have destroyed opportunities for youth across the agricultural economy. This bill will ensure the Department cannot reissue a proposed rule substantial in nature to its version released last year.

Our youth deserve an opportunity to learn and grow through on-farm experience, and my bill ensures that that opportunity will remain available. And I urge support for Preserving America's Family Farms Act.

Ms. WOOLSEY. Mr. Speaker, I reserve the balance of my time.

Mr. WALBERG. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. Mr. Speaker, I rise today in support of the American family farm.

Wisconsin farms are the bedrock of our society. They are the cornerstone of the Wisconsin economy. Look at our family farms. If we don't have the whole family and the youth working on the family farm, oftentimes they can't be successful in this very challenging economy. If you look at the life skills and the work ethic that our youth get

from the family farm, it is amazing. They learn how to milk cows, how to plant, how to harvest, how to balance the books, how to manage risk. They learn how markets work on the family farm.

Here again is a great example of Big Government getting bigger and more intrusive, telling American families whether or not their kids can engage in the family farm and the family business. When you talk to employers in Wisconsin, they tell me some of their best workers are workers who grew up on a family farm. If you look back, thank goodness that we didn't have my friends across the aisle who are now going to complain about the family farms. The Greatest Generation was raised on the family farm.

Ms. WOOLSEY. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. BOSWELL).

Mr. BOSWELL. Mr. Speaker, I thank the gentlewoman for yielding me time. I appreciate this opportunity.

I rise in support of H.R. 4157, Preserving America's Family Farms, or I should say farm family traditions. Passing this legislation today will codify our successful effort to prevent the Department of Labor from undercutting the structure of our Nation's family farms.

For generations, the contributions of young people have led to family success and bright futures on household farms. However, late last year, our family farmers faced a sweeping regulation that would have prevented children and grandchildren from participating in the very important lessons and traditions that have stabilized not only our families but also our economy.

The short-sighted ruling proposed by the Department of Labor would have affected a wide variety of subsectors within agriculture, work with livestock and grain production, commodity transportation, youth agriculture education, and a number of other sectors that train and educate our youth in family-farm settings with hands-on experience.

Not only did this ruling admit in its own text that there was little or no data available to back the proposal being made, it would, as stated by Future Farmers of America—our youth—limit, if not eliminate, opportunities to effectively teach students to be safe when working in agriculture.

I'm proud that many of us join in a bipartisan effort to tell the Secretary of Labor through multiple letters that this ruling is wrong. Fortunately, the Department did rescind this ruling, as it was stated a little while ago, so that the youth in our districts could continue to learn important lessons taking place in the most successful sector of our economy.

I support H.R. 4157 because it will codify this effort. This bill will clarify the intention of Congress with respect to youth education on farms, and it will prevent the Department of Labor from implementing or enforcing this very specific proposal. In codifying our intention and passing this bill, we ensure that all farmers have access to education and retain their family's traditions, two things that are critical in our changing society.

I often think back when I returned home from the Army to the farm and realized the changes that had taken place in farm technology while I was away. The farmers we are nurturing now will acquire even more skills and adjust to faster changes than ever before. Young people today, and even some of us who aren't too young, are maintaining high-tech GPS programs, aerial mapping, and biotechnology that create greater efficiencies in farming, increase output, and reduce the cost of food at our local grocery store. These young farmers are taking their experience on the farm to study and create the software that improves farming and acquire the financial skills it takes to run a farm, and they are gaining the entrepreneurial spirit that is needed to be part of one of America's greatest economic sectors. These youth, backed by their experience on the farm, are not just farmers. They're agronomists, engineers, economists, and international liaisons.

□ 1620

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

Ms. WOOLSEY. I yield an additional 30 seconds to the gentleman from Iowa.

Mr. BOSWELL. We must ensure these young farmers have access to the education they deserve, to the traditions and lessons that so many of us hold dear and have treasured our entire lives.

However, I not only call on my colleagues to join me in supporting this legislation today, to ensure our young farmers have access to the education they need, but I also call on us to demand that the farm bill, passed with 35 ayes out of the House Agriculture Committee, be brought to the House floor for debate.

Farming in America requires a great deal of capital for major investments, access to land and credit, the ability to hire and purchase. American farmers create jobs and make investments in communities that keep jobs. The primary and perhaps only difference between a farmer and a businessman is that the farmer's revenue and profits are more subject to the whims of the climate, such as the drought that is devastating our Nation this summer.

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

Ms. WOOLSEY. I yield the gentleman an additional 30 seconds.

Mr. BOSWELL. I thank the gentlewoman from California.

So if we care about the future of our farmers and our young farmers, we must pass a 5-year farm bill, and we must do it before the August work period. So let's pass this bill today, and let's move on to the farm bill next.

Mr. WALBERG. Mr. Speaker, I am glad to yield 1 minute to my colleague and farmer friend from Kansas (Mr. HUELSKAMP).

Mr. HUELSKAMP. Mr. Speaker, I rise in support of the family farms of Kansas and all of America.

The proposed Department of Labor rule, restricting children from working on family farms, presented a direct threat not only to the continuity of our Nation's ag tradition, but to a way of life in rural America. Though the bureaucrats have put it off for now, such a reprieve may only be temporary.

The family farm is one of the best places for a child to learn and develop a strong work ethic. I know this as a former farm kid myself, now a fifth-generation farmer who hopes that my children will be the sixth.

With our aging crisis facing agriculture, the last thing we need is for Washington bureaucrats who know next to nothing about the family farm—or rural America, for that matter—to regulate it into oblivion. Parents, not bureaucrats, know what's best for their children. Moms and dads should be trusted to raise their kids as they see fit.

I encourage my colleagues to support this bill.

Ms. WOOLSEY. I reserve the balance of my time.

Mr. WALBERG. Mr. Speaker, I yield 2 minutes, at this time, to a former rancher kid, rancher, and colleague of mine, the gentlelady from South Dakota, KRISTI NOEM.

Mrs. NOEM. Mr. Speaker, it's often through debate here on different bills and legislation that comes that we learn things about each other. We may learn facts about a bill that we're discussing or about experiences that we've all had. What a lot of people probably don't know about me is that I care deeply about this subject because I lost my dad in an accident on a farm. It was devastating to our family. But I thank God every single day for every moment that I had working beside him, growing up on the family farm. It was there that I learned how to pick out good land and look for good soil. It's where I learned how to identify a cow that would be a good mother or a good milker. And it was there that I learned to look at a problem and not just talk about it, but to actually solve it and to fix it.

So my children are having that same experience with me. We get the chance, when I go home from here, to work together, to work with our livestock and our animals, and we love it.

I would be devastated if a Washington bureaucrat came and told me that no longer could I teach my children the way of life that was passed on to me by my father because of a decision that they decided they would be safer, that that was no longer allowed. So that is why I stand here today in support of H.R. 4157, Preserving America's Family Farms Act.

The Department of Labor talked about putting this regulation in place. They withdrew it because of pressure from the American people who recognized that it was not the way to go about regulating family farms. And this act is just going to ensure that they can no longer take this action and put it into place.

So with that, I proudly stand here, protecting our family farms and our way of life by endorsing this act.

Ms. WOOLSEY. Mr. Speaker, I yield 4 minutes to the gentleman from Oklahoma (Mr. BOREN).

Mr. BOREN. Mr. Speaker, I rise today in strong support of H.R. 4157, the Preserving America's Family Farms Act.

I commend my friend from Iowa (Mr. LATHAM) and his entire staff for all of their hard work on ensuring that the Department of Labor's proposed rule to restrict family farm tradition be reversed.

In December, the U.S. Department of Labor proposed updated regulations on labor practices for minors in agricultural operations, including a rule that would have prevented children under the age of 16 from performing certain duties on farms. Historically, family farms have been exempted from such rules, but the new proposal could have been interpreted broadly to exclude operations that are partly owned by extended family members.

In response to the proposed rule, Congressman LATHAM and I introduced H.R. 4157. The bill protects the family farm tradition by directing the Secretary of Labor to recognize and understand the unique circumstances of family farm youth and multigenerational family partnerships when drafting regulations now and in the future.

In April, the administration announced that, as a result of loud opposition, they would not finalize the proposed rule. Although I am very pleased that they have decided to abandon the flawed rule and listen to thousands of voices among our rural communities, passage of H.R. 4157 will ensure that, in the future, the Department of Labor does not reissue this proposal or any other rule that would have a similar effect on our family farms.

This legislation encourages the administration to work collaboratively with rural stakeholders, such as farmers and ranchers, to understand issues that affect our communities and our way of life.

Family farms have a long history of providing invaluable work ethic and leadership experience to future farmers. Many of these young folks dedicate their entire lives to providing us with an abundant and safe marketplace, so we owe it to them to protect the foundation on which this American spirit of hard work is built.

Please join me, my friend Congressman LATHAM, and the over 93 bipartisan cosponsors to pass this legislation.

Mr. WALBERG. Mr. Speaker, in a point of personal privilege, I would applaud my colleague and friend from Oklahoma for his comments.

The concept of ''trust, but verify'' is carried out here. We trust what has been said by the Department and the administration, but we verify with the action that we are taking today.

It gives me a privilege now to yield 2 minutes of time to a friend from Tennessee (Mr. DESJARLAIS), a colleague who cares about people and their safety, and especially young people, as a medical doctor.

Mr. DESJARLAIS. I thank the gentleman.

Earlier this year, the Department of Labor issued a misguided rule that would effectively ban children from working on family-owned farms. While I'm sure there were some kids in rural areas across our Nation who were overjoyed by this news, I think it would be horribly unfair to deprive our youth of the same valuable work experience many of us were afforded.

Growing up in a rural community, I spent a lot of time doing work on farms, and I will be the first to admit that it wasn't always fun. But the values and appreciation for hard work that it instilled in me played an important role in shaping me as a person.

That is why I was proud to support Preserving America's Family Farms Act. This legislation will prevent the Department of Labor from issuing this rule or any similar rule, preventing children from working on their parents' farm.

If this proposal from the Department of Labor were actually implemented, not only would it rob our young farmers of important educational opportunities, but it would erode part of our Nation's rural culture. These actions by the Department of Labor serve as yet another reminder of the troubling pattern of government overreach and intrusion we have seen from this administration.

I thank the Tennessee Farm Bureau for their efforts in speaking out against this misguided notion and working with me to ensure that farming decisions are left to farmers, not bureaucrats in Washington.

Ms. WOOLSEY. Mr. Speaker, I just want to repeat what I said in my opening remarks. Nothing in the proposed rule would have applied to children working on their parents' family farm. The proposed rule maintains the parental exemption.

But again, to remind everybody, the Department of Labor withdrew their proposal. We are wasting time today.

I reserve the balance of my time.

Mr. WALBERG. Mr. Speaker, I yield 2 minutes of time to my friend from New York, RICHARD HANNA.

Mr. HANNA. Mr. Speaker, I rise today in strong support of H.R. 4157, the Preserving America's Family Farms Act. I am pleased to cosponsor this legislation.

This rule, had it been enacted, would be one more sad example of how far our government is willing to go to protect us from ourselves.

□ 1630

The Preserving America's Family Farms Act would prohibit the Department of Labor from issuing a rule prohibiting young people from working on their own family farms.

Mr. Speaker, like so many children growing up in rural America, I spent many of my summers working on my grandparents' modest dairy farm in Herkimer County, New York. By my grandfather's side, I learned personal responsibility, accountability, gained character and a sense of accomplishment, as well as the pride and dignity that results from a day's work.

My family farm would not have been economically viable if my younger cousins and I had not worked and assisted during harvest and milking. I am concerned, along with many Americans, that the belief in personal accountability and responsibility, as well as hard work—which is best instilled at a young age—is being diminished. The lessons learned on a family farm should be reinforced and encouraged more, not less.

Mr. Speaker, I acknowledge farms are a dangerous place to work. But as a man who has employed hundreds of people, those who worked early and hard in their lives, regardless of where they worked, were my most eager and responsible employees. I could not have succeeded without those men and women, and neither will this country. We should not restrict young people from working. Character built early grows deeper and lasts a lifetime. Let's pass this bill and protect our family farms and the great Americans they produce.

Ms. WOOLSEY. I continue to reserve.

Mr. WALBERG. Mr. Speaker, I'm privileged to yield 1 minute to my friend and colleague, the gentlelady from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Mr. Speaker, as a lifelong farmer, I rise today in support of H.R. 4157, Preserving America's Family Farms Act. This bill prohibits the Secretary of Labor from finalizing or enforcing a proposed rule that will fundamentally alter the way family farms have operated for decades, and is another example of Washington bureaucrats trying to tell farmers and ranchers how to operate their operations. If these rules are finalized in their current form, children in rural America will not have the opportunity to learn the important life skills and values that working on the farm provides.

As I talk with farm families in Missouri's Fourth District, they are frustrated by this rule. Their message is clear, plain and simple: Big Government should not tell hardworking Americans how to raise their children and care for their land.

I believe the government should ensure our basic liberties, not trample on them. Parents care more for their children than government bureaucrats and should make the ultimate decisions on the activities of their children, not Washington, D.C.

I encourage all of my colleagues to support this commonsense legislation.

Ms. WOOLSEY. Again, Mr. Speaker, nothing in the proposed rule would have applied to children working on their parents' family farm, and I reserve the balance of my time.

Mr. WALBERG. Mr. Speaker, point of personal privilege: a family farm and a family farm sometimes isn't the same. If it's incorporated, it would come under this proposed rule initially, and for that reason we continue to offer this great piece of legislation. And that gives me the privilege to introduce another great farmer.

I yield 1 minute to my colleague, the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman for yielding to me.

When I saw this rule, it was appalling to me to think about the attempt of the administration, this assault on the sanctity of the family and on the family farm all at the same time. And as we had a witness come before the Small Business Committee, the Assistant Secretary of Labor, under oath I asked her what was driving this rule. Her answer was: It's driven by data; the highest level of injuries in youth labor are on the farm, and so we have to do something to interrupt this injury that's taking on place on the farm.

So I asked her: What was the second-highest level of injury in youth labor? Her answer was: I don't know.

Not data driven; it's driven by some misguided ideology. It's also been supported by the Secretary of Agriculture, Tom Vilsack, whose team has been working with the Department of Labor. And this has not been withdrawn by the administration, Mr. Speaker, for the sake of them understanding that this is a misguided policy decision; it's been withdrawn because it is a misguided political initiative. So I'm glad it's temporarily withdrawn, and I appreciate the gentleman from Iowa (Mr. LATHAM) for bringing this legislation to prohibit this rule from being reintroduced again. Let's protect the tradition that made America great.

Ms. WOOLSEY. I understand, Mr. Speaker, that we're ready to close, so I yield myself the balance of my time.

In closing, Mr. Speaker, once again, at a time when there are so many Americans looking for work and so many middle class families struggling to make ends meet, Congress has better things to do than take up a redundant bill. It's wasteful, it's unnecessary, and it prevents us from doing the real work that our constituents have sent us here to do. Let's answer the important challenges facing the country. Let's start creating jobs for the American people. Let's start now, and let's stop wasting time on something that has already been satisfied.

I yield back the balance of my time.

Mr. WALBERG. Mr. Speaker, I appreciate so much that we've had this time of debate. Again, trust but verify. This is a verifying opportunity. As has been said, the proposed regulation was pulled because of political challenges. The American people generally understand common sense, and this wasn't common sense.

When we see the cost of regulations in this country right now being $10,000 per employee, we add this to the impact on the farm family, those that have incorporated in order to carry on their business and ultimately carry on farming for generations, we see additional problems. So we want to make sure that this debate carries through and ultimately we don't have to do it again, but that we preserve the right to farm, we preserve the right to carry on the farming tradition, and the opportunity to train our young people to do something that is valuable long term and full of impact.

Having said that, Mr. Speaker, I yield the remainder of my time to the sponsor of this bill, the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. Mr. Speaker, I thank the gentleman from Michigan for yielding once again. I will be submitting a letter here from 16 national farm groups in support of this legislation. I would also like to respond—the gentlewoman talked about farm families, that parents can still let their children be involved in the farming operation. That statement to me just shows a total misunderstanding and misconprehension of what agriculture is today. Yes, you have family, Mom and Dad, but the highest percentage of all farms today are in partnership with their brothers, with their sisters. If their grandparents are still involved, if their parents are involved in that farming operation, this rule would have prohibited any child from working on the farm and being part of a family operation. Or, if you're a subchapter S corporation, any of the things that are so common today—partnerships, small business corporations—that these family farm operations are, it would have totally prohibited our youth from getting the kind of education, getting the knowledge, getting the experience that they can derive working with their parents on a family farm operation.

Mr. Speaker, last Saturday I had the opportunity to travel to three county fairs, one in Bedford, one in Red Oak, and one in Avoca, Iowa. It brought back so many memories from my own youth to go to those fairs and see young people showing livestock, either 4–H or FFA, and to see the experience, the love they have for those animals, the love of the farm and agriculture that they are developing in their youth. This is extraordinarily important.

While some people may dismiss the importance of this bill, it will prohibit, even in the proposal that was made, but also anything like it from happening.

□ 1640

That's what's very, very important, to give those families out there the certainty, to give the 4–H and the FFA, the educational programs in agriculture today, a chance to continue this great legacy of agriculture and of family farm operations. That's really what this is all about.

Mr. Speaker, I, again, ask for support of all the Members for this bill. It is extremely important for family farms.

JULY 24, 2012.

The Honorable,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE: This afternoon the House of Representatives will debate and vote on H.R. 4157, the Preserving America's Family Farms Act. The undersigned organizations support preserving the ability of youth to gain training and education by working on the farm. Accordingly, we urge all members of the House to vote in favor of H.R. 4157.

The safety of all workers is of utmost importance; however, in September 2011, the Department of Labor introduced regulations that took caution beyond recognition. The proposed regulations were overly burdensome to agriculture producers and would have limited, if not eliminated, training opportunities for youth in rural America. Fortunately, the administration listened to the concerns of farmers and ranchers by withdrawing the regulation in April. However, the threat to family farms still exists. H.R. 4157 protects an agricultural way of life from future child labor regulations that could limit the ability of youth to learn valuable skills by working on the farm.

While we all respect the obligations and responsibilities of the Department of Labor to ensure the safety of youth working on farms as delineated in the Fair Labor Standards Act, we believe that the approaches taken need to be well reasoned and not detrimental to the family farm or the youth participating in farm work. Thus, we urge all members of the House to vote in favor of this bill when it reaches the floor.

Sincerely,

American Farm Bureau Federation, American Feed Industry Association, American Horse Council, American Seed Trade Association, American Soybean Association, Florida Fruit & Vegetable Association, International Association of Fairs and Expositions, National Association of State Departments of Agriculture.

National Cattlemen's Beef Association, National Council of Agricultural Employers, National Cotton Council, National FFA Organization, National Milk Producers Federation, National Pork Producers Council, United Fresh Produce Association, U.S. Apple Association.

Mr. PENCE. Mr. Speaker, I rise in support of H.R. 4157, the Preserving America's Family Farms Act, and I thank Representative LATHAM for his work on this issue.

Like many Hoosiers who worked on a farm during their youth, I believe we must encourage young men and women to participate in family farming and ranching.

Last September the Labor Department proposed regulations that would significantly limit the ability of young men and women to work on farms and ranches. They have since backed-off, but the law does not currently prevent them from bringing it up again. This legislation will explicitly prohibit the Department of Labor from pursuing these types of regulations and ensure that family farming and youth employment will be continued traditions in Indiana and throughout our Nation.

Despite the severe drought we are currently experiencing, young Hoosiers continue to look

forward to summer jobs on the farm, where life lessons and a few dollars can be learned and earned along the way.

Mr. Speaker, I can think of few places better than an Indiana farm where a young person can truly learn the values of personal responsibility and hard work. And if America's farms are to continue to feed this nation and world, we must encourage young men and women to participate in farming and ranching. I urge my colleagues to support this commonsense, bipartisan legislation.

Mrs. MILLER of Michigan. Mr. Speaker, America's Family Farmers have built the most productive agriculture sector in the world and this abundance helps feed not only our nation, but also the world.

Family farms are truly based on the family where each generation trains the succeeding generation.

Last year the Department of Labor tried to inject itself into the family farm by proposing onerous new regulations that would have basically denied family farmers the ability to train the next generation of farmers.

Some would have you believe that the Labor Department was just looking out for children, but does anyone truly believe that a bureaucrat in Washington cares more about a family's children than their parents, or aunts and uncles, or their grandparents?

Faced with overwhelming opposition earlier to this overreach the Department of Labor withdrew the proposed regulations and went back to the drawing board. The legislation we are considering today would stop these regulations in their tracks and keep the bureaucrats from getting between family farmers and their children.

I urge my colleagues to support the heritage of the family farm and join me in passing this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. WALBERG) that the House suspend the rules and pass the bill, H.R. 4157, as amended.

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

The title was amended so as to read: ''A bill to prohibit the Secretary of Labor from reissuing or issuing a rule substantially similar to a certain proposed rule under the Fair Labor Standards Act of 1938 relating to child labor.''.

A motion to reconsider was laid on the table.

CONGRESSIONAL REPLACEMENT OF PRESIDENT OBAMA'S ENERGY-RESTRICTING AND JOB-LIMITING OFFSHORE DRILLING PLAN

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 6082.

The SPEAKER pro tempore (Mr. LATHAM). Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 738 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 6082.

The Chair appoints the gentleman from Illinois (Mr. DOLD) to preside over the Committee of the Whole.

□ 1643

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 6082) to officially replace, within the 60-day Congressional review period under the Outer Continental Shelf Lands Act, President Obama's Proposed Final Outer Continental Shelf Oil & Gas Leasing Program (2012–2017) with a congressional plan that will conduct additional oil and natural gas lease sales to promote offshore energy development, job creation, and increased domestic energy production to ensure a more secure energy future in the United States, and for other purposes, with Mr. DOLD in the chair.

The Acting CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Washington (Mr. HASTINGS) and the gentleman from Massachusetts (Mr. MARKEY) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, under the shadow of the Supreme Court's ruling on ObamaCare, the Obama administration on June 28 quietly announced the President's proposed final offshore drilling plan for 2012–2017.

Despite claims of their being proud of their energy record, the Obama administration deliberately chose to announce their plan on a day when it would get buried in the ObamaCare news coverage. This shows that even this administration is not proud of their plan that would place 85 percent of America's offshore areas off-limits to energy production.

Under section 18 of the Outer Continental Shelf Leasing Act, when any President proposes a new 5-year offshore drilling plan, it must be submitted to Congress for a mandatory 60-day review before it can become final and take effect. That 60-day clock is now ticking. It's now Congress' responsibility to take action and to reject President Obama's no-new-drilling, no-new-jobs plan and to replace it with a robust, responsible plan to safely develop our offshore energy resources.

According to analysis conducted by the nonpartisan Congressional Research Office, the President has proposed fewer leases in his plan than any President since this process began—that goes back to President Jimmy Carter, so it's even worse than President Carter.

President Obama's proposal doesn't open up one new area for leasing and energy production. It would set our Nation's energy production back to the days before 2008 when two moratoria that prohibited drilling of a vast majority of American offshore areas were in place. Both moratoria were lifted after the summer of 2008 due to the outrage of the American people over the cost of $4-per-gallon gasoline, and they demanded that the Federal Government take action. President Obama proposes to effectively reimpose that moratoria.

From nearly the day he took the oath of office, this President has put the brakes on new American energy production and job creation. In the first weeks of this administration, the Interior Department took a nearly complete new offshore lease plan and put it on hold for 6 months, and then they tossed out that draft plan entirely and started over. It took them over 3½ years to get a new proposed plan in place. And along the way, they delayed and canceled multiple lease sales.

For example, President Obama canceled the Virginia lease sale scheduled for 2011 last year and now refuses to include Virginia in his 2012–2017 plan. He is responsible for closing an entire new area of drilling and cheating the Commonwealth out of thousands of jobs and another industry. If President Obama has his way, Virginia will be left out in the cold in until 2017 at the earliest.

The bill being considered today, H.R. 6082, is entitled the Congressional Replacement of President Obama's Energy-Restricting and Job-Limiting Offshore Drilling Plan. In stark contrast to President Obama's plan, this bill represents a drill-smart plan that includes 29 lease sales and focuses energy production in specific areas containing America's greatest known oil and natural gas resources. What a novel idea: go to where the resources are.

The bill would replace the lease sales scheduled in the President's proposed plan and safely open new areas that were previously under moratoria—such as the Mid-Atlantic, southern Pacific, and the Arctic. It does this while ensuring that necessary and required environmental reviews are conducted.

The congressional replacement plan would generate $600 million in additional revenue and create tens of thousands of new American jobs.

Tomorrow there will be a direct up-or-down vote on the President's proposed plan when we consider, under suspension, H.R. 6168. There will also, obviously, be a direct up-or-down vote on this legislation. So Members can decide if the President's plan meets the standards expected by the American people or if we should replace it with a real plan that creates jobs and grows our economy.

The House has taken action to replace the President's proposed plan,

and I call on the Senate to do the same. If the Senate does nothing and lets the 60-day clock run out, that is an endorsement of the President's plan. It is an endorsement of the plan that reimposes the drilling moratoria, creates no new jobs and no new energy.

I believe that we can do better than this proposed plan, and our Nation deserves better. By passing this bill, we are standing up for American energy and American jobs and moving our country forward.

With that, I reserve the balance of my time.

Mr. MARKEY. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, I would like to welcome everyone back to yet another episode of the GOP Wheel of Giveaway game show here. Every week on the floor of the House of Representatives, the majority picks an industry to benefit from giveaways of our public lands.

□ 1650

One month ago, the Republican majority voted to turn over nearly all of our onshore public lands to the oil and gas industry in just a few short years.

Two weeks ago, the majority voted to eviscerate proper environmental review for massive gold and silver and uranium mines on public lands to benefit the mining industry. And here we are on the House floor once again debating a Republican bill from the Natural Resources Committee intended to hand out even more industry giveaways.

Well, it actually gets hard to keep track of which industry is getting the GOP giveaway each week, so let's consult our chart—the GOP Wheel of Giveaways—so that we can make sure that everyone at home can follow along to see whether it will be the oil, the gas, the mining, or the timber industries that will be the big winner in the giveaway of our public lands this week.

Of course, we all know that it won't be the solar or the wind industries benefiting from the Republicans because in the Republican ''oil above all'' game, if you land on renewable energy, you lose a turn. So which industry is getting the giveaway this week? We are back on the ''even more oil'' on the House floor today, even more oil giveaways.

H.R. 6082 would place drill rigs right off our beaches in southern California, off our beaches in Maine, in New Hampshire, in Massachusetts, in Rhode Island, in Connecticut, in New York, in New Jersey—just put the drills right out there, right off the Maryland coast. And by the way, there will be millions of people, of course, out on those beaches saying get those oil rigs off the beaches, off the places where people go and have a good time during the summer, where the fishing industry is.

My amendment will say, and by the way, if you do find any oil and gas out there, at least let's keep the oil and gas here in the United States. Let's not run the risk of spoiling the natural resources of our country—the beaches, the fishing areas—finding natural gas and then ship it to other countries; at least let's keep it here. And the Republicans are going to oppose keeping the natural gas that they would find off these beaches in California and Maine and Massachusetts and New Jersey and send it to other countries.

This is truly the ''even more oil'' Republican Party. Whatever ExxonMobile wants, whatever Shell wants, whatever BP wants, we'll do it, even if we know millions of people will just be protesting right from the very beginning—and by the way, without passing one of the reforms from the BP spill commission to make sure that the drilling occurs in a safe fashion.

They still, in 2 years, have yet to bring out one single safety reform that would implement safeguards to protect against the repetition of what happened in the Gulf of Mexico. So the natural gas that's found can go overseas. It will be done in a risky fashion because they refuse to learn the lessons of BP in the Gulf of Mexico, and they've included no new safety measures. That's what ExxonMobil wants, that's what BP wants, so it's out here on the House floor to be voted upon, by the way, over the vigorous objection of this Democrat and Democrats all across the country.

This Congress, the Republican majority, has reported 11 drilling bills out of the Natural Resources Committee. Those 11 bills have been combined and brought to the House floor and this is now the sixth massive passage of giveaways to Big Oil that we have considered. Two of those bills were largely similar to the legislation we are considering today to dramatically expand offshore drilling without putting any new safety measures in place.

All of the previous drilling bills have suffered from the same fate. They were all far too extreme to pass the Senate and not a single one of them has been signed into law. Well, let me let everyone in on a little secret: this bill is also not becoming law. Like the bills before it, it can't pass the Senate, and the administration has already said that the President would veto this bill.

But that reality hasn't stopped the Republican House from passing giveaways to the oil and gas industry over and over again. The reason they keep passing them is the same reason when you go to a movie and you see previews of coming attractions. What they're saying here is we're passing, that is, Republicans are passing, all of this legislation for the oil companies to drill off our beaches for the big oil companies. And if just somehow or other Mitt Romney becomes President and the Republicans take over the Senate, this will become the law of the Nation. So they see this as a preview of coming attractions, and they want the public to know that that will happen.

They want to run this year on this premise, and I think that's great. It's a very honest way of dealing with something that will horrify people who live all along the coastlines in these States that would run the risk of having damage done to their beaches.

When you include all of the bills that have been reported by all of the committees altogether, this Republican House has already cast 139 votes—139 votes—on the House floor this Congress to benefit the oil and gas industry.

We are going to pass 90 hours of debate on the floor on oil and gas legislation this Congress just today. What a streak. When most people think of the great records of American history, they might think of Joe DiMaggio's 56-game hitting streak, or Cal Ripkin's 2,362 consecutive games, or maybe Wilt Chamberlain scoring 100 points in a basketball game, or Ted Williams hitting .406 in 1941.

But when all is said and done, the record of this Republican Congress voting to benefit Big Oil might be just as untouchable a record. With already 139 votes and nearly 90 hours of debate on these giveaways to the oil industry on the House floor, this is a once-in-a-generation performance by this Republican Congress. It may stand as a record that can never be broken by any other Congress in terms of the number of giveaways to the oil and gas industry.

Whether it's voting 33 times to repeal the Affordable Care Act, or voting again and again for more and more drilling, under the GOP, this isn't the House of Representatives, it's the House of Repetition. President Truman dubbed the 80th Congress the ''do nothing'' Congress. Well, this is apparently the ''do the same thing over and over and over again'' Congress.

The Republican majority has already cast 139 votes to aid the oil and gas industry. How many votes have they cast to benefit the wind and the solar industry? Ah, there's a good question. Well, the answer is zero—139 for oil and gas, zero for the wind and solar industry. Is that all you really need to know about what's going on here in Congress?

Can you imagine the millennials out there listening to this debate saying zero for wind and solar? Zero for the future? Zero for making our country more of the clean energy leader of the world, of reducing greenhouse gases, of creating jobs in these industries? Zero for wind and solar?

The wind tax breaks, by the way, are expiring this year. Do not expect that to come out on the House floor as a vote that the Republicans say we must extend. But tax breaks for oil companies, extra drilling privileges off our beaches for the oil and gas companies? Oh, yeah, plenty of votes for that.

While we have been spending 90 hours debating legislation to help Big Oil, recently the majority wouldn't even allow a debate on the floor on an amendment to create a renewable electricity standard for our Nation because the Republican energy policy isn't ''all of the above.'' It is ''oil above all.'' And

that's what we're going to be debating for the rest of the day out here on the House floor—sad to say for the future of renewable energy for our country.

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

Mr. HASTINGS of Washington. Before I yield to the gentleman from Colorado, I'll yield myself 30 seconds to simply point out to my good friend from Massachusetts that in response to his answer on how many bills this House has addressed on renewables, the gentleman said zero, and that is incorrect.

□ 1700

There have been multiple bills and parts of bills dealing with the process of putting wind and solar in place, specifically on public lands, so I just wanted to correct the gentleman in that regard.

I yield 3 minutes to the gentleman from Colorado, (Mr. LAMBORN).

Mr. LAMBORN. Mr. Chairman, the bill we are considering today is very simple. Republicans are taking a proactive step to secure a more stable energy future for our country.

Just last week, the nonpartisan Congressional Research Service published a report confirming what you can see on this chart, that President Obama's plan for offshore drilling offers the lowest number of lease sales in the history of our Outer Continental Shelf program.

There, on the left, my left, ''15'' is the number you see in red. Going back to 1980, when President Jimmy Carter was in office, he had 36 lease sales in his proposed 5-year plan. And you can see intervening 5-year plans since 1980 until today.

This is the fewest ever. Even this number is generous, because we're operating under the assumption that the administration will actually follow through on doing all of these 15 lease sales. This is not a sure bet, when you consider that since the President was elected, he has cancelled more lease sales than he has held.

Let me repeat that. This President, in 3½ years, has cancelled more lease sales than have been held.

Now, the administration proposes a new leasing plan that offers for sale the fewest leasing sales ever and locks away 85 percent of our Outer Continental Shelf from any development.

Why would the President propose the fewest number of lease sales ever? Is it because we've solved our dependency on foreign oil? No. We import 5 million barrels a day.

Is it because we've developed all of our domestic resources so there's nothing left to develop? No. The President's plan leaves tens of billions of barrels of oil off limits and trillions of cubic feet of natural gas untapped, unused, and unavailable for the American consumer.

The President says over and over that he supports U.S. energy development, then we see that, at every opportunity, he makes the choice to prevent efficient energy development from happening.

We must do more for the American people in generating more energy for lower prices and lessen our dependence on foreign oil. This bill does exactly that.

I ask my colleagues to join me in voting for this bill. Vote for American energy and American jobs. Let's replace the President's do nothing plan with a plan that moves America forward.

Mr. HOLT. Mr. Chairman, I rise in opposition to this bill, and I yield myself such time as I may consume.

First, I would like to address a point that the chairman made as he attempted to correct Mr. MARKEY and said that there have been a number of wind energy bills considered. I think we would gladly count those votes in the column of gutting the national environmental protection act, but wind, no. The wind industry did not support any of those bills that he was talking about or amendments. They are not wind legislation. They are environmental spoilage legislation.

Mr. Chairman, this Republican bill would allow drilling off the coast of every State in the east coast, from Maine to South Carolina, and off of California and in Bristol Bay, off of Alaska, which is, I might add, one of our Nation's most important salmon fisheries. By reviving long dead lease sales in these fishery areas, they would be reviving sales that the Bush administration issued just 4 days before they left office.

Now, it's interesting that tomorrow we will consider Republican legislation on this floor that is intended to prohibit midnight regulations, yet, today, we have a midnight drilling lease sale. They are, in effect, trying to reinstate the Bush administration's midnight offshore leasing plan. So I just want my colleagues on the other side to know that tomorrow, when we are talking about midnight regulations, that they were actually talking about it a day in advance.

The other side has also made the point that the administration's offshore drilling plan would reinstate a moratorium. Quite the opposite. Mr. Chairman, the Obama administration's offshore drilling plan already, now, makes more than 75 percent of our oil and gas resources available for drilling. They are not doing what the Republicans are saying they are doing.

Two months ago, industry analysts were projecting that, by the end of this year, we would have 50 percent more floating rigs operating in the gulf than before the BP spill. It turns out they were wrong. Not by the end of this year. It's already happened. We have about 50 percent more rigs operating in the gulf today. We have more rigs operating in the United States than in the rest of the world combined.

And they're saying the President is trying to kill the oil industry.

H.R. 6082 ignores the fact that President Obama's all-of-the-above energy strategy has successfully reduced our dependence on foreign oil from 57 percent in the last year of the Bush administration to only 45 percent today. It ignores the fact that our oil production is at an 18-year high.

It does raise the question of why we have this legislation in front of us at all if not to maybe embarrass the President. But, no, the President will not be embarrassed by the facts, and I hope we will deal with the facts here.

This legislation is unnecessary and unwise—unnecessary because the drilling is taking place, and unwise because the other side wants to strike all of the environmental protections that, rather than weakened, should be strengthened.

Later we will be considering an amendment that I will offer to strike the language from the underlying bill that requires the Department of the Interior to conduct a single multisale environmental impact statement for all new areas opened for drilling.

You may recall, Mr. Chairman, I said a moment ago that this legislation talks about drilling from Maine to South Carolina, off California and in Alaska. And they propose to say a single environmental impact statement will deal with that? Well, that's like the environmental impact statement that applied to the BP drilling in the gulf that talked about walruses. Yes, because they were using the same environmental impact statement that they had used in Alaska previously.

No, the protection of the environment requires a little more attention than that. Congress has a responsibility to the American people to ensure that offshore oil and gas drilling is occurring in a safe and environmentally responsible manner.

Also, later, we will be considering an amendment that I will offer that has to do with the royalties that will be collected—or should be collected—from offshore drilling.

The Big Five oil companies made a record profit of $137 billion last year. In the first quarter of this year, they continued to capitalize on the pain of Americans at the pump, raking in $368 million in profits per day. And this legislation that is brought to the floor by the Republicans here wants to allow them to drill in many places without paying any royalties, without paying a fee to the taxpayers for the oil that the taxpayers own.

□ 1710

Right now, more than 25 percent of all oil produced offshore on Federal lands is produced without paying a penny of royalty. That should be changed.

My constituents—and I think the constituents of any Member of this House—would say it's only fair that these oil companies pay for what they use.

With that, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Louisiana, a member of the Natural Resources Committee and a subcommittee chairman, Dr. FLEMING.

Mr. FLEMING. I want to thank the committee chairman for allowing me to speak.

First, I would like to agree with the gentleman from New Jersey. He is absolutely correct that oil production has increased in recent years and that our dependence on oil has actually decreased over the same period of time.

But why? Because of the private sector.

The private sector industry has been out there and has been drilling in new areas like North Dakota and in my own home State of Louisiana. It's the private sector that's driving this. It's producing more oil than we ever have, and there is much more that we can have.

On the other hand, on public lands, which have been under the control of the President, we have seen a reduction of 15 percent. So there is no way in the world we could give our President, President Obama, credit for that unless, of course, we said, Well, indeed, the private sector didn't build it—he did. But I really don't think that's the case.

Mr. Chairman, I stand in support of H.R. 6082.

What we are seeing in President Obama's lease plan is a study in contrasts. When demand for energy was up and prices were spiking in 2008, the Bush administration opened more areas for drilling. That's just commonsense economics. Here we are 4 years later with high energy prices again, and this President's solution is to propose a plan that opens no new areas of drilling.

The Obama administration pounced on the BP spill 2 years ago to ratchet down our Nation's ability to drill for oil, and then it dragged its feet in issuing new drilling permits. All the while, taxpayer dollars were being thrown at failed wind and solar energy projects like Solyndra and many others too numerous to name today.

The Acting CHAIR (Mr. MARCHANT). The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional minute.

Mr. FLEMING. This legislation is smart policy and is a return to common sense. Our country needs energy, and it needs jobs. The President's plan doesn't help, but H.R. 6082 does. It will open areas for drilling that never should have been closed off, and that will lead to more jobs and more cost-effective energy for Americans.

Mr. HOLT. Mr. Chair, in 1969, many in America encountered the phrase ''oil spill'' for the first time. Off the coast of Santa Barbara, California, there was what has now become the granddaddy of oil spills.

Currently representing that area and those beaches is our good colleague. I yield 3 minutes to the gentlelady from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague for yielding.

Mr. Chairman, here we are, voting once again to mandate new offshore drilling in areas where it simply isn't wanted. And just like before, this proposal simply ignores the facts, the facts stated by my colleague from New Jersey: the fact that we already make more than 75 percent of the offshore oil and gas resources available for drilling; the fact that domestic oil production is at an 18-year high; and the fact that we have more rigs that are drilling in the United States than in the rest of the world combined.

Instead of addressing the real issues in offshore drilling, like the need to adopt the safety recommendations of the nonpartisan oil spill commission, this bill seeks to compound the problems by mandating new drilling all over the place.

H.R. 6082 also cavalierly dismisses the legitimate concerns raised by the people most affected by this mandated new drilling idea—my constituents. After nearly 100 years of drilling off my coastline, Californians have spoken loud and clear: we've had enough. In fact, a 2010 proposal to allow slant drilling from the shores of a coastal town in my district was opposed by 70 percent—that's right, 70 percent—of the voters.

To protect communities now at risk under this bill, I offered an amendment that would have stopped the mandated new lease sales off southern California—off my district—but the majority refused to allow a debate on this amendment. In addition, this new mandated drilling would happen on platforms that have been in the Santa Barbara Channel since the Everly Brothers were topping the music charts over 50 years ago. It's not a good idea to use these old rigs for expanded drilling—20 of them—including platform A, as my colleague referenced, which was the very culprit of the 1969 Santa Barbara oil spill.

I offered an amendment to require the Interior Department to certify these platforms were actually capable of handling new drilling before it could start; but thanks to the Rules Committee, we won't be debating that issue either.

What is also true is that the Pentagon doesn't support new drilling off its base on the central coast. The Pentagon told ExxonMobil that the company's proposed drilling plan at Vandenberg Air Force Base would ''present a wide range of significant operational constraints.'' That's why I offered an amendment to protect the national space launch mission at Vandenberg Air Force Base; but again, the House won't be able to debate that issue, and the concerns of the Air Force are left unaddressed.

Mr. Chairman, it's clear that H.R. 6082 is not a well-thought out proposal. It's another heavy-handed, know-it-all approach from Washington, D.C.—rubber-stamping destructive drilling, cutting out environmental reviews, limiting public input. That might be good policy for oil companies; but it's bad policy for my constituents, and it's bad energy policy for our Nation. I urge my colleagues to oppose this reckless offshore drilling bill.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 2 minutes to another member of the Natural Resources Committee and a subcommittee chairman, the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. As I listened to my colleague from Santa Barbara, I was reflecting on the fact that, during that same period, I represented the same area of Santa Barbara. I was in the State senate for 8 years. So I would remind the gentlelady that less than 4 years ago the Santa Barbara County Board of Supervisors passed a resolution asking for more offshore development of the Santa Barbara area, so dependent is the region's economy on that enterprise.

Mr. Chairman, that speaks volumes, I think, about where the American people stand today as well.

America's energy crisis is not because of any shortage of American energy. Our Nation is blessed with vast reserves of petroleum, natural gas, coal, hydroelectricity, and uranium that dwarf those of any other nation, and they should make us the most prosperous and energy-independent Nation in the world.

The real energy crisis is here in Washington—some would say right here in this Chamber—where our government, in thrall to the green left, continues to thwart the development of American resources.

We have seen this policy time and time again as the President has blocked the Keystone pipeline, waged war on coal, and thwarted offshore exploration and development, which is a problem that this bill now addresses. To add hypocrisy to injury, while blocking American petroleum development, many of these politicians exhort the Saudis and Brazilians to increase their production.

Enough is enough. Our Nation is at a crossroads. We can choose either a future of government-created energy shortages or a future of jobs, prosperity and abundance produced by American enterprise. That is the issue before us today, and that is one of the issues that will be before the American people in November.

Mr. HOLT. Mr. Chairman, I would like to yield 4 minutes to the gentleman from New York (Mr. TONKO), who is a new member of the committee, but who is one of the most energetic and informed members of the committee and passionate about preserving a healthful environment.

Mr. TONKO. Mr. Chairman, here we go again.

It isn't enough that the Obama administration's offshore drilling plan

makes more than 75 percent of our oil and natural gas resources available for drilling; but the majority is not going to be happy until we have turned over every square foot of our public lands and our coastline to the oil and gas companies.

H.R. 6082 abandons any pretense to the support of states' rights by mandating lease sales for the east coast and southern California—the coastlines of States that are on record as opposing oil and gas drilling along their coasts.

□ 1720

Too bad New York, New Jersey, Connecticut, and Massachusetts. If your citizens want to prioritize the tourism, recreation, and fishing industries, Big Oil wants to move in, and H.R. 6028 gives them the authority to do so. H.R. 6082 requires no public comment or consultation with the States. Apparently, those steps, steps followed by the administration in putting together their plan, are too time consuming. Besides, they may result in opposition to this ill-conceived drilling plan.

On the same day that the United States Chemical Safety Board has released its report on the Deepwater Horizon accident with the finding that safety lessons were not learned from the 2005 refinery accident, we're moving a bill that does nothing to improve the safety of offshore drilling for either the people who work on these rigs or for the many citizens and businesses whose coastal access, enjoyment, or livelihood would be lost if there were an oil spill.

Thankfully, this bill will go no further than this House, at least in this Congress. If it passed the other body, the President has already issued a veto threat. Why are we doing this? One can only speculate.

I'm disappointed that the Rules Committee did not make my amendment in order. It would have required oil and gas companies that are awarded leases to disclose their Federal campaign donations to candidates and super PACs.

We are in real danger of losing our democracy. Free speech should not cost millions of dollars, and corporations are not people. Sunshine is the best anecdote to this particular brand of poison. The public should know who is funding issue ads and other campaign-focused activities, especially when those funds come from corporations that profit from public resources.

The Supreme Court's decision in the Citizens United case unleashed a tidal wave of anonymous campaign donations. There are now over 600 super PACs poised to spend at least the $221 million that they have collected so far to dominate the airwaves with advertisements of the political viewpoints of corporations and wealthy individuals. According to a Bloomberg news article published earlier this year, Americans for Prosperity, an organization backed by oil interests, paid over $12 million for ads attacking the Obama administration's green energy policies.

The public has a right to know how profits made through exploitation of public resources of our land and our coastlines are being used to influence elections. My amendment would have provided the public with some of that information.

H.R. 6082 will not make us energy independent. It will not make us more energy efficient. It will not lower fuel prices. Energy efficiency and investment in our new energy resources are the real way to kick our oil habit.

I urge my colleagues to reject H.R. 6082.

Mr. HOLT. Mr. Chair, before the gentleman begins, may I ask the time remaining on each side?

The Acting CHAIR. The gentleman from New Jersey has 7 minutes remaining, and the gentleman from Washington has 17¼ minutes remaining.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 2 minutes to another member of the Natural Resources Committee, the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. Mr. Chairman, I give thanks to the Natural Resources Committee for their hard work on this issue.

As my good friend, JEFF LANDRY, the Congressman from Louisiana reminds us, drilling equals jobs. And Republicans have a plan for job creation in America, and it begins not with a government takeover of our health care industry like the Democrats thought would create jobs. It begins with America pursuing energy independence, utilizing the resources that we are blessed with in this country, primarily right now in the offshore areas. We do this by expanding the areas of our Outer Continental Shelf that are included in our Nation's plan for exploration over the next 5 years. It seems simple to the average American, and that's what frustrates them so much, that we would refuse to at least explore our reserves and meet our energy needs in this country.

With a 9.4 percent unemployment rate in South Carolina, South Carolina understands that drilling equals jobs. Jobs we want, and that is why the Palmetto State offshore area is included in this bill.

I urge my colleagues on both sides of the aisle to support this American Jobs and Energy initiative by passing H.R. 6082.

Mr. HOLT. At this time, I am pleased to yield 3 minutes to the gentleman from Virginia (Mr. MORAN), who, on the Appropriations Committee and Interior Appropriations, is a champion for the environment.

Mr. MORAN. Mr. Chairman, I want to thank my good friend from New Jersey for yielding to me.

I have a few facts that we need to put on the table here:

One, this bill isn't going anywhere. It's not going to be accepted by the Senate, let alone be enacted by the President;

Secondly, we could create more jobs and a more sustainable future if we dropped the subsidies for oil and gas and we redirected them into wind and solar power;

Thirdly, this will have no impact upon the world oil price.

The fact is that we have a good deal of experience that shows that no matter how much production comes out of the United States, it, at best, has a negligible impact upon what consumers pay at the gas pump. Let me introduce some numbers to that effect to prove the point.

We currently consume about 18.8 million barrels of oil a day, and we produce about 5.4 million. Despite the concerted efforts of former oilmen President Bush and Vice President Cheney and a Congress that embraced the ''drill, baby, drill'' mantra, total oil production actually dropped from 2.118 billion barrels in 2001, when President Bush and Vice President Cheney came into office, to 1.812 billion barrels in 2008, when they left office. Under the friendliest, most pro-oil administration, U.S. production declined, despite technological advances in drilling and despite the lifting of previously restricted areas to drilling on land and at sea.

Ironically, oil production today, under the Obama administration, is higher than at any time during the last 14 years. I'll mention that once again. Oil production today is higher, under the Obama administration, than at any time during the last 14 years.

Onshore, oil companies hold leases on more than 73 million acres of the public's land; offshore, more than 37 million acres of the Outer Continental Shelf have been offered for lease since 2012.

More of the public's lands and waters are available and have been leased for drilling than at any previous time in U.S. history. It's worth repeating. More of the public's lands and waters are available today and have been leased for drilling than at any previous time in U.S. history.

As of June 1 of this year, there were 1,980 rotary drilling rigs operating on U.S. lands and waters, more than all other countries combined.

But all this activity has had no impact on prices. The fact is we have 36 years of data to show that it will have no impact on the price of oil.

Why are we doing this? That's the real question that needs to be answered. The Associated Press undertook a statistical analysis of 36 years of monthly, inflation-adjusted gasoline prices and U.S. domestic oil production. The study found that there was no statistical correlation between how much oil comes out of U.S. wells and the price at the pump.

U.S. oil production this past spring has been steady, yet the price of regular gasoline has fluctuated by more than 50 cents a gallon over a three month period.

The price spike this past spring can no more be attributed to President Obama and

the false claim that he is failing to drill more than he can be credited with the recent drop in the gasoline prices.

This bill moves us in exactly the opposite direction of what the bipartisan National Oil Spill Commission recommended: that current environmental reviews be more thorough and that oil spill response plans cover all contingencies.

It did not call for an arbitrary mandate to open all areas offshore on an unrealistic timetable, and it did not recommend drilling applicants be granted fast track approval.

This bill dismisses the work of the commission and pretends the trauma we all experienced in 2010, watching day-after-day and month-after-month, as more than 200 million gallons of oil spilled into the Gulf didn't happen.

It pretends the suffering and economic losses thousands of residents and local Gulf businesses experienced didn't happen.

This bill returns to the lax regulatory climate that existed before the disaster. It should be defeated.

Mr. HASTINGS of Washington. Mr. Chair, I am very pleased to yield 2 minutes to the gentlelady from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Chairman, I thank the gentleman for yielding time.

It was just last month that the administration announced its proposed final lease plan for developing the U.S. offshore energy resources for the next 5 years, 2012–2017. There was a lot of anticipation about this. We thought that finally the administration would hear the calls that have come from this House saying we need to increase our American energy supply and we need to create jobs, but we were disappointed. Our calls for relief obviously fell on deaf ears.

Instead of opening up 98 percent of the U.S. offshore, which is currently unleased for energy exploration, the President's plan will make the situation worse by closing 85 percent of our offshore areas to energy production. I think that's significant.

You have to ask the question: What do you really want? If you want energy independence, open it up. Let's explore for these sources.

□ 1730

To put that into context, I think what we need to do is look at this President's plan and compare it to previous Presidents. And, Mr. Chairman, what we find is that this President's plan offers fewer offshore drilling leases than former President Jimmy Carter had offered. The President's plan also ignores the economic struggles that are facing our country, and it really does not move us toward energy independence.

What it does do is it moves us a step backwards. We are heading in the wrong direction on this issue, and it reimposes a drilling moratorium that had been lifted in 2008, a moratorium that the gulf coast still has not recovered from. And I think that we need to look at that and consider those jobs in our coastal regions.

In stark contrast to the President's plan, H.R. 6082 proposes a drill smart job creation plan that expands offshore drilling and opens new areas containing the most oil and natural gas resources. I encourage my colleagues to support this plan.

Mr. HOLT. May I inquire of the time remaining, Mr. Chair?

The Acting CHAIR. The gentleman from New Jersey has 4 minutes. The gentleman from Washington has 14 minutes.

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

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 2 minutes to the gentleman from Louisiana, Dr. BOUSTANY.

Mr. BOUSTANY. Mr. Chairman, I rise in support of H.R. 6082 which I believe is a commonsense approach to energy production and jobs in south Louisiana and for our Nation.

I continue to be disappointed. The President states we must have ''an all-of-the-above strategy for the 21st century that develops every source of American-made energy,'' but at the same time, he fails to understand the need to develop resources now for future energy production.

South Louisiana has tens of thousands of jobs in the oil and gas industry. This administration's hostility to responsible, safe American energy production by closing 85 percent—85 percent—of our offshore areas to energy production and issuing burdensome and duplicative regulations stalls our languishing economy and hurts job growth.

I rise in support of H.R. 6082 because it's a rational and responsible plan. Not only will this bill generate a robust drilling plan, creating thousands of new jobs, helping to lower the price at the pump, improve American energy security, and strengthen our national and economic security, but it requires separate environmental reviews for each specific lease sale. This is good policy.

Passage of this legislation sends a crystal clear message to the administration: a do-nothing energy plan is simply unacceptable.

I look over at my colleagues on the other side of the aisle, and I would urge the President as well to take a look at that plaque up there near the ceiling above the Speaker's Chair—read it—from Daniel Webster. It says, ''Let us develop the resources of our land.''

Passage of this bill gets us on to a good start of developing the resources of our land, which include good, high-paying American jobs.

Mr. HOLT. I would now like to yield 3 minutes to the gentleman from Massachusetts (Mr. KEATING) who represents one of the areas that would be affected by offshore drilling, should this go forward.

Mr. KEATING. I thank the gentleman for yielding the time.

I don't have a lot of time to watch television these days. But I think most of us have seen on television a commercial comes up time and time again. It's a commercial with beautiful coastal scenes in it, telling people, Come to Louisiana, Come to Mississippi, Come to Florida, Come to the coast. And I looked at that. And I said, That's great marketing. At the end of the commercial, I was surprised to see it was sponsored by BP. Now why was that sponsored by BP? It was sponsored by BP because of *Deepwater Horizon* and the damage that that did.

And this bill is just another attempt at giving Big Oil a handout, putting oil companies and their profits above both the American taxpayers and American treasures.

Now my district includes the south shore of Massachusetts, the Cape, the islands of Martha's Vineyard and Nantucket and the south coast. We're a maritime community, one that respects the ocean and one that has prospered from its resources.

This bill would threaten our shores, our marine life, and the industries that rely upon them by opening up the waters of the east coast from Maine to South Carolina for quote-unquote ''required oil and gases.''

Now I ask my colleagues, is this necessary? Why put hundreds of miles of ocean waters and the livelihoods of our fishing and tourism industries at risk when our Nation's oil imports are already down to their lowest level in nearly two decades, and production is up?

Now in the spirit of compromise, I would like to offer a suggestion that will help the oil companies increase their profits. And that would be this: Let's defeat this bill, and the oil companies won't have to spend all that money paying for TV commercials to lure people to areas that are our Nation's treasures because they've been damaged.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 2 minutes to the gentleman from a coastal State, the gentleman from Mississippi (Mr. NUNNELEE).

Mr. NUNNELEE. I thank the chairman for yielding.

I rise in support of H.R. 6082, the Congressional Replacement of President Obama's Energy-Restricting and Job-Limiting Offshore Drilling Plan.

The President's lease plan for offshore energy resources is unacceptable. It would close 85 percent of our offshore areas to energy production and recovery. Just like the Keystone pipeline, this is just another example of an administration beholden to a radical environmental agenda.

We must be about safely and responsibly recovering American energy. We have available energy under our feet and off our shores. This plan does that by expanding offshore drilling into new areas, areas that contain the most oil and natural gas resources.

Our economy is still struggling. People are still looking for work. And this bill would generate $600 million in government revenue and at the same time,

put tens of thousands of Americans back to work.

It's time that we choose jobs and energy security over left-wing ideology.

Mr. MARKEY. Mr. Chairman, I am the final speaker on our side. If the gentleman from Washington State is ready to conclude debate, so are we in the minority.

Mr. HASTINGS of Washington. Mr. Chairman, I would tell my friend from Massachusetts, I have one other request for time and then myself to close.

Mr. MARKEY. Then, Mr. Chairman, I will reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 2 minutes to the gentleman from Virginia (Mr. HURT).

Mr. HURT. I thank the chairman for yielding.

I rise today on behalf of the people of Virginia's Fifth District. As I visit with central and southside Virginians across my district, they all echo the same sentiment: The burdens caused by high fuel prices in this stalled economy are negatively impacting their lives.

This issue particularly resonates in the Commonwealth because just last month, the administration announced that its 5-year energy plan will exclude resources off of the coast of Virginia. This announcement comes as a shock to the people that I represent. At a time when the Fifth District is suffering from 3 years of high unemployment, now the administration has said it will put thousands more Virginia jobs on hold. It also shocks us because it shows just how out of touch Washington is when it comes to the devastation that high fuel prices are causing at home.

Energy prices may have subsided for now, but now is the time to act. I am proud to support this legislation which replaces the administration's unreasonable and irresponsible energy policy. I believe that this legislation will bring jobs to Virginia, help keep fuel prices low, and move our country forward to spur economic growth in central and southside Virginia.

□ 1740

Mr. MARKEY. Mr. Chairman, I yield myself the balance of my time.

This is a very simple debate to understand. The Republicans want to authorize drilling for oil and gas off of the coastlines of southern California, Maine and New Hampshire, Massachusetts and Rhode Island, New York, Maryland, and New Jersey. Those States do not want that. They long ago decided the risks were too great for their beaches and for their fishing industries. They do not want it.

But it also is in the context of this Republican aversion, this Republican opposition to wind and solar and other renewables receiving the same attention as oil and natural gas does. And the important thing about wind and solar is that they would be domestically produced 100 percent. The same is true, by the way, you would think, for natural gas. Let's just say they find some off the coast of Massachusetts or off the coast of New Jersey; that would be great. But what the Republicans refuse to agree to is that that natural gas, after we've drilled off of our beaches, cannot be exported to other countries. And the reason that's important is we could use that natural gas and substitute it for the oil that we import from the Persian Gulf, but they won't agree to do that.

So the one thing that definitely has to be produced here is wind and solar because it has to be domestic. Natural gas, though, you can put it in a ship and you can send it around the world. You can freeze it like liquefied natural gas. And they won't agree not to do that as part of this package of running the risk of fouling the beaches of the east coast and the west coast.

There is just something fundamentally wrong with this; nothing for wind and solar, everything for the oil industry, including their discretion to then take the oil and gas that's discovered off our beaches and selling it overseas.

So this is just wrong on so many levels in terms of what we should be doing to protect our own country, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman has 9¼ minutes remaining.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I just want to say why we are here today. We are here today because the President submitted his plan. It was late. His 5-year plan is supposed to go through a 60-day review here in the Congress. We are here to offer an alternative to that plan because that plan locks up 85 percent of the potential resources in this country. We offer this plan because we have heard loud and clear from the American people that it is in our best interest to be less dependent on foreign energy. And in the process of creating American energy, we obviously create American jobs. That, to me, is a win/win situation.

Now, let me respond to some of the arguments that have been made on the other side, and I want to point out specifically the bills.

The charge was made that the Republican-led House has not taken up any bills dealing with renewable energy. In fact, the observation was that there were no bills. In fact, there have been several bills, and there are three bills that have passed the House. Now, some of my friends on the other side of the aisle may not like it, but the fact is that they've passed.

The first one is H.R. 4402. It passed on a bipartisan basis in July. H.R. 3408, it too passed on a bipartisan basis in February. And H.R. 4480, it too passed on a bipartisan basis in June. So Republicans have repeatedly said that we are in favor of an all-of-the-above energy plan, and this, of course, confirms that belief.

Now, I want to make an observation to part of the debate here that we are giving away something. I'm trying to think of an analogy on how to describe that, and the best I can come up with is if one has an asset, the Federal Government has an asset of having control over the Outer Continental Shelf, and somebody wants to use that asset where there may be some opportunity to grow the economy or create jobs, or what have you, that seems to me to be a positive step rather than a giveaway.

In fact, I think about the private landowners in North Dakota or maybe the State of North Dakota, because the same people, Big Oil, that are being beat up here on the floor here in debate went to North Dakota. They talked to the State and they talked to the private landowners. They said, You may have some assets that we would like to see if maybe there is some energy development available, very similar to what's available on the Outer Continental Shelf. So they made an agreement, I'll pay you, the landowner, some money if you let me look. And if there is something there, I'll pay you with what comes out of the ground.

Now, this is exactly the same process we're going through here, except we're dealing with the Outer Continental Shelf. Now, who is the beneficiary of that? Well, the beneficiary, in part, obviously, is the Federal Government because they get money for the leases and they'll get royalty payments. And I might point out, by the way, Mr. Chairman, the second largest source of income to the Federal Government after the income tax comes from leases and royalties. So there clearly is a benefit to the American people in that regard.

So when this is characterized as a giveaway when supposedly what is being given away is paid for, it does not, in my mind, pass the straight-face test.

Lastly, we hear the arguments, specifically from my good friend from Virginia (Mr. MORAN) saying this bill is going nowhere in the other body. Well, I would remind my good friend that the two Senators from his home State of Virginia are Democrats, and they are in support of drilling off the coast of Virginia, which, of course, this bill embodies. So if maybe they could whisper into the majority leader's ear and get some action on it, then this bill, indeed, could move through the Senate, as I suspect it will move through the House, on a bipartisan basis in the same light.

So with that, Mr. Chairman, I think this bill is a very good bill. I urge its adoption, and I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–29. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 6082

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Congressional Replacement of President Obama's Energy-Restricting and Job-Limiting Offshore Drilling Plan''.

SEC. 2. DEFINITIONS.

In this Act:

(1) OCS PLANNING AREA.—Any reference to an ''OCS Planning Area'' means such Outer Continental Shelf Planning Area as specified by the Department of the Interior as of January 1, 2012.

(2) PROPOSED OIL AND GAS LEASING PROGRAM (2012–2017).—The term ''Proposed Final Outer Continental Shelf Oil & Gas Leasing Program (2012–2017)'' means such plan as transmitted to the Speaker of the House and President of the Senate on June 28, 2012.

SEC. 3. REQUIREMENT TO IMPLEMENT PROPOSED OIL AND GAS LEASING PROGRAM (2012–2017).

(a) IN GENERAL.—Except as otherwise provided in this Act, the Secretary of the Interior shall implement the Proposed Final Outer Continental Shelf Oil & Gas Leasing Program (2012–2017) in accordance with the schedule for conducting oil and gas lease sales set forth in such proposed program, the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), and otherwise applicable law.

(b) MODIFIED AND ADDITIONAL LEASE SALES.—Notwithstanding the schedule of lease sales in the Proposed Final Outer Continental Shelf Oil & Gas Leasing Program (2012–2017), the Secretary shall conduct under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) oil and gas lease sales in OCS Planning Areas as specified in the following table, in the year specified in the table for each lease sale:

Lease Sale No.	*OCS Planning Area*	*Year*
229	*Western Gulf of Mexico*	*2012*
220	*Mid-Atlantic*	*2013*
225	*Eastern Gulf of Mexico*	*2013*
227	*Central Gulf of Mexico*	*2013*
249	*Southern California (existing infrastructure sale)*	*2013*
233	*Western Gulf of Mexico*	*2013*
244	*Cook Inlet*	*2013*
212	*Chukchi Sea*	*2013*
228	*Southern California*	*2014*
230	*Mid-Atlantic*	*2014*
231	*Central Gulf of Mexico*	*2014*
238	*Western Gulf of Mexico*	*2014*
242	*Beaufort Sea*	*2014*
221	*Chukchi Sea*	*2014*
245	*Mid-Atlantic*	*2015*
232	*North Atlantic*	*2015*
234	*Eastern Gulf of Mexico*	*2015*
235	*Central Gulf of Mexico*	*2015*
246	*Western Gulf of Mexico*	*2015*
237	*Chukchi Sea*	*2016*
239	*North Aleutian Basin*	*2016*
248	*Western Gulf of Mexico*	*2016*
241	*Central Gulf of Mexico*	*2016*
226	*Eastern Gulf of Mexico*	*2016*
217	*Beaufort Sea*	*2016*
243	*Southern California*	*2017*
250	*Mid-Atlantic*	*2017*
247	*Central Gulf of Mexico*	*2017*
255	*South Atlantic-South Carolina*	*2015*

(c) LEASE SALES DESCRIBED.—For purposes of subsection (b)—

(1) lease sale numbers 229, 227, 233, 244, 225, 231, 238, 235, 242, 246, 226, 241, 237, 248, and 247 are such sales proposed in, and shall be conducted in accordance with, the Proposed Final Outer Continental Shelf Oil & Gas Leasing Program (2012–2017), except each such lease sale shall be conducted in the year specified for such sale in the table in subsection (b);

(2) lease sale numbers 220, 212, 228, 230, 221, 245, 232, 234, 239, 217, and 243 are such sales proposed in, and shall be conducted in accordance with, the Draft Proposed Outer Continental Shelf (OCS) Oil and Gas Leasing Program for 2010–2015 as published in Federal Register on January 21, 2009 (74 Fed. Reg. 12), except each such lease sale shall be conducted in the year specified for such sale in the table in subsection (b); and

(3) lease sale numbers 249 and 250 shall be conducted—

(A) for lease tracts in the Southern California OCS Planning Area and Mid-Atlantic OCS Planning Area, respectively, as determined by and at the discretion of the Secretary, subject to subparagraph (C);

(B) in the year specified for each such lease sale in the table in subsection (b); and

(C) in accordance with the other provisions of this Act.

SEC. 4. SOUTHERN CALIFORNIA EXISTING INFRASTRUCTURE LEASE SALE.

(a) IN GENERAL.—In lease sale 249 under section 3, the Secretary shall offer for sale leases of tracts in the Santa Maria and Santa Barbara/Ventura Basins of the Southern California OCS Planning Area as soon as practicable, but not later than December 31, 2013.

(b) USE OF EXISTING STRUCTURES OR ONSHORE-BASED DRILLING.—The Secretary of the Interior shall include in leases offered for sale under lease sale 249 such terms and conditions as are necessary to require that development and production may occur only from offshore infrastructure in existence on the date of the enactment of this Act or from onshore-based drilling.

SEC. 5. NATIONAL DEFENSE.

(a) NATIONAL DEFENSE AREAS.—This Act shall in no way affect the existing authority of the Secretary of Defense, with the approval of the President, to designate national defense areas on the outer Continental Shelf pursuant to section 12(d) of the Outer Continental Shelf Lands Act (43 U.S.C. 1341(d)).

(b) PROHIBITION ON CONFLICTS WITH MILITARY OPERATIONS.—No person may engage in any exploration, development, or production of oil or natural gas on the Outer Continental Shelf under a lease issued under this Act that would conflict with any military operation, as determined in accordance with the Memorandum of Agreement between the Department of Defense and the Department of the Interior on Mutual Concerns on the Outer Continental Shelf signed July 20, 1983, and any revision or replacement for that agreement that is agreed to by the Secretary of Defense and the Secretary of the Interior after that date but before the date of issuance of the lease under which such exploration, development, or production is conducted.

SEC. 6. ENVIRONMENTAL IMPACT STATEMENT REQUIREMENT.

(a) IN GENERAL.—For the purposes of this Act and in order to conduct lease sales in accordance with the lease sale schedule established by this Act, the Secretary of the Interior shall prepare a multisale environmental impact statement under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) for all lease sales required under this Act that are not included in the Proposed Final Outer Continental Shelf Oil & Gas Leasing Program (2012–2017).

(b) ACTIONS TO BE CONSIDERED.—Notwithstanding section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332), in such statement—

(1) the Secretary is not required to identify nonleasing alternative courses of action or to analyze the environmental effects of such alternative courses of action; and

(2) the Secretary shall only—

(A) identify a preferred action for leasing and not more than one alternative leasing proposal; and

(B) analyze the environmental effects and potential mitigation measures for such preferred action and such alternative leasing proposal.

SEC. 7. EASTERN GULF OF MEXICO NOT INCLUDED.

Nothing in this Act affects restrictions on oil and gas leasing under the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109–432; 43 U.S.C. 1331 note).

SEC. 8. LEASE SALE OFF THE COAST OF SOUTH CAROLINA.

In determining the areas off the coast of South Carolina to be made available for leasing under this Act, the Secretary of the Interior shall—

(1) consult with the Governor and legislature of the State of South Carolina; and

(2) focus on areas considered to have the most geologically promising energy resources.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part C of House Report 112–616. Each such amendment may be offered only in the order printed in the report, 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.

AMENDMENT NO. 1 OFFERED BY MR. HASTINGS OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part C of House Report 112–616.

Mr. HASTINGS of Washington. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, beginning at line 11, strike ''PROPOSED OIL AND GAS LEASING PROGRAM (2012–2017)'' and insert ''PROPOSED FINAL OUTER CONTINENTAL SHELF OIL & GAS LEASING PROGRAM (2012–2017)''.

Page 1, line 14, strike ''plan'' and insert ''program''.

The Acting CHAIR. Pursuant to House Resolution 738, the gentleman from Washington (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself such time as I may consume, and I will just take a few seconds here.

This amendment is very simple. It makes two small technical corrections to the way the plan is referred to in the bill, and I urge my colleagues to support this amendment.

I yield to the gentleman from Massachusetts.

Mr. MARKEY. I thank the gentleman.

The minority has no objection to the amendment by the gentleman, and we urge support of it.

Mr. HASTINGS of Washington. Mr. Chairman, I urge adoption of the amendment, and I yield back the balance of my time.

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

The amendment was agreed to.

□ 1750

AMENDMENT NO. 2 OFFERED BY MR. HOLT

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part C of House Report 112–616.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Beginning at page 5, line 22, strike section 6.

The Acting CHAIR. Pursuant to House Resolution 738, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Mr. Chairman, the amendment is simple:

''On page 5, line 22, strike section 6.''

This amendment strikes language from the bill that requires the Interior Department to conduct a single multisale environmental impact statement for all of the new areas that would be opened under this bill.

Now, it's not going to happen. We are not going to see this into law. I'm sure this bill is not going anywhere. But if it were, it would be an environmental disaster.

The notion that one environmental analysis would be sufficient for lease sales in the Atlantic, in the Pacific, and Bristol Bay in Alaska is simply absurd. These are very different environments. The steps that would be taken to prepare for drilling would be different in each one. The steps that would be taken during drilling would be different in each one. The steps that would be taken to prepare against an accident would be different in each one, and the steps for a cleanup would be different in each one. In fact, it would be hard to imagine three environments that could be more different. Even along the Atlantic coast from South Carolina to Massachusetts there are differences.

Congress has a responsibility to the American people to ensure that offshore drilling for gas and oil is occurring in a safe and environmentally responsible manner. It's been over 2 years since the worst environmental oil disaster in American history, the BP oil spill, and Congress has yet to enact a single legislative reform.

This committee, instead of doing a bill that—seems to be motivated to try to embarrass the President, I guess, based on a false premise that the President is interfering with the oil industry. They should actually be trying to put in place corrections that have been pointed out that are needed following the knowledge we've learned from the BP oil spill. The independent BP Spill Commission gave Congress a grade of ''D'' for a legislative response.

Now, the Republican majority has said they wanted to wait until all the facts were in before taking action to respond to the gulf spill. Well, the time has come. We've heard from the independent BP Spill Commission, Mr. Chairman; we've heard from the government's joint investigative team, Mr. Chairman; and those reports reached similar conclusions: The BP disaster was preventible, not inevitable. Those reports concluded that corners were cut, bad decisions were made, and stronger safety standards could have helped, in fact, could have prevented the disaster.

In fact, just today, the United States Chemical Safety Board issued its first report on the BP oil spill disaster and found that, when BP looked at offshore operations, it ''focused on financial risks, not process safety risks.''

So that's what we should be doing here today. We should be strengthening the safety, the public health, and the environmental protections instead of saying we're going to drill everywhere and water down the environmental protections.

Here we are considering the 11th drilling bill over the last 18 months. The Republican majority is, once again, seeking to open up vast, vast swaths of America's coastlines to drilling without proper environmental review.

Mandating a single environmental impact analysis for the variety of lease sales included under this legislation is simply insufficient. Truncating environmental review will make drilling less safe, not more safe.

Let me be clear: The authors of H.R. 6082 apparently believe that the Atlantic, the Pacific, and Bristol Bay are similar enough to warrant a single environmental assessment.

An oil spill off the east coast would endanger 200,000 jobs and $12 billion associated with just New Jersey's fishing and tourism industries—and that's not counting the indirect effects as this money flows through our local economies.

Bristol Bay and the North Aleutian Basin form the heart of one of the most productive salmon fisheries on the planet, contributing more than $5 billion every year to our economy, yet the underlying bill opens up these areas to drilling under a truncated environmental review.

My amendment simply strikes the language from the bill that requires a single multisale environmental impact statement and would go a long way toward protecting the environment.

I urge adoption of the amendment.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise to claim time in opposition.

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

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself as much time as I may consume.

The amendment prioritizes bureaucracy over responsibly increasing energy production and job creation. This amendment would strike the section of the bill requiring that an environmental impact statement be conducted prior to any leasing in lease sale areas.

The gentleman takes issue with the manner in which the environmental impact statement is required to be conducted. However, what he fails to mention is that the administration is required to do yet another environmental review prior to each lease sale and additional reviews on each lease block as a part of the leasing process, and then each exploration plan has additional environmental work. So, in effect, all of the areas in the underlying bill will be studied and then restudied for the effect that any activity will have on the environment.

Not only that, Mr. Chairman, but all of these lease sales will still be subject to the many different laws that still impact the offshore leasing process, such as the Coastal Zone Management Act, the Marine Mammal Protection Act, the Endangered Species Act, and the National Fishing Enhancement Act, to name a few.

The truth of the matter is that this bill doesn't harm the environment. It goes an extra mile in requiring a multiple-sale EIS on all of the lease areas, while also ensuring that leasing does occur, although that leasing is still subject to all the environmental protection laws that are on the books.

Support for offshore energy development does not mean that you cannot also respect the range of different environmental needs based on lease area.

Mr. Chairman, I don't think anybody in the country does not want to drill safely and responsibly. I know I certainly don't, and I know Members on my side of the aisle don't. So I encourage my colleagues to oppose this amendment.

Mr. Chairman, I understand the gentleman has yielded back his time. I will yield back my time and urge a ''no'' vote.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

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

Mr. HASTINGS of Washington. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 3 OFFERED BY MS. RICHARDSON

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part C of House Report 112–616.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, strike line 3 and insert the following:

SEC. 8. LEASE SALES OFF THE COASTS OF SOUTH CAROLINA AND CALIFORNIA.

Page 7, line 5, after ''lina'' insert ''and the coast of California''.

Page 7, line 8, strike ''the State of South Carolina'' and insert ''each such State''.

The Acting CHAIR. Pursuant to House Resolution 738, the gentlewoman from California (Ms. RICHARDSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. RICHARDSON. Mr. Chairman, my staff and I have had the opportunity earlier today to discuss this amendment with Chairman HASTINGS, Ranking Member MARKEY and their staffs, so I'll be brief.

□ 1800

The Richardson amendment improves the bill by amending section 8 to explicitly require the Secretary of the Interior to consult the California Governor and the State legislature before leasing any areas off the coast of California. My amendment codifies in the bill existing law, practice, and custom.

In short, the Richardson amendment extends to California the same consideration that the bill's drafters afforded the State of South Carolina. The State of California has within its borders more than two-thirds of the Nation's Pacific coastline, a far greater percentage than South Carolina has with respect to the Atlantic coastline.

California's coastline is an international treasure, and our State's residents should have input on drilling off our shores. Offshore drilling along the California coastline should thoroughly consider impacts to tourism, fisheries, coastal recreation, and of course the economy and its benefits. That is why it's reasonable and necessary that the people of California, through their chief elected officials, be consulted by the Secretary of the Interior on the subject of offshore drilling off the California coast.

Mr. Chairman, I'd like to acknowledge the leadership and expertise and willingness of Chairman HASTINGS and Ranking Member MARKEY for working with me on the Richardson amendment, and I urge my colleagues to support the amendment.

Mr. HASTINGS of Washington. Will the gentlelady yield?

Ms. RICHARDSON. I yield to the gentleman.

Mr. HASTINGS of Washington. I thank the gentlelady for yielding. And I want to congratulate her on her amendment because I think this is a responsible approach that we are trying to take.

One of the reasons why California is so important, I think as the gentlelady knows, is that there are geologists that say that there are over 1.5 million potential barrels of oil off the shore. That should be important to Californians because not too long ago you were producing 50 percent of your oil production, now it's down to 38 percent. What we say, obviously, in this legislation is that it should be done from platforms on land.

So I thank the gentlelady for her amendment. I think it's a responsible approach, and I think it adds to this legislation. And I urge my colleagues to support the amendment.

Ms. RICHARDSON. Mr. Chairman, again, I just want to conclude with saying that I both acknowledge and appreciate the leadership by both Chairman HASTINGS and Ranking Member MARKEY; look forward to working with them on this and many other issues; and I'm grateful for their willingness to consider the rightfulness of this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. RICHARDSON).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. MARKEY

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part C of House Report 112–616.

Mr. MARKEY. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. ___. REQUIREMENT TO OFFER GAS FOR SALE ONLY IN THE UNITED STATES.

The Secretary of the Interior shall require that all gas produced under a lease issued under this Act shall be offered for sale only in the United States.

The Acting CHAIR. Pursuant to House Resolution 738, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MARKEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment is very, very simple. It ensures that the natural gas produced under the leases issued under this legislation is sold in America. We're talking about the public lands of the United States, the taxpayer-owned lands of the United States. These are the American people's lands off of Massachusetts, off of New York, off of New Jersey, off of California that are being leased under this bill. The very least we should be able to tell the American people is that they are actually going to see a benefit from any oil or gas produced from these lands.

We should be able to tell Americans that we are keeping the natural gas produced on their public lands here in America to keep prices low for Americans here in the United States, and we're going to find ways of putting that natural gas into trucks, into buses, into cars so that we can stop importing oil from dangerous parts of the world.

We should be able to tell Americans that we're keeping the natural gas here so that we can create more American jobs in manufacturing plastics, fertilizer, chemicals, and steel; and that we tell those countries in the Middle East we don't need your oil any more than we need your sand because we have natural gas here in America. That's all that my amendment would do, send a strong signal to the OPEC nations.

Current law does not allow for the exportation of our crude oil, and it shouldn't allow for the exportation of our natural gas either. My amendment would ensure that no waivers can be granted, no permits can be issued to export natural gas produced from the public land of the United States to other countries when we're still importing oil from OPEC. How much sense does that make that we find natural gas and start to sell it to other countries, even as OPEC continues to tip us upside down and shake money out of our pockets at the pump?

So I'm going to reserve the balance of my time at this point and continue my argument in a few minutes.

Mr. HASTINGS of Washington. Mr. Chairman, I rise to claim time in opposition to the amendment.

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

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

Mr. Chairman, I'm very happy to see that the gentleman understands that America needs oil and natural gas. That was a very good statement on his part. We would prefer to see more domestic production of this necessary commodity rather than importing it from foreign countries. I think we're making progress in that regard, Mr. Chairman.

The good news is this is already law, what the gentleman is trying to address. Title 43, chapter 29, section 1534 of the U.S. Code specifically prevents the export of both oil or gas produced from the Outer Continental Shelf unless the President finds that it is, one, in the national interest; two, will not increase our reliance on natural gas; and, three, that it is in accordance with the Export Administration Act, which puts further regulations on exports.

Now, the House has said repeatedly that increased energy production on Federal lands is in the national interest. So I suppose the gentleman could say there is some wiggle room there.

But, nevertheless, this amendment had failed in committee last week, it has failed on the House floor on many occasions because of this protection that's already in law. So I urge my colleagues to reject this amendment, and I reserve the balance of my time.

Mr. MARKEY. Mr. Chairman, I yield myself such time as I may consume.

The Department of Energy right now has applications from 15 companies to export 28 percent of our current natural gas consumption in the United States.

Let me be very clear: exporting our natural gas will increase American energy prices. No economist or energy analyst disagrees. Why would we find natural gas here and then start selling it around the world? It would increase the price here. In fact, exporting far less than what is currently being proposed could send domestic natural gas prices skyrocketing by 54 percent.

Let me just let everyone out there know right now, we are the Saudi Arabia of natural gas. We are, right now, the lowest natural gas price in the world. In the United States, it's only $2.40, $2.50 in Mcf. In Japan, in Korea, in China, it's seven times higher. In Europe, it's four times higher. So if you're a manufacturer, if you're a company thinking about moving your trucking or your bus fleet to natural gas as opposed to oil and you're in these other countries, it's difficult for you to do it.

It's time for the United States to figure out how to do this. We have this incredible bonanza. Now they're proposing to drill off the coastline of Massachusetts, off New York, off southern California to find more natural gas. And what are they saying? Let's export it. Well, you're going to export the cheapest natural gas in the world.

Do you know what T. Boone Pickens says about this? ''If we do it, if we export natural gas, we're truly going to go down as America's dumbest generation. It's bad public policy to export natural gas.''

□ 1810

This is T. Boone Pickens. This is ED MARKEY. This is a coalition that spans the entire spectrum of political thought, but we do agree on this one thing. Why would we take our most precious natural resource and sell it to other countries, when it gives us a massive competitive advantage?

So I'm going to reserve the balance of my time to conclude debate, but this is a nonsensical policy.

Mr. HASTINGS of Washington. Mr. Chairman, I have no more requests for time, and I understand I have the right to close, so I will reserve my time.

Mr. MARKEY. How much time is remaining on either side, Mr. Chairman?

The Acting CHAIR. The gentleman has 15 seconds.

Mr. MARKEY. Fifteen seconds.

We drill for natural gas off of our beaches, our pristine beaches and we find it, we take the risk, those States take their risk, that natural gas should stay here in America. ExxonMobil shouldn't be able to pack it up and sell it to China, sell it to South America. That natural gas should stay here in America if it's found off of our beaches. That's what the Markey amendment calls for.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I just want to say that this law has been on the books since 1940. Now, in 1940, there was a whole lot of unrest in the world just prior to the Second World War, and in the wisdom, apparently, of the Congress of that time, they said that energy production from the Outer Continental Shelf, which I might add, was probably not as robust as it is today, there are only certain conditions that you would export what comes off. And as I listed those things before, I think they're important.

That law was a good law then. It's a good law now. This amendment adds absolutely nothing to that whatsoever.

So, Mr. Chairman, I would urge my colleagues to vote ''no'' on this amendment.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 5 OFFERED BY MR. MARKEY

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part C of House Report 112–616.

Mr. MARKEY. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. ____. SAFETY REQUIREMENTS.

The Secretary of the Interior shall require that drilling operations conducted under each lease issued under this Act meet requirements for—

(1) third-party certification of safety systems related to well control, such as blowout preventers;

(2) performance of blowout preventers, including quantitative risk assessment standards, subsea testing, and secondary activation methods;

(3) independent third-party certification of well casing and cementing programs and procedures;

(4) mandatory safety and environmental management systems by operators on the outer Continental Shelf (as that term is used in the Outer Continental Shelf Lands Act); and

(5) procedures and technologies to be used during drilling operations to minimize the risk of ignition and explosion of hydrocarbons.

The Acting CHAIR. Pursuant to House Resolution 738, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MARKEY. Mr. Chairman, the independent blue ribbon BP Spill Commission—and this is their comprehensive compendium of what went wrong and what needs to be done in order to correct what went wrong in the Gulf of Mexico, the worst environmental disaster in the history of our country—concluded that there were systemic problems that occurred in the entire industry.

The Commission recommended sweeping reforms to improve the safety of offshore drilling. Yet, this Congress has still not enacted a single legislative reform and, as a result, the BP Spill Commission recently gave Congress a D, this Republican Congress, on its legislative response, and only refrained from handing out an F because it said it didn't want to insult the institution.

My amendment would simply ensure that we put into the statute specific minimal safety requirements for blowout preventers, cementing, and the casing of offshore wells. My amendment would ensure that if we are going to expand drilling off of States like Massachusetts and New York and New Jersey and Maryland and California, that we put additional safety requirements on the books to ensure that a Romney administration or any other future administration cannot simply roll back the Interior Department reforms.

We don't want a Louisiana mess off of the coast of Massachusetts, off of the coast of southern California. We want the safety reforms that the BP Spill Commission recommended be put in place so there is no recurrence.

The Republicans are saying they want to drill off of the coast of these States that don't want the drilling. The least that they should do is build in the safety reforms.

And just today, the Chemical Safety Board released its report on the disaster. The Chemical Safety Board reached many of the same conclusions as the BP Spill Commission. The government's joint investigative team and the National Academy of Engineering said that this disaster was not inevitable, that it was preventable.

This majority has said they wanted to wait until all the facts were in before taking action on safety legislation. Well, the time has now come. We now have two blue ribbon reports, each reaching the same conclusions. It is long past time for the Congress to take the lessons of the BP spill and turn them into laws, so that we never have a disaster like this again.

I'm afraid of what the majority is contemplating here, which is authorizing the drilling off the coasts of the

East and the West in our country without building in the safety reforms. If ever there is a recipe for disaster, ruining the fishing, ruining the tourism business for these States that don't want the drilling in the first place because their economies are not based upon the same premise as the Louisiana and Texas economy, then this is that recipe. This is what we're voting on here today.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise to claim time in opposition to the amendment.

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

Mr. HASTINGS of Washington. I yield myself as much time as I may consume.

Mr. Chairman, let's be very frank about this. This amendment won't increase safety, but it will add red tape to the leasing process and open new avenues for lawsuits to interfere with the process of creating American energy and creating American jobs.

The types of safety measures identified in the amendment are already in place, and they are already enforceable. On multiple occasions, the Obama administration has testified that offshore drilling operations are being conducted safely.

With this amendment, the minority continues to try to divert attention away from the real issue of increasing energy production, American energy production, creating jobs, American jobs, lowering energy costs, and improving our national security, all doing that because, potentially, we lessen our dependence on foreign oil.

So it seems that my friends on the other side of the aisle simply do not want to face the fact that this bill says we can move forward with a robust and responsible program of oil and gas development, while, at the same time, ensuring that increased safety measures are undertaken. These are not, nor should they be mutually exclusive goals.

Right now, we have two choices before us. Tomorrow, when we vote on this, and the suspension that will be before us, we can choose to endorse the President's energy plan to hold 15 sales in five areas in the OCS, or we can support this bill before us, which will have nearly double, 29 sales, in over double the areas, 11 areas.

Both options will ensure that the drilling is done safely. Both options will ensure that our environment is protected. But only one option follows through on the promise made to the American people when the moratoria was lifted.

The American people clearly want our Nation to harness our energy resources. But the President's energy plan takes 85 percent of the Outer Continental Shelf and makes it off-limits.

This amendment, I should add, has failed when it was offered on this floor last February, and it also failed when it was offered in committee last week. So I urge my colleagues to vote ''no'' on the amendment.

I reserve the balance of my time.

□ 1820

Mr. MARKEY. May I ask the Chair to recapitulate the exact time that the majority and minority still have remaining for this debate?

The Acting CHAIR. There are 1½ minutes for the gentleman from Massachusetts, and there are 2½ minutes for the gentleman from Washington.

Mr. MARKEY. Does the gentleman have any other speakers?

Mr. HASTINGS of Washington. If the gentleman is prepared to yield back, I will do the same.

Mr. MARKEY. I am prepared to give my convincing concluding presentation to the House floor.

Mr. HASTINGS of Washington. I am the last speaker on my side, so you do what you have to do, and I will respond accordingly.

Mr. MARKEY. I thank the gentleman very much.

I yield myself my remaining time.

Again, just for the record, Republicans can say this as much as they want, but I have to repeat:

(1) When President Obama was sworn in, 57 percent of our oil was imported. Today, only 45 percent of our oil is imported—congratulations, President Obama—no matter how many times the Republicans want to cover that over.

(2) Seventy-five percent of all of the oil and gas reserves offshore have been made available by the Obama administration for drilling.

(3) We in the United States are at an 18-year high in drilling.

Now, the Republicans have a problem with this because the 18-year high in drilling, the reduction from 57 percent of imports down to 45 percent of imports and the fact that 75 percent of all areas off the shores of our country are open for drilling run totally contrary to everything that they believe—to everything that they want America to believe, it is better to be said—because if the American people actually believed the truth, which is that Obama has reduced our imported oil from 57 percent down to 45 percent, reduced our dependence upon imported oil and increased our drilling to the highest point in 18 years, then their whole narrative just goes right down the drain. They have to keep getting up as though Bush were the right guy, but he did nothing.

All we're saying is, if you are so desperate to actually license all of this new drilling off of the beaches of our States, at least build in the safety precautions, which is what the Markey amendment calls for, which will prevent another mess like the BP Horizon catastrophe in the Gulf of Mexico.

I yield back the balance of my time.

Mr. HASTINGS of Washington. I yield myself the balance of the time.

Okay. Let's say it again: The gentleman's remarks would imply that, because there is increased oil production in this country, it's due to the actions of this administration.

Nothing, Mr. Chairman, could be further from the truth, because it takes a while to go through the process of leasing and developing potential resources before you drill, and even then you don't know until you drill.

All of that process started prior to this administration's taking office. It happened in the Bush administration, and as a matter of fact, it happened in the Clinton administration. That's where the increased production, in large part, came from. Even that isn't entirely true, because the increased production of American oil is really coming from State and private lands, not from Federal lands. In fact, over the last 2 years, Federal lands production has been down under this administration. It is principally because of North Dakota and West Texas that we are finding more production of American energy.

By the way, Mr. Chairman, I think that's good—but why should we ignore the potential resources that we have on Federal lands and not allow that to produce our American energy?

This amendment really does not help that process. All it does is add red tape to the process, so I urge a ''no'' vote on the amendment.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 6 OFFERED BY MR. HOLT

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part C of House Report 112–616.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. ___. ELIGIBILITY FOR LEASES.

(a) LIMITATION ON ELIGIBILITY.—

(1) IN GENERAL.—Beginning 1 year after the date of enactment of this Act, the Secretary of the Interior shall not offer any lease pursuant to this Act to a person described in paragraph (2) unless the person has renegotiated each covered lease with respect to which the person is a lessee, to modify the payment responsibilities of the person to require the payment of royalties if the price of oil and natural gas is greater than or equal to the price thresholds described in clauses (v) through (vii) of section 8(a)(3)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)(C)).

(2) PERSONS DESCRIBED.—A person referred to in paragraph (1) is a person that—

(A) is a lessee that—

(i) holds a covered lease on the date on which the Secretary considers the issuance of the lease under this Act; or

(ii) was issued a covered lease before the date of enactment of this Act, but transferred the covered lease to another person or entity (including a subsidiary or affiliate of the lessee) after the date of enactment of this Act; or

(B) any other person that has any direct or indirect interest in, or that derives any benefit from, a covered lease.

(b) DEFINITIONS.—In this section:

(1) COVERED LEASE.—The term ''covered lease'' means a lease for oil or gas production in the Gulf of Mexico that is—

(A) in existence on the date of enactment of this Act;

(B) issued by the Department of the Interior under section 304 of the Outer Continental Shelf Deep Water Royalty Relief Act (43 U.S.C. 1337 note; Public Law 104–58); and

(C) not subject to limitations on royalty relief based on market price that are equal to or less than the price thresholds described in clauses (v) through (vii) of section 8(a)(3)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)(C)).

(2) LESSEE.—The term ''lessee'' includes any person or other entity that controls, is controlled by, or is in or under common control with, a lessee.

The Acting CHAIR. Pursuant to House Resolution 738, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. If the majority Republicans continue to push their ''oil above all'' agenda, then we House Democrats will persist in our attempts to make offshore drilling safe—safe for the workers and safe for the environment—and to make sure that the American taxpayers are getting their fair share of return on the use of their natural resources.

The Big Five oil companies made a record profit of $137 billion last year. In the first quarter of this year, they continued to capitalize on the pain that Americans feel at the pump, raking in $368 million in profits per day. But did the Americans see increased profits from selling their oil as it was pumped from public lands offshore? No. As a result of a legal quirk in the 1995 law, oil companies are not paying any royalties to the American people on leases issued between 1996 and 2000—none, zero.

In recent years, the amount of free oil these companies have been pumping has gone through the roof as more of these faulty leases have gone into production. In fact, right now, more than 25 percent of all oil produced offshore on Federal lands is produced royalty-free, and these oil companies are getting a complete windfall on 25 percent of all the oil produced offshore in the United States. They don't pay the American people one penny for their drilling regardless of their huge profits. It's just unjust.

According to the Interior Department, American taxpayers stand to lose about $9.5 billion over the next 10 years from this big giveaway to oil companies. Yes, it's a giveaway. The Government Accountability Office projects that all this free drilling will cost us as much as $53 billion over the life of the leases. My amendment would recover these revenues that rightly belong to the American people.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise to claim time in opposition to this amendment.

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

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

Mr. Chairman, this is yet another attempt to legislate a decision that was made during the Clinton administration. The constant attempt to renegotiate contracts that were signed, sealed, and delivered under the Clinton administration is in violation of contract law. That should be very, very basic, it would seem to me, if, indeed, we are a Nation of laws.

The U.S. Supreme Court found that the Interior Department did not have the authority to go back and insert price thresholds on these leases. The Department lost this issue in district court, in the appellate court, and they lost it in the Supreme Court. If this amendment were to pass, the issue would most certainly be challenged in court where, undoubtedly, the Department would again lose after having spent taxpayer dollars to defend the indefensible.

Ultimately, this amendment seeks to force U.S. companies to break a contract negotiated under government law. Now, some would say it's a bad contract. Maybe it was. I'm not going to second-guess what the Clinton administration did—but, in fact, they signed that contract law. This amendment has repeatedly failed on the House floor, and I hope it fails again. I urge its opposition.

I reserve the balance of my time.

Mr. HOLT. My amendment would offer oil companies a choice. They could choose either to continue to produce royalty-free oil in the gulf and not get new leases or they could pay their fair share and proceed with this willy-nilly drilling that would be allowed under this law, under this legislation. My amendment does not break contracts. It simply would not force companies to give up their leases. It would impose a condition on future leases. As the Congressional Research Service has stated:

As a general matter, the United States has broad discretion in setting the qualifications of those with whom it contracts.

These oil companies are the most profitable companies in the history of the world, yet they receive more than $4 billion a year in taxpayer subsidies. On top of that, they get to drill for free on all of these public lands. Because of a quirk in the 1995 law, which came about because that Republican Congress was not eager to make oil companies pay, we shouldn't continue to give them a free ride.

If my colleagues on the other side are serious about paying down the deficit and realistically financing necessary investments in this Nation, then there is no excuse for not supporting this amendment to recover about $1 billion a year—actually, somewhat more than that probably—that is rightfully owed to the American people.

□ 1830

It's time to end this taxpayer rip-off once and for all.

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

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself the balance of the time.

If the intent of this amendment, as the gentleman says, is just to say that companies aren't forced to, but could renegotiate their contracts, I would say they could do that right now. Anybody that enters into a contract is free—if both parties want to—to renegotiate a contract. Nothing prevents them from doing so. But to have the heavy hand of government say in the future that ''if you don't do this,'' I think is a step too darn far. I think that that is really the wrong way to go. That's the last thing that we need, is saying a condition of leasing or doing business with the government is that you have to retroactively go back and change a contract. That would have a chilling effect, Mr. Chairman.

Again, I don't know why the Clinton administration signed these contracts. Who knows? But to add this, where do you stop then? Where do you stop with all of the Federal contracts that could be not only in energy production, but anything else? This is a very bad amendment. It's a very bad precedent, and I urge my colleagues to reject it.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

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

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

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

AMENDMENT NO. 7 OFFERED BY MR. HASTINGS OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part C of House Report 112–616.

Mr. HASTINGS of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. ____. LEASES MUST REQUIRE ESTIMATIONS OF PRODUCTION AND EFFECT ON PRICES.

The Secretary of the Interior shall require under each lease issued under this Act that

each application for a permit to drill a well includes detailed estimations of—

(1) the amount of oil and gas that is expected—

(A) to be found in the area where the well is drilled, in the case of an exploration well; or

(B) to be produced by the well, in the case of a production well; and

(2) the amount by which crude oil prices and consumer prices would be reduced as a result of oil and gas found or produced by the well, and by when the reductions would occur.

The Acting CHAIR. Pursuant to House Resolution 738, the gentleman from Florida (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS of Florida. Mr. Chairman, Republicans justify these irresponsible bills by claiming that more drilling will help reduce the cost of gasoline and fuel for the average American. Yet opening up even more of our country's shores to drilling will do little to help Americans at the gas pump. In reality, the United States is already producing more oil per day than it ever has. There are more drilling rigs in the United States than the rest of the world combined.

The drilling plan issued by President Obama that this bill amends already makes three-quarters of our offshore oil and gas resources open to drilling. Yet 70 percent of the offshore areas that are leased are currently not even active. That's 55 million acres under lease not active.

The price of oil and gas is set on a global level, primarily by the Organization of Petroleum Exporting Countries, OPEC. At maximum output, the United States holds only 2 percent of the world's oil reserves, not nearly enough to significantly impact the price per barrel, which is set on a global scale. According to the Energy Information Agency, even tripling our current offshore drilling capabilities by the year 2030 would lower gasoline prices only 5 cents per gallon more than if we continued at our current levels.

Gas prices are set on the world market on the basis of many geopolitical factors. For example, when the world thought Israel might attack Iran in February, gas prices went up 10 percent in 2 months to reach a 9-month high over fear that fuel supply lines would be disrupted. Though production in our country has actually increased every year since 2005, crude oil hit a record $147 per barrel over the same time period, demonstrating that there is little correlation between drilling levels in the United States and the price of oil.

What drives the price of oil more than any other factor is the large nonstop worldwide demand for oil. The only way we can reduce gasoline prices is to reduce our country's disproportionate demand for fossil fuels by increasing our energy efficiency, improving the fuel mileage of our cars, and developing renewable energy resources. Federal policies should focus on these kinds of demand-reducing improvements, not on increasing the land available for drilling. I make it very clear over and over again that I'll be the last person standing off the shores of Florida if we continue down the path of wanting to drill in that area.

Mr. Chairman, with all this in mind, my amendment requires applicants for drilling or exploration to explain in detail to what extent and by when any oil is found on the leased property will that decrease the price of oil for the American consumer.

More drilling will put our businesses, as well as our environment and our health, at an increased risk. Since we know that there's no correlation between gas prices and U.S. drilling, this bill is really nothing more than a giveaway, and I know my good friend from Washington will say that it is not. He perceives it as not a giveaway. I do. I think that it's nothing more than a giveaway to the oil and gas companies. My goodness, gracious, have we not given them enough?

With that, I reserve the balance of my time.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair will remind all persons in the gallery that they are here as guests of the House and any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the House rules.

Mr. HASTINGS of Washington. Mr. Chairman, I rise to claim time in opposition to the amendment.

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

Mr. HASTINGS of Washington. In deference to my good friend from Florida, I really believe that this is a political amendment that would simply require companies seeking to drill offshore to estimate the impact that increased oil and gas production would have on gasoline prices. This bill is about increasing American domestic energy production. It's about reducing our dependence on foreign oil. It's about creating American jobs and creating American energy.

Simply put, requiring producers to estimate the impact that each and every well has on global markets is nothing more than a bureaucratic paperwork nightmare that would be put on those that would want to go and drill offshore and a delaying tactic by those that are opposed to offshore development. I don't think this is a good amendment. As I said in deference to my good friend from Florida, I really believe that this is a political amendment.

With that, I urge rejection of the amendment, and I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Chair, do I have any time remaining?

The Acting CHAIR. The gentleman from Florida has 30 seconds remaining.

Mr. HASTINGS of Florida. Mr. Chair, I am going to use my 30 seconds as I hope to yield to my good friend from Washington for a question. Perhaps I can get it in.

Do you dispute, Representative HASTINGS, that we now have 55 million acres under lease, 70 percent of it is not being utilized and, in the final analysis, that all of what we wanted to drill, that it would amount to more than 2 percent of the world's output?

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. HASTINGS of Florida. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. I thank the gentleman for yielding and say that if you run out of time, I will claim the time.

First, I do not deny that, except the figures that you're using aren't quite accurate; I will say that in the sense that the 2 percent you're talking about is known reserves.

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

□ 1840

Mr. HASTINGS of Washington. I yield myself the balance of my time.

The 2 percent figure that you are using is the known reserves. The potential resources that we have are much, much greater than that. And really, when you are looking at potential future energy production in this country, you look at the potential resources, not the known reserves. There's a big, big difference. Two percent is reserve.

So I will acknowledge that while we have 2 percent right now, our potential resources are much, much larger.

And I will yield to the gentleman.

Mr. HASTINGS of Florida. I thank the gentleman. But in the Gulf of Mexico, which holds the largest volume of undiscovered technically recoverable resources, 32 million acres are under lease. However, only approximately 10 million acres have approved exploration or development plans, and only 6.4 million of these acres are in production. Leased areas in the Gulf of Mexico that are not producing or are not subject to pending or approved exploration and development plan are estimated to contain 17.9 billion barrels of UTRR oil and 49.7 trillion cubic feet.

So I will make the argument again to my dear friend that if we're talking about doing everything that you called for—and I know it's most sincerely—if we do that, we are not talking about reducing the price of gas but by a nickel. So show me the plan to get us to energy independence by drilling.

Mr. HASTINGS of Washington. Reclaiming my time, what the gentleman is talking about is lease sales. Somebody has made an investment. They do not know if that area has any oil or natural gas. They don't know. They will go through all the studies. They'll spend millions, and sometimes billions, of dollars finding out if there is something there. Then, if they think there is, they will drill, costing that much more.

Now, I might add, with these lease sales, there is a set time. The Federal

Government gets money from these lease sales. Why would somebody give the money to the Federal Government if they didn't think there was something there? And, by the way, many times these leases come up empty and the company walks away and the only revenue goes to the Federal Government.

But let me speak to one other area of the amendment, because what the gentleman is really saying with this amendment is he is asking somebody that produces a crude product to estimate the price of a finished product. That's like telling an apple grower in my part of the country that, if he or she is to sell apples overseas, what's the price of applesauce going to be down the line? Now, it doesn't make any sense to do that. Now, whether the gentleman purposely did that or not, I don't know. But in any case, I don't believe that the amendment ought to be adopted for other reasons, but certainly for that one.

With that, Mr. Chairman, I urge a ''no'' vote on the amendment, and I yield back the balance of my time.

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

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

Mr. HASTINGS of Florida. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 8 OFFERED BY MR. HASTINGS OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part C of House Report 112–616.

Mr. HASTINGS of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. ___. LEASES MUST REQUIRE ESTIMATIONS OF PRODUCTION AND RESULTING CLIMATE CHANGE.

(a) IN GENERAL.—The Secretary of the Interior shall require under each lease issued under this Act that each application for a permit to drill a well includes detailed estimations of—

(1) the amount of oil and gas that is expected—

(A) to be found in the area where the well is drilled, in the case of an exploration well; or

(B) to be produced by the well, in the case of a production well; and

(2) climate change that will result from consumption of oil and gas found pursuant to the lease.

(b) CLIMATE CHANGE DEFINED.—In this section the term ''climate change'' means change of climate that is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and that is in addition to natural climate variability observed over comparable time periods.

The Acting CHAIR. Pursuant to House Resolution 738, the gentleman from Florida (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS of Florida. I yield myself such time as I may consume.

Mr. Chairman, I do want to say, in the last exchange that I had with my good friend, that I deeply appreciate his yielding some of his time to me, and I'm glad that he didn't compare apples to oranges. I thought that's what he was going to do, but he went down the applesauce route.

Mr. Chairman, my Republican colleagues continue, in my opinion, to cling to an antiquated 19th century energy policy while the rest of the world has moved into the 21st century. Just because the majority Members of Congress refuse to acknowledge that human activity contributes to climate change does not make it true. Climate change is not an abstract or difficult scientific principle to grasp. The effects are all around us. Our country is currently experiencing its worst drought since the Dust Bowl in the year of my birth, 1936.

Just last week, sudden violent storms rocked the east coast—they were referred to as microbursts—knocking out power for thousands and killing a number of people. Furthermore, record heat waves are having serious repercussions on crop yields.

We must pursue responsible, sustainable energy policies both for the legacy that we will leave our children and also to make certain the United States is at the forefront of an emerging green economy.

My amendment will not let oil companies shield themselves in ignorance any longer. It requires in each permit application an analysis and estimate of the impact on global climate change of the consumption of the fossil fuels discovered.

While the oil and gas found under each individual lease may not have a huge impact, there is no question that the aggregate fossil fuel consumption contributes to global climate change.

I urge my colleagues to support this amendment in order to force my friends, the House Republicans, and big oil companies to acknowledge the reality that the international community is preparing for.

Interestingly, Mr. Chairman, when I was president of the Organization for Security and Cooperation in Europe's Parliamentary Assembly—its headquarters is in Denmark—I went to Denmark during that 2-year period of time, close to 30 times over the course of the years that I've been here. When I fly into Denmark, just coming from the side of Sweden, I see the windmills tilting that have been tilting for 16 years. And Denmark's city, Copenhagen, is the beneficiary of much of that production. They're headed toward the future. We're living in the past.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise to claim time in opposition to the amendment.

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

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself such time as I may consume.

In many respects, Mr. Chairman, we just had this debate. And again, with deference to my good friend from Florida, I think this is another political amendment because what it will do is require companies seeking to drill offshore to estimate the potential impact produced by oil and natural gas production, what impact that would have on climate change. Not only that, you would have to do it on a well-by-well basis.

Mr. Chairman, in all honesty, some sort of requirement like that would simply dry up anybody wanting to drill offshore or utilize our resources offshore. Now, if that's what the gentleman wants, then okay, that's a good concession; but, if not, it simply does not make any sense.

But from a practical standpoint—and I think this is very important, Mr. Chairman—if the issue—and there is some debate about this, no question. But if the issue of producing oil and natural gas will affect the climate, and we, as a country, probably have the most stringent environmental laws on our air quality and water quality, why would we put this extra burden on us when it wouldn't happen in other parts of the world?

But the net effect of this, if it were to become law, would be to drive everybody from America.

So the net effect, if the issue—now, if the issue is really to protect the environment and protect the air, why would you drive it to areas that have less stringent environmental laws? Yet that would be the practical effect if this amendment were to become law.

Like I said, we've been over this before. It puts extraordinary burdens on individual wells and individual producers. And as I mentioned, in deference to my friend, I think it is a political amendment.

I urge rejection, and I reserve the balance of my time.

□ 1850

Mr. HASTINGS of Florida. Mr. Chairman, in the words of the celebrated movie that these words came from, I'm shocked, just shocked that this is a political amendment. And I'm equally shocked that this bill is political. This is the 143rd time that we're talking about oil drilling. And somewhere along the line, I'm lost. I thought politics was what we do. That's what I do. That's what people sent me here to do. That's what you do, my good friend, is politics. That's what it's about.

The difference is where we separate ourselves is whether we're talking about the politics of the future, where there are opportunities for us to do the things to bring us to energy independence, or whether or not we are going to cling to fossil fuels until we just can't find any place else to drill.

My major opposition to oil drilling offshore has been demonstrably shown when the Deep Horizon accident occurred. There have been other accidents. You want to drill in the tundra; there have been accidents where oil was spilled in that area. And daily in Ft. Lauderdale, I see ships sitting offshore, and I find that occasionally tar and things that come from them wind up on the beaches.

We make $60 billion a year in Florida on those resources. I heard you earlier, my colleague, argue about North Dakota. I don't want to be in North Dakota in the wintertime, and I'm glad if they are about their business doing what they want to do; but I know a lot of North Dakota people, when they finish with the drilling up there, are going to come to Florida for our beaches, and that's what I'm about trying to preserve.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself the balance of my time.

Well, I, too, am shocked; but I'm glad we got that out of the way. Mr. Chairman, as I mentioned, this bill is a bill that addresses American energy and American jobs and, therefore, has a positive effect—potential positive effect—on our economy.

This amendment adds nothing to that. As a matter of fact, I think it's an impediment to this bill becoming law if it were to be adopted. And if I could think of some sorts of things to say regarding oranges, I would say it; but I'm totally at a loss. So I will simply say that this amendment does not deserve support, I urge its rejection, and I yield back the balance of my time.

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

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

Mr. HASTINGS of Florida. Mr. Chairman, I demand a recorded vote.

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

Mr. HASTINGS of Washington. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HANNA) having assumed the chair, Mr. MARCHANT, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 6082) to officially replace, within the 60-day Congressional review period under the Outer Continental Shelf Lands Act, President Obama's Proposed Final Outer Continental Shelf Oil & Gas Leasing Program (2012–2017) with a congressional plan that will conduct additional oil and natural gas lease sales to promote offshore energy development, job creation, and increased domestic energy production to ensure a more secure energy future in the United States, and for other purposes, had come to no resolution thereon.

HOUSE PLANS VOTE ON PRESIDENT'S ENERGY PLAN

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

Mr. HASTINGS of Washington. Mr. Speaker, we have had an extensive debate today on the floor centered around American energy and American jobs. It is interesting in how this discussion has unfolded over time. Many times we on this side of the aisle are accused of repeating over and over and over different issues, and I suppose to a certain extent that is true. But one of the reasons why this effort is done on a regular basis is because the genius of our Founding Fathers was such that they created a government where there was a division of powers, and we all know that, the three branches of government. But the genius of our Founding Fathers was even greater than that in the fact that they created the legislative branch, and they divided that power. They divided that power between the House and the Senate.

What that simply means, Mr. Speaker, is that before any legislation can pass, any law that's put on anybody in this country has to pass both Houses of the Congress. Now, I recognize I'm a Member of the people's House. There has been no Member of this House in the history of our country that was not elected to this House.

On the other hand, the Senate is a different body, as we well know. The Senate is made up of only two Members from each of the States regardless of population. Because we come from different constituencies, one a smaller constituency within a State, another from a whole State like the Senate is, you are bound to have different ideas as you approach legislation. But again, the genius of our Founding Fathers was to say, okay, before anything can become law, both Houses have to act on that legislation, and it has to pass both the House and the Senate without a comma being different. Therein, of course, lies the challenge.

So we have been accused here many times of passing the same type of legislation, at least on the same issue, and passing it over to the other body. But what we have found, unfortunately, in this Congress is that the other body has simply not acted on a lot of pieces of legislation. Now, I'm not saying they should pick up, although it would be nice if they took everything that we passed and say it is a wonderful idea, pass it over there, and send it to the President. Well, they don't do that.

But one of the functions that they could do and they haven't done is pass legislation, albeit different than what we have. And then, of course, we have a mechanism to work out the difference. But in many respects, Mr. Speaker, not even that has happened. In other words, they haven't passed legislation where they may have a disagreement with us that we can work out the differences. So that leads to a lot of frustration, obviously, on our side of the rotunda; but we feel it is important as the Republican majority to continue to make the case in what we believe in.

I might mention also that the House is controlled in the majority by the Republicans; and, of course, the Democrats control the Senate. So there is a difference. So that's why we continue to send legislation over to the Senate, and we hold out hope that maybe one time they will take up legislation, maybe on the same issue, and we can go to conference and work out whatever differences. So that's why we continue to bring this legislation to the floor. I look forward to a time when the Senate will, in fact, act.

Now, let me talk then about this piece of legislation that we had on the floor today and why it was brought to the floor and how the process is going to unfold tomorrow. As I mentioned in my opening remarks on debate, the President, any President, by the way, is required to submit a 5-year energy plan on the Outer Continental Shelf, the OCS, and submit it for a 60-day review by Congress.

□ 1900

That clock started ticking in June last. So we felt it was important because I, for one, and a number of my colleagues on the House Natural Resources Committee, in fact, throughout this Congress, felt that the President's plan was inadequate and that there ought to be an alternative to that plan. Thus, we had a markup several weeks ago on the plan that we had before us today. We are debating it tonight now. We've gone through the debate, we've had the amendment process, and we will vote on this bill tomorrow.

But what is missing in all of this equation was simply that there is no effort to defend the President's plan. As a matter of fact, in the debate that I had heard from the other side, rarely did I hear anybody say that the President's energy plan was a good plan. So, tomorrow, there will be on suspension legislation that I reluctantly will offer that is essentially the President's energy plan. We'll have a vote, and tomorrow the House will have an opportunity to say ''yes'' to this job-creating bill that we had on the floor today or the President's plan. There will be a distinct choice that Members of this body will have an opportunity to vote on.

I certainly hope that they'll support this job-creating plan, American-energy-creating plan that we debated today, and I hope that they will reject President Obama's plan.

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

GOP DOCTORS CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Louisiana (Mr. CASSIDY) is recognized for 55 minutes as the designee of the majority leader.

Mr. CASSIDY. Mr. Speaker, an issue tonight that is much more important to the American people than many realize is Medicaid. Now, for folks who don't understand this, and you really had no need to until this health care debate began, but, if you will, there are three types of coverage for folks who have insurance. One is Medicare. Medicare is the program for folks who are typically 65 and above. It is the program that all of us pay into, having a certain amount deducted from our paycheck, and it goes into this account. The second is private insurance. Ninety percent of Americans have their private insurance policy through their employer. And then the last group is Medicaid.

Now Medicaid is a program designed to support those of lower income as well as those who are elderly and, again, of lower income and long-term care—think nursing homes. And lastly, it supports the blind and disabled. The financing in Medicaid comes from your tax dollars, but it can be your tax dollars either funneled through the Federal Government paying a portion to the State, which is matched by what is called the State match, which is from the State itself.

So Medicaid is a program for lower income which receives about, on average, 57 percent of the money that goes towards it from the Federal Government and 43 percent on average from the State government. The State administers the program to take care of, again, low income for acute medical services, long-term care, think nursing homes for the elderly, and then the blind and disabled. Tonight's discussion will be about Medicaid.

Now, the importance of Medicaid is that 16 percent of the health care dollar in the United States goes towards Medicaid. So almost a little bit over one-eighth of the money our country spends is on this combined Federal-State program that provides health insurance, if you will, for the poor.

Additionally, Medicaid is important because right now Medicaid is consuming an ever larger portion of both the Federal Government's budget as well as the State government's budget. One example of this: the Simpson-Bowles bipartisan debt commission, which President Obama appointed to help give guidance as to how our country could get out of our indebtedness, pinpointed Medicaid as one of the drivers of our national debt. So first, we know that on a national level, Medicaid has been pinpointed as a driver of our national debt. On a State level, Medicaid is consuming an ever larger portion of State budgets.

Now, there are many examples of the importance of this, but as Medicaid is costing more and more, State dollars for other programs are less and less. Senator Lamar Alexandria from Tennessee said that the reason that tuition is increasing at universities in Tennessee is because there is less public support. More tax dollars are going to Medicaid, and so therefore, to make up the budget for the universities in Tennessee, they have to increase tuition.

One example of this, as well, for K–12 is that for the first time beginning around 2009, States spent more of their income upon Medicaid than on education. And so this is a chart from the National Association of State Budget Officers, and it shows how total State spending on Medicaid now surpasses K–12 education, and K–12 is kindergarten to 12th grade. So this is primary and secondary education. In this blue line you see funding for education, and you can see the percent of total State expenditures devoted to, in this case, education.

So in 2008 it peaked at around 22 percent, and now in 2011, it has decreased down to roughly 20 percent. Here you can see that in 2008, Medicaid expenditures were about 20.7 percent of the State budget, and they are rapidly rising. They are now up to almost 24 percent.

We are now spending more money providing Medicaid services for those who are eligible than we are educating our children. Now, it isn't as if this is something that is temporary, related to the recession; this is actually expected to continue to worsen. So Medicaid, again the program that both the Federal and State Governments—which means both taxpayers paying to the State and taxpayers paying to the Federal Government—finance, is growing so rapidly that it is cannibalizing the rest of the State budget.

An example of this is that expenditures for primary and secondary education now for the first time in history are lower than those expenditures for Medicaid. And this is expected to worsen.

So if you will, we have this program which is important. It's a safety net program. But under its current construction, it's costing more and more.

Now I'm joined by a couple of my colleagues, and I will first go to Dr. NAN HAYWORTH, who is an ophthalmologist—she held up a note earlier that my eyes are not good enough to read—an ophthalmologist from New York, and she can discuss how President Obama's health care plan expands Medicaid, a program which is rapidly expanding in cost but nonetheless will be further expanded in terms of those who benefit.

Ms. HAYWORTH. I thank our colleague, Dr. CASSIDY, and I understand that your time may be slightly limited this evening, Doctor, so Dr. HARRIS and I will be more than happy to lead this discussion as we go along, and I thank you for all the work you do on this very important subject.

The American public has much to be concerned about with regard to the massive 2010 health law, and this was, of course, passed on a party line basis, unfortunately. I and Dr. HARRIS are two of the representatives who were elected in part in response to the public's grave concerns about this act. And if I can direct everyone's attention to the chart that Dr. CASSIDY has revealed next to him, you can see what is projected to happen in terms of Medicaid spending alone as the years go by and, of course, under the terms of the Affordable Care Act, it is like putting gasoline on a fire, unfortunately.

□ 1910

Mr. CASSIDY. Will the gentlelady yield?

Ms. HAYWORTH. Yes, absolutely.

Mr. CASSIDY. Federal and State Medicaid spending in billions of 2010 dollars by 2009. It's down here, the year. So 1993, 2009, going out to 2081. And so here is about $400 billion. This is combined Federal and State spending. By 2017, this rises to $750 billion. By 2025—obviously within our lifetime—that will rise close to $1 trillion. And projections are by 2081, it will be over $4.5 trillion.

Ms. HAYWORTH. I'm going to imagine, Dr. CASSIDY, that this chart does not take into account—because it could be, indeed, very difficult to do so, but it has to enter the public mind when we think about these things. The enormous cost on the American public of the well-intentioned, but poorly designed, 2010 health law will make our economy weaker. So it's fair to anticipate that there will be a further impetus to acceleration of Medicaid spending merely because of the imposition of that $2 trillion or more of Washington-generated cost due to the terms of the Affordable Care Act.

So this is an issue that concerns every one of us, not only people who are truly in need and unable to sustain a job or their health care—and we've all met these fellow citizens. I have in my own district, the Hudson Valley of New York. These are people like the folks I met at Park, which is a center that provides for people who are severely disabled by developmental disabilities, such as autism, but not only autism. These are good people who, no matter how robust the economy is, will not be able to afford the kind of care that they need. And those are the people in particular who Medicaid was initially intended to help.

Mr. CASSIDY. Will the gentlelady yield?

Ms. HAYWORTH. Yes, sir, absolutely.

Mr. CASSIDY. So just to emphasize, Medicaid is an important safety net program for those folks without means. It was traditionally designed to take care of the blind and the disabled, the elderly and long-term care, and then

oftentimes focused upon pregnant women and upon children. So the importance of making sure the program is sound is that we continue to care for these people.

Ms. HAYWORTH. Precisely. So we need to be able to provide for the people who are most in need. That is a reasonable role for government in a great Nation. But what we don't want to do, what we want to avoid is creating economic hardship that will push more Americans into this category. We see that phenomenon happening across our economy as we speak, and it's one of the reasons why so many States have said, we cannot possibly afford to expand our Medicaid programs.

Indeed, Dr. CASSIDY, you, being the good teacher that you are, provided me with an example from the State of Connecticut, with their recent experience in opening up their Medicaid program and opening up the enrollment because they had such a dramatic increase—I think it was something like 70 percent increase in the number of enrollees—that the State actually couldn't handle that increase in any way readily. So their services to all of their Medicaid recipients, unfortunately, of necessity, were compromised.

Mr. CASSIDY. If the gentlelady will yield, I'd like to bring in Dr. HARRIS, who is an anesthesiologist from Maryland, the Eastern Shore.

You just mentioned how Medicaid, as it attempts to expand and be all things to all people, becomes stressed and in that stress becomes less capable of being anything to anybody.

Ms. HAYWORTH. Exactly.

Mr. CASSIDY. So the concern regarding a program which becomes, again, too stretched, too unfocused is that it becomes ineffective at its original mission.

Dr. HARRIS, I can leave this one or go to the next one.

Mr. HARRIS. If the gentleman from Louisiana will just leave that one up so the American public that is watching just understands because a picture says a thousand words.

That picture is the growth of Medicaid for the next generation. My son is 12 now. When he reaches age 65, he'll be at the right-hand side of that graph. And although none of us like to think of it, we all remember when we were 12, we never thought we would retire, but here we are nearing retirement age. So it's not that far off in the future.

If I read that graph correctly, our current entire budget, in 2010 dollars, is $3.5 trillion—our entire Federal budget, paying for everything. That graph indicates that by the time my child reaches retirement age, every penny of that budget would be taken up by Medicaid, every penny—not a single penny for Medicare; not a single penny left over for Social Security; not a single penny left over for interest on a debt that is now $16 trillion and growing; not a single penny left for defense; not a single penny left for Pell Grants; not a single penny left for anything.

Mr. CASSIDY. I think the point being made is that not only will the safety net become tattered in and of itself, but, rather, even though tattered, it will destroy our ability to finance these other governmental functions.

Mr. HARRIS. The gentleman is correct. Every single program that we have, whether it's the elderly with health care, the elderly with Social Security, whether it's food stamps, whether it's unemployment insurance, whether it's to do the things this government has to do, like pay the interest on an ever-growing debt, whether it's Pell Grants, whether it's K–12 education, which your last slide showed, every single program that we have is threatened by this one single program, a program that the President's Affordable Care Act ballooned out of control.

Mr. CASSIDY. Reclaiming my time, if you could elaborate. We know that under the President's health care proposal, Medicaid—a program which right now is driving Federal indebtedness and which is threatening to bankrupt States, despite that was greatly expanded under the President's health care proposal to include people up to 133 percent of Federal poverty level. So I'll yield back to the gentleman if he will just comment if this is what he is referring to regarding expansion, and if so, any further thoughts he has.

Mr. HARRIS. The gentleman is absolutely right. What we have done is we have once again made promises to people we know we can't keep. We know because that graph—and I'll yield to the gentleman to answer the question—that's from the Congressional Budget Office. That's a non-partisan group that objectively looks at the effect of Federal laws and policies and projects the anticipated costs. Is that correct?

Mr. CASSIDY. That is correct.

Mr. HARRIS. So what we have here is we have a third party looking at what's going on and saying the emperor has no clothes; that, in fact, if we continue the current policy with Medicaid—which, as the gentleman well knows, roughly doubles the number of people eligible for the safety net program under the Affordable Care Act—we will not only bankrupt the Medicaid program, future generations will no longer have the ability to be confident that Social Security will be there when they retire, that Medicare will be there when they retire.

The ratings agencies, whether it's Moody's, Standard and Poor's, all the various rating agencies will look at us and say: you don't have the ability to pay the interest back on your debt.

We know when that bill was passed, we know what happened. We know the cornhusker kickback. We know what went on—the buying and selling of votes at the expense of future generations and the ability of the Federal Government to keep their promises to future generations—the promises of Medicare, Medicaid, again, Pell Grants, K–12 education.

The gentleman showed a slide that showed a 3 percent increase in the cost—an average of 3 percent in the States' budgets—the cost of Medicaid over the past only 3 years before the President's health care bill kicks in. Well, as the President may know, 3 percent doesn't sound like much, but in Maryland that's a $1 billion increase. That's an increase we can't afford. That's an increase that means that property or income taxes would have to go up, further strangling our economy.

As the gentleman fully recognizes, this is why the President's policy with regard to Medicare and the Affordable Care Act is poorly thought out, is going to bankrupt the Nation, and really ought to be repealed and rethought.

□ 1920

Mr. CASSIDY. Now, if the gentleman will yield, I'll go to Dr. DESJARLAIS who joined us, who although he has a French last name and you would think he is from Louisiana is actually from Tennessee.

Now, Dr. DESJARLAIS, obviously, to you and me, but perhaps not to those who are listening, Tennessee experimented with using Medicaid as a safety net program back in the nineties and, if you will, extended it to many others. If I can yield to you, please, could you please comment as to the results of that.

Mr. DESJARLAIS. I thank the gentleman for yielding.

And you're absolutely right. I moved to start my practice in Tennessee in the fall of '93, and our program, TennCare, was implemented somewhat as an experiment in '94, January '94. So I witnessed it from its inception through what I would call its continuous failure.

The program continued to grow and expand, continued, as I think you referenced earlier, as substantiated by Senator LAMAR ALEXANDER, has drained our State's educational resources. And it got so bad that, in 2007, Governor Bredesen actually had to remove about 270,000 people from the program just to keep the State from going bankrupt.

So clearly, it was an example of how the program and the system does not work and did not work. And that's maybe a glimpse of what we can expect to see moving forward with the President's health care law. So it failed to accomplish its objectives, and just as we would have suspected, the costs grew exponentially. And so we have a great example in Tennessee of how the system does not work. So clearly, we need alternative reforms.

I would be happy to yield to the gentleman from Georgia, Dr. BROUN.

Mr. BROUN of Georgia. Thank you, Dr. DESJARLAIS. I appreciate your yielding.

In fact, Medicaid is going to destroy the Federal budget and create a total economic collapse of America if we don't change it from the present system. That's before ObamaCare even

takes place and markedly expands the States having to cover many more people, as my good friend from Maryland, Dr. HARRIS, was just explaining.

But there are alternatives. Hopefully, we can repeal ObamaCare and replace it with something that makes sense. But there is a solution today. And, in fact, the Republican Study Committee, several us in the Republican Study Committee—JIM JORDAN, our chairman, TODD ROKITA, TIM HUELSKAMP, and I—introduced the State Health Flexibility Act, which would freeze Medicaid spending at the current level and will block grant those funds to the States with no strings attached. Not only for Medicaid, but also for the State Child Health Insurance Program. And what the States would do is utilize those funds in any manner that they want to. If they want to do drug testing on Medicaid or SCHIP recipients, they can. They can organize the program any way they want to, which is going to be the solution because it freezes spending at current levels.

Mr. CASSIDY. If the gentleman will yield.

Mr. BROUN of Georgia. Absolutely.

Mr. CASSIDY. I'll say, just out of pride of authorship, there's another alternative, a Republican Medicaid proposal, one that I and others are sponsoring, and it does, if you will, similar to the block grant, it readjusts as your population changes.

I'm from Louisiana. When Hurricane Katrina hit, we had lots of folks who moved to Atlanta and moved to Houston. If you will, the dollar would follow the patient. It wouldn't just stay in Louisiana. I love my State, and it would be nice to have the extra money. But it is more important that, where the patient is, have the money. It's a variation on the theme. But also part of it is that the State has flexibility, freeing them from the money-consuming regulations that the Federal Government puts on how those monies are applied.

Mr. BROUN of Georgia. Absolutely. In fact, the State Health Flexibility Act does that same thing, and the only growth is due to population in any State, so it does account for that change in the population of any given State.

But we have solutions. We have economically viable solutions that Republicans are submitting and, hopefully, we can get passed into law. But of course we've got to have a Senate that will even take up those kinds of bills, because the House has passed bill after bill after bill to create a stronger economy, to create jobs here in America, to lower the cost of gasoline, to develop all our energy resources.

We've got these bills that will solve the problems for Medicaid. Even my Patient Option Act is across-the-board health care reform. It repeals ObamaCare and replaces it with policy that makes health care cheaper for everyone, provides coverage for all Americans, and will save Medicare from going broke. And you add that, with the State Health Flexibility Act, it covers everybody.

We have solutions, but HARRY REID is an obstructionist. He's acting as a puppet for this President, and they throw in the trash can every bill we send over there.

We've got to create jobs. We've got to create a stronger economy. We have solutions to the health care problem.

All of us are physicians. All of us are physicians out here that are talking tonight. We've just been joined by one nonphysician, but she's been a strong supporter of the Doctors Caucus, and we've seen her here many times, Mrs. LUMMIS from Wyoming.

But we have solutions. The American people need to understand, Republicans have solutions, and we need to have the ability to pass those solutions into law so that we can have policy that's not going to break the bank. We're going into an economic collapse of America if we don't stop this inanity.

Mr. CASSIDY. I thank the gentleman.

One thing I am struck by—and I'd like to bring Mrs. LUMMIS in—oftentimes it is, when folks say, Wait a second, it's Medicaid and the government will pay for it, or the State should enroll because the Federal Government is going to pay so much more, and there's a sense that it is the government that is paying for it but not the taxpayer. Now, what we know is the government is nothing but an aggregator of our pocketbooks, and it will take that money and bequeath it.

I asked Mrs. LUMMIS to come tonight because she is a former State treasurer in Wyoming and will discuss the impact this program is having upon State budgets and, therefore, other State services.

Mr. BROUN of Georgia. Before you go to Mrs. LUMMIS, I'd like to reclaim my time and just say this: Our State of Georgia is struggling. We have a balanced budget amendment to our State constitution. We're having a difficult time dealing with the extra cost, not only of Medicaid, but all these government mandates that are foisted upon our State from the Federal Government.

It has to stop. And the only way we're going to stop it is for we, the people, across this country to demand a different kind of governance from their Senators and Congressmen, and particularly from the President of the United States.

Mr. CASSIDY. Thank you, Dr. BROUN.

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

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Maryland (Mr. HARRIS) is recognized for 28 minutes as the designee of the majority leader.

Mr. HARRIS. Thank you very much, Mr. Speaker, and I will yield to the gentlelady from Wyoming.

Mrs. LUMMIS. I thank the gentleman for inviting me to participate, although a non-physician, the only non-physician here.

I thank Dr. HARRIS, and I want to thank Dr. CASSIDY. I have seen Dr. CASSIDY in the cloakroom talking on the phone, pro bono, to patients that he used to serve in Louisiana, and I have seen other members of our Doctors Caucus do the same thing.

These are people who care about their patients. And even though they're here, working for the people of the United States and their district, and not compensated financially, they are still here caring about their patients, working without compensation, pro bono, to help people that they used to serve, to make sure their lives are better and their health care is better.

□ 1930

So I want to compliment the physicians in this conference who have made such a difference to my life and to other people's health care lives, and I want to thank them for serving in Congress. They make a huge difference in the dialogue, the debate, the nurturing, the care, the tenderness, and in what we all experience because of their training and because of their love of the people of this country and the manner in which they serve their patients.

Mr. Speaker, I was the State treasurer of my State. I have seen Medicaid and other programs soak up the compensation that taxpayers in every State provide through taxes to their States, preventing States from being able to allocate more money to education and other State-based functions, and Medicaid is definitely one of them. In addition, States care for their working poor. States want to see their low-income, Medicaid-eligible people have access to high-quality health care and support the Medicaid program but to not support it in a way that requires these rigid handcuffs on States in a one-size-fits-all program that prevents States from innovating and from providing quality care to their people.

Case in point: My State of Wyoming has the smallest population in the Nation. As a consequence, we have the opportunity to study things that other States cannot study because their populations are so large. My State of Wyoming, through its own health care commission, studied every single Medicaid-eligible child under the age of 18. It determined that it would be over 2½ times cheaper to buy each one of those children a standard Blue Cross-Blue Shield policy than it would be to provide health care through Medicaid.

These are the kinds of things that States are studying, that they are learning, that they are innovating. Furthermore, there are places in the country that are dealing with different health care problems than other places in the country.

Case in point: The Rocky Mountain West has a much higher incidence of multiple sclerosis than has other parts

of the United States. No one knows why, but it's a fact. So Wyoming and other Rocky Mountain States should be able to concentrate on MS. Other States, perhaps Southern States, may have more problems with diabetes.

I recently was in Saudi Arabia. There is a tremendous diabetes problem there. They are spending tremendous amounts of money at their brand new higher education university, at which they partner with businesses, in order to study diabetes in a way that will help the great number and growing number of people who are affected by diabetes.

These should be things that regions of our country are allowed to work together on and to create programs for in order to innovate and to be the great incubators of innovation that States are. So that's why I do want to compliment the U.S. Supreme Court in the portion of the decision on ObamaCare that provided that States do not have to be held hostage under the ObamaCare law, that they do not have to expand beyond the original intent of the Medicaid-eligible population to accommodate its expansion under the ObamaCare law. They can still concentrate, if they choose, on the Medicaid-eligible population as it exists today and can continue to provide quality Medicaid to low-income, eligible constituents within their States.

That doesn't mean they should be under the same constraints they are under now to provide Medicaid to their populations—because of the variance and the kinds of diseases that are cropping up in different parts of the country and because of the different innovations that States are able to use if they are not constrained by the shackles of the Federal one size fits all.

I want to thank the physicians in our conference for continuing to raise these issues, to discuss these issues. You discuss them to the benefit of those of us who are not physicians who serve with you in Congress. You discuss these issues to the benefit of the people to whom you provide health care in this Nation, and you do it as a service to the people of this country. I thank all of the physicians who are here tonight to discuss this issue.

Mr. HARRIS. Thank you very much to the gentlelady from Wyoming for bringing up that point about what Medicaid does to State governments and about what the potential is to State governments and all the other programs that they have to fund.

I will tell you that, with regard to what happens, what we know is that access under the Medicaid program is already suffering, the access of patients. Again, passing the Affordable Care Act puts an insurance card—a Medicaid card—in the hands of probably 10 to 12 million Americans, but that doesn't guarantee access to health care.

As a physician, I've taken care of Medicaid patients for almost 30 years, but increasingly what I'm finding is my colleagues who are facing decreased payment reimbursements by the governments that are under financial hardship now. Even under current conditions, as this chart will show, there are very few States in the Union that actually have extra money around to fund that Medicaid increase. This chart shows various specialties and how Medicaid patients have access to them.

Under the current reimbursement, which of course will get nothing but worse for specialists under the new Affordable Care Act, among all specialists, 89 percent of patients with private insurance have access to all specialists and only 34 percent of medical assistance patients, or Medicaid patients. That's true whether it's orthopedics, psychiatry, asthma, neurology, endocrinology, ear, nose and throat, or dermatology. In all cases, access to a physician is restricted because, when a government controls the health care budget, the way it contains costs is by decreasing reimbursements to providers.

Those are the facts. That's what happens. That's what's going to happen under Medicaid. We know, with the Independent Payment Advisory Board, that that's what's going to happen under Medicare.

I yield to the physician from Tennessee.

Mr. DESJARLAIS. Thank you for yielding.

I just want to expound on your comments and on, actually, what the gentlelady from Wyoming talked about in terms of the efficiency in her study, where they could actually buy a policy for those cheaper than what the Federal Government has implemented.

We were promised better access to care at a lower cost with the Affordable Care Act, and the TennCare program in Tennessee really was an experiment of nationalized health care confined to one State. What we found was that more and more physicians, as you stated, were dropping out of the TennCare program because of reimbursement issues and also because of the bureaucracy and the frustration with trying to find specialists.

I had a primary care practice, and I actually had to hire an extra staff member, which drove up my costs, to sit after hours to try to find specialists to take care of these patients. It was very frustrating for us. It was very frustrating for them. Yet the reimbursement, compared to a privately paid patient versus a Medicare patient versus a TennCare patient, continually was less money.

Mr. HARRIS. So what you're saying is that you had patients under TennCare who had insurance cards. You just couldn't find anyone to take care of them.

Mr. DESJARLAIS. Right, which is exactly what we're going to see under the President's plan. You're going to see people who allegedly now have access to care, but they really don't because the reimbursement rates are so low that physicians really aren't even able to keep their doors open. The reimbursement rate for a TennCare patient in Tennessee was almost half of that from a private patient. It's not that physicians don't want to help and take care of these people. They do. It's just financially unfeasible, especially in solo practices, which are common in rural areas.

Mr. HARRIS. You may or may not be aware of the study done early last year that showed that, actually, whether patients have private insurance or no insurance or Medicare or Medicaid, when you compare the outcomes, Medicaid patients have the worst outcomes. In fact, they are 93 percent more likely to die of their illnesses than patients with private insurance. They were more likely to die than even patients who had no insurance. I don't know. Is the gentleman aware of that finding?

Mr. DESJARLAIS. I have heard of that study as well. Again, I think it is an access to care issue, and that's certainly a problem that has not been addressed.

The ObamaCare law does nothing to address access to care, and it does nothing to address the cost of health care. Frankly, we all know that the cost of health care is driving our national debt, so we need to look at solutions that have been offered by the Republican caucus and the Doctors Caucus that will make real reforms to health care: that will make it more affordable and involve a greater attempt to get government out of the way. Just like in small businesses, the number one complaint is that government bureaucracy is driving down the profitability. It remains the same in health care as well, and we need to look at more free market options in health care if we're going to actually reduce costs.

□ 1940

Mr. HARRIS. I thank the gentleman.

I would love to bring the gentleman from Texas into the discussion, because women actually are specifically affected by the shortfalls in Medicaid because the reimbursement rates for women's health care is frequently so low that it's actually hard to find an obstetrician to take care of those patients. I know in Maryland this is a problem we had.

In the First Congressional District on the eastern shore of Maryland for a while, before we did Medicaid payment reform, women who were pregnant in that part of the State had to drive 3 hours to find an obstetrician to take care of them because the reimbursements were so low. And we know the Affordable Care Act does nothing for medical liability.

We also know, for instance, that we have a cesarean section rate that is 35 percent now, the result of medical liability. We have obstetricians who have left the practice later in their careers of obstetrics and gravitate toward just doing gynecology where they

join frequently large group practices. So we've left the practice of obstetrics to be an impersonal practice with people who generally don't have as much experience as those who have left the practice. And because of the lack of liability reform, we have a cesarean section rate that has roughly doubled over my career in dealing with obstetrics and obstetric anesthesiology.

I would like to hear the gentleman's comments on medical assistance and what it's doing for this country and for the women's health care in this Nation.

Mr. BURGESS. I thank the gentleman for yielding.

Of course the doctor from Maryland makes an excellent point about having an insurance card—in this case, a Medicare card—that it does not necessarily guarantee access to care. I would see it literally every month in my practice. Being an obstetrician, if I'm called by the emergency room doctor to attend to a patient who is pregnant, under EMTALA laws I have got 30 minutes to show up or I get fined $50,000, so I would always show up.

The difficulty is that, although she was pregnant, sometimes the problem that brought her to the emergency room was something unrelated to pregnancy, such as a heart murmur, tonsillitis, you name it. I may not be the best person to take care of that particular condition, but, just as the doctor from Tennessee pointed out, it was almost impossible to find someone in a specialty practice who would agree to see that patient. Oftentimes, you would find yourself admitting a patient who might otherwise not require admission but simply so that you could get them the specialist care that they needed. It's a very inefficient and very expensive way to go about getting that care.

Mr. HARRIS. If the gentleman would just yield for a very brief question.

Do you think that's the kind of health care that the women of America deserve?

Mr. BURGESS. Look, it doesn't have to be this way. That's what's so disappointing about every aspect of the Affordable Care Act.

I don't want to get too far into it, but we know now that this law was written by special interest groups, secret deals down closeted in the White House, Senate-constructed deals on Christmas Eve before a snowstorm to get out of town. This was constructed under the worst of possible circumstances. Should it be any surprise to us that the darn thing, regardless of how you feel about everything else, it's just not going to work? And yes, as the gentleman pointed out, the difficulties in obstetric care is just one aspect of that.

If I could, I would like to bring up the point that I was in the Supreme Court the day the oral argument was heard on the individual mandate. I heard the Solicitor General make his argument that the cost of health care is going up because we have people showing up in the emergency room without insurance and everybody needs to be compelled to buy insurance and, by golly, that will fix our problem.

Wait a minute. That ain't going to fix your problem because we know, in the State of Texas, only 31 percent of doctors will see a Medicaid patient. As a consequence, if you expand your numbers of Medicaid patients and you don't have the doctors there to see them, what are they to do? They've got this card in their hand, and they go to the emergency room to get the most expensive care.

I wanted to bring this up because in the Austin American-Statesman this weekend, Dr. Tom Suehs, the executive director of the State Department of Health—or the Executive Commissioner of the Texas Health and Human Services had an op-ed in the Austin American-Statesman. I just want to read the first two paragraphs of his piece:

> Do you know how much a Medicaid client pays for an emergency room visit? How about if the visit isn't an emergency? The answer to both questions is the same: nothing. Not one dime.
>
> The Texas Medicaid program paid $467 million for almost 2.5 million emergency visits in 2009, and half of those visits weren't even for emergencies. Yet Federal law makes it virtually impossible for States to charge even small copays to discourage unnecessary emergency room utilization by Medicaid clients.

I think Dr. Suehs has hit the nail on the head here. We have to provide the flexibility back to our States.

But it also belies the question: Who thought of taking a safety net program for blind and disabled nursing home residents, pregnant women, and children and then expanding that to cover 15 million more Americans? That wasn't the way to go about this. There were better ideas out there. For whatever reason, the Obama administration chose not to listen, not to solicit those ideas, and now we have the situation as it exists today.

With that, I thank the gentleman for yielding. I thank him for allowing me to participate in this hour. This is an important subject, one that is not going to go away, and we're going to be talking about it a lot for the next several months and the next several years.

Mr. HARRIS. I thank the gentleman from Texas.

Again, we have on the floor with us now two obstetricians and an obstetric anesthesiologist. If women are ready for childbirth, we're ready on the floor of the House tonight.

The gentleman makes a great point that in the end, having an insurance card doesn't guarantee access and having an insurance card doesn't guarantee affordable care. As we know, what the Affordable Care Act did is to again pretend that, really, economics don't exist, to pretend that the laws of mathematics don't count; that we can expand this program, as the gentleman pointed out, a program that was meant to be a safety net for the poor elderly, for women, for children, and we expanded it well beyond that to the point where, as we brought up earlier in the hour, if gone unchecked, it will bankrupt everything else in government.

The time has come, as the gentleman has pointed out, for us to reconsider whether that Affordable Care Act was the right approach.

We know that just today the Congressional Budget Office has rescored the President's Affordable Care Act and has said that, as a result of the Supreme Court decision—because one of the goals was to insure as many Americans as possible—that an additional 3 to 4 million individuals will not be insured as a result of the Supreme Court, because the States will make a rational decision that they can't afford to let their budgets go bankrupt through this Federal Government-mandated expansion that does nothing to control costs. It does nothing, really, to increase access, other than putting a card in someone's hand.

And as the graph shows, that card doesn't help all the people who are in these pink bars. They're the ones with the Medicaid card currently, and their chance of seeing a specialist is somewhere between 17 percent and 57 percent because the government payment is so low and because these programs are so expensive and never adequately budgeted for, just as in the case of the Affordable Care Act.

Now, we're joined this evening by my colleague from Georgia (Mr. GINGREY), who is also an obstetrician, who has spent years taking care of patients and understands what it will take to fix the health care system in the United States. I'm very interested to hear your perspective, Dr. GINGREY, on the topic we're discussing tonight, Medicaid and its expansion under the Affordable Care Act.

Mr. GINGREY of Georgia. Mr. Speaker, I thank the gentleman from Maryland, my physician colleague, for yielding.

I missed some of the hour. I regret that, and hopefully I'm not repeating some remarks that have already been made. Even if I am, I think it's important for people to understand that Medicaid expansion is threatening each and every one of our 50 States and the territories.

The provision in the Affordable Care Act, ObamaCare, that's titled, ''Maintenance of Effort''—actually, this maintenance of effort provision, Mr. Speaker, began even before the passage of ObamaCare. ObamaCare passed March 23, 2010, a little more than 2 years ago. It just extended this.

But what happened with the stimulus package back in 2008 is that States were told that they would not be allowed to purge their rolls of people that were, at that point in time, under Medicaid to see if, per chance, they were in this country illegally and not eligible or their income level had risen to the point that they were doing just fine, thank you, maybe making $50,000 a year and could afford their own

health insurance premiums not to be paid for by we, the taxpayer and the citizens of the State of Georgia, my great State. And then it was extended with the passage of ObamaCare to say that, through the year 2013, these States could not do that.

□ 1950

Well, what's happened is, I've got some statistics. And just to quote from the National Governors' Association report, ''States are facing a collective $175 billion budget shortfall through 2013'' in large part because of this maintenance of effort requirement under Medicaid, that they're not allowed to make sure that the people on the Medicaid program are the ones that need to be there, the most needy that can't afford—their children can't afford health care. And now these rolls are sort of set in stone until the year 2013. And in many cases, Mr. Speaker, they include childless adults, childless adults who maybe were eligible to get on the program at a point where their income was very low or maybe they were out of work. But now, shouldn't the Governors be allowed—at least on an annual basis, if not every 6 months—to look at those rolls and make sure that the dollars for health care are going to the folks that really need it and their children? That's what the Medicaid program was all about when it was started as an amendment to the Social Security Act back in 1965.

So I wanted to mention that. It may have already been talked about earlier. My colleagues in the Doctors Caucus of the House know of what they speak with regard to health care. There are a lot of other issues in Medicaid. But I thought, in particular, I would want to discuss that.

But in conclusion, on this point, if allowing a State to improve its enrollment and its verification system saves enough money to keep our children's education program intact and the safety of its citizens, with regard to police and fire protection, intact, then why wouldn't we support this change? Why wouldn't we repeal this maintenance of effort?

If giving Governors the ability to manage their own Medicaid programs prevents drastic cuts to education or job creation programs, why in the world would we not support that? The only reason I can think of would be to force, under ObamaCare, more and more people into the Medicaid program, where the States have to eventually do that FMAP and that sharing of the cost because, otherwise, they would be in the exchanges, and the subsidies, as we know, go up to 400 percent of the Federal poverty level. It's all part of this grand scheme to eventually have national health insurance, Medicare for all, if you will, and it's got to stop.

Mr. HARRIS. I thank my colleague, the obstetrician from Georgia, who points out that on the graph, as the gentleman from Louisiana showed before, Medicaid expenditures now exceed K–12 education. And as the other chart we've seen shows, we're over at the left-hand side. It will only get worse over time.

I yield to the obstetrician from Texas.

Mr. BURGESS. I thank the gentleman for yielding.

I wanted to make one point on this new Congressional Budget Office score that was provided today. And I know some people are looking at that and saying the cost for the program, for the Affordable Care Act over the next 10 years, was only scored I think at $1.16 trillion—if I can use the words ''only'' and ''trillion'' together in a sentence.

But what many people overlook is that the Congressional Budget Office must score under existing law. And one of the things that existing law does is it cuts physician reimbursement in Medicare by 35 percent on December 31 of this year. So add another $300 billion to $400 billion to that cost just for the so-called sustainable growth rate formula, which has not yet been repealed.

Now we will fix that before the end of the year for at least 1 more year. But the Congressional Budget Office has no way of scoring that. They must go with existing law.

And, of course, with the Independent Payment Advisory Board, the same thing applies. They have to think that those cuts that the Independent Payment Advisory Board is programmed to produce, that they are going to continue occur.

The other thing the Congressional Budget Office cannot easily estimate is the number of people who will be moved off employer-sponsored insurance onto the State exchanges or the Federal exchange. And that is a difficult number to know. The MacKenzie Corporation said it was going to be 30 percent. The Deloitte corporation has said 10 percent. We don't know what that number is. CBO is scoring that at a very low 1 to 2 percent because historically, that is the average of the erosion of employer-sponsored insurance.

Those points are important to remember in looking at these figures.

Mr. HARRIS. I thank my colleagues for their participation, and I yield back the balance of my time.

AMERICAN JOBS AND HEALTH CARE

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

Mr. GARAMENDI. Mr. Speaker, thank you for the privilege. And thank you, to my colleagues in the Republican Doctors Caucus, for a most interesting but factually incorrect 45 minutes of debate here.

We really were going to spend this evening talking about jobs and about the American Jobs Act and one of the great ''woulda, coulda, shoulda's'' of our time. But we're going to hold that for just a few moments, though, because there are a few things that really need to be discussed from the last half-hour.

First of all, most of the discussion was about Medicaid. That's a national program in which the Federal Government pays about 50 percent—it varies State to State, but roughly 50 percent of the cost of providing medical services to the poor, women, and children in the States.

Now the debate was most interesting in that the argument was that there would be a lack of access and simultaneously an argument that there were no cost controls. Yet if you were listening to our esteemed colleagues, you would have heard them say, The doctors are not paid enough.

I think if they're not paid enough, and the doctors want to get paid more in order to provide services, then the costs are going to go up. So the cost control argument here doesn't make a whole lot of sense. If you want to keep the costs down, you need to improve the effectiveness and efficiency of the system.

Certainly certain services within the Medicaid and Medi-Cal, as we call it in California, are not paid sufficiently. Some other services are paid more than enough. So you need to balance that up over time. And all of these programs are run by the States. It's really the State that decides what the reimbursement rate is going to be. The Federal Government then matches the State's contribution.

So the argument really didn't make a whole lot of sense. And even more so, in the Ryan Republican budget, which has passed this House twice now, there is a significant reduction in the educational services for doctors so that the money that we, all Americans, spend to educate doctors—particularly in that part of the program, both the basic education and then in the residency programs—the Ryan Republican budget significantly reduces the amount of money available for residency programs for family care practices, for the very basic programs that we all want to access.

□ 2000

For family care, for basic care, that money is reduced. You go, wait a minute, that doesn't make any sense. If you are down here on the floor arguing that there is an insufficient number of doctors and they are not paid enough, then don't argue at the same time that it is too expensive and there are not enough cost controls; and please don't argue that there are not enough doctors because, in fact, the Affordable Care Act expanded the number of residencies for very basic care, for the family practice programs. I'm not quite sure I understand what they are arguing.

In addition to that, access across this Nation for millions and millions of people is provided in clinics. These are the

community clinics that a large population attend for their basic services, and most of those are the Medi-Cal or Medicaid population and the very poor that are not yet enrolled in what will be the expanded ObamaCares—the ObamaCares program.

So what do the Republicans offer us?

The Ryan Republican budget would cut by more than a third the support for the clinics, closing thousands of clinics across the Nation and in my State where people get access. So please do not come down here on the floor and argue for an hour or half an hour that access is being delayed when on the one hand you are cutting the money for access. That's what the Ryan Republican budget does. It cuts the money for access by reducing the residencies and reducing access to clinics by cutting by more than a third the money that is there to build up the clinics, the community clinics where people get care.

I'm going to take a deep breath here because I don't want to get wound up too tight about this issue, and I want to ask my colleague from New York, Mr. PAUL TONKO, to talk about the Medicare aspects of this.

Mr. TONKO. Absolutely. We didn't hear too much about what would be lost in their cuts or repeal of the Affordable Care Act. Representative GARAMENDI, you are absolutely right, there is much that has been gained by the American population, health consumers across this Nation, with the efforts of the Affordable Care Act, to close the doughnut hole, to make prescription drugs more affordable for our pharmaceutical consumers out there, for seniors who require this medication, their prescription drugs to stay well or to stay alive. Far too many were balancing their household budget by reducing their intake of prescriptions advised by their medical community. That is immoral. It's unnecessary and has been addressed by the Affordable Care Act. So 5.3 million seniors today are drawing $3.7 billion in benefits. That is something that could be taken away if the Republican majority in the House of Representatives had its way.

Now, this is a wellness aspect. This is part of a formula that allows people to be cured, to be healed, to be allowed to live with a quality of life that then addresses their very needs. And so I think it's necessary to point out what would be taken away from the benefits already offered, and there are more to come. But as we know, they're staged. They are rolled into the operations of reform over the next several years. But suffice it to say, the screenings, the annual checkup, flu shots that are made available without cost, no copayment, no coinsurance, no deductible is required here. These are huge benefits to every age demographic that are offered through the Affordable Care Act.

And so we heard about adding to the cost curve of health care. We have heard about repealing the Affordable Care Act. We have heard about taking away the benefits that have just recently arrived at the door steps of health consumers across this great Nation. And why would you want to play politics with the very fabric of quality of life of the people that we represent collectively by undoing progress? This is a recurring theme. They want to undo Social Security that has a 76-year-old history. They want to voucher out Medicare that came to us in the mid-1960s that addressed the economic stability, the predictability of senior households and the quality of life in those households. Why would you want to take that progress away?

It is heart wrenching to listen to some of this insensitive, callous dialogue on the House floor that really renders the public that we are here to serve without benefits that have just recently arrived through the success of the Affordable Care Act.

Representative GARAMENDI, it is something that I think needs to be echoed out there from this House floor and shared with the constituents of this great Nation in a way that allows them to better understand what is part and parcel of the Affordable Care Act, a monumental piece of success. Is it perfect? No. We aimed for perfection, we struck with progress. But there is many, many a benefit that is part of the Affordable Care Act, and we are witnessing an all-out attempt by the Republican majority to turn that success into failure.

Mr. GARAMENDI. Let me pick up on that, Mr. TONKO. You are quite correct, it is not just an attempt. There have been 33 votes on this floor by the Republican majority to either terminate completely or to eviscerate in part the Affordable Health Care Act. Now, what would be eviscerated?

First of all, the Ryan Republican budget would terminate Medicare as we know it and give to every American who is not yet 55 years of age a coupon that basically says this coupon is worth 70 percent of the cost of insurance. Go get your insurance when you become 65 from a private insurance company. No longer would Medicare be available to all of those people who will eventually be 65. And for those people who are 55 to 65, it makes it impossible for Medicare to go forward on a financial basis because it takes away the younger people.

I heard something on the floor which I just said—wait a minute—some statistic that was tossed out here just a few moments ago that more people die on Medicare than die on regular insurance. Yes, Medicare is for the elderly. Medicare is for the elderly. Yes, they do get medical care but eventually they get old; and I will, too, be on Medicare, and I will die on Medicare. And I am so grateful to have Medicare available to me when I become 65 because I know that I have a solid insurance program. I know that I'll be covered, and I know that my younger brother and sister will be covered when they become 65. They will have quality care. And guess what, they will die on Medicare. Yup, that happens. You're on Medicare for the rest of your life. It may be for a year. It may be for 30 years. But for whatever, you've got a guaranteed benefit that is available to you.

And what do you lose if the Ryan Republican budget and the effort to repeal Medicare is lost? Well, let's see. Nearly 13 million Americans will benefit from $1.1 billion in rebates from their private insurance companies that are presently overcharging them. Hmm. And 86 million Americans, including 54 million Americans on private policies and 32 million Americans that are on Medicare, will lose their free preventive services.

Now, you want to reduce the cost of health care, then you've got to make sure that people stay healthy as long as possible. And how do you do that? Blood pressure. You want to deal with blood pressure, okay, it is very cheap, if you get your medicine. But you have to find out about it, so you need that free checkup. Diabetes, stroke, all of those things can be delayed and often prevented if you know it's coming. So what are we talking, 32 million seniors will no longer have a free checkup, preventive services.

In August, just a week from now, women will begin receiving free coverage for comprehensive women's preventive services—pap smears, breast cancer checkups. You want to repeal that? That's what the Republicans have voted 33 times to do—repeal the free checkups for women in America.

105 million Americans will have a lifetime limit once again. Today, they do not have a limit.

□ 2010

So if you're 30 years old, you have a private insurance policy and you get cancer, you'll hit that lifetime limit immediately. Not under the ObamaCares program. In that program, there are no lifetime limits, and you will continue to receive the medical benefits.

Mr. TONKO. Thank you, Representative GARAMENDI.

One of the things you talked about with the influence or the focus on women's health care reminds me of the preexisting conditions that are precluded now as a rationale for denying insurance. And ''preexisting'' might mean, in youth, asthma; in our senior population, emphysema or cancer recovery or cancer struggle.

But it can also mean in a gender-related bias—being a woman. That is used as a preexisting condition. Being a woman is a preexisting condition. So the benefits to women, as you outlined in the direct services, the screenings, the mammograms and the like, are a portion. The other portion is just being born a woman can deny you insurance.

So, when you talk about the 30 cents on the dollar that the voucher would carry for the Medicare recipient, and

they're asked to go shop, this is saying that compared to today's standards, it's the senior digging much deeper into her pocket. It's the senior digging into another pocket to be able to afford his Medicare voucher portion. And that's unacceptable. That is playing to a special interest.

That's what I believe the espoused virtue of this deny, this repeal, is about. It's about playing to special interests that don't want to be told that there's a transition here, that there's a new day in America for health care consumers, and that the heart has been poured into this to be more sensitive, to address a moral compass that this Nation has always uniquely embraced, that we are a compassionate society, that we are going to make a difference out there, and that we are solutions bound.

That's what the Affordable Care Act was about: presenting a new approach to health care, providing more freedom and opportunity to our seniors and to our children.

If you're 26 and under, you can stay on your parents' policy. These are the formulae for success that allow us to go forward with much more dignity, much more success, cost containment, affordability, and accessibility. These are the dynamics of reform.

Why would you repeal something here other than to respond to special interests?

Mr. GARAMENDI. Well, exactly so. For 8 years in the early nineties and then in 2000, I was the insurance commissioner in California. I wish I had this law because I could have held the insurance companies responsible.

Now, my attitude about them is they always put profit before people. However, the Affordable Care Act has what we call the Patient's Bill of Rights, and this is the insurance discrimination that is eliminated by this law. And you spoke of a couple of these issues.

Discrimination against a woman simply because they're a woman. They have an existing condition. They're a woman. They could get pregnant. So the insurance companies would not cover or they would charge more. Those days are over.

Also, a young child, there are about 17 million children in America with preexisting conditions that can no longer be discriminated against by the insurance company. They have to be able to get insurance from an insurance company, 17 million children, one of whom is the son of my chief of staff, born with kidney failure. He had insurance the day he was born. He immediately lost insurance because he had kidney failure, and today, as soon as he leaves his parents' policy, which he's able to get now under the law because they cannot discriminate against children, he will be able to continue to get insurance. Under the old law, repeal the ObamaCares law and he will be denied insurance because there is an end to the Patient's Bill of Rights.

The Patient's Bill of Rights guarantees that insurance discrimination is over.

So what do they want here? What do the Republicans want from Americans? A big question.

Apparently, they want more money for the doctors, and that's certainly necessary in some cases.

Apparently, they say they want government out of health care. Does that mean end Medicare? Apparently, yes, because the Republicans have voted twice on this floor to end Medicare as we know it. You'll get a voucher. You will not have guaranteed coverage, and you will have to go out and shop for it yourself.

Apparently, they don't want community clinics because they've already voted on this floor to cut about one-third of the community clinics in this Nation.

Apparently, they talk about access, but at the same time they refuse to fund the residencies for family care, for the basic health care providers that we need in our hospitals and in our communities.

And apparently, they want to eliminate the Patient's Bill of Rights.

This is not a formula for America's health care.

Now, we also heard on this floor a few minutes ago, a half hour, 45 minutes ago, that the nonpartisan Congressional Budget Office said that because the Supreme Court eliminated the mandate that States have to provide more Medicaid coverage there would be fewer insured. True. That's true. Texas has refused to increase its Medicaid program. Well, that is Texas' decision, and I'm sure the Governor and legislature will have to address that.

But the fact here is that the Medicaid coverage actually provides the opportunity for some 17 million Americans to get insurance that do not now have insurance. If we provide the clinics, if we provide the residencies for the doctors who would be able to care for them, they will have access.

I can assure you that if we also do the preventative services, we will see a decline in the number of severe cases. People will not get so sick that they have to go to the emergency room. They'll get care early. And with the drugs that are necessary, they'll be able to avoid the very expensive illnesses. That's to all of our benefit. You mentioned vaccinations. These are all ways of reducing costs.

So here we are, once again, debating something that is now the law, that is proven, proven to provide services to Americans, whether they are seniors or whether they are young, whether they are children. It works, and it's working for America today.

Mr. TONKO. Well, if I might ask the gentleman from California if he would yield.

I believe there's a whole lot of political posturing going on with the Medicaid decision by States. We are hearing a lot of talk about, well, we are not going to pay for that portion because, while it may be 100 percent in the near future, it may go to 90 percent into the long-distance future, and they don't want to pay anything for the new installments of the Medicaid plan.

Well, today we are paying. It's not like it's against an absolute that costs nothing. If you have the poor uninsured, underinsured in any given State, there's indigent care. There is bad debt and charity that is addressed in ratepayer dollars for insurance coverage's sake because that is going to be incorporated into the overall actuarial plan, or you're paying it through taxpayer dollars and for a much more inefficient system.

To have the poor, uninsured, and underinsured go to emergency rooms visiting a different doctor team every time they visit that emergency room, or perhaps a different emergency room, to not provide the stable, standardized care, acceptable notions of how to provide a predictable outcome, you're going to pay needlessly and wastefully. This is about networking people to a system that provides a stability, a standard that will enable them to have a clinic, have a contract that will cover them and make certain that all of us are strengthened by it.

And guess what. The business community, we talk about competitiveness. We talk about a sharp competitive edge for America's business communities as they enter into the international sweepstakes on winning contracts. That translates into providing jobs and profitability for our business community. Well, part of their cost of doing business is to have health care for their workers. Many want the health care coverage for their workers but simply cannot afford it.

So the exchange opportunities that are part of the package of the Affordable Care Act enables them to cut their cost. It's taking their experience, their actuarial experience of 10, 15, 20 workers in that small business and putting them in a pool of millions of workers.

□ 2020

That enables them to shave the peaks and enables them to take those catastrophic situations. One person in their plan of 10 impacted by catastrophic situations can cause their premiums as a company and the copayments of their workers to skyrocket. But if they're enabled to join this pooled effort, it provides for a better outcome for everybody.

So there is wisdom and thoughtfulness poured into the reform elements of the Affordable Care Act. And it's done again with that American heart, that spirit, that sense of compassion for the worker, the sensitivity toward the employer, and putting together a package that has everyone responded to in a way that speaks to a long-overdue bit of success. The last industrialized nation, Representative GARAMENDI, to go toward a guaranteed health plan.

So, long overdue. And now to taste success and have it pulled away from the American health care consumers of this great Nation is a very troubling notion.

Mr. GARAMENDI. Well, Mr. TONKO, thank you very much.

Next Monday, did you know, next Monday is the annual birthday of Medicare? Next Monday. It went into effect in 1965, and ever since, as you said earlier, Republicans have been trying to terminate it. They tried again this year, but the American public knows better. They know that they want to live long enough to get to Medicare because in Medicare they have a guaranteed benefit. They know that wherever you are in the United States, whether you are in Vermont or in California, you have the same quality policy that will cover most of what you need. If you want more, you can go out and buy that, that's called the Advantage program. And you get to choose your program.

It's not a government takeover at all. In fact, it is a financing mechanism so that every senior in America can choose their own provider. They get to choose their provider. They can go wherever they want to go to get their medical services. And if they don't like their doctor, they can change.

So the government is not saying where you can go. In fact, the government is financing the system so you can choose whatever provider you want to choose. It is a common policy across the Nation. It is efficient and it is effective, and the Republicans are trying to destroy it. We won't let that happen. Bottom line, we will not let that happen. And there are serious cost containments in the current Medicare program and in the Affordable Care Act.

I'm just going to end with this, and then we really need to get to what we wanted to talk about, which were the job programs.

The Congressional Budget Office today estimated that the Affordable Care Act, over the next 10 years, will reduce the deficit by $109 billion. In the 20 years going out, because of the cost containment in this system, the Affordable Care Act will reduce the deficit by over $1 trillion. Now, that's worth engaging. That's worth us doing. And simultaneously provide far better health care to Americans and far better access to health care wherever they may need it across this Nation. It's a good thing.

When they want to stand up here and say ObamaCare, I'm going, you're right, Obama cares—cares deeply about the very health of every single American. That's why the Affordable Care Act is in place today, was found to be constitutional, does reduce the deficit, and does provide quality health care and choice of where you want to get your medical care.

Mr. TONKO. My colleague from California just indicated that there would be a favorable deficit outcome because of the Affordable Care Act.

Mr. GARAMENDI. Exactly.

Mr. TONKO. Well, what else reduces the deficit? Putting people to work. Putting people to work, the American Jobs Act. Plain and simple: It's about addressing the deficit and providing for the dignity of work and the enhancement of services that strengthens the fabric of our communities, our States, our Nation. So, the American Jobs Act, according to experts, is a phenomenal plan.

We've heard the Republicans say we have some 30 bills that are about growing the economy and producing jobs when, in fact, when put under the test, when reviewed by some very sound organizations out there and professional economists and analysts, they said it would do precious nothing. That it was not the formula. It's not what the doctor called for, if we can stay on that health-care related theme. But the American Jobs Act, well, listen to some of the experts.

The chief economist at Moody's Analytics—who, by the way, Mark Zandi, was the former economic advisor for Senator JOHN MCCAIN—what does he theorize? That anywhere from 1.9 million to 2 million jobs would be the outcome of the American Jobs Act, something that not only produces the jobs, but would reduce the unemployment rate by at least 1 percentage point. That's a major significant factor.

What also happens is that, when you produce those 2 million jobs, you're addressing the GDP by at least 2 percentage points. Growth in the GDP, reduction in the unemployment, reducing the deficit, putting people to work, strengthening the economy, providing purchasing power at a time when businesses are saying the best thing you can do: Get us customers. A healthy economy, putting people into the work mode creates customers. It creates purchasing power. It creates a strength in the economy. Two million jobs.

How can we walk away from a proposal? Oh, I know why: Because there were those who spoke before cameras reaching all of America saying anything this President offers, we won't do; our goal is to make him a one-term President. My friends, that is putting partisan politics—petty, partisan politics ahead of the interests, the better interests of the American public.

Where is that American spirit? Where is that sense of patriotism? Where is that sense of responsibility, of leadership in this House and in the U.S. Senate that needs to go forward with the American Jobs Act?

Representative GARAMENDI, I know we've been joined by another colleague. It is just great to share this hour with you to talk about the progress we can taste that would lift every community in this great Nation.

Mr. GARAMENDI. I was reading one of the Hill magazines—often called the Hill rags—and they said that the Speaker of this House starts off his weekly press conference by asking: Where are the jobs? Well, the jobs, Mr. Speaker, were proposed last September by President Obama—the American Jobs Act. Two million jobs minimum could have been created. This is one of the great woulda, coulda, shoulda's of our time. We could have had people back to work today, and in doing so reducing the deficit.

There are so many different pieces of this. Mr. Speaker, the American Jobs Act are where the jobs are. You talked about a piece of it. I'm going to just pick up one more. This is one that speaks to the American homes, what's going on in the house where we live. Many of those homes are run down, they have problems with insulation, or they don't have any insulation at all. They leak energy. Well, the President proposed, as a piece of the American Jobs Act, that we could provide construction jobs, really, low-skilled construction jobs, in rehabilitating the American homes. This is not a new concept. This has been going on for some time. It's been used repeatedly to upgrade homes in the United States and simultaneously save energy and save dollars for the American public. One piece of it, construction jobs, could have been put in place.

I'm going to pick up another one, and then I'm going to turn it back to you, Mr. TONKO. My daughter is a teacher, my son-in-law is a teacher. They've seen their class size just grow from 20, 22 to some 32 people in the class. Now, this is a serious problem for the teacher, making it more difficult to provide the quality teaching that's necessary. My daughter is a great teacher, my son-in-law is too, but it's much more difficult. The class size has increased by a third.

The American Jobs Act would have put 280,000 teachers back into the classroom. Now, if you happen to be a second-grader and you're not getting what you need to learn, then that's going to carry on through the remaining years of your schooling. And so 280,000 teachers could have been brought back into the classroom had the American Jobs Act passed.

□ 2030

Mr. TONKO.

Mr. TONKO. Yes, they are both significant bits of legislation, so it's good to interlace the American Jobs Act and the Affordable Care Act.

To the 280,000 teachers, I think it's very easy to state that the human infrastructure in our school systems across this Nation are a critical component to quality education, that personal relationship of students to teacher, the exercise of self-discovery—who am I, what are my gifts, what are my talents, what are my passions. That is exercised in the classroom. That is a spirit that prevails. It's a magic that happens in the classroom and that sense of self-discovery.

Part of our goal here is not only to enable these students to understand who they are, to draw forth the soul of the individual; it's to provide the opportunity for our workforce of the future.

That fourth-grader, hypothetically, that was impacted by class size or the lack of a teacher for certain subject areas, that's something that child will never gain again. What you lose in that given year is lost throughout the development. And it is important for us to make certain that every bit of opportunity, every bit of learning experience is granted our children so that they understand where they can best contribute to society, where their gifts can be utilized.

And it's part of that development of the workforce of the future, the workforce of the present, training, retraining dollars, that are part of the American Jobs Act, absolutely a critical piece of the infrastructure.

And the tens of thousands—this chart will say retain thousands of police officers and firefighters. We know it's tens of thousands across this Nation. An element of public safety, a quality-of-life component, making certain that our core communities have the given workforce of firefighters, of police officers that will enable us to respond to public safety measures.

These are a core bit of principle, along with veterans that would be hired with benefits that are significant. That element was done under pressure, under scrutiny, under growing public sentiment. But think of what could happen if we did all of these and did even additional services with our veterans who are returning home and are in need of employment.

These are the factors, these are the dynamics that are introduced through AJA, the American Jobs Act, that would allow for the deficit to be addressed and at the same time to have services responded to, essential services.

We've talked about the belt-tightening, addressing waste and inefficiency and outmoded programs and fraud. And after we capture those savings from that exercise, it's important, I believe, to slide that into an investment zone so that the result is cut where you can, so as to invest where we must.

The investment, absolutely critical. The investment in jobs, the investment in teachers, firefighters, public safety elements, our police officers, our veterans community, and items like an infrastructure bank bill, an infrastructure that we'll talk about in the remaining minutes of this Special Order.

Mr. GARAMENDI. Well, let me just pick up a little more on the education. The most important investment any society will ever make is the education of their children and the re-education of their workforce.

In the American Jobs Act there are the 280,000 teachers that would have been in the classroom this entire year. They're not there today because there's been no movement on this floor to even debate in committee, let alone take up a vote on this floor, the American Jobs Act.

Also, many of the schools across America are run down. Their laboratories, their classrooms are antiquated. They don't have air conditioning, many, many other problems. The American Jobs Act provided money for 35,000 schools across the United States to be upgraded, to be rehabilitated so that 250,000 jobs would have been created right there.

Before we go any further, I know you're all worried, oh, it's going to increase the deficit. The American Jobs Act would increase the deficit. No, it would not.

Mr. TONKO, you spoke earlier about when people go to work, the economy gets going, money is circulated, taxes are paid.

The other part of it is, the American Jobs Act was fully paid for by ending unnecessary tax subsidies to companies that don't need it, specifically the oil industry. The wealthiest industry in the world would lose its tax breaks that amount to over $16 billion, and that money would come back to pay for Americans going back to work.

There are other things. The top end tax, at the very top end, the wealthiest 2 percent would see their taxes go back to where they were during the Clinton period. This is how the American Jobs Act was going to be paid for.

Mr. TONKO.

Mr. TONKO. I think it's interesting too because we're talking about the jobs created that impact the unemployment rate, that impact the reduction of the deficit.

In contrast, the Ryan budget, which we've talked about many times, the Republican plan for this House, that's been adopted by Republicans that are in leadership and running for President, would, in contrast, according to the Economic Policy Institute, the cuts in services would result in a reduction of 1.3 million jobs in the first year and 2.8 million jobs in the second year.

Mr. GARAMENDI. Excuse me, 4.1 million jobs total.

Mr. TONKO. So when you contrast that, that cut in jobs, the cuts that would be part of the Republican budget plan, adopted by this House, would grow the deficit because if we're arguing that employment reduces the deficit, unemployment, in contrast to the American Jobs Act, would drive up the deficit. It's going back to the failed policies of the past.

We've fought two wars that were never put on budget. We offered trillions in tax cuts that we couldn't afford, and we avoided talking about paying for the war. Did we think there wasn't going to be a crash?

Did we think that that behavior wouldn't come with a price?

Of course it had to extract a price from the American society, and it was the loss of 8.2 million jobs; it was the loss of as many as 800,000 jobs a month. It was about bringing America's economy to its knees and draining trillions of dollars from households that trusted that their investment with the private sector, with the financial industry was going to return them lucrative dividends.

We saw the failure of those policies. Why would we go back down that road, which seems to be what the Republican plan, the Republican budget, is all about?

Mr. GARAMENDI. Excuse me for interrupting, but if you look at the Ryan Republican budget, it would cut education and other services by 33 percent. So instead of investing in our children, investing in re-educating and helping our workforce learn new skills, they would cut it by 33 percent.

In transportation, the Ryan Republican budget would cut transportation funding by 25 percent, even when we know that our infrastructure gets a D because of potholes, because the bridges are failing. So why would you cut the transportation budget by 25 percent?

If you want to put Americans back to work, you don't do it that way.

And you did talk about Moody Analytics already. It doesn't work.

Now, I'm going to just pick up one more thing. I'm on the House Armed Services Committee, and we heard testimony last week from the CEO of Lockheed Martin, and the CEO of EADS, and also from two other witnesses. And they said this: you cut the budget for defense, and you're going to lay off 2 million people. That's part of the sequestration.

So here you have the top CEOs of America's big huge companies saying don't cut the budget because you are going to lay Americans off. You're going to lose up to 2 million jobs.

And yet for the last 2 years, our Republican friends have been trying to cut the budget. Not in defense, but in everything else, arguing that that will somehow create jobs.

□ 2040

However, testimony received last week from the CEOs of three large American corporations and one smaller corporation said categorically, If you cut the budget, we'll lay people off—creating unemployment.

The American Jobs Act puts people back to work, and it is fully paid for.

Mr. TONKO. Earlier, I think you had made mention of modernizing our schools and that part of the American Jobs Act includes the investment in the revitalizing of our schools, some 35,000 schools across this Nation. The statistics are there. People document, historically, what investments in refurbishing our schools have meant. For every $1 billion of investment, we can grow some 9,000 to 10,000 jobs. That's the start of the story. So what we have here, the modernization of schools, would create some 250,000 jobs. As I said, that's just the start of the story.

What happens after that?

Maintenance costs and operating costs are reduced because you might have energy efficiency embraced in that restructuring. You'll have better, more efficient weather-type situations,

more comfortable situations for students in which to learn, which is important.

Mr. GARAMENDI. Mr. TONKO, you might actually have bathrooms that work. You might actually have a place where kids would want to be. You'll have a school that has a decent paint job, air conditioning. Kids would want to be in that school. Yet we have schools across this Nation where you wouldn't want to be and I wouldn't want to be, and I certainly wouldn't want my kids in that classroom.

Mr. TONKO. They're typical danger zones with ceilings falling and poorly upheld infrastructure.

The jobs—the absolute jobs of a 250,000 count—would benefit, again, the economy. These operating costs are reduced, and they theorize that it could be in the neighborhood of $100,000 a year. Now, think of what you can do locally with that. That might mean two teachers, or it might mean 200 more computers, or it might mean 5,000 textbooks. It's a way to invest by balancing those savings with the investment in children—in our future and our present—because our children represent our future and our present. It is a respect toward our children.

These are, I think, in keeping with the old American spirit—the pioneer spirit—to enable us to dream bold dreams and to encourage our youngsters to pursue these career paths and to develop, again, the workforce of the new millennium, in which we are going to be asked to compete in a global marketplace where there are investments going on around the world. Now is not the time to cut our commitment to our children and to our society and our competitiveness as a business community. So it all comes together in a very structured sense, in a very comprehensive plan.

Mr. GARAMENDI. Mr. TONKO, there is one additional piece to this puzzle, and that is that the Democrats have been putting forth for the last 2 years a project which we call Make It in America. This is the rebuilding of the American manufacturing sector. Twenty-five years ago, there were just under 20 million Americans employed in manufacturing. These were the middle class jobs. Now there are just over 11 million. We've seen the hollowing out—we've seen the outsourcing—of American manufacturing jobs.

There were actually policies in place before the Democrats in 2010 took control of this and ended tax breaks for American corporations that outsourced jobs. They actually were able to reduce their taxes by sending jobs overseas. We ended about $12 billion of those crazy, unnecessary, destructive tax breaks. Now the President has suggested that we put in place the remaining $4 billion. End those tax breaks, which is ending the rewarding of companies for outsourcing jobs. Turn it around and reward companies for insourcing, for bringing those jobs back home.

I have a piece of legislation that we've been working on, and it's actually getting some legs and moving along. It's part of Make It in America. Our tax dollars have been used in the past to buy foreign-made solar systems, wind turbines, trains, buses, light rail vehicles. My legislation says, if it's our tax money, then, by golly, it's going to be spent on American-made equipment, bringing our tax dollars home so that we buy American, so that we Make It in America once again. When we Make It in America, America will make it.

Mr. TONKO, I know that you are also into this with some pieces of legislation that you have, and maybe you'll want to talk about those. We can rebuild the American middle class by rebuilding America's manufacturing base. That's where you create wealth. Maybe it's in the food services. Maybe it's in the manufacturing of wine or in the manufacturing of food or automobiles or light rails or solar systems. We can do it, but we need to have in place smart government policies.

I beg my Republican colleagues to take a look at this. Don't just assume it's a Democratic idea. Make this an American idea, a Democrat and Republican idea, to change our policies so that we can rebuild the American middle class by making things in America once again.

Mr. TONKO. A couple of things come to mind legislatively.

What about investing, as the AJA does, in community colleges—the campus of choice across this Nation? The associate degree is a very important, valuable bit of material to have in one's hand. We are going to rely heavily on those associate degrees, and community colleges need our assistance. They are also there as the operational center of training and retraining programs.

What about investments in technology? investments in research? investments in alternative energy supplies that give us an opportunity to grow independent?

Mr. GARAMENDI. Excuse me for interrupting.

Before you came to the House of Representatives, that was your work in New York, wasn't it?

Mr. TONKO. Absolutely.

I was energy chair at the State assembly for the last 15 of my 25 years in the legislature, but then went over as president and CEO with NYSERDA, the New York State Energy Research and Development Authority. We made it our goal to advance research, to make certain that we would incubate these ideas—these innovations, the cutting-edge technology—that translate into jobs. Research equals jobs.

I have advanced legislation that would slide subsidies that are given to the historically profit-rich in the tenure of capitalism—our goal here is to not feed the profit margin of our oil companies—over to cutting-edge technology, renewables, providing for consumer behavioral transitioning that enables us to grow American independence in the energy generation business.

Why are we sending tens and hundreds of billions of dollars over to unfriendly nations to the United States for our dependency on fossil-based fuels when, in fact, we can encourage renewables here and energy efficiency, utilizing that as our fuel of choice to make certain that we reduce demand that then reduces bills that then allows the competitiveness of our businesses to be all the sharper? Those are the sorts of things in which we want to invest, and it's the going forward from that point.

How about our infrastructure bank bill that would leverage public and private monies and that would stretch our opportunities to respond to that deficient infrastructure of which you spoke? These are important measures. This is the sort of cutting-edge opportunity—the investment, the pioneer spirit again.

We can learn from our American story. There have been those golden moments when we have hit bottom. There were those golden moments when we were tremendously challenged and when we rose to the occasion in tough times, primarily tough times, by responding with a tough agenda that said, look, true grit here will get us to the finish line—and it happened. It happened with Medicare. It happened with the Erie Canal, of which we often speak.

Mr. GARAMENDI. Social Security.

Mr. TONKO. Again, Social Security. You're absolutely right.

The President lifted this Nation, and he made certain that all families would have at least a foundation upon which they could grow, upon which they could live in this society. It addressed the dignity factor, which has made us unique as an American society: caring about our fellow man, caring about the men and women of this great Nation in a way that created an American society, a sense of community—we the people—talking of us in a community sense, a neighborliness, neighborhoods and societies speaking in a compassionate way, caring about one another. That's when we're at our best.

Mr. GARAMENDI. If we're going to really be caring about the American worker going back to work, we also need to be very cognizant of international competition.

You spoke earlier about the need for our workforce to be competitive, which is the education process—K–12, vocational education, community colleges. They're exceedingly important. Also important is that there be fairness in the international trade situation, that we look not just for free trade but fair trade.

One of the things that we really must address is the threat of China's unfair trade practices. The Chinese currency is undervalued; and as a result of that, they have a 20 to 25 percent advantage.

□ 2050

You eliminate that, and the American worker will be competitive.

We have one of the pieces of legislation in the Make It In America package that the Democrats are putting forward which is forcing China to end its currency manipulation. When it ends its currency manipulation and allows the value of its currency to rise to appropriate parity, we will be able to be competitive. You can bet why the Chinese don't want to do it. They want that unfair trade advantage. That's one of the pieces of legislation that we put forward.

When the Democrats controlled Congress a year and a half ago, we pushed a bill out of here that would force sanctions on China if they continued their currency manipulation. Since the Republicans have taken control of the House of Representatives, that legislation has died, has never even come up for a vote on the floor. It ought to come up for a vote. We need fair trade practices.

We need to use our tax money to buy American-made equipment and supplies. We need to educate our workforces. These are investments in the American middle class. This is how we can restore the middle class of America. Health care is part of it also.

You talked earlier about health care and the availability of health care for working men and women. We also need to make sure that those jobs are there.

The American automobile industry is instructive on this count. It is instructive in that the U.S. Government and the leadership of President Obama actually allowed the American automotive industry to continue to even survive. Using the stimulus program, the President stepped forward and said, I will not allow the American automotive industry to die, and he put our tax money behind General Motors and Chrysler. Those companies are now thriving. And it's not just those companies. It is the thousands upon thousands of manufacturers across this Nation and others who supply all of the parts and all of the services. Think where we would be today if Congress had not given the President the power and if this President did not have the courage to take up saving the American automobile industry.

Presidential politics come here. Mr. Romney says he would not have done it. Okay. President Obama did it, and the American automobile industry is strong and vibrant today, and the American middle class is back to work.

Mr. TONKO, we must be about out of time.

Mr. TONKO. Yes, we're down to our last 4 minutes.

I always find these discussions to be interesting because there's all this rhetoric out there about 30 bills that have been advanced by the majority in the House and that it's the salvation that's going to produce jobs and get America working again.

Major analysts have reviewed that legislative agenda and said it doesn't do what they contend it will do. It doesn't produce the results. We would love that to be the case, but it doesn't produce the result. They said that we are really in need of legislation that will advance jobs.

Tonight, this discussion about providing the tools, putting additional tools into the kit that makes American industry competitive, speaks to our humble beginnings. So many people travel to these shores. Their journey was about the dream, a noble dream, an American Dream that they were going to make it here. That was our humble beginning, and we enabled people to experience the rags-to-riches scenario. We allowed for generations to continue to grow and prosper and build upon the success that preceded them.

Today, sadly, our middle class is weakening household income-wise. The next generation may be the first to go backward. The President is trying to move us forward, with great resistance in this House to reject progressive policies.

We say: Let's build upon the success of the past. Let's reach to those shining moments when we were challenged as a nation and produce the best outcomes. That can happen again here if we open up to what's best for America and not resort to petty partisan politics that want to deny a Presidency, that want to deny opposition that comes forward with constructive qualities to do it in a better way, to build the consensus.

We need to move forward on behalf of the nobleness of the American Dream. With heart and soul poured into the efforts here in this House, we can achieve and grow that middle class, purchasing power enhanced for the middle class, opportunities for our middle class. A strong middle class means a strong America. Let's go forward.

Representative GARAMENDI, thank you for leading us in this hour.

Mr. GARAMENDI. Mr. TONKO, thank you very much for your passion on this issue, and thank you for your compassion for the American people. We can make it. We can make it in America. We need good and wise policies to do that. You can't do it by cutting, cutting, and cutting. You have to do it by investing, investing, investing.

The American public understands. They really do understand that we're a great Nation. There is no greater nation in the world. We need the kind of policies that will put Americans back to work and keep them healthy.

I want to thank those of you that are listening to this hour of discussion on health care and on jobs in America.

Mr. TONKO, thank you very much, and, Mr. Speaker, I yield back the balance of our time.

REFORM

The SPEAKER pro tempore (Mr. HARRIS). Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 30 minutes.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the opportunity to be here this evening following my good friends and their interesting discussion.

I wanted to spend a couple of moments this evening talking about reform.

Reform has been a major focus of my public service career beginning as a citizen volunteer, working as a State legislator, a local official. I was pleased to be part of innovation in my native State of Oregon in areas of tax reform, transportation innovation, environmental protection, land use, and government structure.

I am pleased to have been able to take some of the lessons that I learned in Oregon here to our Nation's Capital, working in Congress in areas of energy, bicycles, flood insurance, health care reform. For me, that's exciting and energizing. That's what makes me a little disappointed, to say at the very least, with what's happening in this session of Congress.

It's sad to see that today in the House the focus is not taking the Affordable Care Act where the questions of its constitutionality have been settled by the Supreme Court and moving forward to accelerate its implementation. Instead, the efforts are to slow it down, to repeal, to put sand in the gears. Not without a constructive alternative mind you, but just to be against the reform that's on the books.

It's depressing to see repeated attacks on environmental protections, something that Americans care deeply about that makes a difference to the quality of life of our communities, the strength of our economy, the health of our families.

It has been unfortunate that we were given by this Congress earlier this year what has been described, I think appropriately, as the most partisan transportation bill in history, and certainly the worst, undoing 20 years of transportation reform. Luckily, it collapsed under its own weight, but we were left with a pale 2-year extension, and we're soon going to be right back where we started.

We're watching, more recently, efforts that deal with agriculture in terms of the reauthorization of the farm bill, an opportunity to reform, to be able to save money, to improve the health of our citizens and the economic viability of America's farmers and ranchers. Instead, the bill that has passed out of the committee in the House would concentrate even more subsidy in the hands of fewer wealthy farmers and short-circuit the needs of Americans who eat, people who care about animal welfare, about the environment, and, most importantly, about the welfare of the vast majority of American farmers who, sadly, would have been shut off.

□ 2100

It looks now that the bill is so precarious that it may not even come to

the floor of the House, backtracking on efforts to rein in and reform military spending, when just last year there was a bipartisan agreement to deal with reducing the deficit that was balanced between spending for military and nonmilitary accounts. And now we see people retreating from that goal in the military appropriations bill that passed, despite aggressive bipartisan efforts to rein it in, and it is moving forward as a lost opportunity.

Well, it's in that context, Mr. Speaker, that I wanted to discuss the issues that surround the postal service. It's not by any stretch of the imagination that I'm not interested in changing how we do business. I think that's important across the board. I have demonstrated that with my past work, and by word and deed and what I do politically.

I often find myself in agreement with some of the editorial positions from The Washington Post and The New York Times. They're moving forward with an urgent effort to move legislation that would dramatically scale down the postal service, to cut a large number of facilities and suspend 6-day service, assuming that those are the only alternatives available for us going forward.

Well, as I say, I will be the last person to argue that we should not do business differently, but it seems to me that it's past time for us to take a step back and take a hard look at this so-called postal crisis and at potential solutions and their implications.

Mr. Speaker, it is important to note, from the outset, that the postal service has played a vital role in the development of the United States. It dates back to the beginning of our country. The first Postmaster General was Benjamin Franklin. The service was established 236 years ago. And the postal service actually has been involved, when we let it, with a variety of innovations.

There are those who are concerned that today, with the advent of email, that it has somehow made it impossible for the postal service to move forward in this climate. Well, it's interesting. The postal service has been able to survive the telegraph, the fax machine. It has, in fact, been part of the innovation. Airmail service was part of what the postal service did to help launch the aviation industry in this country. And we have, today, a pattern of development of the transcontinental railroad service and the nature of the postal service, itself, tying together American communities.

Part of what I think is important for us to focus on is the role that the postal service plays in rural and small town America. It's an important part of rural and small town America in Oregon and around the Nation, and these communities are facing times of economic stress and isolation.

The post office plays an outside role. Many people revel in the quality of life. It's very desirable in many rural and small town areas, with great traditions. But it's no secret that for many communities and the people who live there, it's a struggle. They have high unemployment, as young people leave and the population ages. There are real challenges in terms of connectivity, access to broadband for over 26.2 million Americans, three-quarters of them living in rural America.

Now, I think it is important moving forward, dealing with the changes to the postal service, to think about the implications for this part of America that often gets lots of rhetoric but not the attention that it deserves.

The postal service in rural and small town America provides services in terms of people being able to get access to not just mail services and a sense of community, tying people together, a sense of identity, but it is a source of good-paying, family wage jobs that play an outside role in this part of the United States.

It is important in terms of being able to access immigration forms, passport services. These are items that are, in some instances, difficult for people in rural and small town America.

And also, as we are watching the explosion of online shopping, which is playing a larger and larger role in the American economy, it's even more significant in rural and small town America. The postal service often provides that last mile for transactions that take place via the Internet—increasingly for senior citizens who rely on mail order pharmacy services to be able to get their prescriptions through the mail.

Looking at the wide range of activities that make a difference for rural and small town America, I think it's important for us to consider what the implications are going to be for them.

Now, there are those that say, well, wait a minute. They'll just have to pay the price because we are facing a funding crisis in the post office. It's bumping up against a $15 billion debt limit. Bills are coming due. And we have no alternative but to move forward with dramatic reductions in service, including Saturday service and closing facilities.

Well, it's important to reflect on what is the nature of the current funding crisis that faces the post office. Sadly, it is largely a manufactured crisis. The impending funding deadline is simply a result of the legislation in 2006, which was a compromise—a reluctant compromise, but it included a provision that would require the postal service to prefund its health insurance costs for retirees who haven't yet been hired—75 years in the future—and required that funding to be made over the course of 10 years.

Well, thinking about that for a moment, Mr. Speaker, this is actually a device that is not necessary. No other business or government agency is required to do it 75 years into the future. And, in fact, part of the charm for the people who devised this a few years ago was it actually artificially reduces the Federal Government deficit because these payments are credited to Federal accounts. Even though the post office has been an independent agency since 1971, operating without subsidy, these moneys are credited to the Federal Treasury and are used to try to disguise the true size of our deficit. There is no reason to accelerate the prefunding of this obligation of 75 years to make it occur here in the course of this 10-year window.

Mr. Speaker, I think it's important to point out, after putting it in this context, that this is an artificial crisis. The post office, if it weren't for this extraordinary, unnecessary, and unprecedented prefunding requirement, would actually not be hemorrhaging red ink. In fact, it's very close to being self-sufficient, and it does so despite the constraints that Congress has placed on the postal service. Because, bear in mind, even though it doesn't get support, the Congress has kept a very short leash on what the postal service can do. It doesn't have the flexibility to run like a business, to adjust its pricing, to be able to adjust its product mix, to take advantage of the fact that there is a skilled workforce of over 500,000 people and has more facilities around the country than McDonald's, Walmart, and Starbucks combined.

□ 2110

We don't give them the freedom and the flexibility to move forward to take advantage of that platform.

Now, you don't have to be very creative to think of ways that we might be able to work together to be able to slightly modify the services that are provided, and give them more flexibility on the implementation of their service. It is important, I think, to be able to think about what this connectivity means for the American public. If we somehow eliminated the postal service, turned it over to the private sector, cut down more dramatically in terms of what the offerings are, does anybody think we would be able to send a first-class letter from the Florida Keys to Nome, Alaska for 44 cents? The post office moves about 40 percent of the mail in the entire world.

Now there are those that say look at Germany, it has been privatized. Well, look at Germany. Germany is a country that is smaller than Montana, bigger than Wyoming, just to put it in the context of size. It is very densely populated, and it still charges more than 10 percent higher than we do in the United States, and they are competitive internationally, globally. The German postal service is doing business in the United States, competing with Fed Ex, our postal service, and UPS. It is an extraordinary resource that I think is worthy of consideration of what we've got and how we do it.

Mr. Speaker, as I stated from the outset, I happen to believe in reform. I believe that we need to do business differently, whether it is how we deal

with our farm policy, our military policy, tax reform, health care. I would hope that in Congress we can return to the days where we actually had regular order and we discussed things like this in committee, that every bill wasn't a partisan vehicle, and when there was give and take and challenging one another in terms of ways it could be done better, and listening to a wide variety of opinions. And I say by all means allow a wide variety of opinions to come forward to talk about the future of the postal service. I think that's healthy. I welcome it. I've spent a lot of time talking to people on the Postal Rate Commission. I've talked to leadership in the management of the postal service, postal employees, people who are customers, and competitors of the postal service. I want to explore these issues.

I'm absolutely convinced that the interests that are involved with the postal service, broadly defined, including its unions and employees, understand that there is going to be more change taking place in the future. That there are some adjustments where there is probably more capacity than we need, there will be changes going forward. We want to be careful and selective about what we do. But I go back to my point about the impact it will have on rural and small town America. I want to be sure that the changes that we undertake don't make great difficulty for people who don't have the access that some of us who live in metropolitan areas have, people who are connected to the Internet and people who have ready access to other resources.

I think it is important that when people are talking about reducing the sixth day of service, that they think about the implications for individuals who depend on that. For many people who work and get packages that are important to them, being able to have them delivered on Saturday is important, and particularly when you look at holidays that go over weekends, the difficulty of delivery of things like medicine is not a trivial question. And the fact that the postal service is in a sense a partner with some of its private sector competitors, cutting back on that service, what it does with those competitor-partners and what it does with people who are marketing through the Internet, through the mail, this needs careful consideration.

It is interesting as people dive into the numbers behind the elimination of Saturday service. You're eliminating 17 percent of the postal capacity and it would only save 2, maybe 3 percent, and there would be costs associated with that. It is kind of interesting. I would like us to think about what it does to the business model, if you're going to eliminate 17 percent of the service and you save a couple percent in operation; particularly, as I mentioned, that we constrain what they charge and we have an artificial financial barrier with the 75-year pre-funding of health care.

I think it is important for us to respect what we've got, think about the alternatives, and have a discussion where the interests—whether they are direct mail, they are marketing, they are online shopping, they are people in terms of the pharmaceutical industry, senior citizens, rural and small town America—let's get in and talk about this, find out not by declaring war against postal employees, but working with them in a cooperative fashion to find out suggestions that they have in terms of moving forward, and looking at what this tremendous resource that we have, what the value is.

I'm in the State of Oregon, where now all of our ballots are done by direct mail. It is a way to improve efficiency and lower cost for local governments. Broader application of mail-in ballots would improve the security, the efficiency, and cost savings. We have barely scratched the surface of that.

There have been deep concerns, and I note that we had a somber observance today about the death of a couple of our employees, guards who were gunned down on this day in 1998. We've lived through eras where there were concerns about anthrax, about opportunities that some may be involved with bioterrorism. And there have been scares about pandemics. Well, it may well be in our future that there would be great value to having a network that reaches 150 million addresses six times a week with a skilled workforce that can turn that around in a matter of hours.

You don't have to stretch your imagination very far to think of acts of disease or terror where that network may well make a difference. We're finding oftentimes in communities that it's the postal worker who is alert to problems within a family or somebody that is missing and not showing up. They are eyes and ears that do not just volunteer projects but connect people. Let's think about the value of that network before we start to unravel it.

Mr. Speaker, I will conclude where I began. I think everybody whose is privileged to serve in this Chamber needs to think about how we do business differently. I think we need to be open to arguments, questions, evidence, to be able to squeeze more value out of the public dollar, to use the resources to protect the vitality and livability of our communities, and to build partnerships and relationships. And I welcome the discussion that we're having with the postal service in the media and here in Congress. But I would hope, Mr. Speaker, we could do it in a way that is thoughtful and broad-based. I would hope that we would be able to look at what the postal service has provided for 236 years. I would hope that we would think about the value of the workforce. It's not just over a half-million family wage jobs that makes a big difference, particularly in small town and rural America, but these are people who have a skill set and a distribution across the country which has other values, some of which I have just mentioned, and others we have not explored.

And last but not least, before we make changes, I think we ought to be sure that we know that they are going to get what is advertised because, despite all of the rhetoric, we have the lowest cost, most efficient postal service in the world, moving 40 percent of the traffic, doing it very cost effectively, despite the fact that Congress, in its wisdom, has tied the hands of the postal service, dictated rates, told them what they could close or not close, and changes course repeatedly.

□ 2120

I would hope we could do a better job working with our partners there and the people who depend on it to make this part of an area where we figure out how to do business differently, because I think there are opportunities not only to save money but to take advantage of this resource. I think it ought to be done thoughtfully, I think it ought to be done soon, and I appreciate the opportunity to discuss it here this evening.

I yield back the balance of my time.

THE MUSLIM BROTHERHOOD INQUIRY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, there's been a great deal of wailing and gnashing of teeth, it seems lately, in response to a letter that five of us signed to five different inspectors general, five different departments of the U.S. Government. Despite the effort to distract, despite the wild accusations that have come about five separate letters that were quite factual, set out things that were footnoted, documented as true, we were simply asking inspectors general of the different departments if they would investigate about potential Muslim Brotherhood effects within those departments.

I have been amazed. Out of five letters to five different departments, each one of them different, each one of them dealing with facts that were in each particular department, we have been met with this frenzy from some quarters, including some of the mainstream media, to demonize people that are just simply asking questions. Actually, we used to have a mainstream media that would ask questions.

Also, when you look at the fact that in 1995, the defendants charged with involvement in the 1993 first World Trade Center bombing were tried, and as the prosecutor, the Federal prosecutor in that case, a brilliant guy named Andrew McCarthy has set out in one of his articles, we proved, we introduced evidence and proved beyond a reasonable doubt that the intention of these people, these radical Islamist groups, was to bring down this country.

As Andy has properly asked, since we proved beyond a reasonable doubt to a great group of jurors in New York about the effort of these radical Islamists, Islamic jihadists, to bring down America, what's happened since 1995 that all of a sudden this administration says, oh, no, forget what was proved beyond a reasonable doubt to New Yorkers in 1995 and been upheld, you can't believe that? Don't look at the factual evidence behind the curtain, for heaven's sake; just look at what we're telling you, and we're telling you there is no Muslim Brotherhood involvement in America, and there's no Muslim Brotherhood effect or influence in this administration.

But that is deeply troubling because we know from the Holy Land Foundation trial in Dallas, that was well tried in 2008, and convictions on over 100 different charges, and they established, they named defendants, proved beyond a reasonable doubt about the charges of their support for terrorism, and they also named numerous parties as co-conspirators in support of terrorism, and the Justice Department was involved in that, the Attorney General's Office was involved, and they proved beyond a reasonable doubt that there were Muslim Brotherhood groups who were supporting terrorism in America. At least they proved beyond a reasonable doubt the defendants were involved in supporting terrorism, and then basically—it might be deemed or called a preponderance of the evidence—that others who were not indicted, but were named, such as CAIR and ISNA, the Islamic Society of North America, in that case, the evidence was produced to establish that the Islamic Society of North America is the largest Muslim Brotherhood front group in America.

And some of us who simply signed a letter asking questions? Look, how about doing an investigation to see what the influence of the Muslim Brotherhood is in this administration? Because previously, including through the prosecution in November of 2008 of the largest terrorism support allegations in American history, it was established the Muslim Brotherhood is alive and well and having influence in America.

Yet, the Islamic Society of North America's President, Imam Magid, has been a guest at the White House, and, in fact, if someone, I guess because they regularly don't do their homework, were to check, as I have in the past, I don't know if it's still there, there were a couple of times I checked in the past couple of years, but if you were to check with the White House Web site, you would find that the number two person in the National Security Administration, the Deputy National Security Adviser, Denis McDonough, was giving a speech to a group called ADAMS—I'm sure John Adams appreciated the reference—but ADAMS, the All Dulles Area Muslim Society, and there is the transcript of his speech. I don't know if it's still up. Like I said, it's on the White House Web site. And Denis McDonough, the number two guy, the deputy national security adviser, thanks President Imam Magid, the president of ISNA, the named co-conspirator for supporting terrorism, for the wonderful prayers he gave at the Iftar celebration in the White House the August before, Iftar being the celebration that concludes Ramadan.

So we know the President of the largest, according to evidence in the Holy Land Foundation, the largest Muslim Brotherhood front trial, the president gets invited to the White House to do prayers for their Iftar celebration. And we also know Denis McDonough thanked Iman Magid for the wonderful introduction there at the All Dulles Area Muslim Society.

So it's a little troubling not only that this influence is there, but then when five Members of Congress raise a question, how about an investigation to see what this influence is? Because we know minds are changing, although the evidence has not changed that was introduced in 1995 and 2008.

Our good friend down the Hall, Senator MCCAIN, chastised us. Yet, if you believe quotes, and sometimes you can't, but he was quoted as saying at the beginning of the trouble in Egypt that he was, and he used the word, according to the article, unalterably opposed to any support for the Muslim Brotherhood.

□ 2130

Well, if that was the word then, the word now is altered unalterability because it appears that he sees no problem with what's going forward. If he does, then my apologies if he now objects to any assistance to the Muslim Brotherhood. But it's my impression that he didn't have a problem with this administration's help to Egypt now.

So when we see the things that have gone on—the things that have been introduced and proven in court and the Fifth Circuit saying, no, you cannot strike those names from the pleading because there's sufficient evidence to establish that they were supporting terrorism, so, no, you can't strike those named co-conspirators from the pleadings—and somehow five Members of Congress are the bad guys for saying let's investigate.

What influence has this group had—and I know from back in my questioning of the Secretary of Homeland Security last October, when I was asking if it was true that there were some members of the Muslim Brotherhood who were part of her Countering Violent Extremism Working Group that advises Homeland Security on how to deal with what some of us would call "radical Islamic jihad," but which Homeland Security now calls "violent extremism"—apparently not wanting to offend people who are wanting to commit radical Islamic jihad on our country. But I asked her in that hearing in October last year about that, and she points out that actually she has another individual in charge of the Countering Violent Extremism Working Group, so she doesn't really know if they have Muslim Brotherhood members as a part of that.

I asked her this question: All right. Are you aware that the president of ISNA, Imam Magid, is a member of that working group. Correct?

Secretary Napolitano: I can't answer that that is an accurate statement.

So she doesn't know whether the president of what's been established in court as the largest Muslim Brotherhood front group in America is part of her advisory group at Homeland Security.

Of course it was interesting in our hearing last week, she also indicated that there had not been a terrorist that had been allowed into the White House with the Egyptian recent group, when we had been reading in the paper that there had—of course, that may not be a good source because they were mainstream papers—but we had been reading that there was a member of a known terrorist group that was allowed into the White House and that he used that platform to lobby for the release of the blind sheik who had assisted in planning the 1993 World Trade Center bombing.

So I thought it might be helpful, Mr. Speaker, tonight to just touch base regarding the timeline that Investors Business Daily sponsored. It was an editorial. It was dated July 19, 2012, posted at 6:46 p.m. eastern time. And it can be found at investors.com, Mr. Speaker. But it's entitled, "How Obama Engineered Mideast Radicalization." And then it goes through, and after preliminary paragraphs, it just sets out a timeline for things that have happened.

I hope my friends, who have been so quick to condemn and ridicule, and even people who are on committees who should know about these things and should know about the evidence in the Holy Land Foundation trial where Muslim Brotherhood ties were established, and they should know about the proof in 1995 at the World Trade Center first trial of the defendants that did that. I would think they would be welcoming, since there are many people who are not aware of what the evidence was in those. They would welcome input from someone as well versed as the prosecutor from the 1995 World Trade Center trial.

So this is from Investors Business Daily, an editorial. It says:

> The Obama record: After angry Egyptians pelted her motorcade with shoes chanting "Leave!," Secretary of State Clinton insisted the U.S. wasn't there to take sides. Too late.
>
> "I want to be clear that the United States is not in the business, in Egypt, of choosing winners and losers, even if we could, which of course we cannot," Hillary Clinton intoned earlier this week.
>
> Of course, the administration could, and it did, picking and even colluding with the Muslim Brotherhood. And one of its

hardliners, Mohammed Morsif, now sits in the presidential palace, where he refused to shake unveiled Clinton's hand.

This administration favored Islamists over secularists and helped them overthrow Hosni Mubarak, the reliable U.S. ally who had outlawed the terrorist Brotherhood and honored the peace pact with Israel for three decades. The Brotherhood, in contrast, has backed Hamas and called for the destruction of Israel.

Now the administration is dealing with the consequences of its misguided king-making. Officials fear the new regime could invite al Qaeda, now run by an Egyptian exile, back into Egypt and open up a front with Israel along the Sinai. Result: more terrorists and higher gas prices.

In fact, it was Hillary's own Department that helped train Brotherhood leaders for the Egyptian elections. Behind the scenes, she and the White House made a calculated decision and took step-by-step actions to effectively sell out Israel and U.S. interests in the Mideast to the Islamists.

The untold story of the ''Arab Spring'' is that the Obama administration secretly helped bring Islamofascists to power. Consider this timeline:

2009: The Brotherhood's spiritual leader—Sheik Yusuf Qaradawi—writes an open letter to Obama arguing terrorism is a direct response to U.S. foreign policy.

2009: Obama travels to Cairo to deliver apologetic speech to Muslims and infuriates the Mubarak regime by inviting banned Brotherhood leaders to attend. Obama deliberately snubs Mubarak, who was neither present nor mentioned. He also snubs Israel during Mideast trip.

2009: Obama appoints a Brotherhood-tied Islamist—Rashad Hussain—as U.S. envoy to the Organization of the Islamic Conference, which supports the Brotherhood.

The Organization of Islamic Conference, by the way, the OIC, it isn't in the article, but it is composed of 57 states. Fifty-seven Muslim states make up the OIC, and that's what is being referred to there.

2010: State Department lifts visa ban on Tariq Ramadan, suspected terrorist and Egyptian-born grandson of Brotherhood founder Hassan al-Banna.

2010: Hussein meets with Ramadan at American-sponsored conference attended by U.S. and Brotherhood officials.

2010: Hussein meets with the Brotherhood's grand mufti in Egypt.

2010: Obama meets one-on-one with Egypt's foreign minister, Ahmed Aboul Gheit, who later remarks on Nile TV: ''The American President told me in confidence that he is a Muslim.''

2010: The Brotherhood's supreme guide calls for jihad against the U.S.

2011: Qaradawi calls for ''days of rage'' against Mubarak and other pro-Western regimes throughout Mideast.

□ 2140

2011: Riots erupt in Cairo's Tahrir Square. Crowds organized by the Brotherhood demand Mubarak's ouster, storm buildings.

2011: The White House fails to back longtime ally Mubarak, who flees Cairo.

2011: White House sends intelligence czar, James Clapper, to Capitol Hill to whitewash the Brotherhood's extremism. Clapper testifies the group is moderate, ''largely secular.''

2011: Qaradawi, exiled from Egypt for 30 years, is given a hero's welcome in Tahrir Square, where he raises the banner of jihad.

2011: Through his State Department office, William Taylor—Clinton's special coordinator for Middle East transitions and a longtime associate of Brotherhood apologists—gives Brotherhood and other Egyptian Islamists special training to prepare for the post-Mubarak elections.

2011: The Brotherhood wins control of Egyptian Parliament, vows to tear up Egypt's 30-year peace treaty with Israel and reestablishes ties with Hamas, Hezbollah.

2011: Obama gives Mideast speech demanding Israel relinquish land to Palestinians, while still refusing to visit Israel.

And parenthetically, we know that the administration has now said if we'll just give him another term, then the next 4 years he will go see Israel.

Back to the article:

2011: Justice Department pulls plug on further prosecution of U.S.-based Brotherhood front groups identified as collaborators in conspiracy to funnel millions to Hamas.

2011: In a shocking first, the State Department formalizes ties with Egypt's Brotherhood, letting diplomats deal directly with Brotherhood party officials in Cairo.

April 2012: The administration quietly releases $1.5 billion in foreign aid to the new Egyptian regime.

June 2012: Morsi wins presidency amid widespread reports of electoral fraud and voter intimidation by gun-toting Brotherhood thugs, including blockades of entire streets to prevent Christians from going to the polls. The Obama administration turns a blind eye, recognizes Morsi as victor.

June 2012: In a victory speech, Morsi vows to instate shari'ah law, turning Egypt into an Islamic theocracy, and also promises to free jailed terrorists. He also demands Obama free World Trade Center terrorist and Brotherhood leader, Omar Abdel-Rahman, aka the Blind Sheik, from U.S. prison.

June 2012: State grants visa to banned Egyptian terrorists who joins a delegation of Brotherhood officials from Egypt. They're all invited to the White House to meet with Obama's deputy national security adviser, who listens to their demands for the release of the blind sheik.

By the way, in the hearing last week, when I asked our Secretary of Homeland Security about that incident, widely reported, even the mainstream media was reporting it, that a member of a known terrorist organization was given access to the White House, she indicated that it just wasn't true, apparently, not knowing the news that was happening just across town from her Department.

In any event, back to the article:

July 2012: Obama invites Morsi to visit the White House this September.

The Muslim Brotherhood's sudden ascendancy in the Mideast didn't happen organically. It was helped along by a U.S. President sympathetic to its interests over those of Israel and his own country.

Now, that's the Investor's Business Daily editorial from July 19 of 2012.

I was shocked to previously find out that it was not until 2009 that our FBI sent a letter saying they were suspending their relationship, one place it referred, I believe the word ''partner'' with CAIR, CAIR being a named co-defendant related to Muslim Brotherhood activity and related to support for terrorism abroad.

It referred to the convictions in the 2008 Holy Land Foundation trial and the evidence that was introduced at the trial, but what shocked me is that they waited till after a conviction, when the Justice Department was the one that was gathering this evidence. They'd been gathering it for years.

And I was amazed that they seemed surprised—or whether or not they were surprised, they didn't do anything to sever ties with CAIR, which seems to be, with the ACLU, the most influential in getting this administration to purge its training documents for the people that are supposed to protect us, of anything that might be considered offensive to someone who was a Muslim Brotherhood member or Islamist.

Now, I've visited with Muslims abroad. A man named Massoud, whose brother was assassinated just within 36 hours of 9/11, I consider him a friend. He knows about sacrifice.

The State Department said they simply could not spare the security to get me and anyone else to a meeting with our Muslim friends who have fought with Americans, buried their loved ones like Americans have from fighting in Afghanistan, these are our friends. And I told our State Department, that's fine; I talked to Massoud, and he's sending a security vehicle, and I am certainly willing to put my life in his hands because I trust him. He's a Muslim friend.

I told them I was going, after we finished meeting with our troops. And after we met with our troops, I was advised, we've arranged for an American security vehicle to take you, and we have contacted Mr. Massoud to let him know we would get you to the meeting.

We should never be afraid of Muslims, but we should be afraid of Muslim extremists that want to take over our country and destroy our way of life. It is critical that our intelligence, our Justice Department, those who are supposed to be protecting us, even in the White House, that they know the difference between our Muslim friends and those who want to subvert the democracy in America.

I make no apologies for that. I can't. I took an oath to defend this Constitution. I can't apologize for loving America enough that I will recognize those who are Muslim friends and those who are not.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. JACKSON LEE of Texas (at the request of Ms. PELOSI) for today between 1 and 5 p.m. on account of attending a memorial service for her former chief of staff.

Mr. REYES (at the request of Ms. PELOSI) for today on account of medical reasons.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2527. An act to require the Secretary of the Treasury to mint coins in recognition and celebration of the National Baseball Hall of Fame.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 49 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 25, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

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

7031. A letter from the Under Secretary Rural Housing Service, Department of Agriculture, transmitting the Department's final rule — Single Family Housing Guaranteed Loan Program (RIN: 0575-AC90) received July 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7032. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Tart Cherries Grown in the States of Michigan, et al.; Increasing the Primary Reserve Capacity and Revising Exemption Requirements [Doc. No.: AMS-FV-11-0092; FV12-930-1 FR] received July 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7033. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Avocados Grown in South Florida; Decreased Assessment Rate [Doc. No.: AMS-FV-11-0094; FV12-915-1 IR] received July 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7034. A letter from the Secretary, Department of Defense, transmitting a letter 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.

7035. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the System's final rule — Supervised Securities Holding Company Registration (RIN: 7100-AD81) received July 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7036. A letter from the Acting Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Calculation of Maximum Obligation Limitation (RIN: 1505-AC36) received July 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7037. A letter from the Counsel for Regulatory and External Affairs, Federal Labor Relations Authority, transmitting the Authority's final rule — Representation Proceedings, Unfair Labor Practice Proceedings, and Miscellaneous and General Requirements received July 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7038. A letter from the Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, transmitting the Administration's final rule — Updating OSHA Standards Based on National Consensus Standards; Head Protection [Docket No.: OSHA-2011-0184] (RIN: 1218-AC65) received July 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7039. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received June 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7040. A letter from the Secretary, Department of Energy, transmitting A report on the Voluntary Commitments to Reduce Industrial Energy Intensity, pursuant to 42 U.S.C. 15811 Public Law 109-58, section 106(f); to the Committee on Energy and Commerce.

7041. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Effective Date of Requirement for Premarket Approval for an Implantable Pacemaker Pulse Generator [Docket No.: FDA-2011-N-0522] received July 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7042. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Effective Date of Requirement for Premarket Approval for a Pacemaker Programmer [Docket No.: FDA-2011-N-0526] received July 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7043. A letter from the Chief, Policy and Rules Division, Federal Communications Commission, transmitting the Commission's final rule — Amendment of the Commission's Rules to Provide Spectrum for the Operation of Medical Body Area Networks [ET Docket No.: 08-59] received July 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7044. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Integration of Variable Energy Resources [Docket No.: RM10-11-000; Order No. 764] received July 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7045. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

7046. A letter from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of New York, transmitting the 2011 management report of the Federal Home Loan Bank of New York, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

7047. A letter from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of San Francisco, transmitting the 2011 management report and statements on system of internal controls of the Federal Home Loan Bank of San Francisco, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

7048. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Seattle, transmitting the 2011 management report and statements on the system of internal controls of the Federal Home Loan Bank of Seattle, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

7049. A letter from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting the Administration's final rule — The Interagency Security Classification Appeals Panel (ISCAP) Bylaws, Rules, and Appeal Procedures [NARA-12-0003] (RIN: 3095-AB76) received July 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

7050. A letter from the Acting Assistant Secretary, Department of the Interior, transmitting the Department's final rule — Vehicles and Traffic Safety — Bicycles [NPS-WASO-REGS-9886; 2465-SYM] (RIN: 1024-AD97) received July 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7051. A letter from the Secretary, Department of the Interior, transmitting the Department's report entitled ''Proposed Final Outer Continental Shelf (OCS) Oil and Gas Leasing Program (PRP) for 2012-2017''; to the Committee on Natural Resources.

7052. A letter from the Director, Administrative Office of the United States Courts, transmitting the Office's report on applications for orders authorizing or approving the interception of wire, oral, or electronic communications and the number of orders and extensions granted or denied during calendar year 2011, pursuant to 18 U.S.C. 2519(3); to the Committee on the Judiciary.

7053. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's final rule — Changes to Implement Miscellaneous Post Patent Provisions of the Leahy-Smith America Invents Act [Docket No.: PTO-P-2011-0072] (RIN: 0651-AC66) received July 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7054. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's final rule — Changes to Implement the Preissuance Submissions by Third Parties Provision of the Leahy-Smith America Invests Act [Docket No.: PTO-P-2011-0073] (RIN: 0651-AC67) received July 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7055. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Feed Materials Production Center (FMPC) in Fernald, Ohio be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

7056. 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 Red Earth LLC et al. v. United States of America et al., Nos. 10-3165-CV(L), 10-3191-CV(XAP), 10-3213-CV(XAP), 657 F.3d 138 (2d Cir. Sept. 20, 2011); to the Committee on the Judiciary.

7057. A letter from the Deputy Director, Office of State, Local & Tribal Affairs, Office of National Drug Control Policy, transmitting High Intensity Drug Trafficking Areas (HIDTA) Program Report to Congress, pursuant to Public Law 109-469; to the Committee on the Judiciary.

7058. A letter from the Secretary, Department of Transportation, transmitting the Department's eighth report on the breakdown of the disability-related complaints that U.S. and foreign passenger air carriers operating to and from the U.S. received during 2011; to the Committee on Transportation and Infrastructure.

7059. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Dependency and Indemnity Compensation Payable to a Surviving Spouse

with One or More Children Under Age 18 (RIN: 2900-AO38) received July 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

7060. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Dependency and Indemnity Compensation (DIC) Benefits for Survivors of Former Prisoners of War Rated Totally Disabled at Time of Death (RIN: 2900-AO22) received July 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

7061. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's Annual Report On Child Welfare Outcomes 2007-2010, pursuant to Public Law 105-89, section 203(a) (111 Stat. 2127); to the Committee on Ways and Means.

7062. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Treatment of Income from Certain Government Bonds for Purposes of the Passive Foreign Investment Company Rules [Notice 2012-45] received July 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7063. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — February 2012 (Rev. Rul. 2012-7) received July 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7064. A letter from the Director, Office of Regulations, Social Security Administration, transmitting the Administration's final rule — Extension of Expiration Dates for Several Body System Listings [Docket No.: SSA-2012-0024] (RIN: 0960-AH49) received July 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7065. A letter from the Acting Under Secretary and Deputy Secretary, Departments of Defense and Veterans Affairs, transmitting Veterans Affairs and Department of Defense Joint Executive Council Fiscal Year 2011 Annual Report, pursuant to 38 U.S.C. 8111(f); jointly to the Committees on Armed Services and Veterans' Affairs.

7066. A letter from the Inspector General, Department of Health and Human Services, transmitting a report entitled, ''Part D Plans Generally Include Drugs Commonly Used by Dual Eligibles: 2012''; jointly to the Committees on Energy and Commerce and Ways and Means.

7067. A letter from the Acting Secretary of Commerce, Department of Commerce, transmitting the annual report on the activities of the Economic Development Administration for Fiscal Year 2011, pursuant to 42 U.S.C. 3217; jointly to the Committees on Transportation and Infrastructure and Financial Services.

7068. A letter from the Assistant Secretary, Department of Defense, transmitting a legislative proposal that the Department requests be enacted during the second session of the 112th Congress; jointly to the Committees on Armed Services, Foreign Affairs, Energy and Commerce, and Intelligence (Permanent Select).

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. 1857. A bill for the relief of Bartosz Kumor (Rept. 112–617). Referred to the Private Calendar.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 824. A bill for the relief of Daniel Wachira (Rept. 112–618). Referred to the Private Calendar.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 823. A bill for the relief of Maria Carmen Castro Ramirez and J. Refugio Carreno Rojas (Rept. 112–619). Referred to the Private Calendar.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 794. A bill for the relief of Allan Bolor Kelley (Rept. 112–620). Referred to the Private Calendar.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 357. A bill for the relief of Corina de Chalup Turcinovic (Rept. 112–621). Referred to the Private Calendar.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 316. A bill for the relief of Esther Karinge (Rept. 112–622). Referred to the Private Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CAMP (for himself, Mr. HERGER, Mr. SAM JOHNSON of Texas, Mr. BRADY of Texas, Mr. RYAN of Wisconsin, Mr. DAVIS of Kentucky, Mr. REICHERT, Mr. BOUSTANY, Mr. ROSKAM, Mr. GERLACH, Mr. PRICE of Georgia, Mr. BUCHANAN, Mr. SCHOCK, Ms. JENKINS, Mr. BERG, Mrs. BLACK, Mr. REED, Mr. TIBERI, Mr. NUNES, Mr. SMITH of Nebraska, Mr. PAULSEN, Mr. MARCHANT, and Mr. DOLD):

H.R. 8. A bill to extend certain tax relief provisions enacted in 2001 and 2003, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Washington:

H.R. 6168. A bill to direct the Secretary of the Interior to implement the Proposed Final Outer Continental Shelf Oil & Gas Leasing Program (2012-2017) in accordance with the Outer Continental Shelf Lands Act and other applicable law; to the Committee on Natural Resources.

By Mr. DREIER (for himself, Mr. CAMP, Mr. SESSIONS, Mr. BISHOP of Utah, Mr. WOODALL, Mr. NUGENT, Mr. SCOTT of South Carolina, Mr. WEBSTER, Mr. ROSKAM, Mr. BRADY of Texas, Mr. BERG, Mr. REED, Mr. SMITH of Nebraska, Mr. SCHOCK, Mr. DAVIS of Kentucky, Ms. JENKINS, Mrs. BLACK, Mr. HERGER, Mr. GERLACH, Mr. SAM JOHNSON of Texas, Mr. BOUSTANY, Mr. TIBERI, and Mr. MARCHANT):

H.R. 6169. A bill to provide for expedited consideration of a bill providing for comprehensive tax reform; to the Committee on Rules.

By Mr. CUMMINGS (for himself, Mr. LANDRY, Mr. RAHALL, Mr. LARSEN of Washington, Mr. THOMPSON of Mississippi, Ms. HANABUSA, Mr. RICHMOND, Mr. GRIMM, Mr. BISHOP of New York, and Mrs. MILLER of Michigan):

H.R. 6170. A bill to amend title 46, United States Code, to reinstate provisions requiring that a percentage of aid provided by the Secretary of Agriculture or the Commodity Credit Corporation in the form of certain agricultural commodities or their products must be transported on commercial vessels of the United States, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROONEY (for himself, Mr. BILIRAKIS, Mr. SCHRADER, and Mr. BARBER):

H.R. 6171. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to consider the resources of individuals applying for pension that were recently disposed of by the individuals for less than fair market value when determining the eligibility of such individuals for such pension, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MCKINLEY (for himself, Mr. RAHALL, Mr. GRIFFITH of Virginia, Mr. HOLDEN, Mrs. LUMMIS, Mrs. CAPITO, Mr. JOHNSON of Ohio, Mr. ALTMIRE, Mr. COSTELLO, and Mr. CARDOZA):

H.R. 6172. A bill to prohibit the Administrator of the Environmental Protection Agency from finalizing any rule imposing any standard of performance for carbon dioxide emissions from any existing or new source that is a fossil fuel-fired electric utility generating unit unless and until carbon capture and storage is found to be technologically and economically feasible; to the Committee on Energy and Commerce.

By Mr. NEUGEBAUER (for himself, Mr. SMITH of New Jersey, Mr. AKIN, Mr. LATTA, Mr. HARRIS, Mr. NUNNELEE, Mr. HUELSKAMP, Mr. PEARCE, Mr. LANDRY, Mr. GRIFFIN of Arkansas, Mr. POMPEO, Mr. LAMBORN, Mrs. SCHMIDT, Mr. MARCHANT, Mr. HULTGREN, Mr. LANKFORD, Mr. RENACCI, Mr. HUIZENGA of Michigan, Mr. BROUN of Georgia, Mr. SCALISE, Mr. MICA, Mr. SAM JOHNSON of Texas, Mr. PAUL, Mrs. HARTZLER, Mr. GOHMERT, Mr. FLORES, Mr. BURTON of Indiana, Mr. JONES, Mrs. BLACK, Mr. MILLER of Florida, Mr. BRADY of Texas, Mr. FLEMING, Mr. OLSON, Mrs. ROBY, Mr. CANSECO, and Mr. POE of Texas):

H.R. 6173. A bill to amend the General Education Provisions Act to prohibit Federal education funding for elementary schools and secondary schools that provide on-campus access to abortion providers; to the Committee on Education and the Workforce.

By Mr. CARTER (for himself, Mr. ROSS of Arkansas, Mrs. MCMORRIS RODGERS, Mr. BARROW, Mr. RIBBLE, Mr. SMITH of Washington, Mr. CUELLAR, Mr. CALVERT, Mr. SENSENBRENNER, Mr. LONG, Mr. HINOJOSA, Mr. CHABOT, Mr. BARTON of Texas, Mr. BISHOP of Utah, Mr. LUETKEMEYER, Mr. WALBERG, Mr. SCOTT of South Carolina, Mr. LATTA, Mr. DIAZ-BALART, and Mr. HUIZENGA of Michigan):

H.R. 6174. A bill to amend section 403 of the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants, similar retail food establishments, and vending machines; to the Committee on Energy and Commerce.

By Mr. KILDEE (for himself, Mr. GRIJALVA, Mr. HINCHEY, Mr. SABLAN, Mr. TONKO, Ms. BORDALLO, Ms. RICHARDSON, Mr. CONYERS, Mr. DAVID SCOTT of Georgia, Ms. NORTON, Mr. LUJÁN, Ms. EDWARDS, Mrs. MCCARTHY of New York, Mr. KIND, Ms. HIRONO, and Mr. MARKEY):

H.R. 6175. A bill to authorize studies of certain areas for possible inclusion in the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mr. BOUSTANY (for himself and Mr. PRICE of Georgia):

H.R. 6176. A bill to amend the Social Security Act to permit hospitals to make incentive payments to physicians to promote quality and efficiency; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRALEY of Iowa:

H.R. 6177. A bill to amend the Internal Revenue Code of 1986 to increase the deduction for start-up expenditures for business for 2012 and 2013; to the Committee on Ways and Means.

By Mr. CHABOT (for himself, Mr. CARNAHAN, Mr. WILSON of South Carolina, Mr. CONNOLLY of Virginia, Mr. POE of Texas, Mr. SMITH of Washington, Mr. MCCAUL, and Mr. CRENSHAW):

H.R. 6178. A bill to direct the President to establish an interagency mechanism to coordinate United States development programs and private sector investment activities, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DOGGETT (for himself, Mr. LEVIN, Mr. RANGEL, Mr. STARK, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL, Mr. BECERRA, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. PASCRELL, Ms. BERKLEY, Mr. CROWLEY, Mr. AL GREEN of Texas, Mr. HINOJOSA, Ms. JACKSON LEE of Texas, Mr. GONZALEZ, Mr. CUELLAR, Mr. GENE GREEN of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. VAN HOLLEN, Mr. GARAMENDI, and Mr. KIND):

H.R. 6179. A bill to amend the Internal Revenue Code of 1986 to extend for 1 year the American Opportunity Tax Credit and the disregard of tax refunds for purposes of Federal, and federally-assisted, programs; to the Committee on Ways and Means.

By Mr. NEAL (for himself and Mr. GERLACH):

H.R. 6180. A bill to amend the Internal Revenue Code of 1986 to prevent the alternative minimum tax from effectively repealing the Federal tax exemption for interest on State and local private activity bonds; to the Committee on Ways and Means.

By Mr. NEAL (for himself, Mr. LEVIN, Mr. RANGEL, Mr. STARK, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. BECERRA, Mr. DOGGETT, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. PASCRELL, Ms. BERKLEY, and Mr. CROWLEY):

H.R. 6181. A bill to amend the Internal Revenue Code of 1986 to extend certain improvements in the child tax credit and the earned income tax credit, and for other purposes; to the Committee on Ways and Means.

By Mr. LARSON of Connecticut (for himself and Mr. CLAY):

H.J. Res. 115. A joint resolution supporting the establishment of a Presidential Youth Council; to the Committee on Education and the Workforce.

By Mr. PERLMUTTER (for himself, Mr. COFFMAN of Colorado, Ms. DEGETTE, Mr. LAMBORN, Mr. POLIS, Mr. TIPTON, and Mr. GARDNER):

H. Con. Res. 134. Concurrent resolution condemning, in the strongest possible terms, the heinous atrocities that occurred in Aurora, Colorado; to the Committee on Oversight and Government Reform.

By Mr. BRALEY of Iowa:

H. Res. 739. A resolution providing for consideration of the bill (H.R. 6083) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2017, and for other purposes; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

256. The SPEAKER presented a memorial of the Senate of the State of Colorado, relative to Senate Joint Resolution No. 12-003 memorializing the Congress to amend 26 U.S.C. sec. 6033; to the Committee on Ways and Means.

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. CAMP:

H.R. 8.

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 and Amendment XVI of the United States Constitution.

By Mr. HASTINGS of Washington:

H.R. 6168.

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

Article IV, section 3, clause 2

By Mr. DREIER:

H.R. 6169.

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

Congress has the power to enact this legislation pursuant to Article I, section 5, clause 2 (relating to the power of each House of Congress to determine the rules of its proceedings).

By Mr. CUMMINGS:

H.R. 6170.

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

Article I, Section 8, Clause 1: ''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States.''

And Article I, Section 8, Clause 14: ''To make Rules for the Government and Regulation of the land and naval Forces.''

By Mr. ROONEY:

H.R. 6171.

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

Article 1, section 8. The Congress shall have the power to lay and collect taxes, duties, imposts, and excises, to pay debts and provide for the common defence and general welfare of the United States.

By Mr. MCKINLEY:

H.R. 6172.

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

According to Article I, Section 8, Clause 18 of the Constitution: The Congress shall have power to enact this legislation to make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. NEUGEBAUER:

H.R. 6173.

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

Article 1, Section 8: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States;

By Mr. CARTER:

H.R. 6174.

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

Article I, Section 8, Clause 3 of the Constitution

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. KILDEE:

H.R. 6175.

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

Under Article I, Section 8, Clause 3 and Article IV, Section 3, Clause 2 of the Constitution.

By Mr. BOUSTANY:

H.R. 6176.

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

Clause 3 of Section 8 of Article 1 of the Constitution.

Clause 1 of Section 8 of Article 1 of the Constitution.

Clause 18 of Section 8 of Article 1 of the Constitution.

By Mr. BRALEY of Iowa:

H.R. 6177.

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 Mr. CHABOT:

H.R. 6178.

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

Article 4, Section 3 of the United States Constitution.

By Mr. DOGGETT:

H.R. 6179.

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

Article One, Section 8 and the 16th Amendment of the Constitution.

By Mr. NEAL:

H.R. 6180.

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

Congress has the power to enact this legislation pursuant to Clause 1 of Section 8 of Article I and the 16th Amendment to the U.S. Constitution.

By Mr. NEAL:

H.R. 6181.

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

Congress has the power to enact this legislation pursuant to Clause 1 of Section 8 of Article I and the 16th Amendment to the U.S. Constitution.

By Mr. LARSON of Connecticut:

H.J. Res. 115.

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

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

ADDITIONAL SPONSORS

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

H.R. 127: Mr. CHABOT and Mr. MCCAUL.

H.R. 303: Mr. HINOJOSA.

H.R. 308: Mr. TIERNEY and Mr. PERLMUTTER.
H.R. 458: Mr. BRADY of Pennsylvania, Mr. BUTTERFIELD, and Mr. DOYLE.
H.R. 591: Mr. TIERNEY, Mr. SHERMAN, and Mr. LEWIS of Georgia.
H.R. 733: Mr. RICHMOND.
H.R. 831: Mr. HONDA.
H.R. 860: Mrs. BACHMANN and Mrs. BIGGERT.
H.R. 905: Mr. THORNBERRY and Ms. LINDA T. SÁNCHEZ of California.
H.R. 1032: Mr. GOHMERT, Mrs. SCHMIDT, and Mr. GRAVES of Georgia.
H.R. 1206: Mr. MACK.
H.R. 1259: Mr. LANCE.
H.R. 1265: Mr. SMITH of New Jersey and Mr. LIPINSKI.
H.R. 1283: Mr. FINCHER.
H.R. 1284: Mr. SCHIFF.
H.R. 1344: Mr. THOMPSON of California.
H.R. 1370: Mr. CRENSHAW.
H.R. 1426: Ms. BERKLEY.
H.R. 1543: Mr. CICILLINE.
H.R. 1546: Mr. DAVID SCOTT of Georgia, Mr. BOUSTANY, and Mr. REYES.
H.R. 1621: Mr. KINZINGER of Illinois, Mr. CRAWFORD, Mr. PAULSEN, Mr. MARCHANT, and Mr. SABLAN.
H.R. 1639: Mr. LOEBSACK.
H.R. 1653: Mr. BACHUS and Mr. FLEMING.
H.R. 1700: Mr. HECK.
H.R. 1802: Mr. POSEY.
H.R. 1860: Mr. BOUSTANY and Mr. FILNER.
H.R. 1955: Mr. HOLT.
H.R. 1980: Mr. HINCHEY.
H.R. 2077: Mr. DAVIS of Kentucky, Mr. CANSECO, Mr. RIGELL, and Mr. THOMPSON of Pennsylvania.
H.R. 2104: Mr. NUNNELEE.
H.R. 2139: Mr. CLEAVER, Mr. PALLONE, Mr. BARLETTA, and Ms. BONAMICI.
H.R. 2342: Mr. CLAY.
H.R. 2364: Ms. SPEIER.
H.R. 2479: Mr. GERLACH and Mr. DOYLE.
H.R. 2524: Mr. ANDREWS and Mr. HOLT.
H.R. 2600: Mr. SCOTT of South Carolina, Ms. HANABUSA, Mr. BISHOP of New York, Ms. HIRONO, and Mr. GOWDY.
H.R. 2649: Ms. CASTOR of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. NAPOLITANO, and Mr. PLATTS.
H.R. 2655: Mr. HANNA and Mr. KIND.
H.R. 2721: Mr. PIERLUISI.
H.R. 2772: Mr. BISHOP of New York.
H.R. 2773: Mr. HONDA.
H.R. 2798: Mr. LYNCH.
H.R. 2800: Mr. LYNCH.
H.R. 2954: Mr. GENE GREEN of Texas.
H.R. 2997: Mrs. MYRICK and Mr. BACHUS.
H.R. 3000: Mr. CRAWFORD.
H.R. 3057: Mr. SCHILLING.
H.R. 3087: Mr. LOEBSACK.
H.R. 3158: Mr. HULTGREN, Mr. PETERSON, and Mr. FARENTHOLD.
H.R. 3179: Mr. BROUN of Georgia.
H.R. 3252: Mr. BISHOP of New York.
H.R. 3307: Mr. BILBRAY.
H.R. 3324: Ms. PINGREE of Maine.
H.R. 3356: Mr. DENHAM and Mr. REED.
H.R. 3395: Mr. OLSON.
H.R. 3409: Mr. MURPHY of Pennsylvania.
H.R. 3423: Mr. GIBSON and Mr. GRAVES of Missouri.
H.R. 3496: Mr. ELLISON.
H.R. 3497: Mr. RUPPERSBERGER, Mr. RANGEL, and Mr. BILBRAY.
H.R. 3612: Mr. LARSON of Connecticut and Mr. PALAZZO.
H.R. 3658: Mr. REHBERG.
H.R. 3661: Ms. SCHAKOWSKY, Ms. HIRONO, Mr. CARNAHAN, and Mr. HIMES.
H.R. 3666: Mr. GARAMENDI and Mr. GIBSON.
H.R. 3704: Mr. LIPINSKI.
H.R. 3729: Mr. KIND.
H.R. 3798: Mr. LIPINSKI.
H.R. 3805: Mr. FINCHER.
H.R. 3849: Mr. GRAVES of Georgia.
H.R. 4066: Mr. NUNNELEE.
H.R. 4070: Mr. MURPHY of Connecticut.
H.R. 4124: Mr. BRALEY of Iowa.
H.R. 4157: Mrs. LUMMIS.
H.R. 4158: Mr. CRAVAACK.
H.R. 4202: Ms. LEE of California.
H.R. 4342: Mr. ROGERS of Alabama and Mrs. BIGGERT.
H.R. 4345: Mr. NUNNELEE.
H.R. 4373: Mr. CRAWFORD.
H.R. 4405: Mr. MORAN, Mrs. SCHMIDT, and Mr. NUNES.
H.R. 4467: Ms. RICHARDSON and Mrs. NAPOLITANO.
H.R. 4965: Mr. DAVIS of Kentucky and Mr. ROSS of Florida.
H.R. 5542: Mr. LIPINSKI, Ms. SCHAKOWSKY, and Ms. EDWARDS.
H.R. 5707: Mr. HINOJOSA.
H.R. 5729: Ms. HIRONO.
H.R. 5741: Mr. LUETKEMEYER.
H.R. 5746: Mr. DOGGETT, Mr. DAVIS of Kentucky, and Mr. PRICE of Georgia.
H.R. 5796: Mr. HULTGREN.
H.R. 5817: Mr. GOSAR, Mr. JONES, Mr. HARRIS, Mr. BARLETTA, Mr. SHERMAN, and Mr. MEEKS.
H.R. 5864: Ms. KAPTUR and Mr. CLARKE of Michigan.
H.R. 5905: Mr. HOLT, Mr. SCHIFF, Mr. ELLISON, Ms. PINGREE of Maine, Mr. VAN HOLLEN, and Mr. COHEN.
H.R. 5909: Mr. HASTINGS of Florida, Mr. THOMPSON of Mississippi, Ms. RICHARDSON, and Mr. TOWNS.
H.R. 5925: Mr. GRAVES of Georgia.
H.R. 5942: Ms. HAYWORTH.
H.R. 5969: Mr. FLAKE.
H.R. 5970: Mr. FLAKE.
H.R. 6000: Mr. LANKFORD.
H.R. 6009: Mr. PENCE.
H.R. 6012: Mr. LIPINSKI.
H.R. 6025: Mr. CANSECO and Mr. WESTMORELAND.
H.R. 6033: Ms. PINGREE of Maine.
H.R. 6046: Mr. HONDA, Mr. MCDERMOTT, and Mr. ACKERMAN.
H.R. 6087: Mr. MCDERMOTT.
H.R. 6088: Mr. WESTMORELAND.
H.R. 6097: Mr. PALAZZO, Ms. JENKINS, and Mr. JOHNSON of Ohio.
H.R. 6101: Mr. LARSEN of Washington.
H.R. 6112: Mr. GRAVES of Georgia.
H.R. 6128: Ms. CHU, Mr. GRIJALVA, Mr. JOHNSON of Georgia, Mrs. NAPOLITANO, Mr. HONDA, Mr. HINOJOSA, and Mr. BACA.
H.R. 6131: Mr. BASS of New Hampshire and Mr. DINGELL.
H.R. 6134: Mr. FILNER.
H.R. 6138: Mr. SIRES, Mr. BLUMENAUER, and Mrs. MALONEY.
H.R. 6139: Mr. RENACCI.
H.R. 6140: Mr. ISSA, Mr. MULVANEY, Mr. SMITH of Nebraska, Mr. GINGREY of Georgia, Mr. BUCHANAN, Mr. CHABOT, Mr. KING of Iowa, Mr. BACHUS, Mrs. SCHMIDT, Mr. MURPHY of Pennsylvania, and Mr. BROUN of Georgia.
H.R. 6148: Mr. GARDNER.
H.R. 6167: Mr. DONNELLY of Indiana.
H. Con. Res. 129: Mr. WELCH and Mr. LIPINSKI.
H. Con. Res. 131: Mr. WAXMAN, Mrs. LOWEY, and Mrs. CHRISTENSEN.
H. Res. 298: Mr. BUTTERFIELD.
H. Res. 484: Mr. BERMAN.
H. Res. 613: Mr. CARNAHAN.
H. Res. 618: Mr. MILLER of North Carolina.
H. Res. 652: Mrs. MYRICK and Mr. GONZALEZ.
H. Res. 694: Mr. CLAY.
H. Res. 704: Mr. STARK and Mr. WAXMAN.
H. Res. 713: Mr. AL GREEN of Texas, Mrs. MALONEY, Mr. MILLER of North Carolina, Ms. WOOLSEY, Ms. MOORE, Mr. WELCH, Mr. FILNER, Mr. DINGELL, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. CASTOR of Florida.

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 HASTINGS of Washington, or a designee, to H.R. 6082, the congressional replacement of President Obama's energy-restricting and job-limiting offshore drilling plan, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158 WASHINGTON, TUESDAY, JULY 24, 2012 No. 111

Senate

The Senate met at 10 a.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, awe and wonder grip us when we reflect upon Your majesty. You are the source of our strength and provide our hope for years to come.

Guide our Senators today. May they seek Your marching orders and have the courage to follow the cadence of Your drumbeat. Give them the courage to act as well as to think, to do as well as to talk, and to accomplish Your will on Earth in all their work. Lead them, O God, to think with clarity, to love with honor, and to see the stamp of Your image in all Your creation.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 24, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. BLUMENTHAL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

MIDDLE CLASS TAX CUT ACT—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 467, S. 3412, which is the Middle Class Tax Cut Act of 2012.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows.

Motion to proceed to Calendar No. 467, S. 3412, a bill to amend the Internal Revenue Code of 1986 to provide tax relief to middle class families.

SCHEDULE

Mr. REID. Mr. President, the first hour this morning will be divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans the final half. The Senate will recess from 12:30 to 2:15 p.m. today for weekly caucus meetings. At 3:40 this afternoon, there will be a moment of silence in memory of Officer Jacob J. Chestnut and Detective John Gibson of the U.S. Capitol Police, who were killed 14 years ago today in the line of duty defending this Capitol, the people who worked here, and the visitors against an armed intruder.

Yesterday, I filed cloture on the motion to proceed to the Middle Class Tax Act. If no agreement is reached, that vote will be tomorrow.

MEASURE PLACED ON THE CALENDAR—S. 3420

Mr. REID. Mr. President, I understand that S. 3420 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 3420) to permanently extend the 2001 and 2003 tax cuts, to provide for the permanent alternative minimum tax relief, and to repeal the estate and generation-skipping transfer taxes, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to this legislation at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the measure will be placed on the calendar.

TAX PROPOSALS

Mr. REID. Mr. President, Republicans claim to share Democrats' commitment to keeping taxes low for the middle class, so it is very strange that, if that is what they believe, they have repeatedly blocked votes on our proposal to cut taxes for 98 percent of American families. Two weeks ago Republicans seemed eager to have those votes. That is what the Republican leader talked about here on the floor: They wanted to vote on our proposal to cut taxes for families making less than $250,000 a year or 98 percent of Americans, and they wanted to vote on their competing proposal, which would actually raise taxes for 25 million families while handing out more tax breaks to millionaires and billionaires. Democrats have tried to give the Republicans what they wanted. We have offered to skip their usual procedural delays and hold up-or-down majority votes on both proposals. So far they have refused, but the offer still stands. If they want to vote on theirs and vote on ours, we will do it with a simple majority. So I hope the Republicans don't insist on doing this the hard way.

Why are Republicans delaying votes they asked for in the first place? They know a majority of Senators and a majority of Americans support our plan to help middle-class families. Our plan gives 114 million taxpayers—again, 98 percent of American families—certainty that their taxes won't go up, and it reduces the deficit by almost $1 trillion by ending wasteful tax breaks for the rich.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

The Senate Republican proposal takes a very different approach—and that is an understatement—to extend tax breaks for the top 2 percent of Americans, but it fails to extend tax cuts to help middle-class families. Their plan would hike taxes by another $1,000 for middle-class families while handing out an extra $160,000 tax break to every millionaire. Democrats will simply never agree that we should hand out more tax breaks to the richest 2 percent of Americans while our economy is in its current situation, but that shouldn't stop us from protecting the other 98 percent of Americans—and do it today.

CYBERSECURITY

Mr. President, I have had a number of briefings lately from people in the administration held in the classified facility here in the Capitol about cybersecurity.

Over the last few days, some of my Republican colleagues have suggested that the Senate should delay action on what national security experts have called the most pressing threat facing this country. Instead of considering bipartisan cybersecurity legislation, they say we should first consider the annual Defense authorization bill. I argue that we need to move rapidly to address the gaping hole in our defenses against cyber attack.

The Director of the FBI, Robert Mueller, said that cyber threats will soon overtake terrorism as the most significant threat to our national security. And in the minds of some, it is difficult to separate cybersecurity from what people are trying to do and have tried to do every day. It is the same as terrorism, it is just a different form.

A bipartisan group of national security experts led by former Secretary of Homeland Security Michael Chertoff, a Republican, and former Director of National Intelligence Mike McConnell, who was appointed during the Republican administration, said cyber threat ''represents one of the most serious challenges to our national security since the onset of the nuclear age.''

The ranking member of the Armed Services Committee, Senator MCCAIN, said:

> We must act now and quickly develop and pass comprehensive legislation to protect our electric grid, air traffic control system, water supply, financial networks and defense systems and much more from a cyber attack.

And he is right—we need to protect our electric grid.

The Presiding Officer participated in a demonstration in our classified room of how cybersecurity would work, taking down the Presiding Officer's State in the northeast part of this country. It could be done relatively easily, and it would take weeks and weeks to get it back up. We all watched that.

What JOHN MCCAIN said is really true. We must pass comprehensive legislation to protect our electric grid, air traffic control system, water supply, financial networks, defense systems, and much more. Any one of these things would be devastating to our country if a cyber attack is successful. JOHN MCCAIN suggested this almost a year ago.

The threat has only grown worse in that time, and failing to act on cybersecurity legislation not only puts our national security at risk, it recklessly endangers members of our Armed Forces and our missions around the world. Servicemembers themselves have been repeatedly targeted by cyber attackers. In one hack last year, more than 90,000 military e-mail addresses and passwords were stolen. In another hack of the TRICARE system, 4.9 million medical records from our military were stolen. If we are serious about protecting our troops, we must protect them against cyber attacks.

But acting to secure our critical networks doesn't mean we won't do other things to help the defense, of course. There are some specific concerns about the Defense authorization bill, and I have talked about them. We can't allow the Defense bill to become an end run around the bipartisan Budget Control Act, which has been so important to this country.

If we are going to debate the Defense bill, House and Senate Republicans need to make it clear that they are willing to abide by the budget levels set by the law that they all voted for, with rare exception, and we must also ensure that the Defense bill is not used as a platform to advance irrelevant partisan agendas.

REMEMBERING AGENT GIBSON AND OFFICER CHESTNUT

Mr. REID. Mr. President, I wish to take a minute to talk about Agent Gibson and Officer Chestnut.

It was 14 years ago, and it is really hard to comprehend that it has been that long. Officer Chestnut I knew by saying hello. But we had an event in Virginia where my wife became ill. I will never forget Agent Gibson running from the Capitol Police headquarters and administering aid to my wife. That was Agent Gibson, and I remember that so clearly. He was a wonderful guy. I felt I knew him so well because of his helping my wife.

Last week, this Nation was reminded how fragile life is with what happened in Colorado and how quickly it can be taken away, at random, with senseless acts of violence.

Fourteen years ago, the Capitol community was similarly reminded that we must never take life for granted. On this day in 1998, two dedicated U.S. Capitol Police officers—Special Agent John Gibson and Officer Jacob Chestnut—gave their lives while protecting this building and the people in it. But their lives were not spent in vain. As a result of their sacrifice, we now have a Capitol that is much safer than it ever was. It was a result of their having been killed that we were able to finally get the Visitor Center done. We were able to speed that up, and we got it done. Now people who come to this Capitol are safe in the building, and their security is as good as anyplace in the world. It is a much more pleasant visit now to the Capitol. So their lives were not given in vain.

While guarding the Capitol, Agent Gibson and Officer Chestnut were shot to death by, really, a madman. With the facilities we have now, that would not have happened. While nothing can erase the pain of losing a loved one, I hope their families take some measure of comfort from knowing that Agent Gibson and Officer Chestnut are not forgotten.

As a sidenote, I take special pride in the fact that I was a Capitol policeman. I worked in this building and carried a pistol. I worked swing shift, as we called it, from about 3:00 to 11:00 when I was going to law school. So every year when we give special recognition to this occurrence having happened, I think of my days here and what a different place it was. Of course there were things we had to look out for, but, as I have said before, the most dangerous thing I had to do was direct traffic. But that isn't the way it is now for the men and women who take care of us here in the Capitol—not just the Senators, not just the staff, but all the millions of people who visit this facility every year. So I honor their service and their sacrifice. And I reflect back on the days of my youth, for someone who came from where I came, walking around this facility, mostly at nighttime, a lot of times quite lonely.

So we are grateful for the brave men and women who safeguard the people's house. They do it today. They do it every day. We take them for granted, and we shouldn't. They are really gallant in the work they do. The Capitol Police is a wonderful organization, and I am proud of them, and every Member of the Senate is proud of them. Everyone in the country should be aware of the work they do to make this building safe.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

REMEMBERING OFFICER JACOB CHESTNUT AND DETECTIVE JOHN GIBSON

Mr. MCCONNELL. Mr. President, I would like to start this morning by remembering another deadly shooting, one that hit very close to home for most of us.

It was 14 years ago today that Officer Jacob Chestnut and Detective John Gibson of the Capitol Police were shot dead in the line of duty right here in the Capitol by a lone gunman. Their deaths serve as yet another reminder not only of the reality of evil but of the precious gift of life. Today we honor them for their lives and the final act of heroism that ended them.

A plaque inside the Capitol commemorates their sacrifice, and the Capitol Police Headquarters now bears their names. It is appropriate we also pause in the midst of our other duties to honor these men and every member

of the Capitol Police Force who works so hard to ensure our safety.

Officer Chestnut was a 20-year veteran of the Air Force and had 18 years of service to the Capitol Police. Detective Gibson also had 18 years of Capitol Police service, and until the day he died had never drawn his weapon. Both men left behind wives, children, and friends.

Today the Senate honors both of these good men once again and all of those they left behind.

TAX PROPOSALS

Mr. President, as the Senate resumes its work this week, Americans are hungry for leadership. The national debt hovers around $16 trillion. The Federal Government is on track to spend $1 trillion more than it takes in for the fourth year in a row, and Democrats have not done so much as pass a budget in nearly 4 years.

Meanwhile, President Obama is not even talking with us about what to do about any of these things. The taxpayers are basically paying him $400,000 a year to hold campaign rallies and show up at fundraisers. His latest proposal on taxes has more to do with helping his campaign than in reviving the economy. If you want proof, just ask yourself why Democrats don't want to vote on it.

Republicans will head into tomorrow's vote guided by a simple principle: Do no harm. In our view, the best approach to taxes right now is to let every American and every American business know they will not have a higher income tax bill at the end of the year. We think everybody in America should have that certainty.

The Democrats' guiding principle, to the extent they have one, is quite different. To them the goal is not so much relief for struggling Americans or reviving the economy, it is sending a message. Their message is that some people deserve relief and some people don't, and they will decide who those people are regardless of the effect it has on the broader economy or on jobs. It is an approach that isn't based on any economic outcome but on ideology. Americans are quite tired of it because it has been a disaster for our economy.

Think about it. If Democrats cared more about helping folks and reviving the economy, then they wouldn't be calling for a tax hike. Yet throughout this entire debate Democrats have not offered a single credible argument about how their tax increase targeted at job creators will help struggling middle-class Americans. Surely, they don't think this tax increase is the fiscally responsible thing to do.

Let's assume they got this tax increase. It would only generate enough money to fund the government for 5 days. Even if they got the tax increase they want, it would only generate enough money to fund the government for 5 days.

The larger point is this: The Senate should be in the business of actually making a difference rather than just making political statements. That is why we think we should have a vote on all three proposals tomorrow: the President's proposal, the Senate Democrat proposal, and ours. Show the American people what is behind their proposals and what we all stand for. If the Democrats believe the President's rhetoric, they will vote for his proposal, and he will work to get their support.

My guess is that Democratic leaders will not allow a vote on the President's plan, and that should tell us everything we need to know about the Democratic approach to the problems we face. They are either out of ideas, not serious about solving the problems we face or both. To them this is more about messaging or passing the buck than it is about helping anybody or preventing an economic calamity at the end of this year.

The President proposed a plan he thinks will help him on the campaign trail. Democrats proposed a plan they think helps them in the Senate. What about a plan that actually helps the American people? It is all politics and positioning to our friends on the other side of the aisle at this point, and it is quite disgraceful.

The time to act on the problems we face is right now. The fiscal cliff draws closer with each passing day. I think most people think the party in power has some responsibility to do something about it.

I yield the floor.

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 and their designees, with the majority controlling the first half and the Republicans controlling the final half.

The Senator from North Dakota.

REMEMBERING OFFICER CHESTNUT AND DETECTIVE GIBSON

Mr. CONRAD. Mr. President, before I talk about the matter at hand, I would like to remember Officer Chestnut and Detective Gibson. I did not have a chance to know Detective Gibson. I did have a chance to know J.J. and he was someone who lit up a room. He had a 1,000-watt smile.

I will never forget the time I was going to a meeting at the House of Representatives. I wasn't familiar with where the room was, and J.J. took me right to it. He was a delightful man, and it was tragic that his life was taken.

I will never forget the funeral. It was one of the most remarkable outpourings I have ever seen, and so we remember with enormous respect Officer Chestnut and Detective Gibson.

THE ECONOMY

Mr. President, I have to respond to the Republican leader. What a fountain of misinformation. He repeats this canard that no budget action has been taken here for 4 years.

What about the Budget Control Act that was passed last year with more than 70 votes in the Senate? That was passed instead of a budget resolution. It was a law. Anybody who has had even a little bit of civics knows a law is stronger than a resolution.

Indeed, that law cut spending by $900 billion over 10 years and put in place this sequester we now face that cuts another $1.2 trillion over 10 years for a total spending cut of over $2 trillion. It was the biggest spending cut in the history of the United States, and the Republican leader acts as though he never heard of it; it never happened. Let's get real. We took action in the House and Senate, and it was signed into law by the President.

The last time our friends on the other side were in charge, their policies brought us to the brink of financial collapse. Have we forgotten that the economy was shrinking at a rate of 9 percent in the last quarter of the previous administration? In their last month in office we lost 800,000 jobs—in 1 month. That was their record.

This administration has turned things around. We are no longer losing jobs; we are gaining them. The economy is no longer shrinking; it is growing. Maybe it is not as strong as we would like, but it has been a remarkable turnaround after the other side and their policies led us to the brink of financial collapse.

Let's talk about the legislation before us. It assures 98 percent of the American people are not going to have a tax increase, extends expiring provisions on income taxes, and income tax relief for everyone making below $250,000 a year. It includes incentives to promote work and support families, and it provides relief from the individual alternative minimum tax for 1 year, a tax that is increasingly affecting the middle class.

Our friends on the other side say: Whoa. Wait a minute. That means those making more than $250,000 will have a top rate of 39.6 percent. That is true. What happened the last time we had a top rate of 39.6 percent? That was during the Clinton administration. What was the economic record then? It was 39 straight quarters of economic growth from 1991 until 2000. It was the longest period of uninterrupted growth in this Nation's history. There were 24 million jobs created. That is what happened the last time we had a top rate of 39.6 percent.

Why is it important we begin doing something about these growing deficits and debt? It is because we are on an unsustainable course. This is one place where the Republican leader and I would agree. We are on an unsustainable course; we have been since the previous administration.

Have they forgotten that they tripled foreign holdings of U.S. debt during that administration, and doubled the debt? We are on an unsustainable

course. We are headed for a debt that will be 200 percent of our GDP if we don't act.

This is a spending and revenue problem. This chart shows spending and revenue as a share of the economy over the last 60 years. Spending is the red line, and the green line is revenue. As we can see, we are at or near a 60-year high in spending. We are at or near a 60-year low on revenue. It is true we have a spending problem. It is also true we have a revenue problem. Revenue is at or near a 60-year low.

Our friends on the other side want to just have the historic average for revenue. The problem with that is it is not a useful benchmark. This is spending going back to 1972, 40 years. The red line shows spending. The green line is the historic average for revenue. We can see that if we just had the historic average for revenue, we never would have balanced the budget in a single year over 40 years. That is what the other side wants to do.

The fact is the five times we have balanced the budget since 1969—in 44 years—the revenue was nearly 20 percent of GDP. It was 19.7 percent in 1969, 19.9 percent in 1998, 19.8 percent in 1999, 20.6 percent in 2000, and 19.5 percent in 2001. Facts are stubborn.

Former Republican Budget Committee Chairman Judd Gregg said this about revenue:

> We also know revenues are going to have to go up, if you're going to maintain a stable economy and a productive economy, because of the simple fact that you're going to have to have this huge generation that has to be paid for.

It is the baby boom generation. That is not a forecast; that is not a projection. They have been born, they are alive today, and they are going to be eligible for Medicare and Social Security.

In 2010, we saw some wealthy people paying no Federal income tax—nothing. People with incomes of $500,000 to $1 million in 2010, 14,000 paid nothing, zero. Those earning over $1 million in 2010 who paid nothing were 4,000. Is that fair? It is outrageous that 4,000 people earning over $1 million paid absolutely nothing and 14,000 earning between $500,000 and $1 million of income paid absolutely nothing and our friends want to defend that system. Shocking.

Here is what is happening to so-called tax expenditures. We are now spending more money through the Tax Code than through all the appropriated accounts. Who are the big winners? The top 1 percent in income, on average, get a benefit of $255,000 a year by the so-called credits, deductions, exclusions, and preferences that are shot through the Tax Code. We have a little five-story building in the Cayman Islands that claims to be home to 18,000 companies. They all say they are doing business out of that little five-story building. Are they doing business out of that little building or are they doing monkey business out of that building? Eighteen thousand companies in a little five-story building in the Cayman Islands evading and avoiding the taxes due in the United States. Our friends on the other side say: No change. Shouldn't touch that. That is fair? I don't think so.

Let's get real. Let's get serious. Let's take on deficits and debt. Let's make certain everybody has a chance to contribute, including those who are at the top rungs who are now paying nothing.

I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank my colleague from North Dakota, Senator KENT CONRAD, who is the chairman of the Senate Budget Committee. He is retiring, unfortunately, for the Senate and for this country because he has brought to this Chamber and to the national debate on our deficits an insight and a knowledge of the subject that is unequaled. He has become a close and dear friend of mine, even closer over the last couple years, while we labored shoulder to shoulder on the Simpson-Bowles deficit commission and bipartisan efforts afterwards in the Senate to deal with the deficit.

I am disappointed and somewhat troubled by the argument made by many in this Chamber that the deficit is the most serious problem facing America and then, in the same breath, they call for extending tax cuts to the wealthiest people in this country. What we are proposing is a tax cut for those making up to $250,000 in income. That will certainly include all—all—of the middle class and working families across America. The taxes will be higher for those in the 2-percent range of the highest income categories, and I think it is fair. I think those who have done so well and have been so fortunate in this great Nation should be willing to pay their fair share of taxes.

I support the middle-class tax cut the President has proposed. We want to bring it to the floor for a vote. I support it with the notion that we still have to keep our focus on the economy and creating jobs, No. 1, and deficit reduction and debt reduction, No. 2. We can do both. We have to take care that whatever we do to the Tax Code does not jeopardize our economic recovery. We are on a positive path, with 28 straight months of job creation in the private sector, and we want to continue it. But we also need to change a reality, which is that we borrow 40 cents for every $1 we spend in Washington. That is unfortunate and unsustainable. We have to make sure working families across America who continue to fall further and further behind each year and live paycheck to paycheck will have a helping hand from our Tax Code. That is known as progressive taxation. I think it is fair.

Those of us in higher income categories should pay more. Those who are struggling paycheck to paycheck, trying to care for their children, need a helping hand in the Tax Code. That is not only just and fair, it is good for the economy. Those of lower incomes are going to spend their money and do it in a fashion that invigorates the economy with the production of more goods and services.

The Republican plan that calls for tax cuts even for the highest income categories, as Senator CONRAD just noted, means a tax break of $250,000 for millionaires across America. I am sorry. The people who are making $20,000 a week—that is what a millionaire would make over the course of a year, $20,000 a week—do not need that tax break. They haven't asked for it, they don't need it, and they should be contributing toward reducing this deficit and saving America from deeper cuts in Medicare, education, and other expenditures that are critical to so many American families.

According to a recent analysis, the Republican plan would actually end up raising taxes on working families. If we give tax breaks to those who are at the highest level of income categories and still go after deficit reduction, then the working class families actually would have to pay more.

I asked a number of my constituents to respond to this notion about cutting off the tax cuts at $250,000 in income and several of them responded. Merry from Rockford, IL, said this:

> I oppose any extension of tax cuts for the top 2 percent. I am a mother of a developmentally disabled adult. I have seen more and more budget cuts each year for 30 years for the special needs population. However, for the 30 years we have been involved with this ''trickledown theory,'' there have been no conclusive reports showing that this theory is working.

John, a veteran living in Plainfield, IL, writes:

> We fully agree with our President that the rich should pay a little more for their tax share! We (the middle class) are rapidly fading away. We have worked for most of our lives—only to witness corporations take over and fraud in our financial markets!

Jennifer from Chicago writes:

> I am appalled that Congress would consider cutting food stamps and other vital services for poor people and their families while maintaining tax breaks for those in the upper 2 percent of income. Wealthy people can afford to live on a little less. Poor children cannot afford to do without food and shelter.

When we talk about tax policy and debt reduction, let's do it sensibly. Let's help working families. Let's fix the Tax Code in a way that gives them a fighting chance. Let's ask the upper 2 percent—the top 2 percent of wage earners—to pay their fair share. It is not unreasonable. Everyone must be prepared to make some sacrifice. Let's make certain that working families are protected in this debate.

I note that Senator MURRAY was coming to the floor to speak on this tax issue, but she has been delayed, and I ask unanimous consent that she be recognized to speak after I finish my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. I also ask unanimous consent that if I go over the allotted time in morning business for the majority, that I and Senator MURRAY be given an additional period of time and a like amount of time be offered to the Republican side.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE DREAM ACT

Mr. DURBIN. Mr. President, 11 years ago, I introduced a bill called the DREAM Act. The DREAM Act is a piece of legislation that would give a select group of immigrant students who grew up in this country the chance to earn their citizenship if they were of good moral character and if they were prepared to serve in the military or complete at least 2 years of college.

The young people who would be eligible for the DREAM Act came to be known as the DREAMers. These are young people brought to the United States as children and infants. They grew up in this country overcoming great obstacles. They will be our future doctors, our engineers, our teachers, our lawyers, our soldiers. They will make America a better nation. They didn't make the decision originally to come to this country; it was a decision made by their parents. If their parents were breaking the law in that decision, I don't believe their children should be held responsible. That is not the American way.

As did the civil rights activists of past generations, the DREAMers are speaking out. They are telling their stories publicly, even though many of them know they risk deportation from the only country they have ever known as home. They have organized rallies and marches where they advocate for the DREAM Act, and they have declared their undocumented status. They wear T-shirts and carry signs that bear their slogan: ''Undocumented and Unafraid.''

These DREAMers have been by my side every step of the way, fighting for the DREAM Act, for 11 years, and I am proud of them.

In 2007, the first time the DREAM Act came to a vote on the floor of the Senate, there were a few DREAMers sitting right up in the gallery. We won 52 votes that day. It was a bipartisan majority. Frankly, we have always had a bipartisan majority, but we have never had the 60 votes we need to overcome the Republican filibuster against the DREAM Act.

Three years later, in December of 2010, the DREAM Act was again considered on the floor of the Senate. This time, it was different. The Senate gallery was filled to capacity with DREAMers wearing graduation gowns and caps. It was an inspiring sight. That day, 55 Senators voted for the DREAM Act. Again, we had another bipartisan majority, but, again, we fell short of the 60 votes we needed to defeat a Republican filibuster of the DREAM Act.

I made a commitment that day, after that vote was lost, to the young people who would be eligible for the DREAM Act, that I wouldn't give up, that I would keep on fighting for the DREAM Act as long as it takes to make it a law.

Since that vote in December of 2010, I have come to the floor of the Senate to tell the DREAMers' stories. I think it is the best way for people to understand the DREAM Act. Today, I wish to tell my colleagues about another DREAMer. Her name is Erika Andiola. Erika was brought to America from Mexico when she was 11 years old. She grew up in Arizona and enrolled at Arizona State University. But then Arizona passed a new law prohibiting public universities from giving financial aid or instate tuition rates to undocumented students. Hundreds of students were forced to drop out of school. Erika persevered. She graduated with honors from Arizona State with a bachelor's degree in psychology. She has been very active in advocating for immigrants and the DREAM Act. She is the founding president of the Arizona DREAM Act Coalition. Her dream is to be a school counselor.

The story I have just told of Erika Andiola is the 50th DREAMer story I have told on the Senate floor. It is an amazing group. It includes DREAMers who grew up in 17 different States, from Oregon and Washington in the Pacific Northwest—and I see my colleague Senator MURRAY on the floor—to Illinois and Michigan in the Midwest, to North Carolina and Georgia in the Southeast. These DREAMers came from all over the world to America, from 19 different countries, including Europe, Asia, Africa, South America, and Central America. Yet all of them have something in common: Their home is America. They are just asking for a chance to give back to this great country.

To mark the occasion of the 50th DREAMer story on the floor of the Senate, many of the DREAMers I featured on the floor have made a trip to Washington and have gathered in the Senate. They are here this morning, and I wish to take a few minutes to recognize them.

Let me start with the person who started the DREAM Act, Tereza Lee. Tereza was brought to the United States when she was 2 years old to the city of Chicago. She received her bachelor's and master's degrees from Manhattan Conservatory of Music, where she is currently pursuing her doctorate.

The next person I wish to refer to is Eric Balderas. Eric came to the United States from Mexico when he was 4 years old. He was valedictorian and student council president at his high school in San Antonio, TX. He is now a student at Harvard University where he is majoring in molecular and cellular biology. His dream is to become a cancer researcher.

The next is Manuel Bartsch. Manuel came to this country from Germany when he was a child. He recently graduated from Heidelberg University in Ohio with a major in political science and a minor in history. He wants to pursue a career in government and politics.

The next is Kelsey Burke. Kelsey came here from Honduras when she was 10 years old. She graduated from Florida Atlantic University with a major in public communications. She begins law school this fall, and she dreams of becoming an attorney.

The next is Julieta Garibay. She came to America when she was 11 years old. She graduated from the University of Texas with a bachelor's and master's degree in nursing. She has been a registered nurse since 2004. She dreams of serving in our military as a military nurse.

The next is Maria Gomez. Maria came to the United States from Mexico when she was 8 years old. She graduated from UCLA with a bachelor's degree in sociology and a master's degree in architecture. She dreams someday of being a licensed architect in America.

Next is Angelica Hernandez. She came here when she was 9. She graduated from Arizona State University as the outstanding senior in the Mechanical Engineering Department. Someday she wants to be a licensed engineer in the United States of America.

Next is Ola Kaso. Ola was brought to the United States from Albania at the age of 5. She is a pre-med student in the honors program at the University of Michigan. Her dream is to be a surgical oncologist.

Next is Sahid Limon. Sahid was brought to America from Bangladesh when he was 9 years old. He graduated from East Carolina University with a bachelor's degree in biology.

Next is Jhon Magdaleno. Jhon came to the United States from Venezuela when he was 9 years old. He is an honor student at Georgia Tech University, where he is a biomedical engineering major.

Next is Tolu Olubunmi. She actually was brought to America from Nigeria at the age of 14. She obtained a bachelor's degree in chemical engineering 10 years ago. She has never worked a day as a chemical engineer because she cannot be licensed. That is her dream: to be a licensed engineer.

Here is Gaby Pacheco. Gaby came to the United States from Ecuador at the age of 7. She has earned two associate's degrees in education and is now working on her bachelor's degree. She wants to teach autistic children. She has become an extraordinary leader in this movement.

Next is Pedro Pedroza. He came to the United States when he was 5 years old and grew up in Chicago. He graduated from Cornell University with a BA in Spanish literature and a minor in Latino studies. His dream is to be a teacher.

Next are two brothers who are here, Carlos and Rafael Robles. Carlos is majoring in education at Loyola University in Chicago. He dreams of being a

teacher and may get his chance at Palatine High School. Rafael is majoring in architecture at the University of Illinois in Chicago. Of course, he dreams of being a licensed architect.

Next is Novi Roy, who came to America from India as a child. Novi graduated from the University of Illinois at Urbana-Champaign with a bachelor's degree in economics and two master's degrees—one in business administration and one in human resources. His dream is to help provide affordable health care for all Americans.

Next is Felipe Sousa-Rodriguez. Felipe came to the United States from Brazil when he was 14. He recently graduated summa cum laude from St. Thomas University with a bachelor's degree in business studies and a minor in economics. His ambition is to be a teacher.

And last is Cesar Vargas, another good friend, who was brought to the United States when he was 5 years old. He recently graduated from the City University of New York School of Law with honors. He dreams of one day serving in the Judge Advocate General's Corps, of being in our military and serving the Nation he loves.

I thank all the Dreamers who are here today and have gathered with us. They have come a long way. It took an extra effort for them to come to Washington and to step forward and to allow me to share their stories again with the people who follow this debate.

Today I am launching ''American Dreamers,'' a new Web site featuring the Dreamers whose stories I have told on the floor of the Senate, including all of those who are here today. We are going to update this Web site as I tell more stories. You can find it at www.durbin.senate.gov/dreamers.

This is a hopeful time for the Dreamers. It is better than it has been in a long time because this President, his administration recently announced that we will give the Dreamers temporary legal status to be here in America. This status will allow them to live and work legally without fear of deportation. The status needs to be renewed every 2 years, but they get their chance. It gives these young immigrants an opportunity to come out of the shadows and be part of the only country they have ever called home. The Obama administration's new policy will make America a stronger and better Nation by giving these Dreamers a chance to be part of our future.

This policy has strong bipartisan support in Congress. My special thanks to Senator RICHARD LUGAR of Indiana, who joined me in cosponsoring this bill and asking for this status on immigration years ago. It took extraordinary political courage for him to do that, and I thank him once again, as I have before.

According to recent polls, the American people think the President is right in giving these Dreamers a chance to earn their way toward legal status by a margin of almost 2 to 1. A future President could come along and change this policy, so the Dreamers are still at risk, but they are prepared to step up, to follow the law, and to become part of America's future with permanent residency someday and perhaps citizenship, which is our ultimate dream.

The President's new policy is a step in the right direction, but ultimately it is Congress that must act—the House and the Senate—to pass the DREAM Act and give these young people who have gathered here today and thousands more just like them the path to citizenship in America.

I want to give special thanks to Majority Leader HARRY REID. The last time we called the DREAM Act he took a lot of grief for it. They said: Oh, it is just a political thing. But it is not. He believes in it, as so many of us do, and he was prepared to guide the Senate through a week-long debate to get to a vote. We did not have enough votes to break the Republican filibuster, but we demonstrated again bipartisan support for a sound, good idea for America's future.

I also want to give special thanks to Joe Zogby, sitting on the floor here. Joe is an attorney on my staff who for 11 years now has battled side by side with me to pass the DREAM Act. And Vaishalee Yeldani, who is on our staff as well, has been terrific in helping us prepare these floor statements and to continue this battle forward.

I said to the Dreamers the last time it was brought to the floor and we did not have the votes: I am not going to give up on you. Don't give up on me. We are going to do this. I am dedicated to them and to the fact that many of us who are the sons and daughters of immigrants—and, frankly, that includes almost all of us in this country—understand that the diversity of immigration has made America a stronger place. These DREAM students will prove once again, as generations have before, that given a chance they will make America a better country.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor today to urge my colleagues to support the extension of tax cuts for 98 percent of workers and 97 percent of small business owners.

This should be a no-brainer. Democrats do not want taxes on our middle-class families to go up, and Republicans claim they want that too. They also say they want these tax cuts extended.

So this should be easy. When 100 Senators agree on a policy, we should be able to pass a bill. But, unfortunately, Republicans are not focused on the 98 percent we agree on. They are preoccupied with the 2 percent we are not. They are prepared to take our country over the edge and into the new year in an effort to prevent millionaires and billionaires from paying a penny more in taxes.

Republicans are so opposed to having the wealthy pay the very same rate they were paying during the Clinton years that if they cannot force through more tax cuts for the rich, they would prefer taxes to go up on middle-class families. They want 98 percent of workers to pay the price if millionaires are asked to pay a penny more. This is unbelievable and a deeply cynical position to take. It does not make any sense.

We have a fundamental difference of opinion between the two parties about the Bush tax cuts for the wealthiest Americans that have added trillions of dollars to the deficit and debt.

I am not asking Republicans to set aside their values. It is clear they are deeply committed to putting more money into the pockets of the wealthy. All I am saying is—all Democrats are saying is—we should not let that disagreement on tax cuts for the rich cause taxes to go up for the middle class. We can certainly have a debate about the merits of extending tax cuts for millionaires and billionaires. I am confident Republicans are ready to stand here on the floor and make their case. I am prepared to make mine. But I urge our Republican colleagues now to not play political games with the tax cuts that both sides believe should be extended. Because holding these middle class tax cuts hostage is bad policy, it is bad economics, and, frankly, it is bad politics.

Poll after poll shows the American people support ending the tax breaks for the wealthiest Americans. Republicans know they are in an unsustainable political position. They know they cannot be seen as holding middle-class tax cuts hostage for more tax cuts for the rich.

Last week we saw how they reacted when they got called on that reality: stomping their feet and shaking their fists, trying to muddy the water and change the subject. They do everything but admit it is time for compromise.

In fact, just this morning, the Republican Senator from Pennsylvania gave a speech about his plan for even deeper tax cuts for the rich—down to 28 percent for the wealthiest Americans. It is stunning. While Democrats are fighting for tax cuts for the middle class, Republicans are not only holding them hostage to continue the tax cuts for the rich, they are also scheming for ways to cut taxes for the wealthiest Americans even more. But their rhetoric is not going to fool families and small business owners in America.

I recently heard from a constituent of mine. His name is Rob Robinson. He is from Walla Walla in my home State of Washington. Rob owns a small construction company. He just finished work on the local police department. He said to me, ''I've been a small business owner for over twenty-five years and it's outrageous to me that some members of Congress would hold up middle class tax cuts for the sake of protecting the wealthy from paying their fair share.''

He went on. He said: ''The fact that they justify cutting taxes for the

wealthy by invoking the name of small businesses tells me that they are simply out of touch with the economic reality of the majority of small business owners in this country.''

I heard from another small business owner. His name is Allan Willis. He is from Kennewick, WA. Allan opened his small business, Tri-city Music, in 2008. He wrote to me saying:

> I'm like a lot of Main Street small business owners. I open the shop in the morning and close it down at night. I vacuum the carpets and clean the bathrooms. I strive to provide my customers with an incredible level of customer service after the sale. I work hard and am blessed that I make enough to pay my fair share of taxes.

Allan told me:

> When Republicans hide behind the name of small business to support their agenda for lower taxes for the rich, they don't speak for me. Let's call it what it is: political identity theft. They are stealing the name of small business as a smokescreen for tax policy that benefits millionaires.

That is a quote from Allan.

I also heard from a constituent of mine named Dallas Baker. Dallas is a Seattle firefighter. He has been on the job for 15 years. He told me he loves serving his community and making a difference. But he said—and I quote—

> My daughters and I are all making sacrifices now. We are comfortable but we are losing ground.

If taxes went up for middle-class families like his, it would only get harder.

Rob, Allan, and Dallas are among the 98 percent of workers and 97 percent of small business owners the Democrats' bill would extend our tax cuts for. Those are the people I am fighting for—them and millions across America—middle-class families who have been struggling, who have sacrificed so much, and who should not see their taxes go up.

But my Republican colleagues do not seem to be focused on people such as Rob, Allan, and Dallas. They are much more concerned about the tax cuts for the wealthiest Americans, many of whom happen to be their biggest campaign and super PAC donors. They may claim to be here talking for small business owners, but they are not speaking for the small business owners I hear from—not small business owners such as Rob and Allan or the 97 percent who Democrats are here fighting to protect tax cuts for—but fighting for people such as Joseph Craft. He is a coal industry billionaire. Mr. Craft is worth an estimated $1.4 billion, according to Forbes, and Republicans are fighting to cut his taxes. They are fighting for people like Harold Simmons. He made his billions on corporate buyouts. Harold is worth an estimated $9 billion, and Republicans are fighting to cut his taxes too. And they are fighting for people such as Harold Hamm. He is an oil and gas billionaire. He is worth an estimated $11 billion. Republicans are doing everything they can to make sure their taxes do not go up a penny.

The vote on the middle-class tax cut extension is going to be very illuminating. It is going to highlight some stark contrasts and give the American people a clear view into the priorities of our two parties.

Democrats are here focused on the middle class. We want to extend the tax cuts for 98 percent of our workers and 97 percent of small business owners, people such as Rob, Allan, and Dallas, and millions more. But if Republicans do not vote for our tax cut bill, it will demonstrate clearly they do not care about certainty, they do not care about the economy, and they certainly do not care about the middle class.

Rather, they care about extending those tax cuts for the rich above all else and to use every bit of leverage they have to do it, and they are prepared to let taxes go up on every family if they do not get their way. I hope they change their tune.

They say inaction is not an option. Well, here is their chance to act for 98 percent of workers and 97 percent of small business owners. All they have to do is stop playing games and stand with us to pass their bill this week. If they do, I would be happy to have an honest debate about extending the Bush tax cuts for the rich they are so passionate about. If they do not and taxes go up on every American because Republicans insist on protecting and extending the Bush tax cuts for these guys, then they are going to have to explain that to Rob and Allen and Dallas and millions of families and business owners just like them.

I yield the floor.

The PRESIDING OFFICER (Mr. TESTER.) The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to enter into a colloquy with my Republican colleagues.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BUDGET

Mr. ALEXANDER. Mr. President, the Senator from Washington said Republicans often change the subject. That is exactly what we intend to do. We intend to change the subject from raising taxes to creating jobs.

In terms of taxes, according to the Congressional Budget Office report recently released—this is hard to believe. You have to go back and read it again, but 20 percent of Americans who pay individual taxes pay 94 percent of all the taxes. Twenty percent of Americans pay 94 percent of the taxes. The President and his allies are about the only ones in the country right now who are going out across the country and saying: The way to solve this 5 years of recession and the bad economy we have experienced is to raise taxes on the people who create millions of jobs. That is their argument, that the way to deal with the bad economy we are in is to raise taxes on the people who create millions of jobs.

We do not believe that. We are prepared to keep the tax rates where they are while we deal with what we need to deal with, which is the fiscal cliff that the Chairman of the Federal Reserve Board talks about, where he says, if we do not deal with it at the end of the year, we will produce, according to the Congressional Budget Office as well, a recession in the first 6 months of 2013, which means more loss of jobs.

So the subject we are here to talk about this morning is how to avoid that. The question we are going ask is, why not bring up the appropriations bills and do our job under the Constitution to limit spending and get a head start on the business of putting the fiscal problems we have behind us. Nothing could create jobs more rapidly than for us to bring Washington into some solvency, create some certainty. People have said: We are not going to invest, we are not going to hire until we can see whether Congress can act.

As far as the appropriations bills, here are the basics: We have 12 of them that we are supposed to pass every year. A bipartisan group of us went to the floor a few months ago and praised the majority leader and the Republican leader for their agreement to try to bring them to the floor and pass them. That has only happened twice in 12 years. So we worked hard to do that. Nine of the 12 appropriations bills are ready for the Senate to consider. In other words, they have been all the way through the committee process. They are ready for the Senate to consider.

Only the majority leader can bring them to the floor. Yet he said 2 weeks ago suddenly: No appropriations bills this year. That is 38 percent of the budget. That is more than $1 trillion. That is our job to do. It is the way we control spending. Yet we are not even going to deal with it. So this morning we are going to talk about the consequences of that and hope the majority leader will change his mind and bring these bills to the floor.

The House is doing its job. The House has acted on eleven of their 12 bills and the House has passed 7. While they may be at a different overall spending level than we are, we have a well-established procedure for dealing with that called the conference, which is the way we normally deal with differences between the two Houses.

So suddenly we are saying, no budget, no appropriations bills. That is why we are on the floor today. I wish to begin by asking the Senator from Georgia, who is a former leader of the Republicans in the Georgia legislature, who has been here for a number of years, and who has been one of the leaders in this body of working across party lines to try to cause the Senate to do its job, whether he can think of a good reason why we should not be dealing with appropriations bills this year.

Mr. ISAKSON. I thank Senator ALEXANDER for the recognition and for joining with Senator BLUNT in this colloquy. As I was listening to you talk, I thought back to what happened in my family Sunday night. I want to start my remarks with that.

My wife Dianne and I went to my son Kevin and his wife Katherine's house to cook out hamburgers on Sunday night. Three of my nine grandchildren were there: Elizabeth, Sarah Katherine, and William. Elizabeth had arrived late, by the way, because she had been at a birthday party, the theme of which was dressing their American Girl dolls.

When Elizabeth finally got home, she sat down by me and she said: Grandpa, I want to talk to you. She calls me ''Pops.'' I want to talk to you about my American Girl doll and some accessories that I want to buy. So she went over with me how much money it would take to buy the accessories and how much money she made for her chores. We sat down and kind of budgeted how many chores it is going to take to make the amount of money she needs to buy the American Girl doll accessories. Riding home that night I commented to my wife: You know, I just spent more time talking about budgeting and appropriating with my granddaughter than I have spent the entire year in the Senate.

This morning I was with Bud Peterson, the president of the Georgia Institute of Technology, and you can identify with this as a former president of the University of Tennessee, and Senator BLUNT, the former president of Southwest Baptist University. He was talking about how tuition has not gone up that much, but the amount of State support to subsidize tuition has gone down because the States are having to live within their means, having to have balanced budgets. They are having to cut.

I thought to myself, here we are in Washington, the leaders of the country, the people who should be setting the example. Yet my State and my granddaughter are doing a better job than we are. That is an indictment of the system.

I joined the Senator when he commended Senator REID on saying he was going to bring appropriations bills to the floor. I will come to the floor and cheer him again if he will bring them to the floor. We are running out of time, but we are also running out of the patience of the American people.

Senator ALEXANDER's remarks about jobs—appropriations are all about jobs. Right now we are operating for the third year in a row under what is known as continuing resolutions. Do you know what that means? That means we are continuing to do things just as badly as we did the year before, because we are not facing the music. We are not prioritizing our expenditures. We are talking about the appropriations of the American people and their tax dollars.

Senator MURRAY was talking about taxes as one part of the equation. It is only one part. Spending is the other part of the equation. You only address spending by taking up appropriations bills, by having debate and by moving forward.

By way of example, my State is having a referendum in 2 weeks, a referendum on a $7.4 billion increase in sales tax dedicated for 10 years to roads and improvements in infrastructure. Our State needs it. The taxpayers are going to vote on it.

President Obama announced a couple of weeks ago a prioritization of the Port of Savannah in Georgia in terms of finishing the deepening and the widening of that project so the Panamax ships can come in. But if we are not doing appropriations bills on WRDA, we are not doing appropriations bills on the Corps of Engineers, we are not doing appropriations bills on highways, those jobs are not going to come, or we are not going to have jobs and the velocity of investment we need to have.

It is a real indictment of the greatest democracy on the face of this Earth, the leader of the entire free world, that in a time when we are in difficulties, we are in a time with increased debt, we are in a time of great challenges, we are talking more with our grandchildren about spending and saving than we are talking to each other about the money of the taxpayers of the United States of America.

I commend the Senator from Tennessee and the Senator from Missouri on their dedication to this subject and the leadership they have shown on appropriations in subcommittee work, and Senator COCHRAN, all of the members of the Appropriations Committee. The bills are ready. All it takes is for someone to drop the flag and say: Bring them to the floor. I hope Senator REID will reconsider not bringing them to the floor and instead bring them to the floor. Let us talk about the American people's money. Let us talk about jobs. Let's talk about investment in the greatest country on the face of this Earth.

I yield back to the Senator from Tennessee.

Mr. ALEXANDER. I thank the Senator from Georgia for his clear statement about solving the appropriations problems, solving the fiscal problems, creating an environment in which the private sector in this country is willing to create more jobs, and how failing to do that, in the words of the Chairman of the Federal Reserve Board, would be ''destructive.'' In the estimate of the Congressional Budget Office, it would create a recession in the first 6 months of 2013.

The Senator from Missouri is the former No. 2 leader in the House of Representatives and now he is a part of the Senate Republican leadership, so he has some special knowledge about how the two Houses work together.

The majority leader gave as his reason why he could not bring up the appropriations bill, one, that it did not fit the Budget Control Act. Well, the Budget Control Act, which we passed, I voted for it, set a limit on appropriations, and the Senate is marking up its bills to that number. The House is marking up to a number a little below. The majority leader said: Well, they are at one number, the Senate is at another number, so we will not do anything.

I would ask the Senator from Missouri, I thought it was a pretty normal procedure for the House of Representatives to do what it thought it ought to do, and the Senate to do what it thought it ought to do. There is something called a conference of the Senate and the House to work out the differences.

Mr. BLUNT. That is exactly right. That is the way the process is supposed to work. I think the observation the Senator made on the Budget Control Act is that is the maximum amount of money we agree to spend. The majority leader's view is: Well, if the House decides to spend less than that, somehow we cannot move forward.

The truth is that is the excuse for this year. In the 6 years that the current majority has controlled the Senate, they have not passed a budget three times and three times have not brought a single appropriations bill to the floor. I do not exactly know what the excuse was the other times, but this year it is: Well, the House has a different number.

The House is a different institution. It is the House of Representatives. They get elected every 2 years. They bring bills to the floor. In fact, they have had a budget the last 2 years and we have not. I think the House the last year that the majority controlled, the last year NANCY PELOSI was Speaker, did not have a budget. That may be the only time ever since the budget law in 1974. But the Senate has not had a budget for 3 years.

There is that old saying: If you fail to plan, you plan to fail. Clearly the budget is a plan, and the Parliamentarian says we do not have one. The Parliamentarian says the Senate has failed to obey the law for 3 years now because we do not have a budget. We are not prepared to tell the American people what our budget is. And even in spite of not having a budget, the Senate Appropriations Committee has gone ahead and figured out a number they could use as the number to appropriate to. Those bills are ready. The only problem is, those bills are not allowed to come to the floor. A few days ago, I cannot remember what the waste of time that week was on the Senate floor, but I said, in the leadership stakeout: Why are we not doing the things we are supposed to be doing that give us a plan, that tell the American people what we are for? Then at the next moment, the next press opportunity, the majority came out and they asked the leader: Why are we not doing that? And the majority leader said: Well, because the House has a different number, so we are not going to have an appropriations process until the election is over.

It is particularly interesting to me that the majority's view is that they do not want to tell people until the election is over what they are for. The House is saying what they are for.

They have had 11 of the 12 bills ready to go to the floor, and more than half of them have been voted on. They voted on a budget. But in the Senate, we are not prepared to tell people what we are for.

Another thing, this is 38 percent of the budget. Senator ALEXANDER mentioned this earlier. What about the other 62 percent? The other 62 percent now gets spent if we do not even show up, if nobody takes any action, because we have already defined the so-called entitlement part of the budget. A lot of that is Medicare, Medicaid, and Social Security—62 percent. By the way, that was all of the money that came in.

And while we have not had a budget for 3 years, while over 6 years we have only brought appropriations bills to the floor three times, our national debt has nearly doubled. It went from $8.67 trillion when the current majority leader became the majority leader to $15.87 trillion now 6 years later. We have doubled the debt. We have failed to plan. So I guess the old adage is true: If you fail to plan, you plan to fail. Our big failure is we have allowed the debt of the country—the debt that was accumulated in over 200 years, we have now doubled in 6 years. During that 6 years, we have simply been unwilling to do our work. The American people are upset about what is happening in Washington, and they should be. I am upset about it too. We could be talking about spending on the floor of the Senate. That is the only way to ever get spending under control—the appropriations bills, the most basic work the Congress is supposed to do. By the way, we ought to get to where we are talking about more than 38 percent of the budget when we talk about the appropriations bills. We have to get that back in the right category as well.

We have to make the Senate work. The best way to do that is to do the job the Congress is supposed to do, the House and the Senate. When only the House does it, there is no chance to have that conference. That is how legislation works, back to the Senator's original point. The House passes a bill. Any of us who had the basic civic course remember how that chart looked: The House passes a bill, the Senate passes a bill, then you go to conference and talk about the differences.

But the current majority has said: Well, there are differences. We could never work that out, so we will not do our part of the legislative process. We will not have the debate in the Senate. We will not tell the American people what we are for, and we will let them go to the polling place on election day guessing what we might be for, but we are certainly not going to let them find that out by bringing legislation to the floor.

The Senate is not doing its work. This is the fundamental work that needs to be done. I mean, imagine when the Senator was the Governor of Tennessee or when he was president of the University of Tennessee, if he decided they were not going to have a budget, or this interesting argument some of our colleagues make that the Budget Control Act is the budget because it sets the top line.

That would be like when Senator ALEXANDER was Governor and had gotten his adviser and Cabinet together and said: Here is the amount of money we are going to spend. Now let's see how it works out.

That would be the budget? Of course that wouldn't be a budget. It would be a disaster. And the 6-year deficit numbers of $8.67 trillion to now, 6 years later, $15.87 trillion proves the disaster truly has happened.

I just can't imagine. How could one possibly run a State or university or a business if their budgeting process was, here is the top number we are going to spend; now let's see how it works out.

Mr. ALEXANDER. Well, I can't imagine how that would be. In fact, this is such a breathtaking assertion by the majority leader, it is hard to grasp it.

Here we are in a fiscal mess. Everybody says that. They will say it is for a different reason on that side than we do, but everybody acknowledges it. Everybody acknowledges as well that while the rest of the world is in trouble, we are just in a little less trouble and we can get out of our trouble more easily than the rest of the world; that the single biggest decision about whether the United States deals with its fiscal crisis and gets the economy moving again is whether the President and the Congress can govern. That is what everyone says, and we know it is true. In other words, this isn't out of our hands. This isn't out of our control. In fact, it is within our hands. All we have to do is come to some agreement about how much money we can spend, reform the taxes, reduce the debt, control entitlement spending, and this country will take off like a rocket.

The retiring head of the World Bank last month told a briefing of about 35 Democratic and Republican Senators—all of whom are concerned about this, all of whom are committed to working on it—that people who are making decisions about whether to hire people or whether to invest more money in the United States have stopped. They have stopped because of the uncertainty. And what are they waiting on? They are waiting to see whether we can function. They are waiting to see whether we can govern. They have stopped to wait and see.

This is not an encouraging indication about whether the United States can govern. We had some encouragement earlier in the year. That is why several of us from both sides of the aisle came to the floor and complimented the majority leader, complimented the Republican leader, and said: We applaud your agreement to do the appropriations bills.

It says right here in the Constitution, Section 9 of Article I, that no money shall be drawn from the Treasury but in consequence of appropriations made by law. In other words, Article I—this is our job. People say I use the Grand Ole Opry as an analogy too often sometimes, but why would you join the Grand Ole Opry if you didn't want to sing? Appropriating money is what we do.

If the Senator doesn't like the Solyndra loan, then I am supposed to come up here and make that argument if I agree with that. If Senator BLUNT has a flood problem out in Missouri, he can make the argument that he made last year: Put some more money in to take care of the flood victims; take some more money out of here to pay for it.

If we want less of this or more of that, the way we do that is by going through the appropriations process, coming to the floor, offering amendments, and representing the people who elected us and sent us here. What are we supposed to say when we go home and they say: We think there should be more money for the Center Hill Dam on the Caney Fork River or more money for the levees down along the Mississippi and there ought to be less money for loans like Solyndra. Are we supposed to say: Well, sorry, we are not in business in the Senate because the one person who can put an appropriations bill on the floor has announced suddenly that he is not going to do it.

It is not because we don't have time to do it. Look, we could be doing it today. I will bet we don't even have a vote today, much less debate something interesting. We have been wasting the entire month. We could have taken up almost every one—most of the nine appropriations bills that are ready to be enacted and put them on the floor to vote.

The Senator from Missouri is a part of the Republican leadership. He has that honor. There is a different way to run the Senate, and maybe that should be a major factor in the election this year. Maybe people would like to see the Senate work on the $1 trillion that is a part of the appropriations bills, bring amendments and bills to the floor in a bipartisan way, let Senators from every State vote on those, and vote them up or down. That would be one way to run the Senate.

And I wonder if that kind of discussion has been going on in the Republican leadership. If we were fortunate enough to have a majority and move a few desks from that side over to this side as a result of the election, how do you think Senator MCCONNELL and the Republican leadership would conduct business in the Senate?

Mr. BLUNT. I do think we are having that discussion, and particularly about the budget.

There have never been 60 popularly elected Republican Senators, so anytime the Republicans have controlled the Senate, it was with a number that was below 60. And the budget became incredibly important because you can

do things that involve spending money or collecting money during the 10-year budget window, and that decade can be extended every single year if you wanted to. So you can always be talking 10 years in the future of solid policy. And, by the way, in a democracy, 10 years of knowing what the policy is is a lot of time.

We have to have a budget. Our friends in the majority—now there are 53 of them—could do anything in the budget or at least set out to do anything in the budget that 53 of them said they wanted to do. They could change tax policy for 10 years if 53 of them wanted to do it. They could change how we implement the President's health care bill, if 53 of them wanted to do it, because that is spending money, and we would have to do that.

I don't think there is any doubt that if our side were in the majority, we would have a budget because, frankly, it is the biggest tool our size majority has ever had. There have never been 60 of us. We couldn't rely on 60.

Mr. ALEXANDER. If the Senator would yield, I have heard Senator MCCONNELL, the Republican leader, speak both in our Republican caucus and in meetings with Democrats in committee and publicly. I believe he has made it absolutely clear that if he were fortunate enough to be the majority leader, that he would bring appropriations bills to the floor, that he would see that a large number of amendments from both sides of the aisle were offered, and that we would be working longer, working later, and getting more done.

Mr. BLUNT. I think the Senator is exactly right. He has made that pledge at press conferences. I think some of that has been said recently on the floor of the Senate: Let's get our work done. And if we were in the majority, we would pledge that we would get our work done. That means Republican Senators and Democratic Senators would wind up having to take some votes they would just as soon not take, but that has always been part of being in the Senate, that you are here to say what you are for, and you are here for 6 years to say what you are for.

The last 6 years—if you have served in the Senate and your only time in the Senate, as would be the case for some of our colleagues up to now, has been the last 6 years, you have really never had a chance to say what you are for. Half the years you didn't even have an appropriations bill on the floor.

And we have added to the legislative dialog normal phrases that didn't used to be quite as normal, such as ''continuing resolution.'' And what is a continuing resolution? That means you basically can't get your work done for the next year, so you decide to just put a couple of bandaids on whatever were the rules for last year and move forward. When you talk about a continuing resolution, that is failure.

We are going to have a few more days here in July and early August, and then, as Congress has always done, we will go home and hear a lot of complaints in August this year because we are not getting our work done. We are going to come back in September. The fiscal year—the spending year—ends the end of September, and what are our choices going to be? We are not going to have good choices. We have had no appropriations bills. So the choice is to either let the government stop functioning on October 1 or continue spending money at the level we decided who knows how many years ago, to spend that money in many of these programs because we really have not talked about these programs. So we go from no good choice to an even worse choice.

Mr. ALEXANDER. We are all good friends here. People sometimes talk about lack of civility in the Senate. The fact is the Senate is probably the most civil place in the United States. We are excessively nice to each other. We have disagreements, but we are nice to each other. But what is disappointing is that it is not functioning. The Senate is not functioning the way it is supposed to.

It would be as if the President announced: Well, I am not going to the office for a month or two; or if the Supreme Court said: Well, it has gotten to be February, and we think we will stop deciding cases and go home, we will go on vacation. What would the American people say? Well, that is what is happening here. And it is not that we don't have the time. We have it right now. We have it this minute that we could do be doing it.

What makes it especially disappointing is that earlier this year there was what I call an outbreak of good government. We had the majority leader and the Republican leader saying: Let's bring all the appropriations bills to the floor, and people on both sides were applauding them. And then we had some discussions, and lo and behold, suddenly we had bills coming to the floor that made a difference in the lives of Americans: the FAA bill, which is about airline safety, the farm bill, the highway bill, and the Postal Service bill. And thanks to suggestions by the Senator from Michigan, Mr. LEVIN, and others, we began to adopt an agreement: Let's allow all relevant amendments to the bill be considered. So we began to vote a lot. I think one bill had 73 amendments. And then there were even some amendments that weren't relevant.

It began to look like the time in the 1980s when Senators Byrd and Baker ran the Senate. Senator Byrd or Senator Baker would come to the floor and say: All right, here is a bill that is supported by the Democratic chairman and the ranking Republican, or vice versa. They put it on the floor, and they would ask for amendments. They might get 300, and then they would say: I ask unanimous consent to have no more amendments. And of course they would get it because everybody who wanted an amendment had offered one. Then they would start to vote, and the majority leader would say: OK, we are going to stay here until we finish. And they did. Now, it never was perfect. It is always a little messy. That is the way the Senate is. But they got a lot of work done. That is what makes this so disappointing.

Mr. BLUNT. It is disappointing in that, as the Senator says, it is not even that hard to figure out what we could be doing or what we should be doing or what is the fundamental work of what we should be doing. There are things the Constitution says we can't do, such as initiate a tax bill. So we are spending a lot of time on tax bills that, even if we passed one, would be unconstitutional. The House has the right to start those bills, and they would say: We are not even going to deal with that because it is outside of the Constitution. It is not as though this is a hard formula.

How do you get spending under control? The No. 1 domestic priority in the country today should be more private sector job creation. But the No. 1 priority for the Federal Government would be, how do we get spending under control? How do we begin to pay off debt rather than add to debt? And the only way we can do that is to debate the spending bills.

The Senator mentioned the former head of the World Bank a minute ago. I heard him mention a few days ago that several years ago after leaving the governorship, he spent some time in Australia and made good friends there—one of the former Prime Ministers of Australia. And I will let him tell that story. Everybody in the world knows the best and strongest economy and workforce in the world is ours, if we just do the right thing. And the right thing is not that hard to figure out.

The Senator from Tennessee was telling me one of the former Prime Ministers had just returned to the government after some time away. What about his comment about what it takes for our country to reassert itself as the economic place to watch and place to be and want to be. When the Senator reminded me about that story, I thought it was very telling. People all over the world understand what it is we ought to do, but we are just not doing it.

Mr. ALEXANDER. I would be happy to do that. Actually, Bob Zoellick, the retiring head of the World Bank, reported this story to 35 or 40 of us—both parties—to find out how to do what we are talking about, which is to deal with the fiscal cliff issues coming at the end of the year. He repeated Bob Carr, the new Foreign Minister in Australia, who said in a speech in Washington that the United States is one budget agreement away from reasserting its global preeminence.

All of us believe the United States is the preeminent country in the world. That statement comes from a great friend of the United States who wants us to succeed and who knows we can.

If we want to get our economy moving again and help the world get its economy moving again, the main thing we need to do is make this fiscal agreement, deal with the debt, deal with tax reform, deal with the payroll taxes, deal with the sequester, and deal with the appropriations bills. This is the single most important thing we can do to get our economy moving again instead of heading into a depression. He put it that way to reassert, establish, claim, renew—whatever adjective or verb we want to use. The way to maintain America's global preeminence is to get a budget agreement at the end of the year. We were off to such a promising start this year and now we slid backwards.

I will let the Senator from Missouri make the final remarks in the colloquy. It is my hope the majority leader will decide to use the rest of our time this week and next week to deal with appropriations bills, and then when we come back in September we could deal with more. It doesn't take long. Let's just put them on the Senate floor and get to work. We can agree on a reasonable number of amendments. We showed we could do that before, and the American people would appreciate us doing our job.

Remember, 9 of the 12 are ready to go. It affects 38 percent of the budget. That is more than $1 trillion in spending. That would be one more indication we are capable of governing ourselves, which is the single most important signal that those who invest and create jobs in America need to see and hear from Washington, DC.

I thank the Senator from Missouri for his leadership and for coming to the Senate floor.

Mr. BLUNT. My only thought, as we are standing here finishing up this discussion, is that as people hear this, they may wonder if Senator ALEXANDER and Senator BLUNT are talking about how the Federal Government can spend the money, and that being the most important thing. If we are going to get spending under control, of course, it is the most important thing. It is not a desire to spend money, it is a desire to debate how we spend the money, to plan how we spend the money, and give as much notice as we can to the country, to the States, and to the people who are trying to make job-creating decisions. We want to show them the American government is going to do the right thing and is going to plan for a future that makes sense rather than fail to plan and stumble into a future that continues to just do the wrong things.

We have seen the debt of the country almost double in 6 years. Surely, that is enough indication that what we are doing is not working and more of the same is not the answer. Getting back to the real responsibility of the Senate to do its job—the House is doing its job. They are going to take some criticism about the programs they said should be cut or redefined. We need to do our job. That is the way this process has to work. It is disappointing that it is not working.

We are going to come back in all likelihood in September with bad choices that will be made. One is to shut the government down. One is to just somehow continue to spend money as we have been spending it as the debt of the United States of America doubled in about 6 years.

I yield back to my friend from Tennessee.

Mr. ALEXANDER. Mr. President, we yield back the remainder of our time.

I see the Senator from Nebraska is here. I wonder if he is here to be a part of our colloquy or to make another statement.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNS. Mr. President, I am here to make another statement, but I do want to associate myself with what the two Senators had to say, the Senator from Missouri and the Senator from Tennessee. I look at our assignment between now and the end of the year, and we have some monumental issues to tackle. In fact, they are so monumental that many are referring to the work that needs to be done as a fiscal cliff. Some are talking in the vein that we are going to cause another recession unless we come to grips with these issues.

I look at this week and so many weeks that have passed this year and nothing has been done. I am going to guess when this week is all said and done, we will probably take three votes. That seems unbelievable for the Senate. It doesn't have to be this way at all. We could be addressing the important issues that face our Nation. There isn't any reason we should not be addressing those issues. Let's debate bills, vote on them, and do the right thing for our country.

I thank the two Senators for their comments and I am pleased to be able to associate myself.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I rise this morning in strong support of the Middle Class Tax Cut Relief Act that would extend tax cuts for 98 percent of the American people while letting the Bush tax breaks for the wealthiest 2 percent expire at the end of this year.

I also want to express my strong opposition to the McConnell-Hatch bill that would provide tens of billions of dollars in tax breaks next year to millionaires and billionaires who today are doing phenomenally well.

Really, this is not a complicated issue. The United States now is seeing growing wealth and income inequality. The middle class is disappearing, poverty is increasing, the people at the top are doing very well at the same time that the effective tax rate of the millionaires and billionaires is the lowest it has been for many decades.

This country has a $16 trillion national debt. We have a $1 trillion deficit this year. I believe to give huge tax breaks to millionaires and billionaires makes no sense, and I believe it makes no sense to the American people.

Our Republican friends have made it very clear that when they say they don't want to raise taxes on anyone, that is just code for saying they don't want to raise taxes on millionaires and billionaires. I should add that if Governor Mitt Romney becomes President, he has proposed even more tax breaks for the wealthiest people in this country while at the same time cutting Social Security, ending Medicare as we know it, and slashing investments in education, transportation, child care, nutrition, and a variety of other programs that benefit working families and the middle class.

SOCIAL SECURITY

This morning I want to say a few words about Social Security. Let me be very clear. When we talk about Social Security, it is imperative that we understand that Social Security has not contributed one nickel to our deficit or our national debt. So when people say we have a national debt problem and that we have Social Security and they fuse the two together, that is simply incorrect.

As all Americans know, Social Security is independently funded through payroll tax contributions from workers and employers. Up until last year, it has received no funding from the Federal Treasury.

Despite the rhetoric we hear from Republicans and those on Wall Street, Social Security is not in financial crisis. Social Security has a $2.7 trillion surplus. According to the Social Security Administration, Social Security will be able to pay out 100 percent of promised benefits to every eligible recipient for the next 21 years.

Although the American people now take Social Security for granted, we should never underestimate the incredibly positive impact Social Security has had on our country. Sometimes we do forget it, especially when those people come up and say: Let's cut Social Security. Let's cut Social Security. But let's talk about what Social Security has accomplished.

Since its inception over 75 years ago, through good economic times and bad, through terrible recessions, Social Security has paid out every nickel owed to every eligible beneficiary with minimal administrative cost. This is an extraordinary accomplishment. Nobody has ever received a letter from the Social Security Administration saying: Sorry. We are in the middle of a recession. We have had to cut your benefits in half. Every eligible beneficiary has received 100 percent of the benefits owed to him or her.

During this 75-year period, Social Security has succeeded in keeping millions of senior citizens, widows, orphans, and persons with disability out of poverty. Before Social Security existed, almost half of America's senior citizens lived in poverty. Today, that

number is still too high, but it is 10 percent not 50 percent.

More than 55 million Americans now receive Social Security benefits. I would contrast that record to the situation we recently saw on Wall Street when millions of Americans lost significant or all of their retirement savings because of the collapse of Wall Street and the financial crisis we went through. Despite this success, despite this incredibly strong record, my Republican friends, and too many Democratic friends, are calling for cuts in Social Security.

For example, we know where Mitt Romney stands on Social Security. Mr. Romney wants to begin the process of privatizing Social Security. I disagree with him because I think that would benefit primarily his friends on Wall Street, because if we privatize Social Security, where are people going to get their retirement benefits? From Wall Street. Those guys on Wall Street will end up making huge amounts of money by charging the average American a significant commission for their service.

Mr. Romney wants to gradually increase the retirement age to 68 or 69. I don't agree with that. At a time when 23 million Americans remain unemployed or underemployed and when the long-term unemployment for senior citizens is skyrocketing, tell me how many employers out there are going to say to a 68-year-old person or a 69-year-old person: We have a great job for you, especially if someone is in the construction trades or is a nurse or is somebody who stands on their feet 8 or 9 hours a day, such as a waiter or a waitress. I don't think those jobs are going to be there if we raise the Social Security retirement age. I don't know what those folks are going to be doing for income.

Finally, the Romney campaign has put on his Web site the following:

> Mitt believes that [Social Security] benefits should continue to grow but that the growth rate should be lower for those with higher incomes.

What does that mean in English? While Mr. Romney has been somewhat vague about his intentions and has not spelled out the exact details of this proposal, some of my Republican friends in the Senate have provided what I believe is the roadmap Mr. Romney is talking about. Last year, Senators LINDSEY GRAHAM, RAND PAUL, and MIKE LEE introduced a bill that would, among other things, reduce the future growth rate of Social Security benefits for the top 60 percent of earners—60 percent of earners—by establishing what they call a progressive price index.

Who are these so-called higher income individuals whom my Republican friends are talking about? Under this Republican bill, a worker making about $45,000 a year today, retiring in 2050, would receive 32 percent less in annual Social Security benefits than under the current formula. How much is a 32-percent cut for this middle-class wage earner? It is about $7,500 a year, and that, my friends, is a lot of money for a retiree.

It should come as no surprise that Republicans in Washington and Governor Romney want to slash Social Security. The truth is, Republicans have never liked Social Security, and they have been attacking Social Security since its inception. That is not news. The question that millions of Americans are asking themselves today, however, is where President Obama stands on Social Security. Unfortunately, he has been largely silent on this issue since he has been in the White House and during the current 2012 campaign. He made a very strong statement recently, incorrectly attacking the Republican proposal—the so-called Ryan proposal—to move Medicare toward a voucher program. But unless I am mistaken, I did not hear a word from him on the future of Social Security, and that is a shame.

That is a shame because candidate Barack Obama, when he was running for President in 2008, made it very clear to the American people he would be a strong defender of Social Security. Let me remind the American people exactly what Barack Obama said on the campaign trail in 2008.

On September 6, 2008, Barack Obama told the AARP the following:

> John McCain's campaign has suggested that the best answer for the growing pressures on Social Security might be to cut cost of living adjustments or raise the retirement age. Let me be clear: I will not do either.

That was then-candidate Senator Barack Obama. On April 16, 2008, Senator Barack Obama said:

> The alternatives, like raising the retirement age, or cutting benefits, or raising the payroll tax on everybody, including people making less than $97,000 a year—

Which today would be $110,000 a year—

> those are not good policy options.

On November 11, 2007, candidate Barack Obama said:

> I believe that cutting [Social Security] benefits is not the right answer; and that raising the retirement age is not the best option.

In order to address the long-term financial challenges of Social Security, candidate Barack Obama came up with an idea that I believe hit the nail on the head. It was exactly the right approach, and I have applauded him for coming up with that idea. What he said is that he would apply the Social Security payroll tax on income above $250,000 a year to make sure a millionaire and a billionaire pay the same percentage of their income into Social Security as someone who today makes $110,000 a year.

The bottom line is we lift the cap on taxable income so billionaires and millionaires and those making above $250,000 a year start contributing into the Social Security trust fund. Recent reports have confirmed this would ensure Social Security would remain solvent for the next 75 years.

In 2008, candidate Barack Obama was exactly right. That is the solution to the long-term financial needs of Social Security, and that is why I introduced candidate Obama's concept into legislation. It was the right approach. I have introduced it into legislation and it now has 10 cosponsors.

Here is how the Economic Times reported on the subject back on June 14, 2008:

> Barack Obama would apply the Social Security payroll tax to all annual incomes above $250,000, which would affect the wealthiest 3 percent of Americans. The Presidential candidate told senior citizens in Ohio that it is unfair for middle-class earners to pay the Social Security tax ''on every dime they make,'' while millionaires and billionaires pay it on only ''a very small percentage of their income.''

That is what Barack Obama said when he was running for President in 2008. I agreed with him. He was very clear. I suspect millions of Americans voted for Barack Obama because of the strong stand he made in defending Social Security. Unfortunately, since he has been in office, he has been much less clear about his position on Social Security. There were reports last year he was considering cutting Social Security as part of a grand bargain with the Speaker of the House JOHN BOEHNER.

What I simply want to know, and I think what the American people want to know, is where does the President stand on Social Security? Is he going to keep faith with the American people? Does he continue to believe what he believed when he ran for President? Is he going to say to the millions and millions of seniors out there who are struggling every single day to keep their heads above water that we are not going to balance the budget on the backs of the elderly and the children and the sick and the poor; that we are not going to continue to give tax breaks to millionaires and billionaires who are doing phenomenally well and cut Social Security as part of some grand bargain when, in fact, Social Security has not contributed a nickel to the deficit situation?

As the Presiding Officer well knows, in terms of Social Security, there is a lot of discussion in the Senate about moving toward a chained CPI—a chained CPI. Nobody outside this room understands what a chained CPI is, but I will tell you what it is. A chained CPI is significant cuts in Social Security COLAs, and it rests on the theory, if we can believe it, that COLAs for seniors on Social Security are too generous.

When I tell this to the seniors in Vermont, I say: Please, don't laugh, but they always laugh. They say: Bernie, in the last 2 out of 3 years, while our health care costs have been going up, while our prescription drug costs have been going up, we haven't gotten a COLA at all. How could they possibly believe the formulation for coming up with these COLAs is too generous?

But that is what the billionaires and the millionaires want, that is what our

Republican friends want, and that is what some Democrats want. They want to come up with a formulation which will cut Social Security benefits. It will mean, if someone is 65 today, that when they become 75, they will receive $500 a year less; and when they are 85 and are trying to get by on $15,000, $16,000 a year, they are going to cut $1,000 from their Social Security benefits.

I think—when this country has the most unequal distribution of income and wealth, when the top 1 percent owns 40 percent of the wealth of this country, when in the last study I saw 93 percent of all new income in 2010 went to the top 1 percent—we shouldn't balance the budget by cutting Social Security for people who are trying to survive on $14,000 or $15,000 a year. That is not the right formulation or the way we should go.

I wish to conclude my remarks by simply saying I am going to do everything I can to defend Social Security. I am going to do everything I can—given the fact our deficit is largely caused by unpaid wars and tax breaks for the rich and the recession, which was created by Wall Street greed—to fight any effort to cut Social Security, Medicare, and Medicaid.

Today, I think the American people know where the Republicans stand on Social Security. They know where Governor Romney stands on Social Security. But now is the time for the President of the United States to tell us where he stands on Social Security. Is he going to keep faith with the promises he made in 2008? Is he going to stand with the senior citizens of this country and say: No, we are not going to balance the budget by cutting Social Security?

I look forward to hearing what the President has to say. This is an enormously important issue to the seniors and the veterans of Vermont, and I am going to continue dealing with it.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MANCHIN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, today I wish to talk about a bill that will reduce taxes for 97 percent of all small business owners. I wish to talk about a bill that will keep $2,200 in the pockets of the middle class next year. I wish to talk about a bill that will extend tax cuts for those making less than $250,000 per year. I wish to talk about the Middle Class Tax Cut Act and why it should pass with overwhelming and bipartisan support.

My colleagues across the aisle have said they want to get our country back on its feet. Well, I know our prosperity has always stemmed from and been measured by the success of the middle class. They are the ones who get in early and stay late. They take on a second job to make it just a little bit easier to pay for college. They wait to retire to save more to help their children and grandchildren. Under no circumstances should middle-class people be worried about their taxes going up, particularly at a time when median income, middle-class income is declining in America.

To raise taxes at a time when the middle class is struggling makes no sense whatsoever. Under no circumstances—no circumstances—should the middle class have to worry about their taxes going up.

So we are proposing a 1-year extension of the Bush-era tax cuts on all Americans on the first $250,000 of income they make. Let it be known that tax break will go to everybody. A person could be making $10 million and they will get the same tax break on the first $250,000 as someone making $200,000 or $220,000 or someone making $80,000. So it does not discriminate.

By the way, we are lucky in America that we have people who have made a whole lot of money by starting businesses and employing people. We revel in the fact that America does that, and we admire well-to-do people. The difference is we don't think they need a tax break when that money could go to deficit reduction instead. Well, we can't say that for the middle class because the middle class, obviously, has less money and is struggling. So that is why we choose $250,000 as the line.

In addition, there were three more very important tax cuts signed into law by President Obama that working families across America rely on. They are the American opportunity tax credit, the expanded child tax credit, and the earned-income tax credit. Our proposal would extend these tax cuts as well. So under our plan the middle class will be secure in the knowledge that their taxes aren't going to go up over the next 5 months while we all debate the fiscal cliff and all the things we have to do to prevent our deficit from growing. This should be priority No. 1—to secure the middle class while we have this debate.

I wish to focus for a moment on a glaring difference between our plan and the Republican plan. We all know how hard it is to pay for college. We all know how important a college degree is. Study after study after study has shown if a person gets a college degree, they will make more income and a person will have a better life. Some of the recent studies show people even live longer. Having a college degree is so important to American families. Yet, at the same time, the cost of college is rising. Whether a person goes to a private school, a religious school, or a public university, the cost is going up and up and up. So it has been a passion of mine since I have come to the Senate, and even before, that we give middle-class people a tax break to go to college.

We help the poor already with Pell grants and things such as that. That is a very good thing, and I am proud we do it. But a person or a family can be making $50,000, $70,000, $90,000, $110,000, and if a kid is going to college and it costs $10,000 or $20,000 or $30,000 or $40,000 a year, they can't afford it. As a result, we have millions of parents stretching and stretching and stretching to help their kids, and millions more students are taking on huge debt loads because they know college is so important. It is vital for us to help them.

When a young man or a young woman who deserves to go to college doesn't because they can't afford it, they lose, their family loses, and our country loses as well. When a young person goes to the college they shouldn't go to because they can't afford the college they deserve to go to and want to go to, they lose, their family loses, and America loses. So it has been a passion of mine that we give the middle class—not just the poor but the middle class as well—help in paying for college because it is so expensive but it is also so important.

So we have a law now called the American opportunity tax credit. It is legislation I wrote. It helped 9.1 million families get a tax break on their children's college tuition last year. Because of the American opportunity tax credit, more parents and students now qualify for tax relief to pay for college expenses not just for 2 years but for a whole 4 years of study. It gives a $2,500 tax credit right off a family's taxes to families whose income is up to $180,000 a year. So it goes well into the middle class and even a little higher in many States. But it is needed. It is vital.

If this tax credit expires, families who rejoiced—I have talked to them across my State of New York in every corner of the State. Moms and dads are sitting around the kitchen tables Friday night after dinner, the kids are out, saying: How are we going to pay for college for Mary or Jane or Tom or Bill? They have sleepless nights about it. So why, why would our colleagues on the other side of the aisle let this tax break expire? Why does their proposal, which continues tax breaks for the wealthiest of Americans, kick these tax incentives to the curb? To let this tax break expire is a dagger to the heart of the middle class, and that is just what our colleagues on the other side of the aisle are doing.

It is more than clear Republicans are going to hold up the middle-class tax cuts, including this needed and significant help to pay for college, to insist that we provide those at the highest income levels—people who make over $250,000 a year—with a tax cut at the same time. They are holding the middle-class tax cuts hostage.

Now, I will be the first to congratulate people who are very wealthy, as I

mentioned. They have been successful. They are living the American dream. God bless them. They create jobs. They do. But today's debate is not about them or their taxes. We can have a rigorous debate about whether they deserve another tax break or whether that money should go to deficit reduction or maybe for education or infrastructure or scientific research. That is a debate for another day, and I look forward to it.

Today's debate is about the middle class. Letting these tax cuts expire would generate serious problems for our middle-class families and businesses.

It could prevent them from being able to pay for their kids' education or buy a new house or a new car. It could mean they put off retirement a little bit longer or cancel a vacation. That would have repercussions across the entire economy. So extending the tax cuts for the middle class is a no-brainer and the American people are on our side.

I hope, I pray, I beseech our friends on the other side of the aisle to listen to the middle class, saying: Look, you guys fight over what you should do for the highest income people but come together on helping us.

That is what we can do. If our colleagues on the other side of the aisle want to get this country back on track, they will join us in supporting this critical legislation, including the tax credit to help pay for college education, to help the families and businesses that are the real job creators and prosperity makers.

With that, Mr. President, I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Good afternoon, Mr. President.

The PRESIDING OFFICER. Good afternoon.

REMEMBERING SALLY RIDE

Ms. MIKULSKI. Mr. President, I rise today to honor the life and legacy of a dear friend, someone whom I admire, and someone whom the whole world cheered on, Dr. Sally Ride.

Dr. Ride was the first American woman in space. When she went out there, she blazed a trail out into the stars for women in science and women in technology, inspiring not only American girls but girls around the world.

Last night, we got the very sad news that Dr. Ride passed away after a brave fight against pancreatic cancer.

I wanted to come to the floor to speak about her. We all know the biography. Dr. Ride became an astronaut after answering an ad in her college newspaper. She had earned a Ph.D. in physics from Stanford. She also earned a graduate degree in Shakespeare. She joined the first group of women in the astronaut corps and trained to be a mission specialist.

I knew Sally Ride both professionally and personally. I have had the great honor in my years in the Senate to be on the committee that funds the American space program. I have important space assets in my own State of Maryland: the great Goddard Space Flight Center and Wallops Island, from where we hope to do some new launches later this summer.

But for me, my journey into space, my love for space began not only when John Glenn went into space, and when we walked on the Moon, but I will never forget that day Sally Ride, in 1983, boarded that shuttle, strapped herself in, put on her helmet, the rockets roared, and out she went. The whole world had signs, cheers saying: Go Sally. Go Sally. Wow, I will never forget it.

I was in the House of Representatives. I was down there. We were waiting. We were excited. There was nothing like it. Mr. President, if you have not seen a shuttle launch, it is the most amazing thing. The ground shakes. You feel it. You feel it in your body. You feel it in your heart. Then, as that rocket took off, we cheered her on. It was an enormously patriotic moment. Once again, our shuttle flew high into the sky. It was the Challenger, and later on it would have its own rendezvous with destiny.

I was so proud of Dr. Ride. But I was proud of my country. I was proud of its vision, of its innovation, and I was proud of the fact that we live in a country where women can follow their dreams, to take the talents God has given them and be able to pursue them.

When I saw Dr. Ride go into space, another barrier was broken for women. Even though Sally was the first, she did not want to be the only. When she launched into space, yes, she broke a barrier; yes, she took with her the hopes and dreams of many girls, but she wanted more to come. She had a characteristic of many of us who are the first. She said though she was the first American woman, she did not want to be the only American woman. She devoted her career to encouraging young women to go into science and to also come into the space program. Now more than 50 women have gone into space, and it has been an astounding—an astounding—accomplishment.

Dr. Ride and I talked about what it is like to be the first. When I was elected to the Senate, I became the first Democratic woman elected to the Senate in her own right. Among the first 10 phone calls I got was from Sally Ride, congratulating me. She said: Hey, you broke a barrier and you are going to go into new space. It is called Senate space. After we joked and laughed, and so on, we said: Gee, we ''firstees'' ought to have a club that should meet on the first Monday of the first month, the first of the year. We had Sandra Day O'Connor. There was Sally Ride. President George Bush was to go on to appoint Bernadine Healy as the first woman to head NIH.

As we talked about it, she said: We who are the first cannot be the only. Another characteristic of ''we the first'' was where she said—and we would agree—that you do not get to be a ''me'' without a whole lot of ''we.'' She was a firm believer in public schools, public education, public libraries—those opportunities that enable you to go to school, that enable you to go get a Ph.D. at Stanford, that enable you to get out there and compete, to be an astronaut, that when we think about ourselves, we think about our families, we think about our teachers, we think about our coaches.

We are so indebted to them, and she was too. She was so indebted that that is the way she wanted to devote her life. Sally Ride knew she was famous, but she had no desire to get rich. She did not capitalize on her big name, her big iconic international brand. She wanted to use her name, her reputation, the Sally Ride brand, to be inspirational and motivational. She did not seek profit. She sought to inspire others.

After retiring from NASA, she dedicated her entire life to encouraging young women to study science, math, and technology, to love that which she loved and wanted to do. She continued to do that all the way up to the last months of her life.

I recall in 2008 I invited her to Baltimore to celebrate the 25th anniversary of her going into space. We had this great afternoon. After a wonderful lunch of crab cakes and talking things over, we went to the Maryland Science Center. There were these girls there, Girl Scouts working on badges about science and technology. There was this great globe that showed planet Earth, and she talked about what it is like to study the planet. She talked about what it is like to go into space. What she said was, when you are busy looking out there in space, and you look back, you see this great planet, and you want to do all you can to help it and save it.

Those young girls were mesmerized. Well, wow, that was 4 years ago. Many of them have now finished their Girl Scout badges, many have finished middle school and are in high school. But, hopefully, they are not finished their great interest in science.

That is what her work was.

She also had a great impact on the space program itself.

When Al Gore was here as a Senator, he was on the authorizing committee, and I, of course, was an appropriator. She worked with NASA and us on a new strategic vision for NASA. Then, what did she say about what we should study? Planets, galaxies, asteroids, you name it; rings around Saturn, yes. But you know what else she said? She said: Let's study this planet where we suspect there is intelligent life. She had a great sense of humor. Al Gore and I leaned forward in our chairs and said: What would that be? What did Sally know that had been dreamt about for ages—intelligent life? She said: Yes, it is called planet Earth. Let's see if we can find it.

Dr. Ride, after we had our laughs that day, suggested that we study our own planet as if it were a distant star so that we would get to know it, we would know its climate, we would know its weather, and also we would take the time to know its people, and that we would do it to save the planet and save the people who are on the planet.

I regret that our own science is not yet advanced to have saved Dr. Ride. She died of pancreatic cancer. I know the gifted and talented people at NIH and those who benefit from the funding of NIH are working all over this great country to find cures for that dread ''C'' word. Pancreatic cancer is deadly and it is fast and it is painful. She died steadfast and true to herself and true to her mission.

I think the entire world owes a debt of gratitude to her. The way we can honor her memory is to encourage students to search for the stars, but let's search here for the problems that hurt our own people. Let's find a cure for pancreatic cancer. And let's continue to be a great country that innovates and also educates and believes in educating its women and girls in the same way.

God bless Sally Ride. And God bless America, the kind of country that made Dr. Ride's life possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

DR. SHAKIL ALFRIDI

Mr. PAUL. Mr. President, Dr. Shakil Alfridi is a physician in Pakistan. He has been put in prison for the rest of his life for the crime, basically, of helping the United States get bin Laden. I think it is a travesty of justice that Pakistan is holding this man for the crime of helping America, and I think we should not tolerate it.

We send Pakistan $2 billion a year, and recently, instead of withholding that, President Obama has given them an additional $1 billion—exactly the wrong thing to do. I have a bill that will withhold all further foreign aid to Pakistan unless this doctor is released.

There are reports now that his life has been threatened. There are reports coming from the Information Minister in the province where he is being held that his life has been threatened by fellow inmates and throughout the community.

My concern is that Dr. Alfridi may well be killed before he comes to trial. He was scheduled for an appeal on July 19. They have rescheduled this, and it will be on August 30.

I have a bill, and I have the votes necessary to demand a vote in the Senate. No matter what the leadership wants, we will have a vote on ending all of Pakistan's aid if this political prisoner, Dr. Shakil Alfridi, is not released. We will have this vote. I had threatened to have the vote this week, but I am going to delay it for one month to see if the appeal works, to see if he is still safe in 1 month. But I hate to think of what might happen to him while we are waiting here and that we have not used every bit of the leverage of this money that we give to Pakistan. It is our money, it is your money, and we should not be sending it to a country that disrespects us.

If Pakistan wants to be our ally, they should act like it. If Pakistan wants to work with us in the war on terrorism, they should act like it. And imprisoning the man who helped us get one of the world's worst mass murderers is not a way to encourage cooperation between our countries.

This episode of imprisoning this man is driving a wedge between America and Pakistan. So if Pakistan wants to help us, good. Can we cooperate with them? Yes. But we should not continue to send good money after bad while they are imprisoning this man. This doctor deserves our respect.

I have also introduced legislation that would allow him to come to the United States if there is a threat to his safety in Pakistan and if he wishes to come here as a reward for helping us get bin Laden.

This vote will happen either in early September or late August, depending on what happens with his appeal. I hope some common sense will intervene and they will let him go. But at the very least, Americans need to know that Pakistan needs to cooperate with us, Pakistan needs to help this man, and that we all should be proud of what he did to help us get bin Laden. I will do everything possible, everything I have within my limits, to get this vote to occur, and this will happen within the next month when his trial comes forward on August 30.

Mr. President, I yield back my time.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m. today.

Thereupon, the Senate, at 12:30 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

MIDDLE CLASS TAX CUT ACT—MOTION TO PROCEED—Continued

Mr. DURBIN. 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. MORAN. 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. MORAN. Mr. President, I wish to speak about the tax issues the Senate is facing this week. There is clearly a tremendous need for comprehensive tax reform. Americans worked from January 1 to April 17 this year, 107 days, to earn enough money to pay their share of Federal, State, and local taxes. Americans also spent nearly 8 billion hours preparing their tax returns this spring. This amounts to 1 million people working full time for an entire year. There is no reason that paying taxes should be so confusing and so complicated, so time-consuming.

The burden this process places on individuals and small businesses must be relieved. According to the nonpartisan Tax Foundation, the average American taxpayer will spend more on taxes in 2012 then they spend on food, clothing, and housing combined.

It is time for tax freedom. We need to replace our deeply flawed tax system with a commonsense system that is simpler and more growth oriented. The Tax Code matters when it comes to growing the economy. It is for these reasons that I am a sponsor of S. 13 and a long time supporter of the Fair Tax, which I see as a step in the direction of liberty and prosperity. The Fair Tax eliminates payroll, estate, and many other taxes, to be replaced with a national sales tax levied on purchased goods, placing all Americans on equal footing. The Fair Tax allows our businesses to thrive while generating tax revenues to be similar to our current 3-million-word-long Tax Code.

The process of tax reform has major consequences for every citizen of our country. But it is a process that must be started because the consequences of inaction are too costly. The truth remains that Americans want and need some sort of tax-filing relief. The need for commonsense reform becomes more obvious each and every tax season.

Over the course of the last several years, American taxpayers have become much more attentive to what is and is not happening in the Nation's Capital, and they have made their choices clearly heard. They have a message Congress should be willing to listen to, and that message is: Simplify the Tax Code.

In doing so, we will create an opportunity for economic growth and new prosperity while increasing personal freedom and liberty. By reforming this broken process, the Tax Code we have today, Americans will once again be more in charge of their lives and their money.

This coming January, as we know, our Nation faces a fiscal cliff. On top of the tax increases included in President Obama's health care law, if the Bush tax cuts are allowed to expire, a tax increase of $494 billion will strike the economy. For Kansans, that is an average tax increase of $3,000 per tax return, money they should be using to put food on their family's table, save for their children's education, and prepare for their own retirement. It is estimated that 70 percent of the looming tax increases will fall directly on low- and middle-income families.

This week, Congress will consider a tax proposal from the majority leader that increases taxes, unfortunately, the exact opposite of what our economy needs. S. 3412 that we are debating

this week raises the death tax on family farms, small businesses and ranches and estates to a level over a decade old, when they were brought down in a bipartisan basis.

This proposal would increase the death tax from its current rate of 35 percent to 55 percent. According to the nonpartisan Joint Committee on Taxation, the number of estates hit by this tax will rise from 3,600 to nearly 47,000.

Nothing hinders the transfer of a family farm to the next generation more than the estate tax. It is an unfair, unjust burden on our economy, and it punishes Kansans who want to continue their family business. I have long sought a permanent repeal of the estate tax and have pursued opportunities to increase the size of the estate tax exemption and lower the rates. Now we have a proposal to increase the burden of this tax. That will only create less certainty for farmers and small business owners as they plan for their future.

Under this massive tax increase, 20 times more family farming estates will be hit by the death tax and 9 times more small businesses. This tax increase comes on top of significant small business tax increases already in the legislation. According to Ernst & Young, these tax increases on the top two marginal rates would shrink the economy by 1.3 percent and reduce by over 700,000—reduce by over 700,000—jobs from the American workforce.

This tax increase legislation will only add more uncertainty to our Nation's convoluted, ever-changing tax system. Common sense tells us it does not have to be Republicans and Democrats, common sense tells us a simplified Tax Code will help boost the economy.

The revenues we need to balance our books are not increases in taxes; in fact, the United States has the highest corporate tax rate in the world. Revenues we need to balance our books will come from a strong and growing economy, where more Americans are working and therefore paying taxes.

Government must get out of the way and reduce the drag on the private sector so entrepreneurs and small business owners can put Americans back to work. Americans know that when our economy is strong, when our tax laws are fair, simple, and certain, they can provide for their families. We will have the opportunity to see once again our children and grandchildren pursuing the American dream.

I yield the floor and 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. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

GUN VIOLENCE

Mr. LAUTENBERG. Mr. President, it is a terrible time in our country. The entire country is in mourning for the 12 innocent people who were gunned down in Aurora, CO, last week. Our thoughts and our prayers are with dozens more still recovering from their wounds. We are mourning with people we never knew, with unfamiliar names, but we have seen pictures of grief-stricken parents, friends, neighbors, and our hearts break with them. We wish we could reach across the country and offer them some comfort while we mourn.

We know our mourning alone will not be enough to prevent a future tragedy unless we do something. We in Congress have an obligation to turn grief into action, as we have often done when faced with tragedy. So I come to the floor today to ask a question: When will we wake up? How many of our sons and daughters have to die before we go to work? It is time to sound the alarm on gun violence in our country. It is time for us to gather to talk about commonsense solutions. And I am talking about all of us—all 100. It should not matter which side of the aisle we are on. All of us who serve here have someone we love, someone we know, someone with whom we are in contact, whether it is our child, our sister, our brother, our father, or our mother. The lives of our loved ones depend on us and we should not let them down.

Right now, our Nation's lax gun laws make it far too easy for murderers to commit incomprehensible acts of violence and terror. Very early last Friday morning, we witnessed a massacre, and it has become something we have seen far too often. A tragedy with even less deaths, with less wounded, with less hurt is a tragedy of enormous proportion when something like this happens in this great country of ours. There is so much to live for, so much to enjoy, but here innocent people died.

This guy arrived at a movie theater in Aurora, CO, and he had an assault rifle with a 100-round magazine, a shotgun, and two handguns. He unleashed a barrage of bullets murdering 12 innocent people and injuring 58 more in a matter of minutes. In the theater at the time there was a total population of 200 people, and 70 of them were wounded or killed in a matter of minutes. Even though the police responded rapidly—within 90 seconds—with his high-capacity magazine, the gunman had more than enough time to carry out his reign of terror.

Among those who lost their lives were parents, mothers, fathers, servicemen, a veteran, a recent high school graduate, a college student, and a 6-year-old-girl named Veronica Moser Sullivan. She was the youngest to be murdered in Colorado that night and someone whose tragic death reminds us all too well of the time 9-year-old Christina Taylor Green was murdered in Tucson last year because she wanted to know more about her government. She was part of a group who greeted Representative Giffords.

The victims of these horrible tragedies deserve more than words of solidarity and mourning. They deserve our attention, our action. What we do to prevent these tragedies in the future will be the real test of character of this body. The best way to prove we are concerned is to take the action necessary to protect young lives because on that score now we lose.

I have been in the Senate a long time, and I have seen too many Americans murdered by guns, too many lives cut short because of the easy availability of guns, and too many times Congress has sat back, cowered before the gun lobby and done nothing to prevent these tragedies from happening in the future. We can't wait any longer, Mr. President, without the public at large challenging our effectiveness, wanting to know what it is we are doing to protect the next group of children and parents and loved ones.

The murderers in Colorado and Arizona both had something that enabled them to bring about the mayhem they did. They had a mega-magazine capable of shooting dozens of rounds without having to reload. They bought them legally. Here we see a picture of what this man had—a semiautomatic rifle and a 100-round drum magazine.

These magazines were originally designed for law enforcement and military people. These magazines were banned from 1994 to 2004, a period of 10 years, but under pressure from the gun lobby, Congress let that ban expire in 2004. It wasn't an accident. It didn't happen without complicity.

Just think about it. The Colorado shooter carried a 100-round magazine, and if he hadn't had that magazine, maybe the shooting toll would have been substantially lower. Maybe more lives would have been saved. Maybe more loved ones—husbands, wives, and children—would be alive today. Maybe there would be fewer people suffering from bullet wounds.

In the Arizona shooting, the shooter was only subdued when he paused to change his 30-round magazine, and if he had to stop sooner, obviously precious lives could have been saved.

These magazines are the tools of mass murderers. No matter what the gun lobby would have you believe, nobody needs a mega-magazine to go duck hunting. These high-capacity magazines put all of our families in danger, and they endanger our law enforcement officers as well. We send them into the line of fire to defend us against mass murderers such as the Colorado shooter, who legally bought 6,000 bullets and a gun magazine that holds 100 bullets over the Internet. The safety of our families is too important to let this continue. There are too many bullets, too many deaths, and too many funerals. But not enough people are saying: Stop it. Do your job. Protect my family. Protect my kids. Protect my parents.

Here are the facts. Guns have murdered more Americans here at home in recent years than have died on the battlefields of Iraq and Afghanistan. More

have been murdered on the grounds of the United States than have died in far-off battlefields. It is shocking. More than 6,500 American soldiers have died in the service of our country in support of the wars in Afghanistan and Iraq. During the same period, guns here were used to murder about 100,000 people.

Americans deserve a Congress that makes the safety of our families a priority. That is why I urge my colleagues today to help our people. Bring back the ban on high-capacity ammunition magazines such as the one used in Colorado on Friday and the one used in Arizona last year. That was the law from 1994 to 2004. This shouldn't be a partisan issue. Even former Vice President Dick Cheney has suggested that it may be appropriate to reinstate this ban. It is time to work together, all of us, to ban high-capacity magazines. Don't do it for me. Do it for your family. Do it for your constituents. Stand and say: I don't want your family hurt. I don't want your children to fall prey to a gunman.

It is time to begin a national conversation once more about taking commonsense measures to prevent gun violence in America. And to those who are fearful about the power of the NRA, understand that we bested them before and we will do it again. We beat them in 1996 when an effort that I began to ban the sale of guns to domestic abusers passed, we have stopped over 200,000 of those people from getting gun permits since that time, and a lot of lives could have been saved in there. We stood up to them again in 1999 when the Senate came together after Columbine and passed legislation to close the gun show loophole. Unfortunately, after passing in the Senate, the House refused to do anything about it. If we show resolve and if we stand with courage, I know we can do the right thing once more. There are no more excuses for inaction.

I say to my colleagues, look at your children. Look at the pictures that may be on your mantelpiece. Think about the happy days with your kids, think about the enjoyment you share together, and think about what we want to do to be able to continue those lives we enjoy so much. The stakes are just too high. We have to intervene while the memory, unfortunately, is still fresh.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I am still trying to wrap my head around President Obama's recent remarks that small business job creators somehow owe their success to the Federal Government. His comment wasn't just wrong, it was actually kind of embarrassing. It showed that the President does not understand the enormous challenges and financial risks entrepreneurs and job creators deal with every day. It also affirmed that the President is going to continue pushing the same misguided big-government economic policies that have helped keep our unemployment rate well above 8 percent for some 41 consecutive months.

I wish to highlight a few of the success stories from my home State of Texas that epitomize what the American dream is all about and to reassure my listeners that the American dream is still alive and well and thriving in the great State of Texas. But first I would like to make a brief point about tax policy because as mundane and boring as tax policy may seem to a lot of people, it actually has a very real impact on the people I am talking about.

There is now an emerging bipartisan consensus that tax reform should involve lowering rates and broadening the base so that our tax system becomes simpler, fairer, and more conducive to strong economic growth. Don't just take my word for it. Look at the President's own bipartisan fiscal commission, the Simpson-Bowles Commission, which reached that same conclusion.

Unfortunately, the President's own fiscal commission's report is inconsistent with the President's current demand that we have to raise taxes. That would mean a large tax increase for many people who are the people we are depending upon to create those jobs. The reason is that many small businesses pay their business income on individual tax returns. They are not major Forbes 500, multinational corporations; they are the mom-and-pop operations that are sole proprietorships, they are partnerships, and they are even sometimes subchapter S corporations. That is just a reference to the Tax Code that means you don't pay corporate taxes, you pay flowthrough business income on your individual tax return. So many people who are small businesses who may reach that threshold of $250,000 or above are businesspeople paying on an individual tax return. If this is an effort to soak the rich, well, the middle class and small businesses are part of the collateral damage.

I would like to remind the President that Americans will spend about $350 billion this year alone just to comply with the Tax Code. That means hiring accountants and that means hiring lawyers just to try to figure out what they owe to the Federal Government. Small business owners face a particularly heavy burden because they can't afford the army of lawyers and accountants to help them figure out what their tax obligations are. Yet these are the folks we are depending upon to get America back to work and to get our economy growing again. But we effectively have a tax system that punishes them for their success. We can and we should do better.

When it comes to dealing with the IRS, small businesses don't enjoy the same resources that large multinational corporations do. According to the World Bank, it is now more difficult to pay business taxes in the United States than in many Western European countries. When heavily taxed, heavily bureaucratic countries such as France make it easier to comply with their tax code than America does, we know we have a problem.

If the President doesn't believe me, perhaps he should spend some time chatting with some of my constituents, people such as Steve Mayo, the owner of Mayo Furniture in Texarkana, TX. Steve's company is a family business that was established about a half century ago. It now employs 130 full-time workers and sells furniture in 25 different States. When I visited with Steve and his employees last year, they were worried about how in the world they were going to comply with the financial burdens of the new health care law, along with other taxes and regulations. They told me it would affect their business and their ability to create jobs and stay competitive. These are the same concerns I have heard about from countless constituents and small business owners all across my State.

We are one of the lucky States. About half the jobs in America have been created in my State in the last 5 years or so. We are fortunate because when it comes to small businesses we are depending upon to create jobs, we asked this very simple question: How can we make it easier for them to create jobs? How can we make it easier for them to start a business? Unfortunately, the message emanating from Washington seems to be—in so many words—how can we make it harder? How can we increase the unpredictability of their investment?

After talking to Steve Mayo, maybe President Obama would like to talk to Diane LaBleu. Diane is a breast cancer survivor in Austin, TX. Diane was creative enough to invent a clothing accessory to help women recovering from a mastectomy. The accessory is known as a Pink Pocket, and it is now being used by women around the world from Austin to Australia.

The story of Pink Pockets demonstrates the power of a great idea. Diane identified a problem facing breast cancer survivors. She came up with a brilliant solution, something nobody else had thought of before. The remarkable success of her invention is a testament to her creativity and her hard work.

The government was not responsible for the success of Pink Pockets or Mayo Furniture. Far from it. Many times all these small businesses want is for government to get out of their way, off their back, and out of their

pocket so they can do what they do best.

The government was also not responsible for the success of STS Coatings, a construction company based in the San Antonio area. The founder of STS Coatings, Cayce Kovacs, reports that she and her husband cashed in their savings to launch their business, which now has annual sales totaling more than $3 million. As Ms. Kovacs recently said:

> We were the ones sweating bullets over processing orders and paying our bills, making payroll—not the government. The government did nothing to help my business.

You know who else can say that? Another extraordinary Texan named Frank Scantlin, who founded Sunbelt Machine Works in Stafford, TX, near Houston, some 34 years ago. Frank tells a story that as a child he was so poor he sometimes couldn't even afford to buy shoes, and he had to quit school in the ninth grade in order to support his family. This is a quintessential American success story. Frank persevered and went on to create a business that now has almost 60,000 square feet of workspace and employs 90 people.

All these stories epitomize the American dream that has enticed immigrants from around the world to take a risk, leave everything they had behind, and come and make America their home. We were the one place in the world where they knew if they were willing to work hard and save, that hard work could be rewarded by success.

In the meantime, those of us who depend on those small businesses to create those jobs and prosperity could benefit as well. The owners of Sunbelt, STS Coatings, Pink Pockets, and Mayo Furniture understand their success was not inevitable, and it sure was not guaranteed by the Federal Government. They had to take the hard risks, they had to work overtime, and they had to overcome challenges that many times the government put in their way. In the end, as in so many great American success stories, their hard work and ingenuity paid off. They can, not government, declare with confidence that ''I built this.''

My office has received more than 250 of these stories since President Obama gave his speech in Roanoke. They are the type of stories that have made our country the beacon of prosperity and entrepreneurial energy for so many years. As one Texas business owner put it: ''Rugged individualism is alive and well in the United States.'' I hope we remember that, and I hope the President of the United States remembers that as well.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER (Mr. FRANKEN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KOHL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. KOHL pertaining to the introduction of S. 3427 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. KOHL. Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KOHL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MOMENT OF SILENCE IN MEMORY OF OFFICER JACOB J. CHESTNUT AND DETECTIVE JOHN M. GIBSON

The PRESIDING OFFICER. Under the previous order, the Senate will observe a moment of silence in memory of Officer Jacob J. Chestnut and Detective John M. Gibson of the U.S. Capitol Police.

(Moment of silence.)

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANCHIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MIDDLE CLASS TAX CUT ACT—MOTION TO PROCEED—Continued

Mr. MANCHIN. Mr. President, I ask unanimous consent to speak for up to 10 minutes, and that following my remarks the Senator from Rhode Island be recognized to speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANCHIN. Mr. President, I rise today to express my indescribable frustration and genuine disbelief that we are looking at two proposals that do not do enough to fix this Nation's financial problems—and both have been predicted by both respective sides to fail. I speak of the Bush tax cuts and how those of us in the responsible middle find ourselves caught between a rock and a hard place, with a vote that offers, truly, no real solutions.

It is no secret that I prefer fixing the problems this country faces, like most of my colleagues, and we all have different approaches. We are hurling toward $16 trillions in debt, and for the first time since the World War II era our debt exceeds the output of our economy. Even our generals say the greatest threat this Nation faces is not a foreign power or a terrorist organization but the debt we have created ourselves.

We are staring down the barrel of insurmountable obligations for decades to come, and we are passing up a key opportunity to put this country in better shape for the next generation.

As you can see, and as West Virginians know, we urgently need to put our country's financial house back in order, and the people of West Virginia are tired of temporary solutions to our long-term problems.

As I have said so many times, I will work with both sides of the aisle, Democrats and Republicans, on a comprehensive solution that lowers tax rates, broadens our revenue base, closes loopholes, cuts spending, and reduces our debt, like the framework proposed by the Bowles-Simpson plan.

Unfortunately, neither of the proposals on the Bush tax cuts will solve our long-term debt and fiscal problems. At the same time, with our debt problems getting worse every year, we must come together to take responsible action and fair steps toward reducing our debt, even if they are only temporary.

Let's look at the two proposals that have been offered, one from my Republican colleagues in the House that, unfortunately, kicks the can down the road entirely and extends these tax cuts at a cost of $400 billion. What people do not know is that even though it would extend tax cuts for the wealthiest—and this is what they do not know—it would actually get rid of some tax reductions for middle- and low-income Americans, such as the expanded child tax credit. That is tremendously unfair.

Another proposal from the Democrats here in the Senate, our side, would cost about $250 billion, which is at least starting to move in the right direction to reduce our deficit, and it keeps the tax cut for more than 99 percent of all West Virginians and a high percentage in every State such as the Presiding Officer's.

When considering these two proposals, I kept two priorities in mind—putting our fiscal house back in order and restoring fairness to the Tax Code. So while I would prefer a bipartisan comprehensive solution, I will support the plan to keep taxes low on families that make less than $250,000. According to the latest available figures from the West Virginia Department of Revenue, more than 99 percent of all West Virginians will get a break on their taxes under this proposal. And the wealthiest among us will pay the rates they did during Bill Clinton's Presidency, which was the greatest era of prosperity I can remember in my lifetime.

On the other hand, the proposal that includes extending the tax cuts for the wealthiest Americans carries a heavy price for this Nation. It is about $150 billion more than the Democrats' proposal. Given our dire budget situation, this country cannot afford that. We simply have to prioritize and close the gap. The fact is we cannot keep trying temporary solutions to our serious budget problems. And the truth is,

these tax cuts will not restore confidence in our government or our economy to create good jobs or keep the ones we have. They certainly do not put our fiscal house back in order. What they will do is be used as fodder in political ads in the next 100 days against both sides. I cannot understand why we continue to take votes that are more about making one side look bad or worse than the other, or taking cheap shots, than actually solving the problems we have before us.

I will continue to work across the aisle on a comprehensive bipartisan plan, because when it comes right down to it these tax cuts simply will not fix the financial problems our country faces. I have talked to countless business leaders and laborers all over the State of West Virginia and all over the country. When I asked them what will encourage them not only to create the good jobs we need but to keep the jobs we already have, the answer is simple: Certainty. They need to be able to plan their next steps. They need to know their government is working as a partner, an ally, not as an adversary.

We did not pull these stunts in West Virginia when I was Governor. We were willing to get our hands dirty, to come to the table, to have a genuine and respectful discussion on the right direction for our State, and sometimes that led to respectful agreement to disagree. But in the least, we moved forward and made a decision. It has been nearly 2 years since the bipartisan commission on reducing our debt recommended a plan that people of all political stripes support. It is time to go back to that framework and provide this country with an honest solution.

In fact, the only thing that seems to be holding our feet to the fire right now is the sequester, which is becoming quite the scary term around here. For people who do not live and work in the Beltway, here is what the sequester is: If those of us in Congress cannot agree on a real, substantial plan to fix our finances, we will have to make some very painful cuts in some very important areas—our Department of Defense, our schools, and our domestic priorities such as veterans services and Head Start. Both Democrats and Republicans care about those issues.

So both Democrats and Republicans have some skin in the game when it comes to finding an agreement, because, let me tell you, the reason the sequester was put in place almost a year ago was in case we could not come up with an agreement on a big fix, one the so-called supercommittee was tasked to put forward. Well, they did not agree on the superfix and this is our penalty. I believe the greatest mistake we could make would be to walk away before the end of the year and not vote on a clear direction to fulfill the commitment and promises we made to the American people, which were that we would fix the country's financial problems or the sequester would go into effect. That is the biggest mistake we can make as a Nation, letting the American people down.

So now a year after Congress has failed to reach an agreement, I am surprised to find some of my colleagues who voted for the sequester, knowing full well that Congress needs the threat of painful cuts before we can get anything done, are complaining about something they supported. I stand with those, including the President, who are drawing a hard line in the sand on our finances.

Like it or not, this painful sequester is the linchpin to a better government and a better agreement. It is the only way we are going to get something bigger. A better agreement will look a lot like the bipartisan comprehensive Bowles-Simpson framework, not the Bush tax cuts, because this country needs a real solution, because this country needs to come together on that solution, because if we cannot come together, there will be dire consequences for this country with or without the cuts in the sequester.

I sincerely hope and pray and will work for a compromise. But I believe the threat of a sequester might be the only thing that will force Congress to get its job done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

TRIBUTE TO OFFICER CHESTNUT AND DETECTIVE GIBSON

Mr. REED. Mr. President, before I begin my remarks with respect to the current debate, let me pay tribute to Officer Jacob J. Chestnut and Detective John M. Gibson of the Capitol Police, and to all of the Capitol Police officers, men and women who protect us each day.

I was here on that somber day when these gentlemen sacrificed their lives to protect innocent people in this building. Their example continues to sustain us and inspire us. They continue to sustain and inspire the Capitol Police officers who today are protecting us. We thank them all.

As my colleague from West Virginia commented, we are in the midst of a very serious debate with huge consequences for our country, our economy, our future. That is why I rise today in support of the Middle Class Tax Cut Act. This bill will extend the 2001, 2003, and 2009 tax cuts for the middle class through 2013. It will provide tax relief to every American, especially to those families who have struggled through this recession and this weak recovery, and restore some fairness to the Tax Code by letting the top marginal tax rates return to the Clinton-era levels.

If we do not extend these tax cuts for the middle class, the typical Rhode Island family of four could see their taxes raised by an average of $2,200 in 2013. This is not fair to middle-income Rhode Islanders, middle-income Americans.

Unfortunately, I fear many, if not all, of my Republican colleagues will block this bill because it does not extend additional tax cuts for taxpayers who make over a quarter of a million dollars. Instead, they will continue to press for a proposal that doubles down on the failed economic policies of the Bush era for a plan that gives more tax cuts to the wealthy, while eliminating middle-class tax breaks for families with children. Indeed, one of the astounding things about the Republican proposal is it will, if you look closely, actually increase the tax burden on middle-income Americans.

In contrast, the bill Democrats propose will benefit every single taxpayer in America. It is only when someone exceeds a quarter of a million dollars in income that their income in excess of the quarter of a million dollar threshold will be subject to the top two Clinton-era rates.

The Democratic plan will extend tax cuts for the vast majority of Americans. Only the top 2 percent of earners, approximately 2.1 million out of more than 100 million households, households that have disproportionately benefited from the Bush tax cuts for more than a decade, will see their top rates revert to Clinton era levels. They will get to maintain their benefits up to $250,000, but after that, they will see an increase. This is the nature of our progressive tax system, one which for generations has spread the burden across income levels, making sure that middle-income Americans do not shoulder a disproportionate burden of the taxes that support this government.

One of the key facts we have observed, now for more than a decade, is that these Bush tax cuts have been very costly. They have been a primary driver of this deficit, in addition to unpaid conflicts in Afghanistan and Iraq and a prescription drug program that was not paid for.

At least with this proposal, we are beginning to try to reverse that trend in a principled way. The wealthiest, those who enjoy the greatest economic privilege in the country should shoulder some of the responsibility, and should shoulder some of the effort in order to help us begin to repair the deficit, which has grown as a result of these massively costly and ineffective tax breaks the wealthiest have enjoyed since 2001.

The Democratic bill will cost the Federal Government $249 billion in lost revenue for a 1-year extension. The Republican bill will cost $405 billion. So, again, if you are talking about trying to get a handle on the deficit, compare a bill for $249 billion, which is expensive but significantly less than $405 billion Republican plan that would do virtually nothing to restore fairness to our tax code or create jobs. I do not think our Nation can afford this $405 billion Republican alternative. There has been a promise or a mantra that has been offered over the last decade that these Republican tax cuts create jobs, and that they would contribute to our prosperity. But what we have seen,

particularly over the 8 years of the Bush administration, is that these tax cuts for the wealthy did not create jobs. I believe the evidence we have shows that there is very little correlation between these tax cuts for the wealthy and job creation or economic prosperity.

Additionally, tax cuts for the wealthiest Americans constrain our ability to pursue policies that will boost growth in the near-term.

Indeed, if we do not have the resources to invest in the country, in our infrastructure, in our education, in the health of our people, we will not have the economic dynamism needed to be competitive and give our children the future they deserve. Frankly, like the future our parents gave to us. A future that previous generations were able to provide for because of Federal tax policies which were fairer, which were more progressive, and which allowed for significant investment and job growth.

In my State, with a 10.9-percent unemployment rate and a national unemployment rate above 8 percent, it is imperative that we embrace fiscal policy that creates jobs in the short-term but also recognizes the need for long-term deficit reduction.

Democrats have offered plan after plan that would preserve and create jobs in a fair and fiscally responsible manner. We press for policies that will provide more of an economic bang for the buck, policies such as the continuation of unemployment benefits and policies that provide relief to middle-class households. What we have to do is go forward, support this effort, begin the hard and difficult task of not only continuing to support middle-income families but begin to address the issue of long-term deficit reduction.

I hope my colleagues do not block this effort. I hope my colleagues do not once again decide that doing nothing is a viable alternative to helping middle-income Americans and helping our economy overall. Unfortunately, they have done that in the past. Earlier this month, the Republicans blocked a bill that cut taxes for small businesses that hired new workers. The bill was estimated to create 1 million jobs nationally and could have created about 3,500 jobs in my State, but Republicans filibustered.

Just last week, the Republicans blocked a bill that would have given tax cuts to businesses that brought jobs to the United States and closed tax loopholes for companies that send jobs overseas. Republicans blocked that also. I believe the record is clear. Democrats have been trying week in and week out to create jobs here at home, to make our tax system fairer, to give middle-income families a break, and to do so in a fiscally responsible manner. The vote on the Middle Class Tax Cut Act will be upon us shortly. I hope it will be a vote on which we prevail and go forward together and provide tax relief to middle-class Americans. I think it will be a first step toward the larger issues that were alluded to by my colleague from West Virginia dealing with the potential of sequestration at the end of this year, advancing policies that will grow our economy while beginning to restrain our deficit and provide a more stable, more sustainable economic environment for all Americans.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, it has been more than 30 years since I was in medical school, but I still remember the day my classmates and I stood to recite the Hippocratic Oath. That is an oath which has guided doctors for centuries. At its simplest, it can be boiled down to a single phrase: First, do no harm.

I was reminded of that last week when Federal Reserve Chairman Ben Bernanke testified before the Senate Banking Committee, speaking about the approach Washington should take toward healing our sick economy. He said: Do no harm. Well, that is good advice for Senators and for Presidents, just as it is good advice for doctors. The problem is that we have a President in the White House and Democrats in Congress who don't believe it and don't act that way.

Day after day, as the President makes one policy decision after another, his policies do harm to the American economy and to the American people. Just look at how sick our economy has gotten since President Obama took office. The Federal Reserve projects that the gross domestic product will grow by as little as 1.6 percent this year. That is not nearly good enough to give us the healthy economy we need.

The other night, ''CBS Evening News'' opened with this summary: ''This is the worst economic recovery America has ever had.'' That is what they said—the worst.

Every other President has been able to bounce back from tough economic times. Not President Obama. Why is that? Why is our private sector economy sicker today than it was when the President took his oath of office? The Economist magazine put it this way. It gave a characterization of the President as someone ''who has regulated to death a private sector he neither likes nor understands.'' And I agree. Look at the President's own words. He said that while government bureaucrats were struggling, the private sector is doing just fine. Doing just fine? It has gotten worse. Because of President Obama's failed economic policies, more than 23 million Americans are now either unemployed or underemployed. I think those 23 million people would say to President Obama: Do no harm. We have now had 41 straight months of unemployment above 8 percent. Our economy created just 80,000 jobs last month—just 80,000 jobs. More people last month signed up for Social Security disability benefits than got a job. That is not doing just fine.

Look at what else the President said recently about small business owners. He said:

> If you've got a business, you didn't build that. Somebody else made that happen.

I know a lot of small business owners who would say they worked extremely hard to build their own businesses. Farmers and ranchers work from sunup to past sundown, and everyone in the family works to keep the operation going. The corner drycleaner is trying to keep his doors open in tough economic times. The florist is trying to avoid laying off another salesperson in the shop.

Where I live, in Casper, WY, most of the businesses we have are small businesses. They were started by men and women with dreams and with determination. These people aren't looking for a government handout, but they don't think their government should be hostile toward them. They work hard every day. They have worked hard to build their businesses and have tried to expand and create jobs in the community. President Obama doesn't seem to grasp that. That is why, instead of doing all he can to help small businesses, he is burying them under more regulations, under more redtape, and under threats of increased taxes.

Democrats here in Washington like to say they are in favor of creating jobs, but then they turn around and do the very things that hurt the people who create the jobs in this country. Washington has already put out more than 36,000 pages of new regulations just since January of this year. If small business owners could talk to the President, I think they would tell him they do not need more paperwork. They would tell him: Mr. President, do no harm.

The damage President Obama's policies have done to our economy so far is terrible, and it is likely to get worse. We know the President's policies are holding back our economy from the type of normal recovery we have had from other recessions in the past. Even worse, he is paying for his failed policies by piling an unprecedented amount of debt on future generations. Today, our national debt is $16 trillion. In just 3½ years, President Obama has managed to waste more taxpayer money than any other President, in my opinion, in American history.

Previous Presidents understood the danger of spending more than we can afford. President John Kennedy said: Persistently large deficits would endanger our economic growth and our military and defense commitments abroad. President Kennedy made that statement 50 years ago—in 1962. At the time he made that statement 50 years ago, Washington's budget deficit that year was $7 billion. So we have gone from $7 billion 50 years ago to a projected deficit of $1,200 billion this year—from $7 billion to $1,200 billion.

That is 170 times greater. Has anything else increased that fast in the past 50 years in terms of expenses on anything—a daily newspaper or a bottle of Coke, which would have cost 10 cents in 1962? Using this multiplier of 170 times, that would be $17 today if it had increased at the same rate as our Nation's deficit. And gasoline was about 30 cents a gallon back then. It would have to be more than $50 a gallon today.

Look at it a different way. The share of Washington's total debt that is owed by every man woman and child in America today is almost $51,000. The President is saddling our children with debt to pay bills we can't afford for policies that don't work and for goals the American people don't support.

The President demonstrates no sincere interest in cutting government spending, even as the Federal Government has grown less efficient, less effective, and less accountable. The American people look at Washington's out- of-control spending and debt, and their message to President Obama is this: Please, Mr. President, stop doing harm.

Remember, President Obama has been quite clear. He doesn't respect small businesses, and he thinks the private sector is doing fine. He has increased redtape, increased bureaucracy, and he has mortgaged America's future to give taxpayer dollars to his campaign contributors—to companies such as Solyndra.

When he has borrowed all he can—lots of it from China—he still doesn't slow down his spending. He says he needs to raise taxes to spend even more. The President already raised taxes through his health care plan. He pushed through $½ trillion in taxes and fees. He pushed his individual mandate tax to force people to buy insurance. Now he is pushing again to impose massive new tax hikes on millions of successful families and small businesses.

The additional damage President Obama would do to our economy with his proposals to raise additional taxes would be enormous.

Now, that is not only my opinion; others agree. The accounting firm of Ernst & Young did a study of the President's plan and found it would wipe out 710,000 jobs. Middle-class workers who keep their jobs would see their wages go down. And 2.1 million business owners would be hit with higher taxes. That means less money left to expand and less money left to hire additional workers. Again, you can't be for jobs and against the people who create the jobs.

In short, as weak as our economic recovery has been these past 3 years—the worst ever, as reported in the news—the President's tax increases would make matters worse. Just look again at the difference between President Obama and a different Democratic President—John Kennedy. John Kennedy said:

> The largest single barrier to full employment of our manpower and resources, and to a higher rate of economic growth, is the unrealistically heavy drag of Federal income taxes on private purchasing power, initiative, and incentive.

This lesson from President Kennedy is lost on President Obama. The only solution President Obama seems to see is to raise taxes and to raise them most on the very people and businesses we need to lead us to prosperity and economic recovery. Remember the words President Obama used when he was running for President in 2008. He said that even if his tax increases led to less revenue for the government—that is what he said, even if his tax increases led to less revenue for the government—he would raise taxes anyway as a matter of fairness. Fairness? Fairness? What about doing what is best for the country? As an orthopedic surgeon, when someone came to me with a broken leg, I would try to fix it. You don't break someone else's leg so the two people would then be equal and both would have broken legs. The President is promoting his vision of fairness over good common sense.

The American people know those who work hard and take risks should be free to enjoy the fruits of their labor. They should not have to suffer more angry attacks by the President and by Democrats in Washington. The American way should be to promote success, not to punish it.

President Obama should abandon his misguided agenda to replace the long-held American value of equal opportunity with the President's own desire for equal outcomes regardless of effort. Before he makes things even worse, he should stop and he should do no harm.

Finally, I would like to address one last issue where I think the Democrats in Congress and the White House need to reverse course. Our country faces what has been called a fiscal cliff. Unless Washington acts in January, taxes will increase across the board—not just on small businesses but on middle-class families and even low-income people. Republicans in the House have already voted to approve long-term spending cuts. This month they will vote to stop the tax increases. And Republicans have a plan to create a healthier economy by making our Tax Code simpler, flatter, and fairer for all Americans. What happens next is in the hands of the Democrats in the Senate.

Financial experts have warned that if Senate Democrats do not act by the end of this year, they could create a worldwide recession. This is very serious harm. Democrats appear to be ready to do it. The Senate Democratic leadership has made clear that they would let the country go over the fiscal cliff rather than compromise on tax hikes. President Obama recently said the same thing. He said that if Congress passes reasonable regulation that keeps tax rates where they are—even temporarily, he said, while we sort out long-term tax reform—he would veto that. He would raise everyone's taxes and risk another worldwide recession. I ask the President to look at what he is saying and stop threatening grave damage to America in reckless pursuit of his political agenda.

Mr. President, do no harm.

Those words that sum up the Hippocratic Oath ring true for so many people across America today, for people who believe, as Ronald Reagan said, that government should stand by our side, not ride on our back.

It is time for Washington to change direction, to lower taxes, not raise them; to reduce redtape, not increase it; to control our spending, not rack up more debt; to free the entrepreneurial spirit, not stifle it.

First, before all else, if we are to heal our sick economy, it is a time for Washington to do no harm.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. SHAHEEN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN of Ohio. 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. BROWN of Ohio. Madam President, I ask unanimous consent to speak as if in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN of Ohio. Madam President, I rise to speak about the need to extend middle-class tax cuts.

We have a broad bipartisan consensus that middle-class families should not see their taxes increase on January 1. We know that if Congress does nothing, then the taxes will increase for the broad middle class on that date. We have a broad bipartisan consensus that should not happen.

So while we have this moment of agreement, we should act swiftly to extend tax cuts for 98 percent of American families—about 99 percent of the people in my State—right now, today, this week, soon. But we will not because special interests and their allies in Congress are holding middle-class tax cuts hostage. Why? It is the same old song: In order to protect the interests of millionaires and billionaires. It seems the default button—certainly in the majority of the House of Representatives and far too many in the Senate—is, no matter what, protect the interests of millionaires and protect the interests of billionaires.

Let's be clear. Whether it is our plan where we immediately—today, this week, as soon as possible—grant tax relief for people who are middle class, every American will get a tax cut on their first $250,000 worth of income. If someone is making $1 million a year, they still get a tax cut on their first $250,000. If someone makes $10 million a year, they still get a tax cut on their first $250,000. They are only paying

roughly 4 percent on every $1 above $250,000. So we have bipartisan agreement. Let's lock that in so the middle class will get a tax cut.

There is an old cliche that the definition of insanity is doing the same thing over and over, expecting different results. We have been in this policy shop before, when they sold us the same flawed economic policies based upon tax cuts to the wealthy trickling down to the middle class. I was in the House of Representatives in the first part of the last decade when President Bush came to us. We had a huge budget surplus. In fact, in 2001, we had the largest budget surplus in American history—surplus, not deficit. Look what we are dealing with now.

So what happened? Two wars, Iraq and Afghanistan. It was a bad idea to go into Iraq, a contentious issue. The intelligence wasn't right that Congress was given. Many of us voted against it.

But put that aside. Nobody paid for the war in Iraq. Then there were the tax cuts that went overwhelmingly to the wealthiest people in our society. Nobody paid for those tax cuts. Then there was the Medicare partial privatization prescription drug bill. Nobody paid for that. So we went from the biggest budget surplus in American history to the biggest budget deficit. At the same time, the economic geniuses of the time that were running the government didn't use the words ''trickle down,'' but that is what it is. They said: If we cut taxes on the richest people of our country, all that wealth will trickle down to the middle class and to working families and the poor and everybody will get richer and the economy will take off.

We had 8 years of that experiment. What happened? Between 2000 and 2010, we lost 5 million manufacturing jobs under those economic policies of giving huge tax breaks to the rich. The fundamental tenet and central core of that policy was huge tax cuts for the rich. What happened? We lost one-third of our manufacturing jobs. It is only since we have begun to bring some more fairness with the Recovery Act, with Wall Street reform, with the auto rescue—especially important in my State—and other things we have done did we see the economy grow from 2010. The unemployment rate in my State in 2009 was 10.6 percent. Now it is 7.3 percent. That is not good enough, but it is certainly progress. There were 5 million manufacturing jobs lost between 2000 and 2010. Since 2010, almost every single month we have gained, in the aggregate, some 450,000 to 500,000 manufacturing jobs.

So this policy of cutting taxes on the wealthy was going to create prosperity. It didn't work that way. We went from a surplus at the end of the Clinton years to massive deficits at the end of the Bush years.

Let's be clear. We are talking about returning the tax rates for the top 2 percent of the Americans to the 1993 level, the same year President Clinton balanced the budget. Opposition to our bill to extend the middle-class tax cuts says that if millionaires have to pay the same top marginal tax rate they did in the Clinton years, then job creation will suffer. But it doesn't make sense. We want to go back to tax rates for the richest people in our country to what they were under President Clinton. During that 8 years, jobs increased by 22 million in this country. During the Bush years, with low tax rates for the rich, we lost 5 million manufacturing jobs and had absolutely anemic economic growth. One doesn't have to be an economist to make this comparison. Look at tax rates during the Clinton years and the Bush years.

I don't want to blame everything on President Bush. That doesn't get us anywhere. It makes people quit listening. But I do want to learn from history. Look at the tax system we had during the Clinton years and the tax system we had during the Bush years and make the contrast about what happened: 22 million jobs created; not so good during the Bush years, with very anemic job creation.

For too many people in my home State, the recession didn't mean they had to delay buying a new yacht. Workers in Steubenville, in Norwood, and Norwalk were struggling to stay afloat. They struggled to make ends meet. Too many are still struggling. That is why we have a responsibility to the people in New Hampshire and the people of Ohio and all over to pass the Middle Class Tax Cut Act of 2012.

The median household income in Ohio is $47,358. For those families, a $2,000 tax cut means a whole lot. We know that 98 percent of Americans who would benefit from this tax cut are going to put that money back into the economy. This isn't trickle down. This is, someone gets a tax cut like that and maybe they can put a downpayment on a car, maybe they can help pay their son or daughter's way to community college, maybe they can do some remodeling in their house, maybe they can do some things around the house that they need to do or take their kids to a movie or go out to dinner once in a while. But that $2,000 truly means a lot for a family with an income of $47,000. That is why this legislation is so important.

We can't afford to stall on this important middle-class tax cut for the Americans who need it most. The middle class in our society has been beat up long enough, for 10 years, where wages have been stagnant, where people are too anxious about layoffs, where people simply haven't had the opportunity to do what they need to do to build this great country.

I ask my colleagues to support this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, tomorrow we will have the opportunity to deliver a little bit of tax certainty to the American people by advancing the Middle Class Tax Cut Act. This legislation would prevent tax rates from increasing for the vast majority of American families and would preserve an important tax credit that currently helps millions of students and families afford the costs of a higher education.

The Middle Class Tax Cut Act is the right thing to do for the middle class, and I intend to vote for it. The question is, Will it be filibustered—a tax cut for millions of hard-working Americans, filibustered simply to protect the wealthiest Americans from paying a fair share? We will find out.

This is not a new story. In 2001, when President George W. Bush decided to spend a large portion of the surpluses he inherited from President Clinton to cut tax rates across the board, many Democrats opposed it because the tax cuts were unfairly weighted toward the highest income Americans. As a result of this opposition, Republicans were forced to set the tax cuts to expire at the end of 2010.

As 2010 drew to a close, President Obama and many Democrats in Congress, including myself, supported extending the tax cuts for middle-class families but letting the lower rates on income above $200,000 for an individual and $250,000 for a family revert to the Clinton-era levels as was scheduled. Senate Republicans filibustered that effort, refusing to allow the middle-class tax cut without a tax cut for America's wealthiest. Not wanting tax rates to go up on middle-class families still struggling during the recovery, the President and Senate Democrats reluctantly agreed to extend all the tax cuts through this year, which brings us to now. Once again, these tax rates are set to expire.

I would like to keep rates low for middle-class families. Families in Rhode Island are still struggling in the aftermath of the mortgage meltdown on Wall Street, and this is not the time to raise their taxes. But I agree with President Obama that for reasons of fairness and to begin to address our deficit, it would be wise not to extend the Bush tax cuts for high levels of income.

Bear in mind in this discussion that the Middle Class Tax Cut Act would benefit even high-end taxpayers. When we protect the rates for the first $250,000 in income, it is the first $250,000 for somebody making $1 million; it is not just the first $250,000 for a family who makes $100,000 or $185,000. Whether someone makes $100 million or $185 million, they still get the first $250,000 tax cut. If a family, for instance, makes $255,000, they would only see an increase on the $5,000 and only to the Clinton-era rates that were in effect during the 1990s when our economy was thriving. A family earning $255,000 would pay an extra $150 as a result of this bill. Extending the lower tax rates for income above $250,000 for 1 year, as the Republicans have proposed, would

add over $49 billion to our deficit. Even in Washington $49 billion is significant money, money that would have to be borrowed and would add to our deficit problem.

Many of the same Republicans who voted in the name of deficit reduction to end Medicare as we know it—deficit reduction was so important to them that they voted on the Ryan budget to end Medicare as we know it and would put thousands of dollars in costs on our seniors—would support deepening the deficit with high-end tax cuts. There is a double standard here, and for most Rhode Islanders these are exactly the wrong priorities when it comes to deficit reduction.

In addition to the deficit concerns, we should let the tax cuts at the top expire just for fairness reasons. Loopholes and special provisions allow many super high-income earners to pay lower tax rates than many middle-class families. According to the nonpartisan Congressional Research Service, 65 percent of individuals earning $1 million or more annually pay taxes at a lower rate than median-income taxpayers making $100,000 or less.

Let me say that again so it sinks in. Sixty-five percent, nearly two-thirds, of individuals earning $1 million or more a year—the vast majority of individuals earning $1 million or more annually—pay taxes at a lower rate than median-income taxpayers making $100,000 or less. Because of the loopholes, because of what the special interests have done, our supposedly progressive tax system is upside down to the point where 65 percent of those earning over $1 million pay a lower tax rate than the median-income taxpayer making $100,000 or less.

Earlier this year we voted on my Paying a Fair Share Act, legislation that would implement the so-called Buffett rule and ensure that multi-million-dollar earners paid at least a 30-percent overall effective tax rate. During debate on my Buffett rule bill, I cited an IRS statistic that the top 400 taxpayers in America in 2008 who earned an average of $270 million each in that 1 year paid the same 18.2-percent effective tax rate on average that is paid by a truckdriver in Providence, RI.

The single biggest factor driving this inequality is the special low rate for capital gains, 15 percent under the Bush tax cuts. The special capital gains rate allows hedge fund billionaires to avail themselves of that so-called carried interest loophole and pay taxes at lower rates than their doormen, secretaries, or chauffeurs. If we let the tax cuts at the top expire, these rates revert to 20 percent instead of 15 percent. Now 20 percent is still a pretty low rate for someone making $100 million a year, but more like what a family making $100,000 a year pays.

Let's also be very clear about one thing: The proposal that Republicans prefer, the tax cut bill introduced by Finance Committee ranking member ORRIN HATCH, would raise taxes. It would raise taxes on 25 million lower and middle-income Americans. It would raise taxes on those 25 million Americans still struggling in these challenging economic times. Republicans claim not to want to raise taxes, but the Republican tax bill would let very popular lower and middle-income provisions expire that would cost 25 million Americans an average of $1,000 each. Under the Republican bill, 12 million families would lose part or all of their child tax credit, 6 million families would lose part or all of their earned income tax credit, and 11 million families would lose their American opportunity tax credit which helps pay for college. It provides a $2,500 tax credit for higher education. That popular tax credit has already helped millions of students and their parents pay for college, along with Pell grants, another subject of Republican attack.

Extending the American opportunity tax credit, the college tax credit, through 2013 would cost about $3.2 billion. Republicans believe we cannot afford a $3.2 billion investment in higher education for middle-class Americans, but we can afford $49 billion in continued tax cuts for ultra high-income earners. A $2,500 tax credit might seem pretty small in comparison to the $92,000 average tax break that millionaires, or people earning $1 million a year, would receive from another year of high-end tax cuts, but that $2,500 may make a much bigger difference in the life of that middle-class family with that child trying to get into a college they can afford than that $92,000 would make in the life of somebody earning well over $1 million a year.

Once again, look at the priorities here. Republicans fought to protect the tax loopholes and taxpayer subsidies for big oil. They fought to protect the carried interest tax loophole that lets hedge fund billionaires pay lower tax rates than their chauffeurs and doormen. They want to go after the child tax credit, they want to go after the earned income tax credit, and they want to go after the college tuition tax credit. Those are priorities that, like our Tax Code, for too many Americans are upside down.

I hope Republicans will join us tomorrow in voting to advance a measure that would keep taxes low for the vast majority of Americans, and I urge them to reexamine their proposal to raise taxes on 25 million low- and middle-income Americans.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, many of our Republican colleagues argue that we can't extend tax relief for middle-class families unless we also extend tax cuts for the wealthiest. They argue without tax cuts for the wealthiest 2 percent, we will harm job creators and slow the economy. Their arguments rely on faulty assumptions, mistaken beliefs, and misleading statements. Let's get to the facts.

It is a fact that every American taxpayer would receive a tax cut under our bill on the first $250,000 of their income. It is a fact that compared to the middle-class tax cut act now before us, the plan the Republicans have put forward would increase the deficit by $155 billion. It is a fact that the bill Republicans have put forward, despite their professed support for tax cuts, would raise taxes on the middle class by failing to extend the 2009 tax cuts for middle-class families, including the American opportunity tax credit and credits that help families with children.

What is unfolding on the Senate floor now is the culmination of a rigid Republican adherence to tax cuts for the wealthy as the supreme goal of public policy. Republicans have demonstrated a willingness to risk government shutdowns. They have demonstrated a willingness to risk grave economic damage, to risk rising taxes on the vast majority of Americans in pursuit of their highest priority: lower taxes on the wealthiest 2 percent of us. They want to risk all of that in service to an idea that has already proved a failure.

When historians look back at the Republican dedication to the tax cuts for the wealthy, they will find it remarkable that so many fought so long and so hard to go back to a failed policy. Income for the typical American family peaked in the year 2000, not coincidentally just before the Republican tax-cuts-for-the-wealthy mania reached its zenith.

A June study by the Federal Reserve found that the average middle-class family's net worth had fallen by 40 percent from 2007 to 2010. In 2010, the bottom 99 percent of income earners reaped just 7 percent of total income growth while 93 percent of all growth flowed to the top 1 percent.

As David Leonhardt of the New York Times reported on Monday:

> The top-earning 1 percent of households now bring home about 20 percent of total income, up from less than 10 percent 40 years ago. The top earning 1/10,000th of households—each earning at least $7.8 million a year, many of them working in finance—bring home almost 5 percent of income, up from 1 percent 40 years ago.

Perhaps this vast accumulation of wealth would arguably be acceptable if it had resulted in faster economic growth that produced new jobs and helped average Americans prosper. Indeed, since the time of President Reagan, America has been told that the rising tide lifting up the wealthy would lift all boats, and that the benefits would trickle down to all Americans. Our Republican colleagues today argue that we must continue the President Bush tax cuts for the wealthy or risk harm to the ''job creators.''

But the Republican emphasis on policies that are more and more generous to the wealthiest have utterly failed to spark economic growth or create the jobs we need. Their experiment failed.

The Bush tax cuts coincided with the slowest rate of job growth in American history. Economic growth, even before the financial crisis, nearly sent our economy into depression and was woefully short by historic standards.

The failure of the Bush policies to spur economic growth and job creation underlies the failure of another promise from supporters of tax cuts for the wealthy, the promise that those cuts would pay for themselves. Republicans backing the tax cuts of 2001 and 2003 painted those grand scenarios that grow so rapidly that it would yield increased tax revenue. But instead of growing Federal coffers, we got a flood of red ink.

So the policy of tax cuts for the wealthy failed as a fiscal policy. It added to our deficit. It failed as an economic policy, coinciding with weak growth and economic output and job creation, and it failed as a vital test of public policy in a democratic society because it failed the fairness test. Instead, it facilitated massive accumulations of wealth for a fortunate few while most Americans have struggled just to tread water.

Yet our Republican colleagues persist in their pursuit of their failed policy—persist, in fact, to the point that they are willing to force a tax increase on more than 90 percent of taxpayers and potentially send our economy tumbling back into recession in adherence to that failed policy.

We are not arguing against this policy of tax cuts for the wealthiest because we seek to denigrate success or to stoke class warfare, as some Republicans allege. We are arguing against these policies because they are broken, they have failed, and they are unfair. We should reject them lest they do even more harm. We should reject the Republican pursuit of tax cuts for the wealthy at all costs, every other consideration be damned. We should allow middle-class families to keep a few of their hard-earned dollars and pass the Middle Class Tax Cut Act. At a minimum we should vote tomorrow to overcome the filibuster threat and proceed to debate this singularly important issue.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

VIOLENCE AGAINST WOMEN ACT

Mrs. MURRAY. Thank you, Madam President. I come to the floor this afternoon to talk about a very important bill, the Violence Against Women Act. It is hard for me to believe it has actually been months now since we first came to the floor to talk about this important legislation, which is why we are here again this afternoon: to try and pass a bill into law that has consistently received broad bipartisan approval. It is a bill that passed the Senate now almost 3 months ago by a vote of 68 to 31.

The Violence Against Women Act has successfully helped provide lifesaving assistance to hundreds of thousands of women and their families. Every time we have reauthorized this bill we have included bipartisan provisions to address those who are not being protected by it. But here we are back on the Senate floor urging support for a bill that should not be controversial.

So, today, the women of the Senate and the men who support the Violence Against Women Act have come to the floor with a simple, straightforward message for our friends in the House of Representatives: Stop the games and pass the inclusive, bipartisan Senate bill without delay.

In the coming weeks we are going to be making sure this message resonates loudly and clearly both in the Nation's Capital and back home in our States because we are not going to back down, not while there are thousands of women across our country who are currently excluded from the law. In fact, for Native and immigrant women and LGBT individuals, every moment our inclusive legislation to reauthorize the Violence Against Women Act is delayed is another moment they are left without the resources and protection they deserve.

The numbers are staggering: 1 in 3 Native women will be raped in their lifetimes—1 in 3—and 2 in 5 of them are victims of domestic violence. They are killed at 10 times the rate of the national average.

These shocking statistics aren't isolated to one group of women: 25 to 35 percent of women in the LGBT community experience domestic violence in their relationships, and 3 in 4 abused immigrant women never entered the process to obtain legal status, even though they were eligible, because their abuser husbands never filed their paperwork.

This should make it perfectly clear to our colleagues in the other Chamber that their current inaction has a real impact on the lives of women across America who are affected by violence—women such as Deborah Parker.

Deborah is the vice-chairwoman of the Tulalip Tribe in my home State of Washington. Deborah was repeatedly abused starting at a very young age by a nontribal man who lived on her reservation. Not until the abuse stopped around the fourth grade did Deborah realize she wasn't the only child suffering at the hands of that assailant. At least a dozen other young girls had fallen victim to that same man.

He was a man who was never arrested for his crimes, never brought to justice, and still walks free today, all because he committed these heinous acts on the reservation and is someone who is not a member of the tribe. It is an unfortunate reality that he is unlikely to be held liable for his crimes.

Reauthorizing an inclusive VAWA is a matter of fairness. Deborah's experience and the experience of other victims of this man do not represent an isolated incident. For the narrow set of domestic violence crimes laid out in the Violence Against Women Act, tribal governments should be able to hold accountable defendants who have a strong tie to the tribal community.

I was very glad to see Republican Congresswoman JUDY BIGGERT and several of her Republican colleagues echo these very same sentiments last week. In a letter to Speaker BOEHNER and Leader CANTOR, the Republican Members explicitly called on their party leadership to end this gridlock and accept ''Senate-endorsed provisions that would protect all women of domestic violence, including college students, LGBT individuals, Native Americans, and immigrants.''

So today we are here to urge Speaker BOEHNER to listen to the members of his own caucus and join us in taking a major step to uphold our government's promise to protect its people. I was so proud to have served in the Senate back in 1994 with Senator BOXER, who is here with me today, when we first passed this bill. Since we took that historic step, VAWA has been a great success in coordinating victims' advocates, social service providers, and law enforcement professionals to meet the challenges of combating domestic violence. Along with this bipartisan support, it has received praise from law enforcement officers, prosecutors, judges, victim service providers, faith leaders, health care professionals, advocates, and survivors.

VAWA has attained such broad support because it works. Where a person lives, their immigration status, or whom they love should not determine whether perpetrators of domestic violence are brought to justice. These women across this country cannot afford any further delay—not on this bill.

Today the New York Times ran an editorial on this bill that gets to the heart of where we are. It began by saying:

> House Republicans have to decide which is more important: Protecting victims of domestic violence or advancing the harsh antigay and anti-immigrant sentiments of some on their party's far right. At the moment, harshness is winning.

But the editorial pointed out, it doesn't have to be that way. It pointed out:

> In May, 15 Senate Republicans joined with the chamber's Democratic majority to approve a strong reauthorization bill.

Finally, it ends with what we all know we need to take this bill forward: Leadership from Congressman BOEHNER.

Madam President, I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, July 23, 2012]

DELAY ON DOMESTIC VIOLENCE

With Congress just days away from its August break, House Republicans have to decide which is more important: protecting victims of domestic violence or advancing the harsh antigay and anti-immigrant sentiments of some on their party's far right. At the moment, harshness is winning.

At issue is reauthorizing the Violence Against Women Act, the landmark 1994 law central to the nation's efforts against domestic violence, sexual assault and stalking.

In May, 15 Senate Republicans joined with the chamber's Democratic majority to approve a strong reauthorization bill. Instead of embracing the Senate's good work, House Republicans passed their own regressive version, ignoring President Obama's veto threat. The bill did not include new protections for gay, immigrant, American Indian and student victims contained in the Senate measure. It also rolled back protections for immigrant women, including for undocumented immigrants who report abuse and cooperate with law enforcement.

Negotiations on a final bill are in limbo. Complicating matters, there is a procedural glitch. The Senate bill imposes a fee to pay for special visas that go to immigrant victims of domestic abuse. This runs afoul of the rule that revenue-raising measures must begin in the House. Mr. BOEHNER's leadership could break the logjam—but that, of course, would also require his Republican colleagues to drop their narrow-minded opposition to stronger protections for all victims of abuse.

Unless something changes, Republicans will bear responsibility for blocking renewal of a popular, lifesaving initiative. This seems an odd way to cultivate moderate voters, especially women, going into the fall campaign.

Mrs. MURRAY. Today the effort we are beginning in the Senate is an effort that will continue for as long as it takes. It is a call for the same thing: Leadership. It is time for Speaker BOEHNER to look beyond ideology and partisan politics. It is time for him to look at the history of a bill that again and again and again has been supported and expanded by Republicans and Democrats. It is time for him to do the right thing and pass our inclusive, bipartisan Violence Against Women Act because the lives of women across the country literally depend on it.

I am delighted my colleague from California is here with me. She has been with us every step of the way in this bipartisan bill that we have moved forward. With the women and men who support us, we are going to continue to be loud and strong. We need to pass the bill, and Speaker BOEHNER needs to take it up for the women who are watching and waiting.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Madam President, I am proud to follow Senator MURRAY in her call to pass the bipartisan Senate bill which would reauthorize the Violence Against Women Act. The Leahy-Crapo bill is the only bill that will protect all of the women in our country.

I well remember when Vice President BIDEN was then-Senator BIDEN, and in 1990 he wrote the Violence Against Women Act. I was in the House at the time. He asked if I would carry the House version of his bill. I was extremely honored to do that. We were able to pass small portions of the bill early in the 1990s.

But it wasn't until I came to the Senate that we actually passed the entire bill, and I think it was Senator SCHUMER, who was then in the House, who picked up the ball on the bill in the House. It got passed. Since then we have seen a decline in domestic violence of 53 percent. But even so, even while the law is working, we have to strengthen it because, as the Presiding Officer knows because she is a leader in this cause, every day three women are killed by their abusive partners. Let me say that again. Every single day, three women are killed by their abusive partners.

So in order to change this terrible statistic, we need to reauthorize the Violence Against Women Act, and we need to improve it to protect more victims of domestic violence. That is what the Senate did. I am very proud of the Senate. We passed the bipartisan bill with a vote of 68 to 31, with 15 Republicans voting in favor.

The Presiding Officer also worked hard to get the Transportation bill done. It was a very similar situation. The Senate had a bipartisan bill; it was a very popular bill. It had over 70 votes. The House was very slow to take up the measure, and we kept saying: Pass the Senate bill. Finally, they passed a small bill, and we got to conference, and we hammered it out.

But here is the thing: We don't have time on this bill. We need to ask the House to take a look at our bill and to understand how important it is that everybody be included in the Violence Against Women Act.

I am going to put up a chart that shows us how many people are left out of the House Violence Against Women Act.

(Mr. CASEY assumed the chair.)

Mrs. BOXER. Now, I say Mr. President, we can see that 30 million people are left out of the House Violence Against Women Act. That is why we have seen a number of colleagues in the House call for passage of a bill such as the Senate's bill, because we include everybody. It isn't fair to leave entire groups out of the protections of the Violence Against Women Act, and that is exactly what they do in the House.

The House bill ignores the wishes of law enforcement and excludes key protections for 4 million immigrants. It excludes 16 million LGBT persons from critical legal protections and services. More than 44 percent of LGBT victims who seek shelter are turned away.

The House bill would also prevent Indian tribes from protecting almost 2 million Native American women from their abusers. This is outrageous. It is an extremely outrageous omission, given that nearly half of all Native American women have been victims of domestic violence. Let me repeat that: Almost half of all Native American women have been victims of domestic violence. Yet among the 30 million left out of the House Violence Against Women Act, we see the exclusion of the Native American community.

Despite the epidemic of sexual assault and dating violence on our college campuses, the House bill leaves out improved protections for more than 11 million college women.

The House bill would deny vital protections to women such as an immigrant woman who is my constituent who had been stabbed by her boyfriend 19 times while she was 3 months pregnant. During her ordeal, her boyfriend drove her from one part of town to the other, refusing to take her to the emergency room, even though she was losing consciousness and bleeding profusely.

Thankfully, the woman received medical attention, the baby was not lost, and she made a full recovery. This brave woman, despite her physical and emotional scars, fully cooperated with police and the prosecutor to eventually bring her abuser to justice. A women's shelter helped her get a U visa based on her cooperation with law enforcement, and she and her child were able to move on with a new life.

If we look at some of the most vulnerable people living in America today, in addition to our children—and I know what the Presiding Officer is dealing with in Pennsylvania, with an unbelievable, horrific, violent crime that took place on a college campus over a period of years—we know our children are vulnerable, and our immigrant women are extremely vulnerable, too, because they are scared they are going to be kicked out of the country and, therefore, their abuser knows that and puts them in a horrific situation, where if they go to the police to report the abuse on themselves and their kids, they may be kicked out of the country.

That is why we have the U visas. The U visas say: If someone cooperates with law enforcement, they will not be kicked out. So we have to include immigrant women and, by extension, their children in the 30 million who are left out. We have to add them back in.

The House bill fails to ensure that people such as Jonathon, a gay man who was abused by his partner of 13 years, receives full protection under the law and cannot be discriminated against.

When Jonathon did seek shelter from his abuser, he was refused by three L.A. area domestic violence shelters, none of which could give him a reason for excluding him. But he was left out because this community was not mentioned in the Violence Against Women Act. It is not mentioned in the House act, and Jonathon falls among the 30 million who are left out of the House act.

The House bill also leaves out students such as Mika, who was physically assaulted by her ex-boyfriend while she was in college in San Francisco. Her ex-boyfriend broke her phone, broke into her home, stole her belongings, stalked her at school, and severely beat her.

She got a restraining order against him but struggled to get her school to enforce that restraining order. She should not have had to struggle. She should have had the school on her side.

Sadly, only the Senate bill would help her, not the House bill. The House bill does not protect these women. Only the Senate bill ensures that all women, LGBT individuals, and college students are protected equally under the law, as well as Native American women.

The consequences of denying anyone the critical protections in the Violence Against Women Act are too great. When someone is bleeding on the floor, we need to help them in this great country. We do not want to start asking them questions. Are you gay? Are you straight? Are you an immigrant? Are you a college student? Are you a Native American? If someone is bleeding on the floor, we help them in this country. That is what America is about.

We see the compassion and the love every day in our country, and we saw it pour out in Aurora, CO, for an unspeakable situation. When there is violence, we have to help the victims. Only the Senate bill, the Senate Violence Against Women Act, the Leahy-Crapo bipartisan Senate bill, affords protection to all our people.

So what we are saying to Speaker BOEHNER is: Please hear our plea. This is not about the Senate saying it is any better than the House. What we are saying is, in a bipartisan way, we figured out a bill that will protect everybody, and we are asking Members to pick up that bill and pass it.

There are some technical issues—a blue-slip question. We have studied that. What did we find out? Those technical problems can be overcome in 5 seconds. So there is no reason why the House cannot pick up and pass the Senate bill.

The safety of women across the country, the safety of all our communities, is at stake, and it is time we pass it.

In closing, I would say this: Vice President BIDEN is a wonderful human being, and he could not sit back when he was in the Senate and see violence against women go on and on and on without any way to ensure that women could get into shelters, that women could get counseling, that law enforcement could be trained, that doctors could be trained, that nurses could be trained, and that we enhance the penalties for those who would harm another in a domestic violence situation.

He had tremendous foresight. In this bill, Senator LEAHY and Senator CRAPO have amazing foresight because they have strengthened this. We have cut back domestic violence by 53 percent. But we have a long way to go when three women a day are killed—killed—by their abuser.

Again, we have a very clear message for the House: Please join hands with us. Please, with all the politics and all the fighting and all the problems, there are certain times when we should reach out to one another and protect the American people. This is one of those times. We have the bill. It is bipartisan. It works. Please accept it, and let's get on with our work.

Thank you very much.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, let me begin by thanking my colleague from California for her leadership over many years and her steadfast courage and vision on this issue; likewise, my colleague from the State of Washington who spoke before her, Senator MURRAY, for her leadership, as well and others in this body who passed VAWA, the Senate's version of that measure, S. 1925, by an overwhelming bipartisan margin, in fact, 68 to 31, back in April.

This measure truly is bipartisan, and it has commanded overwhelming support in this body and, more important, from across the American public.

In Connecticut, I hear again and again from men and women, members of all communities, that the Violence Against Women Act is an idea whose time came 18 years ago but continues to demand the kind of respect and support the Senate has given it.

Now is the time for the House to adopt the Senate bill because it is more inclusive and more effective. For a bill that works, as this measure truly does, to include more potential victims, to provide more tools of enforcement is absolutely appropriate and necessary at this point in our history.

Of course, I hear from Connecticut constituents such as Hillary from Fairfield, who tells me:

> One in four women, worldwide and in the U.S. is at risk for violence at some point in her life. Men are at risk too, and VAWA supports provisions for men to be safe and healthy in their relationships as well. VAWA supports programs for both men and women perpetrators of abuse to get the help they need to stop the violence, and it ensures that women and their children have a safe place to go when in danger.

Susan from New Haven:

> Reauthorizing VAWA sends the message that survivors of sexual assault, domestic violence, dating violence and stalking must have the tools to heal and reclaim their lives; that women and girls, our communities and our families, must be safe; that the next generation must be engaged in this effort—and that the evolution of our collective thinking on how to break the cycle of violence is a national priority. To send any other message is unconscionable. Congress must act swiftly. Renew VAWA now.

Renew VAWA is the message we carry to the House: Renew VAWA with the improvements and reforms we have wisely adopted in this body and continue a measure that has benefited 54,000—let me repeat that, 54,000—domestic violence victims in Connecticut alone, millions across the country, and has provided organizations in Connecticut nearly $5 million in just the last fiscal year from VAWA programs.

These measures make a difference in people's lives. So often we can speak and think in this Chamber without the kind of connection to individual lives, where we see legislation, our acts here, making a difference. This measure offers us the opportunity to make a difference by broadening and making more inclusive this measure.

It makes it more effective. I am proud it makes it more effective with an amendment I offered to prosecute criminals who use the Internet to intimidate, threaten, harass, and incite violence against women and children.

The use of the Internet is increasingly prevalent for these kinds of crimes. The legislation I introduced, included in the Senate's bill, enhances current law for the Internet age. That section of the bill is not in the House version. It should be. That is a reason I am urging the House to adopt the Senate version.

But it is also more inclusive in including lesbian, gay, bisexual, and transgender constituents—whom all of us have—in these protections.

LGBT Americans experience domestic violence at the same rate as the general population, but they often face discrimination in accessing services. In fact, a survey found that 45 percent of LGBT victims were turned away when they sought help from a domestic violence shelter. There is a real need—an unquestionable and immediate need—to improve the access and availability of services for LGBT victims, and our measure does it; the House version does not.

Over 800 constituents—and I welcome them in contacting me—have written me to urge that we preserve the LGBT provisions of the Senate bill as VAWA moves forward.

S. 1925 also includes protections for Native Americans that are absolutely vital. One of the invisible, unknown, unrealized, unacknowledged facts about this community is that nearly three out of five Native American women are assaulted by their spouses or intimate partners. One-third of all American Indian women will be raped during their lifetime. Those numbers alone should dictate the result. The members of the Tribal Council of the Mashantucket Pequot Tribal Nation and others across the country—the Mashantucket Pequots happen to be from Connecticut—have appealed to me to protect the tribal provisions in the Senate measure, not to waiver, not to relent to the House version.

Again, I urge the House to adopt our measure.

Protecting immigrant populations ought to be a given for the Senate. The House version of VAWA would ''endanger the safety of noncitizen victims and society as a whole.'' That is a quote from the International Institute of Connecticut, which has urged me to hold firm to support the provisions of the Senate bill and not surrender to the House and relent on protecting immigrants who need this help.

Again, I quote. The House version would ''endanger the safety of noncitizen victims and society as a whole.''

VAWA symbolizes for our immigrants, those who come to this country, what makes America great. We protect everyone who needs it. We enforce the laws equally without discriminating against people as to their national heritage or origin or ethnicity or race or other background. Equal protection of the law is one of the unique constitutional principles of the American democracy and the American Constitution. Our landmark measure enhances and enforces equal protection of the law.

I hope this body stands firm. I hope the House understands that it is not one body being better than another. We are way beyond that kind of comparison at this point. It is one version of the same legislation, one set of provisions seeking a common goal, doing it better, more inclusively, and more effectively in the great tradition of the legislative process.

I urge the House of Representatives to put partisanship aside, to put aside any kind of cameral personal differences and take immediate action to support all in America who are victims of domestic violence and sexual abuse.

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. THUNE. 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. THUNE. Mr. President, I rise today to talk about the need to extend the current tax rates and to reject the tens of billions of dollars in higher taxes the President and Senate Democrats want to impose next year. I believe the upcoming vote or votes will be some of the most important votes the Senate holds this year.

As early as tomorrow, we will hopefully vote on tax plans that represent two competing philosophies. One plan, introduced by Majority Leader REID and supported by Senate Democrats and the President, proposes higher taxes on American entrepreneurs, investors, and small business owners.

The Democratic plan represents the philosophy that if only the government could raise enough money, Congress could somehow spend our way to prosperity. It is a viewpoint that holds that the Federal Government can spend hard-working American tax dollars better than they can. Rather than leaving the money in the private economy where it can be invested or spent by private citizens, this view holds that the government should instead bring these dollars here to Washington, DC, to redistribute them through the Federal bureaucracy. This philosophy was probably best articulated by the President recently when he said, ''If you've got a business—you didn't build that. Someone else made that happen.'' In other words, no one is extraordinary by virtue of their hard work and accomplishments. When someone works hard and succeeds, we should not celebrate that person as an example to others, we should instead take from him or her in order—again, as the President said—to ''spread the wealth,'' to quote another of his lines.

I am hopeful that the tax-and-spend philosophy of the Reid tax plan, however, will not be our only option. I hope we will also have the opportunity to vote on legislation introduced recently by Senator HATCH and Minority Leader MCCONNELL. This plan takes a very different approach by following the view that now is not the time to raise anyone's taxes. This view holds that our American free enterprise system works best when government gets out of the way, leaving Americans free to pursue their hopes and dreams. One way we can leave Americans free to pursue their dreams is by not raising their taxes next year. And we especially should not raise taxes when Americans are struggling to get by.

Ironically, the view that we should extend current tax policy at a time when the economy is weak was articulated, interestingly enough, by the President just 2 years ago when he signed an extension of all of the tax rates. At that time, President Obama said that raising taxes would have ''been a blow to our economy just as we're climbing out of a recession.'' Interestingly enough, real GDP growth when he made that statement was around 3.1 percent. That was the average when the President made the statement that if we raised taxes, it would have ''been a blow to our economy.'' Well, real GDP growth this year is on a pace to average 2 percent and possibly less. Those numbers are consistently being revised and being revised downward. If it did not make sense to raise taxes when our economy was recovering, why does it make sense now to raise taxes as our economy is slowing? How does it make sense to raise taxes in an environment where over 23 million Americans are out of work or underemployed, when the unemployment rate has been stuck at over 8 percent now for 41 consecutive months?

The votes tomorrow are incredibly important—not because either plan is likely to become law immediately but because Americans deserve to know where their Senators stand when they go to vote this November. Do you stand for stable tax rates that encourage work and investment or do you stand for increasing taxes on the very businesses we rely on for job creation? Do you stand for a free enterprise system that rewards hard work and innovation or do you stand for making it more difficult for small businesses to grow and succeed? These are the important choices that will have a real impact on hard-working Americans and on our economy at large.

Consider the Reid tax plan. According to the Joint Committee on Taxation, this plan will impose a tax increase on nearly 1 million business owners. Proponents of this increase are going to argue that it will only affect a small segment of our economy. Yet the Joint Tax Committee estimates that the President's tax increase in the Reid plan will hit more than 50 percent of all income earned by businesses that pay their taxes at individual rates. These are so-called passthrough businesses, and they apply to S corporations, partnerships, sole proprietorships, and LLCs. They are the ones who are going to see their cost of business go up next year for no other reason than the desire by the Senate Democrats to ''tax the rich.''

Small businesses, which accounted for two-thirds of the net new jobs over the last decade, will be particularly impacted by these tax increases. According to a survey of small businesses by the National Federation of Independent Business, 75 percent of small businesses are organized as passthrough businesses. NFIB also found that the businesses most likely to be hit by the Reid tax increases are those businesses employing between 20 and 250 employees. According to the U.S. census, the data that they collect, these businesses employ more than 25 percent of the workforce. So the million small businesses that, according to the Joint Committee on Taxation, will see their taxes go up under this proposal employ 25 percent of the American workforce and account for over 50 percent of all passthrough income. So you are going to see taxes go up dramatically on over 50 percent of passthrough income and on small businesses that employ 25 percent of the American workforce.

Does that make sense in this economy? It should be no wonder that the political party advocating this kind of tax policy has also presided over the weakest economic recovery literally since the end of World War II.

The impact of the Reid tax increase on small business will be bad enough, but unfortunately these tax increases will have significant ramifications for our entire economy. According to a study released earlier this month by Ernst & Young, the Reid tax plan would hurt our economy in the long term. According to Ernst & Young, the tax increases in the Reid plan would reduce economic output by 1.3 percent. This would mean $200 billion less in economic activity if translated into today's economy. The Ernst & Young study estimates that the tax policies in the Reid plan would reduce employment by one-half percent, meaning roughly 710,000 fewer jobs.

The study estimates the Senate Democrats' approach will reduce the Nation's capital stock by 1.4 percent and investment by 2.4 percent, and this approach will reduce aftertax wages by 1.8 percent. So we will be reducing investment, costing the economy over 700,000 jobs, and reducing aftertax wages for hard-working Americans in this country. Yet here we are talking

about a tax increase that would do dangerous damage and harm to our economy.

I would say, these aren't partisan statistics compiled by Senate Republicans. These are the estimates by a respected accounting firm as to what will happen if we follow the tax policies proposed by Senate Democrats and the President. We will have less economic growth, fewer jobs, and a lower standard of living in the long run. These numbers simply confirm common sense. If we want individuals and businesses to spend and invest more, we shouldn't raise the amount of the income they have to pay to the Federal Government, and that is what this does.

We have major tax policy decisions to make, decisions reflected in the votes we will take tomorrow. Do we want to encourage capital formation in this country? In other words, do we want to encourage investors to put their capital at risk so that businesses will have money to make new investments? Well, by raising the capital gains tax rate from 15 percent to 20 percent for some investors, the Reid bill will make it less attractive to invest in our economy. According to an Ernst & Young study from February of this year, the top rate of capital gains will rise from 56.7 percent on January 1 of next year, after taking into account corporate, investor, and State taxes. This will be the second highest combined capital gains tax rate in the world among OECD and BRIC nations. America already has the highest corporate tax rate in the developed world. It appears as if the Senate Democrats are going for No. 1 when it comes to capital gains taxes as well.

If there is anything I can say that is positive about the Democrats' tax increase plan, it is that at least they rejected the President's proposal to nearly triple the tax on dividends paid by upper income Americans. Even Senate Democrats, who are not shy about raising taxes, understand the President's proposal to impose a top rate of over 40 percent on dividend income would be terrible for millions of seniors who rely on dividend-paying stocks and for those American companies that rely on dividends to raise capital.

Instead, the Reid bill would increase the top rate on dividends from 15 percent to 20 percent. I believe this tax increase is bad policy, but it won't be nearly as harmful as the President's approach would have been.

On another issue of critical importance, however, the Senate Democrats have decided to run to the left of this liberal administration, and this is on the issue of the estate tax, better known as the death tax. The Reid plan would impose a huge new death tax on family farms and businesses next year. Under current law, businesses and farms are exempted from the death tax on the first $5 million of the value of an estate. Values above this amount are taxed at a top rate of 35 percent.

I believe we ought to completely eliminate the death tax, and I have introduced legislation, with 37 of my colleagues, to do so. But the current death tax treatment exempts the large majority of family farms and businesses from the tax. The Reid plan, however, would allow the death tax to revert to the provisions in effect before 2001.

This means, under the Reid plan, that family farms and businesses will face a top death tax rate of 55 percent on estates above $1 million in value.

This is a massive death tax increase on tens of thousands of small businesses and family farms across America. In fact, according to the Joint Committee on Taxation, the Reid plan will increase the number of estates subject to the death tax in 2013 from 3,600 estates under current law to 50,300 estates under the Reid proposal.

According to the Joint Committee on Taxation, the Reid plan will subject 20 times more farming estates to the death tax in 2013—a 2,000-percent increase. The Reid plan will subject 9 times more small businesses to the death tax—a 900-percent increase.

If the death tax policy in the Reid plan were made permanent over the next 10 years, the number of small businesses subject to the death tax will increase from 1,800 to 23,700, and the number of family farms subject to the death tax would increase from 900 to 25,200. That is all data put together and reported out by the Joint Committee on Taxation.

The reason for this massive expansion of the death tax is because the $1 million exemption amount is much too low, given the value of successful farms and small businesses today. I will use my State of South Dakota as a good example. Take family farms in South Dakota. According to the Department of Agriculture, the average size of a farm in my State is 1,374 acres. According to the USDA, the average value per acre of cropland in South Dakota is about $1,810. This means the average value of a farm in my State is nearly $2.5 million. So if you have a death tax law that only exempts $1 million and has a 55-percent top rate on everything above that, imagine what that is going to do to the average farm in a State such as South Dakota. And South Dakota is not unique in that regard. We have seen land values rise across America's heartland, from Nebraska to Missouri to Montana.

Let's be clear: The Reid bill would subject many more families to a punitive double tax—the death tax—when a loved one passes away. It will make it much more difficult to pass family farms and businesses from one generation to the next. And we should never forget that most family farms are land rich and cash poor. Lots of assets, land values, and those sorts of things, but what you don't want to see happen is a family farm that can be passed on to the next generation have to be liquidated to pay the IRS because of a punitive death tax. That is precisely what this policy, as proposed by the Democrats' plan, would do.

The USDA estimates 84 percent of farm assets are comprised of farm real estate. That is where most farm and ranch families have their assets. That means family farms don't have extra cash on hand to pay the death tax. Instead, they will have to sell off land or take on additional debt in order to pay these higher taxes. That is exactly what we don't want to see happen in this country.

I don't believe the President's proposal—which is a $3.5 million exemption and a 45-percent top rate—is adequate, but it is much better than what Senate Democrats in the Reid plan have proposed.

Let me summarize, if I might. Tomorrow we are going to vote on the Reid proposal to raise taxes at a time when Americans are hurting and our economy is fragile. The Reid proposal will impose higher taxes of more than $50 billion on successful small business owners and families. It will hurt our economy, reducing economic growth and job creation at the same time it lowers wages for hard-working American families. It will impose a new death tax of $31 billion on 43,100 family farmers, ranchers, and small businesses.

We will also vote, I hope—I hope—on the Hatch-McConnell alternative plan to keep tax rates where they are, to prevent a tax increase on any American next year. In addition to keeping tax rates where they are, the Hatch-McConnell proposal provides instructions to the Finance Committee to report out fundamental tax reform legislation by 12 months from the date of enactment of the bill. The Hatch-McConnell approach is the correct approach: Prevent a tax increase now and move to fundamental tax reform next year.

Of course, extending current tax law temporarily is only a short-term fix. What is needed is comprehensive tax reform, much like the Tax Reform Act of 1986. Real tax reform will drive economic growth higher, will lead to robust job creation, and will result in more revenue to the Federal Government.

But real tax reform is going to require Presidential leadership, something that has, unfortunately, been lacking over the past 3½ years. Perhaps next year we will have a President truly willing to commit to tax reform, a President who is not content with simply releasing a 23-page framework for corporate tax reform.

But until we get to comprehensive fax reform, the least we can do now is to ensure Americans do not face a massive new tax hike during a weak economy. I hope we will get that vote tomorrow. I hope Senate Democrats will find their way to give us a vote on extending the tax rates for all Americans so that small businesses aren't whacked with a big tax increase next year, so that our economy doesn't get

plunged perhaps into a recession, and we don't see that unemployment rate tick even higher.

Those are the results, those are the outcomes, those are the types of things that are going to happen, according to all the independent analysis, with the tax proposal that is before us today.

Remember, there is always this idea that somehow, if we raise more taxes, we will be able to pay down more of the debt. Well, I have to say, it has been my experience that when there is money around Washington, DC, it gets sucked up and it gets spent. I think a lot of Americans would welcome the idea of seeing their taxes going to pay down the debt, but what we will see is a massive tax increase on Americans used to grow government here in Washington, DC. That is not what the American people want, and that is not what we in the Senate should be for.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, Abraham Lincoln is quoted as saying:

> I am a firm believer in the people. If given the truth, they can be depended upon to meet any national crisis. The great point is to bring them the real facts.

There have been a number of inaccurate claims over the past several weeks accusing Democrats of proposing tax hikes. Nothing could be further from the truth. So let me set the record straight, as Lincoln said, and bring them the real facts.

Democrats are proposing to extend a tax cut for 100 percent of taxpayers. Under the Democratic proposal, all taxpayers get a tax cut. Those lower income, those middle income, and those upper income all get a tax cut. Everyone does. Millionaires get a tax cut under the Democratic proposal, billionaires get a tax cut under the Democratic proposal, and all taxpayers who pay ordinary income tax are going to get a tax cut.

Why is that? It is very simple. Because even if your income is above $200,000 for an individual or $250,000 for a family, you are still getting a tax cut for your first $200,000 of income or the first $250,000 of income. So you are getting a tax cut. Everybody is getting a tax cut. I want to make that clear: All Americans get a tax cut under the Democratic proposal.

Even though the most wealthy are also getting a tax cut under the Democratic proposal, those on the other side of the aisle want to give an even greater tax cut to those earning above $200,000 as individuals or $250,000 as a couple. So let me repeat: Everyone gets a tax cut under the Reid bill. The other side of the aisle says: Okay, maybe that is so, but they want to give an even greater tax cut to those earning over $250,000. That is the fact.

An awful lot of people think the Democratic bill does not cut taxes for those above $200,000 and $250,000. It does. It does. The facts are clear. The numbers don't lie. It does. Everyone gets a tax cut. So there should be no question about that.

As I said, my colleagues on the other side of the aisle are threatening to oppose a middle-income tax cut, which actually is a tax cut for everybody. They say, oh, no, don't do that. They say, do that, but then add a greater tax cut for those top 2 percent of the wealthiest of Americans.

But let's go back and ask ourselves why are we here, in part? These tax reductions were instituted in 2001, at a time when our country had record surpluses. I think the total tax cut in 2001 was projected to be about—I may be off a little here—$1.5 or $1.6 trillion over 10 years, at a time when our Nation had a projected surplus of about $3 trillion or up to $5 trillion. I have forgotten exactly, but it was way above the 2001 tax cut. That is why, in large part, the 2001 Congress decided, well, we have these big projected surpluses, so let's give some of it back to the people. I voted for it.

That is why I voted for it. It made sense to me—with the great projected surpluses—to take a little less than half of that and give it back to people in terms of tax cuts.

But times have changed. In the wake of two wars that have cost over $1 trillion, unpaid for—Iraq and Afghanistan—and also the 2008 financial collapse that very much hurt our economy, times have changed since 2001. As a consequence, our Nation now is faced with record debt, and we cannot continue to spend money we don't have. We have to put our Nation back on solid fiscal ground. So a lot has happened since 2001.

In addition, something else has happened, regrettably. Today, the average household income indexed for inflation is lower than it was when the tax cuts for the wealthy were put into effect. This means more people are making less money now than they were when these cuts were signed into law. Today, American families have less money to spend on their mortgages, gasoline, and groceries, for example. Actually, including benefits, Americans are not as well off as they were 10, 15 years ago.

These cuts were enacted in 2001 for all Americans. Those top two rates for the wealthiest 2 percent of Americans has cost future generations nearly $1 trillion. I think it is bad economics to continue these highest income tax cuts without evidence they actually solve America's economic woes. They don't. It is especially bad economics when our Nation's debt has increased by $10 trillion since they were first enacted.

Hard choices need to be made as we work to get our debt back to sustainable levels. We are all going to be asked to contribute. We need to make sure the most fortunate pay their fair share to deficit reduction as well. Again, they are already getting a tax break under the Democratic proposal. Everyone gets a tax cut under the Democratic proposal, but it is wrong to go further and say those making above $250,000 should be getting an even greater tax cut.

With a greater contribution from them, we could more easily work to get our Nation's debt down to manageable levels.

Some have argued we cannot let the tax rates expire for the wealthiest Americans—the top 2 percent—because they are ''small business owners.'' Let me address that and marshal the facts, as Abraham Lincoln would ask us to do.

Being wealthy is not the same as being a small business owner. One can be very wealthy in America but not be a small business owner. Some might have us believe there are 1 million small business owners earning over $200,000 a year. How do they get that number? They get that number from an estimate prepared by the Joint Committee on Taxation, a bipartisan group that gives us accurate data—both Republicans and Democrats, Senators and House Members.

The Joint Committee predicts that in 2013 there will be about 940,000 taxpayers with some business income in the upper two tax rates. But that Joint Committee estimate isn't the number of small businesses. That is a different number. Instead, it is the number of all individuals in the top two rates who receive any amount of income, from a passthrough business or from rental real estate, royalties, estates or trusts. That number of 940,000 taxpayers does not tell us whether the taxpayer spent any amount of time actually working in the business or if that taxpayer is merely an investor sitting on the sidelines. In addition, that number does not tell us whether the income is from a large business or from a small business. It can be a large business passthrough. So that number of 940,000 doesn't tell us is it large or is it small. It does not tell us if the business actually even employs anybody. We don't know that. There are a lot of taxpayers at that bracket who don't employ anybody. They are not small businesspeople.

So that 1 million number being thrown around includes taxpayers who, for example, invest in publicly traded partnerships which can be purchased on the New York Stock Exchange similar to any other stock. They are not small businesses as ordinary Americans think them to be. The 1 million number also includes celebrities and sport stars who receive income from speaking engagements. They are not small businesspeople, but yet they are lumped into that same number. Americans wouldn't regard sports celebrities as a small businessperson. That is not right.

That 1 million number also includes best-selling authors receiving royalties for book sales. That 1 million number includes partners in law firms and hedge funds who receive their income as a share of a partnership distribution. They are not a small business. The 1 million number also includes

wealthy individuals who rent out their vacation homes for just a few weeks a year.

Both President Obama and Governor Romney would be considered small business owners in 2011 under this definition. I wouldn't think they are small businesspeople, Americans don't think they are small businesspeople, but they would be included in the definition the other side bandies about.

In reality, only a very small fraction of the top earners actually own or control or manage a business that is small and has hired anyone. I have forgotten the exact number, but it is a small number. It isn't sound fiscal policy to extend tax cuts for the wealthiest 2 percent of Americans just because a small portion of them have income from a business and a tiny portion of them manage a small business. But that is what some would have us believe. I don't have the number with me, but it is very small. There aren't very many at all.

Finally, the argument that higher taxes on the wealthiest hinders job creation is tenuous at best. Why do I say that? I say that because even the nonpartisan Congressional Budget Office found that extending the high income tax cuts for those in the top two rates was the least effective way of creating jobs among a list of alternatives commented on by the Congressional Budget Office. As I recall, the top of the list were items such as payroll tax. If we cut the payroll tax, that is a big job creator. If we extend unemployment insurance benefits, that is a big job creator. Down at the bottom of the list of job creation on a dollar-for-dollar basis is extending the 2 percent top rates. That creates very few jobs, according to the Congressional Budget Office.

Actually, it hurts job creation, according to the Congressional Budget Office. Why? It found that extending the high income tax cuts actually reduces the gross domestic product and the number of jobs over 10 years. Why? Because doing so increases the deficit. The CBO said that actually extending the top two rates is a job reducer, not a job creator—a job reducer—because it would add to the deficit and, in doing so, all things being equal, would lose jobs.

So despite efforts to hide behind small businesses, the fundamental question is, What is fair? What is best for our country? Should we drive up deficits further, reducing growth as a result by extending the tax cuts for the top 2 percent? Don't forget, we are already reducing their taxes under the Reid bill. Should we tame our deficits by ending Medicare as we know it and cutting important social programs to the bone? The more those top two rates are extended, the more we have to cut someplace else. It is just mathematics. It is a choice we have to make in our country. There is no free lunch. We know that. We can't have our cake and eat it. Life is choices. Our fiscal situation needs choices. We have to decide what makes the most sense or should we control our deficits through a balanced approach that thoughtfully cuts spending and ask the wealthiest 2 percent to contribute no more than they did 11 years ago? Clearly, as we reduce our debt and try to cut spending, there is no question about that. There is also no question that there has to be some combined income tax increase along with the spending cuts to be able to reduce our budget deficit.

The answer is clear: We should vote for Leader REID's bill and continue down the path toward responsible deficit reduction. I wish to make the point again, if it wasn't clear. The Reid bill reduces tax rates for all Americans, middle income and upper income, because we have a marginal rate system. The most wealthy have to pay in the 10-percent bracket, then they pay in the 15-percent bracket, then they pay in the 25-percent bracket, then they pay in the 28-percent bracket, all the way up to the top bracket today which is 35 percent. They pay in all brackets. So what we are saying is we are going to reduce your taxes; we are going to make sure you stay at those low rates for the next year so you, therefore, are going to pay less in income taxes, even if one is a billionaire.

Let's go with the Reid bill. It is fair. It is the right course. I hope the Senate adopts it and we get enough votes—60 votes—to get this passed.

I yield the floor.

Ms. COLLINS. Mr. President, today I have filed an amendment to extend for 1 year the individual income tax provisions of the 2001 and 2003 tax relief acts for all Americans, but with a surtax of two percent on those earning $1 million or more, coupled with a ''carve-out'' to protect our nation's small businesses.

The Congressional Budget Office has warned us that the ''fiscal cliff'' created by the expiration of current tax rates on December 31, coupled with ill-advised and deep cuts in defense spending that would result from ''sequestration,'' would likely result in a recession in the first half of next year. It makes no sense and should be unacceptable to all of us to allow our country to go over this ''fiscal cliff.''

I have long urged that we begin the debate on comprehensive tax reform aimed at creating a simpler, fairer, pro-growth tax code. I also believe that multimillionaires and billionaires can afford to pay more to help us deal with our unsustainable deficit.

My amendment would, therefore, impose a 2 percent surtax on millionaires, with a carve-out to protect small business owners who pay taxes through the individual income tax system. Our Nation's small businesses must not be lumped-in with millionaires and billionaires. The ''carve-out'' I am proposing would shield small businesses owners from tax increases intended to fall on the very wealthy.

These small business owner-operators are on the front lines of our economy, and of the communities in which they live. The income that shows up on their tax returns is critical to their ability to create jobs, finance investment, and grow their businesses. Left in their hands, this income will lead to more jobs and buy the tools that help American workers compete.

Congress still could tackle tax reform this year but, unfortunately, this is not likely. That is why, in my amendment, I propose extending the current individual tax rates for all Americans through 2013, to give us the time we need to consider and adopt comprehensive reform that results in a simpler, fairer, pro-growth Tax Code. The surtax on the very wealthy, combined with protection for small businesses, will help us begin to deal with the deficit without harming the job creation engine of our economy—small business.

The PRESIDING OFFICER. The Senator from Georgia.

HONORING GHANA'S PRESIDENT JOHN ATTA

Mr. ISAKSON. Mr. President, I rise for a moment to express my sympathy and condolences to the people of Ghana and to the family of its President, John Adam Mills.

President Mills died in a military hospital today in Accra, Ghana, of throat cancer. Four hours after his death, the Vice President was sworn in as the new President of Ghana, a testimony to the democratization of that country and its leadership on the continent of Africa.

Ghana has been one of the shining beacons of light in Africa for its transition to business, trade, prosperity, and economic development. John Adam Mills deserves the credit for taking Ghana to the height it has gone to today.

Senator COONS from Delaware and I traveled to Ghana last year to meet with President Mills. We saw firsthand how he has developed a large-scale oil-producing country in Ghana, making that wealth come back to be reinvested in the people of that country. We visited the Millennium Challenge Compact that Ghana made with the United States of America to help her pineapple plantation producers be able to extend the life of their pineapple and export them into Europe for increased trade and agriculture in Ghana. We visited hospitals, where money from the oil and petroleum the country has discovered is now being reinvested in that country and in her people.

Today, with his tragic death, we also saw the light of democracy as the government made its transition, the Vice President ascended to the Presidency, and elections will be held later in the year for the next President of Ghana.

But it is important to pause as a tribute to President Bush and Condoleezza Rice, to President Obama and Hillary Clinton, our Secretary of State, who have worked tirelessly during the past decade and a half to work with the countries of Africa to develop. Americans have invested in PEPFAR, and we have reduced the growth of

AIDS. We have invested in malaria prevention, and we have reduced the growth of malaria. Nigeria is the last place on Earth where polio exists, and it is about to be eradicated because of the investment of the American people.

I have said oftentimes as the ranking member of the African Subcommittee that Africa is the continent of the 21st century for our country, and I think it is. I think the investment our taxpayers have made and the investment our last President and our current President and both Secretaries of State have made are paying great dividends.

But it is important for us to pay tribute to those bold, brave African leaders who ran for office to promote democracy, who served and reinvested the profits they made in their country's wealth and their people and shine as beacons of light for hope on what has been known in the past as the Dark Continent.

In this sad moment for the people of Africa, and particularly the people of Ghana, it is time for us also to rejoice on what democracy has made in that country, and what John Adam Mills did to produce that democracy and to make it work.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Mr. President, I ask unanimous consent to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING THE LIFE AND LEGACY OF DR. SALLY RIDE

Ms. SNOWE. Mr. President, I rise to pay tribute to the life and legacy of Dr. Sally Ride, the first American woman to enter space and who passed away, sadly, this week.

A truly extraordinary woman and an American icon and hero, Sally was a trailblazer who, with a steadfast fortitude and an insatiable spirit of exploration, accomplished what no other female in American history had before. When she rocketed into the heavens aboard the Space Shuttle Challenger on June 18, 1983, she also soared into the hearts of millions of Americans, including myself. Indeed, we recognized in her landmark achievement the realization of the quintessential American dream—that anyone, regardless of their gender, can succeed to even the greatest of heights, even if it is the stars.

I was fortunate enough to have been present at Cape Canaveral—along with my good friend and colleague then-Congresswoman BARBARA MIKULSKI—on that historic June morning when Sally took to the skies. I can vividly recall the palpable optimism and unabated excitement that saturated the air. At that point, I had been a member of the House of Representatives for 4 years and was 1 of only 23 women in Congress. You can imagine the tremendous amount of pride we all felt in witnessing such a watershed moment.

Indeed, it was a triumphant pinnacle in the fight to topple gender barriers and a progressive stride in the movement to shatter oppressive social norms. It was a bold response to those who could only see so far as to ask her before the flight, ''Will you wear makeup in space? Do you cry on the job?'' It was a bright beacon of hope to millions of young girls across the country, and indeed the world, who would come to recognize Sally Ride as the embodiment of their most fervent hopes and dreams.

I was very proud to be able to participate in a tribute at the Air and Space Museum as cochair of the Congressional Caucus on Women's Issues a month later to pay tribute to Dr. Sally Ride and the entire Challenger crew, where I expressed to them that ''their achievement is America's achievement.''

In fact, in a testament to the depth of her remarkable character, Sally Ride lamented the unprecedented nature of her trip when she said:

> It's too bad this is such a big deal. It's too bad our society isn't further along. It's time people in this country realized that women can do any job they want to.

She recognized rightly that while her excursion was extraordinary, it should not have been. Today, we nonetheless recognize that through her words she gave voice to countless women, and through her actions she gave the vision and courage to seize their dreams. That is the message Sally Ride engendered as an astronaut, as a professor, and as the founder of Sally Ride Science, her namesake company which strives tirelessly to inspire and inform students by providing them with innovative science programs and resources.

I had the opportunity to see Sally Ride last year. She was recounting with enthusiasm the work she was doing in working with so many young people across this country and sharing her commitment and her passion for education and for space. I was also privileged to have Sally as a neighbor of mine during her time working in Washington, DC.

Indeed, she was a pioneer and a true American icon whose inspirational journey into space will long serve as an example that we can accomplish anything we put our minds to. Perhaps even more importantly, she bequeaths to future generations a legacy that transcends her time unbounded by earthly ties. She leaves to us the omnipotent notion that we can and will do what is hard and that we will achieve what is great, regardless of who we are, and it will indisputably resonate for generations to come.

Leonardo da Vinci once observed:

> When once you have tasted flight, you will forever walk the Earth with your eyes turned skyward, for there you have been, and there you will always long to return.

Well, today we fondly remember a woman who had her eyes turned skyward not only for herself but for the women of future generations who would follow in her example and in her footsteps. We take comfort in knowing that the stars are now indeed where she rests, and we continue to firmly keep her family and friends in our thoughts and prayers.

I yield the floor.

The PRESIDING OFFICER (Mr. BENNET). The Senator from New Hampshire.

VIOLENCE AGAINST WOMEN ACT

Mrs. SHAHEEN. Mr. President, I rise today to join my colleagues who have been to the Senate floor earlier this afternoon to emphasize the importance of getting the House to act to pass the Violence Against Women Act. We have passed a bipartisan reauthorization in the Senate and now it is time for the House to do the same.

There are provisions in the Senate version of the bill that offer critical protections for survivors, Native Americans, immigrants, the LGBT community, and for students, young women on college campuses. It is that importance of protecting those victims on college campuses that I want to specifically address this afternoon.

According to the Department of Justice, 25 percent of college women—that is 1 in 4—will be victims of rape or attempted rape before they graduate within their 4-year college period. The Rape, Abuse, and Incest National Network reports that college-aged women are four times more likely than any other age group to face sexual assault. In addition, experts believe that rape and sexual assault are among the most underreported crimes, so that one in four could be even greater.

In the Senate-passed legislation, the Leahy-Crapo bill, there are provisions to address the challenges that young women face on college campuses. The legislation we passed here in the Senate requires schools that receive VAWA funds to do the following: State the policies and procedures that are in place to protect victims and provide prevention education for all incoming students. Many young girls arrive on a college campus to live on their own for the very first time. They are struggling to orient themselves in a new environment, and this makes them vulnerable. They need to be given clear guidance about what to do in case they become victims.

The legislation also requires institutions to implement a coordinated response both internal and external to the campus. This means that survivors are helped if they want to hold their attackers accountable, whether through a process that the university has set up or by bringing criminal charges and working with the police. This provision tells young women they are not alone; they are supported and their school will help them.

The third part of the provision that is very important in the Senate-passed bill is that it would require schools to provide training on domestic violence, dating violence, sexual assault, and stalking for campus law enforcement

and to members of the campus judicial boards.

Last week in New Hampshire my office spoke with Forrest Seymour, the sexual assault prevention coordinator at Keene State College, which is a small college with about 6,000 students in the western part of New Hampshire. Forrest said that all of these provisions in the Senate-passed bill are very important and necessary because universities need more guidance about how to best serve students who are victims of rape, dating violence, and stalking. This is especially important at small universities such as Keene where they have limited resources.

Training for campus law enforcement is critical because they are the first responders. School administrators who serve on campus judicial boards also need special training because word spreads very fast on college campuses about whether survivors should feel comfortable going forward. These processes need to be handled with appropriate sensitivity, and the training that is required by the Senate Violence Against Women Act will help make sure these young women feel safe.

The Senate-passed version of the bill will help young women like Harmony, who began her first year in college at Plymouth State University in New Hampshire in 2006. She was excited to be there. She made new friends, and she quickly became comfortable in her new surroundings.

Unfortunately, one night someone she thought was a friend took advantage of that trust and sexually assaulted Harmony. Harmony was ashamed and confused. She felt violated. She began to question all of her new relationships. She was scared all of the time, and she was sure everyone could tell she was a victim, so Harmony didn't tell anyone. She didn't know where to turn. She was scared that she would not be believed, and she even considered dropping out of school.

Fortunately, Harmony did finally reach out and found support. She graduated from Plymouth and now she works as a case manager for survivors of domestic violence in an emergency shelter helping other survivors through the most difficult periods in their lives. Harmony shares her story all over the country, encouraging victims to come forward, promising them they will be believed, they will be supported.

If Harmony has the bravery and the courage to make these promises to survivors, so should we. We owe it to the young and vulnerable women on college campuses across this country to pass the Violence Against Women Act now. It is time for the House to act. The session is running out. We need to see this legislation reauthorized. We need to see the Senate version reauthorized so we can guarantee to young women such as Harmony across this country that they will get the support they need.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AURORA, COLORADO SHOOTINGS

Mr. UDALL of Colorado. Mr. President, as does the Presiding Officer, I come to the floor this evening with a heavy heart. I know that as Senators and leaders we are expected to have words for every occasion, but what happened last Friday morning makes it very difficult to bring forth words that are appropriate. However, as I think of the Coloradans who were there whom we are so lucky to represent, their actions spoke louder than words. Their actions spoke very loudly on Friday morning in the city of Aurora.

I wish to focus on the actions of those brave, decent Coloradans who were victims in a variety of ways at the horrific movie theater shooting that took place there in Aurora. It cut short the lives of 12 people. It injured approximately 58 others. I rise to pay tribute to all of those people as well as to their families and their loved ones. I think I know the Presiding Officer, my colleague and my fellow Senator from Colorado, knows that, most importantly, we are here to state emphatically that Aurora will triumph over adversity in our State of Colorado to emerge stronger than ever.

From the time I awoke to the news of the movie theater shootings in Aurora early Friday morning, July 20, I, along with the rest of Colorado and our country, have experienced emotions ranging from deep, profound sadness to, frankly, utter outrage. Our State was just starting to recover from the devastating wildfires that destroyed hundreds of homes, forced tens of thousands to evacuate their communities, and scorched thousands of acres in our beautiful State of Colorado. With that in mind, none of us could have been prepared for the news of these mass shootings in one of our communities.

I know the Presiding Officer has three beautiful daughters. I have two children. I know that having loved ones stolen from us in such a tragic and violent fashion is something for which one can never be prepared. But it is during these times we are also reminded to cherish those all-too-brief moments we have with the people we love.

Although this heinous crime may have shaken us, it did not break us, and it will not break us. We will mourn those we have lost and those who were injured, and with them in mind we will heal and we will become stronger.

Sadly, this kind of tragedy is not new to Colorado. It was 13 short years ago that we learned of another mass shooting at Columbine High School on the western side of Denver. As a nation, we are reminded of more recent shootings at Virginia Tech; Fort Hood, TX; and Tucson, AZ. These incidents may occur in one city or in one State, but they are national tragedies that tear at us all and then cause us all to tear up and cry together.

Like all Americans, my heart goes out to the victims and their families. I also remain hopeful—the Presiding Officer and I went to one of the hospitals—that the survivors are going to defy the odds on their road to recovery. We have been truly inspired by their stories.

I wish to take a moment and applaud the leadership shown by Colorado's public servants, from Governor John Hickenlooper, Aurora Mayor Steve Hogan, and especially Chief of Police Dan Oates and the Aurora Police Department. There are also other metro area law enforcement professionals who came to the scene almost immediately, including first responders, and medical professionals on site and at the number of hospitals where the victims were taken.

I think what is most notable is that they worked seamlessly to carry out the city's disaster plan and protect the victims from further harm. The police and firefighters arrived a mere 90 seconds after the first 9–1-1 call was placed. There is no question that lives were saved by the swift and coordinated action of Aurora's first responders.

I have to say that this incident shows what similar tragedies have before: that America shines brightest when the night is darkest, and that was literally the situation at midnight on Friday morning in Aurora.

We had the uplifting experience of hearing the stories of bravery coming out of Aurora. We marveled at those stories on Sunday. We start with the fact that at least four young men demonstrated the heights of heroism when they sacrificed their lives to protect their girlfriends from the hail of this gunman's bullets. One young woman had the courage to remain by the side of her wounded friend, calmly applying pressure to her friend's bleeding neck wound while dialing 9–1-1 with her other hand as the gunfire continued around her. Let me put it this way: Lives were saved Friday morning by those who did not let fear override their capacity to care for one another.

These experiences have underlined for me and our entire Nation that what makes us great and will help us endure this tragedy is our people. I saw that Sunday night, as did the Presiding Officer, while participating in a moving vigil in Aurora where our community not only mourned together but also held together during this most difficult time. Although the West is known for its rugged individuals, Colorado is also known for its rugged cooperators—people who help their neighbors in times of adversity. We saw that after the recent wildfires, and we see it again now.

President Obama's visit with victims and families on July 22—just Sunday—2 days ago in Aurora, provided comfort

and support to those in need and again reminded us that the sanctity and strength of family and community is what unites us in the face of adversity. Coloradans have seen that in the wake of this tragedy, our Nation has come together for Aurora and our State, and to my colleagues and anyone listening today, let me say humbly that we are grateful.

I wish to take a moment to say the names of the 12 people who were taken from us too soon. I know that later my colleague will share even more of their stories with us and with the Nation. Their families and friends have my commitment that we will, to honor these good people, these Coloradans, never forget them as the healing process goes on.

The 12 Coloradans, the Americans whom we lost Friday morning are Jonathan T. Blunk, Alexander J. Boik, Jesse Childress, Gordon Cowden, Jessica Ghawi, Micayla Medek, Matthew McQuinn, John Larimer, Alex M. Sullivan, Alexander Teves, Rebecca Wingo, and I think the hardest name for all of us to say is that of 6-year-old Veronica Moser-Sullivan. I smile in my sadness because I think the Presiding Officer has seen the photo of her with an ice cream cone in hand, delight on her face, ice cream on her nose. I guess maybe what we could do is take the time to enjoy an ice cream cone, maybe leave that ice cream on our nose for a little bit, and remember her.

In honor of these victims, I have submitted a resolution—S. Con. Res. 53—along with my colleague, the Presiding Officer, Senator BENNET. Congressman PERLMUTTER has filed an identical resolution in the House of Representatives. The resolution, among many things, strongly condemns the atrocities which occurred in Aurora; offers condolences to the families, friends, and loved ones of those who were killed in the attack and expresses hope for the rapid and complete recovery of the wounded; applauds the hard work and dedication exhibited by the hundreds of local, State, and Federal officials and others who offered their support and assistance; and last but certainly not least, honors the resilience of the community of the city of Aurora and the State of Colorado in the face of such adversity. I ask all of my colleagues in the Senate to support Aurora and support this resolution.

As we pay tribute to our fallen fellow Americans and the heroes around them, here is what I hope will come out of what can only be described as a senseless tragedy: We must harness the sense of community we feel this week and use it to create a lasting sense of collaboration in America and use it to solve our shared challenges in a measured, respectful, and thoughtful way. We can truly learn from those who selflessly gave of themselves during the chaos of the Aurora shootings and draw from it the strength to be better people, better family members, and, yes, even better legislators.

In Roman mythology, Aurora is the goddess of the dawn who renews herself each morning. At dawn on Friday, the chaos and the pain and the tragedy of the night before still lingered over that wonderful city of Aurora, but by dawn on the second day, signs of heroism, of recovery, of community began to shine through the darkness of the great Colorado city called Aurora.

As each dawn signals a new day, we owe it to the victims to rise to the occasion and renew our commitment to make this a better, stronger, and more perfect Nation.

Thank you, Mr. President. I yield the floor, and I note the absence of a quorum.

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.

Mr. BENNET. Mr. President, I would like to first thank my friend—and I do not mean that in the political sense, I mean it in the real sense—the senior Senator from Colorado, the Presiding Officer from Colorado, for his incredibly thoughtful remarks about the tragedy last week in Colorado. I cannot think of any more fitting place to be than here with the Senator tonight to have this conversation. So I thank the Senator very much for his words.

In just a few dark moments last week, in Aurora, CO, 12 innocent lives were taken from us—12 people, full of life and aspirations, loved by family and friends, and now 12 people remembered by an entire nation.

As the Presiding Officer said, thousands of Coloradans attended a vigil hosted by the city of Aurora on Sunday evening. We shared tears and prayers. We also resolved to support one another, to heal, and to always remember those who lost their lives on July 20, 2012. It is for that purpose that the Presiding Officer and I come to the floor this evening.

The first is Jonathan Blunk, age 26. Jon was a father of two who moved to Colorado in 2009, after three tours in the Persian Gulf and North Arabian Sea for the U.S. Navy. He was a certified firefighter and EMT. Jon lost his life protecting his friend Jansen Young from the gunman's line of fire. Jon shielded her from gunfire by pushing her to the ground while shots were fired. He was supposed to fly on Saturday to Nevada to see his wife Chantel Blunk and his 4-year-old daughter and 2-year-old son. Instead, his wife had to put up the dress her daughter had picked out to wear to the airport. She told her daughter that they would not see their dad anymore but that he would still love them and look over them. His daughter Hailey is comforted by calling her father's cell phone and hearing him on voice mail.

This is Alexander Jonathan ''A.J.'' Boik, age 18. A.J. recently graduated from Gateway High School. He enjoyed baseball, music, and making pottery. A.J. was to start art classes at the Rocky Mountain College of Art and Design in the fall. He was described ''as being the life of the party. AJ could bring a smile to anybody's face.'' He was a young man with a warm and loving heart.

This is Jesse Childress, age 29. Jesse was an Air Force cyber systems operator based at Buckley Air Force Base. He loved to play flag football, softball, and bowl. He was a devoted fan of the Denver Broncos, for which he secured season tickets. He was described by his superior officer as an invaluable part of the 310th family who touched everyone with whom he worked.

This is Gordon Cowden, age 51. Gordon was originally from Texas and lived in Aurora with his family. He was ''a quick witted world traveler with a keen sense of humor, he will be remembered for his devotion to his children and for always trying to do the right thing, no matter the obstacle.'' Gordon took his two teenage children to the theater the night of the shooting, both of whom, thankfully, made it out unharmed.

This is Jessica Ghawi, age 24. Jessica was an aspiring journalist, most recently interning with Mile High Sports Radio in Denver, and went by the nickname ''Redfield.'' She was hard working and ambitious, with a generous spirit and kind heart. When numerous homes were recently destroyed by Colorado wildfires, Jessica decided to start collecting hockey equipment to donate to the kids affected because she wanted to help.

This is John Thomas Larimer, age 27. John was a cryptologic technician with the Navy based also at Buckley Air Force Base—a job that requires ''exceptionally good character and skills.'' Originally from Chicago, he was the youngest of five siblings and had joined the service just over a year ago. Like his father and grandfather, John chose to serve in the U.S. Navy. John's superior officer called him ''an outstanding shipmate, a valued member of the Navy and an extremely dedicated sailor.'' Colleagues were drawn to his calming demeanor and exceptional work ethic. He was also known as an extremely competent professional.

This is Matthew McQuinn, age 27. Matt died while protecting his girlfriend Samantha Yowler by jumping in front of her during the shooting. Matt and Samantha moved to Colorado from Ohio last fall and worked at Target. He and Samantha were very much in love and planning their life together. Because of Matt's bravery, Samantha was only wounded in the knee and is expected to make a full recovery.

This is Micayla ''Cayla'' Medek, age 23. Cayla was a graduate of William C. Hinkley High School in Aurora and a resident of Westminster. She worked at Subway and was a huge Green Bay

Packers fan. Cayla would plan weekend activities around watching the games with her brother and father. She is remembered as a loving and gentle young woman.

This is Veronica Moser-Sullivan, age 6. Veronica had just learned to swim and attended Holly Ridge Elementary School in Denver, CO. She was a good student who loved to play dress-up and read. Veronica's mother Ashley Moser remains in critical condition at Aurora Medical Center. She was shot in the neck and abdomen. We pray for Ashley's recovery and strength in working through the passing of her daughter Veronica.

This is Alex Sullivan, age 27. Alex was at the movie celebrating his 27th birthday and first wedding anniversary. He loved comic books, the New York Mets, and movies. Alex was such a big movie fan that he took jobs at theaters just to see the movies. Alex stood 6 feet 4 inches and weighed about 280 pounds. He played football and wrestled before graduating high school in 2003 and later went to culinary school. Alex was known as a gentle giant and loved by many.

This is Alexander C. Teves, age 24. Alex received an M.A. in counseling psychology from the University of Denver in June and was planning on becoming a psychiatrist. He also competed in the Tough Mudder, an intense endurance challenge, and helped students with special needs. Alex was at the theater on the night of the shooting with his girlfriend Amanda Lindgren. When the gunman opened fire, Alex immediately lunged to block Amanda from the gunfire, held her down, and covered her head.

This is Rebecca Wingo, age 32. Rebecca, originally from Texas and a resident of Aurora, joined the Air Force after high school, where she became fluent in Mandarin Chinese and served as a translator. She was a single mother of two girls and worked as a customer relations representative at a mobile medical imaging company. Rebecca was also enrolled at the Community College of Aurora since the fall of 2009 and had been working toward an associate of arts degree. She was known to family and friends as a ''gentle, sweet, beautiful soul.''

Here is a photo of the gathering we had last Sunday night in Aurora. I believe, like you, Mr. President, that the early morning hours of July 20, 2012, will not be remembered for the evil that happened.

Scripture tells us ''not to be overcome by evil, but overcome evil with good.'' That is what the people of Aurora and Colorado have been doing since the first moment of this tragedy, and that is what we will continue to do.

In time, we will not remember the morning of July 20 for the evil that killed 12 innocent and precious people. Instead, we will remember the bright lives of those we lost and the families they leave behind. We will remember the 58 wounded survivors, whose recovery bears witness to humanity's strength and resolve. And tonight, knowing that some are still in critical condition, we pray for their recovery. We will remember the heroic acts of everyday citizens, our first responders, and medical personnel who saved lives that otherwise surely would have been lost. We will remember the continuing generosity of those Coloradans and Americans who are donating blood in record numbers and raising funds to support the families in this trying time. And in time, because we are all Aurora, we will draw strength from the example set by one great American city and the faith of her people in one another.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNET. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. BENNET. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

TRIBUTE TO LANCE CORPORAL HUNTER HOGAN

Mr. JOHANNS. Mr. President, I rise today to remember a fallen hero, U.S. Marine Corps LCpl Hunter H.D. Hogan. Lance Corporal Hogan was killed in action while supporting combat operations in Afghanistan on June 23, 2012.

Lance Corporal Hogan cultivated a desire to serve our Nation at an early age, and he followed in his father's footsteps when he enlisted in the Marine Corps on October 26, 2009. He, like so many young marines, could have pursued other opportunities outside of the military, but he instead chose to take an oath of service to our great country. He was rightfully proud of this oath and remained faithful to the mission and to his brothers in arms.

The Hogan family laid their marine to rest in York, NE, on July 6, 2012. Lance Corporal Hogan served with honor and valor having been awarded the Purple Heart, Combat Action Ribbon, Sea Service Deployment Ribbon, Afghanistan Campaign Medal, Global War on Terrorism Service Medal, and the National Defense Service Medal.

Hunter is mourned by his wife Brittney, his father, mother, grandparents, and so many others. I know his family is proud of him and will always remember his spirit and his quick wit. His sense of adventure and his enthusiasm for rodeo, hunting, and fishing will also be fondly remembered. Hunter's passion for life and those around him allowed him to be the best marine he could be.

Strong marines are not possible without the support of family. Hunter's family chose a quote by Senator Paul H. Douglas to describe their young marine's passion for the Corps.

> Those of us who have had the privilege of serving in the Marine Corps value our experience as among the most precious of our lives. The fellowship of shared hardships and dangers in worthy cause creates a close bond of comradeship. It is the basic reason for the cohesiveness of Marines and for the pride we have in our Corps and our loyalty to each other.

We hold our heads high when we speak of the strong tradition of military service in our great State of Nebraska. We are honored to call him one of our own, and I know Nebraskans across the State will provide his family with care and love during this very difficult time.

May God bless the Hogan family and all of our service men and women both home and abroad. LCpl Hunter Hogan, forever a marine, forever a cowboy, Semper Fidelis.

REMEMBERING OFFICER CHESTNUT AND DETECTIVE GIBSON

Ms. MIKULSKI. Mr. President, the nation is mourning the senseless loss of 12 people in Aurora CO, and the wounding of 58 people.

Today, we mark the sad anniversary of another tragedy that took place in the Capitol on July 27, 1998.

We remember Officer Jacob J.J. Chestnut, from Ft. Washington in my home State of Maryland and Special Agent John Gibson, of Woodbridge, VA, who gave their lives to protect the U.S. Capitol, all the people who work at and visit the Capitol, and to protect this building that is the symbol of freedom and democracy the world over.

Today, we honor the lives and heroism of Officer Chestnut and Detective Gibson. We also commend all the Capitol Hill police officers who put their lives on the line to protect democracy.

These two fine men were part of one of the most unique police forces in the country. They are excellent Federal law-enforcement officials who protect Members of Congress from crooks, terrorists, or anyone else who would want to harm us, and they also protect all the people in the building, whether it is a foreign dignitary or a Girl Scout troop from Iowa.

Second, they are also ''Officer Friendly''—welcoming people and answering questions; and many have taken special language training to help visitors from around the world.

Third, many are also trained for other possible emergencies: to provide basic paramedic help in the case of an ill tourist, or to provide basic firefighting and help evacuate buildings in the case of fires.

These police are like our own ''Cops on the Beat.''

Finally, so many of the Capitol Hill Police Officers are my Maryland constituents, just like J.J. Chestnut.

Officer Chestnut was always one of the stars: trained as an MP in the military, he was with the Capitol Police for 18 years and was known for having a unique touch with tourists and constituents. We were very proud of him, and he was even nominated at one time for Capitol Police Officer of the Year.

And I know how proud we were of Detective Gibson as well: he was from just across the river in Virginia. He was a true hero—stopping the gunman from entering the building.

Mr. President, I join my colleagues in the Senate in marking this sad anniversary and in paying respect to the families of Officer Chestnut and Detective Gibson. They were heroes that sad day in 1998, and they are heroes for today and all eternity.

FDA SAFETY AND INNOVATION ACT

Mr. BLUMENTHAL. Mr. President, today I rise to say a few words about the Food and Drug Administration Safety and Innovation Act, legislation Congress passed with strong bipartisan support just before we returned home to our States for the Fourth of July.

This bill was a big one. It was a big bill with complex provisions and an essential purpose: to safeguard the public, to protect patients and encourage innovation and invention, which are so important to treating and curing diseases in this country as well as other problems. And this measure was revolutionary in many ways. It contained complex, new provisions, provisions that we must make sure are implemented as Congress intended.

I was proud to work on many parts of this bill with my colleagues, including title VIII of this legislation, to generate new antibiotics to treat emerging serious and life threatening superbug infections. I want to clarify two points for the record on this legislation: I want to be clear that pathogens identified in this title are illustrative, not all-inclusive. There are many deadly pathogens that we may not even know of yet; title VIII is intended to spur innovation against all superbug infections as soon as they arise. And, I want to be clear, language in section 801(b) is not intended to prohibit or preclude innovative drug products that will spur the antibiotic pipeline, so long as they meet the definition for a qualified infectious disease product.

FDA approval of new antibiotics has decreased by 70 percent since the mid-1980s, yet reports from the CDC suggest that resistant MRSA infection deaths are now at more than 17,000 lives lost in the United States each year—more than AIDS. Resistant infections have now been elevated to one of the World Health Organization's top three threats to human health. It is my sincere hope that title VIII will spur production of the weapons we need to fight this threat.

FISCAL YEAR 2013 APPROPRIATIONS

Ms. COLLINS. Mr. President, I am pleased to join my colleagues in support of Senate debate and passage of the fiscal year 2013 appropriations bills.

I want to begin by commending both Chairman INOUYE and Vice-Chair COCHRAN for their leadership on the Appropriations Committee. In what has been largely a bipartisan process, the Senate Appropriations Committee has approved 9 of the 12 funding bills so far. A lot of hard work on both sides has gone into putting these bills together.

As ranking member of the Appropriations Subcommittee on Transportation and Housing and Urban Development, Senator MURRAY and I worked closely together to craft a truly bipartisan fiscal year 2013 appropriations bill. The T-HUD bill strikes a balance between thoughtful investment and fiscal restraint. In fact, this bill honors an allocation that is nearly $14.5 billion below fiscal year 2010 levels, a 22-percent reduction. These deep cuts reflect an even deeper commitment to getting our fiscal house in order.

I am proud of the work that went into this bill and the strong bipartisan vote this past April to report it out of committee. Like the T-HUD bill, the Agriculture; Commerce, Justice, and Science; Energy and Water; Military Construction and Veterans Affairs; State and Foreign Operations; and Department of Homeland Security bills have all been reported with overwhelming bipartisan support. In putting together these bills, the Appropriations Committee functioned the way committees are supposed to: we worked together to develop thoughtful and responsible bills that could be recommended for the full Senate for consideration.

As such, I was very disappointed to hear the majority leader's recent announcement that not one of the 12 appropriations bills would be brought to the Senate floor until after the election, virtually guaranteeing that we end up with a continuing resolution or catch-all omnibus that the full Senate has not had an opportunity to properly vet. I hope he will reconsider in light of our commitment to work with him to develop a workable and fair process for considering these bills.

Given the immense workload that we have before the end of the year—including enacting appropriations bills and preventing the so-called fiscal cliff, when enormous tax hikes and indiscriminate cuts to defense spending are set to kick in—I am disappointed that we have spent much of July haggling over proposals that never really stood a chance of going anywhere.

I understand that the majority leader has said that he doesn't want to bring the bills to the floor because the House is writing its bills to a lower level, but we have a process to deal with disagreements. It is called a conference. The Senate Appropriations Committee has reported several bipartisan bills that are ready for floor consideration. Why not bring them to the floor, allow Senators to offer amendments, and let the Senate work its will on this important constitutional responsibility?

As our Nation's economy struggles to recover, it is important that we complete appropriations bills on time and through regular order. It is important for the Senate as an institution that we proceed. It is also important for the American people to see that we can work together in an open and bipartisan manner to establish priorities, make hard decisions, and complete the work that the Constitution requires of us.

Last November, I joined Chairman MURRAY as well as Chairmen KOHL and MIKULSKI and Ranking Members BLUNT and HUTCHISON to usher the first group of fiscal year 2012 spending bills to final passage, avoiding a long-term continuing resolution for fiscal year 2012. It is my hope that we will build on last year's success and bring the fiscal year 2013 appropriations bill to the floor to be considered through a similarly open and transparent process.

These bills make investments that not only create jobs now when they are needed most but also establish the foundations for future growth. Just as important to our economic future, however, is reigning in Federal spending; we must strike the right balance between thoughtful investments and fiscal restraint, thereby setting the stage for future economic growth. Uncertainty only makes matters worse.

CHRIS BOHJALIAN

Mr. LEAHY. Mr. President, Vermont boasts many talented artists, creators, composers and authors. Not least among them is Chris Bohjalian of Lincoln, an accomplished writer whose recent novel, The Sandcastle Girls, is drawing the praise and accolades of critics and readers alike. Marcelle and I were inspired by the story Chris has committed to the printed page; it is a novel that I believe will secure his place among the most accomplished writers of the 21st Century.

I read with interest an interview with Chris published in Vermont's Burlington Free Press on July 15. Like many artists and authors, Chris drew from his own heritage in his case, Armenian—to pen a moving story of compaslion and perseverance amid horror and tragedy. Perhaps this is why he has called The Sandcastle Girls the ''most important book'' he will ever write.

Chris is a longtime friend, and I have always enjoyed reading his works. The Sandcastle Girls is an achievement that stands apart and will deeply affect its readers.

I ask unanimous consent to have printed in the RECORD the article, ''The

Most Important Book I Will Ever Write.''

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press, July 15, 2012]

''THE MOST IMPORTANT BOOK I WILL EVER WRITE''—BOHJALIAN TALKS ABOUT 'THE SANDCASTLE GIRLS'

(By Sally Pollak)

Chris Bohjalian is a novelist who lives in Lincoln. Bohjalian, 51, writes a Sunday column for the Burlington Free Press. ''The Sandcastle Girls,'' his 14th novel, comes out Tuesday. In a recent conversation with Free Press reporter Sally Pollak, Bohjalian said ''The Sandcastle Girls'' is the most important novel he will ever write. He said, as well, he thinks it's the best book he's ever written.

''The Sandcastle Girls'' is set in Aleppo, Syria, during the Armenian genocide, nearly a century in the past. The story centers around a young American woman, Elizabeth Endicott, who travels to the Middle East to assist Armenian refugees. She befriends (and aids) a group of interesting people, and falls in love with an Armenian engineer who has suffered devastating losses.

The book is narrated by a contemporary American novelist of Armenian heritage, Laura Petrosian. Bohjalian says Petrosian is a female version of himself.

BFP: What compelled you to write this book?

CB: This is the second time I've tried to write about the Armenian genocide. I tried to write about it when I finished ''Water Witches,'' prior to writing ''Midwives.'' I wrote an entire novel called ''Sugar Daddy.'' Terrible book, never published.

Not only was it a terrible, terrible book, but about this time Carol Edgarian wrote ''Rise the Euphrates'' about the Armenian genocide.

And I remember thinking to myself, Why does the world need my book when it has ''Rise the Euphrates?''

Rather than try to save the novel I went onto my next project, a novel about a midwife who dies in childbirth, and wrote that book instead.

I was about 100 pages into the manuscript about the Sandcastle girls when Mark Mustian published his interesting and marvelous novel about the genocide, ''The Gendarme.'' Once again I thought the world doesn't need my novel.

But I was so emotionally invested in these characters, I cared so much about the story, that I soldiered on and finished it. I'm really glad I did. I love this novel. Elizabeth Endicott, Nevart and Hatoun are my three favorite female characters, along with Sibyl Danfroth in ''Midwives,'' that I've ever written.

BFP: ''The Sandcastle Girls'' is a mystery, a love story and a narrative of war. How do you approach writing a novel that weaves together these themes?

CB: Those elements are woven together through the characters. I know when I read a novel, I'm interested in characters I care about. And so when I began this book I began with the people, I began with the characters. And I do care so deeply about the characters in this book, especially those women.

BFP: How did you come up with ''the compound'' in your novel, the setting for much of the action and the place where many of your characters live?

CB: Partly, I was simply after historical authenticity: Where would Elizabeth Endicott, an American, be living? Then, however, I saw the importance of the juxtaposition of where Elizabeth lays her head at night compared to where the refugees who are coming from the desert are sleeping. The square of the citadel is an innermost ring of Dante's inferno, compared to the compound.

BFP: Did you know when you started writing the book how you were going to resolve it?

CB: I never know where my books are going when I begin them. I depend upon my characters to take me by the hand and lead me through the dark of the story. I didn't know this novel was even going to have a component that was mysterious when I began it. All I knew was that I wanted to examine what my narrator calls the ''Slaughter You Know Next to Nothing About.''

BFP: Can you describe the sense of responsibility or obligation you might have felt writing a novel that would tell people something about this mass killing, now a century in the past?

CB: I know in my heart this is the most important book I'm ever going to write. I'm telling a story that is not known but was precedent-setting for some of the most horrific tragedies and crimes of the last century. There's a direct line between the Armenian genocide, the Holocaust, the killing fields of Cambodia, Bosnia, Rwanda. It's a long list.

In 1915, there were roughly two million Armenians living in the Ottoman empire. By the end of the First World War, 1.5 million would be dead, three out of every four of them. In 1915, I had four Armenian great-grandparents. By the end of that year, at least one would be dead. Both of my Armenian grandparents are genocide survivors.

My family history is a part of that horrific global narrative. So when I started this book, I began with the personal. My narrator, Laura Petrosian, is a female version of me. That's my grandparents' house in the novel.

Elizabeth Endicott and Armen Petrosian (central characters in the book) are not my grandparents. They are completely fictional.

BFP: When did your grandparents, Leo and Haigoohi Bohjalian, come to this country?

CB: There were two points of arrival. I believe my grandfather, Leo, first arrived here in 1920 but he didn't stay. He went back to get my grandmother and they lived in Paris until late 1927, or very early 1928.

BFP: What do you know about your own Armenian ancestors? And how does your family's history figure into this work?

CB: I know almost nothing about my Armenian ancestry; I know even less about my (maternal) Swedish ancestry.

I don't know what demons dogged my mother and father, but they never talked to me about their childhoods. That's why perhaps ''The Sandcastle Girls'' is a novel and not a memoir. I couldn't tell you enough about my Armenian and Swedish ancestors to write a memoir. I have wondered if I am going to learn a lot about my (Armenian) ancestors when this book comes out, which would be great.

My aunt believes that Haigoohi's father (Bohjalian's great-grandfather) was murdered by Turkish soldiers because he supplied horses to the army. They killed the Armenian and took the horses.

The history of ''The Sandcastle Girls'' is accurate. I did my research and I did my homework. I believe that Aleppo of 1915 (where the novel is set) is the real thing.

I knew so little about the Armenian genocide as a child, and what my grandparents must have endured, that I saw no irony in the fact that my first serious girlfriend when I was 13 and 14 years old was Turkish. I understood as a child that my grandparents were from Armenia and were magnificently exotic, by the standards of both grandparents. My mother really did call their house the Ottoman Annex of the Metropolitan Museum of Art. Their English, up to as late as 1970, was heavily accented.

BFP: Your father, Aram Bohjalian, died last summer, about a year before the publication of ''The Sandcastle Girls.'' Did you get a chance to talk to him about the book? What were his feelings about the novel?

CB: My father's eyesight had been diminished by macular degeneration for so long, he was not able to read even large-print books. That photograph (of Bohjalian's father and grandparents) is one of many photographs that my dad and I pored over the last two years of his life. Because he was so ill, I was visiting him a lot. The way I would try to take his mind off the pain he was in was to get out family photo albums and ask him to tell me stories, ask him to tell me about the different people in the photographs. A lot of it he didn't know.

My father, as a first generation son of immigrants, in many ways distanced himself as much as he could from his Armenian ancestry. He grew up in a house in Westchester County in which everyone spoke Armenian or Turkish. When he started kindergarten, he spoke not a single word of English. He didn't even know how to ask where the bathroom was. In terms of distancing himself from his Armenain ancestry, he became as American as possible.

He was not as handsome as Don Draper in ''Mad Men'' but he was a Mad Man. He was an advertising executive at large New York City ad agencies.

I think my father knew more than he wanted to share with me. He had mixed emotions about it. On the one hand, he was always really proud of me; even when his eyesight was gone, he loved listening to my books on audio, even the bad ones.

But I think he also felt that this story was too painful for a novel. I remember once reminding him when we talked about this that I had written novels about a woman dying in childbirth, a couple who had their twin daughters washed away in a flood, the Holocaust, and a domestic abuse murder-suicide. And I also told him that as an Armenian-American, I felt an incredible desire to write this story because it feels so much a part of me.

BFP: Can you tell us something about your recent trip to Armenia and Lebanon?

CB: The principal driving force that led me to Armenia was the death of my father, and not simply his death but his illness. The more time I spent looking at old family photographs, the more time I spent seeing images of Leo and Haigoohi, the more I felt this profound desire to see Mount Ararat.

I have never in my life been outside Vermont and felt less like a stranger in a strange land, than when I was in Yerevan, Armenia. I was so happy there in ways I hadn't expected.

BFP: ''The Sandcastle Girls'' will be released Tuesday. Are you nervous as publication approaches?

CB: I've never been as emotionally invested in how people respond to a book as I am with this one. Because this is the most important book I will ever write. And I think it's the best book I've ever written. And the reason why it's the most important book is pure and simple: because it's about the ''Slaughter You Know Next to Nothing About.''

ADDITIONAL STATEMENTS

STENNIS CENTER PROGRAM FOR CONGRESSIONAL INTERNS

• Mr. KOHL. Mr. President, for 10 years, summer interns working in Congressional offices have benefitted from a program run by the John C. Stennis Center for Public Service Leadership. This 6-week program is designed to enhance their internship experience by giving them an inside view of how Congress works and a deeper appreciation for the role that Congress plays in our democracy. Each week, the interns meet with senior congressional staff and other experts to discuss issues such as the legislative process, separation of powers, balancing governing and campaigning, political polarization, and more. My office has had the benefit of hosting Stennis interns over years and I know it contributes to a richer experience for all who participate.

Interns are selected for this program based on their college record, community service experience, and interest in a career in public service. This year, 28 outstanding interns, most of them juniors and seniors in college who are working in Republican and Democratic offices in both the House and Senate, have taken part.

I congratulate the interns for their involvement in this valuable program and I thank the Stennis Center and the Senior Stennis Fellows for providing such a meaningful experience for these interns and for encouraging them to consider a future career in public service.

I ask that a list of 2012 Stennis Congressional Interns and the offices in which they work be printed in the RECORD.

The list follows.

Nick Briggs, attending Brown University, interning in the office of Rep. JIM MCGOVERN;

Julia Caulfield, attending Western Washington University, interning in the office of Sen. MARK BEGICH;

Ryan Clarke, attending the University of North Florida, interning in the office of the House Democratic Leader;

Rebecca Dailey, attending Boston College, interning in the office of Sen. MARK BEGICH;

Myranda Elliott, attending Hofstra University, interning in the office of Rep. PAUL GOSAR;

Robert Glass, attending Georgia Southwestern State University, interning in the office of Rep. JOHN BARROW;

Alison Gocke, attending Princeton University, interning in the House Committee on Natural Resources;

Sadhna Gupta, attending Duke University, interning in the office of Rep. JIM MCGOVERN;

Geoff Henderson, attending Haverford College, interning in the House Committee on Foreign Affairs;

Katie Hill, attending Brown University, interning in the office of Rep. DAVID CICILLINE;

Kayla Howe, attending The Monterey Institute of International Studies, interning in the House Committee on Foreign Affairs;

Dan Hsieh, attending Seattle University School of Law, interning in the office of Sen. MIKE ENZI;

Elizabeth Joseph, attending the University of Texas at Austin, interning in the office of Sen. THAD COCHRAN;

Isabella Leavitt, attending Arizona State University, interning in the office of Rep. RAÚL GRIJALVA;

Ju Young Lee, attending Claremont McKenna College, interning in the office of Rep. BARBARA LEE;

Hunter Ligon, attending the University of Oklahoma, interning in the office of Rep. JAMES LANKFORD;

Jennifer Lundemo, attending Dickinson State University, interning in the office of Sen. KENT CONRAD;

Ty McNamee, attending the University of Wyoming, interning in the office of Sen. MIKE ENZI;

Zach Ostro, attending the University of Maryland Francis King Carey School of Law, interning in the office of Rep. MARCIA FUDGE;

James Pollack, attending Harvard University, interning in the office of Rep. JACKIE SPEIER;

Stephanie Rice, attending Boston College, interning in the House Committee on Financial Services;

Sterling Robinson, Jr., attending Hofstra Law School, interning in the office of Rep. CHARLES RANGEL;

Amir Rowe, attending St. John's University, interning in the office of Rep. CHARLES RANGEL;

Ray Salazar, attending Hawaii Pacific University, interning in the office of Rep. COLLEEN HANABUSA;

Mike Sardano, attending New England Law Boston, interning in the Senate Committee on Rules and Administration;

Elizabeth Teagle, attending the University of Georgia, interning in the office of Sen. SAXBY CHAMBLISS;

Kanoe Tjorvatjoglou, attending George Mason University, interning in the office of Rep. COLLEEN HANABUSA;

Guy Wood, attending Princeton University, interning in the office of Sen. THAD COCHRAN.•

TRIBUTE TO MAJOR GENERAL TIMOTHY J. LOWENBERG

• Mrs. MURRAY. Mr. President, today I wish to recognize Major General Timothy J. Lowenberg for his exemplary record of service to the Washington National Guard, Washington State, and the United States of America.

MG Timothy J. Lowenberg will retire on July 31, 2012 after a distinguished career with the Washington National Guard and 44 years of military service to this country. General Lowenberg has been the Adjutant General for Washington State since September 1999 and in this role he has served as the commander of all Washington National Guard forces, Director of Washington State's Emergency Management programs, and Homeland Security Advisor to the Governor of Washington. Beyond these already extensive responsibilities, General Lowenberg is recognized nationally for his work on Homeland Security policy. In a defining mark of General Lowenberg's forward-leaning leadership, he established the Washington State Domestic Security Infrastructure in 1999, prior to the events of 9/11. This collaborative effort to establish a Statewide system capable of responding to major disaster events preceded the establishment of the Department of Homeland Security by several years.

While his list of titles would be a strong credit to any individual, an equally impressive aspect of General Lowenberg's career has been his ability to provide this leadership during one of the most dynamic periods of Washington State's history. During his tenure, General Lowenberg has led Washington State in the response to 53 Governor Emergency Proclamations, 10 Presidential Major Disaster Declarations, and one Presidential Emergency Declaration. Beyond the sheer volume of emergencies General Lowenberg has addressed during his time as Adjutant General, he has displayed great flexibility and a talent for adapting to the needs of any given situation. One of his signature accomplishments was working with me and others toward the establishment of the 2010 Olympics Security Committee and the construction of the 2010 Olympic Coordination Center. In the years that led up to the 2010 Vancouver Winter Olympics, General Lowenberg recognized the need for local, State, Federal, and international cooperation to ensure an effective and smooth response to the games. He managed to operate this committee without the benefit of a National Security Special Event designation, achieving the desired outcome without the benefit of additional funding.

Had General Lowenberg spent his time as Adjutant General only responding to emergencies and planning for disasters, he would still have been able to retire as one of the most accomplished Adjutant Generals in the country, but he also commanded the Washington National Guard during a time of war. Though it is easy to forget, our world looked quite different in 2001. The servicemembers who initially deployed to Afghanistan and Iraq didn't have Mine Resistant Ambush Protected vehicles, up-armored Humvees, or even the kind of extensive body armor we see today. Some National Guard members deployed to war zones without body armor, necessary equipment, or even vehicles. In the face of these hardships, General Lowenberg and the Washington National Guard stood fast and persevered. Over the last decade Washington Guard members have deployed and sacrificed alongside the Active-Duty military again and again, and in the words of former Secretary of Defense Robert Gates, the Washington National Guard and all State Guard members have changed from, ''a strategic reserve to an integral part of the operational force.''

While these brave servicemembers were deployed, General Lowenberg worked with me to modernize Cold War-era benefits that no longer sufficiently supported the post-9/11 Guard members and their families. Guard members deploying in the early half of the last decade were doing so without the promise of adequate veterans' benefits, without appropriate TRICARE

benefits for their families, and without the skilled behavioral health resources to keep pace with the toll that repeated deployments would eventually take. General Lowenberg pushed for improved Guard member access to TRICARE and VA benefits, and to make sure that Guard members and members of the Reserve component have improved access to the behavioral health specialists they need while they are on inactive duty or on annual training.

When these Guard members came back from deployment, they came home to a country that was well intentioned but not well prepared to receive them. When Washington Guard members began returning from their first deployments to Iraq, unemployment for some units was extremely high. I have never accepted the premise that it is acceptable for servicemembers who have sacrificed so much to return home from deployment and struggle to find work to support their families, and neither has General Lowenberg. General Lowenberg fought for funding for the Yellow Ribbon Reintegration program and to expand efforts such as the Washington State Joint Services Support Directorate, J9, program to help more Guard members find employment. The positive impact from these programs helped the men and women of the Washington Guard find stable work and these efforts became such a success that the lessons from these programs have spread throughout the country. Members of the Washington Guard now boast an unemployment rate below the national average and the work that General Lowenberg put into reducing Guard unemployment laid the foundation for my VOW to Hire Heroes Act and other efforts to help veterans access secure employment, including overhauling the Transition Assistance program for the first time in 20 years and making it mandatory.

These changes to National Guard since 1999 have been historic, but General Lowenberg has always maintained the ability to understand what is important. Out of all the memories I have of General Lowenberg, the ones that will stay with me the longest are from the catastrophic flooding that hit Washington in January 2009. The Washington State flood of 2009 caused the biggest urban evacuation in the history of the State, and I cannot begin to describe the scene that I witnessed out of the back of a Chinook as General Lowenberg and I surveyed the damage. That flood broke levees, shut down Interstate 5, and compromised the integrity of Howard Hanson Dam. Through all of that chaos and the lengthy effort to move Federal funding to repair the Howard Hanson Dam, General Lowenberg directed relief, recovery operations, and preparedness efforts with an unparalleled understanding of emergency management that didn't ignore the effects that flood and damaged dam had on small communities and individuals. Under General Lowenberg, Washington State had the best possible leadership for these and other demanding situations.

I join the people of Washington State in congratulating General Lowenberg on an impressive career, and I look forward to seeing what he will accomplish in what I know will be an active retirement.

General Lowenberg, thank you for your service. You will be missed. ●

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13441 WITH RESPECT TO LEBANON—PM 59

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:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared with respect to the actions of certain persons to undermine the sovereignty of Lebanon or its democratic processes and institutions is to continue in effect beyond August 1, 2012.

Certain ongoing activities, such as continuing arms transfers to Hizballah that include increasingly sophisticated weapons systems, undermine Lebanese sovereignty, contribute to political and economic instability in the region, and continue to constitute an unusual and extraordinary threat to the national security and foreign policy of the United States.For these reasons, I have determined that it is necessary to continue the national emergency declared on August 1, 2007, to deal with that threat and the related measures adopted on that date to respond to the emergency.

BARACK OBAMA.
THE WHITE HOUSE, *July 24, 2012*.

MESSAGE FROM THE HOUSE

At 2:18 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 1335. An act to amend title 49, United States Code, to provide rights for pilots, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1237. An act to provide for a land exchange with the Trinity Public Utilities District of Trinity County, California, involving the transfer of land to the Bureau of Land Management and the Six Rivers National Forest in exchange for National Forest System land in the Shasta-Trinity National Forest, and for other purposes.

H.R. 1369. An act to designate the facility of the United States Postal Service located at 1021 Pennsylvania Avenue in Hartshorne, Oklahoma, as the ''Warren Lindley Post Office''.

H.R. 2467. An act to take certain Federal lands in Mono County, California, into trust for the benefit of the Bridgeport Indian Colony.

H.R. 2896. An act to designate the facility of the United States Postal Service located at 369 Martin Luther King, Jr. Drive in Jersey City, New Jersey, as the ''Judge Shirley A. Tolentino Post Office Building''.

H.R. 3388. An act to mend the Wild and Scenic Rivers Act to designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

H.R. 3477. An act to designate the facility of the United States Postal Service located at 133 Hare Road in Crosby, Texas, as the Army First Sergeant David McNerney Post Office Building.

H.R. 3556. An act to designate the new United States courthouse in Buffalo, New York, as the ''Robert H. Jackson United States Courthouse''.

H.R. 3593. An act to designate the facility of the United States Postal Service located at 787 State Route 17M in Monroe, New York, as the ''National Clandestine Service of the Central Intelligence Agency NCS Officer Gregg David Wenzel Memorial Post Office''.

H.R. 3742. An act to designate the United States courthouse located at 100 North Church Street in Las Cruces, New Mexico, as the ''Edwin L. Mechem United States Courthouse''.

H.R. 3870. An act to designate the facility of the United States Postal Service located at 6083 Highway 36 West in Rose Bud, Arkansas, as the ''Nicky 'Nick' Daniel Bacon Post Office''.

H.R. 4347. An act to designate the United States courthouse located at 709 West 9th Street in Juneau, Alaska, as the ''Robert Boochever United States Courthouse''.

H.R. 4484. An act to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes.

H.R. 5837. An act to designate the facility of the United States Postal Service located at 26 East Genesee Street in Baldwinsville, New York, as the ''Corporal Kyle Schneider Post Office Building''.

H.R. 5859. An act to repeal an obsolete provision in title 49, United States Code, requiring motor vehicle insurance cost reporting.

H.R. 5958. An act 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.

ENROLLED BILL SIGNED

The message further announced that the Speaker has signed the following enrolled bill:

H.R. 2527. An act to require the Secretary of the Treasury to mint coins in recognition and celebration of the National Baseball Hall of Fame.

The enrolled bill was subsequently signed by the President pro tempore (Mr. INOUYE).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1237. An act to provide for a land exchange with the Trinity Public Utilities District of Trinity County, California, involving the transfer of land to the Bureau of Land Management and the Six Rivers National Forest in exchange for National Forest System land in the Shasta-Trinity National Forest, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1369. An act to designate the facility of the United States Postal Service located at 1021 Pennsylvania Avenue in Hartshorne, Oklahoma, as the ''Warren Lindley Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2467. An act to take certain Federal lands in Mono County, California, into trust for the benefit of the Bridgeport Indian Colony; to the Committee on Indian Affairs.

H.R. 2896. An act to designate the facility of the United States Postal Service located at 369 Martin Luther King Jr. Drive in Jersey City, New Jersey, as the ''Judge Shirley A. Tolentino Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3388. An act to amend the Wild and Scenic Rivers Act to designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3477. An act to designate the facility of the United States Postal Service located at 133 Hare Road in Crosby, Texas, as the Army First Sergeant David McNerney Post Office Building; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3593. An act to designate the facility of the United States Postal Service located at 787 State Route 17M in Monroe, New York, as the ''National Clandestine Service of the Central Intelligence Agency NCS Officer Gregg David Wenzel Memorial Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3742. An act to designate the United States courthouse located at 100 North Church Street in Las Cruces, New Mexico, as the ''Edwin L. Mechem United States Courthouse''; to the Committee on Environment and Public Works.

H.R. 3870. An act to designate the facility of the United States Postal Service located at 6083 Highway 36 West in Rose Bud, Arkansas, as the ''Nicky 'Nick' Daniel Bacon Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4484. An act to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5837. An act to designate the facility of the United States Postal Service located at 26 East Genesee Street in Baldwinsville, New York, as the ''Corporal Kyle Schneider Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5859. An act to repeal an obsolete provision in title 49, United States Code, requiring motor vehicle insurance cost reporting; to the Committee on Commerce, Science, and Transportation.

H.R. 5958. An act 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; to the Committee on Environment and Public Works.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3420. A bill to permanently extend the 2001 and 2003 tax cuts, to provide for permanent alternative minimum tax relief, and to repeal the estate and generation-skipping transfer taxes, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3429. A bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, 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–6910. A communication from the Director of the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Disaster Designation Process'' (RIN0560–AH17) received in the Office of the President of the Senate on July 18, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6911. A communication from the Under Secretary, Rural Development, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Federal Deposit Insurance Corporation Limit Change'' (RIN0575–AC94) received in the Office of the President of the Senate on July 18, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6912. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Trifloxystrobin; Pesticide Tolerance'' (FRL No. 9354–8) received in the Office of the President of the Senate on July 19, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6913. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Difenoconazole; Pesticide Tolerances'' (FRL No. 9354–9) received in the Office of the President of the Senate on July 19, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6914. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Irradiation Treatment; Location of Facilities in the Southern United States'' ((RIN0579–AD35) (Docket No. APHIS–2009–0100)) received in the Office of the President of the Senate on July 23, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6915. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, an annual report relative to the implementation of the Formaldehyde Standards for Composite Wood Products Act; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6916. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Charles E. Stenner, Jr., United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–6917. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Thomas J. Owen, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–6918. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–6919. A communication from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's Report to Congress on the Status of Significant Unresolved Issues with the Department of Energy's Design and Construction Projects; to the Committee on Armed Services.

EC–6920. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to the current and future military strategy of Iran (DCN OSS 2012–1130); to the Committee on Armed Services.

EC–6921. A communication from the Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Commission Guidance Regarding Definitions of Mortgage Related Security and Small Business Related Security'' (RIN3235–AL33) received in the Office of the President of the Senate on July 18, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6922. A communication from the Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Consolidated Audit Trail'' (RIN3235–AK51) received in the Office of the President of the Senate on July 19, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6923. A communication from the Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Further Definition of 'Swap', 'Security-Based-Swap', and 'Security-Based Swap Agreement'; Mixed Swaps; Security-Based Swap Agreement Recordkeeping'' (RIN3235–AK65) received in the Office of the President of the Senate on July 19, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6924. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2012–0003)) received in the Office of the President of the Senate on July 18, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6925. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67) (Docket No.

FEMA–2012–0003)) received in the Office of the President of the Senate on July 18, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6926. 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 ''Export and Reexport Controls to Rwanda and United Nations Sanctions under the Export Administration Regulations'' (RIN0694–AF31) received in the Office of the President of the Senate on July 18, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6927. A communication from the Senior Counsel for Regulatory Affairs, Domestic Finance, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Calculation of Maximum Obligation Limitation'' (RIN1505–AC36) received in the Office of the President of the Senate on July 19, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6928. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of a vacancy in the position of Administrator, Centers for Medicare and Medicaid Services, received in the Office of the President of the Senate on July 19, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6929. A communication from the General Counsel of the Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary, Community Planning and Development, received in the Office of the President of the Senate on July 19, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6930. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to the Socialist Republic of Vietnam; to the Committee on Banking, Housing, and Urban Affairs.

EC–6931. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 12947 with respect to terrorists who threaten to disrupt the Middle East peace process; to the Committee on Banking, Housing, and Urban Affairs.

EC–6932. A communication from the Chairman, Securities and Exchange Commission, transmitting, pursuant to law, the 2011 Annual Report of the Securities Investor Protection Corporation (SIPC); to the Committee on Banking, Housing, and Urban Affairs.

EC–6933. A joint communication from the President and Chief Executive Officer and the Chief Accounting and Administrative Officer, Federal Home Loan Bank of Seattle, transmitting, pursuant to law, the Bank's 2011 Annual Report; to the Committee on Banking, Housing, and Urban Affairs.

EC–6934. A communication from the White House Liaison, Department of Energy, transmitting, pursuant to law, (15) fifteen reports relative to vacancies in the Department of Energy, received in the Office of the President of the Senate on July 18, 2012; to the Committee on Energy and Natural Resources.

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. VITTER:

S. 3424. A bill to prohibit the sale of billfish; to the Committee on Commerce, Science, and Transportation.

By Mrs. MCCASKILL:

S. 3425. A bill to amend the Worker Adjustment and Retraining Notification Act to provide a notice requirement regarding offshoring; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself, Mr. UDALL of New Mexico, and Mr. DURBIN):

S. 3426. A bill to amend the Truth in Lending Act to address certain issues related to the extension of consumer credit, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KOHL:

S. 3427. A bill to permanently extend the employer-provided child care credit under section 45F of the Internal Revenue Code of 1986; to the Committee on Finance.

By Mr. CARDIN:

S. 3428. A bill to amend the Clean Air Act to partially waive the renewable fuel standard when corn inventories are low; to the Committee on Environment and Public Works.

By Mr. NELSON of Florida (for himself and Mrs. MURRAY):

S. 3429. A bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. NELSON of Florida (for himself, Mr. MENENDEZ, and Mr. RUBIO):

S. Res. 525. A resolution honoring the life and legacy of Oswaldo Paya Sardinas; to the Committee on Foreign Relations.

By Mr. KERRY (for himself, Ms. SNOWE, Mr. DURBIN, and Mr. BROWN of Massachusetts):

S. Res. 526. A resolution designating November 2012 as ''Stomach Cancer Awareness Month'' and supporting efforts to educate the public about stomach cancer; to the Committee on the Judiciary.

By Ms. MURKOWSKI (for herself, Mr. REED, Mr. BEGICH, Mr. REID, Mr. CORKER, Mr. INHOFE, Ms. SNOWE, Mr. LIEBERMAN, Mr. COCHRAN, Mrs. MURRAY, Mr. CHAMBLISS, Mr. WICKER, Mr. WHITEHOUSE, Mr. BROWN of Massachusetts, Mrs. HUTCHISON, Mr. BAUCUS, Mr. TESTER, Mr. INOUYE, Ms. MIKULSKI, Ms. COLLINS, Mr. BLUMENTHAL, Mr. BURR, Mrs. HAGAN, and Mr. MCCONNELL):

S. Res. 527. A resolution designating August 16, 2012, as ''National Airborne Day''; considered and agreed to.

By Mr. CARDIN (for himself and Mr. CHAMBLISS):

S. Res. 528. A resolution recognizing the 100th anniversary of the American Podiatric Medical Association, the preeminent organization representing podiatric medicine and surgery, celebrating its achievements, and encouraging the association to continue providing guidance on foot and ankle health issues to the people of the United States and of the world; considered and agreed to.

By Mr. UDALL of Colorado (for himself, Mr. BENNET, Mr. REID, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BINGAMAN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KERRY, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. LIEBERMAN, Mr. LUGAR, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Con. Res. 53. A concurrent resolution honoring the victims of the Aurora, Colorado, movie theater shooting and condemning the atrocities that occurred in Aurora, Colorado; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 137

At the request of Mrs. FEINSTEIN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 137, a bill to amend the Public Health Service Act to provide protections for consumers against excessive, unjustified, or unfairly discriminatory increases in premium rates.

S. 239

At the request of Ms. KLOBUCHAR, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 239, a bill to support innovation, and for other purposes.

S. 432

At the request of Mrs. FEINSTEIN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 432, a bill to provide for environmental restoration activities and forest management activities in the Lake Tahoe Basin, and for other purposes.

S. 697

At the request of Mr. CASEY, the name of the Senator from New York (Mrs. GILLIBRAND) 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. 881

At the request of Ms. LANDRIEU, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 881, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide substantive rights to consumers under such agreements, and for other purposes.

S. 961

At the request of Mr. KERRY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 961, a bill to create the income security conditions and family supports needed to ensure permanency for the Nation's unaccompanied youth, and for other purposes.

S. 1102

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1102, a bill to amend title 11, United States Code, with respect to certain exceptions to discharge in bankruptcy.

S. 1269

At the request of Ms. SNOWE, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1269, a bill to amend the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to collect information from coeducational secondary schools on such schools' athletic programs, and for other purposes.

S. 1299

At the request of Mr. MORAN, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1421

At the request of Mr. PORTMAN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1421, a bill to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

S. 1605

At the request of Mr. KERRY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1605, a bill to amend the Fair Housing Act, and for other purposes.

S. 1884

At the request of Mr. DURBIN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1884, a bill to provide States with incentives to require elementary schools and secondary schools to maintain, and permit school personnel to administer, epinephrine at schools.

S. 1935

At the request of Ms. COLLINS, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1935, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

At the request of Mrs. HAGAN, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Rhode Island (Mr. REED), the Senator from Florida (Mr. RUBIO), the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1935, supra.

S. 2347

At the request of Mr. CARDIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2347, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 3186

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 3186, a bill to make it unlawful to alter or remove the identification number of a mobile device.

S. 3203

At the request of Mr. LAUTENBERG, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 3203, a bill to amend title 10, United States Code, to limit increases in the certain costs of health care services under the health care programs of the Department of Defense, and for other purposes.

S. 3237

At the request of Mr. WHITEHOUSE, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 3237, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 3239

At the request of Mrs. FEINSTEIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor 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. 3244

At the request of Mr. FRANKEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3244, a bill to amend the Higher Education Opportunity Act to add disclosure requirements to the institution financial aid offer form and to amend the Higher Education Act of 1965 to make such form mandatory.

S. 3269

At the request of Mr. PAUL, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3269, a bill to provide that no United States assistance may be provided to Pakistan until Dr. Shakil Afridi is freed.

S. 3384

At the request of Mr. BAUCUS, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 3384, a bill to extend supplemental agricultural disaster assistance programs.

S. 3395

At the request of Mr. MERKLEY, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 3395, a bill to amend the Federal Crop Insurance Act to extend certain supplemental agricultural disaster assistance programs.

S. 3397

At the request of Mr. HATCH, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 3397, a bill to prohibit waivers relating to compliance with the work requirements for the program of block grants to States for temporary assistance for needy families, and for other purposes.

S. 3423

At the request of Mr. REED, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3423, a bill to amend the Wild and Scenic Rivers Act to designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

S.J. RES. 43

At the request of Mr. MCCONNELL, the name of the Senator from Texas (Mrs. HUTCHISON) 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KOHL:

S. 3427. A bill to permanently extend the employer-provided child care credit under section 45F of the Internal Revenue Code of 1986; to the Committee on Finance.

Mr. KOHL. Mr. President, we know taxes are scheduled to increase for all Americans next year, and we know an across-the-board tax increase on all Americans would be very bad for our economy. What we disagree on is which tax cuts should be continued.

Unfortunately, this has become a highly partisan debate. Someone watching this debate would assume we cannot agree on anything when it comes to taxes, but they would be wrong. We do agree on far more than we disagree. We agree that middle-class tax rates should not go up. We agree that the alternative minimum tax should not affect middle-class taxpayers. We agree on a variety of tax breaks that help families raise children and invest in their education. Our disagreements elsewhere should not stop

us from acting where we do agree. We should cut through the partisan gridlock and pass the policies we all support.

One policy we can all support is a tax credit for companies that provide childcare to their workforce. This is a powerful and proven incentive for business—especially small business—to arrange onsite childcare for their employees.

I originally introduced this tax credit after we passed welfare reform in 1996. The purpose of welfare reform was to move recipients off benefits and into jobs—a path of financial freedom that is too often blocked by the lack of quality and affordable childcare. After years of work, we finally passed the employer-provided childcare tax credit in 2001. Since then, it has offered businesses a tax credit for building and maintaining a childcare center. Businesses can also receive a smaller tax credit for helping their employees find childcare elsewhere in the community.

Childcare is a good investment for employee and employer alike. Businesses get employees who miss less work to deal with family issues and stay at their jobs longer. Parents know their children are safe, sound, and close by while their mom or dad is at work. They do not have to choose between putting food on the table and caring for their children.

Now is not the time to add another stress to overstressed working families struggling to survive in a down economy. That is why today I am introducing a bill to continue the tax credit for employer-provided childcare. We all agree the employer-provided childcare tax credit should not expire. It is included in both tax bills we are considering this week and we should extend it now.

But support for childcare isn't the only thing the Republican and Democratic tax bills agree on. In fact, these two bills offer the same exact tax cut extension for the first $250,000 earned by every American family. If a family makes $1 more than that, they still get the same tax cut extension on their first $250,000. Even millionaires get the same tax cut extension as everyone else. Everybody, including the wealthiest Americans, benefits from the tax cuts we all can and do support.

Bipartisan policies, such as a tax credit for employer-provided childcare or middle-class tax cuts, should not be held hostage because of a partisan debate about other tax cuts. When we all can agree on something, we should vote for it.

By Mr. CARDIN:

S. 3428. A bill to amend the Clean Air Act to partially waive the renewable fuel standard when corn inventories are low; to the Committee on Environment and Public Works.

Mr. CARDIN. Mr. President, today I am proud to introduce the Renewable Fuel Standard Flexibility Act. I am introducing this bill because I have grave concerns about the impacts the Federal mandate for corn ethanol production is having on the price of food in this country and the cost of domestic food production.

Corn is a staple of the modern American diet that has become a ubiquitous ingredient or additive in most of our food and it is fed as feed to nearly all livestock animals. The fact is, most meals Americans consume either has corn as an essential ingredient or consist of ingredients that required corn to produce. From milk, to eggs, to beef to poultry, to bread, to soft drink, and most prepared frozen meals corn—is essential to American food.

The first section of Michael Pollan's 2006 Best Seller The Omnivore's Dilemma: A Natural History of Four Meals is titled ''Industrial Corn'' and it explains just how omnipresent corn, in some form or another, is in American diets. For better or for worse, the vast majority of the food found on American supermarket shelves is made from processed corn. When it comes to the animal proteins Americans consume most of these animals were raised on corn diets.

For decades, America's corn growers were out producing demand for corn and food producers, and consumers benefited from relatively low corn prices that ranged around $2 a bushel. While consumers may have benefitted from these prices, American corn and grain growers were hurting badly.

Since 2007, the tides have been turning significantly. National demand for corn is at an all-time high and corn futures project corn reaching $8 a bushel in the near future. A growing and hungry nation combined with new demands for corn that are the result of technological innovations have created new uses for corn in the form of ethanol as both a motor fuel additive and in plastics. These new uses, combined with expanded traditional uses have fueled the upward spike in corn prices.

Corn growers have benefitted tremendously from the increased demand and high corn prices. Ethanol producers have enjoyed a variety of government supports mandating levels of ethanol production which have helped them weather high corn prices paying a high price for corn feedstocks is relatively easy when you have enormous production tax credits and a federally mandated market for your product.

Food producers, including livestock and poultry producers, who use tremendous amounts of corn to raise their livestock and produce food, do not have the luxury of a mandated market for their products.

In Maryland, our number one agricultural product is poultry. Poultry production is far and away the top employer on Maryland's Eastern Shore. Maryland poultry is hurting and it is because they are competing with big oil, and other non-traditional users, for corn. Corn is vitally important to raising chickens. Unlike other livestock, like cattle or hogs which are ruminants that can eat a variety of different types of feed, chickens' diets are limited to corn. Feed makes up more than 73 percent of the cost of raising poultry and when corn reaches $6.50 or $7.00 or even $8.00 a bushel that cost goes even higher.

I understand the important role domestic ethanol production will play in helping our nation achieve greater energy security. However, the nurturing and growth of our domestic biofuels industry must not come at the expense of our domestic food supply. In other words, we cannot sacrifice U.S. food security for energy security. That is why I do not support the use of food based feedstocks like sugar and corn to be commercially produced into ethanol.

I also believe that as global demand for oil increases, driven by increased mobility and affluence spreads in the developing world, renewable biofuels will compete well with oil and that the government supports we have in place will not be necessary because pure market demand for less expensive and cleaner burning fuels like ethanol will drive growth in biofuel production, not government mandates.

Because domestic food production is reaching a state of crisis driven by the increasing cost of inputs, like corn, that the food producers have to unfairly compete with industries that are operating with under government production mandates I am introducing legislation today that offers a simple change to the Renewable Fuel Standard that will help provide our domestic food producers access to corn.

This legislation will link the amount of corn ethanol required for the RFS to the amount of U.S. corn supplies. This legislation sets up a process so that when the USDA reports on U.S. corn supplies towards the end of each year, based upon the ratio of corn stocks- to expected use, there could be a reduction made to the RFS mandate for corn ethanol. This is a common sense solution to make sure that we have enough corn supplies to meet all of our corn demands.

Once a year, the Administrator of the Environmental Protection Agency will review the current corn crop year's ratio of U.S. corn stocks-to-use ratio in making a determination of the RFS.

By the end of November the Administrator of the Environmental Protection Agency will make an official determination of the Renewable Fuels Standard, RFS, corn ethanol mandate for the following calendar year, based on the U.S. Department of Agriculture's November World Agricultural Supply and Demand Estimate report to determine the U.S. corn stocks-to-use ratio. The administrator shall provide for a waiver for the RFS for the following calendar year according to the calculated stocks to use ratio as directed. Such a waiver, if required, shall be included in the Environmental Protection Agency's Federal Register notice regarding the RFS for the following calendar year. The required

waiver, if any, will take effect January 1 of the new calendar year.

Stocks-to-Use Ratio Percent	Waiver to the Renewable Fuels Standard for Corn Ethanol
Above 10.00	no adjustment
10.00 to 7.50	10 percent reduction
7.49 to 6.00	15 percent reduction
5.99 to 5.00	25 percent reduction
Below 5.00	50 percent reduction

I believe the future of biofuels must be in the development and production of cellulosic and advanced biofuels that are not derived from feedstocks that are part of essential food sources. As a supporter of bringing cellulosic and advanced biofuels to market, my legislation explicitly states that it ''shall not affect the volume of advanced biofuels required under'' the Renewable Fuel Standard. This will leave intact the advanced biofuels production mandate which I believe is critical to growing this still nascent and beneficial fuel product to commercial viability.

Because of corn's many uses it has become a commodity that is in high demand. Assuring our domestic food producers' access to this valuable and increasingly scarce crop is so important to controlling the cost of food in America and maintaining the economic viability of our U.S. food companies. I urge my colleagues to support U.S. food producers and families working to put food on the table by co-sponsoring the Renewable Fuel Standard Flexibility Act.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3428

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Renewable Fuel Standard Flexibility Act''.

SEC. 2. PARTIAL WAIVER OF RENEWABLE FUEL STANDARD.

Section 211(o)(7) of the Clean Air Act (42 U.S.C. 7545(o)(7)) is amended by adding at the end the following:

''(G) CONSIDERATION OF CORN INVENTORIES.—

''(i) DETERMINATIONS REGARDING CORN STOCKS-TO-USE RATIO.—Not later than November 30 of each year, the Administrator shall determine and publish the estimated United States corn stocks-to-use ratio for the applicable crop year—

''(I) in consultation with the Secretary of Agriculture; and

''(II) based on the most recent publication of the World Agricultural Supply and Demand Estimate or other similar authoritative estimate issued or used by the Secretary of Agriculture.

''(ii) WAIVER.—Based on the most recent determination of the Administrator under clause (i), the Administrator shall waive the requirements of paragraph (2) by reducing the national quantity of renewable fuel otherwise required for a period as follows:

''United States Corn Stocks-to-Use Ratio for the Applicable Crop Year (percent)	Reduction in national quantity of renewable fuel required
Above 10.0	No adjustment
10.0–7.5	10 percent reduction
7.49–6.0	15 percent reduction
5.99–5.0	25 percent reduction
Below 5.0	50 percent reduction

''(iii) DURATION.—A waiver under clause (ii) that is based on a determination under clause (i) that is made not later than November 30 of a calendar year shall—

''(I) take effect on the date that is 30 days after the date on which the determination is published; and

''(II) remain in effect for the following calendar year.

''(iv) ADJUSTMENT OF RENEWABLE FUEL OBLIGATION.—On granting a waiver under clause (ii) that reduces the national quantity of renewable fuel required for a period to which paragraph (3) applies, the Administrator shall adjust the renewable fuel obligation determined under paragraph (3) in proportion to the reduction.

''(v) NO EFFECT ON REQUIRED VOLUME OF ADVANCED BIOFUEL.—

''(I) IN GENERAL.—A waiver granted under this subparagraph that reduces the national quantity of renewable fuel required for a period shall not affect the volume of advanced biofuel required under paragraph (2).

''(II) APPLICABILITY.—The Administrator shall not allow any volume of conventional biofuel to be used to satisfy the requirement for advanced biofuel under paragraph (2).

''(vi) PUBLICATION.—The Administrator shall publish each waiver under clause (ii) in the Federal Register, including an explanation of the basis for the waiver.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 525—HONORING THE LIFE AND LEGACY OF OSWALDO PAYA SARDINAS

Mr. NELSON of Florida (for himself, Mr. MENENDEZ, and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 525

Whereas, on Sunday, July 22, 2012, 60-year-old Cuban dissident and activist Oswaldo Payá Sardiñas died in a car crash in Bayamo, Cuba;

Whereas, at a young age, Oswaldo Payá Sardiñas criticized the communist government in Cuba, which led to his imprisonment at a work camp on Cuba's Isle of Youth in 1969;

Whereas, in 1988, Oswaldo Payá Sardiñas founded the Christian Liberation Movement as a nondenominational political organization to further civic and human rights in Cuba;

Whereas, in 1992, Oswaldo Payá Sardiñas announced his intention to run as a candidate to be a representative on the National Assembly of Popular Power of Cuba and, 2 days before the election, was detained by police at his home and determined by Communist Party officials to be ineligible to run for office because he was not a member of the Communist Party;

Whereas, in 1997, Oswaldo Payá Sardiñas collected hundreds of signatures to support his candidacy to the National Assembly of Popular Power, which was rejected by the electoral commission of Cuba;

Whereas the Constitution of Cuba supposedly guarantees the right to a national referendum on any proposal that achieves 10,000 or more signatures from citizens of Cuba who are eligible to vote;

Whereas, in 1998, Oswaldo Payá Sardiñas and other leaders of the Christian Liberation Movement created the Varela Project, a signature drive to secure a national referendum on ''convert[ing] into law, the right of freedom of speech, the freedom of press and freedom of enterprise'';

Whereas, in May 2002, the Varela Project delivered 11,020 signatures from eligible citizens of Cuba to the National Assembly of Popular Power, calling for an end to 4 decades of one-party rule, to which the Government of Cuba responded by beginning its own referendum that made Cuba's socialist system ''irrevocable'', even after an additional 14,000 signatures were added to the Varela Project petition;

Whereas the Varela Project is the largest civil society-led petition in the history of Cuba;

Whereas Oswaldo Payá Sardiñas bravely led the Varela Project at great risk to himself, his loved ones, and his associates;

Whereas, in March 2003, the Government of Cuba arrested 75 human rights activists, including 25 members of the Varela Project, in the crackdown known as Cuba's ''Black Spring'';

Whereas Oswaldo Payá Sardiñas's dedication to freedom and faith earned him the Sakarov Prize for Freedom of Thought from the European Parliament in 2002;

Whereas Oswaldo Payá Sardiñas received the W. Averell Harriman Democracy Award from the United States National Democratic Institute for International Affairs in 2003;

Whereas Oswaldo Payá Sardiñas was nominated for the Nobel Peace Prize by Václav Havel, the former president of the Czech Republic, in 2005; and

Whereas President Barack Obama stated, ''We continue to be inspired by Payá's vision and dedication to a better future for Cuba, and believe that his example and moral leadership will endure.'': Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and honors the life and exemplary leadership of Oswaldo Payá Sardiñas;

(2) offers heartfelt condolences to the family, friends, and loved ones of Oswaldo Payá Sardiñas;

(3) praises the bravery of Oswaldo Payá Sardiñas and his colleagues for collecting more than 11,000 verified signatures in support of the Varela Project;

(4) in memory of Oswaldo Payá Sardiñas, calls on the United States to continue policies that promote respect for the fundamental principles of religious freedom, democracy, and human rights in Cuba, in a manner consistent with the aspirations of the people of Cuba;

(5) in memory of Oswaldo Payá Sardiñas, calls on the Government of Cuba to provide its citizens with internationally accepted standards for civil and human rights and the opportunity to vote in free and fair elections; and

(6) calls on the Government of Cuba to allow an impartial, third-party investigation into the circumstances surrounding the death of Oswaldo Payá Sardiñas.

SENATE RESOLUTION 526—DESIGNATING NOVEMBER 2012 AS ''STOMACH CANCER AWARENESS MONTH'' AND SUPPORTING EFFORTS TO EDUCATE THE PUBLIC ABOUT STOMACH CANCER

Mr. KERRY (for himself, Ms. SNOWE, Mr. DURBIN, and Mr. BROWN of Massachusetts) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 526

Whereas stomach cancer is one of the most difficult cancers to detect and treat in the early stages of the disease, which contributes to high mortality rates and human suffering;

Whereas stomach cancer is the second-leading cause of cancer mortality in the world;

Whereas, in 2011, an estimated 21,520 new cases of stomach cancer were diagnosed in the United States;

Whereas, in 2011, it was estimated that more than 10,000 people in the United States would die from stomach cancer;

Whereas the estimated 5-year survival rate for stomach cancer is only 28 percent;

Whereas approximately 1 in 114 individuals will be diagnosed with stomach cancer during their lifetimes;

Whereas an inherited form of stomach cancer carries a 67- to 83-percent risk that an individual will be diagnosed with stomach cancer by 80 years of age;

Whereas, in the United States, stomach cancer is more prevalent among racial and ethnic minorities;

Whereas better education for patients and health care providers is needed for the timely recognition of stomach cancer risks and symptoms;

Whereas more research into effective early diagnosis, screening, and treatment for stomach cancer is needed; and

Whereas November 2012 is an appropriate month to observe Stomach Cancer Awareness Month: Now, therefore, be it

Resolved, That the Senate—

(1) designates November 2012 as ''Stomach Cancer Awareness Month'';

(2) supports efforts to educate the people of the United States about stomach cancer;

(3) recognizes the need for additional research into early diagnosis and treatment for stomach cancer; and

(4) encourages the people of the United States and interested groups to observe and support November 2012 as Stomach Cancer Awareness Month through appropriate programs and activities to promote public awareness of, and potential treatments for, stomach cancer.

SENATE RESOLUTION 527—DESIGNATING AUGUST 16, 2012, AS ''NATIONAL AIRBORNE DAY''

Ms. MURKOWSKI (for herself, Mr. REED of Rhode Island, Mr. BEGICH, Mr. REID of Nevada, Mr. CORKER, Mr. INHOFE, Ms. SNOWE, Mr. LIEBERMAN, Mr. COCHRAN, Mrs. MURRAY, Mr. CHAMBLISS, Mr. WICKER, Mr. WHITEHOUSE, Mr. BROWN of Massachusetts, Mrs. HUTCHISON, Mr. BAUCUS, Mr. TESTER, Mr. INOUYE, Ms. MIKULSKI, Ms. COLLINS, Mr. BLUMENTHAL, Mr. BURR, Mrs. HAGAN, and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 527

Whereas the members of the airborne forces of the Armed Forces of the United States have a long and honorable history as bold and fierce warriors who, for the national security of the United States and the defense of freedom and peace, project the ground combat power of the United States by air transport to the far reaches of the battle area and to the far corners of the world;

Whereas the experiment of the United States with airborne operations began on June 25, 1940, when the Army Parachute Test Platoon was first authorized by the Department of War, and 48 volunteers began training in July 1940;

Whereas August 16 marks the anniversary of the first official Army parachute jump, which took place on August 16, 1940, to test the innovative concept of inserting United States ground combat forces behind a battle line by means of a parachute;

Whereas the success of the Army Parachute Test Platoon in the days immediately before the entry of the United States into World War II validated the airborne operational concept and led to the creation of a formidable force of airborne formations that included the 11th, 13th, 17th, 82nd, and 101st Airborne Divisions;

Whereas, included in those divisions, and among other separate formations, were many airborne combat, combat support, and combat service support units that served with distinction and achieved repeated success in armed hostilities during World War II, and provide the lineage and legacy of many airborne units throughout the Armed Forces;

Whereas the achievements of the airborne units during World War II prompted the evolution of those units into a diversified force of parachute and air-assault units that, over the years, have fought in Korea, Vietnam, Grenada, Panama, the Persian Gulf region, and Somalia, and have engaged in peacekeeping operations in Lebanon, the Sinai Peninsula, the Dominican Republic, Haiti, Bosnia, and Kosovo;

Whereas, since the terrorist attacks of September 11, 2001, the members of the United States airborne forces, including members of the XVIII Airborne Corps, the 82nd Airborne Division, the 101st Airborne Division, the 173rd Airborne Brigade Combat Team, the 4th Brigade Combat Team (Airborne) of the 25th Infantry Division, the 75th Ranger Regiment, special operations forces of the Army, Marine Corps, Navy, and Air Force, and other units of the Armed Forces, have demonstrated bravery and honor in combat, stability, and training operations in Afghanistan and Iraq;

Whereas the modern-day airborne forces also include other elite forces composed of airborne trained and qualified special operations warriors, including Army Special Forces, Marine Corps Reconnaissance units, Navy SEALs, and Air Force combat control and para-rescue teams;

Whereas, of the members and former members of the United States airborne forces, thousands have achieved the distinction of making combat jumps, dozens have earned the Medal of Honor, and hundreds have earned the Distinguished Service Cross, the Silver Star, or other decorations and awards for displays of heroism, gallantry, intrepidity, and valor;

Whereas the members and former members of the United States airborne forces are all members of a proud and honorable tradition that, together with the special skills and achievements of those members, distinguishes the members as intrepid combat parachutists, air assault forces, special operation forces, and, in the past, glider troops;

Whereas individuals from every State in the United States have served gallantly in the airborne forces, and each State is proud of the contributions of its paratrooper veterans during the many conflicts faced by the United States;

Whereas the history and achievements of the members and former members of the United States airborne forces warrant special expressions of the gratitude of the people of the United States; and

Whereas, since the airborne forces, past and present, celebrate August 16 as the anniversary of the first official jump by the Army Parachute Test Platoon, August 16 is an appropriate day to recognize as National Airborne Day: Now, therefore, be it

Resolved, That the Senate—

(1) designates August 16, 2012, as ''National Airborne Day''; and

(2) calls on the people of the United States to observe National Airborne Day with appropriate programs, ceremonies, and activities.

SENATE RESOLUTION 528—RECOGNIZING THE 100TH ANNIVERSARY OF THE AMERICAN PODIATRIC MEDICAL ASSOCIATION, THE PREEMINENT ORGANIZATION REPRESENTING PODIATRIC MEDICINE AND SURGERY, CELEBRATING ITS ACHIEVEMENTS, AND ENCOURAGING THE ASSOCIATION TO CONTINUE PROVIDING GUIDANCE ON FOOT AND ANKLE HEALTH ISSUES TO THE PEOPLE OF THE UNITED STATES AND OF THE WORLD

Mr. CARDIN (for himself and Mr. CHAMBLISS) submitted the following resolution; which was considered and agreed to:

S. RES. 528

Whereas, in 1912, Alfred Joseph was the driving force behind the establishment of the National Association of Chiropodists (referred to as the ''NAC'' in this preamble), an organization dedicated to the needs and educational standards of chiropodists and to advancing and advocating for the profession of podiatric medicine and surgery for the benefit of its members and the public, and was elected the first president of the NAC;

Whereas, by 1922, most States had passed laws regulating the professional practice of chiropody;

Whereas, in 1922, the NAC began publishing the Journal of the National Association of Chiropodists and the NAC's Council on Education began its first college accreditation activities;

Whereas, in 1943, the NAC ran an advertisement campaign in Life magazine highlighting the efforts of podiatrists to keep United States soldiers marching;

Whereas, in 1957, the NAC was renamed the American Podiatry Association (referred to as the ''APA'' in this preamble);

Whereas, in 1959, the APA established the Educational Foundation to advance the growth and stability of podiatric medicine through student scholarships and increased national awareness of foot and ankle health;

Whereas, in 1967, podiatric physicians were included as covered providers under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.);

Whereas, in 1971, all the colleges of podiatric medicine began granting the DPM (doctor of podiatric medicine) degree to students graduating from 4 years of podiatric medical training;

Whereas, in 1984, the APA was renamed the American Podiatric Medical Association to emphasize the profession as part of mainstream medical practice;

Whereas, in 2011, the Council on Podiatric Medical Education adopted the requirements of a 3 year podiatric medicine and surgery residency, which was approved for full graduate medical education funding by the Centers for Medicare and Medicaid Services;

Whereas the American Podiatric Medical Association regularly hosts medical and scientific meetings dedicated to highlighting and disseminating research findings and clinical advances in the prevention, detection, treatment, and cure of foot, ankle, and related conditions;

Whereas the American Podiatric Medical Association continues to meet its clinical and scientific mission through the publication of academic journals and clinical statements on the prevention, diagnosis, treatment, and cure of foot and ankle disorders, as well as through the provision of continuing medical education in foot and ankle care and through consumer education on foot and ankle health;

Whereas feet often reveal indicators of overall health, including signs of arthritis, diabetes, and nerve and circulatory disorders;

Whereas medically necessary care provided by podiatrists can reduce the risk of and prevent complications from these conditions and diseases, while at the same time offer savings to the heavily burdened health care system of the United States; and

Whereas the American Podiatric Medical Association has a long tradition of working in collaboration with the Federal Government to improve the foot and ankle health of all people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the scientific, clinical, and public health achievements of the American Podiatric Medical Association as its members and staff commemorate and celebrate its 100th anniversary;

(2) recognizes the great impact that the American Podiatric Medical Association has had on improving the foot and ankle and related health of people in the United States and around the world; and

(3) congratulates the American Podiatric Medical Association for its achievements and encourages the organization to continue providing scientific guidance on foot and ankle and related health issues to improve the public health of future generations.

SENATE CONCURRENT RESOLUTION 53—HONORING THE VICTIMS OF THE AURORA, COLORADO, MOVIE THEATER SHOOTING AND CONDEMNING THE ATROCITIES THAT OCCURRED IN AURORA, COLORADO

Mr. UDALL of Colorado (for himself, Mr. BENNET, Mr. REID of Nevada, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BINGAMAN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KERRY, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. LIEBERMAN, Mr. LUGAR, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED of Rhode Island, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 53

Whereas, on July 20, 2012, an armed gunman opened fire at a movie theater in Aurora, Colorado, killing 12 people and wounding 58 others;

Whereas many individuals at the theater selflessly sought to aid and protect others without regard for their own safety;

Whereas the Aurora Police Department and the Aurora Fire Department quickly and bravely acted to prevent the additional loss of life; and

Whereas local, State, and Federal law enforcement, firefighters, and medical service professionals performed their duties with utmost skill and coordination: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) condemns, in the strongest possible terms, the heinous atrocities that occurred in Aurora, Colorado;

(2) offers condolences to the families, friends, and loved ones of those who were killed in the shooting;

(3) expresses hope for the rapid and complete recovery of the wounded;

(4) applauds the hard work and dedication exhibited by the hundreds of local, State, and Federal officials and other individuals who offered support and assistance; and

(5) honors the resilience of the community of the City of Aurora and the State of Colorado in the face of incredible adversity.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2568. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 3412, to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families; which was ordered to lie on the table.

SA 2569. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 3412, supra; which was ordered to lie on the table.

SA 2570. Mrs. HUTCHISON (for herself, Mr. BOOZMAN, Mr. BURR, Mr. COBURN, and Mr. PORTMAN) submitted an amendment intended to be proposed by her to the bill S. 3412, supra; which was ordered to lie on the table.

SA 2571. Mrs. SHAHEEN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed by her to the bill S. 3412, supra; which was ordered to lie on the table.

SA 2572. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 3412, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2568. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 3412, to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—PERMANENT TAX RELIEF

SEC. 401. REPEAL OF SUNSET ON MARRIAGE PENALTY RELIEF.

Title IX of the Economic Growth and Tax Relief Reconciliation Act of 2001 (relating to sunset of provisions of such Act) shall not apply to sections 301, 302, and 303(a) of such Act (relating to marriage penalty relief).

SA 2569. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 3412, to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—PERMANENT TAX RELIEF

SEC. 401. PERMANENT EXTENSION OF DEDUCTION FOR STATE AND LOCAL GENERAL SALES TAXES.

(a) IN GENERAL.—Subparagraph (I) of section 164(b)(5) of the Internal Revenue Code of 1986 is amended by striking ''\, and before January 1, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2011.

SA 2570. Mrs. HUTCHISON (for herself, Mr. BOOZMAN, Mr. BURR, Mr. COBURN, and Mr. PORTMAN) submitted an amendment intended to be proposed by her to the bill S. 3412, to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—PERMANENT TAX RELIEF

SEC. 401. REPEAL OF CERTAIN LIMITATIONS ON HEALTH CARE BENEFITS.

(a) REPEAL OF DISTRIBUTIONS FOR MEDICINE QUALIFIED ONLY IF FOR PRESCRIBED DRUG OR INSULIN.—

(1) HSAS.—Section 223(d)(2)(A) of the Internal Revenue Code of 1986 is amended by striking the last sentence thereof.

(2) ARCHER MSAS.—Section 220(d)(2)(A) of such Code is amended by striking the last sentence thereof.

(3) HEALTH FLEXIBLE SPENDING ARRANGEMENTS AND HEALTH REIMBURSEMENT ARRANGEMENTS.—Section 106 of such Code is amended by striking subsection (f).

(4) EFFECTIVE DATE.—

(A) DISTRIBUTIONS FROM SAVINGS ACCOUNTS.—The amendments made by paragraphs (1) and (2) shall apply to amounts paid with respect to taxable years beginning after December 31, 2011.

(B) REIMBURSEMENTS.—The amendment made by paragraph (3) shall apply to expenses incurred with respect to taxable years beginning after December 31, 2011.

(b) REPEAL OF LIMITATION ON HEALTH FLEXIBLE SPENDING ARRANGEMENTS UNDER CAFETERIA PLANS.—

(1) IN GENERAL.—Section 125 of the Internal Revenue Code of 1986 is amended by striking

subsection (i) and by redesignating subsections (j) through (l) as subsections (i) through (k), respectively.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after December 31, 2012.

SA 2571. Mrs. SHAHEEN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed by her to the bill S. 3412, to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families; which was ordered to lie on the table; as follows:

After title II, insert the following:

TITLE III—ENERGY SAVINGS AND INDUSTRIAL COMPETITIVENESS

SEC. 301. SHORT TITLE.

This title may be cited as the ''Energy Savings and Industrial Competitiveness Act of 2012''.

Subtitle A—Buildings

PART I—BUILDING ENERGY CODES

SEC. 311. GREATER ENERGY EFFICIENCY IN BUILDING CODES.

(a) DEFINITIONS.—Section 303 of the Energy Conservation and Production Act (42 U.S.C. 6832) is amended—

(1) by striking paragraph (14) and inserting the following:

''(14) MODEL BUILDING ENERGY CODE.—The term 'model building energy code' means a voluntary building energy code and standards developed and updated through a consensus process among interested persons, such as the IECC or the code used by—

''(A) the Council of American Building Officials;

''(B) the American Society of Heating, Refrigerating, and Air-Conditioning Engineers; or

''(C) other appropriate organizations.''; and

(2) by adding at the end the following:

''(17) IECC.—The term 'IECC' means the International Energy Conservation Code.

''(18) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).''.

(b) STATE BUILDING ENERGY EFFICIENCY CODES.—Section 304 of the Energy Conservation and Production Act (42 U.S.C. 6833) is amended to read as follows:

''SEC. 304. UPDATING STATE BUILDING ENERGY EFFICIENCY CODES.

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

''(1) encourage and support the adoption of building energy codes by States, Indian tribes, and, as appropriate, by local governments that meet or exceed the model building energy codes, or achieve equivalent or greater energy savings; and

''(2) support full compliance with the State and local codes.

''(b) STATE AND INDIAN TRIBE CERTIFICATION OF BUILDING ENERGY CODE UPDATES.—

''(1) REVIEW AND UPDATING OF CODES BY EACH STATE AND INDIAN TRIBE.—

''(A) IN GENERAL.—Not later than 2 years after the date on which a model building energy code is updated, each State or Indian tribe shall certify whether or not the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively.

''(B) DEMONSTRATION.—The certification shall include a demonstration of whether or not the energy savings for the code provisions that are in effect throughout the State or Indian tribal territory meet or exceed—

''(i) the energy savings of the updated model building energy code; or

''(ii) the targets established under section 307(b)(2).

''(C) NO MODEL BUILDING ENERGY CODE UPDATE.—If a model building energy code is not updated by a target date established under section 307(b)(2)(D), each State or Indian tribe shall, not later than 2 years after the specified date, certify whether or not the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively, to meet or exceed the target in section 307(b)(2).

''(2) VALIDATION BY SECRETARY.—Not later than 90 days after a State or Indian tribe certification under paragraph (1), the Secretary shall—

''(A) determine whether the code provisions of the State or Indian tribe, respectively, meet the criteria specified in paragraph (1); and

''(B) if the determination is positive, validate the certification.

''(c) IMPROVEMENTS IN COMPLIANCE WITH BUILDING ENERGY CODES.—

''(1) REQUIREMENT.—

''(A) IN GENERAL.—Not later than 3 years after the date of a certification under subsection (b), each State and Indian tribe shall certify whether or not the State and Indian tribe, respectively, has—

''(i) achieved full compliance under paragraph (3) with the applicable certified State and Indian tribe building energy code or with the associated model building energy code; or

''(ii) made significant progress under paragraph (4) toward achieving compliance with the applicable certified State and Indian tribe building energy code or with the associated model building energy code.

''(B) REPEAT CERTIFICATIONS.—If the State or Indian tribe certifies progress toward achieving compliance, the State or Indian tribe shall repeat the certification until the State or Indian tribe certifies that the State or Indian tribe has achieved full compliance, respectively.

''(2) MEASUREMENT OF COMPLIANCE.—A certification under paragraph (1) shall include documentation of the rate of compliance based on—

''(A) independent inspections of a random sample of the buildings covered by the code in the preceding year; or

''(B) an alternative method that yields an accurate measure of compliance.

''(3) ACHIEVEMENT OF COMPLIANCE.—A State or Indian tribe shall be considered to achieve full compliance under paragraph (1) if—

''(A) at least 90 percent of building space covered by the code in the preceding year substantially meets all the requirements of the applicable code specified in paragraph (1), or achieves equivalent or greater energy savings level; or

''(B) the estimated excess energy use of buildings that did not meet the applicable code specified in paragraph (1) in the preceding year, compared to a baseline of comparable buildings that meet this code, is not more than 5 percent of the estimated energy use of all buildings covered by this code during the preceding year.

''(4) SIGNIFICANT PROGRESS TOWARD ACHIEVEMENT OF COMPLIANCE.—A State or Indian tribe shall be considered to have made significant progress toward achieving compliance for purposes of paragraph (1) if the State or Indian tribe—

''(A) has developed and is implementing a plan for achieving compliance during the 8-year-period beginning on the date of enactment of this paragraph, including annual targets for compliance and active training and enforcement programs; and

''(B) has met the most recent target under subparagraph (A).

''(5) VALIDATION BY SECRETARY.—Not later than 90 days after a State or Indian tribe certification under paragraph (1), the Secretary shall—

''(A) determine whether the State or Indian tribe has demonstrated meeting the criteria of this subsection, including accurate measurement of compliance; and

''(B) if the determination is positive, validate the certification.

''(d) STATES OR INDIAN TRIBES THAT DO NOT ACHIEVE COMPLIANCE.—

''(1) REPORTING.—A State or Indian tribe that has not made a certification required under subsection (b) or (c) by the applicable deadline shall submit to the Secretary a report on—

''(A) the status of the State or Indian tribe with respect to meeting the requirements and submitting the certification; and

''(B) a plan for meeting the requirements and submitting the certification.

''(2) FEDERAL SUPPORT.—For any State or Indian tribe for which the Secretary has not validated a certification by a deadline under subsection (b) or (c), the lack of the certification may be a consideration for Federal support authorized under this section for code adoption and compliance activities.

''(3) LOCAL GOVERNMENT.—In any State or Indian tribe for which the Secretary has not validated a certification under subsection (b) or (c), a local government may be eligible for Federal support by meeting the certification requirements of subsections (b) and (c).

''(4) ANNUAL REPORTS BY SECRETARY.—

''(A) IN GENERAL.—The Secretary shall annually submit to Congress, and publish in the Federal Register, a report on—

''(i) the status of model building energy codes;

''(ii) the status of code adoption and compliance in the States and Indian tribes;

''(iii) implementation of this section; and

''(iv) improvements in energy savings over time as result of the targets established under section 307(b)(2).

''(B) IMPACTS.—The report shall include estimates of impacts of past action under this section, and potential impacts of further action, on—

''(i) upfront financial and construction costs, cost benefits and returns (using investment analysis), and lifetime energy use for buildings;

''(ii) resulting energy costs to individuals and businesses; and

''(iii) resulting overall annual building ownership and operating costs.

''(e) TECHNICAL ASSISTANCE TO STATES AND INDIAN TRIBES.—The Secretary shall provide technical assistance to States and Indian tribes to implement the goals and requirements of this section, including procedures and technical analysis for States and Indian tribes—

''(1) to improve and implement State residential and commercial building energy codes;

''(2) to demonstrate that the code provisions of the States and Indian tribes achieve equivalent or greater energy savings than the model building energy codes and targets;

''(3) to document the rate of compliance with a building energy code; and

''(4) to otherwise promote the design and construction of energy efficient buildings.

''(f) AVAILABILITY OF INCENTIVE FUNDING.—

''(1) IN GENERAL.—The Secretary shall provide incentive funding to States and Indian tribes—

''(A) to implement the requirements of this section;

''(B) to improve and implement residential and commercial building energy codes, including increasing and verifying compliance with the codes and training of State, tribal,

and local building code officials to implement and enforce the codes; and

''(C) to promote building energy efficiency through the use of the codes.

''(2) ADDITIONAL FUNDING.—Additional funding shall be provided under this subsection for implementation of a plan to achieve and document full compliance with residential and commercial building energy codes under subsection (c)—

''(A) to a State or Indian tribe for which the Secretary has validated a certification under subsection (b) or (c); and

''(B) in a State or Indian tribe that is not eligible under subparagraph (A), to a local government that is eligible under this section.

''(3) TRAINING.—Of the amounts made available under this subsection, the State may use amounts required, but not to exceed $750,000 for a State, to train State and local building code officials to implement and enforce codes described in paragraph (2).

''(4) LOCAL GOVERNMENTS.—States may share grants under this subsection with local governments that implement and enforce the codes.

''(g) STRETCH CODES AND ADVANCED STANDARDS.—

''(1) IN GENERAL.—The Secretary shall provide technical and financial support for the development of stretch codes and advanced standards for residential and commercial buildings for use as—

''(A) an option for adoption as a building energy code by local, tribal, or State governments; and

''(B) guidelines for energy-efficient building design.

''(2) TARGETS.—The stretch codes and advanced standards shall be designed—

''(A) to achieve substantial energy savings compared to the model building energy codes; and

''(B) to meet targets under section 307(b), if available, at least 3 to 6 years in advance of the target years.

''(h) STUDIES.—The Secretary, in consultation with building science experts from the National Laboratories and institutions of higher education, designers and builders of energy-efficient residential and commercial buildings, code officials, and other stakeholders, shall undertake a study of the feasibility, impact, economics, and merit of—

''(1) code improvements that would require that buildings be designed, sited, and constructed in a manner that makes the buildings more adaptable in the future to become zero-net-energy after initial construction, as advances are achieved in energy-saving technologies;

''(2) code procedures to incorporate measured lifetimes, not just first-year energy use, in trade-offs and performance calculations; and

''(3) legislative options for increasing energy savings from building energy codes, including additional incentives for effective State and local action, and verification of compliance with and enforcement of a code other than by a State or local government.

''(i) EFFECT ON OTHER LAWS.—Nothing in this section or section 307 supersedes or modifies the application of sections 321 through 346 of the Energy Policy and Conservation Act (42 U.S.C. 6291 et seq.).

''(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section and section 307 $200,000,000, to remain available until expended.''.

(c) FEDERAL BUILDING ENERGY EFFICIENCY STANDARDS.—Section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) is amended by striking ''voluntary building energy code'' each place it appears in subsections (a)(2)(B) and (b) and inserting ''model building energy code''.

(d) MODEL BUILDING ENERGY CODES.—Section 307 of the Energy Conservation and Production Act (42 U.S.C. 6836) is amended to read as follows:

''SEC. 307. SUPPORT FOR MODEL BUILDING ENERGY CODES.

''(a) IN GENERAL.—The Secretary shall support the updating of model building energy codes.

''(b) TARGETS.—

''(1) IN GENERAL.—The Secretary shall support the updating of the model building energy codes to enable the achievement of aggregate energy savings targets established under paragraph (2).

''(2) TARGETS.—

''(A) IN GENERAL.—The Secretary shall work with State, Indian tribes, local governments, nationally recognized code and standards developers, and other interested parties to support the updating of model building energy codes by establishing 1 or more aggregate energy savings targets to achieve the purposes of this section.

''(B) SEPARATE TARGETS.—The Secretary may establish separate targets for commercial and residential buildings.

''(C) BASELINES.—The baseline for updating model building energy codes shall be the 2009 IECC for residential buildings and ASHRAE Standard 90.1–2010 for commercial buildings.

''(D) SPECIFIC YEARS.—

''(i) IN GENERAL.—Targets for specific years shall be established and revised by the Secretary through rulemaking and coordinated with nationally recognized code and standards developers at a level that—

''(I) is at the maximum level of energy efficiency that is technologically feasible and life-cycle cost effective, while accounting for the economic considerations under paragraph (4);

''(II) is higher than the preceding target; and

''(III) promotes the achievement of commercial and residential high-performance buildings through high performance energy efficiency (within the meaning of section 401 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17061)).

''(ii) INITIAL TARGETS.—Not later than 1 year after the date of enactment of this clause, the Secretary shall establish initial targets under this subparagraph.

''(iii) DIFFERENT TARGET YEARS.—Subject to clause (i), prior to the applicable year, the Secretary may set a later target year for any of the model building energy codes described in subparagraph (A) if the Secretary determines that a target cannot be met.

''(iv) SMALL BUSINESS.—When establishing targets under this paragraph through rulemaking, the Secretary shall ensure compliance with the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note; Public Law 104–121).

''(3) APPLIANCE STANDARDS AND OTHER FACTORS AFFECTING BUILDING ENERGY USE.—In establishing building code targets under paragraph (2), the Secretary shall develop and adjust the targets in recognition of potential savings and costs relating to—

''(A) efficiency gains made in appliances, lighting, windows, insulation, and building envelope sealing;

''(B) advancement of distributed generation and on-site renewable power generation technologies;

''(C) equipment improvements for heating, cooling, and ventilation systems;

''(D) building management systems and SmartGrid technologies to reduce energy use; and

''(E) other technologies, practices, and building systems that the Secretary considers appropriate regarding building plug load and other energy uses.

''(4) ECONOMIC CONSIDERATIONS.—In establishing and revising building code targets under paragraph (2), the Secretary shall consider the economic feasibility of achieving the proposed targets established under this section and the potential costs and savings for consumers and building owners, including a return on investment analysis.

''(c) TECHNICAL ASSISTANCE TO MODEL BUILDING ENERGY CODE-SETTING AND STANDARD DEVELOPMENT ORGANIZATIONS.—

''(1) IN GENERAL.—The Secretary shall, on a timely basis, provide technical assistance to model building energy code-setting and standard development organizations consistent with the goals of this section.

''(2) ASSISTANCE.—The assistance shall include, as requested by the organizations, technical assistance in—

''(A) evaluating code or standards proposals or revisions;

''(B) building energy analysis and design tools;

''(C) building demonstrations;

''(D) developing definitions of energy use intensity and building types for use in model building energy codes to evaluate the efficiency impacts of the model building energy codes;

''(E) performance-based standards;

''(F) evaluating economic considerations under subsection (b)(4); and

''(G) developing model building energy codes by Indian tribes in accordance with tribal law.

''(3) AMENDMENT PROPOSALS.—The Secretary may submit timely model building energy code amendment proposals to the model building energy code-setting and standard development organizations, with supporting evidence, sufficient to enable the model building energy codes to meet the targets established under subsection (b)(2).

''(4) ANALYSIS METHODOLOGY.—The Secretary shall make publicly available the entire calculation methodology (including input assumptions and data) used by the Secretary to estimate the energy savings of code or standard proposals and revisions.

''(d) DETERMINATION.—

''(1) REVISION OF MODEL BUILDING ENERGY CODES.—If the provisions of the IECC or ASHRAE Standard 90.1 regarding building energy use are revised, the Secretary shall make a preliminary determination not later than 90 days after the date of the revision, and a final determination not later than 15 months after the date of the revision, on whether or not the revision will—

''(A) improve energy efficiency in buildings compared to the existing model building energy code; and

''(B) meet the applicable targets under subsection (b)(2).

''(2) CODES OR STANDARDS NOT MEETING TARGETS.—

''(A) IN GENERAL.—If the Secretary makes a preliminary determination under paragraph (1)(B) that a code or standard does not meet the targets established under subsection (b)(2), the Secretary may at the same time provide the model building energy code or standard developer with proposed changes that would result in a model building energy code that meets the targets and with supporting evidence, taking into consideration—

''(i) whether the modified code is technically feasible and life-cycle cost effective;

''(ii) available appliances, technologies, materials, and construction practices; and

''(iii) the economic considerations under subsection (b)(4).

''(B) INCORPORATION OF CHANGES.—

''(i) IN GENERAL.—On receipt of the proposed changes, the model building energy

code or standard developer shall have an additional 270 days to accept or reject the proposed changes of the Secretary to the model building energy code or standard for the Secretary to make a final determination.

''(ii) FINAL DETERMINATION.—A final determination under paragraph (1) shall be on the modified model building energy code or standard.

''(e) ADMINISTRATION.—In carrying out this section, the Secretary shall—

''(1) publish notice of targets and supporting analysis and determinations under this section in the Federal Register to provide an explanation of and the basis for such actions, including any supporting modeling, data, assumptions, protocols, and cost-benefit analysis, including return on investment; and

''(2) provide an opportunity for public comment on targets and supporting analysis and determinations under this section.

''(f) VOLUNTARY CODES AND STANDARDS.—Nothwithstanding any other provision of this section, any model building code or standard established under this section shall not be binding on a State, local government, or Indian tribe as a matter of Federal law.''.

PART II—WORKER TRAINING AND CAPACITY BUILDING

SEC. 321. BUILDING TRAINING AND ASSESSMENT CENTERS.

(a) IN GENERAL.—The Secretary of Energy shall provide grants to institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) and Tribal Colleges or Universities (as defined in section 316(b) of that Act (20 U.S.C. 1059c(b)) to establish building training and assessment centers—

(1) to identify opportunities for optimizing energy efficiency and environmental performance in buildings;

(2) to promote the application of emerging concepts and technologies in commercial and institutional buildings;

(3) to train engineers, architects, building scientists, building energy permitting and enforcement officials, and building technicians in energy-efficient design and operation;

(4) to assist institutions of higher education and Tribal Colleges or Universities in training building technicians;

(5) to promote research and development for the use of alternative energy sources and distributed generation to supply heat and power for buildings, particularly energy-intensive buildings; and

(6) to coordinate with and assist State-accredited technical training centers, community colleges, Tribal Colleges or Universities, and local offices of the National Institute of Food and Agriculture and ensure appropriate services are provided under this section to each region of the United States.

(b) COORDINATION AND NONDUPLICATION.—

(1) IN GENERAL.—The Secretary shall coordinate the program with the Industrial Assessment Centers program and with other Federal programs to avoid duplication of effort.

(2) COLLOCATION.—To the maximum extent practicable, building, training, and assessment centers established under this section shall be collocated with Industrial Assessment Centers.

Subtitle B—Building Efficiency Finance

SEC. 331. LOAN PROGRAM FOR ENERGY EFFICIENCY UPGRADES TO EXISTING BUILDINGS.

Title XVII of the Energy Policy Act of 2005 (42 U.S.C. 16511 et seq.) is amended by adding at the end the following:

''SEC. 1706. BUILDING RETROFIT FINANCING PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) CREDIT SUPPORT.—The term 'credit support' means a guarantee or commitment to issue a guarantee or other forms of credit enhancement to ameliorate risks for efficiency obligations.

''(2) EFFICIENCY OBLIGATION.—The term 'efficiency obligation' means a debt or repayment obligation incurred in connection with financing a project, or a portfolio of such debt or payment obligations.

''(3) PROJECT.—The term 'project' means the installation and implementation of efficiency, advanced metering, distributed generation, or renewable energy technologies and measures in a building (or in multiple buildings on a given property) that are expected to increase the energy efficiency of the building (including fixtures) in accordance with criteria established by the Secretary.

''(b) ELIGIBLE PROJECTS.—

''(1) IN GENERAL.—Notwithstanding sections 1703 and 1705, the Secretary may provide credit support under this section, in accordance with section 1702.

''(2) INCLUSIONS.—Buildings eligible for credit support under this section include commercial, multifamily residential, industrial, municipal, government, institution of higher education, school, and hospital facilities that satisfy criteria established by the Secretary.

''(c) GUIDELINES.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall—

''(A) establish guidelines for credit support provided under this section; and

''(B) publish the guidelines in the Federal Register; and

''(C) provide for an opportunity for public comment on the guidelines.

''(2) REQUIREMENTS.—The guidelines established by the Secretary under this subsection shall include—

''(A) standards for assessing the energy savings that could reasonably be expected to result from a project;

''(B) examples of financing mechanisms (and portfolios of such financing mechanisms) that qualify as efficiency obligations;

''(C) the threshold levels of energy savings that a project, at the time of issuance of credit support, shall be reasonably expected to achieve to be eligible for credit support;

''(D) the eligibility criteria the Secretary determines to be necessary for making credit support available under this section; and

''(E) notwithstanding subsections (d)(3) and (g)(2)(B) of section 1702, any lien priority requirements that the Secretary determines to be necessary, in consultation with the Director of the Office of Management and Budget, which may include—

''(i) requirements to preserve priority lien status of secured lenders and creditors in buildings eligible for credit support;

''(ii) remedies available to the Secretary under chapter 176 of title 28, United States Code, in the event of default on the efficiency obligation by the borrower; and

''(iii) measures to limit the exposure of the Secretary to financial risk in the event of default, such as—

''(I) the collection of a credit subsidy fee from the borrower as a loan loss reserve, taking into account the limitation on credit support under subsection (d);

''(II) minimum debt-to-income levels of the borrower;

''(III) minimum levels of value relative to outstanding mortgage or other debt on a building eligible for credit support;

''(IV) allowable thresholds for the percent of the efficiency obligation relative to the amount of any mortgage or other debt on an eligible building;

''(V) analysis of historic and anticipated occupancy levels and rental income of an eligible building;

''(VI) requirements of third-party contractors to guarantee energy savings that will result from a retrofit project, and whether financing on the efficiency obligation will amortize from the energy savings;

''(VII) requirements that the retrofit project incorporate protocols to measure and verify energy savings; and

''(VIII) recovery of payments equally by the Secretary and the retrofit.

''(3) EFFICIENCY OBLIGATIONS.—The financing mechanisms qualified by the Secretary under paragraph (2)(B) may include—

''(A) loans, including loans made by the Federal Financing Bank;

''(B) power purchase agreements, including energy efficiency power purchase agreements;

''(C) energy services agreements, including energy performance contracts;

''(D) property assessed clean energy bonds and other tax assessment-based financing mechanisms;

''(E) aggregate on-meter agreements that finance retrofit projects; and

''(F) any other efficiency obligations the Secretary determines to be appropriate.

''(4) PRIORITIES.—In carrying out this section, the Secretary shall prioritize—

''(A) the maximization of energy savings with the available credit support funding;

''(B) the establishment of a clear application and approval process that allows private building owners, lenders, and investors to reasonably expect to receive credit support for projects that conform to guidelines;

''(C) the distribution of projects receiving credit support under this section across States or geographical regions of the United States; and

''(D) projects designed to achieve whole-building retrofits.

''(d) LIMITATION.—Notwithstanding section 1702(c), the Secretary shall not issue credit support under this section in an amount that exceeds—

''(1) 90 percent of the principal amount of the efficiency obligation that is the subject of the credit support; or

''(2) $10,000,000 for any single project.

''(e) AGGREGATION OF PROJECTS.—To the extent provided in the guidelines developed in accordance with subsection (c), the Secretary may issue credit support on a portfolio, or pool of projects, that are not required to be geographically contiguous, if each efficiency obligation in the pool fulfills the requirements described in this section.

''(f) APPLICATION.—

''(1) IN GENERAL.—To be eligible to receive credit support under this section, the applicant shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary determines to be necessary.

''(2) CONTENTS.—An application submitted under this section shall include assurances by the applicant that—

''(A) each contractor carrying out the project meets minimum experience level criteria, including local retrofit experience, as determined by the Secretary;

''(B) the project is reasonably expected to achieve energy savings, as set forth in the application using any methodology that meets the standards described in the program guidelines;

''(C) the project meets any technical criteria described in the program guidelines;

''(D) the recipient of the credit support and the parties to the efficiency obligation will provide the Secretary with—

''(i) any information the Secretary requests to assess the energy savings that result from the project, including historical

energy usage data, a simulation-based benchmark, and detailed descriptions of the building work, as described in the program guidelines; and

''(ii) permission to access information relating to building operations and usage for the period described in the program guidelines; and

''(E) any other assurances that the Secretary determines to be necessary.

''(3) DETERMINATION.—Not later than 90 days after receiving an application, the Secretary shall make a final determination on the application, which may include requests for additional information.

''(g) FEES.—

''(1) IN GENERAL.—In addition to the fees required by section 1702(h)(1), the Secretary may charge reasonable fees for credit support provided under this section.

''(2) AVAILABILITY.—Fees collected under this section shall be subject to section 1702(h)(2).

''(h) UNDERWRITING.—The Secretary may delegate the underwriting activities under this section to 1 or more entities that the Secretary determines to be qualified.

''(i) REPORT.—Not later than 1 year after commencement of the program, the Secretary shall submit to the appropriate committees of Congress a report that describes in reasonable detail—

''(1) the manner in which this section is being carried out;

''(2) the number and type of projects supported;

''(3) the types of funding mechanisms used to provide credit support to projects;

''(4) the energy savings expected to result from projects supported by this section;

''(5) any tracking efforts the Secretary is using to calculate the actual energy savings produced by the projects; and

''(6) any plans to improve the tracking efforts described in paragraph (5).

''(j) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $400,000,000 for the period of fiscal years 2012 through 2021, to remain available until expended.

''(2) ADMINISTRATIVE COSTS.—Not more than 1 percent of any amounts made available to the Secretary under paragraph (1) may be used by the Secretary for administrative costs incurred in carrying out this section.''.

Subtitle C—Industrial Efficiency and Competitiveness

PART I—MANUFACTURING ENERGY EFFICIENCY

SEC. 341. STATE PARTNERSHIP INDUSTRIAL ENERGY EFFICIENCY REVOLVING LOAN PROGRAM.

Section 399A of the Energy Policy and Conservation Act (42 U.S.C. 6371h–1) is amended—

(1) in the section heading, by inserting ''**AND INDUSTRY**'' before the period at the end;

(2) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(3) by inserting after subsection (g) the following:

''(h) STATE PARTNERSHIP INDUSTRIAL ENERGY EFFICIENCY REVOLVING LOAN PROGRAM.—

''(1) IN GENERAL.—The Secretary shall carry out a program under which the Secretary shall provide grants to eligible lenders to pay the Federal share of creating a revolving loan program under which loans are provided to commercial and industrial manufacturers to implement commercially available technologies or processes that significantly—

''(A) reduce systems energy intensity, including the use of energy-intensive feedstocks; and

''(B) improve the industrial competitiveness of the United States.

''(2) ELIGIBLE LENDERS.—To be eligible to receive cost-matched Federal funds under this subsection, a lender shall—

''(A) be a community and economic development lender that the Secretary certifies meets the requirements of this subsection;

''(B) lead a partnership that includes participation by, at a minimum—

''(i) a State government agency; and

''(ii) a private financial institution or other provider of loan capital;

''(C) submit an application to the Secretary, and receive the approval of the Secretary, for cost-matched Federal funds to carry out a loan program described in paragraph (1); and

''(D) ensure that non-Federal funds are provided to match, on at least a dollar-for-dollar basis, the amount of Federal funds that are provided to carry out a revolving loan program described in paragraph (1).

''(3) AWARD.—The amount of cost-matched Federal funds provided to an eligible lender shall not exceed $100,000,000 for any fiscal year.

''(4) RECAPTURE OF AWARDS.—

''(A) IN GENERAL.—An eligible lender that receives an award under paragraph (1) shall be required to repay to the Secretary an amount of cost-match Federal funds, as determined by the Secretary under subparagraph (B), if the eligible lender is unable or unwilling to operate a program described in this subsection for a period of not less than 10 years beginning on the date on which the eligible lender first receives funds made available through the award.

''(B) DETERMINATION BY SECRETARY.—The Secretary shall determine the amount of cost-match Federal funds that an eligible lender shall be required to repay to the Secretary under subparagraph (A) based on the consideration by the Secretary of—

''(i) the amount of non-Federal funds matched by the eligible lender;

''(ii) the amount of loan losses incurred by the revolving loan program described in paragraph (1); and

''(iii) any other appropriate factor, as determined by the Secretary.

''(C) USE OF RECAPTURED COST-MATCH FEDERAL FUNDS.—The Secretary may distribute to eligible lenders under this subsection each amount received by the Secretary under this paragraph.

''(5) ELIGIBLE PROJECTS.—A program for which cost-matched Federal funds are provided under this subsection shall be designed to accelerate the implementation of industrial and commercial applications of technologies or processes (including distributed generation, applications or technologies that use sensors, meters, software, and information networks, controls, and drives or that have been installed pursuant to an energy savings performance contract, project, or strategy) that—

''(A) improve energy efficiency, including improvements in efficiency and use of water, power factor, or load management;

''(B) enhance the industrial competitiveness of the United States; and

''(C) achieve such other goals as the Secretary determines to be appropriate.

''(6) EVALUATION.—The Secretary shall evaluate applications for cost-matched Federal funds under this subsection on the basis of—

''(A) the description of the program to be carried out with the cost-matched Federal funds;

''(B) the commitment to provide non-Federal funds in accordance with paragraph (2)(D);

''(C) program sustainability over a 10-year period;

''(D) the capability of the applicant;

''(E) the quantity of energy savings or energy feedstock minimization;

''(F) the advancement of the goal under this Act of 25-percent energy avoidance;

''(G) the ability to fund energy efficient projects not later than 120 days after the date of the grant award; and

''(H) such other factors as the Secretary determines appropriate.

''(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection, $400,000,000 for the period of fiscal years 2012 through 2021.''.

SEC. 342. COORDINATION OF RESEARCH AND DEVELOPMENT OF ENERGY EFFICIENT TECHNOLOGIES FOR INDUSTRY.

(a) IN GENERAL.—As part of the research and development activities of the Industrial Technologies Program of the Department of Energy, the Secretary shall establish, as appropriate, collaborative research and development partnerships with other programs within the Office of Energy Efficiency and Renewable Energy (including the Building Technologies Program), the Office of Electricity Delivery and Energy Reliability, and the Office of Science that—

(1) leverage the research and development expertise of those programs to promote early stage energy efficiency technology development;

(2) support the use of innovative manufacturing processes and applied research for development, demonstration, and commercialization of new technologies and processes to improve efficiency (including improvements in efficient use of water), reduce emissions, reduce industrial waste, and improve industrial cost-competitiveness; and

(3) apply the knowledge and expertise of the Industrial Technologies Program to help achieve the program goals of the other programs.

(b) REPORTS.—Not later than 2 years after the date of enactment of this Act and biennially thereafter, the Secretary shall submit to Congress a report that describes actions taken to carry out subsection (a) and the results of those actions.

SEC. 343. REDUCING BARRIERS TO THE DEPLOYMENT OF INDUSTRIAL ENERGY EFFICIENCY.

(a) DEFINITIONS.—In this section:

(1) INDUSTRIAL ENERGY EFFICIENCY.—The term ''industrial energy efficiency'' means the energy efficiency derived from commercial technologies and measures to improve energy efficiency or to generate or transmit electric power and heat, including electric motor efficiency improvements, demand response, direct or indirect combined heat and power, and waste heat recovery.

(2) INDUSTRIAL SECTOR.—The term ''industrial sector'' means any subsector of the manufacturing sector (as defined in North American Industry Classification System codes 31-33 (as in effect on the date of enactment of this Act)) establishments of which have, or could have, thermal host facilities with electricity requirements met in whole, or in part, by onsite electricity generation, including direct and indirect combined heat and power or waste recovery.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(b) REPORT ON THE DEPLOYMENT OF INDUSTRIAL ENERGY EFFICIENCY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy

and Natural Resources of the Senate a report describing—

(A) the results of the study conducted under paragraph (2); and

(B) recommendations and guidance developed under paragraph (3).

(2) STUDY.—The Secretary, in coordination with the industrial sector, shall conduct a study of the following:

(A) The legal, regulatory, and economic barriers to the deployment of industrial energy efficiency in all electricity markets (including organized wholesale electricity markets, and regulated electricity markets), including, as applicable, the following:

(i) Transmission and distribution interconnection requirements.

(ii) Standby, back-up, and maintenance fees (including demand ratchets).

(iii) Exit fees.

(iv) Life of contract demand ratchets.

(v) Net metering.

(vi) Calculation of avoided cost rates.

(vii) Power purchase agreements.

(viii) Energy market structures.

(ix) Capacity market structures.

(x) Other barriers as may be identified by the Secretary, in coordination with the industrial sector.

(B) Examples of—

(i) successful State and Federal policies that resulted in greater use of industrial energy efficiency;

(ii) successful private initiatives that resulted in greater use of industrial energy efficiency; and

(iii) cost-effective policies used by foreign countries to foster industrial energy efficiency.

(C) The estimated economic benefits to the national economy of providing the industrial sector with Federal energy efficiency matching grants of $5,000,000,000 for 5- and 10-year periods, including benefits relating to—

(i) estimated energy and emission reductions;

(ii) direct and indirect jobs saved or created;

(iii) direct and indirect capital investment;

(iv) the gross domestic product; and

(v) trade balance impacts.

(D) The estimated energy savings available from increased use of recycled material in energy-intensive manufacturing processes.

(3) RECOMMENDATIONS AND GUIDANCE.—The Secretary, in coordination with the industrial sector, shall develop policy recommendations regarding the deployment of industrial energy efficiency, including proposed regulatory guidance to States and relevant Federal agencies to address barriers to deployment.

SEC. 344. FUTURE OF INDUSTRY PROGRAM.

(a) IN GENERAL.—Section 452 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111) is amended by striking the section heading and inserting the following: ''**FUTURE OF INDUSTRY PROGRAM**''.

(b) DEFINITION OF ENERGY SERVICE PROVIDER.—Section 452(a) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111(a)) is amended—

(1) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively; and

(2) by inserting after paragraph (3):

''(5) ENERGY SERVICE PROVIDER.—The term 'energy service provider' means any private company or similar entity providing technology or services to improve energy efficiency in an energy-intensive industry.''.

(c) INDUSTRIAL RESEARCH AND ASSESSMENT CENTERS.—

(1) IN GENERAL.—Section 452(e) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111(e)) is amended—

(A) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting appropriately;

(B) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary'';

(C) in subparagraph (A) (as redesignated by subparagraph (A)), by inserting before the semicolon at the end the following: '', including assessments of sustainable manufacturing goals and the implementation of information technology advancements for supply chain analysis, logistics, system monitoring, industrial and manufacturing processes, and other purposes''; and

(D) by adding at the end the following:

''(2) CENTERS OF EXCELLENCE.—

''(A) IN GENERAL.—The Secretary shall establish a Center of Excellence at up to 10 of the highest performing industrial research and assessment centers, as determined by the Secretary.

''(B) DUTIES.—A Center of Excellence shall coordinate with and advise the industrial research and assessment centers located in the region of the Center of Excellence.

''(C) FUNDING.—Subject to the availability of appropriations, of the funds made available under subsection (f), the Secretary shall use to support each Center of Excellence not less than $500,000 for fiscal year 2012 and each fiscal year thereafter, as determined by the Secretary.

''(3) EXPANSION OF CENTERS.—The Secretary shall provide funding to establish additional industrial research and assessment centers at institutions of higher education that do not have industrial research and assessment centers established under paragraph (1), taking into account the size of, and potential energy efficiency savings for, the manufacturing base within the region of the proposed center.

''(4) COORDINATION.—

''(A) IN GENERAL.—To increase the value and capabilities of the industrial research and assessment centers, the centers shall—

''(i) coordinate with Manufacturing Extension Partnership Centers of the National Institute of Standards and Technology;

''(ii) coordinate with the Building Technologies Program of the Department of Energy to provide building assessment services to manufacturers;

''(iii) increase partnerships with the National Laboratories of the Department of Energy to leverage the expertise and technologies of the National Laboratories for national industrial and manufacturing needs;

''(iv) increase partnerships with energy service providers and technology providers to leverage private sector expertise and accelerate deployment of new and existing technologies and processes for energy efficiency, power factor, and load management;

''(v) identify opportunities for reducing greenhouse gas emissions; and

''(vi) promote sustainable manufacturing practices for small- and medium-sized manufacturers.

''(5) OUTREACH.—The Secretary shall provide funding for—

''(A) outreach activities by the industrial research and assessment centers to inform small- and medium-sized manufacturers of the information, technologies, and services available; and

''(B) a full-time equivalent employee at each center of excellence whose primary mission shall be to coordinate and leverage the efforts of the center with—

''(i) Federal and State efforts;

''(ii) the efforts of utilities and energy service providers;

''(iii) the efforts of regional energy efficiency organizations; and

''(iv) the efforts of other centers in the region of the center of excellence.

''(6) WORKFORCE TRAINING.—

''(A) IN GENERAL.—The Secretary shall pay the Federal share of associated internship programs under which students work with or for industries, manufacturers, and energy service providers to implement the recommendations of industrial research and assessment centers.

''(B) FEDERAL SHARE.—The Federal share of the cost of carrying out internship programs described in subparagraph (A) shall be 50 percent.

''(C) FUNDING.—Subject to the availability of appropriations, of the funds made available under subsection (f), the Secretary shall use to carry out this paragraph not less than $5,000,000 for fiscal year 2012 and each fiscal year thereafter.

''(7) SMALL BUSINESS LOANS.—The Administrator of the Small Business Administration shall, to the maximum practicable, expedite consideration of applications from eligible small business concerns for loans under the Small Business Act (15 U.S.C. 631 et seq.) to implement recommendations of industrial research and assessment centers established under paragraph (1).''.

SEC. 345. SUSTAINABLE MANUFACTURING INITIATIVE.

(a) IN GENERAL.—Part E of title III of the Energy Policy and Conservation Act (42 U.S.C. 6341) is amended by adding at the end the following:

''SEC. 376. SUSTAINABLE MANUFACTURING INITIATIVE.

''(a) IN GENERAL.—As part of the Industrial Technologies Program of the Department of Energy, the Secretary shall carry out a sustainable manufacturing initiative under which the Secretary, on the request of a manufacturer, shall conduct onsite technical assessments to identify opportunities for—

''(1) maximizing the energy efficiency of industrial processes and cross-cutting systems;

''(2) preventing pollution and minimizing waste;

''(3) improving efficient use of water in manufacturing processes;

''(4) conserving natural resources; and

''(5) achieving such other goals as the Secretary determines to be appropriate.

''(b) COORDINATION.—The Secretary shall carry out the initiative in coordination with the private sector and appropriate agencies, including the National Institute of Standards and Technology to accelerate adoption of new and existing technologies or processes that improve energy efficiency.

''(c) RESEARCH AND DEVELOPMENT PROGRAM FOR SUSTAINABLE MANUFACTURING AND INDUSTRIAL TECHNOLOGIES AND PROCESSES.—As part of the Industrial Technologies Program of the Department of Energy, the Secretary shall carry out a joint industry-government partnership program to research, develop, and demonstrate new sustainable manufacturing and industrial technologies and processes that maximize the energy efficiency of industrial systems, reduce pollution, and conserve natural resources.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be to carry out this section $10,000,000 for the period of fiscal years 2012 through 2021.''.

(b) TABLE OF CONTENTS.—The table of contents of the Energy Policy and Conservation Act (42 U.S.C. prec. 6201) is amended by adding at the end of the items relating to part E of title III the following:

''Sec. 376. Sustainable manufacturing initiative.''.

SEC. 346. STUDY OF ADVANCED ENERGY TECHNOLOGY MANUFACTURING CAPABILITIES IN THE UNITED STATES.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the

Secretary shall enter into an arrangement with the National Academy of Sciences under which the Academy shall conduct a study of the development of advanced manufacturing capabilities for various energy technologies, including—

(1) an assessment of the manufacturing supply chains of established and emerging industries;

(2) an analysis of—

(A) the manner in which supply chains have changed over the 25-year period ending on the date of enactment of this Act;

(B) current trends in supply chains; and

(C) the energy intensity of each part of the supply chain and opportunities for improvement;

(3) for each technology or manufacturing sector, an analysis of which sections of the supply chain are critical for the United States to retain or develop to be competitive in the manufacturing of the technology;

(4) an assessment of which emerging energy technologies the United States should focus on to create or enhance manufacturing capabilities; and

(5) recommendations on leveraging the expertise of energy efficiency and renewable energy user facilities so that best materials and manufacturing practices are designed and implemented.

(b) REPORT.—Not later than 2 years after the date on which the Secretary enters into the agreement with the Academy described in subsection (a), the Academy shall submit to the Committee on Energy and Natural Resources of the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Secretary a report describing the results of the study required under this section, including any findings and recommendations.

SEC. 347. INDUSTRIAL TECHNOLOGIES STEERING COMMITTEE.

The Secretary shall establish an advisory steering committee that includes national trade associations representing energy-intensive industries or energy service providers to provide recommendations to the Secretary on planning and implementation of the Industrial Technologies Program of the Department of Energy.

PART II—SUPPLY STAR

SEC. 351. SUPPLY STAR.

Part B of title III of the Energy Policy and Conservation Act (42 U.S.C. 6291) is amended by inserting after section 324A (42 U.S.C. 6294a) the following:

"SEC. 324B. SUPPLY STAR PROGRAM.

''(a) IN GENERAL.—There is established within the Department of Energy a Supply Star program to identify and promote practices, recognize companies, and, as appropriate, recognize products that use highly efficient supply chains in a manner that conserves energy, water, and other resources.

''(b) COORDINATION.—In carrying out the program described in subsection (a), the Secretary shall—

''(1) consult with other appropriate agencies; and

''(2) coordinate efforts with the Energy Star program established under section 324A.

''(c) DUTIES.—In carrying out the Supply Star program described in subsection (a), the Secretary shall—

''(1) promote practices, recognize companies, and, as appropriate, recognize products that comply with the Supply Star program as the preferred practices, companies, and products in the marketplace for maximizing supply chain efficiency;

''(2) work to enhance industry and public awareness of the Supply Star program;

''(3) collect and disseminate data on supply chain energy resource consumption;

''(4) develop and disseminate metrics, processes, and analytical tools (including software) for evaluating supply chain energy resource use;

''(5) develop guidance at the sector level for improving supply chain efficiency;

''(6) work with domestic and international organizations to harmonize approaches to analyzing supply chain efficiency, including the development of a consistent set of tools, templates, calculators, and databases; and

''(7) work with industry, including small businesses, to improve supply chain efficiency through activities that include—

''(A) developing and sharing best practices; and

''(B) providing opportunities to benchmark supply chain efficiency.

''(d) EVALUATION.—In any evaluation of supply chain efficiency carried out by the Secretary with respect to a specific product, the Secretary shall consider energy consumption and resource use throughout the entire lifecycle of a product, including production, transport, packaging, use, and disposal.

''(e) GRANTS AND INCENTIVES.—

''(1) IN GENERAL.—The Secretary may award grants or other forms of incentives on a competitive basis to eligible entities, as determined by the Secretary, for the purposes of—

''(A) studying supply chain energy resource efficiency; and

''(B) demonstrating and achieving reductions in the energy resource consumption of commercial products through changes and improvements to the production supply and distribution chain of the products.

''(2) USE OF INFORMATION.—Any information or data generated as a result of the grants or incentives described in paragraph (1) shall be used to inform the development of the Supply Star Program.

''(f) TRAINING.—The Secretary shall use funds to support professional training programs to develop and communicate methods, practices, and tools for improving supply chain efficiency.

''(g) EFFECT OF IMPACT ON CLIMATE CHANGE.—For purposes of this section, the impact on climate change shall not be a factor in determining supply chain efficiency.

''(h) EFFECT OF OUTSOURCING OF AMERICAN JOBS.—For purposes of this section, the outsourcing of American jobs in the production of a product shall not count as a positive factor in determining supply chain efficiency.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for the period of fiscal years 2012 through 2021.''.

PART III—ELECTRIC MOTOR REBATE PROGRAM

SEC. 361. ENERGY SAVING MOTOR CONTROL REBATE PROGRAM.

(a) ESTABLISHMENT.—Not later than January 1, 2012, the Secretary of Energy (referred to in this section as the ''Secretary'') shall establish a program to provide rebates for expenditures made by entities for the purchase and installation of a new constant speed electric motor control that reduces motor energy use by not less than 5 percent.

(b) REQUIREMENTS.—

(1) APPLICATION.—To be eligible to receive a rebate under this section, an entity shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary may require, including—

(A) demonstrated evidence that the entity purchased a constant speed electric motor control that reduces motor energy use by not less than 5 percent; and

(B) the physical nameplate of the installed motor of the entity to which the energy saving motor control is attached.

(2) AUTHORIZED AMOUNT OF REBATE.—The Secretary may provide to an entity that meets the requirements of paragraph (1) a rebate the amount of which shall be equal to the product obtained by multiplying—

(A) the nameplate horsepower of the electric motor to which the energy saving motor control is attached; and

(B) $25.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2012 and 2013, to remain available until expended.

PART IV—TRANSFORMER REBATE PROGRAM

SEC. 371. ENERGY EFFICIENT TRANSFORMER REBATE PROGRAM.

(a) DEFINITION OF QUALIFIED TRANSFORMER.—In this section, the term ''qualified transformer'' means a transformer that meets or exceeds the National Electrical Manufacturers Association (NEMA) Premium Efficiency designation, calculated to 2 decimal points, as having 30 percent fewer losses than the NEMA TP-1-2002 efficiency standard for a transformer of the same number of phases and capacity, as measured in kilovolt-amperes.

(b) ESTABLISHMENT.—Not later than January 1, 2012, the Secretary of Energy (referred to in this section as the ''Secretary'') shall establish a program to provide rebates for expenditures made by owners of commercial buildings and multifamily residential buildings for the purchase and installation of a new energy efficient transformers.

(c) REQUIREMENTS.—

(1) APPLICATION.—To be eligible to receive a rebate under this section, an owner shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary may require, including demonstrated evidence that the owner purchased a qualified transformer.

(2) AUTHORIZED AMOUNT OF REBATE.—For qualified transformers, rebates, in dollars per kilovolt-ampere (referred to in this paragraph as ''kVA'') shall be—

(A) for 3-phase transformers—

(i) with a capacity of not greater than 10 kVA, $15;

(ii) with a capacity of not less than 10 kVA and not greater than 100 kVA, the difference between 15 and the quotient obtained by dividing—

(I) the difference between—

(aa) the capacity of the transformer in kVA; and

(bb) 10; by

(II) 9; and

(iii) with a capacity greater than or equal to 100 kVA, $5; and

(B) for single-phase transformers, 75 percent of the rebate for a 3-phase transformer of the same capacity.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2012 and 2013, to remain available until expended.

Subtitle D—Federal Agency Energy Efficiency

SEC. 381. ADOPTION OF PERSONAL COMPUTER POWER SAVINGS TECHNIQUES BY FEDERAL AGENCIES.

(a) IN GENERAL.—Not later than 360 days after the date of enactment of this Act, the Secretary of Energy, in consultation with the Secretary of Defense, the Secretary of Veterans Affairs, and the Administrator of General Services, shall issue guidance for Federal agencies to employ advanced tools allowing energy savings through the use of computer hardware, energy efficiency software, and power management tools.

(b) REPORTS ON PLANS AND SAVINGS.—Not later than 180 days after the date of the issuance of the guidance under subsection

(a), each Federal agency shall submit to the Secretary of Energy a report that describes—

(1) the plan of the agency for implementing the guidance within the agency; and

(2) estimated energy and financial savings from employing the tools described in subsection (a).

SEC. 382. AVAILABILITY OF FUNDS FOR DESIGN UPDATES.

Section 3307 of title 40, United States Code, is amended—

(1) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively; and

(2) by inserting after subsection (c) the following:

''(d) AVAILABILITY OF FUNDS FOR DESIGN UPDATES.—

''(1) IN GENERAL.—Subject to paragraph (2), for any project for which congressional approval is received under subsection (a) and for which the design has been substantially completed but construction has not begun, the Administrator of General Services may use appropriated funds to update the project design to meet applicable Federal building energy efficiency standards established under section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) and other requirements established under section 3312.

''(2) LIMITATION.—The use of funds under paragraph (1) shall not exceed 125 percent of the estimated energy or other cost savings associated with the updates as determined by a life-cycle cost analysis under section 544 of the National Energy Conservation Policy Act (42 U.S.C. 8254).''.

SEC. 383. BEST PRACTICES FOR ADVANCED METERING.

Section 543(e) of the National Energy Conservation Policy Act (42 U.S.C. 8253(e) is amended by striking paragraph (3) and inserting the following:

''(3) PLAN.—

''(A) IN GENERAL.—Not later than 180 days after the date on which guidelines are established under paragraph (2), in a report submitted by the agency under section 548(a), each agency shall submit to the Secretary a plan describing the manner in which the agency will implement the requirements of paragraph (1), including—

''(i) how the agency will designate personnel primarily responsible for achieving the requirements; and

''(ii) a demonstration by the agency, complete with documentation, of any finding that advanced meters or advanced metering devices (as those terms are used in paragraph (1)), are not practicable.

''(B) UPDATES.—Reports submitted under subparagraph (A) shall be updated annually.

''(4) BEST PRACTICES REPORT.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Energy Savings and Industrial Competitiveness Act of 2012, the Secretary of Energy, in consultation with the Secretary of Defense and the Administrator of General Services, shall develop, and issue a report on, best practices for the use of advanced metering of energy use in Federal facilities, buildings, and equipment by Federal agencies.

''(B) UPDATING.—The report described under subparagraph (A) shall be updated annually.

''(C) COMPONENTS.—The report shall include, at a minimum—

''(i) summaries and analysis of the reports by agencies under paragraph (3);

''(ii) recommendations on standard requirements or guidelines for automated energy management systems, including—

''(I) potential common communications standards to allow data sharing and reporting;

''(II) means of facilitating continuous commissioning of buildings and evidence-based maintenance of buildings and building systems; and

''(III) standards for sufficient levels of security and protection against cyber threats to ensure systems cannot be controlled by unauthorized persons; and

''(iii) an analysis of—

''(I) the types of advanced metering and monitoring systems being piloted, tested, or installed in Federal buildings; and

''(II) existing techniques used within the private sector or other non-Federal government buildings.''.

SEC. 384. FEDERAL ENERGY MANAGEMENT AND DATA COLLECTION STANDARD.

Section 543 of the National Energy Conservation Policy Act (42 U.S.C. 8253) is amended—

(1) by redesignating the second subsection (f) (as added by section 434(a) of Public Law 110–140 (121 Stat. 1614)) as subsection (g); and

(2) in subsection (f)(7), by striking subparagraph (A) and inserting the following:

''(A) IN GENERAL.—For each facility that meets the criteria established by the Secretary under paragraph (2)(B), the energy manager shall use the web-based tracking system under subparagraph (B)—

''(i) to certify compliance with the requirements for—

''(I) energy and water evaluations under paragraph (3);

''(II) implementation of identified energy and water measures under paragraph (4); and

''(III) follow-up on implemented measures under paragraph (5); and

''(ii) to publish energy and water consumption data on an individual facility basis.''.

SEC. 385. ELECTRIC VEHICLE CHARGING INFRASTRUCTURE.

Section 804(4) of the National Energy Conservation Policy Act (42 U.S.C. 8287c(4)) is amended—

(1) in subparagraph (A), by striking ''or'' after the semicolon;

(2) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(C) a measure to support the use of electric vehicles or the fueling or charging infrastructure necessary for electric vehicles.''.

SEC. 386. FEDERAL PURCHASE REQUIREMENT.

Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852) is amended—

(1) in subsections (a) and (b)(2), by striking ''electric energy'' each place it appears and inserting ''electric, direct, and thermal energy'';

(2) in subsection (b)(2)—

(A) by inserting '', or avoided by,'' after ''generated from''; and

(B) by inserting ''(including ground-source, reclaimed, and ground water)''after ''geothermal'';

(3) by redesignating subsection (d) as subsection (e); and

(4) by inserting after subsection (c) the following:

''(d) SEPARATE CALCULATION.—Renewable energy produced at a Federal facility, on Federal land, or on Indian land (as defined in section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501))—

''(1) shall be calculated (on a BTU-equivalent basis) separately from renewable energy used; and

''(2) may be used individually or in combination to comply with subsection (a).''.

SEC. 387. STUDY ON FEDERAL DATA CENTER CONSOLIDATION.

(a) IN GENERAL.—The Secretary of Energy shall conduct a study on the feasibility of a government-wide data center consolidation, with an overall Federal target of a minimum of 800 Federal data center closures by October 1, 2015.

(b) COORDINATION.—In conducting the study, the Secretary shall coordinate with Federal data center program managers, facilities managers, and sustainability officers.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that describes the results of the study, including a description of agency best practices in data center consolidation.

Subtitle E—Miscellaneous

SEC. 391. OFFSETS.

(a) ZERO-NET ENERGY COMMERCIAL BUILDINGS INITIATIVE.—Section 422(f) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17082(f)) is amended by striking paragraphs (2) through (4) and inserting the following:

''(2) $50,000,000 for each of fiscal years 2009 through 2012;

''(3) $100,000,000 for fiscal year 2013; and

''(4) $200,000,000 for each of fiscal years 2014 through 2018.''.

(b) ENERGY SUSTAINABILITY AND EFFICIENCY GRANTS AND LOANS FOR INSTITUTIONS.—Subsection (j) of section 399A of the Energy Policy and Conservation Act (42 U.S.C. 6371h–1) (as redesignated by section 341(2)) is amended—

(1) in paragraph (1), by striking ''through 2013'' and inserting ''and 2010, $100,000,000 for each of fiscal years 2011 and 2012, and $250,000,000 for fiscal year 2013''; and

(2) in paragraph (2), by striking ''through 2013'' and inserting ''and 2010, $100,000,000 for each of fiscal years 2011 and 2012, and $425,000,000 for fiscal year 2013''.

(c) WASTE ENERGY RECOVERY INCENTIVE PROGRAM.—Section 373(f)(1) of the Energy Policy and Conservation Act (42 U.S.C. 6343(f)(1)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (D); and

(2) by striking subparagraph (A) and inserting the following:

''(A) $100,000,000 for fiscal year 2008;

''(B) $200,000,000 for each of fiscal years 2009 and 2010;

''(C) $100,000,000 for each of fiscal years 2011 and 2012; and''.

(d) ENERGY-INTENSIVE INDUSTRIES PROGRAM.—Section 452(f)(1) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111(f)(1)) is amended—

(1) in subparagraph (D), by striking ''$202,000,000'' and inserting ''$102,000,000''; and

(2) in subparagraph (E), by striking ''$208,000,000'' and inserting ''$108,000,000''.

SEC. 392. ADVANCE APPROPRIATIONS REQUIRED.

The authorization of amounts under this title and the amendments made by this title shall be effective for any fiscal year only to the extent and in the amount provided in advance in appropriations Acts.

SA 2572. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 3412, to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families; which was ordered to lie on the table; as follows.

Strike all after the enacting clause and insert the following:

SECTION 1. EXTENSION OF 2001 AND 2003 TAX RELIEF.

(a) IN GENERAL.—Paragraph (1) of section 901(a) of the Economic Growth and Tax Relief Reconciliation Act of 2001 is amended by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001.

SEC. 2. SURTAX ON MILLIONAIRES.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

"PART VIII—SURTAX ON MILLIONAIRES

''Sec. 59B. Surtax on millionaires.

"SEC. 59B. SURTAX ON MILLIONAIRES.

''(a) GENERAL RULE.—In the case of a taxpayer other than a corporation for any taxable year beginning after 2012 and before 2014, there is hereby imposed (in addition to any other tax imposed by this subtitle) a tax equal to 2 percent of so much of the modified adjusted gross income of the taxpayer for such taxable year as exceeds $1,000,000 ($500,000, in the case of a married individual filing a separate return).

''(b) MODIFIED ADJUSTED GROSS INCOME.—For purposes of this section—

''(1) IN GENERAL.—The term 'modified adjusted gross income' means adjusted gross income reduced by the excess of—

''(A) gross income from a small business (as defined in section 6654(d)(1)(D)(iii))—

''(i) which is not a passive activity with respect to the taxpayer (within the meaning of section 469(c)), and

''(ii) which pays wages to at least 1 full-time equivalent employee (as defined in section 45R(d)(2)), other than the taxpayer, the taxpayer's spouse, or an individual who bears a relationship to the taxpayer described in section 152(d)(2), over

''(B) the deductions which are properly allocable to such income.

''(2) AGGREGATION RULE.—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 one employer for purposes of paragraph (1)(A).

''(3) REGULATIONS.—The Secretary shall prescribe regulations similar to the regulations under section 469(l) for determining the income that is taken into account under paragraph (1)(A).

''(c) SPECIAL RULES.—

''(1) NONRESIDENT ALIEN.—In the case of a nonresident alien individual, only amounts taken into account in connection with the tax imposed under section 871(b) shall be taken into account under this section.

''(2) CITIZENS AND RESIDENTS LIVING ABROAD.—The applicable dollar amount under subsection (a) shall be decreased by the excess of—

''(A) the amounts excluded from the taxpayer's gross income under section 911, over

''(B) the amounts of any deductions or exclusions disallowed under section 911(d)(6) with respect to the amounts described in subparagraph (A).

''(3) CHARITABLE TRUSTS.—Subsection (a) shall not apply to a trust all the unexpired interests in which are devoted to one or more of the purposes described in section 170(c)(2)(B).

''(4) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter or for purposes of section 55.''.

(b) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''PART VIII. SURTAX ON MILLIONAIRES.''.

(c) SECTION 15 NOT TO APPLY.—The amendment made by subsection (a) shall not be treated as a change in a rate of tax for purposes of section 15 of the Internal Revenue Code of 1986.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2012.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 24, 2012, at 10 a.m., to conduct a committee hearing entitled ''Housing Partnerships in Indian Country.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 24, 2012, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, ''The Cable Act at 20.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 31, 2012, at 10 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS AND SUBCOMMITTEE ON SUPERFUND, TOXICS, AND ENVIRONMENTAL HEALTH

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works and the Subcommittee on Superfund, Toxics, and Environmental Health be authorized to meet during the session of the Senate on July 24, 2012, at 10 a.m. in Dirksen 406 to conduct a joint hearing entitled, ''Oversight of EPA Authorities and Actions to Control Exposures to Toxic Chemicals.''

THE PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 24, 2012, at 10 a.m., to hold a briefing entitled, ''Intelligence Update on Syria.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. SANDERS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 24, 2012, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS, AND HUMAN RIGHTS

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Human Rights, be authorized to meet during the session of the Senate, on July 24, 2012, at 2:30 p.m., in room SH–216 of the Hart Senate Office Building, to conduct a hearing entitled ''Taking Back Our Democracy: Responding to Citizens United and the Rise of Super PACs.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FINANCIAL INSTITUTIONS AND CONSUMER PROTECTION

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs' Subcommittee on Financial Institutions and Consumer Protection be authorized to meet during the session of the Senate, on July 24, 2012, at 2:30 p.m., to conduct a hearing entitled ''Private Student Loans: Providing Flexibility and Opportunity to Borrowers?''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON IMMIGRATION, REFUGEES, AND BORDER SECURITY

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Immigration, Refugees, and Border Security, be authorized to meet during the session of the Senate, on July 24, 2012, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Strengthening the Integrity of the Student Visa System by Preventing and Detecting Sham Educational Institutions.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that for the duration of today's session, Varun Jain, a fellow in my office, be granted floor privileges.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAUCUS. Mr. President, I ask unanimous consent that Kirk Porter, Andras Varhelyi, Talitha James, Alison Albers, and Eric Hageman, staff of the Finance Committee, be granted the privilege of the floor during consideration of S. 3412.

The PRESIDING OFFICER. Without objection, it is so ordered.

INDIAN LAW ENFORCEMENT REFORM ACT

Mr. BENNET. Mr. President, I ask unanimous consent the Committee on Indian Affairs be discharged from further consideration of S. 2090, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2090) to amend the Indian Law Enforcement Reform Act to extend the period of time provided to the Indian Law and Order Commission to produce a required report, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. BENNET. Mr. President, I further ask that the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to this measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2090) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2090

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

SECTION 1. REPORT OF INDIAN LAW AND ORDER COMMISSION.

(a) IN GENERAL.—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)) is amended in the matter preceding paragraph (1) by striking ''2 years'' and inserting ''3 years''.

(b) TECHNICAL AMENDMENT.—Section 15(e) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(e)) is amended in the matter preceding paragraph (1) by striking ''paragraph (1)'' and inserting ''subsection (d)''.

NATIONAL AIRBORNE DAY

Mr. BENNET. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 527 which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 527) designating August 16, 2012, as ''National Airborne Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. BENNET. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 527) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 527

Whereas the members of the airborne forces of the Armed Forces of the United States have a long and honorable history as bold and fierce warriors who, for the national security of the United States and the defense of freedom and peace, project the ground combat power of the United States by air transport to the far reaches of the battle area and to the far corners of the world;

Whereas the experiment of the United States with airborne operations began on June 25, 1940, when the Army Parachute Test Platoon was first authorized by the Department of War, and 48 volunteers began training in July 1940;

Whereas August 16 marks the anniversary of the first official Army parachute jump, which took place on August 16, 1940, to test the innovative concept of inserting United States ground combat forces behind a battle line by means of a parachute;

Whereas the success of the Army Parachute Test Platoon in the days immediately before the entry of the United States into World War II validated the airborne operational concept and led to the creation of a formidable force of airborne formations that included the 11th, 13th, 17th, 82nd, and 101st Airborne Divisions;

Whereas, included in those divisions, and among other separate formations, were many airborne combat, combat support, and combat service support units that served with distinction and achieved repeated success in armed hostilities during World War II, and provide the lineage and legacy of many airborne units throughout the Armed Forces;

Whereas the achievements of the airborne units during World War II prompted the evolution of those units into a diversified force of parachute and air-assault units that, over the years, have fought in Korea, Vietnam, Grenada, Panama, the Persian Gulf region, and Somalia, and have engaged in peacekeeping operations in Lebanon, the Sinai Peninsula, the Dominican Republic, Haiti, Bosnia, and Kosovo;

Whereas, since the terrorist attacks of September 11, 2001, the members of the United States airborne forces, including members of the XVIII Airborne Corps, the 82nd Airborne Division, the 101st Airborne Division, the 173rd Airborne Brigade Combat Team, the 4th Brigade Combat Team (Airborne) of the 25th Infantry Division, the 75th Ranger Regiment, special operations forces of the Army, Marine Corps, Navy, and Air Force, and other units of the Armed Forces, have demonstrated bravery and honor in combat, stability, and training operations in Afghanistan and Iraq;

Whereas the modern-day airborne forces also include other elite forces composed of airborne trained and qualified special operations warriors, including Army Special Forces, Marine Corps Reconnaissance units, Navy SEALs, and Air Force combat control and para-rescue teams;

Whereas, of the members and former members of the United States airborne forces, thousands have achieved the distinction of making combat jumps, dozens have earned the Medal of Honor, and hundreds have earned the Distinguished Service Cross, the Silver Star, or other decorations and awards for displays of heroism, gallantry, intrepidity, and valor;

Whereas the members and former members of the United States airborne forces are all members of a proud and honorable tradition that, together with the special skills and achievements of those members, distinguishes the members as intrepid combat parachutists, air assault forces, special operation forces, and, in the past, glider troops;

Whereas individuals from every State in the United States have served gallantly in the airborne forces, and each State is proud of the contributions of its paratrooper veterans during the many conflicts faced by the United States;

Whereas the history and achievements of the members and former members of the United States airborne forces warrant special expressions of the gratitude of the people of the United States; and

Whereas, since the airborne forces, past and present, celebrate August 16 as the anniversary of the first official jump by the Army Parachute Test Platoon, August 16 is an appropriate day to recognize as National Airborne Day: Now, therefore, be it

Resolved, That the Senate—

(1) designates August 16, 2012, as ''National Airborne Day''; and

(2) calls on the people of the United States to observe National Airborne Day with appropriate programs, ceremonies, and activities.

100TH ANNIVERSARY OF THE AMERICAN PODIATRIC MEDICAL ASSOCIATION

Mr. BENNET. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 528, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 528) recognizing the 100th anniversary of the American Podiatric Medical Association, the preeminent organization representing podiatric medicine and surgery, celebrating its achievements, and encouraging the association to continue providing guidance on foot and ankle health issues to the people of the United States and of the world.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BENNET. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 528) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 528

Whereas, in 1912, Alfred Joseph was the driving force behind the establishment of the National Association of Chiropodists (referred to as the ''NAC'' in this preamble), an organization dedicated to the needs and educational standards of chiropodists and to advancing and advocating for the profession of podiatric medicine and surgery for the benefit of its members and the public, and was elected the first president of the NAC;

Whereas, by 1922, most States had passed laws regulating the professional practice of chiropody;

Whereas, in 1922, the NAC began publishing the Journal of the National Association of Chiropodists and the NAC's Council on Education began its first college accreditation activities;

Whereas, in 1943, the NAC ran an advertisement campaign in Life magazine highlighting the efforts of podiatrists to keep United States soldiers marching;

Whereas, in 1957, the NAC was renamed the American Podiatry Association (referred to as the ''APA'' in this preamble);

Whereas, in 1959, the APA established the Educational Foundation to advance the growth and stability of podiatric medicine through student scholarships and increased national awareness of foot and ankle health;

Whereas, in 1967, podiatric physicians were included as covered providers under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.);

Whereas, in 1971, all the colleges of podiatric medicine began granting the DPM (doctor of podiatric medicine) degree to students graduating from 4 years of podiatric medical training;

Whereas, in 1984, the APA was renamed the American Podiatric Medical Association to emphasize the profession as part of mainstream medical practice;

Whereas, in 2011, the Council on Podiatric Medical Education adopted the requirements of a 3 year podiatric medicine and surgery residency, which was approved for full graduate medical education funding by the Centers for Medicare and Medicaid Services;

Whereas the American Podiatric Medical Association regularly hosts medical and scientific meetings dedicated to highlighting and disseminating research findings and clinical advances in the prevention, detection, treatment, and cure of foot, ankle, and related conditions;

Whereas the American Podiatric Medical Association continues to meet its clinical and scientific mission through the publication of academic journals and clinical statements on the prevention, diagnosis, treatment, and cure of foot and ankle disorders, as well as through the provision of continuing medical education in foot and ankle care and through consumer education on foot and ankle health;

Whereas feet often reveal indicators of overall health, including signs of arthritis, diabetes, and nerve and circulatory disorders;

Whereas medically necessary care provided by podiatrists can reduce the risk of and prevent complications from these conditions and diseases, while at the same time offer savings to the heavily burdened health care system of the United States; and

Whereas the American Podiatric Medical Association has a long tradition of working in collaboration with the Federal Government to improve the foot and ankle health of all people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the scientific, clinical, and public health achievements of the American Podiatric Medical Association as its members and staff commemorate and celebrate its 100th anniversary;

(2) recognizes the great impact that the American Podiatric Medical Association has had on improving the foot and ankle and related health of people in the United States and around the world; and

(3) congratulates the American Podiatric Medical Association for its achievements and encourages the organization to continue providing scientific guidance on foot and ankle and related health issues to improve the public health of future generations.

MEASURE READ THE FIRST TIME—S. 3429

Mr. BENNET. Mr. President, I understand that S. 3429, introduced earlier today by Senator BILL NELSON, is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will reort the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 3429) to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

Mr. BENNET. Mr. President, I ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Republican leader, pursuant to Public Law 107–12, appoints the following individual as a member of the Public Safety Officer Medal of Valor Review Board: Rick Clemons of Kentucky, vice Charles Massarone.

ORDERS FOR WEDNESDAY, JULY 25, 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 Wednesday, July 25; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day; that the majority leader be recognized; that the time until 2:15 p.m. be equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the second 30 minutes; further, that at 2:15 p.m., the Senate proceed to a rollcall vote on the motion to invoke cloture on the motion to proceed to S. 3412, the Middle Class Tax Cut Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BENNET. Mr. President, the first vote tomorrow will be a cloture vote on the motion to proceed to the Middle Class Tax Act at 2:15 p.m.

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 6:50 p.m., adjourned until Wednesday, July 25, 2012, at 9:30 a.m.

EXTENSIONS OF REMARKS

RETIREMENT CEREMONY FOR MRS. RUTHANNE SLAMKA

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and admiration that I stand before you today to recognize Mrs. Ruthanne Slamka for her many years of service to the National Park Service (NPS), and more specifically, to the Indiana Dunes National Lakeshore. Ruthanne's 40 years of service to the Indiana Dunes National Lakeshore have certainly contributed to the park's success. For her many years of public service and her exceptional dedication to the community of Northwest Indiana, she will be honored at a retirement ceremony on Friday, July 27, 2012.

Indisputably, Ruthanne's tireless devotion to ensuring the success of the park lent itself to the overall growth of the Indiana Dunes National Lakeshore. As you may be aware, the Indiana Dunes National Lakeshore came into being on November 5, 1966. Ruthanne Slamka began her work with the National Park Service on July 23, 1972 and the Indiana Dunes National Lakeshore held a ceremony establishing the park on September 8, 1972.

Much work was needed to acquire land within the park's boundary, and Ruthanne served as the primary contact for hundreds of individuals and families whose property was acquired. Her knowledge of the properties and the complex acquisition process earned her the respect of the owners, other government entities, and the public at large. Further, the meticulous transcripts Ruthanne produced provide an exceptional insight into the park's early years, and serve as an invaluable tool for those interested in the rich history of this extraordinary landmark.

Thanks in part to the effort and professionalism Ruthanne demonstrated during her tenure with the Indiana Dunes National Lakeshore, residents of, and visitors to, Northwest Indiana are able to enjoy the Lake Michigan shoreline as well as the miles of recreational trails and the diverse ecosystem contained within the park's wetlands, prairies, and forests. My constituents and I are indebted to Ruthanne Slamka for her contributions to the only National Park within the First Congressional District.

Although she has committed herself to serving her community through her work with the Indiana Dunes National Lakeshore, Ruthanne's dedication to her family and loved ones is equally impressive. Ruthanne and her husband, Joseph, have been married for more than 40 years.

Mr. Speaker, I respectfully ask that you and my other distinguished colleagues join me in honoring Ruthanne Slamka, and in wishing her well upon her retirement. Her lifetime of service to the Indiana Dunes National Lakeshore and her unselfish commitment to serving her community is truly admirable, and for this, she is worthy of the highest praise.

PERSONAL EXPLANATION

HON. DAVID N. CICILLINE

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. CICILLINE. Mr. Speaker, on the Legislative Day of June 8, 2012, upon request of a leave of absence after 11:00 a.m., a series of votes were held. Had I been present for these rollcall votes, I would have casted the following votes:

On agreeing to the Broun (GA) amendment (Roll No. 372)—I vote "No"; On agreeing to the Scalise amendment (Roll No. 373)—I vote "No"; On agreeing to the Moran amendment (Roll No. 374)—I vote "Yes"; On agreeing to the Flake amendment (Roll No. 375)—I vote "No"; On motion to recommit with instructions (Roll No. 376)—I vote "Yes"; On passage (Roll No. 377)—I vote "No"; and On motion that the House instruct conferees (Roll No. 378)—I vote "No."

IN RECOGNITION OF THE CITY OF GAINESVILLE BEING NAMED ''MOST PATRIOTIC SMALL TOWN IN AMERICA'' BY USA TODAY

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. BURGESS. Mr. Speaker, I rise today to recognize Gainesville, Texas as they were recently named the "Most Patriotic Small Town in America" by USA Today.

Last week, Rand McNally Corporation and USA Today announced the winners of the Best of the Road 2012 contest. This contest is a nationwide search for America's best towns for friendliest people, great scenery, terrific food, patriotic fervor, and just plain fun.

I am proud that Gainesville won the category for most patriotic, not only for its number of monuments and memorials and tremendous display of American flags, but especially for the genuine spirit of its citizens. As a finalist, Gainesville hosted a two day patriotic celebration during the judges' visit to the city which included an old fashioned ice cream social and a tour of the city decked out in its best red, white and blue regalia. In addition, the judges recognized Gainesville's Medal of Honor Host City Program, an annual three day celebration honoring the military veterans awarded our nation's highest military decoration, the Medal of Honor. Also recognized was Gainesville's unique downtown area with its antique shopping and dining venues situated around the historic Cooke County Courthouse on the square.

Gainesville was established in 1850 through a donation of 40 acres of land by Mary E. Clark. The town was named after General Edmund Pendleton Gaines, a United States General sympathetic to Texas during the state's revolution. After years of battling off Native American attacks, the city persevered and ultimately prospered. Since Gainesville is near Oklahoma's border, Gainesville became a key trading center. Farming and agriculture eventually took over as the town's primary industry, and after oil was discovered nearby, Gainesville was able to prosper even during a period of severe economic turmoil, the Great Depression. Gainesville is home to numerous attractions including Camp Howze Army training camp and the Frank Buck Zoo. Today, the city of Gainesville is still continuing to multiply its population and business community.

It is an honor to have Gainesville, recognized after 30,000 miles and five other cities, as the most patriotic. I am privileged to represent Gainesville, Texas in the U.S. House of Representatives, and I rise to salute them for their patriotism for our country.

LYME DISEASE EXPLODING IN U.S., AROUND THE GLOBE

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. SMITH of New Jersey. Mr. Speaker, last week I chaired the first ever congressional hearing examining the global challenges in diagnosing, treating and managing Lyme disease.

My personal commitment to combating Lyme disease is longstanding—going back 20 years when one of the witnesses we had last week, Pat Smith, attended one of my townhall meetings in Wall Township, New Jersey and asked me to get involved. I did.

On September 28, 1993 I offered an amendment to establish a Lyme Disease Program through the Environmental Hygiene Agency of the U.S. Department of the Army. It passed and became law.

On May 5, 1998 I introduced a comprehensive, bipartisan Lyme Disease bill—H.R. 3795 Lyme Disease Initiative Act of 1998—which had at its core, the establishment of a task force—an advisory committee—to comprehensively investigate Lyme with at least four things in mind-detection, improved surveillance and reporting, accurate diagnosis and physician knowledge.

I reintroduced the bill again in 1999, 2001, 2004, 2005, 2007, 2009 and 2011.

I would note parenthetically that that same year, I also introduced a comprehensive law to combat Autism. Despite significant opposition in Congress and at NIH and CDC that paralleled the Lyme bill struggle, it became law in 2000. Last year I authored the Combating Autism Reauthorization Act of 2011 which was signed into law in the Fall—with the support of NIH and CDC. If only we had done the same with Lyme Disease legislation in the late 90s—a missed decade on Lyme.

As I have met scores of patients suffering the devastating effects of Chronic Lyme—who

only got well after aggressive treatment by a Lyme-literate physician—I have been dismayed and angered by the unwillingness of some to take a fresh, comprehensive look at this insidious disease.

My current bill—H.R. 2557—simply establishes a Tick-Borne Disease Advisory Committee with the requirement of ensuring diversity of valid scientific opinion—a ''broad spectrum of viewpoints''—on the committee.

In Europe, Lyme disease syndromes were described as early as 1883, and by the mid–1930s neurologic manifestations and the association with Ixodes ticks were recognized and known as tick-borne meningoencephalitis.

In the United States, Lyme disease was not recognized until the early 1970s, when a statistically improbable cluster of pediatric arthritis occurred in the region around Lyme, Connecticut. This outbreak was investigated by Allen Steere, MD, and others from Yale and stimulated intense clinical and epidemiologic research. In 1981, Dr. Willy Burgdorfer, an NIH researcher at the Rocky Mountain Laboratories, identified the spiral-shaped bacteria (or spirochetes) causing Lyme disease and made the connection to the deer or black-legged tick, Ixodes scapularis.

Lyme disease is the most common vector-borne illness in the U.S. and is also endemic in parts of Europe and Asia, and recently has been confirmed to be endemic in the Amazon region of Brazil. In Europe, the highest rates are in Eastern and Central Europe. Recent surveillance studies have described growing problems in Australia and Canada.

In the U.S., Lyme disease has been reported in 49 states and is most common in the northeastern and north central states, and in Northern California into Oregon. Over 30,000 confirmed cases were reported to the Centers for Disease Control and Prevention, CDC, in 2010, making it the 6th most common reportable disease in the U.S. and the 2nd most reportable in the northeast. CDC has estimated that actual new cases may be 10 times more than the reported number—indicating roughly 300,000 new cases in 2010 alone. About 85,000 cases were reported annually in Europe as of 2006 according to the WHO, but that was recognized as a gross underestimate.

In North America, the only Borrelia species to cause Lyme disease is Borrelia burgdorferi (or B. burgdorferi); in Europe, B. burgdorferi and at least four other species of Borrelia cause the disease. Different species are associated with different manifestations of disease. There also are numerous strains of Borrelia, which may affect the ability to evade the immune system, the ability to invade certain organs or tissues, and the response to antibiotics.

Clinical manifestations of Lyme are usually divided into three stages, although the descriptions of the stages vary. According to the U.S. Army Surveillance System—which may have a greater variety of systems because they have both domestic and international surveillance components—during the first stage, 70 percent of patients display the characteristic erythema migrans (EM). Other symptoms of stage one include profound fatigue, fever, chills, headache, sore throat, sore and aching muscles and joints, and swollen glands.

The second stage is marked by migratory musculoskeletal pain, neurological complications in 10–20 percent of patients, and heart inflammation or heart block in 6 to 10 percent of patients that appear 4 to 6 weeks after infection. Symptoms include severe headache and stiff neck, facial paralysis, weakness and/or pain of the chest or extremities, rarely optic atrophy with blindness and coma. Acrodermatitis Chronics Atrophicans, ACA, is a cutaneous manifestation that may occur during the second stage to several years after disease onset.

The third stage typically involves the onset of arthritis characteristic of rheumatoid arthritis, affecting primarily the knees and other large joints. During this stage, a small percentage of patients also suffer from sleepiness, loss of memory, mood swings, and an inability to concentrate.

Few diseases have aroused such a high level of emotion and controversy among the public, physicians, and researchers than Lyme disease. There are two distinct views of Lyme disease; each cites scientific evidence to support its claims, while outcomes research is limited and conflicting. One view—promoted by the Infectious Diseases Society of America (IDSA)—is that the disease is ''hard to catch and easy to cure'' and denies the existence of chronic Lyme disease or persistent infection with the Lyme bacteria. Any treatment other than a short course of antibiotics is considered too risky. Patients who do not fit the paradigm may have few options outside of psychiatric evaluation.

The alternative view—promoted by the International Lyme and Associated Diseases Society, ILADS, and also by numerous academic researchers in the U.S. and around the globe—says that the science is too unsettled to be definitive and there can be one or more causes of persistent symptoms after initial treatment in an individual who has been infected with the agent of Lyme disease. These causes include the possibility of persistent infection, or a post-infectious process, or a combination of both. These are not ''academic'' concerns however because the patients' health is at stake. Unfortunately, some academic researchers believe some of their colleagues are more interested in winning arguments than moving the science forward.

Three areas central to the controversy are: the quality of diagnostics, post-treatment persistence of Borrelia, and available treatment options in light of clinical guidelines.

Current diagnostic tests commonly used do not detect the spirochete that causes Lyme disease, rather, they detect whether the patient has developed antibodies to the pathogen (serological testing). CDC recommends two-tier serological testing, but cautions that the 2-tier system should be used only for surveillance purposes and not for diagnosis. Part of the difficulty in clinically managing suspected Lyme disease is that the CDC protocol is frequently not only used, but required for diagnosis.

A study in the Netherlands of eight commercially available ELISAs and five immunoblots found that they had widely divergent sensitivity and specificity and a very poor concordance, and concluded that ''their high variable sensitivity and specificity further puts the much-advocated two-tier testing strategy into question.''

In addition, two of the authors of a July 3, 2007 article on an antibiotic resistance element in B. burgdorferi, were Julie Boylan and Frank Gherardini of NIAID's Rocky Mountain Laboratories, stated that, ''It is a multistage disorder that is difficult to diagnose at any stage of the disease as well as being difficult to treat during the later symptoms.''

Dr. Mark Eshoo, the head of new technology at the IBIS Biosciences Division of Abbott Laboratories told us last week of exciting information regarding the development of diagnostic tools that, hopefully, will move us past a lot of the controversy.

IDSA has repeatedly stated that there is no ''convincing'' evidence that the Lyme Borrelia persists after standard antibiotic treatment. ''Convincing is clearly a subjective term; however, there is substantial evidence of the persistence of B. Burgdorferi after treatment with antibiotics. There are numerous documented case studies of persistence in humans after antibiotic treatment, and our witnesses may comment on additional evidence for post-treatment persistance in humans. Additionally, one of our witnesses from last week's hearing was Dr. Stephen Barthold, one of the top experts in the country, and I am sure in the world, on animal models. Dr. Barthold, described published and yet to be published experimental studies that provide compelling evidence for B.burgdorferi persistence following antibiotic treatment in animal model systems and their potential significance for human medicine.

Numerous studies have been conducted of the mechanisms by which Borrelia may evade the immune system and antibiotics. Studies have suggested that resistance to antibiotics might be due to formation of different morphological forms of B. burgdorferi, including cell wall deficient forms and biofilm-like colonies. Research also indicates that Borrelia can exchange genetic material, possibly contributing to its ability to avoid detection by the immune system. Several other distinct technical mechanisms are well known by which Borrelia can evade the immune system.

Contrary to known scientific evidence, in a March 21, 2008, letter to Members of Congress, IDSA stated, ''Not only is this assertion [the notion that some spirochetes can persist despite conventional treatment courses] microbiologically implausible, there are no convincing published scientific data supporting the existence of chronic Lyme disease.'' It is problematic that IDSA would write to Congress trying to discourage support of legislation saying that post treatment persistence is microbiologically implausible.

Additionally, in an article, ''A Chronic Appraisal of 'Chronic Lyme Disease'" published in the October 4, 2007, New England Journal of Medicine, several IDSA physicians and a CDC colleague made the statement that ''Chronic Lyme disease, which is equated with chronic B. Burgdorferi infection is a misnomer, . . .''

While this statement has been referred to repeatedly in other correspondence, calling ''chronic Lyme'' a misnomer does not seem reasonable or supportable since it goes far past expressing uncertainty. It seems clear that the intent of the statement was to firmly slam the door on the notion that there possibly could be chronic Lyme.

The final major area of controversy is the significance of the IDSA's treatment guidelines which directly impact patients and their ability to get treatment. Guidelines should be developed based on the best science, and there has been extreme controversy regarding the restrictive nature of the IDSA guidelines. The

guidelines do not allow for the possibility of chronic infection and severely limit physician discretion on treating the disease.

Supporters of the IDSA guidelines point to dangers of the prolonged use of antibiotics and the possibility of treating when an infection has not been established. They also frequently point to alternative therapies which are unproven and may be dangerous; however, such alternative therapies are in the background for many diseases—perhaps most well recognized for cancer. Critics of the guidelines contend that they are based on highly selective science and that guidelines panelists had significant conflicts of interest. A 2009 review of the IDSA guidelines did not result in any changes.

IDSA and supporters place heavy weight on certain clinical trials of Lyme treatments supported by NIH. There has been much controversy of the quality of those trials and their generalizability to broad populations of patients. It is disturbing to the lay bystander that the controversy has ensued for so long without resolution. Certainly there are numerous unknowns about the bacteria and the disease; however, the public questions why the ''experts'' can't even agree on whether these small numbers of clinical trials are well designed, well executed, and of sufficient power (whether they have a large enough number of patients), and the degree to which they can be generalized to other patient populations.

IDSA supporters have been adamant in the quality of the studies and the validity of their use to guide treatments for broad patient populations. In fact, several other researchers have been highly critical of the studies, pointing to specific perceived deficiencies, such as selection criteria that almost guaranteed failure, not appropriately defining endpoints, and, significantly underpowering the studies. One journal article from the Netherlands states, ''The randomized studies that have been performed have been of questionable quality and were heavily underpowered to detect potential effects.''

Many who recognize the shortcomings of clinical trials to date, stress the importance of conducting more well-designed treatment studies with a sufficiently large and representative number of patients, and at least some such efforts are underway around the globe. I am pleased that Dr. Raphael Stricker, a practicing physician who sees many Lyme patients, guided us through some of the vast amount of literature on Lyme disease.

The UK has suffered under a contentious environment among different Lyme disease stakeholders very much like that of the U.S. We are told however that the UK may be making progress in developing a more cooperative environment. I am pleased that Stella Huyshe-Shires, the Chairman of Lyme Disease Action, in the United Kingdom, was able to share with us some of the perspectives on efforts to manage Lyme disease in Europe. I was happy to hear about the collaboration, funded by the National Institute for Health Research, with the Jack Lind Alliance to identify the uncertainties faced during consultations between patients and physicians, to then identify the top unanswered questions about diagnosis and treatment of Lyme, and to prioritize research.

This cooperative approach contrasts with the environment in the U.S. A recommendation regarding Lyme disease made during a May 2005 meeting of CDC's National Center for Infectious Diseases Board of Scientific Counselors, attended by the then President of the IDSA, that CDC should focus on science and not on the concerns of patient groups and that others may need to step in to assist CDC with public interface. Collaboration between the IDSA and government agencies on strategies to deal with the public can be seen in various statements and documents.

The September 2011 article, ''Antiscience and ethical concerns associated with the advocacy of Lyme disease'' reflects the degree of hostility toward patients, treating physicians and the Lyme charities that were formed to support education and research on behalf of patients.

Wouldn't it be much better if instead of belittling, insulting, and smearing patients, treating physicians and advocates, the authors of that study had asked themselves and posed the question to others ''What can we do to better understand and address the needs and concerns of patients, physicians and advocates?''

Two of the witnesses we heard from last week focused on the needs and concerns of patients and the non-profit organizations fighting on their behalf—namely, Mr. Evan White, a former Lyme disease patient, and Ms. Pat Smith, the President of the Lyme Disease Association, who provided their important perspectives. What we should never lose sight of is that the goal of all of our efforts and the science is to help patients regain health.

There are numerous Lyme disease non-profit organizations, some of them less informed than others. To cast a wide net and say that that they are well-intentioned, but ignorant and ill-formed is not an accurate portrayal. Many of them are intelligent, savvy people, who established medical and scientific advisory boards to advise their organizations. Two that I am most familiar with have funded millions of dollars in Lyme disease research, providing grants to a Who's Who of Academic Researchers.

Efforts to discredit research because it was partially funded by Lyme disease charities are therefore disturbing. Such efforts led some researchers to initially submit research studies and to leave off some funding sources. Researchers have also reported that when they have presented research findings to government officials or other scientists, there has been more interest in the funding sources than the research itself. Without speculating whether such intimidation is intentional, it is most unfortunate because academic scientists and very critical studies have been, and continue to be, supported by several of the Lyme charities, some of whom have raised millions of dollars and have invested every penny into research.

At the end of their ''Antiscience. . . .'' tirade, the article's authors state that the public's health will be endangered ''unless responsible physicians, scientists, government leaders, and the media firmly stand up for an evidence-base approach to this infection that is based on high-quality scientific studies.''

That is a perfect ending for my remarks because that is precisely what the Lyme community wants; however, it will be necessary for the physicians, scientists, government leaders, and media to be discerning—to evaluate the evidence to see if it is based on the best science and to scrutinize the studies and the critiques of those studies to determine whether they are of high quality. We need scientists to speak out in an unfettered way. We need government agencies to show leadership and to forcefully say what we know and what we don't know based on the best available evidence.

Thankfully, we can be confident that science will prevail: research has been progressing—we are greatly increasing knowledge of pathophysiology, and we seem to be on the cusp of breakthroughs in diagnostics that hopefully will solve questions of persistence and active vs. past infection.

I regret that we did not hear from NIH, CDC, nor a representative from the IDSA at last week's hearing. They all were invited, but declined—the IDSA expressing that their potential witness had a scheduling conflict.

I will reissue an invitation to them—and expect they will testify before our subcommittee.

MAC NASH

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. POE of Texas. Mr. Speaker, educators know that preparing students for future challenges is an integral part of the job. Today, I am proud to honor retiring Sabine Pass ISD Superintendent Malcolm ''Mac'' Nash for putting the entire community on his shoulders and helping to rebuild after Hurricane Ike.

Mac was born in Silsbee, Texas, and spent his early years working the oil fields inherent to Southeast Texas. A decision to change careers into education seemed like a natural choice. He always enjoyed helping others. Mac was Superintendent of West Sabine ISD in Liberty, Texas, before being named to the same position in 2006 at Sabine Pass ISD, a small rural town about three miles from the Gulf of Mexico.

One year earlier, Hurricane Rita made landfall almost directly over Sabine Pass, causing widespread damage across the area. One building endured the brunt of the storm better than any other in the community and that was the Sabine Pass School, the PreK–12 campus opened in 2002. Even though it sustained millions of dollars in damages, the School survived and gave the community a place to come together.

Mac came on board as the repairs from Rita were nearing completion. Hurricanes Humberto in 2007 and Gustav in August 2008, while not causing much damage, kept the community on its toes ready for anything. They did not have to wait long, as Hurricane Ike formed in early September 2008 before making landfall over Galveston, causing millions of dollars worth of damage to Sabine Pass and billions across the entire Gulf Coast region.

One building stood out among the mud and debris, and that was once again the Sabine Pass School. Mac knew that he had control of the only building in town that could survive almost anything and he made sure that it was used to its fullest capabilities. It was a meeting place, shelter, staging area, and most importantly, the lighthouse in front of the school served as the ''Beacon of Hope'' to all citizens, a reminder of the fortitude necessary to weather any storm.

Nash knew that the community needed some stability and a feeling of normalcy, so

under his leadership, the staff worked tirelessly to prepare the school for a return. The Sabine Pass School reopened in early October, missing only 17 days of instruction. 92 perfect of the students were back on the first day. They were not just passing time, either. The School would receive exemplary status from the Texas Education Agency that year.

After a 6-year tenure as Superintendent of the Sabine Pass ISD, Malcolm Nash is stepping down. Because of his courageous leadership, he was named the Region 5 Superintendent of the Year for 2011–12 and is also in the running for the statewide title. Thanks to Mac's leadership, Sabine Pass is a stronger, better place to live.

The Sabine Pass School gets the name of the "Beacon of Hope," but the citizens will never forget the light that Malcolm Nash shined on the entire community.

And that's just the way it is.

IN REMEMBRANCE OF MR. JOHN C. FAKAN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in remembrance of Mr. John C. Fakan, the skipper of the historic USS COD Submarine Memorial.

Mr. Fakan was born in Cleveland, Ohio on May 10, 1934. He grew up in Cleveland and attended John Marshal High School. John earned a bachelor's degree in physics from Ohio University, a master's degree in electrical engineering from Colorado State University, and a PhD in systems engineering, also from Colorado State University. Despite his education in the sciences, John had interests in many areas. He served as the president of the Cleveland Philosophical Society and was a trustee of the Great Lakes Historical Society and the Historic Naval Ships Society.

John led a life full of accomplishments that ranged from working as an aerospace engineer for NASA's Lewis Research Center in Brook Park, Ohio to founding the Medical Data Systems Corporation, located Northeast Ohio. Throughout his career, John helped develop technology used in moon landings and designed quieter jet engines. He also worked on the Great Lakes Very High Frequency Communications System technology that allowed for radio-telephone communication over the Great Lakes.

Most recently, John had been known as the skipper of the USS COD Submarine Memorial, a warship that saw battle in both World War II and the Korean War. In 2011, John was awarded the Casper J. Knight, Jr. Award for his work restoring and maintaining the submarine.

I offer my condolences to his wife Helene; children, Stephen, Debra and Sandra; grandchildren, and five siblings. In addition to his family, John will be missed by the many people whose lives he affected in his 78 incredible years.

Mr. Speaker and colleagues, please join me in honoring John C. Fakan, a leader and a role model in the Cleveland community.

NAVY LT. BRAD SNYDER EMBARKS ON HIS NEXT MISSION—OLYMPIC GOLD

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. YOUNG of Florida. Mr. Speaker, I rise to pay tribute to Navy Lt. Brad Snyder, of St. Petersburg, Florida, who I not only have the honor and privilege to represent but who I appointed to the United States Naval Academy.

Lieutenant Snyder is an American hero who lost his eye sight in Afghanistan while carrying out an extremely dangerous mission to protect the lives of his team in the field.

Lieutenant Snyder is emblematic of the American volunteer spirit that is the cornerstone of our Nation's fighting force. As a record setting swimmer at Northeast High School in St. Petersburg, he informed me in 2001 of his desire to attend the United States Naval Academy.

"I believe that to serve my country, and by attending the Naval Academy, I would be making the most of what I have been given by God," Brad wrote to me in his candidate statement. I was proud to nominate Brad in December 2001 and with his appointment, he joined the Class of 2006 in Annapolis during the summer of 2002.

Brad was an outstanding Midshipman. He demonstrated his exceptional leadership skill as the Captain of the Navy Swim Team. His coaches, teammates, and fellow sailors all extolled his exceptional work ethic and amiable, trustworthy behavior.

During his time at Annapolis, Brad learned of the mission of our explosive ordinance disposal, EOD, teams, the fearless men and women who dismantle explosives and Improvised Explosive Devices, IEDs, to protect Americans in the field, often endangering their own lives in the process. Brad decided that he wanted to volunteer for this dangerous assignment.

Lieutenant Snyder graduated in May 2006 and became an Explosive Ordinance Officer. After a 6 month deployment to Iraq, Lieutenant Snyder was deployed to Afghanistan on April 11, 2011. Despite his father's passing while he was in Afghanistan, Lieutenant Snyder decided to remain on deployment with his team. On September 7, 2011, the front of Lieutenant Snyder's patrol team set off an IED. While providing aid, Lieutenant Snyder stepped on a pressure plate, detonating another unseen IED. The second blast inflicted severe burns and permanently blinded him. While recovering at the Walter Reed National Military Medical Center, Lt. Brad Snyder remained positive and focused on healing.

Less than 2 months after losing his sight, Lieutenant Snyder returned to the swimming pool and swam several hundred meters on his first attempt. He continued to progress and train with the intent to serve his country, this time as a member of the U.S. Paralympics Swim Team.

Just last month, Lieutenant Snyder fulfilled his dream and qualified for the team that will represent the United States in London later this summer.

As I look back over Brad's candidate statement to me 11 years ago, I was struck by one of his life goals. Brad wrote, "Initially it was Olympic gold that I dreamed of, but as reality set in I realized that the military was a more realistic dream. Today I dream that I will be an officer in the best Navy the world has ever seen, and I hope that my contributions to the Navy can help it grow strong."

Mr. Speaker, Lt. Brad Snyder has already achieved one of his goals—to be an officer in the best Navy the world has ever seen and to help it grow strong. He sacrificed his vision to protect his fellow sailors, soldiers, and Marines. It is my hope that my colleagues will join me in saying thank you to Lieutenant Snyder for the steep price he paid to protect our freedom and at the same time to wish him God speed as he sets off to London to achieve his next goal—to bring home gold from the 2012 Paralympics.

When I see the spirit and courage of Lt. Brad Snyder, I am confident that our nation is in good hands with a new generation of leaders who understand the value of service and sacrifice. Our best wishes go out to him that a gold medal may be but one of many great achievements Brad achieves over his lifetime.

CONGRESS OF THE UNITED STATES,
C.W. BILL YOUNG, HOUSE OF REPRESENTATIVES,
Washington, DC.

CANDIDATE'S STATEMENT

Young men and women who are selected for training at one or our Service Academies receive an outstanding and costly education at the expense of the United States Government. Graduates are normally required to serve at least their five years after graduation. Congressman Young is most anxious to select young men and women who sincerely desire a service career and who fully intend to make it their life's work. Therefore, applicants for appointment to one of the Service Academies are requested to complete the following:

I, Bradley W. Snyder, a candidate for appointment to one of the United States Service Academies, do hereby certify that my application is motivated primarily by a desire to serve my country as a career officer. I further state that it is my intention, if appointed, to graduate from the Academy and make service in the Armed Forces of the United States my profession and career. I make this statement in good conscience and without mental reservation. Moreover. I want to serve my country as a career officer in the U.S. Navy because: (Please type in space below)

The Naval Academy is one of the best institutions in the world, and has the most potential for development in mind and character. I believe that to serve my country, and by attending the Naval Academy, I would be making the most out of what I have been given by God. As a young child I dreamed that perhaps one day, I could have the chance to represent the great country of the United States and be a part of it's world dominance. Initially it was Olympic gold that I dreamed of, but as reality set in I realized that the military was a more realistic dream. Today I dream that I will be an officer in the best Navy the world has ever seen, and I hope that my contribution to the Navy can help it grow stronger,

Signature Bradley W. Snyder Date 09/06/01.

WOOD-PAWCATUCK WATERSHED PROTECTION ACT

SPEECH OF

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2012

Mr. COURTNEY. Mr. Speaker, I rise in support of the Wood-Pawcatuck Watershed Protection Act. I also want to thank my colleague, Congressman JIM LANGEVIN, for his unyielding efforts to introduce, promote and advance this important legislation.

As you know, the Wood-Pawcatuck Watershed Protection Act would initiate an important first step to potential National Wild and Scenic River designation for portions of the Chipuxet, Queen, Wood, and Pawcatuck Rivers in Connecticut and Rhode Island. Launching a study by the National Parks Service, this legislation could help to verify the outstanding beauty, abundant fisheries, and historic character that these free-flowing rivers currently provide our local communities and put this designated area on a path towards greater preservation.

Connecticut and Rhode Island are home to some of the most diverse habitats and natural resources, including the lands and waters of the Wood-Pawcatuck watershed. As stewards of this pristine 300 square mile area, it is our responsibility to ensure that these natural habitats are preserved and protected for generations to come. Our communities in Connecticut and Rhode Island have joined together to help protect this outstanding resource and preserve the area's biological diversity as well as its seemingly unlimited recreational opportunities. The relationship between the continued health of our local communities and the continued health of these waters is one that cannot and should not be overlooked.

The Wood-Pawcatuck Watershed Association and the Nature Conservancy have done an outstanding job advocating for the need and passage of this legislation, garnering the support of every town in the surrounding areas. It is evident that this locally-driven priority would benefit greatly from the public-private partnership that the Wild and Scenic designation entails, and I encourage this body to look favorably on this legislation so that a study for potential designation can begin.

I urge my colleagues to cast a vote in favor of H.R. 3388, the Wood-Pawcatuck Watershed Protection Act.

HONORING DR. BEVERLY WADE HOGAN

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Dr. Beverly Wade Hogan. She was appointed as President of Tougaloo College in May 2002.

Prior to being appointed as President of Tougaloo College in 2002, Dr. Hogan served in many capacities at the College. She was the College's interim president, vice president for Institutional Advancement, founding director of the Owens Health and Wellness Center, and executive assistant to the president. She served for ten years as the commissioner for the Mississippi Workers' Compensation Commission, four years as the executive director of the Governor's Office of Federal-State Programs, nine years as the executive director of the Mental Health Association in Hinds County and the state of Mississippi, respectively. She was once the adjunct instructor in Public Policy at Jackson State University and a frequent guest lecturer at the University of Mississippi and Mississippi State University. Additionally, Dr. Hogan has been involved with employment and educational training programs in Denmark, Sweden, and West Germany in affiliation with the German Marshall Fund. Dr. Hogan has also been a scholar with the Kettering Foundation where her research focus was on Higher Education and Civic Responsibility, in addition to being a participant and presenter in the Oxford Roundtable at Oxford University in Oxford, England.

Dr. Hogan holds the Bachelor of Arts degree in Psychology from Tougaloo College and a Master's in Public Policy and Administration from Jackson State University. Dr. Hogan has continued her own education by pursuing additional studies at the University of Southern Mississippi and the University of Georgia. Dr. Hogan is currently furthering her education by pursuing her Doctoral Degree in Human Development and Organizational Leadership at Fielding Graduate University. She currently holds an Honorary Doctorate in Humanities from Wiley College in Texas and Rust College in Mississippi. In addition to this, she has also earned numerous certificates in leadership development, organizational management, policy development, health and human resources management, alcohol and drug studies, urban development and administrative law.

Dr. Hogan has also been credited with pioneering programs that have improved the quality of life for many citizens, including but not limited to the founding of the first psychiatric halfway house in Mississippi, establishing the first rape crisis center and shelter for battered women, and initiating the state's Self Employment Demonstration Project to reduce welfare dependency and the Rental Rehabilitation and Low Income Tax Credit Programs to increase the availability of housing for low income families.

As a woman dedicated to her community, Dr. Hogan volunteers and serves on various boards, including the community advisory board for Bancorp South, the Metro Chamber of Commerce, the University Club, and the Board of Visitors for the School of Dentistry at the University of Mississippi. She also serves on the local board for Entergy Mississippi, Sanderson Farm, the Regional Commission on Building Philanthropy, the national board of directors for the United Negro College Fund, the National Association for Equal Opportunity in Higher Education and the Brown University Leadership Alliance. She presently serves as the Chairperson of the Foundation for the Mid-South Board of Directors, and is a founding member and former president of the Central Mississippi Chapter of the National Coalition of 100 Black Women. Dr. Hogan is also a member of Alpha Kappa Alpha Sorority and the Links.

Dr. Hogan is a current member of the Mt. Wade Missionary Baptist Church in Terry, Mississippi and is a regular worshipper at the Union Church of Christ/Woodworth Chapel at Tougaloo College.

She is married to Marvin Hogan and they have two sons, Maurice and Marcellus; two grandsons, Marsei and Tai'Micah; and two granddaughters, Emani and Liyah.

Mr. Speaker, I ask our colleagues to join me in recognizing Dr. Beverly W. Hogan for her dedication to serving others.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. JOHNSON of Illinois. Mr. Speaker, on Monday, July 23, 2012, I was unable to attend votes due to a previously scheduled appointment. At that time I was in my district meeting with constituents to discuss environmental issues impacting the town of Clinton, IL and DeWitt County, IL.

Had I been present, my votes would have been as follows: for H.R. 2362 and H.R. 3477 I would have voted "yea"; for S. 2039, I would have voted "nay".

IN RECOGNITION OF THE REOPENING OF ST. BARBARA CHURCH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of St. Barbara's Church, one of the 11 Cleveland Catholic Diocese parishes that will be reopening this year.

In 2009 it was announced that several of the Cleveland Catholic Diocese's area churches, including St. Barbara's, were to close. However, just months ago, the Vatican overruled this decision and St. Barbara's will be reopening its doors on Sunday, July 22.

St. Barbara's Church originally opened in 1906 on top of a hill south of Big Creek in Cleveland. The building burned down in 1913, and a new one was built on the corner of Denison Avenue and West 15th Street, which was much more accessible for parishioners traveling by foot. In 1925, St. Barbara's Elementary School was established along with a new church building, leaving the old church building to be used as a hall for events. The third church building was torn down and replaced with yet another in 1952, and would remain the primary church building.

In anticipation of the re-opening, parishioners spent the past several weeks restoring the building to its former condition, cleaning the pews and replacing the statues that had been removed after the closing.

Mr. Speaker and colleagues, please join me in recognizing the reopening of St. Barbara's Church, a beloved parish that has returned to the City of Cleveland.

TRIBUTE TO RICHARD KEITH SALICK

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. POSEY. Mr. Speaker, I rise today to pay tribute to Richard Keith Salick whose recent and sudden passing has left a hole in the hearts of the entire Space Coast community as well as surfing enthusiasts worldwide, lifelong friends, family, and those affected by kidney disease.

Born October 6, 1949, Richard and his twin brother, Phil, learned to surf together in their early teenage years, traveling to exotic surfing hot spots around the world making a name for themselves and eventually both were invited to join Dewey Weber's California-based Surf Team. At that time, Dewey Weber's team had only a limited number of team members from the East Coast but it also consisted of the top surfers in the world.

As Richard worked his way up the up the ladder, he earned a spot on the United States Surfing Team, was selected to join the World Contest Team and signed a contract with Hobie Surfboards. A short time later, at the age of 23, Richard fell ill and was told he needed a kidney transplant. Aided by his twin brother Phil, who was his first kidney donor, Richard recovered but was told all physical sports were out of the question—including surfing.

After a year of recovery, Richard could no longer ignore his desire to return to competitive surfing. He was the first person to develop an ''Ensolite'' padding system which he strapped around his abdomen to protect his transplanted kidney and went on to place second in his first competition. Richard continued to win surf contests and proudly displayed one of his trophies at the dialysis unit at Shands Hospital in Gainesville, Florida, inspiring other kidney patients.

Richard continued to surf professionally and was dubbed by Nephrology News as ''the First Professional Athlete to Return to Active Competition after a Transplant.'' Upon retirement in 1980, Salick was ranked the Number 1 surfer on the East Coast in the 24–35 year old division. In 1985 Richard and his brother Phil cofounded the National Kidney Foundation Pro Am Surf Festival raising millions of dollars over the years. This festival is one of the largest charitable surfing events in the world.

''Richard Salick has received many prestigious awards over his lifetime including the ''Nancy Katin Award'' at the United States Surfing Championships in Huntington Beach, California. This award was given to one competitive surfer each year and voted on by all the worldwide surfing association presidents.

''Rich also built eleven-time world champion surfer Kelly Slater's first surf board in Cocoa Beach.

Over the course of Richard's life, he endured a total of three kidney transplants all donated by his brothers Phil, Chan and Wilson. In January of 2000, Salick was inducted into the Surfing Hall of Fame as an ''East Coast Surfing Legend'' and was also inducted into the Black Belt Martial Arts Hall of Fame in 2008 along with his son David. Besides being an accomplished surfer, inventor, inspirational speaker, and post transplant athlete, Richard would say that his greatest accomplishment was raising his two sons Philip and David, both world class athletes.

Richard has personified the successes of extreme sports activity post transplant and has served as an inspiration to all he met including transplant patients around the world. He will be missed but his legacy and spirit will live on.

INTRODUCTION OF LEGISLATION TO PERMANENTLY EXEMPT TAX-EXEMPT PRIVATE ACTIVITY BONDS FROM THE AMT

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. NEAL. Mr. Speaker, I am pleased to come before the House today to introduce legislation with my Republican Ways & Means colleague, JIM GERLACH, that would permanently exempt tax-exempt private activity bonds from the alternative minimum tax. This bill will help spur additional transportation infrastructure investments, reduce borrowing costs for students and create jobs and economic growth.

In 2009, we enacted a two-year AMT exemption that expired at the end of 2010. This provision was extremely successful. From January 2009 to the end of 2010, thanks to this provision, the airport industry sold an unprecedented $12.7 billion in private activity bonds that were exempt from the AMT, allowing construction projects to flourish and jobs to be created at airports across the country. And I think it's telling that in 2011, after the provision expired, airport issuances fell to $4.3 billion, which is the lowest amount since 2007.

This exemption also is critical to reducing borrowing cost for students around the country. In Massachusetts, the 2009 PAB–AMT relief resulted in almost 20,000 students receiving low-cost financing for their education. The average student in Massachusetts borrowing $16,000 for his or her education saved $1,100 in interest over the life of the loan.

Mr. Speaker, we've seen amazing results by exempting PABs from the AMT and I encourage my colleagues to support this important bill and make this exemption permanent.

PERSONAL EXPLANATION

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. GONZALEZ. Mr. Speaker, had I been present for the vote on July 17, 2012, I would have voted ''yes'' on the suspension bill to authorize appropriations for the Department of State for fiscal year 2013 (H.R. 6018). Also, had I been present for the vote on July 17, 2012, I would have voted ''yes'' on the Insular Areas Act of 2011 (S. 2009), and had I been present for the vote on July 18, 2012, I would have voted ''yes'' on the Sequestration Transparency Act of 2012 (H.R. 5872).

HONORING MEI T. NAKANO

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Ms. WOOLSEY. Mr. Speaker, I rise with pride today to honor Mei T. Nakano of Sebastopol, CA. Ms. Nakano has spoken out about her life in a World War II internment camp and has become a powerful advocate for human rights, justice, and world peace.

Born in Colorado in 1924 to Japanese immigrants who farmed there, Ms. Nakano was later interned in a camp in Amache, Colorado, for three years during World War II. She met and married her husband Shiro there and then saw him drafted into the U.S. Military Intelligence Service.

After the war, she raised three children, and, inspired by women's liberation and civil rights movements, went back to school and earned a Master's Degree in Language and Literature at age 51. According to Mei, ''The Japanese American community finally began to claim its history during the 1970s in the foment of the liberation movements. Simultaneously, we began to feel the full rights of citizenship and entitlements due us.''

After working for several years as an English instructor at Laney College and Diablo Valley College, Ms. Nakano became a partner and editor at Mina Press Publishing. She turned increasingly to free-lance writing and human rights activism, becoming well known for her depictions of the Japanese American experience and the importance of social just and multiculturalism.

One of her seminal books, Japanese American Women: Three Generations, first published by Minna Press in 1991 and now in its fifth printing, was hailed as the first of its kind historical survey of Japanese American women from the initial immigrant generation trying to adapt their cultural values to America through later generations who balanced these values with those of the society they were born into. For Mei's generation, the second, the experience of the World War II concentration camps defined everything that followed.

Mei Nakano organized the first Asian American Women's conference in Oakland, in 1992 and continues to speak out movingly and cogently about her beliefs and experiences at high schools, colleges, other institutions, and public events. ''The salient point to be made,'' she says, ''is how pernicious and destructive racism is, how anti-human. It can cause people to defer their aspirations, lose hope, and, at times, strike out in anti-social behavior. Others may go down that sinkhole of safety of 'having done well enough . . .'' The issue of injustice because of 'otherness' is not done. It takes vigilance to recognize it, a commitment to be moved to do something about it.''

Ms. Nakano has always been very active in her local community. Since 1979, she has been a member of the Executive Board of the Sonoma County Japanese American Citizens League, and she was an organizer of the successful effort to establish the Sonoma County Commission on Human Rights. She served as the Commission's first chair (1992).

In speaking out on the injustices she sees, Mei Nakano also gives us a message of hope: ''Finally, I need to say that I rejoice in the fact that we've come a long way here in America

regarding the issue of 'otherness,' not the least of which is the extraordinary fact of electing an African American president. For me, the 'foreign-ness' which I felt so starkly in childhood and in my growing years, has gradually dissipated as I find myself tossed in the salad bowl of American society, proud to be in the skin I'm in.''

Mr. Speaker, Mei T. Nakano has used the experiences of her life to inspire others and is now enjoying time with her husband of 69 years and her three children as well as her grandchildren and great grandchildren. She is also gardening, reading, responding to requests for writing articles, working on book of short stories, and, of course, speaking out when the need arises. Please join me in honoring this special activist who reminds us of the causes worth fighting for.

IN RECOGNITION OF THE REOPENING OF ST. PATRICK'S CHURCH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of St. Patrick's Church, one of the 11 Cleveland Catholic Diocese parishes that will be reopening this year.

In 2009 it was announced that several of the Cleveland Catholic Diocese's area churches, including St. Patrick's, were to close. However, just months ago, the Vatican overruled this decision and St. Patrick's will be reopening its doors on Sunday, July 22.

St. Patrick Parish, which was founded on March 17, 1848, is the mother church of 13 parishes on Cleveland's west side. The church was built using sandstone in 1898 and still has its original stained glass windows portraying the saints. The parish grounds also include a Community Center, Rectory, Cemetery, gym, and West Park Catholic Academy's two school buildings.

St. Patrick Parish had served more than 1,110 families in Cleveland's West Park neighborhood before being closed. Upon reopening, the parish anticipates that nearly 80 percent of their former parishioners will return to worship.

Mr. Speaker and colleagues, please join me in recognizing the reopening of St. Patrick's Church, a beloved parish that has returned to the City of Cleveland.

IN HONOR OF DEVIL PUPS' 50,000 GRADUATES

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. GALLEGLY. Mr. Speaker, I rise in honor of Devil Pups Inc. as it celebrates the 50,000 teenagers who have graduated from its program since its inception in 1954.

Mr. Speaker, I am one of those graduates, having completed the program in 1958. I continue to support the program as a member of Devil Pups' Advisory Board. I can personally attest to the program's success in building teenagers' self-confidence and in teaching them to take responsibility for their actions through Devil Pups' Good Citizenship-Physical Development Program.

The program's impetus was the burning of an American flag by a group of teenagers at a Southern California high school in 1953. Aggravated by this activity and the attitudes of the American youth it represented, retired Marine Corps Colonel Duncan Shaw Sr. and a group of retired Marine Corps Reserve Officers asked the Commandant of the Marine Corps to help aid character development in teenage boys and girls and enable them to become healthier and more successful citizens.

The Commandant agreed to help if the former Marines would form a charitable corporation to solicit contributions needed for food, transportation, insurance, and other sustainable items the government is prohibited from paying for.

The next summer, Camp Pendleton Commanding General John T. Selden granted permission for the nonprofit corporation Devil Pups Inc. to bring aboard 1,800 14- to 17-year-old boys. In 1998, Devil Pups welcomed its first platoon of girls into the program. Through the efforts of the active duty and reserve Marines and Devil Pups volunteers, the program has grown into a highly successful annual project. This summer, Devil Pups will graduate its 50,000th pup.

The name ''Devil Pups'' was conceived after observing that German troops during World War I called U.S. Marines ''Devil Dogs'' because of their battlefield accomplishments and valor. This success and challenge under stress is a fitting precursor for the name ''Devil Pups.''

The Devil Pups program is a demanding physical and academic good-citizenship program. The program is more mental than physical, reflecting the whole person concept. The program foundations are intellectual, spiritual, social, and physical.

Because of the limited space and ongoing military activities at Camp Pendleton, the program is only open to teens 14 to 17 years old from California, Nevada, and Arizona. It costs nearly $500 per teen to put on the program each year, but no teen has ever been asked to pay for the experience and no government funds are expended. The money raised to pay for the 10-day encampment is done through generous grants, fundraisers, and individual contributions.

Mr. Speaker, I am proud to be a Devil Pups graduate and for my continued association with its program. I know my colleagues join me in congratulating Devil Pups Inc. and its volunteers for reaching the 50,000 pup milestone and for their efforts to help shape our youth into confident, healthy, and productive citizens.

PERSONAL EXPLANATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. GRAVES of Missouri. Mr. Speaker, on Monday, July 23, I missed a series of rollcall votes. Had I been present, I would have voted ''yea'' on Nos. 499, 500, and 501.

CONGRATULATING ROBERT BAUMAN ON HIS RETIREMENT

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. BRALEY of Iowa. Mr. Speaker, today I'd like to congratulate Bob Bauman on his long-awaited and well-deserved retirement from the Butler County Rural Electric Cooperative, REC. Bob has served as CEO and General Manager in Allison, Iowa, since 1984, and has been very active in rural development. He was instrumental in establishing an economic development program at Butler County REC and building a $1.8 million revolving loan fund for the program. In addition, he was the leader in forming Homeward Inc., a nonprofit housing provider assisting rural Iowans with their housing needs. Homeward has made more than $10 million in loans in 25 Iowa counties and assisted 1,000 families as they acquire and maintain their homes.

He has served on the Governor's Task Force on Housing, the Iowa Institute of Cooperatives Legislative Committee, and on boards of directors for the Iowa Association of Business and Industry, the Community Vitality Center, the National Rural Utilities Cooperative Finance Corporation, CFC, and the National Cooperative Services Corporation. He's also served on the National Rural Electric Cooperative Association, NRECA, Community and Economic Development Committee, and as chair of the NRECA/CFC Rural Housing Committee.

In March 2012, the Iowa Area Development Group honored Bob with the Silver Shovel Award for outstanding leadership, innovation, and achievement in business and community development.

Calling Bob a leader is an understatement. He has had a tremendous impact on the quality of life of thousands of Iowans, and he has been a good friend and adviser to me. I wish Bob all the best in his next endeavor, and I know his wife, Vicki, and all of their children, are proud of him.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. BECERRA. Mr. Speaker, yesterday I was unavoidably detained and missed rollcall votes 499 and 500. If present, I would have voted ''nay'' on rollcall vote 499 and ''nay'' on rollcall vote 500.

RECOGNIZING MR. WILLIAM RASPBERRY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise to honor the honorable Mr. William Raspberry. Mr. Raspberry was born on October 12, 1935 to proud parents Mr. James Lee

and Mrs. Willie Mae Raspberry. A native of Okolona, Mississippi, Mr. Raspberry has become a celebrated writer as a result of his commentary on social and political issues.

Mr. Raspberry received his Bachelor's of Science Degree from Indiana Central College, now known as The University of Indianapolis, in 1958. After receiving his degree, he served as a public information officer with the United States Army from 1960 until 1962 at which time he began working at the Washington Post as a teletypist. In 1966, he was named as a columnist for the Washington Post. As a result to his exemplary contributions in literature, Mr. Raspberry was first nominated for the Pulitzer Prize in 1982 prior to receiving the Pulitzer Prize for Commentary in 1994.

Through his work with the Washington Post, Mr. Raspberry has dictated his strong opinions about the problems in American society. He has been noted for often writing about education, criminal justice, family, and racial matters in America. As a principal opinion on these particular issues, Mr. Raspberry has often been quoted in many different publications and has also been asked to speak at various conferences and seminars.

In addition to providing a weekly column in the Washington Post, Mr. Raspberry has also served in other capacities throughout his lifetime. He served as a journalism instructor at Howard University from 1971–1973; Member of the Board of Advisers, Poynter Institute for Media Studies, 1984; Member of the Board of Visitors, University of Maryland School of Journalism, 1985; television commentator for WTTG, Washington, DC, 1973–1975; Television Discussion Panelist, WRC–TV, Washington, DC, 1974–1975, and a Member of the Pulitzer Prize Board, 1979–1986. As of 2008, Mr. Raspberry has also served as the President of "Baby Steps", a parent training and empowerment program based in Okolona, Mississippi. He is also the author of Looking Backward at Us, a collection of his columns from the 1980s.

Mr. Raspberry has also received honorary degrees from Georgetown University, University of Maryland, and the University of Indianapolis; he received an honorary Doctor of Laws degree from Colby College. He was also the Knight Professor of the Practice of Communications and Journalism at the Sanford Institute of Public Policy at Duke University. During his career, Mr. Raspberry has also served as a member of the National Association of Black Journalists, Capitol Press Club, and Kappa Alpha Psi Fraternity Incorporated.

On November 12, 1966, Mr. Raspberry married Sondra Patricia Dodson and together they had three children, Patricia, Angela, and Mark.

IN HONOR OF THE 216TH BIRTHDAY OF THE CITY OF CLEVELAND

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of the 216th birthday of the City of Cleveland, Ohio, one of the nation's most storied communities.

Cleveland was officially founded on July 22, 1796 by Moses Cleaveland, a surveyor from Connecticut. Cleveland's location along Lake Erie made it an ideal place to build a new city with its convenient transportation routes and abundant natural resources. The city quickly became a major industrial center, most notably for automobile manufacturing and was the original site of John D. Rockefeller's Standard Oil Company. In 1949, Cleveland was named an All-American city for the first time.

Today, Cleveland is the home to many landmarks and tourist attractions, such as The Rock and Roll Hall of Fame and the various museums located in University Circle. The city has professional baseball, football, and basketball teams with thousands of fans who enjoy cheering them on year-round. Cleveland has also retained and celebrated a wide range of cultural and ethnic groups that have settled in the area over the years.

A celebration is being held on July 22 to recognize the 216-year history of this incredible city. The event will be located at Jacob's Pavilion at Nautica and will feature food truck vendors and the attendance of people from as many as 107 cultural groups.

Mr. Speaker and colleagues, please join me in honoring the City of Cleveland as it celebrates 216 years of history, culture, and a bright future.

CONGRATULATING THE ROTARY CLUB OF SUPERIOR, WISCONSIN, ON THE 100TH ANNIVERSARY OF ITS FOUNDING

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. DUFFY. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Rotary Club of Superior, Wisconsin, on the celebration of its 100th anniversary.

All of us know how important Rotary Clubs are in each of our districts. In addition to making a tremendous difference locally, Rotary also plays a key role in marshaling incredible resources, internationally, to provide services and to do good throughout the world. The most notable accomplishment of Rotary, of course, is the near eradication of polio, the most dreaded childhood disease of the 20th Century.

The Superior Rotary Club was the 40th chartered in the United States and the first in the great state of Wisconsin, becoming a model for other clubs in the state. Since its establishment in 1912, the Rotary Club of Superior has supported many charitable causes and worked to improve the quality of life in Northwest Wisconsin.

Among many notable accomplishments during its 100 year history, the Superior Rotary launched the Boys Scouts in Superior and provided loans to dairy farmers during tough economic times. More recently, the club has focused locally on fighting another dreaded disease, cancer. The Lake Superior Dragon Boat Festival is now in its 11th year and has contributed hundreds of thousands of hands to fighting this struggle. Additionally, the club reached across the world to Superior's sister city, Ami-Machi, Japan, to mark their centennial anniversary by unveiling the creation of a friendship garden, a three year project.

Congratulations to the Rotary Club of Superior and the Rotarians for 100 years of providing community service to the residents of Northwest Wisconsin. Your contributions are invaluable.

A TRIBUTE IN HONOR OF THE LIFE OF ROBERT F. LAUTZE

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Ms. ESHOO. Mr. Speaker, one of the privileges we have in the House is to commemorate the lives of great Americans and the contributions they have made to our communities and our country.

Today, it is an honor to pay tribute to Robert F. Lautze who passed away on May 8, 2012, after a long life of service and celebration. He was a resident of the Bay Area and lived most of his life in San Carlos, California, a community I've represented as a San Mateo County Supervisor and as a Member of Congress.

Rob was eighteen minutes older than his identical twin, Richard, and for years they were known as "Rob and Rich" or the "Lautze brothers." Prior to World War II, they left their hometown of San Francisco and together became star athletes on the basketball court at Santa Clara University. Thus began a life-long relationship with the University where both Rob and Rich would each serve on the Board of Regents, the Board of Trustees, and as President of the Alumni Association.

During World War II, they joined the Navy, became officers, and served aboard ships in the Pacific. When they returned, they celebrated a double wedding and joined an accounting firm in San Francisco that became Lautze & Lautze. To this day the firm has kept this name even though the brothers retired over twenty years ago.

Many years ago, the Lautzes gave a young college graduate his first job at their firm, and when the new employee thought he might have a vocation in the priesthood, they encouraged him and gave him support. Paul Locatelli became a Jesuit priest, the President of Santa Clara University, and a celebrated American educator. He often said one of the reasons he became a priest was the example and support of Rob and Rich Lautze.

Rob's contributions to the community were numerous—the Kiwanis Club, the Burn Wound Center at St. Francis Hospital, the Hanna Boys Center, the Little Sisters of the Poor, and as a member of the board of the Marianists Province. He was one of the first treasurers of his beloved parish of St. Charles Catholic Church, served in the Knights of Columbus, and coached the boys' basketball team with his brother.

Rob was the proud father of five children: Karen, Mary, Susie, Rob, and Steve. His first wife, Alice, known as "A," passed away in 1983, after over 35 years of marriage. In 1984, he married fellow parishioner, Patricia Murphy Laute to whom he was married for 28 years, and was the beloved patriarch to Patty's sons and family.

Mr. Speaker, Rob Lautze called life a "simple equation." He counted his blessings often and out loud. He served so many in so many ways, and at the same time he quietly helped friends and neighbors with personal challenges. He was gentle in spirit, generous, and

kind. He loved to laugh and in every picture of him there is a genuine smile—as well as a discreetly held cigar.

Rob Lautze was a beloved member of our community who lived his faith, loved his family, and served his community and his country. We celebrate his life, and I'm proud to honor his memory in the U.S. House of Representatives.

Mr. Speaker, I ask the entire House to join me in expressing our sympathy to the Lautze family. Our nation has lost a beloved citizen who made our community stronger and our country better.

CHRIS DODD REAFFIRMS THE NEED FOR FINANCIAL REGULATION

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. FRANK of Massachusetts. Mr. Speaker, working with then Senator Chris Dodd on financial reform and other matters from 2007 through 2010, was very rewarding. Senator Dodd's leadership in the Senate in getting a tough, complex regulatory bill past the Senate filibuster, was an extraordinarily impressive achievement. While he has moved on from Congress, Chris Dodd continues to defend the important reforms Congress adopted 2 years ago, and in yesterday's Politico, he wrote an important article that refutes the criticism of the bill that comes from a number of sources, primarily those financial industry leaders who behaved irresponsibly and resent the fact that they have diminished opportunities to do so. Because this debate now goes on with people trying to roll back their efforts to provide some stability in our financial system, I ask that Chris Dodd's article be printed here.

[From POLITICO, July 22, 2012]

WHY DODD-FRANK IS NECESSARY

(By Former Sen. Chris Dodd)

Wall Street received a long overdue regulatory overhaul two years ago that fundamentally changed the way the financial sector operates and can finally provide the American people with a more secure financial sector.

At the time, I knew that these reforms we devised in Congress would not be popular with those who either had a vested interest in seeing them overturned or believed that a repeal of Dodd-Frank is good politics.

The Wall Street Reform and Consumer Protection Act passed two years ago last Saturday, overcoming many efforts to kill it. Opponents have since spent millions to stall implementation of new financial rules—while attempting to build support for repeal.

Yet 73 percent of Americans support strong oversight of Wall Street and this law's provisions, according to recent polling by Lake Research Partners. And for good reason. Consider the recent revelations that one bank has admitted and others are being investigated for manipulating Libor, the interbank loan rate. Another bank suffered a $6 billion trading loss because of bad actors. These misdeeds and more are making the strongest case for implementing Dodd-Frank.

Opponents of this law will likely continue their efforts to weaken our work. But supporters of these financial reforms must continue to explain why these changes are a vital part of long-term U.S. economic security.

Critics largely forget that U.S. tax dollars rescued the economy from the brink of collapse in 2008. Putting basic rules in place to prevent a crisis of this magnitude from being repeated was not only responsible—it was essential.

Rep. Barney Frank (D-Mass.) and I worked with both Democrats and Republicans for two years to craft a bill to do just that—using a transparent process to update our financial system for the first time since the 1930s.

This was a fundamental transformation of our regulatory structure, allowing regulators to keep pace with the 21st century's global financial marketplace. The pace of implementation has been slow because the complexities of these problems required careful consideration.

I've always believed that a thoughtful approach is needed to ensure these issues are adequately studied and new rules are implemented correctly. Though it's important that these new regulations be implemented soon, it's far more important that these regulations get it right.

The law that Frank and I—and many other members of Congress—completed two years ago is having a significant effect, providing critical benefits to U.S. consumers.

For decades, regulators focused exclusively on protecting the safety and soundness of the financial system—not consumers. We created a new watchdog—the Consumer Financial Protection Bureau—whose sole focus is to protect consumers from abusive and deceptive financial practices.

Its work is under way with the creation of consumer-friendly mortgage forms and credit card agreements that force lenders to give borrowers a clear and accurate description of their loan terms. The bureau also has the power to crack down on deceptive practices—as revealed last week in the settlement with Capital One, which must send refunds to nearly two million customers. Solutions like this, unimaginable two years ago, are forcing financial institutions to rethink some products they offer and adopt new consumer-friendly practices.

We also established requirements for banks to maintain higher capital levels to better absorb unexpected losses. Those running financial institutions are required to be far more knowledgeable about their firm's everyday dealings. Regulatory agencies must now communicate in real time with one another and watch for problems ahead. Dodd-Frank also prohibits the Federal Reserve from bailing out failing firms and brings more accountability to the $600 trillion derivatives market.

The bill we passed is by no means perfect. But reversing course now can only weaken the economy and bring back the reckless days of lax regulations—or no regulations—and abusive practices that nearly destroyed the economy.

Our time and energy would be better spent working together to strengthen this law and improve the work we started—responsibly implementing an effective regulatory structure that puts the best interests of the American people above all else.

Chris Dodd, a Democrat who represented Connecticut in the Senate for 30 years, is a co-author of the Dodd-Frank Wall Street Reform and Consumer Protection Act. He retired in 2011 and is now chairman and CEO of the Motion Picture Association of America.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $15,877,234,078,986.00. We've added $5,250,357,030,072.92 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.

CONGRATULATING REV. ''BOB'' XIUQUI FU

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. CARTER. Mr. Speaker, I rise today to congratulate Rev. "Bob" Xiuqui Fu on the ten year anniversary of his organization, ChinaAid Association. This Texas-based organization has been at the forefront of the struggle for freedom and rights in China. ChinaAid is doing important work and I hope they will continue to flourish in their next ten years.

In 2002, only six years after migrating to the United States, Rev. Fu founded the ChinaAid Association to promote religious freedom and raise worldwide awareness of the ongoing and unjust persecution of religious believers in China. ChinaAid's goal is to provide for the physical, legal, and spiritual needs of victims of human rights abuses and to be a "voice for the voiceless" in Washington, DC and the capitals of the world.

ChinaAid is not only an effective voice for the voiceless, but is also working to make sure China's human rights defenders are able to speak against injustice. In recent years, ChinaAid has expanded its mission to support legal defense in religious persecution cases, academic research on the rule of law, and the training of human rights defenders.

Rev. Fu knows first-hand what it's like to be persecuted by the Chinese government. In 1989, he was one of the student leaders in Tiananmen Square demonstrating for freedom and democracy. After the bloody crackdown, Bob became a Christian and led a house church while teaching English at the Communist Party School in Beijing. Considered a threat to the Chinese Communist government, Bob and his wife Heidi were imprisoned for "illegal evangelism" causing them to flee from China in 1996. He eventually migrated to the United States with the assistance of members of Congress and then President Bill Clinton.

Pastor Fu is recognized as a leading expert on religious freedom and the rule of law. He regularly testifies before the U.S. Congress and has provided expert testimony before the European Union and the United Nations. Bob has also established a close working relationship with President George W. and Laura Bush, taking the first group of Chinese "house church" Protestant leaders to meet a sitting President in the White House.

The work of his organization is vital, it is effective, it is bipartisan, and it is necessary. Everyone here in Congress will agree, a future

China that respects the freedom of speech, the freedom to worship, and the rule of law will be a critical strategic partner with the United States.

ChinaAid is working to ensure this future and that is why it should be congratulated today on its tenth anniversary.

TRIBUTE TO HARRY EISEN

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to a dear friend of mine, Harry Eisen. Harry passed away on Thursday, July 19, 2012 in Norco, California. A Holocaust survivor and longtime businessman in Norco, he was a pillar of the community and will be deeply missed.

Harry was born in May 1917 in Izbica Kujawska, Poland, the son of Yechezkel and Mindel Eisen. His entrepreneurial spirit emerged at the age of 15, when he and a partner ran a meat production plant in Warsaw. He was conscripted as an officer in the Polish cavalry in September 1939 and served honorably as an officer, but was captured by the Nazis in World War II. He worked in a labor camp coal mine before his transfer to the Auschwitz death camp in 1942.

Harry's experiences as a prisoner at Auschwitz were nothing short of horrifying. Harry and his wife Hilda, a Jewish classmate hailing from the same village in Poland, seldom spoke of their imprisonment, but following the opening of the Holocaust Memorial Museum in Washington, D.C. and the growing number of Holocaust deniers, they felt it was their duty to tell their story. Harry described the Holocaust as ''going through hell.'' Every day he saw men, women and children die of starvation and other atrocities committed by Nazi soldiers, and he marched with other prisoners through the woods with rags instead of shoes. Thankfully, he managed to escape as Nazis set fire to the camp in 1944, but not without a reminder of his time there: a tattoo of his prisoner number on his left arm.

After fleeing to the United States in 1948, the Eisens established themselves in Los Angeles despite being penniless and unable to speak English. Harry began working in a butcher shop to save money and purchased his first 100 chickens in Arcadia. He was often seen riding his bicycle around the city selling eggs. Eventually he outgrew the facility in Los Angeles and moved his wife and four children to Norco to establish Norco Egg Ranch, employing over 400 people and owning millions of chickens. It eventually became a major supplier of eggs in North America. Harry sold his business in 2000 to Land-o-Lakes, but continued to work as a consultant while managing his properties in California, Arizona, and Nevada.

According to his daughter Mary Cramer, Harry often said, ''There is no place like America.'' His strength in the face of adversity and his modesty serve as an inspiration to those who believe in the value of hard work and determination. Harry's incredible success from humble beginnings and overcoming the horrors of Nazi occupation is the personification of the American Dream. Harry is survived by his wife of over 60 years Hilda, four children, and eight grandchildren.

Harry will always be remembered for his incredible work ethic, generosity, contributions to the community and love of family. His dedication to his family, work and community is a testament to a life lived well and a legacy that will continue. I extend my condolences to Harry's family and friends; although Harry may be gone, the light and goodness he brought to the world remain and will never be forgotten.

THE XIX INTERNATIONAL AIDS CONFERENCE

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Ms. CLARKE of New York. Mr. Speaker, I would like to welcome the XIX International AIDS Conference, AIDS 2012, to Washington, DC this week. This year, for the first time since 1990, the XIX International AIDS Conference is being held in the United States. This conference gives those living with the disease, scientists, doctors, advocates, policymakers and government officials an opportunity to collaborate and share information regarding the various scientific advances in HIV/AIDS treatment and prevention. This year's theme, ''Turning the Tide Together,'' was selected to emphasize ''how a global and decisive commitment is crucial to change the course of the epidemic now that science is presenting promising results in HIV treatment and biomedical prevention.''

Empirical data indicates over 34 million individuals worldwide have HIV/AIDS. In the United States alone, there are approximately 1.2 million people infected with HIV/AIDS. Of the 1.2 million, approximately half are African-American and only about 13 percent of the United States population.

''Turning the Tide Together'' is a call to action. One of the issues that will be addressed at the conference is the racial disparities of the disease. Specifically, conferees will discuss ''strengthening the responses to HIV among the diverse populations and communities affected by this disease, to advance the knowledge, implementation and scale up of evidence-informed HIV and AIDS strategies and programs.'' As of June 2011, there are over 27,000 people living with HIV or AIDS in my congressional district, which is located in central Brooklyn. Of that 27,000, close to 60 percent are Black Americans. Unfortunately, my district has the highest number of newly diagnosed cases in New York City and for a variety of reasons, one of which is lack of access to healthcare. We have the worst post-diagnosis outcomes in New York City.

Given the numbers from my district, I am thrilled that this year's conference is about action. It is about mobilizing everyone and taking decisive measures—whether it is on a specific health policy or making sure prescription drugs are affordable and accessible to those who need it. Though the HIV/AIDS community still has a long way to go, we have come so far since the beginning of the epidemic in the 1980s. We are at the crossroads of HIV detection and treatment, and at the threshold of preventive measures. Given the emerging scientific breakthroughs, I firmly believe that we will eradicate the HIV/AIDS pandemic through advances in medicine, technology and scientific research—if we work collectively. This international conference is a great stepping stone, providing an opportunity for some of the world's greatest minds to exchange ideas and work towards ''turning the tide together.''

A TRIBUTE TO HONOR STANFORD UNIVERSITY'S WOMEN'S WATER POLO TEAM

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Ms. ESHOO. Mr. Speaker, I rise today to congratulate the Stanford University Women's Water Polo Team on winning back-to-back NCAA Women's Division I Water Polo Championships in 2011 and 2012.

The Stanford University Women's Water Polo Team has combined talent and competitive spirit with the highest ideals of good sportsmanship to establish itself as a truly exceptional group. With admirable dedication, the Cardinals worked diligently to achieve the ultimate proficiency in water polo, and as a result, ended their season with a 6–4 victory over the University of Southern California Trojans to earn their second consecutive and third overall NCAA Championship.

The Cardinals went into the tournament after falling 8–7 in overtime to UCLA in the Mountain Pacific Sports Federation tournament championship match. Stanford led UCLA 3–2 after the first quarter and carried a 5–4 advantage at halftime. The team used the loss to rally going into the NCAA tournament, blowing past their competition with a 17–5 victory over Pomona-Pitzer, and a 12–3 victory over UC Irvine in the initial tournament games.

Stanford held a lead over USC throughout most of the championship game 3–2. Neither team led by more than a single goal, and USC's only advantage came when they scored the opening goal. Kaley Dodson and Pallavi Menon both contributed a pair of goals while Kiley Neushul and Kaitlyn Lo are credited with a goal each. More impressively, Menon played with a torn ligament in her elbow. Cardinal Goalie, Kate Baldoni, achieved the high honor of Most Valuable Player of the NCAA tournament. With 15 saves in the championship game and 29 saves in the tournament, Baldoni allowed only 9 goals within the 3 games. This victory marked Stanford's 103rd NCAA championship trophy overall and third in women's water polo.

Going into the season, Stanford was ranked the No. 1 team in both the Collegiate Water Polo Association Varsity Top 20 Preseason Poll and the MPSR's Preseason Coaches Poll. The Cardinals did not disappoint, finishing the season with a 26–2 record despite the absence of two key players. Both Annika Dries and Melissa Seidemann redshirted this year in order to train for the 2012 Summer Olympics with the U.S. National Team. As both young women return to the team next season, their U.S. National Team teammate Maggie Steffens will join them at Stanford, where the future for this team is exceptionally bright.

Mr. Speaker, I ask the entire House of Representatives to join me in congratulating Coach Josh Tanner, seniors Pallavi Menon,

Alyssa Lo, Cassie Churnside, and Monica Coughlan; their teammates Kate Baldoni, Jillian Garton, Alexis Lee, Victoria Kennedy, Kaitlyn Lo, Lexie Ross, Kelsey Suggs, Lizzie Peiros, Kaley Dodson, Emily Dorst, Kiley Neushul, Catherine Carpenter, Cory Dodson, and Ashley Grossman; coaches Susan Ortwein and Kyle Utsumi; and Stanford fans everywhere. Bravo to the Cardinals for a thrilling season, and for demonstrating the highest standards of teamwork and sportsmanship. They have brought added distinction to California's 14th Congressional District and stand out as the best in America.

INDIAN TRIBAL TRADE AND INVESTMENT DEMONSTRATION PROJECT ACT OF 2011

SPEECH OF

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2012

Mr. BERMAN. Mr. Speaker, I rise in strong opposition to H.R. 2362, the Indian Tribal Trade and Investment Demonstration Project Act of 2011. My reasons for opposing this ill-conceived and unnecessary legislation are spelled out in a dear colleague I issued with several of my colleagues, and which I submit for the record. I urge all of my colleagues to vote "no" on H.R. 2362.

VOTE NO ON H.R. 2362

DEAR COLLEAGUE: We urge you to oppose H.R. 2362, the Indian Tribal Trade and Investment Demonstration Project Act of 2011, when it is considered on the House floor today. This bill provides for investment activities by WTO member nations in a select number of Indian tribal lands, with implied special consideration for Turkish businesses. Although the bill ostensibly applies equally to all WTO member nations, its Findings section exclusively discusses Turkey's relations with Native Americans, alleging that Turkey has ''demonstrated a unique interest in bolstering cultural, political, and economic relationships with Indian tribes and tribal members''—without explaining the nature of this ''unique interest.'' Moreover, in both the operative and non-operative sections of the bill, the concept of ''all WTO member nations'' is expressed as ''Turkey and other World Trade Organization member nations''—an odd description that, if adopted by Congress, would suggest that the United States, for no apparent reason, prefers Turkish investment in tribal areas over that from other WTO member nations.

Turkey is an important NATO ally, but we are concerned about the prospect of singling out Turkey for special consideration at a time when Ankara is pursuing so many objectionable policies. For example:

Turkey recognizes the terrorist Hamas government in Gaza and even received its leader in the Turkish parliament earlier this year—disturbing hypocrisy from a state that receives U.S. support for its own fight against terrorism. Turkey also demands that Israel end its naval blockade of Gaza, despite the deadly security threat Hamas poses to Israel. Turkey's repeated, flagrant criticism of Israel is particularly troubling and potentially destabilizing.

As a member of the UN Security Council two years ago, Turkey voted against sanctions on Iran.

For 38 years, Turkey has illegally occupied the northern third of the island Republic of Cyprus, a member of the European Union. More recently, Turkey has threatened the use of force to stop Texas-based Noble Energy from drilling for oil and gas off the shores of EU-member Cyprus and to blacklist any businesses that work with Cyprus for natural resource extraction.

Turkey continues to deny the Armenian Genocide during which 1.5 million Armenians perished and has threatened punitive measures against the United States if Congress recognizes this tragic event. Since 1993 Turkey has maintained a destabilizing blockade of Armenia.

On July 19, Congress sent H.R. 205 to the President for signature into law. That bill, known as the HEARTH Act, provides that all Native American tribes, not just a few, would have the right to lease tribal lands for economic development purposes to any party, domestic or foreign—not just to Turkish parties. H.R. 205 would also maintain traditional federal government oversight of economic use of tribal lands; in contrast, H.R. 2362 would limit that oversight for the tribal lands to which it would apply. But, even at it is best, H.R. 2362—with its focus on only a few tribal areas and its implied preference for Turkish investment—is redundant and an unusual, unprecedented, and unnecessary endorsement of a state that, though an ally, continues to pursue problematic policies.

We encourage you to vote no on H.R. 2362.

HOWARD L. BERMAN.
GARY ACKERMAN.
ELIOT ENGEL.
SHELLEY BERKLEY.

THE 21ST CENTURY POSTAL SERVICE ACT

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, it has now been nearly three months since the Senate passed its comprehensive postal reform legislation in an effort to address the mounting financial woes of the United States Postal Service. The 21st Century Postal Service Act, as it is known, would allow the USPS to address the growing demands of a modem age of technology, and grant the agency the authority it needs to avoid insolvency without unnecessary cuts to labor.

Yet, the Republican-controlled House still refuses to consider the Senate bill despite this very serious threat to millions of businesses and residential neighborhoods across the country. The Postal Service processed over 167 billion mail pieces in 2011 alone. Further, there are nearly 8.4 million jobs and over $1 trillion in revenue attributed to the mailing industry. Sitting back idly, or blindly mandating drastic and indiscriminate cuts to essential services, will cause immeasurable harm to our economic recovery.

That is why I have joined my Democratic colleagues in cosponsoring sensible reform in Congress to bolster the Postal Service's operations, and to clear the path for thoughtful ways to restore the USPS to its former prosperity. When there is so much at stake, this is simply not a time to politicize these issues. Sadly, that is what my Republican colleagues in Congress are doing, and that is the cause of this delay.

Mr. Speaker, the Postal Service is an American institution that unites our Nation and provides reliable and inexpensive services to businesses and residents alike. We must recognize the Postal Service as the American institution that it is, and act swiftly and appropriately to address this issue while there is still time.

FORMER PENNSYLVANIA GOVERNOR WILLIAM WARREN SCRANTON

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. BARLETTA. Mr. Speaker, I rise today to honor former Pennsylvania Governor William Warren Scranton on the occasion of his 95th birthday.

Born July 19, 1917, in Madison, Conn., William Scranton comes from a long line of public servants, business leaders and philanthropists in northeastern Pennsylvania. The city of Scranton—where his ancestors established companies and served as elected officials—was named in honor of his family.

Governor Scranton and his wife, the former Mary Lowe Chamberlin, recently celebrated their 70th wedding anniversary. The couple raised four children including William Worthington Scranton, who went on to serve as Lieutenant Governor of Pennsylvania.

After graduating from Yale University in 1939, Governor Scranton enlisted in the U.S. Army Air Corps where he served as a pilot during World War II, flying combat supplies to North Africa. After he graduated from Yale Law School, he returned to Scranton, launched a successful legal career and began to make his mark on the community through many civic endeavors. One of his pet projects was turning the Community Chest, forerunner to the United Way, into a countywide organization in Lackawanna County.

His esteemed public service began in 1959 when he was appointed special assistant to the U.S. Secretary of State by President Dwight D. Eisenhower. A year later he beat the political odds and was elected to the U.S. House of Representatives from Pennsylvania's 10th District in a win that President John F. Kennedy called "the political miracle of 1960."

As a freshman member, he emerged as a crusader for the civil rights movement and worked tirelessly for his constituents. He served only one term in Congress because he answered his party's call once again: In 1962 Republican leaders across the Commonwealth urged him to run for governor.

He won the 1962 gubernatorial race, defeating then-Philadelphia Mayor Richardson Dilworth. During his four years in office, Governor Scranton advocated for a strong educational system, continued industrial development in the United States and abroad, and for fiscal responsibility.

Numerous programs were launched under the Scranton administration as the new governor set out to tackle the nation's second-highest unemployment rate, poorly managed state funds, and the decline of the rail, coal and textile industries. He founded a state student loan program for education, instituted the community college system and increased the number of vocational-technical schools.

When he left the Governor's mansion in 1967, Pennsylvania's unemployment rate was

below the national average and among the lowest of all states. He pared the expanding welfare rolls by more than 100,000 while creating jobs for those Pennsylvanians.

The Scranton years turned Pennsylvania into one of the most progressive states in the nation: It boasted the biggest highway construction program to date; the creation of the state Department of Community Affairs, first of its kind in the nation; and an assistance program for victims of ''Black Lung'' disease, the model for the federal program.

After that successful first term, Governor Scranton decided to leave the public arena and spend more time with Mary and their children. It was in those post-gubernatorial years that William Scranton dedicated so much of his time, effort and wealth to the community.

He served as a delegate to the Pennsylvania Constitutional Convention from 1967 to 1968 and helped bring the law of the Keystone State into the 20th Century.

Author James A. Michener, also a delegate to the Pennsylvania Constitutional Convention, credited the success of the convention to ''the sagacious leadership given by Bill Scranton, as fine a politician as I would ever know.''

Governor Scranton held leadership positions in many community organizations including the Boys Club of Scranton, the University of Scranton's President's Council, the Scranton Chamber of Commerce, and the Geisinger Health System.

Gov. and Mrs. Scranton donated Marworth, their spacious stone estate in the Scranton area, to Geisinger for the establishment of a residential alcohol and chemical addiction treatment center.

After turning down several proposals to run again for public office, Governor Scranton accepted the appointment of his old fraternity brother, President Gerald Ford, in 1976 to serve as the U.S. Ambassador to the United Nations. His ability to promote diplomacy and genuine interest in human rights earned him favor with many nations and promoted a positive world view of the United States.

As a native Pennsylvanian and an elected official who knows all too well how difficult the world of politics and public service can be, I applaud Governor Scranton for his unwavering integrity, and his ability to bridge gaps and find common-sense solutions to pressing problems.

Kingman Brewster, the former president of Yale University, best described Gov. Scranton when he said: ''A man for all seasons and for all people.''

Mr. Speaker, today, in the winter of his life, Governor Scranton still embodies the traits, ideals, and values which many of us strive to achieve, and I am honored to congratulate him on his many years of dedicated civic service to the community of northeastern Pennsylvania, the Commonwealth, and the country.

IN MEMORY OF ASSOCIATE JUSTICE EDWIN FERNANDO BEACH

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. GALLEGLY. Mr. Speaker, I rise in memory of my good friend, Edwin Fernando Beach, who passed away on the Fourth of July at the age of 88.

Ed was a Renaissance man. He was a jurist—retiring as an Associate Justice of California's Second District Court of Appeal—an avid horseman, a gymnast, an artist, an aspiring musician, and a mason. He was very active in his adopted hometown of Santa Paula, California. But most of all, he was a devoted husband, father, grandfather, and great-grandfather.

Justice Beach was born in Peru and moved to California with his mother and sister in 1930. He served in the U.S. Army Air Corps during World War II, where he began his love of horses and riding. After the war, he met his first wife, Janet, while they were students at the University of Southern California. After graduating from USC's School of Law in 1950, they moved to the Ventura County community of Santa Paula, where they raised seven children and lived the rest of their lives.

Ed maintained a private practice in Santa Paula until he was elected to the Ventura County Municipal Court. Before he could take his seat at the bench, however, Governor Ronald Reagan appointed him to the county Superior Court. Then, in 1973, Governor Reagan appointed him to the Second District Court of Appeal, which he served until 1987, occasionally also serving the California Supreme Court as a pro-tem.

Janet died in 2000. They had been married 51 years.

During their lives together, Ed was honored by the Ventura County Bar Association in 1989 as the first recipient of the Ben E. Nordman Humanitarian Award, and at various times he served on the boards of trustees of the Santa Paula Memorial Hospital, the Blanchard Community Library, the Santa Paula Historical Society, and the founding boards of the Ventura County Symphony and Santa Clara Valley Bank. He was a member of the Santa Paula Rotary Club, becoming an honorary member on his appointment to the Appellate Court. He frequently rode his chestnut mare, Bonnie, in local parades, often in a Spanish riding costume. His children, all riders, many times accompanied him on their own horses or driving their pony cart.

Ed and Janet were jointly awarded the Santa Paula Chamber of Commerce's Citizen of the Year award. Their home was the site for countless fundraisers, parties, and concerts for local community groups.

In 2001, he married fellow Rotarian Barbara Robinson. Ed's 11 years with Barbara were spent traveling, gardening, and enjoying music and friends. She was at his side when he died at home.

Mr. Speaker, Justice Edwin Fernando Beach was a man of extraordinary integrity, kindness, generosity, friendliness, intellect, and humility. I know my colleagues join me in remembering his great contributions to American society and jurisprudence, and in extending our condolences to his family and many friends.

HONORING G. TORRIE JACKSON, JR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Mr. G. Torrie Jackson, Jr. He is a native of Jackson, Mississippi, and was born on October 11, 1968 to George T. Jackson, Sr. and the late Emma J. McDonald Jackson.

Mr. Jackson holds a Bachelor's Degree in Political Science and Master's Degree in Education Administration from Jackson State University. Currently, Mr. Jackson is pursuing a Doctoral Degree in Elementary, Middle, and Secondary Education Administration from Mississippi State University.

As an educator, Mr. Jackson taught social studies and coached for 8 years prior to moving on to the Mississippi Department of Education where he worked as an Education Specialist Senior in the Bureau of Evaluation and Enhancement. Administratively, Mr. Jackson served 3 years as Assistant Principal in the Canton Public School District, 2 years as Principal in the Holmes County School District, and 4 years in the Copiah County School District where he currently serves as principal of Crystal Springs High School.

Mr. Jackson's passion for education comes from his parents and grandparents. His parents have dedicated over 60 years to the educational system in their community. Mr. Jackson's motto is, ''Education First! Students Always!'' His desire is that all students perform to their highest potential and become productive members of society.

He is married to Dr. Debra Mays-Jackson, principal of Forest Hill High School. They live together in Terry, MS, along with their two sons Cameron, 14 years of age and Kendall, 11 years of age. Mr. Jackson has a strong Christian faith and seeks the Lord's guidance in every facet of his life. He believes that if it's God's will anything is possible.

Mr. Jackson is a 24-year member of the U.S. Army Reserve/Mississippi Army National Guard, veteran of Operation Iraq Freedom, and also currently serves as the Executive Officer of the 8th/108th Transportation Battalion in Jackson, Mississippi where he holds the rank of Major. His Civic/Professional Organizations and Honors include: National Association Secondary School Principals, Mississippi Professional Educators, United States Army Officer Association, U.S. Army Commendation Medal, Global War on Terrorism Medal, and the U.S. Army Achievement Medal of Meritorious Service.

Mr. Speaker, I ask our colleagues to join me in recognizing Mr. G. Torrie Jackson, Jr. for his unwavering dedication to our country and the children of the State of Mississippi.

HONORING GYS JANSEN VAN BEEK

HON. RAÚL R. LABRADOR

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2012

Mr. LABRADOR. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing my constituent, Gys Jansen van Beek for his heroism and service to the United States of America during World War II. Mr. van Beek emigrated from the Netherlands in 1948 and has been a resident in my state of Idaho since 1954.

I pay tribute to those resistance fighters that are now, or have, worked and served in harm's way seeking liberty and freedom. Many men and women have aided the United States

in the fight for freedom from oppression during and since World War II; this is homage to one such man. Mr. van Beek was an active member of the Dutch Resistance during World War II. Members of the Dutch Resistance were instrumental in aiding refugees and enemies of the Nazi regime. It has been conservatively estimated that between fifty to sixty thousand individuals were directly involved in resistance activities, with hundreds of thousands more offering assistance.

Tens of thousands of resistance fighters lost their lives as a direct result of their courageous efforts. Capture meant imprisonment, deportation, relocation to concentration camps, and many times certain death. Mr van Beek aided several British, Canadian and American downed fighter pilots during World War II. One such individual, 1st Lieutenant Howard Moebius, P–51 pilot from Wisconsin, wrote of the experience in his book, ''The Valley of the Shadow''. Without the efforts of Mr. van Beek, these gentlemen would surely have perished during the war. Mr. van Beek placed himself and his family in danger with his resistance efforts.

Van Beek's courage and determination earned him decorations from the governments of Canada, Great Britain, the Netherlands, and the United States after the war. It is fitting that we honor Mr. van Beek for his service and also be reminded of the many others who assisted in the liberation efforts. We often forget about the Resistance Fighters who sacrificed much in an effort to bring peace and freedom to millions. Acts such as those by Mr. van Beek, provide us all with a model of courage in the face of atrocity. I stand today to convey appreciation to Mr. van Beek for his selfless acts of service to our Nation.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5265–S5319

Measures Introduced: Six bills and five resolutions were introduced, as follows: S. 3424–3429, S. Res. 525–528, and S. Con. Res. 53. **Page S5304**

Measures Passed:

Indian Law Enforcement Reform Act: Committee on Indian Affairs was discharged from further consideration of S. 2090, to amend the Indian Law Enforcement Reform Act to extend the period of time provided to the Indian Law and Order Commission to produce a required report, and the bill was then passed. **Pages S5317–18**

National Airborne Day: Senate agreed to S. Res. 527, designating August 16, 2012, as ''National Airborne Day''. **Page S5318**

100th Anniversary of the American Podiatric Medical Association: Senate agreed to S. Res. 528, recognizing the 100th anniversary of the American Podiatric Medical Association, the preeminent organization representing podiatric medicine and surgery, celebrating its achievements, and encouraging the association to continue providing guidance on foot and ankle health issues to the people of the United States and of the world. **Pages S5318–19**

Measures Considered:

Middle Class Tax Cut Act—Agreement: Senate continued consideration of the motion to proceed to consideration of S. 3412, to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families. **Pages S5265–98**

A unanimous-consent agreement was reached providing that at 2:15 p.m., on Wednesday, July 25, 2012, Senate vote on the motion to invoke cloture on the motion to proceed to consideration of the bill. **Page S5319**

Appointments:

Public Safety Officer Medal of Valor Review Board: The Chair, on behalf of the Republican Leader, pursuant to Public Law 107–12, appointed the following individual as a member of the Public Safety Officer Medal of Valor Review Board: Rick Clemons of Kentucky, vice Charles Massarone. **Page S5319**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13441 with respect to Lebanon; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–59) **Page S5302**

Messages from the House: **Pages S5302–03**

Measures Referred: **Page S5303**

Measures Placed on the Calendar: **Pages S5265, S5303**

Measures Read the First Time: **Page S5303**

Executive Communications: **Pages S5303–04**

Additional Cosponsors: **Pages S5304–05**

Statements on Introduced Bills/Resolutions: **Pages S5305–09**

Additional Statements: **Pages S5301–02**

Amendments Submitted: **Pages S5309–17**

Authorities for Committees to Meet: **Page S5317**

Privileges of the Floor: **Page S5317**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:50 p.m., until 9:30 a.m. on Wednesday, July 25, 2012. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5319.)

Committee Meetings

(Committees not listed did not meet)

HOUSING PARTNERSHIPS IN INDIAN COUNTRY

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine housing partnerships in Indian country, after receiving testimony from Cheryl A. Causley, National American

Indian Housing Council, Brimley, Michigan; and David Bland, Travois, Inc., Kansas City, Missouri.

PRIVATE STUDENT LOANS

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Financial Institutions and Consumer Protection concluded a hearing to examine private student loans, focusing on providing flexibility and opportunity to borrowers, after receiving testimony from Rohit Chopra, Student Loan Ombudsman, Consumer Financial Protection Bureau; Deanne Loonin, National Consumer Law Center Student Loan Borrower Assistance Project, Boston, Massachusetts; Jennifer Mishory, Young Invincibles, Washington, D.C.; and Jack Remondi, Sallie Mae, Newark, Delaware.

CABLE ACT

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the Cable Act at 20, after receiving testimony from former Senator Gordon H. Smith, National Association of Broadcasters, and Mark Cooper, Consumer Federation of America, both of Washington, D.C.; Melinda Witmer, Time Warner Cable, and Martin D. Franks, CBS Corporation, both of New York, New York; Colleen Abdoulah, WOW! Internet, Cable, and Phone, Englewood, Colorado; and Preston Padden, University of Colorado School of Law Silicon Flatirons Center, Boulder.

NATURAL GAS AS A FUEL FOR TRANSPORTATION

Committee on Energy and Natural Resources: Committee concluded a hearing to examine assessing the opportunities for, current level of investment in, and barriers to the expanded usage of natural gas as a fuel for transportation, after receiving testimony from David L. Greene, Oak Ridge National Laboratory, Oak Ridge, Tennessee; Dave McCurdy, American Gas Association, and Paul N. Cicio, Industrial Energy Consumers of America, both of Washington, D.C.; Michael Gallagher, Westport Innovations, Vancouver, British Columbia, Canada; and Reg Modlin, Chrysler Group LLC, Auburn Hills, Michigan.

EPA AND TOXIC CHEMICALS

Committee on Environment and Public Works: Committee, with the Subcommittee on Superfund, Toxics and Environmental Health concluded an oversight hearing to examine Environmental Protection Agency authorities and actions to control exposures to toxic chemicals, including S. 847, to amend the Toxic Substances Control Act to ensure that risks from chemicals are adequately understood and managed, after receiving testimony from James J. Jones, Acting Assistant Administrator, Office of Chemical Safety and Pollution Prevention, Environmental Protection Agency; former Speaker of the Maine House of Representatives Hannah Pingree, North Haven; Heather M. Stapleton, Duke University Nicholas School of the Environment, Durham, North Carolina; Marshall Moore, Great Lakes Solutions, A Chemtura Business, West Lafayette, Indiana; William K. Rawson, Latham and Watkins, Washington, D.C.; and Tony Stefani, San Francisco Firefighters Cancer Prevention Foundation, Danville, California.

SYRIA

Committee on Foreign Relations: Committee met in closed session to receive a briefing on an intelligence update on Syria from officials of the intelligence community.

STUDENT VISA SYSTEM

Committee on the Judiciary: Subcommittee on Immigration, Refugees and Border Security concluded a hearing to examine strengthening the student visa system, focusing on United States Immigration and Customs Enforcement's oversight of the Student and Exchange Visitor Program, including ensuring that foreign students studying in the United States comply with the terms of their admission into the county, after receiving testimony from John P. Woods, Assistant Director, National Security Investigations, Homeland Security Investigations, United States Immigration and Customs Enforcement, Department of Homeland Security; and Rebecca Gambler, Acting Director, Homeland Security and Justice, Government Accountability Office.

CITIZENS UNITED AND SUPER PACS

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights and Human Rights concluded a hearing to examine responding to Citizens United and Super PACs, including 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, after receiving testimony from Senators Baucus, Sanders, and Udall (NM); Representative Edwards; former Representative and Louisiana Governor Charles Roemer, Baton Rouge; Lawrence Lessig, Harvard Law School, Cambridge, Massachusetts; and Ilya Shapiro, Cato Institute, Washington, D.C.

BUSINESS MEETING

Select Committee on Intelligence: Committee ordered favorably reported an original bill entitled, "Intelligence Authorization Act for Fiscal Year 2013".

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 14 public bills, H.R. 6168–6181; and 3 resolutions, H.J. Res. 115; H. Con. Res. 134; and H. Res. 739 were introduced. **Pages H5200–01**

Additional Cosponsors: **Pages H5201–02**

Reports Filed: Reports were filed today as follows:

H.R. 1857, for the relief of Bartosz Kumor (H. Rept. 112–617);

H.R. 824, for the relief of Daniel Wachira (H. Rept. 112–618);

H.R. 823, for the relief of Maria Carmen Castro Ramirez and J. Refugio Carreno Rojas (H. Rept. 112–619);

H.R. 794, for the relief of Allan Bolor Kelley (H. Rept. 112–620);

H.R. 357, for the relief of Corina de Chalup Turcinovic (H. Rept. 112–621); and

H.R. 316, for the relief of Esther Karinge (H. Rept. 112–622). **Page H5200**

Speaker: Read a letter from the Speaker wherein he appointed Representative Rivera to act as Speaker pro tempore for today. **Page H5133**

Recess: The House recessed at 10:41 a.m. and reconvened at 12 noon. **Page H5137**

Chaplain: The prayer was offered by the guest chaplain, Reverend Bud Roland, St. John Neumann Catholic Church, Austin, Texas. **Page H5137**

Recess: The House recessed at 12:31 p.m. and reconvened at 1:15 p.m. **Page H5140**

Recess: The House recessed at 2:17 p.m. and reconvened at 2:30 p.m. **Page H5148**

Moment of Silence: The House observed a moment of silence in honor of those who lost their lives and those who were wounded in the shooting in Aurora, Colorado on Friday, July 20, 2012. **Page H5149**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

Federal Reserve Transparency Act: H.R. 459, amended, to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States before the end of 2012. **Pages H5150–62**

Moment of Silence: The House observed a moment of silence in honor of Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police who were killed in the line of duty defending the Capitol against an intruder armed with a gun on July 24, 1998. **Page H5137**

Suspension: The House agreed to suspend the rules and pass the following measure:

Preserving America's Family Farms Act: H.R. 4157, amended, to prohibit the Secretary of Labor from finalizing a proposed rule under the Fair Labor Standards Act of 1938 relating to child labor. **Pages H5162–67**

Agreed to amend the title so as to read: "To prohibit the Secretary of Labor from reissuing or issuing a rule substantially similar to a certain proposed rule under the Fair Labor Standards Act of 1938 relating to child labor.". **Page H5167**

Congressional Replacement of President Obama's Energy-Restricting and Job-Limiting Offshore Drilling Plan: The House began consideration of H.R. 6082, to officially replace, within the 60-day Congressional review period under the Outer Continental Shelf Lands Act, President Obama's Proposed Final Outer Continental Shelf Oil & Gas Leasing Program (2012–2017) with a congressional plan that will conduct additional oil and natural gas lease sales to promote offshore energy development, job creation, and increased domestic energy production to ensure a more secure energy future in the United States. Further proceedings were postponed. **Pages H5141–50, H5167–82**

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–29 shall be considered as an original bill for the purpose of amendment under the five-minute rule, in lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. **Pages H5141, H5174**

Agreed to:

Hastings (WA) manager's amendment (No. 1 printed in part C of H. Rept. 112–616) that makes technical corrections to the underlying bill and **Pages H5174–75**

Richardson amendment (No. 3 printed in part C of H. Rept. 112–616) that adds a new section which provides that in determining the areas off the coast of California to be made available for leasing under this Act, the Secretary of the Interior shall consult with the Governor and legislature of the State of California. **Page H5176**

Proceedings Postponed:

Holt amendment (No. 2 printed in part C of H. Rept. 112–616) that seeks to strike the provision

that requires the Secretary of the Interior to conduct a single multi-sale environmental impact statement for all of the new areas opened for drilling by the underlying bill; **Page H5175**

Markey amendment (No. 4 printed in part C of H. Rept. 112–616) that seeks to prohibit gas produced under new leases authorized by this legislation from being exported to foreign countries;

Pages H5176–77

Markey amendment (No. 5 printed in part C of H. Rept. 112–616) that seeks to create a statutory requirement that new leases offered pursuant to this act include drilling safety improvements in response to the BP Deepwater Horizon disaster;

Pages H5177–78

Holt amendment (No. 6 printed in part C of H. Rept. 112–616) that seeks to end free drilling in the Gulf of Mexico by requiring oil companies to pay in order to receive new leases on public lands;

Pages H5178–79

Hastings (FL) amendment (No. 7 printed in part C of H. Rept. 112–616) that seeks to require each drilling permit application to include an estimate of how much the price of gasoline will decrease as a result of any oil or gas found under the permit; and

Pages H5179–81

Hastings (FL) amendment (No. 8 printed in part C of H. Rept. 112–616) that seeks to require each drilling permit application to include an estimate of the impact on global change of the consumption of any oil or gas found under the permit.

Pages H5181–82

H. Res. 738, the rule providing for consideration of the bills (H.R. 4078) and (H.R. 6082) was agreed to by a recorded vote of 244 ayes to 170 noes, Roll No. 503, after the previous question was ordered by a yea-and-nay vote of 238 yeas to 177 nays, Roll No. 502. **Pages H5148–50**

Presidential Message: Read a message from the President wherein he notified Congress that the national emergency declared with respect to the actions of certain persons to undermine the sovereignty of Lebanon or its democratic processes and institutions is to continue in effect beyond August 1, 2012—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 112–127). **Page H5141**

Quorum Calls—Votes: One yea-and-nay vote and one recorded vote developed during the proceedings of today and appear on pages H5148–49, H5149–50. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:49 p.m.

Committee Meetings

AFGHAN NATIONAL SECURITY FORCES AND SECURITY LEAD TRANSITION

Committee on Armed Services: Subcommittee on Oversight and Investigations held a hearing on Afghan National Security Forces and Security Lead Transition: The Assessment Process, Metrics, and Efforts to Build Capability. Testimony was heard from Kenneth Moorefield, Ambassador, Deputy Inspector General for Special Plans and Operations, Office of the Inspector General, Department of Defense; Charles M. Johnson, Jr., Director, International Affairs and Trade, Government Accountability Office; and public witnesses.

VALUE OF ALTERNATIVE TEACHER CERTIFICATION PROGRAMS

Committee on Education and the Workforce: Subcommittee on Early Childhood, Elementary, and Secondary Education held a hearing entitled ''Education Reforms: Discussing the Value of Alternative Teacher Certification Programs''. Testimony was heard from public witnesses.

NRC POLICY AND GOVERNANCE OVERSIGHT

Committee on Energy and Commerce: Subcommittee on Environment and the Economy and Subcommittee on Energy and Power held a joint hearing entitled ''NRC Policy and Governance Oversight''. Testimony was heard from the following Nuclear Regulatory Commission officials: Allison Macfarlane, Chairman; Kristine Svinicki, Commissioner; William Magwood, Commissioner; and William Ostendorff, Commissioner.

MISCELLANEOUS MEASURE

Committee on Energy and Commerce: Subcommittee on Energy and Power began a markup of the ''No More Solyndras Act''.

EXAMINING CONSUMER CREDIT ACCESS CONCERNS, NEW PRODUCTS AND FEDERAL REGULATIONS

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled ''Examining Consumer Credit Access Concerns, New Products and Federal Regulations''. Testimony was heard from public witnesses.

THE IMPACT OF DODD-FRANK'S INSURANCE REGULATIONS ON CONSUMERS, JOB CREATORS, AND THE ECONOMY

Committee on Financial Services: Subcommittee on Insurance, Housing and Community Opportunity held

a hearing entitled ''The Impact of Dodd-Frank's Insurance Regulations on Consumers, Job Creators, and the Economy''. Testimony was heard from public witnesses.

U.S. ENGAGEMENT IN CENTRAL ASIA

Committee on Foreign Affairs: Subcommittee on Europe and Eurasia held a hearing entitled ''U.S. Engagement in Central Asia''. Testimony was heard from Robert O. Blake, Assistant Secretary, Bureau of Central and South Asian Affairs, Department of State; and public witnesses.

SECURING FEDERAL FACILITIES

Committee on Homeland Security: Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies held a hearing entitled ''Securing Federal Facilities: An Examination of FPS Progress in Improving Oversight and Assessing Risk''. Testimony was heard from L. Eric Patterson, Director, Federal Protective Service, Department of Homeland Security; Mark L. Goldstein, Director, Physical Infrastructure Issues, Government Accountability Office; James Peerenboom, Director, Infrastructure Assurance Center, Associate Director, Decision and Information Sciences Division, Argonne National Laboratory.

LEGISLATIVE MEASURE

Committee on the Judiciary: Full Committee held a hearing on H.R. 3179, the ''Marketplace Equity Act of 2011''. Testimony was heard from Representatives Womack and Speier; and public witnesses.

THE AFTERMATH OF FRAUD BY IMMIGRATION ATTORNEYS

Committee on the Judiciary: Subcommittee on Immigration Policy and Enforcement, hearing entitled ''The Aftermath of Fraud by Immigration Attorneys''. Testimony was heard from Waldemar Rodriguez, Deputy Assistant Director, Transnational Crime and Public Safety Division, Homeland Security Investigations, Immigrations and Customs Enforcement, Department of Homeland Security; Sarah M. Kendall, Associate Director, Fraud Detection and National Security Directorate, U.S. Citizenship and Immigration Services; and public witnesses.

THE IMPACT OF CATASTROPHIC FOREST FIRES AND LITIGATION ON PEOPLE AND ENDANGERED SPECIES

Committee on Natural Resources: Full Committee held a hearing entitled ''The Impact of Catastrophic Forest Fires and Litigation on People and Endangered Species: Time for Rational Management of our Nation's Forests''. Testimony was heard from public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Indian and Alaska Native Affairs held a hearing on the following: H.R. 726, to amend the Grand Ronde Reservation Act to make technical corrections, and for other purposes; H.R. 3319, to allow the Pascua Yaqui Tribe to determine the requirements for membership in that tribe; and legislation to provide for the addition of certain real property to the reservation of the Siletz Tribe in the State of Oregon; and H.R. 6141, to provide for the addition of certain real property to the reservation of the Siletz Tribe in the State of Oregon. Testimony was heard from Michael Black, Director, Bureau of Indian Affairs, Department of the Interior; Terry Thompson, Lincoln County, Oregon; and public witnesses.

DAWOOD NATIONAL MILITARY HOSPITAL, AFGHANISTAN

Committee on Oversight and Government Reform: Subcommittee on National Security, Homeland Defense and Foreign Operations held a hearing entitled ''Dawood National Military Hospital, Afghanistan: What Happened and What Went Wrong?''. Testimony was heard from Colonel Mark F. Fassl, United States Army; Gerald N. Carozza, Jr., United States Army; Captain Steven Andersen, United States Coast Guard; and Daniel Blair, Inspector General for Auditing, Department of Defense Inspector General.

CREDIT CRUNCH: IS THE CFPB RESTRICTING CONSUMER ACCESS TO CREDIT?

Committee on Oversight and Government Reform: Subcommittee on TARP, Financial Services and Bailouts of Public and Private Programs held a hearing entitled ''Credit Crunch: Is the CFPB Restricting Consumer Access to Credit?''. Testimony was heard from Richard Cordray, Director, Consumer Financial Protection Bureau; and public witnesses.

REVIEW OF STATE AND FEDERAL EFFORTS TO SOLVE THE DOMESTIC METHAMPHETAMINE PRODUCTION RESURGENCE

Committee on Oversight and Government Reform: Subcommittee on Health Care, District of Columbia, Census and the National Archives held a hearing entitled ''Meth Revisited: Review of State and Federal Efforts to Solve the Domestic Methamphetamine Production Resurgence''. Testimony was heard from R. Gil Kerlikowske, Director, Office of National Drug Control Policy, Executive Office of the President; Rob Bovett, District Attorney, Lincoln County, Oregon; Marshall Fisher, Director, Mississippi

Bureau of Narcotics, State of Mississippi; Max Dorsey, Narcotics Lieutenant, South Carolina Law Enforcement Division, State of South Carolina; and Jason Grellner, Detective Sergeant, Franklin County Narcotics Enforcement Unit, State of Missouri.

REVIEW OF BUILDING CODES AND MITIGATION EFFORTS TO HELP MINIMIZE THE COSTS ASSOCIATED WITH NATURAL DISASTERS

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing entitled ''A Review of Building Codes and Mitigation Efforts to Help Minimize the Costs Associated with Natural Disasters''. Testimony was heard from Representative Diaz-Balart; David Miller, Associate Administrator, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency; Jimmy Gianato, Director of Homeland Security and Emergency Management, State of West Virginia; and public witnesses.

PHYSICIAN ORGANIZATION EFFORTS TO PROMOTE HIGH QUALITY CARE AND IMPLICATIONS FOR MEDICARE PHYSICIAN PAYMENT REFORM

Committee on Ways and Means: Subcommittee on Health held a hearing on physician organization efforts to promote high quality care and implications for Medicare physician payment reform. Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, JULY 25, 2012

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Energy and Water Development, to hold hearings to examine the proper size of the nuclear weapons stockpile to maintain a credible U.S. deterrent, 10 a.m., SD–192.

Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies, to hold hearings to examine the impact of sequestration on education, 10 a.m., SD–124.

Committee on Commerce, Science, and Transportation: To hold hearings to examine the International Space Station, focusing on research, collaboration, and discovery, 10 a.m., SR–253.

Full Committee, to hold hearings to examine short-supply prescription drugs, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: Subcommittee on Water and Power, to hold an oversight hearing to examine the role of water use efficiency and its impact on energy use, 2:30 p.m., SD–366.

Committee on Environment and Public Works: Business meeting to consider S. 847, to amend the Toxic Substances Control Act to ensure that risks from chemicals are adequately understood and managed, S. 357, to authorize the Secretary of the Interior to identify and declare wildlife disease emergencies and to coordinate rapid response to those emergencies, S. 810, to prohibit the conducting of invasive research on great apes, S. 1494, to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act, S. 2071, to grant the Secretary of the Interior permanent authority to authorize States to issue electronic duck stamps, S. 2156, to amend the Migratory Bird Hunting and Conservation Stamp Act to permit the Secretary of the Interior, in consultation with the Migratory Bird Conservation Commission, to set prices for Federal Migratory Bird Hunting and Conservation Stamps and make limited waivers of stamp requirements for certain users, S. 2282, to extend the authorization of appropriations to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2017, S. 3370, 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, S. 2251, to designate the United States courthouse located at 709 West 9th Street, Juneau, Alaska, as the Robert Boochever United States Courthouse, S. 2326, to designate the new United States courthouse in Buffalo, New York, as the ''Robert H. Jackson United States Courthouse'', S. 1735, to approve the transfer of Yellow Creek Port properties in Iuka, Mississippi, the nomination of Major General John Peabody, United States Army, to be a Member and President of the Mississippi River Commission, proposed resolutions relating to the General Services Administration, and proposed resolutions in the Corps Study, city of Norfolk, Virginia and Port Fourchon, Louisiana, 10 a.m., SD–406.

Committee on Finance: To hold hearings to examine education tax incentives and tax reform, 10 a.m., SD–215.

Committee on Foreign Relations: Subcommittee on Near Eastern and South and Central Asian Affairs, to hold hearings to examine Iran's support for terrorism in the Middle East, 10 a.m., SD–419.

Full Committee, to hold hearings to examine S. 2215, to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, focusing on economic statecraft, 3 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine assessing grants management practices at Federal agencies, 2:30 p.m., SD–342.

Committee on the Judiciary: To hold hearings to examine ensuring judicial independence through civics education, 10 a.m., SH–216.

Special Committee on Aging: To hold hearings to examine enhancing women's retirement security, 2 p.m., SD–562.

House

Committee on Agriculture, Full Committee, hearing entitled ''Oversight of the Swaps and Futures Markets: Recent Events and Impending Regulatory Reforms'', 10 a.m., 1300 Longworth.

Committee on Armed Services, Committee on Armed Services and Committee on Veterans' Affairs, joint hearing on Back from the Battlefield: DOD and VA Collaboration to Assist Service Members Returning to Civilian Life, 10 a.m., 2118 Rayburn.

Subcommittee on Emerging Threats and Capabilities, hearing on Digital Warriors: Improving Military Capabilities for Cyber Operations, 3:30 p.m., 2118 Rayburn.

Committee on Education and the Workforce, Subcommittee on Health, Employment, Labor, and Pensions, hearing entitled ''Examining Proposals to Strengthen the National Labor Relations Act'', 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy and Power, continue markup of the ''No More Solyndras Act'', 10 a.m., 2123 Rayburn.

Committee on Financial Services, Full Committee, hearing entitled ''The Annual Report of the Financial Stability Oversight Council'', 9:30 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Full Committee, hearing entitled ''Investigating the Chinese Threat, Part Two: Human Rights Abuses, Torture and Disappearances'', 10 a.m., 2172 Rayburn.

Committee on Homeland Security, Full Committee, hearing entitled ''Understanding the Homeland Threat Landscape'', 10 a.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Crime, Terrorism, and Homeland Security, hearing entitled ''Beyond the Streets: America's Evolving Gang Threat'', 10 a.m., 2141 Rayburn.

Subcommittee on Intellectual Property, Competition and the Internet, hearing entitled ''Cloud Computing: An Overview of the Technology and the Issues facing American Innovators'', 12:30 p.m., 2141 Rayburn.

Committee on Oversight and Government Reform, Full Committee, hearing entitled ''GAO Report: The Obama Administration's $8 Billion Extralegal Healthcare Spending Project'', 9:30 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Full Committee, hearing entitled ''Drought Forecasting, Monitoring and Decision-making: A Review of the National Integrated Drought Information System'', 10 a.m., 2318 Rayburn.

Committee on Small Business, Full Committee, hearing entitled ''Tales of Resilience: Small Business Survival in the Recession'', 1 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment, hearing entitled ''Integrated Planning and Permitting, Part 2: An Opportunity for EPA to Provide Communities with Flexibility to Make Smart Investments in Water Quality'', 10 a.m., 2167 Rayburn.

Committee on Ways and Means, Subcommittee on Oversight, hearing on Public Charity Organizational Issues, Unrelated Business Income Tax, and the Revised Form 990, 9:30 a.m., 1100 Longworth.

Full Committee, hearing on the Use of Technology to Improve the Administration of SSI's Financial Eligibility Requirements, 2 p.m., 1100 Longworth.

Next Meeting of the SENATE

9:30 a.m., Wednesday, July 25

Senate Chamber

Program for Wednesday: The Majority Leader will be recognized. At 2:15 p.m., Senate will vote on the motion to invoke cloture on the motion to proceed to consideration of S. 3412, Middle Class Tax Cut Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, July 25

House Chamber

Program for Wednesday: Complete consideration of H.R. 6082—Congressional Replacement of President Obama's Energy-Restricting and Job-Limiting Offshore Drilling Plan. Begin consideration of H.R. 4078—Regulatory Freeze for Jobs Act of 2012 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Barletta, Lou, Pa., E1313
Becerra, Xavier, Calif., E1309
Berman, Howard L., Calif., E1313
Braley, Bruce L., Iowa, E1309
Burgess, Michael C., Tex., E1303
Calvert, Ken, Calif., E1312
Carter, John R., Tex., E1311
Cicilline, David N., R.I., E1303
Clarke, Yvette D., N.Y., E1312
Coffman, Mike, Colo., E1311
Courtney, Joe, Conn., E1307
Duffy, Sean P., Wisc., E1310
Eshoo, Anna G., Calif., E1310, E1312
Frank, Barney, Mass., E1311
Gallegly, Elton, Calif., E1309, E1314
Gonzalez, Charles A., Tex., E1308
Graves, Sam, Mo., E1309
Johnson, Eddie Bernice, Tex., E1313
Johnson, Timothy V., Ill., E1307
Kucinich, Dennis J., Ohio, E1306, E1307, E1309, E1310
Labrador, Rau R., Idaho, E1314
Neal, Richard E., Mass., E1308
Poe, Ted, Tex., E1305
Posey, Bill, Fla., E1308
Smith, Christopher H., N.J., E1303
Thompson, Bennie G., Miss., E1307, E1309, E1314
Visclosky, Peter J., Ind., E1303
Woolsey, Lynn C., Calif., E1308
Young, C.W. Bill, Fla., E1306

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Printing Office at *www.fdsys.gov*, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Printing Office. Phone 202–512–1800, or 866–512–1800 (toll-free). E-Mail, *contactcenter@gpo.gov*. ¶The *Congressional Record* paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $252.00 for six months, $503.00 per year, or purchased as follows: less than 200 pages, $10.50; between 200 and 400 pages, $21.00; greater than 400 pages, $31.50, payable in advance; microfiche edition, $146.00 per year, or purchased for $3.00 per issue payable in advance. The semimonthly *Congressional Record Index* may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197–9000, or phone orders to 866–512–1800 (toll-free), 202–512–1800 (D.C. area), or fax to 202–512–2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record,* U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.