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## House of Representatives

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

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
July 14, 2011.

I hereby appoint the Honorable DANIEL WEBSTER 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 5, 2011, 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.

### BRING OUR TROOPS HOME FROM AFGHANISTAN

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

Mr. JONES. Mr. Speaker, I plan to come to the floor at least once, maybe twice a week until we get our troops home from Afghanistan. I do that because I have the privilege to represent the Third District of North Carolina, the home of Camp Lejeune Marine Base, Cherry Point Marine Air Station, and Seymour Johnson Air Force Base. I have been privileged, since I didn't

serve, to have great relationships with active duty and retired marines in the district.

I want to share with this House, Mr. Speaker, that we continue to support a corrupt leader and a corrupt government. Just recently, the half brother of Mr. Karzai, Wali Karzai, was murdered in Afghanistan. This only reinforces the fact that Afghanistan is in a fragile situation at every level of their government. It is in chaos, quite frankly.

Just this week, I spoke with a Marine colonel who has been to Afghanistan three times. He was in my office on Tuesday, and he shared the same sentiments as the retired Marine general who has been advising me for 20 months. Recently, I emailed the general and I said, Please give me your ideas of what Mr. Obama has proposed in bringing 10,000 of our troops out in July and then another 23,000 next year, 2012. This is what he emailed back to me, Mr. Speaker, and I read:

"I think the timeline is too long. I think he needs to increase the number of troops coming out of country, more and quicker."

Another point he made in his email is: "Get real with 'training' an army and police force. All we are doing is training eventual new members of the Taliban. Trainers are doing a wonderful job, but we don't have the time to 'make' an army."

And, Mr. Speaker, then it was kind of sad the way he closed: Every day somebody from our country dies—a marine, a soldier, an airman, Navy, whatever.

Mr. Speaker, I bring posters to the floor—I have probably 12 now that I want to bring to the floor every time that I speak—to remind the House that there is pain in war.

The wife to my left on the poster is in tears. The little girl, who is about 2 years of age, she doesn't understand why this Army officer is kneeling before her with a folded flag. Yet I would say to the little girl: When you grow

older and you're old enough to know, your daddy was a real hero, Sergeant Jeffrey Sherer, who gave his life for this country.

Mr. Speaker, that leads me to share with the House an editorial that was written about 4 weeks ago by Eugene Robinson, and the title is, "Afghan Strategy: Let's Go." And I want to read from his editorial:

"Slender threads of hope are nice, but they do not constitute a plan. Nor do they justify continuing to pour American lives and resources into the bottomless pit of Afghanistan. The threat from Afghanistan is gone. Bring the troops home."

This, again, is an editorial from Eugene Robinson.

Mr. Speaker, with our Nation in such a financial crisis, the people of the Third District of North Carolina, which I represent, ask me many times when I'm home on the weekends: Why are we still in Afghanistan? Why are we still spending \$10 billion a month to prop up a corrupt leader and there's no future in Afghanistan?

We're not going to change history. History has always said to these great nations like America: You go into Afghanistan, you're never going to change anything.

The Congress needs to join those of us on both sides of the aisle when we debate trying to bring our troops home from Afghanistan.

Mr. Speaker, before I close, again I want to make reference to the wife in tears and the little girl looking up at the Army officer wondering, Why are you giving me this flag? Young lady, your daddy was a hero.

I close, Mr. Speaker, by saying to God, please bless our men and women in uniform. God, please bless the families of our men and women in uniform. God, please, in Your loving arms, hold the families who have given a child dying for freedom in Afghanistan and Iraq.

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

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



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God, please bless the House and Senate, that we will do what is right. God, please give wisdom, strength, and courage to President Obama, that he will do what is right.

And three times, God please, God please, God please continue to bless America.

#### THE MASSIVE TRANSFER OF WEALTH FROM THE MANY TO THE HANDS OF A FEW

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

Mr. KUCINICH. The rancorous debate over the debt belies a fundamental truth of our economy: that it is run for the few at the expense of the many, that our entire government has been turned into a machine which takes the wealth of the mass of Americans and accelerates it into the hands of a few. Let me give you some examples.

Take war. War takes the money from the American people and puts it into the hands of arms manufacturers, of war profiteers, of private armies. The war in Iraq, based on lies, \$3 trillion will be the cost of that war, at least. The war in Afghanistan, based on a misreading of history, half a trillion dollars in expenses already. The war against Libya will be \$1 billion by September. Fifty percent of our discretionary spending goes for the Pentagon. A massive transfer of wealth into the hands of a few while the American people lack sufficient jobs, health care, housing, retirement security.

Our energy policies take the wealth from the American people and put it into the hands of the oil companies. We could be looking at \$150 a barrel for oil in the near future.

□ 1010

Our environmental policy takes the wealth of the people, clean air, clean water, and puts it in the hands of the polluters. It's a transfer of wealth not only from the present but from future generations, as our environment is ruined.

Insurance companies, what do they do? They take the wealth from the American people, in terms of what they charge people for health insurance, and they put it into the hands of the few.

We have to realize what this country's economy has become. Our monetary policy, through the Federal Reserve Act of 1913, privatized the money supply, gathers the wealth and puts it in the hands of the few while the Federal Reserve can keep creating money out of nothing, give it to banks to park at the Fed, and our small businesses are starved for capital.

Mark my words: Wall Street cashes in whether we have a default or not. And the same type of thinking that created billions in bailouts for Wall Street and more than \$1 trillion in giveaways by the Federal Reserve today leaves 26 million Americans either underemployed or unemployed.

And 9 out of 10 Americans over the age of 65 are facing cuts in their Social Security in order to pay for a debt which grew from tax cuts for the rich and from endless wars.

There is a massive transfer of wealth from the American people to the hands of the few, and it's going on right now as America's eyes are misdirected to the political theater of these histrionic debt negotiations: threats to shut down the government, a willingness to make the most vulnerable Americans pay dearly for debts they did not create. These are symptoms of a government which has lost its way, and they are a challenge to the legitimacy of the two-party system.

#### CONGRATULATING DR. JOHN SHANK ON HIS RETIREMENT FROM TEMPLE UNIVERSITY

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize a dear friend and colleague, Dr. John Shank, and congratulate him on his retirement from Temple University. Dr. Shank is a tenured professor at Temple University, where he serves as the director of the Therapeutic Recreation Program within the Department of Rehabilitation Sciences.

In his 25 years of tremendous service to Temple, Professor Shank has put forth a level of commitment to the advancement of professional knowledge within the field of recreational therapy that is second to none. Without a doubt, John's scholarly successes have overwhelmingly contributed to the reputation of Temple University being regarded as the most prolific academic center within the field of recreational therapy. Not only has Dr. Shank made tremendous contributions to his field, he has served as an outstanding teacher and role model to those students who were fortunate enough to have him as a classroom instructor or research adviser.

Dr. Shank, thank you, for a lifetime of academic and recent achievements and for your contributions to the field of recreational therapy at Temple University. I congratulate you on your retirement and wish you well in the future.

#### COLOMBIA FREE TRADE AGREEMENT

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

Mr. GEORGE MILLER of California. Mr. Speaker and Members of the House, very shortly the United States Congress is likely to consider three ill-conceived and ill-timed trade agreements that will do nothing to create jobs in this country. One of these agreements is with the nation of Colombia.

One of our most important responsibilities as elected officials is to promote and protect American jobs and American values. We do this by ensuring that those who receive trade preferences respect essential democratic rights. These are important rights: the right to speak out and protest, the right to organize unions and bargain collectively, and the right of citizens to support political efforts to improve their economic condition without reprisals.

Unfortunately, we see what happens when union members in Colombia try exercise their rights. Death squads are unleashed against union activists and human rights defenders; labor leaders are gunned down in broad daylight. This isn't yesterday's news. The intimidation and violence continue to this day. There have been 17 confirmed killings of unionists in Colombia this year, according to a human rights group. Last year, 90 unionists were murdered worldwide, 49 of them in Colombia. Colombia unionists face the highest rates of murder anywhere in the world.

To overcome longstanding objections to passage of the Colombia free trade agreement, President Santos of Colombia and President Obama signed a Labor Action Plan on April 7. The plan includes deadlines for new laws that could enable workers to form unions as a means to advance social progress in Colombia. This plan has deadlines to restrict the use of cooperatives that allow employers to evade bargaining directly with their workers. It calls for new labor enforcement agencies and the hiring of additional inspectors.

On the one hand, the labor action plan has important elements that are necessary and valuable, and President Santos is to be commended for advancing this initiative; however, there are major gaps in the action plan. There are no benchmarks to show whether or not the new laws on paper have translated into laws on the ground. Will workers have greater ability to exercise their rights, to organize, to bargain collectively, and to negotiate contracts directly with their employers? Will levels of violence and murders against trade unionists be substantially reduced? Will employers and companies that violate the rights of workers be punished, as prescribed under the new laws?

We don't know if these are merely gains on paper or if they are real. And based upon the accelerated schedule, it appears we won't be given a chance to learn if there will be real change on the ground before we consider the trade agreement with Colombia.

Any trade agreement with Colombia must produce a verifiable reduction in the violence. It must protect human rights. It must end the impunity enjoyed by death squads and paramilitaries. Due to the lack of benchmarks for progress, Colombia could still have a record year of assassinations and the action plan would be declared a success.

Under the plan, the Colombian Government is supposed to be providing expanded physical protections for union activists. I met with regional and national union leaders last month who told me that little has changed on the ground. They told me they haven't received protection.

The action plan calls for hiring additional labor inspectors over the next 4 years to enforce these new laws. There's a program to relocate teachers who have received death threats. There is a program to address the backlog of thousands of union homicide cases that have yet to be prosecuted. And there is no assurance that the actions will be carried out.

Last week, the Ways and Means Republicans opposed efforts to require Colombia to meet its obligations under the action plan as of the date the free trade agreement goes into force. Without this provision, the U.S. has no leverage to assure implementation of the labor action plan. Maybe that is what the multinational corporations pushing this deal want. And since the agreement is being brought to the floor under fast track, Congress will not be able to consider amendments to make the action plan enforceable.

Given this predicament, the least the administration can do is to stand behind its own action plan. The implementing legislation should require Colombia to fully comply with the plan before the agreement takes effect. The administration should confirm that compliance through on-the-ground consultations with labor and human rights organizations. Without real change on the ground, this trade agreement is not fair to Colombian workers. They deserve their basic right not to be subjected to threats and murder because they demand a better life.

This agreement does not fairly represent our Nation's values, and it's fundamentally unfair to America's workers. They can't compete with workers who face death squads for wanting better working conditions. They can't compete with a country that continues to allow thousands of assassins to operate with impunity. It's past time that we, as a Nation, stand up for American values and American workers.

#### REMEMBERING FORMER FIRST LADY BETTY FORD

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

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today to pay tribute to a great American with a legacy of being a passionate advocate for the issues that she believed in.

Former First Lady Betty Ford passed away earlier this week at the age of 93. She was known as a beacon of warmth and kindness. She was also a tough lady. She's being buried today next to her husband, Jerry Ford, in Grand Rapids at the Presidential museum.

My entire family and I had opportunities to meet her over the years, and

I have to say, it's truly an honor now to represent part of the district that Jerry Ford had so long served in this very House.

□ 1020

We are all deeply saddened by her passing. Mrs. Ford cared deeply about others, as evidenced in her work helping people through their addiction and recovery from chemical dependency through the Betty Ford Clinic, and her work to raise awareness of breast cancer and many other issues, all at a time when those things really were not discussed much in public.

Above all, she led the Ford team as she supported her husband's service to a Nation with admirable love and mutual respect, at times literally being his voice, like she did that evening that he made his concession speech in 1976.

Well, this spring, at the dedication ceremony of the statue of President Ford here in the Rotunda lying just beyond, we were reminded of his calm, steady leadership, and his ability to reach out to others. They were always a team. And it was as much a tribute to her as it was to President Ford.

Again, we continue to pray for the Ford children, Susan, Jack, Mike, and Steve, and the entire Ford family as we pay tribute to their mother and the legacy that she leaves behind.

Rest well, Mrs. Ford, rest well.

#### COLOMBIA: DEMAND RESULTS ON LABOR AND HUMAN RIGHTS

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

Mr. MCGOVERN. Mr. Speaker, 6 days ago, on Friday, July 1, armed men assassinated a candidate for the city council of Caldas, a town just outside of Medellin, Colombia. He was the ninth local candidate murdered over the last few months.

Last Thursday, June 30, Luis Eduardo Gomez, a Colombian journalist and witness for a high profile investigation into links between Colombian politicians and paramilitary groups, was shot down and killed in northwestern Antioquia, an area I visited first in 2001. Gomez was 70 years old. He was returning home at night with his wife when he was gunned down. He was murdered a few days after another witness in the case was killed. And investigators for the Attorney General have said several other witnesses have disappeared.

Antonio Mendoza Morales was a councilman in the Caribbean town of San Onofre, Sucre. The 34-year-old Mendoza was also a leader of the Association of Displaced Persons of San Onofre and the Montes de Maria. He was also shot and killed last Thursday night. He is at least the 11th land claims, victims' rights, or displaced persons leader to have been killed in Colombia so far this year.

Displaced persons and victims' rights advocates in the Sucre region received a series of death threats during the month of June. We don't know yet whether Mendoza's killing is related to these threats. But I traveled to Sucre in 2003, and can attest to the daily violence suffered by local leaders and displaced persons and campesino organizations.

On June 7, Anna Fabricia Cordoba, 51, a leader of the displaced and a land rights activist, was shot dead by an unidentified gunman while riding on a bus in Medellin. She had fled her home in northern Antioquia in 2001 after several of her family members were killed. She had been campaigning for the restitution of lands to Colombia's displaced, and was a member of Ruta Pacifica, the Peaceful Path, a women's organization calling for a negotiated end to the war. In 2008, Ruta Pacifica testified before the Tom Lantos Human Rights Commission about Colombia's internally displaced. Cordoba, an Afro-Colombian, had been receiving death threats for months. She had asked the Colombian Government for protection, but had not received any. Her children have received death threats following their mother's death.

The Inter-American Commission for Human Rights condemned Cordoba's murder and expressed alarm over the increase in serious threats against Colombian human rights defenders. The situation is getting worse. Every day I receive news about threats, murders, and disappearances of Colombian labor and human rights activists and community leaders.

Mr. Speaker, I recite this sad litany of recent murders to impress upon my colleagues that these are real people, real leaders, being murdered every single day in Colombia. Will their murderers be brought to justice or will their deaths be just one more case that remains in impunity? Will the government's promises to their families to seek justice be fulfilled? Will other threatened leaders and their families receive real protection? I hope so, but we simply don't know yet. Promises are easy. Results take time, commitment, and political will to achieve.

This morning, some of my colleagues will describe the dangers facing Colombia's labor activists. Colombia still remains the most dangerous place in the world to be a unionist. But violence against Colombia's workers happens in the context of a very threatening landscape for anyone who has the courage to organize their communities, run for public office, or stand up for the rights of the poor, the displaced, and the victims of human rights abuse. The source of violence are all the illegal armed actors, the FARC, the ELN, the paramilitaries, and criminal networks known as BACRIM. And also, sadly, it includes members and units of the Colombian military and police.

Before any trade agreement is brought to the Congress for a vote, we owe it to the brave people of Colombia

to give the Santos administration time to demonstrate that it can carry out the historic reforms that it has announced as its priorities. We need time to see if the initial steps required by the U.S.-Colombia Labor Action Plan actually result in changes on the ground inside Colombia. Will workers be able to exercise their rights, organize freely, and bargain directly with their employers without the fear of death? And we need time to determine whether violence against rights defenders and community leaders is actually reduced under the leadership of President Santos, and whether greater protections are provided and prove to be effective.

We need to see, and we should demand to see, results on the ground before Congress takes up the free trade agreement. Let's use whatever leverage the U.S. has in Colombia to help end a culture of impunity and violence that by any standard is intolerable. I cannot approve an FTA on the basis of good intentions. It must be based on results.

Mr. Speaker, in conclusion, let me just say trade agreements should be about lifting people up, not keeping them down.

11 COLOMBIAN LAND RIGHTS, VICTIMS' RIGHTS AND DISPLACED LEADERS MURDERED IN 2011 (6/30/11)

February 4

Ana M. Hernández. Assassinated with her 10 year old son. Community Board member of El Cupadero en Frontino (Antioquia). She was killed in front of her 3 children.

March 6

Zoraida Acevedo. Leader of Familias en Acción en Tibú (Norte de Santander). She was shot in front of her husband and her four children.

March 19

Hernán Pinto, victims' rights leader in Cundinamarca, he was murdered brutally, clubbed and stoned to death. Sources say the perpetrators were the FARC.

March 22

Bernardo Ríos Londoño, 27, member of the San José de Apartadó Peace Community, in the Urabá region of northwestern Antioquia.

March 23

David Góez and Éver Verbel. Goez was assassinated near a commercial center in Medellín. Verbel was killed in San Onofre (Sucre).

April 7

Andrés Álvarez Orozco. Campesino leader of Antioquia who had denounced irregular actions by the Public Forces (pólice) in this región.

April 15

Hugo Ulcué. Assassinated when leaving an event in Cauca. He was an indigenous leader who had called for reparations for the massacre of the Naya people.

April 27

Martha Gaibao. Leader on land rights and restitution for six communities in Southern Córdoba. She was assassinated as she arrived at her home.

June 7

Ana Fabricia Córdoba Cabral, 51, member of Ruta Pacífica de Mujeres and founder of the Association of Leaders Moving Forward for a Human Fabric of Peace/LATEPAZ. Murdered by gunman on motorcycle while she was riding on a bus in Medellín.

June 30

Antonio Medoza Morales, councilman in San Onofre (Sucre) and leader of the Associa-

tion of Displaced Persons of San Onofre and the Montes de Maria. Shot and killed at a billiard hall near his home.

Sources: El Tiempo (Bogotá, Colombia) 6/8/11; 6/20/11; and 7/1/11.

[From the Inter-American Commission on Human Rights, Organization of American States, June 20, 2011]

IACHR CONDEMNS MURDER OF HUMAN RIGHTS ACTIVIST AND EXPRESSES CONCERN OVER NEW THREATS TO HUMAN RIGHTS DEFENDERS IN COLOMBIA

WASHINGTON, DC.—The Inter-American Commission on Human Rights (IACHR) condemns the murder in Colombia of Ana Fabricia Córdoba Cabrera, an Afro-descendant community leader who worked with displaced persons seeking the restitution of lands in the Urabá region. The Commission also expresses its deep concern over a new death threat targeting human rights defenders and organizations.

According to the information the IACHR has received, Ana Fabricia Córdoba was a member of the organization Ruta Pacífica de las Mujeres (Women's Peaceful Path) and a founder of the Asociación Líderes Hacia delante por un Tejido Humano de Paz (Association of Leaders Moving Forward for a Human Fabric of Peace, LATEPAZ), whose mission is to support victims of forced displacement. Ana Fabricia Córdoba Cabrera had allegedly reported a number of cases in which rights of displaced persons had been violated by paramilitaries in the Medellín neighborhoods of La Cruz and La Honda. The information indicates that on June 7, a man shot the community leader with a firearm while she was traveling on a bus on her way to Santa Cruz. The IACHR is deeply concerned that Colombian government authorities have admitted publicly that the murder of Ana Fabricia Córdoba could have been averted, since the Ministry of the Interior's Protection Program had reportedly known about threats against the community leader since May 9 but had failed to implement protection measures in a timely manner.

According to the information available, days before the murder, dozens of organizations that work to defend the rights of the displaced population—including Ruta Pacífica de las Mujeres, to which the human rights defender belonged—received a death threat dated June 2. It was signed by the armed group "Rastrojos" and targeted those who had played an active role in the framework of Colombia's Victims and Land Restitution Law, passed on Friday, June 10. The organizations targeted by the threat include CREAR, Arco Iris, Fundación Social, Sisma Mujer, Red de Empoderamiento, Colectivo de Abogados José Alvear Restrepo, FUNDEPAZ, Casa Mujer, Ruta Pacífica de las Mujeres, FUNDHEFEM, CODHES, FUNDEMUD, MOVICE, UNIPA, and Fundación Nuevo Amanecer. The threat also mentioned several individuals by name, including Viviana Ortiz, Angélica Bello, Ruby Castaño, María Eugenia Cruz, Piedad Córdoba, Lorena Guerra, and Iván Cepeda. Members of several of the aforementioned organizations as well as several of those named individually in the threat are beneficiaries of precautionary measures granted by the IACHR. The Commission also observes with concern that the document signed by "the Rastrojos" threatens the United Nations Development Programme (UNDP) and the Office of the United Nations High Commissioner for Refugees (UNHCR).

The Commission reiterates that one of the first steps to effectively protect human rights defenders is to publicly recognize the legitimacy of their work and to take steps to protect them from the moment the public

authorities learn that they have received threats due to their work. The Commission brings to mind that in many cases, such as with Ana Fabricia Córdoba, the death of human rights defenders is preceded by threats that were reported to the authorities.

The Commission urges the State to guarantee the right to life, integrity, and security of Ana Fabricia Córdoba's family members, investigate what occurred, and punish those responsible for her murder. The Commission also urges the State of Colombia to immediately and urgently adopt any necessary measures to guarantee the right to life, integrity, and security of human rights defenders, especially the organizations and individuals who have been threatened. The State should carry out a comprehensive and systematic investigation of the threat with respect to all the organizations and individuals named therein.

The Commission reiterates that the work of human rights defenders is critical to building a solid, lasting democratic society and to fully attaining the rule of law. In this regard, acts of violence and other attacks against human rights defenders impinge on the essential role they play in society and contribute to the vulnerability of those whose rights they are working to defend.

A principal, autonomous body of the Organization of American States (OAS), the IACHR derives its mandate from the OAS Charter and the American Convention on Human Rights. The Inter-American Commission has a mandate to promote respect for human rights in the region and acts as a consultative body to the OAS in this matter. The Commission is composed of seven independent members who are elected in a personal capacity by the OAS General Assembly and who do not represent their countries of origin or residence.

[From the Committee to Protect Journalists, July 5, 2011]

PROVINCIAL JOURNALIST SHOT TO DEATH IN COLOMBIA

NEW YORK.—Luis Eduardo Gómez, a Colombian freelance journalist who was a witness for an investigation into links between politicians and paramilitary groups, was shot and killed on Thursday in the town of Arboletes, in the northwestern province of Antioquia, according to news reports. The Committee to Protect Journalists called on Colombian authorities today to thoroughly investigate his murder and bring those responsible to justice.

Gómez, 70, was returning home at night with his wife when he was gunned down by unidentified assailants who fled the scene on a motorcycle, according to local press reports. Gomez had reported on local corruption and links among politicians and illegal right-wing paramilitary groups in the Urabá region of Antioquia, the Colombian press freedom group Foundation for Press Freedom (FLIP) said. Most recently, he had written about tourism and the environment for the newspapers El Heraldo de Urabá and Urabá al día, among others, the Colombian press said.

According to the newspaper El Colombiano, the journalist had not received any threats prior to his death.

Gómez was participating as a witness in the attorney general's investigation of links between politicians and right-wing paramilitary groups, a scandal known as "parapolitics." Another witness in the case was killed a few days before the journalist's death, and investigators said other witnesses have disappeared, according to press reports. Gómez was also investigating the unsolved murder of his son, who was also his professional collaborator, and was killed two years ago, the daily El Espectador said.

"We urge Colombian authorities to fully investigate the murder of freelance reporter Luis Eduardo Gómez, establish whether he was killed for his work, and bring those responsible to justice," said Carlos Lauria, CPJ's senior program coordinator for the Americas. "Colombia has made progress recently in its fight against impunity in journalist murders. It must not allow this new killing to set its progress back."

The parapolitics scandal broke in late 2006, after the weekly newsmagazine *Semana* published a series of investigative pieces that forced Colombian authorities to examine the alleged associations. Dozens of former and current members of Congress have been detained or investigated since 2007, the press said.

The Urabá region of Antioquia province has been marked by violence for some time and was controlled for many years (until 2006) by the paramilitary group the United Self-Defense Forces of Colombia (AUC), press reports said. Colombian provincial journalists, working in areas where paramilitaries and other illegal armed groups are prevalent, face challenges in trying to report on the organizations' activities, CPJ research shows.

With 43 journalists killed for their work since 1992, Colombia has historically been one of the most dangerous places in the world for journalists, CPJ research shows. However, CPJ's Impunity Index has showed that over the past four years the country is improving its record, as anti-press violence has slowed and authorities have had some success in prosecuting journalist murders.

#### DEBT CEILING/JOBS

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

Mr. NUNNELEE. Mr. Speaker, last week we learned that the economy added a meager 18,000 jobs and the unemployment rate went up to 9.2 percent, far from the 6.7 percent that President Obama claimed it would be today if the stimulus bill had been signed into law. Far too many Americans are looking for jobs. Yet the President insists that tax increases are the way to fix Washington's spending problem. Tax hikes that will destroy jobs and destroy the confidence that our job creators need to hire new employees. To keep American jobs here we don't need to raise taxes. We do need to get our fiscal house in order.

Twenty-two million Americans search daily for full-time work, the worst sustained unemployment streak since the Great Depression. To these Americans, there is no end in sight. For them, unemployment's not a rate, it's a reality. Our job crisis has everything to do with our spending crisis and our debt crisis.

If we hit the August 2 deadline, the United States Government will face what many Americans have felt: Too much month left at the end of our money. We simply won't have enough money to pay our bills. Americans have had to make that decision time and time again. At the end of the month, they have to decide what to pay first—the mortgage, the electric bill, the grocery bill, or the car payment.

Now, I will be very disappointed if, in making those decisions, the administration chooses to play politics. We need to make sure we pay Social Security, interest on the debt, Medicare, and our troops that are standing in harm's way. The American people want real solutions, and the House of Representatives has committed to a long-term plan. We voted for a budget that would make Washington start living within its means. Even the President's own chief of staff has said that in 5 years Medicare is going broke.

However, it's been 800 days since our friends in the Senate have passed a budget. And they have nine House-passed jobs bills sitting in their hands, but they refuse to act on any of them.

A recent poll shows that only 17 percent of mothers believe that their children will have a better life in the future. At every townhall meeting I ask participants whether they think their grandchildren will live a better quality of life than they live. The response is slim.

If Congress is going to be asked to raise the debt ceiling, we must have a long-term plan to fix Washington's spending problem. House Republicans have made our demands clear. We will not raise the debt ceiling without spending cuts larger than an increase in the debt ceiling. We will not raise the debt ceiling without structural reforms that restrain further spending and guarantee that we don't get into this mess again. And I am not interested in a temporary band-aid. We have already voted "no" on raising our debt limit without significant cuts and reforms.

□ 1030

We will not support a plan that raises taxes on hardworking Americans. We didn't get into this problem because taxes are too low. We are in this situation because of runaway spending and the failed economic policies of this administration.

We need to move forward and solve this crisis in a responsible way.

#### HONORING FREDRICK DOUGLAS WILLIAMS III

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

Ms. SEWELL. Mr. Speaker, I rise today to recognize and honor the accomplishments of Mr. Frederick Douglas Williams III of Selma, Alabama, a great American and a trailblazing Alabamian.

After more than 50 years in the floral business, Mr. Fred D. Williams III retired on June 30, 2011. A fixture in the Selma community for more than five decades, Fred Williams has provided his floral expertise to countless families for weddings, graduations and other special occasions in the Seventh Congressional District of Alabama and throughout the Southeast. Fred's Flower and Gift Shop opened on Octo-

ber 15, 1956, and served as a vital part of the Selma community.

Fred Williams comes from a family of public servants and entrepreneurs. His parents were pillars in the City of Selma and served as role models for the entire community. His mother, Ms. Mary Ellen Richardson Williams, was a beloved educator; and his father, Fred D. Williams, Jr., was a wise and generous business owner. His father owned J.H. Williams & Sons Funeral Home, established in 1905 and still in operation today in Selma, Alabama. The Williams family were pioneers in a time when African American businesses were few or nonexistent. The opening of Fred's Flower and Gift Shop was an extension of his family legacy.

Fred Williams spent most of his formative years in Selma. He moved with his family to Richmond, Virginia, in the 1950s where he graduated from Maggie L. Walker High School. He then went on to attend the historic Stillman College in Tuscaloosa, Alabama. After graduation, he returned to his hometown of Selma and opened his flower shop in 1956.

For 45 years, Fred Williams was married to Martha J. Williams, who passed away on July 15, 2003. Their marriage was blessed with two children: Kay Frances Williams, who is married to Earl Johnson of Alexandria, Virginia; and Kimberly Joyce Williams, who is married to John Dylan of Bloomington, Minnesota. He has two beautiful granddaughters: McKenzie, who is 13; and Madison, who is 7.

For over 50 years, as Selma's premier florist, Fred Williams shared his creative genius, creating exquisite floral arrangements, providing supreme service to his loyal customers, and serving as an inspiration to all small businesses. Fred Williams is loved, admired, and highly respected by the entire Selma community, and I am honored to call him "Uncle Fred." His retirement will be a great loss to the business community, but I know that his commitment to bettering Selma will remain unwavering.

On a personal note, I grew up in the Williams household, and his daughter Kim and I were childhood best friends. In fact, there is not a childhood memory that I have that does not include the Williams family or my many visits to Fred's Florist. Because of the closeness of my family that we shared with the Williams family over these many years, I have always affectionately known him as "Uncle Fred."

Through his business and philanthropy, Uncle Fred has made an indelible mark on the community in Selma, Alabama, and I am extremely grateful for the part that he played in raising me. I would like to sincerely thank him for his fortitude and over 50 years of service. The community of Selma and the State of Alabama appreciates your public service and commitment to business excellence.

Therefore, I, TERRI SEWELL, Representative to the United States Congress from the Seventh District of Alabama, do hereby recognize Mr. Fred D. Williams III for his numerous contributions to the City of Selma, Alabama. I ask those present today to join me in honoring Fred D. Williams III for his retirement and commending him for his many achievements on behalf of the State of Alabama.

#### THE DEBT CEILING

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

Mr. WOODALL. Mr. Speaker, I came to the House floor today to talk about the big deal. Every time I open up a newspaper, Mr. Speaker, this week it's been talking about the big deal, the big deal that's going on at the White House.

I want to set the record straight here today. The big deal happened right here on the floor of this House, when the only budget that's passed in all of Washington, D.C., all year long, cutting \$6 trillion in spending, was passed by this body, Mr. Speaker. That's the big deal—\$6 trillion agreed upon by this United States House of Representatives. Now, I know down at the White House they are talking about the big deal is 3 trillion in spending cuts, 6 trillion, Mr. Speaker. The big deal started right here now.

You know, Mr. Speaker, I am a big fan of the open process that we have had in this House where every single Member of the United States House of Representatives come here and have their voices heard, offer their ideas, offer their opinions, and that happened in our voting process, Mr. Speaker.

I have a vote tally here from that week of voting on the budget. The Congressional Black Caucus budget came to the floor of this House, was debated, considered. It received 103 affirmative votes, 103. The Republican Study Committee budget came, debated in this House, 119 affirmative budgets. The Progressive Caucus budget came, 77 affirmative votes. Congressman VAN HOLLEN brought a Democratic alternative, 166 affirmative votes.

The only budget to get 218 votes, Mr. Speaker, was the House Budget Committee budget with 235 "yes" votes, 235. Now, that's a budget that was laid out line item by line item by line item, so absolutely everyone in America could see what it was that we were doing to achieve these savings to change the direction of our borrowing and our spending.

Now, no one even introduced the President's budget in this body, Mr. Speaker. No one offered it. Now the Senate brought the President's budget to a vote, and it was defeated 0-97. The United States Senate, Mr. Speaker, defeated the President's budget 0-97.

Now, they brought the House-passed budget up over there. They couldn't pass that either. It received 40 affirma-

tive votes, but they still couldn't pass the budget. As my colleague said earlier, it's been over 800 days since the Senate has passed a budget.

Now, I know the President has come back out and he has talked about some alternatives, some things he would do differently from the budget that he offered in February, differently from that budget that got zero votes in the Senate. And in a Budget Committee hearing the other day, we asked the Congressional Budget Office Director what's the score on the President's new plan. And the office told us, Mr. Speaker, that they can't score a speech. I think that's true.

There is a lot of talk in this town, but there is a not a lot of line item by line item by line item putting your name, your money, and your vote by where your priorities are. But this House did it, Mr. Speaker. We are the only body in town to do it. It's the only budget in town to pass and it's the big deal, \$6 trillion over 10 years to help try to get this country back on track.

I want to say, Mr. Speaker, it did it by not cutting one penny from the benefits that seniors are receiving today, not one, so that seniors, even those over 55, Mr. Speaker, would continue to receive the same Medicare program that seniors are receiving today; so those over 55 would receive the same Social Security benefits as those folks who are receiving those benefits today. I cannot believe, when I open up the front page of the newspaper, I hear folks talking about Social Security benefits might not go out the door, veterans benefits might not go out the door.

Mr. Speaker, we have a plan that this body passed that gets those checks out the door. It is responsible in that it cut \$6 trillion in spending. It is responsible in that it bends the budget curve going forward over the next 10 years and it gets those checks out the door.

Mr. Speaker, I don't know what's going to happen over the next 3 weeks. I don't know where this town is going to go. This town is a tough town to predict. But I know that this House has put its mark in the sand. This House has brought every single Budget Committee alternative that was offered to this floor. We voted on each and every one, and the only one to pass this House was the big deal, \$6 trillion, and it gets our seniors and our troops paid on August 3.

Mr. Speaker, I encourage my colleagues to rally around that and let's give the American people what they deserve, and that's some certainty in the budget process.

□ 1040

#### THE UNEMPLOYED

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

Mr. RANGEL. Mr. Speaker, my colleagues, as we have the opportunity to

debate whether or not our brave young men and women are fighting in wars in foreign lands that have not been approved by the Congress, as we talk in terms of trillions of dollars as to the national debt that we have acquired and think of ways that we can reduce it, and as we look at our revenue code and recognize that it is just so totally unfair and should be reformed and revamped, millions of people have awakened this morning unable to really consider these important issues because they are without work. Millions of people have lost their self-esteem, have lost their jobs, and some have lost their health insurance. Many have lost their homes, others have pulled their kids out of college, cars have been lost for inability to pay, and creditors have been just nightmares to them.

Included in this vast amount of people are African Americans, many who have served this country, hardworking people that find themselves not at the 9.2 so-called unemployment rate but at a 16 percent unemployment rate. And this doesn't take into account the millions of people, and especially African Americans, that know that there are no jobs for them. And to be going to the unemployment office just to be counted among the faceless unemployed doesn't make sense.

Included among them are veterans that have fought for this country. Some have come home with physical and mental problems, but they have not received the support or the transitional aid that's necessary for them to assimilate in a work market that has no jobs. So many of these people have worked in local establishments, in our butcher shops, our cleaners and our shoe repair, and they are without work. So many of them are women that have toiled and raised their families without the assistance of anyone else, and they too are without work and without hope.

As we think about these people and think about reduction of our spending, we find that Medicare, Medicaid, and Social Security seems to be constantly referred to as entitlements, and people talk about that it has to be protected. So many mayors and Governors are talking about how they too have to cut their budgets. And so many African Americans, for reasons that I do not have to go into, have sought public service as a way of life because of the security that's involved in it. And so when we talk about cutting the budget and cutting the services that are provided, we're talking about a larger number of minorities that will be losing their jobs as a result of budget cutting, whether we're talking about teachers or policemen or clerks that work in the city halls or the communities that have Governors that have slashed back their jobs, but certainly as we talk about Medicaid and Medicare, we're talking about hospitals. And all of you know, no matter where you come from, that you see a large number of African Americans working

in these institutions trying to get an education to move forward because we know of the large number of health care providers that we need.

We are proud in the city of New York to say that we have been able to train and educate a larger percentage of physicians than all of the teaching hospitals that we have throughout our great country, and we're proud to do that. All of a sudden, we hear that some \$300 billion will be cut from the hospitals that provide this care. And it's not just by the beneficiaries that you and I know they need this care and they will be put in harm's way, but also we have to acknowledge that many of the people that work in these hospitals, a large number of them being minorities, they too will be released to join the unemployed.

So while I'm praying for our spiritual leaders to protect the vulnerable, please understand that every time we make a cut in the budget, we're cutting someone's job, and they will join the hopeless and the unemployed.

#### OPPOSING THE COLOMBIA FREE TRADE AGREEMENT

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

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to express my ongoing concerns about human rights abuses in Colombia and to oppose any consideration of the pending United States-Colombia Free Trade Agreement until tangible and sustained progress is seen on the ground. Colombia has a longstanding legacy of serious and pervasive human rights violations. Trade unionists, members of indigenous groups, and human rights defenders have been particular targets for violence. Despite some positive rhetoric by the Santos administration about improving protection of human rights, serious abuses continue.

In one recent incident reported by Human Rights Watch, seven people were massacred in southern Colombia on July 2, reportedly by FARC guerrillas. On June 25, another eight people were killed also in the southern part of the country. In both cases, children were among those killed. According to Human Rights Watch, there were 17 such massacres between January and May, 2011, resulting in a total of 76 deaths—a 21 percent increase over the same time period in 2010.

Several members of indigenous groups have been targeted and killed in recent weeks as well, ranging from children to prominent community leaders. Human Rights Watch reports that 14 members of indigenous communities have been killed in 2011 in Antioquia Department alone. Other indigenous leaders have been threatened, and dozens of families have been displaced. The Colombian Government has to act immediately to ensure a thorough investigation into these horrific

crimes and to finally end the cycle of impunity. Further, the government must take immediate steps to protect indigenous communities and other particularly vulnerable groups, as human rights groups have repeatedly demanded.

Labor leaders and trade unionists also continue to be victims of serious abuses. Though the recently agreed to Labor Action Plan commits the government, at least in writing, to take several important steps to prevent and punish these human rights violations, we have yet to see any sort of tangible progress on the ground. With recently published statistics showing that Colombia again led the world in trade unionist deaths in 2010, it is critical that we see a real reduction in violence before we even consider passing and implementing a trade deal.

The Labor Action Plan is not legally binding under the FTA before us. If violence and impunity continue, the United States will have no mechanism for delaying or halting implementation of the free trade agreement. The Labor Action Plan fails to require sustained, meaningful and measurable results. Once we enact the FTA, we lose any ability to force the Colombian Government to produce tangible change.

Mr. Speaker, I do not support the NAFTA-style trade model illustrated in the three pending Bush-negotiated free trade agreements because so-called free trade has proven destructive to the American economy and harmful to workers both in the United States and abroad. The Economic Policy Institute estimates that implementing the Colombia and South Korea free trade agreements would increase the U.S. trade deficit by \$16.8 billion and eliminate or displace 214,000 U.S. jobs. Particularly at a time when we should be focused on job creation, I strongly oppose all three FTAs, which jeopardize more jobs.

□ 1050

Finally, I find it particularly concerning that we are considering implementing an FTA with Colombia in the absence of demonstrated progress on human rights and workers rights.

Mr. Speaker, we cannot turn a blind eye to ongoing abuses, and we should not consider the trade agreement until these issues are fully resolved.

#### COLOMBIAN FREE TRADE AGREEMENT

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

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise this morning to address the House and the American people regarding the Colombia free trade agreement and the negative impacts it will have on working families in the United States as well as Colombia.

Quite frankly, I am stumped as to why Congress is even considering this

trade agreement. Colombia is the most dangerous place in the world to be a union worker. This year, 17 trade unionists were assassinated as of mid-June. Last year, 51 trade unionists were killed in Colombia.

As a Member of Congress, I have traveled to Colombia to see labor conditions there firsthand. We simply can't afford to approve an FTA with a nation as unsafe as Colombia which can't even enforce its own laws.

Like many of my colleagues, I was glad to see that the Obama administration negotiated a Labor Action Plan with the Colombian Government. Both morally and economically, it is imperative that Colombia address some of these concerns regarding human and labor rights for workers. The administration says the Labor Action Plan has been met. The problem is that the Labor Action Plan doesn't go far enough.

Many of my colleagues might question whether labor conditions in a foreign country could really impact job prospects of their constituents here in the United States. Well, when you consider that for years American workers have been competing for jobs with nations that have weaker labor and environmental standards, it is no wonder that we are losing jobs here in the United States.

Let me be blunt: if joining a union means putting your life on the line, there is no freedom. There is no fair competition. Without fair competition, we will see even more American jobs shipped overseas. I think we can all agree that the last thing that this country needs right now is to lose more jobs.

Let me be clear. I am committed to trade. Trade can benefit our Nation, our businesses, and our working families. In fact, I am a member of President Obama's Export Council, and the goal there is to double American exports in 5 years, not to export American jobs.

The fact of the matter is that the Colombia free trade agreement doesn't help American working families. It really benefits transnational corporations. These transnational corporations already repress Colombian workers. Nothing under this agreement makes the lives of Colombian workers better. Nothing under this agreement makes the lives of U.S. workers better. They don't get an equal share of the benefits of this free trade agreement.

Why are we rushing to approve an agreement when workers in Colombia don't even want it? Even worse, once the agreement is in effect, the U.S. loses our most important leverage to see that the human rights situation improves in Colombia. So I ask again: why the rush?

Congress should wait to see if Colombia institutes the Labor Action Plan, as they have promised. After that, we can determine if conditions for working families in Colombia actually improve. The Labor Action Plan is a good

first step, but it won't fix Colombia's problems overnight.

You would hope that an international trade agreement would bring jobs with it. To give my colleagues some idea why there are problems with the Colombia FTA, the U.S. International Trade Commission doesn't predict that the Colombia FTA would create jobs. Now, the U.S. International Trade Commission always predicts very high and lofty job creation numbers for trade agreements, but even they are skeptical. That alone should be evidence for my colleagues that now is not the time for the Colombia free trade agreement.

Congress should be focused on creating jobs, and this trade agreement doesn't pass the smell test, although the Colombia FTA does stink when you consider that it is hardworking middle class families who will pay the price with this unfair trade agreement.

The Colombia FTA will kill jobs, drive down American wages, and drive small American companies that face unfair competition out of business. We can do better. I urge my colleagues to stop settling for not so bad and pursue a trade policy that means prosperity for everyone.

#### GREAT LAKES THREATENED

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

Mr. HIGGINS. Mr. Speaker, the Great Lakes are one of the most overlooked and unappreciated national assets. They are the largest source of freshwater in the world and contain 20 percent of the freshwater on Earth.

The Great Lakes face many challenges. Agricultural runoff, sewer overflows, and other pollution makes its way into the Great Lakes from across the northeast and the Midwest, leading to unsafe water quality and public health concerns. Also, invasive species hitch a ride in the ballast water of oceangoing vessels, like the zebra mussel, or swim up the Mississippi River, like the Asian carp, and threaten to alter the lakes' fragile, closed ecosystem.

In recognition of the importance of the Great Lakes and to combat the threats to their health, in 2010, 11 Federal agencies announced a plan to implement the Great Lakes Restoration Initiative, an ambitious action plan to remove toxins, clean up the lakes, and protect them from further pollution and invasive species.

I am concerned that funding for this important program has been uneven. It was funded at \$475 million in fiscal year 2010, fell to \$300 million this year, and is funded at just \$250 million in the fiscal year 2012 Interior Appropriations bill the House will consider next week.

However, the mere existence of this special cleanup funding is evidence that Congress and the administration recognize the Great Lakes are a unique natural resource that deserves protection.

In 1969, the Cuyahoga River famously caught fire, symbolizing the abysmal water quality of the water in the Great Lakes basin. Legislation from the Clean Water Act and the Great Lakes Restoration Initiative has gone a long way toward returning the lakes to good health. However, the Great Lakes face a new threat beyond water quality: the diversion or removal of water from the Great Lakes basin.

In recognition that due to national and global trends, the value of freshwater will increase, as will the incentive to remove it from the Great Lakes, the eight States that border the Great Lakes entered into a compact with each other and two Canadian provinces on the use of Great Lakes water. Congress ratified the agreement, and it was signed into law by President Bush in 2008.

Among the most important provisions of the compact are restriction on the removal or diversion of water from the Great Lakes basin. The underlying goal was to prevent any one State from plundering the freshwater in the Great Lakes.

So it is with great concern that I learned yesterday that the Ohio State legislature had passed legislation to permit businesses to remove 5 million gallons of water a day from Lake Erie. In New York, we are about to adopt a far more reasonable limit by requiring a permit for the withdrawal of 100,000 gallons per day. The Ohio bill, if adopted, would violate the spirit of the historic Great Lakes compact and force a race to the bottom among the eight signatory States, which will result in an accelerated level of diversions and further reduce the water level in the Great Lakes beyond the impact of Ohio businesses. Such an outcome is unacceptable.

The consequence of such a large scale removal of water from the Great Lakes basin would have a devastating environmental and economic impact in my community. Water levels in the Great Lakes are already on the decline, and the additional large-scale removal of water will lead to algae blooms and reduced water quality, negatively impacting aquatic wildlife and the associated fishing industry, and reduce recreational boating and commercial shipping activities.

In my community of western New York, this action would threaten the progress we are making in Buffalo toward reclaiming the waterfront as an engine of recreational and economic opportunities.

I wrote to Ohio Governor John Kasich yesterday encouraging that he conclude, as have his predecessors Bob Taft and George Voinovich, that this legislation poses a danger to the health of our greatest regional asset, and suggesting that he veto this ill-advised legislation. I hope that he will heed that advice so advocates for the Great Lakes can focus attention on the restoration initiative and on cleaning up the lakes instead of having to fight to

protect them from massive withdrawals of freshwater for profit when the issue was supposed to have been settled years ago.

Now more than ever, it is critical that the Great Lakes remain vigilant and united against the threat of water diversion.

#### RECESS

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

Accordingly (at 11 a.m.), the House stood in recess until noon.

□ 1200

#### AFTER RECESS

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

#### PRAYER

Reverend Dr. George Dillard, Peachtree City Christian Church, Peachtree City, Georgia, offered the following prayer:

Almighty God, give us the strength to prove ourselves a people mindful of Your favor, gladly doing Your will. Bless our Nation with individuals who give honorable service, who live with integrity and govern with honesty.

Save us from prejudice, confusion, pride, arrogance, and evil. Help us that we might see truth and seek it. Defend liberty and fashion a united people out of many people and languages.

Grant us wisdom for those entrusted with the authority of government, that there may be justice and peace, and through obedience to Your law we may show Your praise among the nations. Remind us, though the rule of law is the foundation of our society, laws without justice are empty words. In prosperity fill us with thankfulness; in trouble remind us to trust in You. Thank You for those brave individuals who stand in the gap protecting our lives and liberty.

Lead us to faith in You, to good character, knowledge, discipline, patience, and love for others. Draw us together as one Nation in Jesus Christ our Lord. 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 Kansas (Mr. POMPEO) come forward and lead the House in the Pledge of Allegiance.



Mr. POMPEO led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND DR.  
GEORGE DILLARD

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

There was no objection.

Mr. WESTMORELAND. I want to thank Pastor Dillard for coming today and leading us in prayer. I want everyone to know that he loves his country and he prays for each and every one of us every day, as well as the other leaders of this country.

This is his fourth time to be here, only the first time as long as I have been in Congress; but his heart is to pray for each one of us and our leadership.

If you ask in Peachtree City where Pastor Dillard is located, they will tell you the big church with the red roof. But it's a big church with a big heart. He leads three services a day, and you can't say that he doesn't have some type of service for you, because he has a traditional service, he has a more jazzed up service, and then he has a coffee house service where he sits around and talks to the members of his congregation about things that they face every day in life.

So again I want to thank and recognize Pastor Dillard for coming and sharing with us today and for the heart that he has for his country and for each and every one of us.

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

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

JOBS, JOBS, JOBS

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

Mr. WALBERG. Madam Speaker, hardly a week goes by without this administration promulgating some new regulation that burdens the American people and our economy.

This week it's an environmental regulation that will drive up energy costs. According to a report by the SBA, regulations cost \$1.7 trillion annually. OMB has reported that regulations cost \$62 billion annually.

Regardless of which agency's number we believe, it doesn't matter. Both numbers are too high and hurt economic growth at a time when unemployment is too high.

Let me make this real simple and settle this argument between these agencies. The cost of regulations is not

simply a job, it's jobs, and every job has a human face.

If more spending and more regulations meant more jobs, then this President's policies would have produced the strongest economic recovery in our Nation's history. Unfortunately, it's made things worse.

TAKE CARE OF PEOPLE IN THIS  
COUNTRY

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

Ms. FUDGE. Madam Speaker, it is time that we get back to talking about what people in this country really need: the chance to live a healthy, prosperous life. Cuts to Medicare, Medicaid, and Social Security should not be on the table at all.

After reckless spending sprees, Republicans want to balance the budget on the backs of our most vulnerable citizens. This is unconscionable, and I will not be silent nor complicit. We need to take care of people in this country, not promote policies that perpetuate a cycle of poverty.

Communities like those in the 11th District of Ohio need jobs. The Democrats have introduced many job-creating measures. The other side has not, and we are still waiting for the jobs Republicans promised.

SCARE TACTICS WILL NOT LEAD  
TO DEBT SOLUTION

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

Mr. WILSON of South Carolina. Madam Speaker, rather than negotiate in good faith with the Republican leadership, the current administration has resorted to scare tactics. On Tuesday, the President threatened to withhold benefit checks for Social Security recipients and disabled veterans.

Threatening seniors, along with not paying our military, is a sad example of irresponsible political rhetoric. The American people have had enough of political games and threats. Liberals want to increase revenues, which means more taxes, killing jobs. The challenge is not too little revenue; it's too much spending.

The American people voted to see meaningful spending reform that really reduces the deficit. House Republicans have passed numerous bills that cut spending, curb government growth, and encourage job growth. Cut the spending. Do not impose new taxes which kill jobs created by small businesses.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism. Our sympathy to the people of India who yesterday suffered another terrorist attack on the people of Mumbai.

TRIBUTE TO BISHOP F.C. BARNES

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

Mr. BUTTERFIELD. Madam Speaker, I rise today to pay tribute to Bishop F.C. Barnes, a great friend and distinguished American who has passed away at the age of 82.

Fifty-two years ago, Bishop Barnes founded Red Budd Holy Church in Rocky Mount, North Carolina, and continued as senior pastor until his death. During his pastorate, the church congregation grew from a few members to more than 800.

Bishop Barnes was a world-renowned vocalist known for his extraordinary musical talent. He recorded many productions, including the award winning "Rough Side of the Mountain."

The loss of this great saint of God is irreplaceable. His enormous contribution to Red Budd Holy Church, Edgecombe County and, indeed, the Nation are deeply appreciated and recognized on this day.

Bishop Barnes leaves a strong and loving family, including his church family, who will miss him so much. Their loss is heaven's gain.

□ 1210

EPA STIMULUS FAILURE

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

Mr. PITTS. Madam Speaker, briefly, here are some examples of why the \$1 trillion in government stimulus spending bill failed to hold down unemployment or reinvigorate our economy:

Over the past few years, the EPA has spent more than \$27 million on grants to foreign countries. This includes funds for Breathe Easy, Jakarta, an Indonesian campaign to improve air quality. Now, President Obama may have some affection for a city he lived in as a child, but is that any reason to send them Federal stimulus dollars?

There have been 65 grants handed out since the stimulus bill was signed; six of these grants went to Russia and ten grants went to China. We already owe China interest on our debt. Why on Earth are we giving them grants to keep their own country clean? The Energy and Commerce Committee has launched an investigation into this spending. We need to know how much has been spent and if the EPA has further plans to send money overseas.

Our growing debt is hurting job growth. This is just another sad case of Federal spending wasted on projects that do nothing for the American economy.

JOBS

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

Mr. BACA. Madam Speaker, it's been 27 weeks since the Republicans took

control of the House, and they have yet to bring one single jobs bill to this floor.

In San Bernardino County, my constituents face a 13 percent unemployment rate. But instead of taking swift action to create new jobs, Republicans are threatening the loss of countless more jobs by taking the debt ceiling negotiation to another brink. And why are they doing this? To protect billionaires, millionaires, and corporations that ship jobs overseas.

We all know that the Bush tax cuts for the wealthy have failed—have failed—to create any new jobs here at home. And they are threatening Social Security and Medicare to protect these unneeded tax breaks, which is wrong. No taxes, no jobs. No taxes, no jobs.

Let's come together on a plan that creates jobs, protects our seniors and the middle class, and do it responsibly to deal with the deficit.

#### EXPRESSING GRATITUDE TO LIEUTENANT GENERAL BOB DURBIN AND HIS WIFE, DIANA

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

Mr. POMPEO. Madam Speaker, this past week, a great American family retired from service to our Nation. Lieutenant General Bob Durbin and his wife, Diana, spent 36 years in service to our country in the United States Army working with soldiers and their families. On behalf of the United States, I want to thank them both for that service.

This is also something I can speak to personally. Twenty-five years ago, General Durbin was my instructor in leadership at the United States Military Academy at West Point. He taught me there that it's always right to do the harder thing and not take the easier path. He reminded me that when times get tough, as they are here in America today, that real leaders can make real change. And Diana taught me that families with Christ in their hearts can make real changes in our world.

Bob had many assignments during his 36 years in the Army, including command of Kansas' own Big Red One at Fort Riley, Kansas. He was also the first general assigned the daunting task of training the Afghanistan army and police force so that Afghans may live in peace and security as we do in America.

Bob and Diana, thank you for your service to our Nation. There is no higher praise I can give you than to say, "Job well done."

#### HONORING INDIANA STATE REPRESENTATIVE WILLIAM H. CRAWFORD

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

Mr. CARSON of Indiana. Madam Speaker, I rise in honor of Representative Bill Crawford, America's longest-serving African American State legislator. Crawford, who is retiring in 2012, has served Indianapolis' 98th District with distinction since 1972.

During his tenure, he served as chairman of the House Ways and Means Committee, where he left a lasting imprint by crafting budgets that afforded every child an equal opportunity to receive a quality education and every minority and woman-owned business an opportunity to compete.

Crawford has also fought to ensure workers on public contracts reflect the communities where the work is performed. A believer in the power of redemption, Crawford authored Indiana's "second chance" law, under which one who pays their debt to society and has been trouble-free for 8 years can have their criminal record sealed to ensure they can find employment.

Crawford has been called both "the dean" and "the conscience" of Indiana's black caucus, as his metric for gauging the wisdom of any action has been simple: Is it right? Not safe, not popular, but right.

#### "JULY IS JOBS" INITIATIVE

(Mr. SCOTT of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. SCOTT of South Carolina. Madam Speaker, for months now here in Washington we have debated spending, the debt ceiling, and job creation. But for generations, American businessmen and -women have shaped not only our national economy, but the world's economy and made our country a symbol of strength and ingenuity. To honor that spirit, I hope all of my colleagues will join me in listening to those small business owners and job creators who truly drive our economy.

That is why we have launched our "July is Jobs" initiative, where we ask the residents of South Carolina's First Congressional District to share with me, through social media and email, their ideas on job creation and moving our economy forward. They are the ones on the ground every day trying to grow their businesses, hire new employees, and navigate what is best for their families.

At the end of the month, I will share a selection of these ideas on the House floor, and I am 100 percent certain that we will learn a thing or two from those job creators. Because, at the end of the day, this isn't about the left or the right or Washington politics; it's about them.

#### LOUISIANA COASTAL WETLANDS

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

Mr. RICHMOND. Madam Speaker, I rise today to thank President Obama and the administration for recognizing

how important Louisiana wetlands are not only to Louisiana citizens but also to the country. President Obama put \$35.8 million into his budget for coastal restoration projects in Louisiana.

Madam Speaker, I also rise today to implore the Republican leadership to right the wrong in zeroing out the money that the President put in for our coastal restoration. The Federal Government has made over \$150 billion through offshore oil and gas revenues, primarily from oil and gas exploration off the coast of Louisiana. Louisiana has lost 25 square miles of coastal wetlands every year, or one football field every hour.

More than 80 percent of the Nation's offshore oil and gas is produced off Louisiana's coast, and 25 percent of the Nation's foreign and domestic oil comes ashore on Louisiana roads and waterways. The coastal zone also contains the Louisiana Offshore Oil Port, which handles 13 percent of the Nation's daily oil imports.

Madam Speaker, I would just implore the Republican leadership to do the right thing and restore the money for Louisiana's wetlands.

#### PAYING TRIBUTE TO SERGEANT NATHAN R. BEYERS

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

Mrs. McMORRIS RODGERS. Madam Speaker, I rise today, shortly after Independence Day, to pay tribute to a brave young man who lost his life defending our country. Twenty-four-year-old Sergeant Nathan Beyers was killed in Baghdad on July 7 when his convoy was attacked by an IED. He died supporting Operation New Dawn in Iraq. He died protecting our country. He died fighting for a better, freer, and safer America.

While we mourn the loss of this American patriot, I rise today to remind everyone that his memory will never be forgotten. We shall remember his legacy of love, sacrifice, and patriotism today and every day.

Sergeant Beyers leaves his wife, Vanessa, an infant daughter in Spokane, Washington, as well as his parents, family, and friends who loved him deeply.

He also leaves behind something that is intangible: A legacy of honor for the bravery he displayed and the life he gave in the name of America.

May God bless the Beyers family and all of the brave men and women who have answered America's call to freedom.

#### RECOGNIZING THE CREW OF THE AMTRAK DOWNEASTER

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

Ms. PINGREE of Maine. Madam Speaker, I want to take a moment to

recognize the crew of the Amtrak Downeaster who quickly guided 112 passengers to safety after the train was involved in an accident this week in Maine. With the engine engulfed in flames, two conductors and one engineer reacted calmly and professionally to evacuate the train. Although the tragedy sadly took the life of a truck driver whose vehicle was on the tracks, no one in the train was seriously injured.

This accident could have been much, much worse, and in part we have the crew of the Downeaster to thank that all of these passengers escaped without a serious injury.

Over the last 10 years, the Downeaster has made 30,000 trips between Portland and Boston and transported 3½ million passengers without a serious incident. And the next morning, the train left Portland on schedule and arrived in Boston 3 minutes early.

We should all take a minute today to think about the men and women who work in our transportation system, who day in and day out make sure we are safe, whether we are driving in our own cars or riding on a bus, plane, train, or, like my hometown, a ferry.

□ 1220

#### IT'S TIME FOR CONGRESS TO DELIVER

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

Mr. BUCHANAN. Madam Speaker, our economy has seen better days. Our national unemployment rate is over 9 percent, and America is borrowing \$188 million every hour. We need to get serious about cutting spending and growing this economy.

We can start by enacting free trade agreements. That will create over 250,000 American jobs. Reforming the Tax Code will encourage companies to create jobs and stay in America, cutting frivolous lawsuits and scaling back needless regulation to give small business owners a chance to grow and succeed.

Finally, we must reduce the debt and balance the budget. The American people don't want more rhetoric; they want results. It is time for Congress to deliver.

#### DEBT CEILING MUST BE RAISED

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

Mrs. MALONEY. Madam Speaker, I have never been more concerned about our Nation's economic security and future. Just this week, Moody's warned that the U.S. may lose our top-notch AAA credit rating if we fail to increase our Nation's debt ceiling. Economists say that if we fail to do so, it will put not only our national capital markets in turmoil, but the capital markets internationally in turmoil. It will hurt

American wages and jobs. The stock market will tank.

A letter signed by hundreds of senior company executives and organizations agrees. It said, and I quote: "Treasury securities influence the cost of financing not just for companies, but more importantly for mortgages, auto loans, credit cards, and student debt."

And yet some Members of this body have said that under no circumstance whatsoever will they ever vote to raise the Nation's debt ceiling. However heartfelt this may be, it is nothing short of a threat to commit economic suicide.

#### WASHINGTON'S IRRESPONSIBLE AND RECKLESS SPENDING

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

Mr. HURT. Madam Speaker, today I rise to address the urgent need to rein in the out-of-control government spending that has led this Nation to a dire debt crisis that is hindering job creation and threatens the very future of our country.

The people of Virginia's Fifth Congressional District understand the importance of this issue. I continually hear from my constituents—Republicans, Democrats, and independents—who say if we are serious about turning this economy around and preserving this country for our children and grandchildren, we must put an immediate end to Washington's irresponsible and reckless spending.

Our Nation is now facing a \$14 trillion debt and \$1.5 trillion deficit. We are borrowing over \$4 billion a day, and over 40 cents on every dollar we spend.

As the President continues to request an increase in the debt limit, while remaining steadfast in his call for hundreds of billions of job-crushing tax hikes, we are reminded of the need to put in place both short- and long-term fixes that will help restore fiscal discipline in our Nation's Capital once and for all. We need to make significant and immediate cuts to reduce our debt and deficit now. We need to put in place spending caps that limit spending as a percentage of GDP, and we need to pass a balanced budget amendment to force the government to live within its means.

#### HARDER YET MAY BE THE FIGHT

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

Mr. AL GREEN of Texas. Madam Speaker, C.A. Tindley was right when he proclaimed, "Harder yet may be the fight."

When they tried to privatize Social Security, we fought and held them back. We fought the good fight. When they tried to minimize the CHIP program, Children's Health Insurance Program, we fought the good fight and we held them back. When they tried to de-

stabilize Medicaid, we fought the good fight and we held them back.

They are now trying to minimize and voucherize Medicare. We will fight the good fight. We will hold them back because C.A. Tindley is right:

"Harder yet may be the fight;  
right may often yield to might;  
wickedness a while may reign;  
Satan's cause may seem to gain.  
But there's a God that rules above,  
with hand of power and heart of love."

When we're right, He'll help us fight. Harder yet may be the fight, but we will hold them back.

#### COMMENDING BECK PRIDE PROGRAM

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

Mr. CRAWFORD. Madam Speaker, I come to the floor today to bring attention to an amazing program that exists to repay our returning war veterans by helping them to readjust to life as a civilian.

The Beck PRIDE Program is an outreach of Arkansas State University that helps young, combat-wounded veterans achieve their higher education and other post-military goals. Beck PRIDE provides free mental and physical rehabilitation services, as well as academic counseling and financial aid. Both veterans and their families are referred to organizations throughout Jonesboro that give them the help they need during this critical time of adjustment.

The Beck PRIDE Program is nationally recognized for its success in improving the quality of life of returning military personnel and reintegrating them into the community.

In light of the great sacrifices that these veterans make for our country, it is only right to help them readjust to the way of life they served to protect. I am honored such a program exists in my district.

#### JOB CREATION

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

Mr. DEUTCH. Madam Speaker, Americans are losing faith in our ability to get things done on their behalf. Today, that means addressing two problems at once: our long-term deficit and our unemployment crisis. The truth is these are two challenges, and these two challenges are two sides of the very same coin. So when Republicans say raising government revenue is off the table, I suppose that is why for months they refused to embrace one of the very best revenue raisers there is: job creation.

Our deficit exploded when 8 million Americans lost their jobs in 2008. With 14 million jobless today, no debt deal of any size will work without a focus on jobs. Investing now in infrastructure,

in energy, in education will not only create jobs; it will pay back dividends in the future. That's because putting Americans back to work, supporting their families, boosting productivity, and, yes, paying taxes is the government revenue raiser Republicans should join Democrats to get behind without delay.

#### REPUBLICANS HAVE A PLAN

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

Ms. JENKINS. Madam Speaker, the question on everyone's mind in this Nation today is: where are the jobs? And, more importantly, what is Washington going to do about it?

Well, Republicans have a plan. We want to open new markets to exports, make the Tax Code fairer and flatter, rein in regulations, and reform government spending.

But when we look across the negotiation table, what do we see? Nothing. We hear a lot of speeches and that a lot of things are on the table; but, of course, there is no plan from the Democrats. No plan to read, to score, or to negotiate.

To this point, the director of the non-partisan Congressional Budget Office recently said: "We don't estimate speeches."

So, Mr. President, where is your plan?

I implore my friends across the aisle and across the Rotunda to get off the stump. Give us a plan. Compile those nice words into legislation so we can get Americans back to work.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

#### DISTRICT OF COLUMBIA APPROPRIATION

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

Ms. NORTON. Madam Speaker, the Financial Services appropriation soon due on the floor will be contentious; but one section should be a piece of cake because it only requires Members to vote on the local budget of a city, the District of Columbia, already voted on and locally funded by the only elected officials accountable to voters and the only officials who have familiarity with that local budget.

I ask my colleagues to give the local budget of my city the same respect you demand for yours. Please do not tell local people how to spend local money. According to the Republican Study Group, its 10th Amendment task force intends, and I quote, "to disburse power from Washington back to re-

gions and States, local governments and individuals."

Your principle, please honor it.

□ 1230

#### SUPPORT THE FREE SUGAR ACT OF 2011

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

Mr. DOLD. Madam Speaker, our government should not be in the business of picking winners and losers. Yet, when it comes to our Nation's sugar policy, Washington has decided to implement price controls, which cost our country jobs. According to a Commerce Department study, for every job Washington protects by its antiquated sugar policy, three American manufacturing jobs are lost.

At a time of record unemployment, the last thing that we should do is maintain an outdated policy that hurts job creation here at home. In my district, the 10th District of Illinois, we have confectioners, family bakeries, family restaurants, and food makers who are forced to pay higher prices for sugar because of government price controls. If Washington removed these price controls, it would lower the cost of sugar and allow small businesses and confectioners to lower the price of goods and to hire more workers.

Today, I am asking that my colleagues on both sides of the aisle join me in supporting the Free Sugar Act of 2011. This bipartisan bill will end Federal price controls on sugar and help to create jobs here at home.

#### TO REALIZE THE AMERICAN DREAM ONCE AGAIN

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

Mr. PERLMUTTER. Madam Speaker, the best way to deal with this country's debt is to put people back to work. We've heard it from both sides of the aisle.

At the end of Bill Clinton's administration, this country had a surplus. Revenues exceeded expenses. There was job growth: 23 million people. But then, with George Bush, we lost 8 million jobs. We went into a huge deficit.

The best way to deal with that is to put people back to work. The President does have a plan, and we Democrats have a plan: innovate, educate and manufacture. Make it here in America. We will put people back to work.

Folks need to be able to realize the American Dream again, and that's what we are going to fight for every single day. We want to put people back to work. That will help take care of the debt.

#### REVIVING THE ECONOMY

(Mr. YODER asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. YODER. Madam Speaker, we all know that the Federal Government is spending too much money, that our national debt is too large and that we must make serious reductions to get our budget under control.

As our Nation's leaders continue today to debate the national debt, some in the Washington establishment are calling for greater Federal revenue by asking more Americans to sacrifice by sending more of their hard-earned money to the Federal Government in the name of higher taxes. Yet we all know that greater taxes on small business owners and families will not help the economy grow and will not put Americans back to work.

Tax, borrow, and spend policies do not create jobs. We cannot tax our way out of this debt. At a time when we continue to see record unemployment, taking more money from our job creators to pay for Washington's spending disease cannot be an option.

What we need, Madam Speaker, is a growing economy to bring in new revenue. By pursuing policies that reduce spending, keep taxes low and reduce regulatory burdens, we can help revive the economy and stabilize our Federal budgets.

#### SOCIAL SECURITY

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

Mr. PAYNE. Madam Speaker, I rise today to join my colleagues in our efforts to protect senior citizens and Social Security.

Over the past few weeks, I have received hundreds of phone calls and letters from my constituents, urging me to protect Social Security, Medicare and Medicaid.

I have a question: What will happen to the millions of senior citizens and people living in poverty who rely on these programs?

It seems like the Republicans are focusing on giving tax breaks to those who need them the least. Currently, approximately 52 million Americans benefit from the Social Security program. According to the most recent statistics published by the AARP, one in six residents in New Jersey receives Social Security. In addition, statistics show that women rely more on Social Security than any other segment of our population.

Therefore, I urge my Republican colleagues to put aside their contempt for entitlement programs and to submit to doing what is best for the interests of the American people.

#### CLEAN ENERGY

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

Mrs. DAVIS of California. Mr. Speaker, if we are going to remain competitive in the global economy, we must invest in clean energy innovation.

San Diego has 767 clean energy companies, and has become an innovation hub, especially in solar power, energy storage and advanced biofuels. According to the San Diego Association of Governments, the algae energy section alone—one energy section—provides the region with 410 direct jobs and \$108 million in economic activity each year.

Unfortunately, the appropriations bill we're voting on this week cuts solar energy research by more than one-third; decreases biomass research by \$33 million; and cuts \$80 million from funding for breakthrough domestic clean energy innovators.

We can't hold back the companies that have come up with the answers to our serious energy problems. I hope my colleagues will join me in fighting for cleantech and biotech innovation by opposing this damaging bill.

#### PUTTING PARTISANSHIP ASIDE TO CREATE JOBS FOR THIS NATION

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

Mr. CLEAVER. Mr. Speaker, we are now on day 191 of the new Congress. Sadly, I must report to the people of my congressional district and to this Nation that we have done absolutely nothing with regard to creating jobs. Rather than spending time trying to blame George Bush and Barack Obama, I think we ought to utilize every moment we have to create opportunities to work.

We are in a crisis: 9.2 unemployment overall, 16.2 African American unemployment. If you add what the Labor Department does, which is something called U-6, African American unemployment is at 30 percent.

This Congress owes it to this Nation to move the partisanship aside and to create jobs for this Nation.

#### GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the further consideration of H.R. 2354 and that I may include tabular material on the same.

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

There was no objection.

#### ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 337 and rule

XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2354.

□ 1239

#### 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 further consideration of the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with Mrs. BIGGERT (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, July 13, 2011, the bill had been read through page 62, line 2.

Mr. OLVER. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Madam Chairman, title V of the Energy and Water bill that is before us today robs Peter to pay Paul.

Title V takes funds which were appropriated 2½ years ago for transportation purposes and moves part of those funds to the Corps of Engineers in today's Energy and Water appropriations bill. Title V specifically rescinds all awarded but unobligated high-speed rail dollars from the Recovery and Reinvestment Act and moves those dollars to respond to the unprecedented flooding this spring in many States for work to be done as it is designed and executed by the Corps of Engineers.

Effectively this is a backhanded increase in allocation to the Energy and Water Subcommittee for this bill at the expense of transportation purposes.

I don't contend or even suggest that the Energy and Water bill is well-funded. In fact, the allocations for the Energy and Water Subcommittee and for the Transportation and HUD Subcommittee, of which I am the ranking member, are both totally inadequate. But I do object to killing projects in transportation that will create construction jobs in the severely depressed construction industry and provide a valuable transportation alternative in heavily congested corridors among our largest metropolitan areas all over the country. And I do absolutely support making the repairs to flood control systems as quickly as they can be designed and built. That's an obligation.

In my 20 years, 10½ years under Democratic Presidents, 9½ years under Republican Presidents and under the control in the Congress of either party—because it switched back and forth in those 20 years—we have dealt with natural disasters on a bipartisan basis, on an emergency basis, every single year. Most famously, that includes, in September '05, the Katrina disaster which resulted in \$15 billion for recovery of New Orleans and the gulf coast on an emergency and on a

totally bipartisan basis. But this section takes from projects planned, applied for and awarded but not yet obligated and kills those projects.

Roughly \$6 billion of the \$8 billion appropriated for intercity passenger rail and high-speed rail projects in the Recovery Act are already obligated, and half of those are already in construction. The Recovery Act itself allowed until the 30th of September of 2012, the end of the '12 fiscal year, to obligate those dollars. Of the roughly \$2 billion unobligated, 80 percent of those dollars arises from the single decision just 3 months ago of the Governor of Florida to refuse the \$1.6 billion previously applied for and awarded for a project to build true high-speed rail on a dedicated corridor between Orlando and Tampa.

Now, Orlando lies roughly equidistant from Jacksonville, Tampa and Miami. Those four, Jacksonville, Tampa, Miami and Orlando, are four of America's 40 largest metropolitan areas. All have over 1½ million people, all are growing by between 15 and 30 percent, and they are among our fastest growing metropolitan areas. They represent a prime example of the opportunity that high-speed rail offers in carefully selected high-population corridors around the country to reduce congestion and expedite travel.

When that money was refused by Florida, the Federal Rail Administration re-awarded the \$1.6 billion to projects in other States, including, as examples, in the Northeast Corridor, which carries half of all intercity rail passengers in America every day, nearly \$800 million for work in that Northeast Corridor, and that work would bring the speed up to 160 miles per hour in parts of New Jersey, and the work would be done in New York and New Jersey. So that is \$800 million.

The Acting CHAIR. The time of the gentleman has expired.

Mr. OLVER. I ask unanimous consent to be given 1 additional minute.

The Acting CHAIR. Is there objection to the request of the gentleman from Massachusetts?

Mr. FRELINGHUYSEN. I object.

The Acting CHAIR. Objection is heard.

Ms. SLAUGHTER. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from New York is recognized for 5 minutes.

Ms. SLAUGHTER. I yield to the gentleman from Massachusetts.

Mr. OLVER. Secondly, in the high-speed corridors that are based on Chicago as their hub, to go to Detroit, to go to St. Louis, to go to Indianapolis, to go to Milwaukee, for equipment that will allow those high-speed corridors to function better.

Thirdly, in projects on the west coast as well. All of those projects are jeopardized by this provision in this bill.

Ms. SLAUGHTER. Madam Chair, I am opposed to the misguided cuts to high-speed rail funding in this bill that

will eliminate thousands of jobs, halt a large number of rail projects across the country—and we are way behind every other nation almost, industrialized nations, anyway—and hurt local and State economies. This is the latest in the majority's agenda that can best be described as penny-wise and pound-foolish.

In their Pledge to America, the majority made a promise to the American people. "We will fight efforts to use a national crisis for political gain," they declared. Sadly, that's what they're doing today. Using the tragedy of natural disasters in America's heartland as a political tool to try to eliminate a job creation program, one of the very few we have, is just wrong. Thousands of jobs and millions of dollars in economic investment are at stake, and yet this fight brought to us today is little more than an unnecessary ideological battle.

The high-speed and intercity passenger rail program is critical to our country's competitiveness. It puts Americans back to work, revitalizes our construction and manufacturing sectors, boosts the domestic economy, and helps end U.S. dependence on foreign oil. It is both unwise and ineffective to cut important funding from one project in order to pay for disaster relief. We are a Nation that should be able to both build for the future—in fact we must—and provide for our fellow citizens in need today.

High-speed rail creates jobs. Every \$1 billion of high-speed rail and intercity passenger rail construction funding supports 24,000 jobs. High-speed rail creates short-term jobs in construction, long-term jobs in ongoing maintenance and operation, and indirect jobs by providing regions with access to a larger labor pool and driving economic development.

In my home State of New York, the United States Conference of Mayors estimates at least 21,000 new jobs and \$1.1 billion in new wages with the construction of high-speed rail along the Empire Corridor from Buffalo to Albany.

High-speed rail also creates the economic corridors of the future. A high-speed rail line in western New York as currently planned would reduce travel time significantly and expand the western New York labor market to 955,562 workers. This would make us the 26th largest metro area in the Nation, and that means new businesses will be drawn to the area as we connect our cities to Montreal, Toronto, New York City and the rest of the eastern seaboard; and for the first time in many areas, we may even be able to go west.

In New York, high-speed rail will be our next Erie Canal. Nationally, it is rightfully being compared to our national highway system. Both spurred local development and brought millions of jobs to our State and the Nation. At this point in time, we must not let this opportunity slip away.

What's more, rescinding funds for high-speed rail now, after \$5.68 billion

have already been obligated by the Federal Railroad Administration, will negate the unprecedented work already being done by the FRA and its partners.

FRA, the States, Amtrak, and infrastructure-owning railroads have made significant progress in reaching service outcome agreements to ensure that intended project benefits are realized, while protecting the public's investment and the railroads' operating interests.

The attempt to rescind this money is nothing but an opportunistic attempt to gain politically from a human tragedy. The flooding that has occurred in our Nation's heartland is being used as an excuse to eliminate an investment in our transportation network of the future.

□ 1250

This is morally reprehensible and economically irresponsible.

If we are to be a competitive global economy in the years to come, we must dedicate ourselves to building the infrastructure that we will need to compete. To rescind these funds now after so much progress has been made and at a time when investments in our own infrastructure and our country are so sorely needed is quite simply an act of foolishness.

I yield back the balance of my time.

Mr. NADLER. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Madam Chair, I rise in opposition to the rescinding of unobligated high-speed rail funds in the bill that we are considering today.

During the full committee markup of the 2012 Energy and Water appropriations bill, Chairman FRELINGHUYSEN offered an amendment providing \$1.028 billion in emergency funding to the Army Corps of Engineers to repair damage caused by recent storms and floods and to prepare for future disaster events. It makes sense to spend money on that; we have always given money for emergencies. But the funding is offset in the chairman's amendment by a rescission of all the remaining unobligated high-speed rail funding that was originally approved in the American Recovery Act.

The language of the amendment would rescind all unobligated high-speed rail funding as opposed to just \$1.028 billion to be spent for the emergency. This provision jeopardizes several important projects that are already underway, already in the planning stages, that support good jobs and will make long-overdue improvements to our rail system.

Last May, the Department of Transportation awarded some of these high-speed rail funds for major improvements on the Northeast Corridor, such as \$449 million for catenary improvements, which would allow trains to reach 160 miles per hour on certain seg-

ments, and \$294 million for the Harold Interlocking in Queens, which would reduce delays for Amtrak and on the Long Island Railroad.

I've heard a lot of people complain about the trip times and reliability on the Northeast Corridor and complain that even the Acela is not true high-speed rail, and they're right. But these are the kinds of projects that have to be done to prepare to make significant improvements in the corridor and to prepare the way for true high-speed rail later.

Make no mistake: These are projects that are happening now. This is not money just sitting there waiting for a visionary high-speed rail system to come about. This is money going to real infrastructure investments now that support real jobs now and support real economic development when we need it most.

I share the chairman's desire to provide funding to the Army Corps to repair storm damage, but this is not the way to go about it. This is a perfect example of why we have—or used to have—different rules for emergency spending. If something unexpected happens, massive storms and floods, we should be able to respond without jeopardizing other funding. We always said that emergency funding didn't have to be paid for by offsetting other reductions in worthy programs.

I am very concerned about the underinvestment in transportation and infrastructure that seems to have taken hold on the other side of the aisle. We have always had bipartisan agreement that investing in roads, rails, bridges, highways, tunnels and transit is an essential government function. And historically, it's what made the economy grow. From Henry Clay's American system and the internal improvements and Abraham Lincoln's transcontinental railroad, from the Erie Canal of DeWitt Clinton, in more recent times the interstate highway system of Dwight Eisenhower, the economy of the United States was built on these infrastructure developments.

As the Nation is embroiled in negotiations over the debt limit now and how to address the long-term deficit, this is yet another example of the misguided thinking that cutting government spending is somehow the answer to these long-term economic challenges. It is unfathomable that we would pass anything that would eliminate good jobs, and not just the direct transportation and construction jobs but all of the jobs dependent on the connectivity and efficiency of our transportation system.

We need to make the investments necessary to put America on a path toward long-term economic growth. We should be providing a lot more money for high-speed rail, which is one of the connection systems of the future. This bill that we will be considering today takes an extra step backward by revoking funds already allocated—not necessarily obligated, but allocated and

announced—for ongoing projects that are moving ahead. I urge my colleagues to fix this provision.

Emergency funding is obviously warranted for the floods, but it should not be done by eliminating already allocated funds for high-speed rail in an area where we very much need those improvements on the current transportation system.

I yield back the balance of my time.

Mr. TONKO. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. TONKO. Madam Chair, we must fund the Army Corps of Engineers to repair damage caused by recent storms and floods and to prepare for future disaster events, there is no question about it. But doing so by cutting long-term investments in high-speed rail makes absolutely no sense, and I rise in strong opposition to this offset. This reckless rescission will eliminate thousands of jobs, halt a large number of rail projects across the country, and hurt local and State economies.

The program is critical to our country's competitiveness by putting Americans back to work, revitalizing our construction and manufacturing sectors, boosting the domestic economy, and ending the United States' dependence on foreign oil. And it flies in the face of President Obama's stated goal of connecting 80 percent of America by high-speed rail in the next 25 years.

Should this rescission pass in this House, the Capital Region of New York State alone stands to lose three critical projects, thousands of jobs, and millions in investments. Specifically, the bill, as written, would eliminate over \$150 million intended for the Empire Corridor Capacity Improvements project, the Empire Corridor South: Albany to Schenectady Second Track project, and the Empire Corridor South: Grade Crossing Improvements project. This would lead to the loss of some 4,223 jobs.

Plain and simple, Madam Chair, we cannot afford these cuts at this time.

Just a few weeks ago, the local chambers of commerce from the capital region of upstate New York flew down to Washington, DC, to meet with Members of Congress to discuss their areas of interest and attention. It turns out that one of their top priorities was high-speed rail. Why is that? It's plain as day. High-speed rail investments create jobs. Jobs are the building block of our recovering economy, and a strong economy leads to a reduced Federal deficit.

Madam Chair, why is it that Europe, Japan, China and other countries can invest in 200-plus-mile-per-hour trains, but when the United States wants to simply lay additional track, upgrade some crossings, and guarantee timely, affordable, relatively average speed trains, we are left out in the cold?

Let's not let shortsighted politics trump our long-term economic viabil-

ity. These are commonsense investments that have already been committed to, have already increased reliability in our rail system, and have already created jobs. Let's not pull the rug out from the feet of our job creators, not now. We simply cannot afford it. We cannot afford to deny the hope for jobs. We cannot afford to deny the American pioneer spirit.

I would like to thank my colleague, Representative SLAUGHTER from New York, for her tireless advocacy on this issue and for having the vision and determination to make high-speed rail in upstate New York and across this State and country a reality.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Madam Chair, I rise today in opposition to the rescission of funds from the high-speed rail program that was unwisely included in the fiscal year 2012 Energy and Water bill reported from the Appropriations Committee.

My home State of North Carolina has been working for many years to advance the Southeast High-Speed Rail Corridor from Charlotte to Raleigh and Richmond, and ultimately linking the southeastern States with Washington, D.C. and providing a connection to rail service in the Northeast.

Over the last 15 years, North Carolina has invested approximately \$300 million in State intercity rail service capacity, including the construction of new train stations and track improvements. These strategic investments have already helped reduce travel time between Raleigh and Charlotte by 1 hour. But over the last two decades, the Federal investment in the Southeast or other high-speed rail corridors has been very, very modest. The burden fell almost completely on the States. In light of the enormous capital investments needed, while our progress has been steady, it has also been very slow.

Madam Chair, this has been an area where President Obama has demonstrated strong leadership, making major Federal investment in high-speed rail one of his top priorities.

Competition for the billions of dollars allocated under the Recovery Act was intense, and ultimately funds were distributed to 31 States, with half a billion dollars awarded to North Carolina. These funds will help our State achieve a goal set long ago—2-hour train service from Raleigh to Charlotte—and I'm happy to report that work is already well underway. And we know what comes next: Raleigh to Richmond.

□ 1300

These planned rail investments will relieve congestion, reduce our dependence on foreign oil, make our neighborhoods more livable and environmentally sustainable, make our communities more attractive places to live and do business in the long term, and

create well-paying construction and manufacturing jobs in the near term—20,000 jobs in North Carolina alone, as a matter of fact.

Rescission of these funds is penny-wise and pound-foolish. It undermines an infrastructure project that would create jobs and pay dividends for years and years in the future. If we want to stay competitive in the international economy, we cannot continue to lay behind countries like China in developing a 21st century infrastructure. Rather than cutting funds for high-speed rail, we should be investing further in a high-speed rail network that will enhance our Nation's overall transportation system, moving us forward the way the highway system drove us forward in the mid 20th century.

Madam Chairman, I yield back the balance of my time.

Mrs. MALONEY. I move to strike the last word.

The Acting CHAIR. The gentlewoman from New York is recognized for 5 minutes.

Mrs. MALONEY. Madam Chair, I rise in strong opposition to an offset included in this bill that would rescind all unobligated high-speed rail funding. I support the gentleman from New Jersey's efforts to address the flood, but it should not be taken from such an important investment in the economic strength of our country. It is also an investment in moving us to energy independence.

I would like to address my comments particularly to the Northeast Corridor, that is the corridor between New York and Washington and New York and Boston. This corridor is the most heavily traveled not only in the United States but probably in the world. And the MTA says that the corridor between New York and Boston, on day one, if we had high-speed rail, hundreds of thousands of people would travel it, and it would absolutely be a positive revenue source. It would literally make money because of the ridership that is in that area and also in the area between New York and Washington.

In the money that was allocated, the MTA is focusing on high-speed rail between New York and Boston. And they are supporting the \$294 million for the Harold Interlocking Amtrak Bypass Routes, which would create, according to analysis, well over 9,000 jobs immediately, as it is shovel-ready and ready to go. This is an investment towards high-speed rail, but it's needed right now to move three lines: the Long Island Railroad, Amtrak, and the New Jersey Transit. In this one area, the Interlocking has over 783 trains moving through this each day from the three different transit systems. So this obviously needs to be upgraded to take care of delays and to be able to move people and commerce faster. Because of the way the Harold Interlocking is currently constructed, conflicts among

the three rail lines are frequent and result in delays, disruptions at Penn Station, and over the entire northeast corridor.

So this critical funding will be used to construct a bypass that would allow these trains to move conflict-free and quickly. It is fully designed, has undergone extensive environmental review, including a final environmental impact statement. This project is shovel-ready and will be completed—if not interrupted by this action on the floor—by 2017, and will, very importantly, move us towards high-speed rail between two of the major commerce centers in our country, between Boston and New York. It would literally make money. To rescind this money would be penny-wise, pound-foolish, and would move us backwards. We should be investing in the economic corridors of our country, which is our rail, our high-speed rail.

I strongly, strongly support the high-speed rail and urge my colleagues for the economic strength of our future to vote against this amendment, this section that would rescind the money for the very needed high-speed rail that would move us into the 21st century to be able to compete and win in the 21st century, move our people, move our commerce, create jobs not only in the railroad but in the commerce that is between the two centers. We cannot afford to fall behind in our transportation system. It's one of the things that made this country great. It is an important investment. It is an investment that would literally make money in the Northeast Corridor, and it would be absolutely tremendously foolish to rescind this investment towards the economic future of our country.

I yield back the balance of my time. Mrs. EMERSON. I move to strike the last word.

The Acting CHAIR. The gentlewoman from Missouri is recognized for 5 minutes.

Mrs. EMERSON. Madam Chairwoman, first let me say that I deeply respect the words that all of my colleagues have talked about with regard to high-speed rail. And I understand very much the concerns that the funding for emergency flood restoration and rebuilding would come at a cost to future years of high-speed rail development, keeping in mind that this money has not been specifically obligated.

But first, let me talk about the flooding that's started in North Dakota, going all the way down to Louisiana, down the entire Missouri River system and the entire Mississippi River system. We're talking about more than one-third of the entire watershed of the United States of America. We're talking about farmers. We're talking about the people who work for the farmers. We're talking about the hardware stores and the implement dealers and all of the communities that have been devastated by flooding. And these folks have no recourse.

We're talking about billions of dollars in lost economic activity, and

we're talking about the safety and the protection of people, their families, their children, and the folks who worship with them at church. If we don't have the emergency ability to make it possible for these people to regain their lives and their livelihoods, then we're talking about billions of dollars of lost economic activity for this country. And for people who say, Well, you know, it's farmland, and it's not important. We're talking about farmland. Well, guess what, people, we have the most abundant, safest food supply in the world. We pay less money than any person in any country of the world for our food policy. We pay 9 cents on the dollar. And if we don't restore the livelihoods of these people, if we don't restore our levees and our bridges and our roads and the economic activity of these communities, then we're going to be paying a whole lot more for food, and people are going to be screaming about that. But at the end of the day, isn't the government's role to protect the lives of people?

I just want to say that it wasn't an easy decision for the subcommittee to make, to be able to protect people's lives. But when we're talking about money that is unobligated, that has been returned to the Treasury, and it's that pot of money that can help people be safe, safe from water, safe from flooding so that they could be rebuilding their homes and producing a lot of economic activity—and, yes, a lot of jobs, because there is not a lot of difference between farming and hiring of people and producing and the ripple effect on the economies, and a factory. It's the same thing. It's just a little different.

So I have great respect, as I said earlier, for the arguments that my colleagues are making. But at the end of the day, I think that it's critical that people's lives and people's livelihoods be protected. We must rebuild and we must restore these levees before the next big flood comes again so we can protect our wonderful food source in the United States.

Madam Chairman, I yield back the balance of my time.

□ 1310

Ms. RICHARDSON. Madam Chairwoman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. RICHARDSON. I rise in strong opposition to the fiscal year 2012 Energy and Water Appropriations bill, which includes an amendment that would rescind the remaining unobligated high-speed rail funding that was originally approved in the American Recovery and Reinvestment Act.

In listening to my colleague who just spoke, I don't think anyone here on this floor disagrees that we support the farmers, we support the people who have been impacted by flooding. But the question is whether these particular funds are the appropriate funds

that should be dedicated to address that particular issue.

I would venture to say that while I believe it's important that the Army Corps of Engineers has access to funding necessary to prepare for future disasters, I would say that because I am the ranking member of Emergency Preparedness, Response, and Communications. But when you consider our long overdue efforts to be able to develop a high-speed rail network that would create jobs and bring rail infrastructure into the 21st century for the United States, that also is a priority as well.

I am proud to be vice chair of the bicameral High-Speed Rail and Intercity Passenger Rail Caucus, and I am glad that we are working to increase the visibility on this issue. I have long fought for bringing transportation systems into the 21st century. After all, that's important to Americans' lives as well. Because if we're not able to traverse from one side of the country to the other, if we're not able to do it in an efficient manner, eventually we will also find ourselves without more jobs and without being able to have appropriate living conditions.

Consider that high-speed rail pays for itself, significantly reducing \$700 billion a year of oil purchased that could be dealt with regarding our trade deficit. High-speed rail pays for and saves lives. We are talking about lives. What about the 43,000 Americans who die each year in car accidents? What happens when we talk about that high-speed rail pays for its efficiency and mobility by being able to move people and goods without delay and waste? And also when you consider that high-speed rail pays by improving air quality, which also helps and saves lives.

Thirteen countries around the world are investing hundreds of billions of dollars into their systems. And for years the United States has failed to keep up. Finally, we have an administration that is actually focused on this issue and has made a commitment to this funding. However, when you consider that in the United States we only have one high-speed rail corridor, that's the Acela Express, operated between Boston and Washington, D.C., and even in our one corridor the trains only reach 150 miles per hour, far below what we would really call a true world class high-speed rail.

So when we consider being in the High-Speed Rail Caucus and what our efforts are today, thankfully we are looking at a situation where we do have funding that's been allocated. So when we say it's unallocated funds, let's talk about that. Actually, what's happened is the administration has done an excellent job in considering areas that have said they are not ready to do high-speed rail at this time. So rather than our wasting money as we did in the past, years in the past, of building bridges to nowhere, what we've said is, if a particular area is not ready, let's put the money back where it can now be reallocated.



So it's not that the funds are totally unobligated. We are now in the process of putting them in the areas that are ready to build high-speed rail now. We must be forward thinking and proactive to position our country to compete in the global economy. That's about American lives as well. Nowhere is it more important than in the area of high-speed rail to take that broad step.

It will cost about \$40 billion to bring high-speed rail to areas like mine in California. But with it comes really a revolution in travel in a way that we have not touched before.

Madam Chairwoman, I cannot support this bill in its current form in light of the amendment that's been brought forward, and I urge my colleagues to vote against these draconian cuts. We had an opportunity to do more funding for Army Corps, and on this very floor many of my colleagues chose not to do so.

I yield back the balance of my time.  
Mr. ALEXANDER. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. ALEXANDER. Madam Chairman, the question is, just how important is the Mississippi River? The Mississippi River system connects approximately 30 States in our Nation's heartland with the international markets. Sixty percent of all U.S. grain exports are shipped from the Mississippi River. Twenty-five percent of all large commercial bulk ships that arrive in the U.S. come to the mouth of the Mississippi River. U.S. Customs and Border Protection estimates that the river system facilitates between \$85 billion and \$104 billion annually in foreign trade through the Mississippi River system. And one-third of the Nation's oil comes up the river to refineries in Louisiana.

This year's historic flooding carried an estimated 60 million cubic yards of sediment down the Mississippi River. This sediment doesn't just float on out into the gulf; it settles. It settles all along the river, from Missouri to Lake Providence, Louisiana, on down to New Orleans, where currently 5 extra feet of sediment has built up over the normal levels. Five feet. And for every foot that's taken away from the draft of a ship, it costs that ship \$1 million. Madam Chairman, one doesn't have to be a mathematician to tell that that's pretty expensive to our economy.

The flood has not only highlighted a need for dredging, it has also damaged levees and floodways all along the Mississippi. The Corps of Engineers estimates that on the river alone it will have to spend an additional \$1 billion to \$2 billion to repair levees and floodways damaged by the recent floodwaters. This is work that must be done to allow these levees to again protect Americans from future floods.

Madam Chairman, I know that there aren't many out there speaking against

the Mississippi River and the need for maintenance. They are just arguing that the money does not need to be offset since we could call it emergency funding. And yes, we could go that route. But as we are in the middle of negotiations and debate about raising the debt ceiling, the last thing we should be thinking of is adding more to the pile of debt. We cannot continue to do this, Madam Chairman, especially when we have seen the national debt increase at an average of \$3.9 billion per day, especially when the Treasury Department now projects that the U.S. debt will exceed the GDP by the end of this year.

The Congressional Research Service study reports that if supplemental operations had been fully offset over the last three decades, the Federal debt could have been reduced by at least \$1.3 trillion. That translates to a reduction of public interest payments of \$57 billion per year. Ignoring the need to offset spending is a mistake, Madam Chairman, a mistake that our children cannot afford for us to make.

I yield back the balance of my time.  
Ms. DeLAURO. I move to strike the last word.

The Acting CHAIR. The gentlewoman from Connecticut is recognized for 5 minutes.

Ms. DeLAURO. Madam Chairman, included amongst a multitude of misguided policies in this bill the Republican majority has on the floor today is the rescinding of high-speed rail funds that would otherwise create good middle class jobs, strengthen our economy, allow us to build a 21st century infrastructure that we need to compete with the other economic power centers around the world.

Over 6 months in the majority and my Republican colleagues have proved very capable of ending Medicare, rolling back health care reforms, namely for women, and choosing to reduce the deficit on the backs of working middle class families and the most vulnerable.

One thing they have chosen to do is to zero out job creation. And, in fact, by cutting funding for high-speed rail projects in this bill, the majority is threatening as many as 60,000 jobs. This is the majority's answer to last week's extremely disappointing jobs report that showed that we are mired in unacceptably high 9.2 percent unemployment after adding only 18,000 jobs in June, with a construction sector that has 16.3 percent of its workers unemployed.

□ 1320

This is the majority's answer to the 14 million unemployed in this country, real people, real families looking to wait their way through this crisis.

In Connecticut, the majority's decision to rescind a \$30 million investment—and I might tell my colleagues on the other side of the aisle—this \$30 million has been obligated. It is an investment in the New Haven-Hartford-Springfield line and would seriously

limit the ability to expand one of the best intercity passenger rail networks in the country. The line represents a critical component of a larger regional plan for passenger rail to integrate the New England rail system, connect it to New York, the middle-Atlantic States and to Canada.

The improvements that would be made with the investments my colleagues on the other side are seeking to eliminate are essential to meeting the needs of the entire region and achieving the benefits of the Federal and State investments that have already been made there.

High-speed rail is desperately needed in Connecticut. This is the most heavily trafficked commuter region in the country. New England's traffic has increased two to three times faster than its population since 1990, and 80 percent of the Connecticut commuters drive to work alone.

When it's completed, the line is expected to reduce the number of vehicles on the road by approximately 4,000 cars a day, saving a billion gallons of fossil fuel a year and reducing carbon emissions over that time by 10,000 tons.

Just as important, the line has been a high priority for Connecticut, for its Representatives on both sides of the aisle for many years. It means opportunities for economic development and expansion throughout our State.

But expanding the economy, creating jobs is simply not a priority for the majority. They appear perfectly content to allow us to fall behind our global competitors like China, with its plan to invest a trillion dollars in high-speed rail, highways and other infrastructure in 5 years.

And the short-sightedness is further exemplified by what has been put forward this week in a \$230 billion 6-year surface transportation bill that the U.S. Chamber of Commerce calls unacceptable as the cuts will destroy, rather than support, existing jobs, which would be devastating to construction and related industries, leading to a less competitive economy and a drag on the GDP due to underperforming infrastructure.

Now, I want to say to my colleagues on the other side of the aisle, I have a great appreciation for disaster assistance, a great appreciation for the commercial value of the Mississippi River. I am there. I have been there for disaster assistance.

Now, if you don't want to do an emergency declaration, then let me tell you where you can get some of the money from in order to do this: \$40 billion to the oil industry every year in a tax subsidy. Nobody here believes that they are suffering as the farmers in our country are suffering. They don't need money for the levees. They don't need any money at all; but, no, the other side doesn't want to take any money from that \$41 billion to do something about those who are suffering in these States due to natural disaster.

Or what about the \$8 billion we provide to multinational corporations to

take their jobs overseas? Let's take that money and use it for the people of this great Nation who are in difficult straits, difficult times and their jobs, yes, and their levees need to be dredged. Let's get that money to the Army Corps of Engineers.

Finally, we support Brazilian cotton farmers. We give them \$147 million every single year. I suggest we take that money from the Brazilian cotton farmers and spend it on the folks in our country who are in desperate need.

Don't take it from high-speed rail. Don't commit us to planned obsolescence.

Mr. LUETKEMEYER. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Missouri is recognized for 5 minutes.

Mr. LUETKEMEYER. Madam Chair, I would like to congratulate the Appropriations Committee and the chairman for their fine work on making some difficult choices.

Obviously, our budget times are tight. We have to prioritize our spending, and we have some emergencies here in this country which are abnormal, extremely abnormal from the standpoint that our weather patterns have changed dramatically this past year and as a result we have a lot of our citizens that are really suffering right now.

In my district, I have the Mississippi River along the one side, I have the Missouri River running through the area as well, so both of those have been dramatically impacted by the massive rain storms that have run through the area as well as some of the tornados that have gone through the area as well.

So I want to put a face on some of this for just a moment. You know, we have today a number of farmers who no longer can drive to their homes. They have to take a boat to their homes. They have 5 feet of water. Some of them are looking at the roofs instead of their homes, and their crops are gone. And when they are gone, whenever a flood occurs, it doesn't just occur and wipe out that year's crops. Quite often times it takes 2 or 3 or 4 years. And sometimes the ground is damaged to the point where it can never be reclaimed.

The gentlewoman from the southeast portion of our State, some of her area that was devastated by some of the levees that were blown up, those crop lands may never return to fertile ground because of what happened. Again, well, people say, well, it's just farm land. No, it's not. This is the business of farming. This is their business location.

And if you look at their farms, it's not just land that's laying out there. They have irrigation systems, they have thousands and thousands and thousands of dollars in irrigation systems and the berms and the ground that's been cultivated and excavated in a way that it can utilize all the waters that they irrigate with or whatever.

So they have a huge investment in this property. It's not just land. It's a huge investment in their business. We are interested in continuing to help those folks rebuild those levees, rebuild their lives, rebuild their businesses because this is what they are about.

One of the things that has happened in my area right now is with, basically, a tsunami coming down the Missouri River basin. In Montana they had an unusual amount of snow that fell this year, a late snow melt. And then on top of that they had a whole year's worth of rain in a 2-week period, and we have literally a tsunami coming down the Missouri River basin.

Fortunately, we had a flood control set of dams in there that have minimized it; but even at that, this is a 100- to 500-year flood that is devastating everything in its path. And so those folks, in fact, right now from Kansas City on north, there isn't a single private levee that isn't either breached or topped.

Let me repeat that: There isn't a single private levee north of Kansas City that is not breached or topped. That's how severe and how devastating this situation is this year.

When we start talking about the uses of the river, it's important to note that barge traffic on rivers—the gentleman from Louisiana a moment ago talked about the usage of how much corn and grain goes up and down the Mississippi. The normal barge can carry 900 trailer loads of grain, 900 trailer loads of grain.

Think of all the vehicles we are taking off the roads. Think of the environmental impact of none of those vehicles being on the road. It's very significant.

Yet, in our area, the Missouri River is being underutilized because of some of the new mandates that are being put on it by different bureaucrats here in D.C. with regards to trying to worry about a fish or a bird that lives along the shore and/or for recreational purposes.

So we have some interesting debates going on right now. Those we will decide at a later date, but the problem we are facing today is the devastation that it has had to life and property and the safety of those. We believe that these funds are necessary for people to recover from this devastation that has occurred.

And just as a side light here, we also would like to thank the Appropriations Committee for not only finding a way to do this, prioritizing Federal funds without adding to our debt, but there is an interesting fact here as well. I want to note, it was from a report back in January of 2009 with regard to the Congressional Research Service that said had supplemental appropriations been fully offset—which this is since 1981—Federal debt held by the public could have been reduced by at least 23 percent, or \$1.3 trillion. This could have reduced interest payments to the public by \$57 billion a year.

I think while it's difficult, I know that our friends across the aisle and some of the folks here discussing the prioritization this morning are not happy with this. I think these are difficult times. We all have to realize that reprioritizing things sometimes is not easy.

But in this situation I believe that it's justified, and we certainly support what fine work the Appropriations Committee has done.

I yield back the balance of my time.

□ 1330

Mr. AL GREEN of Texas. Madam Chairwoman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

(Mr. AL GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. AL GREEN of Texas. Madam Chair, it is just a matter of time before we will rue the day that we did not build out the infrastructure across the length and breadth of our country. Our President has proposed that we have an infrastructure bank such that we can take care of the needs on this side as well as the needs on this side. We will rue the day that we did not build out our transportation infrastructure.

One example, in 2005, in Houston, Texas, Rita hit the gulf coast. We had thousands of people being evacuated from a major urban area, and as they were moving away, the highways became clogged. They were stopped on the highways. People spent nights on the highways. Trains are a part of the emergency evacuation system in this country, and we need more rail so that we can evacuate people in times of emergencies.

9/11/01, who can forget? The skies were clear. There was a full ground stop. More than 4,000 planes were grounded. No one could fly. Trains became a part of the emergency evacuation system so that people who could not fly could still make their destinations.

It is time for us to wise up and realize that the President is right. It is time for us to, in the parlance and vernacular of those in the streets of life, to 'fess up and tell the truth. We should not put Peter ahead of Paul. We should not rob one to pay the other. It is time for us to take a holistic approach and show some vision.

Let's move to create jobs across the length and breadth of the country with this infrastructure program. Let's give architects who have offices and business and laborers and engineers jobs. Let's give them jobs to do.

And the good news is you cannot export these jobs overseas. You don't have to worry about them being outsourced, because they will all be done right here in the United States of America.

Let's rebuild this country.

I yield back the balance of my time.

Mr. SCALISE. Madam Chairwoman, I move to strike the last word.

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. SCALISE. Madam Chair, I first want to congratulate and thank the chairman of the Energy and Water subcommittee for setting as a priority making sure that our waterways, especially the Mississippi River, are restored after the devastating floods that we experienced throughout our country. It wasn't just in a few States; it was throughout many parts of the Midwest, South, and other parts of our country that experienced tornado damage and experienced unprecedented flooding going back to 1927.

But now if you look at where we are and you look at what is being done here, this is not money that is adding to the deficit. We are at a point right now as we face this debt ceiling—and there is a divide in Congress; there is a divide in Washington. And the question is: Are we going to start living within our means and truly setting priorities in this country or just continue going down this spending binge acting as if nobody is going to pay the tab?

And, of course, I think what the chairman, the full chairman of Appropriations and so many other members of this new majority have said is that game is over. The game of spending money we don't have is over, and we've got to make the tough choices of setting priorities in this country.

So if you look at some of the money that was moved over from high-speed rail—and there were billions of dollars set aside in the stimulus bill that was such a failed disaster, over \$787 billion of money that we don't have with the promise that unemployment wouldn't go over 8 percent. It's very clear that that failed. But what we're saying is let's take some of that money and move it over into something that's much more important right now, and that is getting our economy back on track, getting people back on track and getting their families back together.

Look at what happened on the Mississippi River. Just a few weeks ago, I flew over the Morganza Spillway and looked at the Atchafalaya Basin where some of that flooding happened where you literally had people who were in harm's way and their areas were flooded to keep other people from flooding. And it was one of those terrible choices no one wants to have to make, but those families were put in that situation and their communities were flooded so other communities wouldn't.

The extra silt that came down the Mississippi River now threatens to impede the ability for us to move commerce through 30-plus States of this country so that we can get those exports, so that we can create more jobs and be able to be competitive with foreign countries. If you're a farmer in Iowa, if you're trying to move commerce in Missouri down the Mississippi River, if you don't have the ability now because we're not able to dredge the

river, all of a sudden now Brazil is going to get that contract for that product because you can't be competitive anymore.

Not only are we talking about tens of thousands of jobs, but we're talking about priorities. If you look at the high-speed rail projects, many States have turned the money down. Why? Because they realize it's a money loser. They lose money on the deal because it just doesn't pay for itself. Of course, States have balanced budgets. Most of those States have to balance their budget every year, so they can't just take what looks like free money to go and engage in a process that's ultimately going to cost them money every year that they don't have. But because they have to balance their budget, many of them have turned that money away.

And so you look here in Washington, there is no balanced budget requirement, and it shows you, frankly, one of the reasons why we need a balanced budget amendment to the Constitution so that we are forced to live within our means, too, so we can't just keep spending money as if there is no consequence, because there is consequence. Our children and our grandchildren are counting on us to make those responsible decisions and to set the priorities. We cannot just tell everybody that comes in the door, You've got an idea, here's some money; you've got an idea, here's some money. Nobody has the money. We'll just go print it, raise the debt ceiling and just keep giving it as if it's not going to have an effect. At some point, it has a real effect; it has a real impact. And so we've got to make the tough choices and set the priorities.

So there was devastating flooding throughout our country. You had so many States that saw tornado damage and flooding damage, and they're trying to get back on their feet. And then there is this high-speed rail money. And so much of the money in the stimulus bill went to waste and was squandered. We have nothing to show for it. The promise of no more than 8 percent unemployment didn't work. It was a failure, and everybody recognizes it. And so we're saying we're going to make those tough choices.

None of these choices are easy, but we didn't come up here to make easy choices. We came up here because we've got to set the priorities of this country, and that means balancing our budget and not just saying everything can get all the funding it wants. If something is a priority, then that means we've got to find the money somewhere else. And so that's what's being done here. And that's why I commend the chairman for making that tough decision. And, yes, we're going to have to have a fight over this. We're going to have to have a discussion over this, as we should. This is the people's House.

That's what this discussion is about. It's about setting our priorities and

shifting from the old way of doing business of just spending more money we don't have on every idea that sounded good. We can't keep doing that. So that's why I support what the chairman is doing.

I yield back the balance of my time. Ms. BROWN of Florida. Madam Chairwoman, I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

(Ms. BROWN of Florida asked and was given permission to revise and extend her remarks.)

Ms. BROWN of Florida. First of all, I want to be clear that I support the funding to protect the citizens of the Midwest from flooding. And, in fact, Louisiana has gotten more money than probably anybody else.

I come from Florida. We have disasters, natural disasters, all of the time. But the reason there is no funding for flood protection is because the Republican leadership cut the funding and the Republican Members supported it.

Let me be clear. I support the funding for the disaster. As the ranking member of the Transportation Subcommittee on Rail, I find that these funding cuts which would block all of the remaining unobligated high-speed rail funding approved by the economic stimulus entirely unacceptable.

And I am sick and tired of Members coming to the floor saying that the stimulus money was a disaster. It is not a disaster that we put people to work in Florida and throughout this country. And, in fact, if it wasn't for the stimulus dollars, teachers would have lost their jobs. In one area, we kept firefighters and police officers employed. And that is a job while this economy is turned around.

And let's not forget how we got in this mess. Institutional memory is in order. When you have your head in the lion's mouth, you pull it out, you ease it out. What happened? How did we get here? When Bill Clinton left, we were operating with a surplus. But we had 8 years of Bush and two wars. And do you think this mess started 18 months ago? No, it did not.

□ 1340

We have been practicing what I call reverse Robin Hood for 8 years. Nobody remembers that, when you kept giving tax breaks to the rich and billionaires. What happened here in December? Almost \$800 billion that you gave to the not just millionaires, billionaires. And yet you come up saying in June and April, we can't send the pension checks.

Yes, we're spending money up here, but it's the priorities you have. You don't have the priorities of taking care of the elderly people. You want to cut Medicaid and Medicare and Social Security while you give billionaires—billionaires—tax breaks, and millionaires. And now you want to cut money for high-speed rail. But we know for every billion dollars that we spend for high-

speed rail, it generates 44,000 permanent jobs. But yes, we have some Governors that are shortsighted, like my Governor Rick Scott of Florida that sent back almost \$3 billion. We have 11 percent unemployment. What was he thinking about? I guess he was thinking he didn't want to see those people going to work and making Barack Obama look good, even though we have the most congestion in that area, and that our competition is there. If you look at Spain, if you look at France, you look at Germany, 200 miles, 1 hour and 15 minutes. That is the future of our country. But we have some shortsighted people here, people who only want to see, you know, well, we need to balance the budget. Well, where were you when they were giving tax breaks to millionaires and billionaires? And you do it over and over again. That's the sad thing.

If you put it on the board, put it on the board today, you would have the same vote. You would have the exact same vote. And every opportunity you have to vote, you vote to give millionaires and billionaires tax breaks. So, you know, we started the rail system, and we are now the caboose, and we don't even use cabooses any more.

I am hoping that the American people will wake up. It is shameful that over and over again in the people's House, in the people's House, we attack the people who do not have lobbyists on Capitol Hill. And so I yield back the balance of my time, but I do know that elections have consequences. The American people are watching you. I have voted five times to raise the debt ceiling. Why did I do it under Bush? Because I knew it was in the best interest of this country and not the politics of the time.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Members are reminded to address their remarks to the Chair.

Mr. WOMACK. I move to strike the last word.

The Acting CHAIR. The gentleman from Arkansas is recognized for 5 minutes.

Mr. WOMACK. Madam Chairwoman, I think we are going to have to extend the space shuttle for an extra day to retrieve the thought process, it got so far out there in orbit. Let me just be very clear, to kind of bring this back to the subject matter at hand.

We're talking about taking funds that have been designated for a project in the future, near term or long term, but in the future, to satisfy an emerging issue that is in the present. Future versus present.

In my district of Arkansas, the cresting of the Illinois River has ripped apart roads, washed out bridges. Floods have taken the lives of constituents of mine, young people who will grow up without a mother or father. We have people living in tents. We have an urgent issue that is facing us today. The flooding has done damage across our entire State, leaving hundreds of Ar-

kansans without homes, and crop losses estimated at over \$500 million. It has even been asserted by the other side that it is "just farmland." Just farmland.

Well, let me say to the people who make that argument, don't make that argument with your mouth full.

It has also caused about \$100 million in damage to dams, parks, roads, and waterways under the control of the Army Corps of Engineers, and if left unrepaired, will only result in additional devastation in the next season.

But it isn't just about what happened in Arkansas; the entire Mississippi River and its tributary system has been imperiled by these tragedies. They are the lifeblood of our Nation's commerce, and bordering farmlands are rich with fertile soil able to provide food for so many of the American people. Allowing these lands to be so vulnerable to future flooding will only imperil our Nation's food supply.

Offset or not to offset; it is an emerging issue. And on offsets, as you have already heard from my colleague from Louisiana, my colleague from Missouri, that supplemental appropriations, if fully offset over the last three decades, would have reduced by at least \$1.3 trillion the debt and reduced the public interest payments on this debt of \$57 billion a year. Now, my friends, \$57 billion in interest payments would build a lot of high-speed rail.

I congratulate the chairman for his work on this Energy and Water bill. I support it. It is prudent. It is wise. It is necessary. And I commend it to the leadership and to this entire House to pass it and restore the fiscal integrity of our country and give relief to the people who need it so desperately.

I yield back the balance of my time. Mr. HONDA. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HONDA. Madam Chair, I have a written prepared statement I will include for the RECORD. It talks about California and the need for investments, and I don't think anybody is going to argue with the need for this country to invest in its country or its infrastructure. We have had that argument.

I'm trying to figure out a way how to make my comments without making anybody wrong. The chairman is faced with a difficult task of trying to balance a budget. He faces that challenge with limited funds. It is a terrible job. But I think we ought to look at the process and be thoughtful and explain to the people out there who are watching us, the young people here who are watching us, that we can be smart. We can be compassionate, and we can do that without allowing ourselves to be fighting among ourselves and trying to make decisions between jobs, the economy, infrastructure, and taking care of those who need to get back on their feet. I have no arguments with that.

My mother used to say when unexpected guests came to our house during dinnertime, you don't turn them away, you just add more water to the soup, and then you enjoy each other's company.

Congress is a living organism responsible for its past, its present, and its future.

In the past, according to the GAO, we spent about \$150 billion just on Katrina. In Afghanistan, we spend \$325 million a day. And in Iraq, we spend about \$100 million a day. That's almost a \$1 billion a day. We are talking almost a billion dollars in light rail. We can be both right and smart and compassionate if we do the right thing.

In our budgeting process, we should have a fund for unforeseen circumstances. We should learn from Katrina. We are looking at about \$4 billion in terms of the Army Corps of Engineers. I think our leaderships need to get together and just say "we can do this" without fighting among each other, without making each other wrong, because that's wrong. In the eyes of the public, they want us to do the job that needs to get done and have our leadership do that.

So my plea is that we can be fiscally responsible and we can be compassionate, and we do that with good planning and good budgeting processes, including having contingency funds that should have been there. And so we have an opportunity right now to show the public that we can do all of these things and still come out winners for those who need the help, and those who need jobs, and still take care of the Nation's infrastructure needs. That's what America is all about. It's a can-do spirit without having to fight within our own families.

Madam Chair, I rise in opposition of the underlying bill that rescinds over one billion dollars in high-speed rail investment to pay for emergency disaster relief due to storms and flooding in the Midwest—emergency disaster relief that should be funded through emergency appropriations.

The Majority appears proud to say they are offsetting the funds needed to help our citizens in the Midwest recover from the storms and floods that have devastated their communities.

But what the Majority is doing is really not something to be proud of.

The Majority is offsetting jobs and offsetting investments into our Nation's infrastructure.

Put bluntly, Madam Chair, with this bill the Majority is offsetting our Nation's future.

This bill would specifically rescind \$68 million intended for the Next Generation Passenger Rail Equipment Purchase in my State of California. During these difficult economic times, rescinding these funds would result in the loss of as many as 1,892 jobs.

Earlier this year, the President released his annual budget request for Fiscal Year 2012, which calls for a \$53 billion, 6-year investment in high-speed rail. I applaud the President's vision for a sustainable future.

Every other industrialized country in the world, except the U.S., has shifted its intermediate range travel, or 50 to 600 miles, to

high speed trains. Are they all wrong and only the U.S. right?

Madam Chair, polls show over 70 percent of Californians support the 800-mile, double-track, grade-separated, fast, clean, quiet, and safe high speed trains that will link San Jose with Sacramento, Los Angeles, and San Diego. California must lead the Nation into the future.

Let's not forget, Californians voted for \$9.95 billion for this project in 2008, a major reason over \$3.7 billion in Federal funding has been granted for our State's starter project. Those funds, with the President's proposal and private investments in discussion, could kick-start the Silicon Valley extension, the first major job destination for California's system.

The investment proposed by the President directly impacts my constituents in Silicon Valley. Those funds could bring the California High-Speed Rail Authority's starter construction project, already-funded between Bakersfield and Fresno, through the Pacheco Pass to Silicon Valley.

Benefits to Silicon Valley are profound; mobility, employment, cleaner air, and international competitiveness.

Mobility: California's high speed rail project connects to many feeder modes at the Diridon Station, across from the HP Pavilion and the proposed A's baseball park in the heart of the Silicon Valley. When finished by 2020, the Diridon Station will be one of the Nation's largest multimodal hubs, with over 600 trains per day including high speed rail, BART, CalTrain, the Capital Trains, Altamont Express, Amtrak, light rail, bus lines, an automated shuttle to the Mineta International Airport, and more.

Employment: Return-on-investment is the first rule for Silicon Valley. Research proves investments in high speed rail return more than twice the cost, in tax revenue, over the life of the projects. And, with 30% construction unemployment, investment in high-speed rail means jobs, right now, in our State. Engineers estimate the project will create over 160,000 construction jobs, for as much as 30 years. An additional 450,000 jobs will be stimulated by the economic vitality created around the 26 down-town stations. Those jobs are in California, for Californians, and cannot be offshored.

Clean Air: Research indicates over 90% of the future riders currently use single passenger cars or short-hop airlines, both major polluters. The electric trains are committed to use non-polluting renewable energy. The U.S. comprises 4% of the world's population but creates almost 25% of the world's greenhouse gasses. High speed rail is a powerful tool the rest of the world is already using to fight climate change.

Competitiveness: The emerging economic engines in Europe and Asia are rapidly overtaking the U.S. and California. They move people to work and products to the market more efficiently. China invested over \$80 billion in high speed rail last year alone, over \$1 trillion in the last decade, completing over 7,500 kilometers of their planned 13,000 kilometer system in just 9 years. The EU's dozen lines are similarly successful, and Japan is also expanding its system dramatically. Many of those systems are now operated profitably by private companies.

How is it possible for every other industrialized country, and many emerging economies, to afford state-of-the-art high speed rail

systems and claim that the world's richest country cannot?

Madam Chair, Americans support investments in our county's transportation infrastructure. A recent Rockefeller Foundation survey found 91% of the national sample agreeing that, "our generation has a responsibility to the future to invest in America's infrastructure—just as our parents and grandparents did."

The foresight of our forefathers, who ensured that our highways, waterways, and railways promoted our economy, must not be lost now. We too must be good ancestors. High-speed rail is the future. The time to invest in that future is now.

I yield back the balance of my time.

□ 1350

Mr. NUNNELEE. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Mississippi is recognized for 5 minutes.

Mr. NUNNELEE. I want to thank the subcommittee chairman and the committee chairman for bringing this bill forward in the way that they've done it.

I particularly want to thank them for the fact that this bill provides \$1 billion in emergency funding for the Army Corps of Engineers to repair the damage caused by recent storms and floods and to prepare for future disaster events. This funding is offset by a rescission of the remaining emergency high-speed rail funding that was originally allocated in the stimulus bill.

Our friends on the other side have told us they're not opposed to the emergency funding because of the storms and floods—they just don't like the offset. In fact, I've heard it said, We've always done it this way. When an emergency comes up, when a disaster occurs, we've always just funded it without a spending offset.

Madam Chairman, on April 26, 2011, the people of Smithville, Mississippi, had hopes; they had dreams and they had plans. Some of those plans were budgetary and financial, but on April 27, at approximately 3 p.m., those plans changed. They changed drastically. When an historically devastating storm swept through the Southeast, Smithville, Mississippi, was struck by an EF5 tornado, and was literally wiped off the face of the Earth.

Let me make it quite clear. The people of Smithville are very grateful for the outpouring of food, of supplies, of materials that have come from around the Nation. They're grateful for the outpouring of help that has come from the various agencies of the Federal and State governments, but those same people have also redirected plans and priorities in their own lives. They didn't proceed forward with the plans that they had the day before.

Madam Chairman, if the men and women in Smithville, Mississippi—many of whom are living in trailers, many of whom have seen their lives disrupted and houses destroyed—are making the difficult choices in their

own lives, they have every reason to expect their government to do the exact same thing.

That's the basis for budgeting: deciding how to allocate available resources for both planned and unplanned events. They continue to say, But we've never done it that way.

Madam Chairman, over the past three decades, if we'd had leadership in this body like that of the leader of this subcommittee and the chairman of the committee and if we had done it in the way that they're doing it today, our national debt would be at least \$1.3 trillion lower, and we would not even be in this debate about considering to raise it.

I want to thank the chairmen for their leadership, and I urge the passage of this bill.

I yield back the balance of my time. Mr. COSTA. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. COSTA. I rise in opposition to the underlying bill and to a provision of this bill that, I think, is highway robbery, plain and simple.

Once again, my friends on the other side of the aisle are ignoring an opportunity to invest in their infrastructure, to create more jobs and to build a modern, 21st century system of transportation that utilizes our highways, our air transportation system and, yes, our rail in the state of high-speed rail systems that are part of America's future.

I support providing, like I think the majority of my colleagues do, the funding for the Mississippi Delta—we should and we must—as we have with every area that has experienced a disaster over the history of our Nation, but there are other ways to provide that funding.

In May of this year, Secretary Ray LaHood—a colleague of ours, a Republican—announced that \$368 million of our tax dollars would go to California to invest in the San Joaquin Valley in order to construct the Nation's first true state-of-the-art high-speed rail system. It's a system in California that the people support. In 2008, Californians went to the polls, and voted overwhelmingly for a \$9 billion bond measure to construct high-speed rail that will create hundreds of thousands of jobs throughout the State and that will create economic opportunities not only in the San Joaquin Valley but throughout California.

But this provision steals that money and the promise of new jobs right from the hands of the people it is intended to benefit.

The Great Recession hit my region of the country probably harder than almost any other place in America, with double-digit unemployment levels that exceed 20 percent. Too many people can't find jobs to keep roofs over their heads or can afford decent, healthy diets; but at a time when everyone in Washington says we should be focused

on job creation, this provision is the only one I can see that's about job destruction.

High-speed rail will create over 600,000 construction jobs over the life of the project over the next 10 to 20 years in California, but this provision says "no."

High-speed rail will create 450,000 permanent jobs over the next 25 years, but this provision just says "no."

High-speed rail will spur economic development by connecting our San Joaquin Valley with the Bay Area and southern California to create a system that will provide high-speed rail for 80 percent of California's population, but this provision just says "no."

High-speed rail will improve our air quality and will reduce traffic that clogs our freeways. Of course, this provision just says "no."

High-speed rail has proven to be a smart investment over the five decades that it has been developed in Europe and Asia, but this provision says "no" to America and "no" to California.

High-speed rail will ensure that California is competitive well into the 21st century, but this would attempt to block that area to move into the next phase of a 21st century system of transportation.

The people of California want high-speed rail—they voted for it and the jobs that it will create—but this provision, of course, just says "no."

Now, we've talked about our current financial situation. These are difficult times for America. There is no doubt about that. We must focus on our deficit, and we must come together in a bipartisan fashion. Yet I submit to any of you to tell me that we have a more difficult time today than we had in the 1860s, when our Nation was being torn apart by the Civil War—when inflation was running rampant, when deficit spending made our situation today look tame by comparison, when we had the first issue of paper money, and when a lot of people doubted the credibility of that paper currency.

Yet we had a great Republican President, the Emancipator, during that time in our Nation's history when our country was being torn apart—who had boldness and a vision and who had decided we were going to build a railroad across the country and invest in our Nation even though we were in that Civil War. That's what he did.

So this provision attempts to take on an effort, notwithstanding the difficult financial challenges that we have, to in essence say what President Lincoln said in the 1860s: We can do better. We can build a transcontinental railroad.

President Obama believes we can get ourselves out of this financial situation by working together and, at the same time, by investing in our Nation's infrastructure, just as President Eisenhower did in the 1950s when he decided to embark upon the effort to build interstate freeway transportation that we all benefit from today.

This provision was slipped into law. So, ladies and gentlemen, I ask that we

defeat this provision and that we keep our faith to the voters of California.

I yield back the balance of my time.  
Mr. CRAWFORD. I move to strike the last word.

The Acting CHAIR. The gentleman from Arkansas is recognized for 5 minutes.

Mr. CRAWFORD. I would like to congratulate and recognize the tremendous work of the Appropriations Committee in responding to the flooding disasters during a time of tight budget restrictions. There were tough choices that had to be made, but I believe the committee effectively prioritized the needs of the American people.

Madam Chair, my district in Arkansas was severely impacted by the recent floods that wrought devastation in the Mid-South and the Lower Mississippi Valley. Preliminary estimates of crop damage surpassed a half a billion dollars, and communities were evacuated because the levees struggled to retain the floodwaters.

□ 1400

The St. Francis levee district suffered the most damage because the water levels were so high the water enclosed entire areas and almost completely flooded Cross and Woodroof Counties in my district. In St. Francis County alone, hundreds of homes were underwater and tens of thousands of acres of farmland were flooded as well.

In another part of my district, heavy flooding devastated all areas of Des Arc in Prairie County. The community of Spring Lake, which is home to 32 families, was completely flooded with several feet of water. So far, only three of those families have moved back into their homes. The community of Smith Road, which is home to 18 families, was completely flooded as well. So far, not one of those families has been able to move back to their homes. On top of the damage to these communities, more than 50,000 acres of farmland were flooded. The entire corn crop was wiped out and most of the rice crop as well.

Mr. Chair, the flood disasters across the Mid-South have taken a huge toll on our way of life and have touched nearly everyone in my district. We must ensure we retain the vital funding to the Corps of Engineers so that we can repair and reinforce our levees so that citizens in the lower Mississippi Valley and the Mid-South can live in safety and our economy can recover.

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

Mr. RYAN of Ohio. I move to strike the last word.

The Acting CHAIR (Mr. DOLD). The gentleman is recognized for 5 minutes.

Mr. RYAN of Ohio. Thank you.

This has been an interesting debate. I've been able to sit down here and listen to a lot of folks on both sides talk about really investments that we need to make in the United States. I'm glad that there are some investments that our friends on the other side actually think are important to the country, be-

cause it seems in many ways the national narrative is that there isn't anything the government can make investments in that is important for our country.

To hear some Members talk about natural disasters and to hear some Members talk about the barges going up and down and farmland, there's a huge subsidy program where billions of Federal dollars are spent to support farmers. There are obviously dams that need to be built, and that is Federal money. When it applies to certain Members' districts where they are actually affected and families affected, it's their responsibility to come to Washington, D.C., and advocate for those investments.

I think what you're seeing here on our side is that we have Members on this side of the aisle who believe that investments need to be made in our communities, too, and that over 30 years, if you take cities like Youngstown or Cleveland or Detroit, you will see cities that need investment. We may not have had a natural disaster, but over the last 30 years we have had an economic disaster where we have had a lack of private investment. I am rising here to say that high-speed rail can be a force multiplier in our economic improvement in our community and across the country.

The gentleman from California just cited the number of jobs, the billions of dollars that could be invested. In Youngstown, Ohio, we would be linked up to a Pittsburgh to Cleveland corridor that would then go over to Toledo and Detroit and that would make its way over to Chicago. This is essentially connecting the United States of America.

You would be taking an economic region like ours with two major powerhouses in education and in health care that would be connected by high-speed rail. In Ohio, we gave away the high-speed rail money, too. Our Governor gave it away. And there were hundreds of millions of dollars in private investment that was going to follow the public investment that needs to be made. But if we're going to connect, if we're going to try to resuscitate some of these older areas in our country, high-speed rail is a way to do it.

These are investments that can be made. We can connect the Cleveland Clinic with the University of Pittsburgh Medical Center. We can connect Case Western Reserve with Carnegie Mellon, and they can partner in research, get on the train, and help lead some economic development and commercialization of products. You could take a region of our country and connect it through high-speed rail.

The problem is—and I will end with this—all of these investments need to be made. This is the dirty little secret in Washington, D.C. We're only spending 2 percent of our GDP on our infrastructure, while China and India are spending 10 percent of their GDP reinvesting back into their country. We

will lose the future if we do not make these investments. These are critical to the competitiveness of the United States. The dams that need to be built and the high-speed rail and the roads and the combined sewer and the airports and the ports and the highways and the bridges, we need to invest in all of these things.

Our country is crumbling. We can't have Members say, We only need to make this one investment for this one dam because it's in my district and because I know families who have been hurt. We've got to elevate ourselves and look at what needs to be done in the entirety of the whole country and how we are going to compete against China, how we are going to compete against India, how we are going to be globally competitive.

All of these investments need to be made, including the economic development and the private investment that can be drawn in through high-speed rail.

I yield back the balance of my time.

Ms. JACKSON LEE of Texas. I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. I thank the chairman, and I really do want to thank our appropriators. This is a tough, tough business. I certainly want to thank the ranking member whom I've had the privilege of working with and thank the chairman as well, because this is a tough dilemma that we are facing.

I think I come with a unique perspective. I live in hurricane and flood country. Houston is the site and was the recipient of hundreds of thousands of Katrina survivors coming in from New Orleans. We have faced our own ups and downs, most recently with Hurricane Ike, and I walked the beach with both former President Clinton and former President Bush when we went down to Galveston and looked at the amazing devastation.

So many of us were concerned about the tragedy in Joplin, Missouri, and other places, and then the constant flooding. I have talked to Members of Congress where there is flooding going on in their district as we speak. But here is the dilemma that we have and the reason that I rise to raise the question of the recapturing of already designated funds and to realize that these are not funds that were just sitting in a pile unused. These funds are not only already designated—I would like to say appropriated—high-speed rail dollars but, as well, these funds will generate thousands of jobs.

As I read the amounts of moneys that were designated, \$450 million were going to be utilized for necessary repairs in New Jersey. That means that my friends on the floor of the House have made a sacrifice, and I appreciate that, but high-speed rail is a valuable and necessary investment in America's future.

I truly believe that there could have been a compromise, where resources

could have been used for the flooding problems in the area that my colleagues have spoken about, the needy areas, and still leave an amount that would have been shared for high-speed rail. Let's create jobs together. That is the restoration of those flood areas, and I would almost ask the question without knowing as a member of the authorizing committee for Homeland Security, what other opportunities might have been in place to be able to utilize those dollars for the disaster that has occurred.

But I will tell you, it is no doubt as you go across Europe and see the value of high-speed rail, new technology, that America is far behind with its high-speed rail investment, the new technology, the new science, the new kinds of cars that are being produced that will create jobs, in essence putting the cars together, manufacturing the cars but then the assembling of the cars now being placed in cities around America. Those are real jobs, long-term jobs.

The decision that the administration made was a thoughtful decision. Let me thank Secretary LaHood for understanding the value of high-speed rail, and I would suggest that the proposal that we have for Texas does impact rural Texas. It is a proposal for high-speed rail from Houston to Dallas, going through our rural communities, creating the opportunities for jobs but creating the opportunities for investment in the purchase of land and the growth of business. All of that has an impact in creating jobs.

□ 1410

That's what we are all here for. We are here to be the rainy day umbrella for Americans who are in trouble, and as well we're here to create jobs, which Americans are so desperately in need of.

So I am disappointed that we didn't find the happy balance, and I believe that we could; that we couldn't measure the amount of resources that might have been able to be utilized for our friends that have just experienced a disaster and not completely gut monies that are already designated, appropriated. It's almost as if we came in and said there's a pile of cash, and I'm not going to bother to identify what it's supposed to be used for.

I would hope that there would be a method of reconsideration. These are fair gentlemen on the floor of the House. I've worked with all of my colleagues here. And I would just raise the question of why would we, in essence, zero out high-speed rail, not only for our urban centers but for our mid-western areas that are desperately in need of jobs, and for the southern areas that now are looking to the future for high-speed rail to create jobs and to create the quality, excellent, superior mobility system that Americans deserve—not the country of America, but the people of America deserve.

I would argue vigorously for a reconsideration of the funding and the re-

structuring of the funding to ensure that we have high-speed rail, create jobs, and deal with our friends who are in need.

Mr. Chair, I rise today in support of funding for high speed rail, and the importance of ensuring that money designated for high speed rail by the American Recovery and Reinvestment Act is utilized to build high speed rail-ways.

I must express my concerns about the offset in the amendment offered by the gentleman from New Jersey. There is no doubt that recent flooding in the Midwest has devastated communities and greatly impacted the region's economy.

The Army Corps of Engineers must have the resources to address the damage wrought by the flooding of the Mississippi and Missouri Rivers, but I urge my colleagues to consider the source of this funding.

The funding allocated for high speed rail in the American Recovery and Reinvestment Act will do more than update our Nation's transportation system; high speed rail creates jobs, increases tourism and is environmentally sustainable.

The Department of Transportation recently awarded \$15 million for a high speed rail project in Texas. The funding was awarded for engineering and environmental work to develop a high-speed rail corridor linking Dallas and Houston, where I represent the 18th Congressional District.

The demand for high speed rail in the state of Texas is significant. The second most populous state in the Nation, Texas' population is forecasted to grow by an additional 9.4 million people by 2035, a 38.9 percent increase over projected 2010 levels.

Additionally, the population growth is not going to be spread evenly across the state. According to the Texas State Data Center, 92 percent of the 2010–2035 population growth will occur in the existing metropolitan counties. High speed rail is an investment in the future of the state.

Receiving this funding from the American Recovery and Reinvestment Act was a tremendous opportunity for Houston, and the entire state of Texas. The award will allow our state to make critical investments in infrastructure that will increase mobility and allow for better commercial and private growth of our cities.

A long time supporter of high speed rail, I supported the Safe Highways and Infrastructure Preservation Act, and secured \$150 million dollars for the metro solutions light rail project because high-speed rail projects and other transportation investments represent the potential to create hundreds of jobs, enhanced mobility, and future economic development for Texas, and the entire Nation.

I commend the Chairman for recognizing the need for emergency funding in flood stricken areas. However, there are plenty of places from which my colleagues can offset funding. I cannot support an amendment that offsets funding from critical infrastructure projects that create jobs. I urge my colleagues in the Majority to explain why they would rather take funding from projects that create middle class jobs than raise taxes for billionaires.

We must repair the damage done by flooding, but we must also invest in the future of America. Other nations around the world have shown us that the future is high speed rail. It

is our responsibility to make critical investments in infrastructure projects, like high speed rail.

I urge my colleagues to think about the consequences of continuing to provide tax cuts for the wealthiest Americans at the expense of middle class jobs and improvements to our Nation's infrastructure. Offsetting funding for high speed rail for emergency disaster relief is not a responsible course of action.

My Republican colleagues constantly talk about creating jobs, yet time and time again, they turn away from opportunities to do so. The time for rhetoric has passed; what the country needs, what our constituents need is action. Offsetting funding for high speed rail, slashing funds that will create jobs is the wrong action, and I urge my colleagues to reconsider.

I yield back the balance of my time.

Mr. CLARKE of Michigan. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CLARKE of Michigan. Mr. Chairman, I am urging this House to spend the high-speed rail money on what it's designated for, high-speed rail projects.

Much of this money, or a good portion of it, was turned down by Governors of other States. So I'm here as a representative of Michigan's 13th District, and I want to go on the record right now of claiming that money because Michigan and metro Detroit, the district that I represent, we need jobs, jobs that will be created by the high-speed rail project, jobs that will be created when that high-speed rail that links Detroit to Chicago is tied into a regional transit system around metro Detroit. That's going to attract businesses all around that system. Companies and employers are more likely to stay in Detroit, move to Detroit when they realize they can have close access to Chicago and other midwestern areas. But jobs not only as an indirect result of this transit system and high-speed rail system, but by manufacturing the rails and the passenger cars that are going to be used. By creating jobs, that is the most effective way to create a long-term, resilient, enduring economy. And that's the best way to pay down our debt.

I understand the point that we should allocate a funding source to provide funding for the flood victims. Well, I would like to propose one.

Over the last 10 years, this Congress has authorized the spending of over \$50 billion—that's with a "b"—in economic aid to Afghanistan. Each fiscal year, including this current one, we're spending at least \$4 billion on economic aid in Afghanistan. I'm proposing let's just take a share of the money we're sending overseas to help serve and protect people in another country, let's redirect American tax dollars back to serve Americans.

And my fundamental point is this: We need to be more conservative with our tax dollars. Yes, there are needs all around the world, but our people need help right here. This budget choice that we're faced with right now under-

scores that. This is a choice that we should not have to make. We shouldn't have to choose between serving flood victims and providing for long-term jobs that we need in Michigan and metro Detroit through high-speed rail.

You know, there is another fairness issue. Folks where I live, the auto capital of the world, they can't afford an automobile because of the high cost of automobile insurance. They need high-speed rail and the synergy it will create with mass transit.

So again, I urge you, let's use this money for its intended purpose—to ultimately create jobs. That's the best way that we can pay down the Federal debt, and also it's the principle of it. In these tough economic times, let's redirect American tax dollars to serve Americans. High-speed rail in America will create jobs and make a difference for our people, a positive difference.

I yield back the balance of my time.

#### ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mr. MATHESON of Utah.

An amendment by Mr. REED of New York.

Amendment No. 65 by Mr. HOLT of New Jersey.

Amendment No. 68 by Mr. ROYCE of California.

Amendment No. 43 by Mr. BROUN of Georgia.

An amendment by Mr. SCHIFF of California.

Amendment No. 48 by Mr. BROUN of Georgia.

An amendment by Mr. SHIMKUS of Illinois.

Amendment No. 47 by Mr. BROUN of Georgia.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

#### AMENDMENT OFFERED BY MR. MATHESON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Utah (Mr. MATHESON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 168, noes 257, not voting 6, as follows:

[Roll No. 574]

AYES—168

Ackerman	Barrow	Bishop (NY)
Altmire	Bass (CA)	Blumenauer
Amash	Becerra	Boswell
Baca	Berman	Brady (PA)
Baldwin	Bishop (GA)	Braley (IA)

Brown (FL)	Heinrich	Payne
Butterfield	Higgins	Perlmutter
Capps	Himes	Peters
Capuano	Hinojosa	Peterson
Cardoza	Hirono	Pingree (ME)
Carnahan	Hochul	Polis
Carney	Holt	Price (NC)
Carson (IN)	Honda	Quigley
Castor (FL)	Hoyer	Rahall
Chaffetz	Inslee	Rangel
Chandler	Israel	Reed
Chu	Jackson (IL)	Richardson
Clarke (MI)	Jackson Lee	Richmond
Clarke (NY)	(TX)	Ross (AR)
Clay	Johnson (GA)	Roybal-Allard
Cleaver	Johnson, E. B.	Ruppersberger
Clyburn	Keating	Ryan (OH)
Cohen	Kildee	Sánchez, Linda
Connolly (VA)	Kind	T.
Conyers	Kissell	Sarbanes
Cooper	Kucinich	Schakowsky
Costello	Larsen (WA)	Schiff
Courtney	Larson (CT)	Schrader
Critz	Lee (CA)	Schwartz
Crowley	Levin	Scott (VA)
Cuellar	Lewis (GA)	Scott, David
Davis (CA)	Lipinski	Serrano
Davis (IL)	Lowey	Sewell
DeFazio	Lujan	Sherman
DeGette	Maloney	Shuler
DeLauro	Markey	Sires
Deutch	Matheson	Slaughter
Dicks	Matsui	Speier
Dingell	McCarthy (NY)	Stark
Doggett	McCollum	Sutton
Doyle	McDermott	Thompson (CA)
Edwards	McGovern	Tierney
Engel	McIntyre	Tonko
Eshoo	Meeks	Towns
Farr	Michaud	Van Hollen
Fattah	Miller (NC)	Velázquez
Filner	Miller, George	Walz (MN)
Frank (MA)	Moran	Wasserman
Fudge	Murphy (CT)	Schultz
Gibson	Nadler	Waters
Gonzalez	Napolitano	Watt
Green, Al	Neal	Waxman
Green, Gene	Olver	Welch
Grijalva	Owens	Wilson (FL)
Gutierrez	Pallone	Woolsey
Hanna	Pascarell	Wu
Hastings (FL)	Paul	Yarmuth

#### NOES—257

Adams	Cole	Graves (MO)
Aderholt	Conaway	Griffin (AR)
Akin	Cravaack	Griffith (VA)
Alexander	Crawford	Grimm
Andrews	Crenshaw	Guinta
Austria	Culberson	Guthrie
Bachmann	Cummings	Hall
Bachus	Davis (KY)	Hanabusa
Barletta	Denham	Harper
Bartlett	Dent	Harris
Barton (TX)	DesJarlais	Hartzler
Bass (NH)	Diaz-Balart	Hastings (WA)
Benishek	Dold	Hayworth
Berg	Donnelly (IN)	Heck
Berkley	Dreier	Hensarling
Biggert	Duffy	Herger
Bilbray	Duncan (SC)	Herrera Beutler
Bilirakis	Duncan (TN)	Holden
Bishop (UT)	Ellmers	Huelskamp
Black	Emerson	Huizenga (MI)
Blackburn	Farenthold	Hultgren
Bonner	Fincher	Hunter
Bono Mack	Fitzpatrick	Hurt
Boren	Flake	Issa
Boustany	Fleischmann	Jenkins
Brady (TX)	Fleming	Johnson (IL)
Brooks	Flores	Johnson (OH)
Broun (GA)	Forbes	Johnson, Sam
Buchanan	Fortenberry	Jones
Bucshon	Fox	Jordan
Buerkle	Franks (AZ)	Kaptur
Burgess	Frelinghuysen	Kelly
Burton (IN)	Gallely	King (IA)
Calvert	Garamendi	King (NY)
Camp	Gardner	Kingston
Campbell	Garrett	Kinzinger (IL)
Canseco	Gerlach	Kline
Cantor	Gibbs	Labrador
Capito	Gingrey (GA)	Lamborn
Carter	Gohmert	Lance
Cassidy	Goodlatte	Landry
Chabot	Gosar	Langevin
Cicilline	Gowdy	Lankford
Coble	Granger	Latham
Coffman (CO)	Graves (GA)	LaTourette



Latta	Pastor (AZ)	Sensenbrenner	Braley (IA)	Hochul	Pingree (ME)	Dreier	Kingston	Rivera
Lewis (CA)	Paulsen	Sessions	Brown (FL)	Holt	Pitts	Duncan (TN)	Kinzinger (IL)	Roby
LoBiondo	Pearce	Shimkus	Bucshon	Honda	Platts	Edwards	Klaine	Rogers (AL)
Loeb	Pence	Shuster	Buerkle	Hoyer	Polis	Ellmers	Labrador	Rogers (KY)
Lofgren, Zoe	Petri	Simpson	Bullfield	Hultgren	Pompeo	Emerson	Lamborn	Rogers (MI)
Long	Pitts	Smith (NE)	Camp	Hurt	Posey	Eshoo	Latham	Rohrabacher
Lucas	Platts	Smith (NJ)	Canseco	Insee	Price (NC)	Fattah	Latta	Rokita
Luetkemeyer	Poe (TX)	Smith (TX)	Capito	Israel	Quigley	Flake	Lewis (CA)	Rothman (NJ)
Lummis	Pompeo	Smith (WA)	Capps	Jackson (IL)	Rahall	Fleischmann	Loeb	Runyan
Lungren, Daniel E.	Posey	Southerland	Capuano	Jackson Lee (TX)	Rangel	Flores	Lofgren, Zoe	Ryan (OH)
Lynch	Price (GA)	Stearns	Cardoza	Johnson (GA)	Reed	Forbes	Long	Sanchez, Loretta
Mack	Quayle	Stivers	Carman	Johnson (IL)	Reichert	Fox	Lucas	Speier
Manzullo	Rehberg	Stutzman	Carney	Johnson (OH)	Reyes	Franks (AZ)	Luetkemeyer	Schilling
Marchant	Reichert	Sullivan	Carson (IN)	Johnson (OH)	Ribble	Frelinghuysen	Lummis	Schweikert
Marino	Renacci	Terry	Chabot	Johnson, E. B.	Richardson	Gallegly	Mack	Scott, Austin
McCarthy (CA)	Reyes	Thompson (MS)	Chaffetz	Johnson, Sam	Richardson	Garamendi	Marino	Sessions
McCaul	Ribble	Thompson (PA)	Chandler	Jones	Richmond	Garrett	McCaul	Shimkus
McClintock	Rigell	Thornberry	Cicilline	Jordan	Roe (TN)	Gingrey (GA)	McCotter	Smith (NE)
McCotter	Rivera	Tiberi	Clarke (MI)	Kaptur	Rooney	Granger	McKeon	Smith (TX)
McHenry	Roby	Tipton	Clarke (NY)	Keating	Ros-Lehtinen	Graves (GA)	McNerney	Smith (WA)
McKeon	Roe (TN)	Tsongas	Clay	Kildee	Roskam	Graves (MO)	Miller (FL)	Southerland
McKinley	Rogers (AL)	Turner	Cleaver	Kind	Ross (AR)	Hall	Miller (MI)	Speier
McMorris	Rogers (KY)	Upton	Clyburn	Kissell	Ross (FL)	Hanabusa	Miller (NC)	Thornberry
Rodgers	Rogers (MI)	Visclosky	Coble	Kucinich	Roybal-Allard	Harper	Miller, Gary	Tsongas
McNerney	Rohrabacher	Walberg	Cohen	Lance	Royce	Harris	Murphy (PA)	Turner
Meehan	Rokita	Walsh	Connelly (VA)	Landry	Ruppersberger	Hastings (WA)	Myrick	Visclosky
Mica	Rooney	Walsh (IL)	Conyers	Langevin	Rush	Heck	Neugebauer	Walberg
Miller (FL)	Ros-Lehtinen	Webster	Costa	Lankford	Ryan (WI)	Hensarling	Noem	Walsh (IL)
Miller (MI)	Roskam	West	Courtney	Larsen (WA)	Sánchez, Linda T.	Herger	Nunnelee	Walz (MN)
Miller, Gary	Ross (FL)	Westmoreland	Critz	Larson (CT)	Sarbanes	Herrera Beutler	Olson	Waters
Moore	Rothman (NJ)	Whitfield	Crowley	LaTourette	Schakowsky	Himes	Palazzo	Westmoreland
Mulvaney	Royce	Wilson (SC)	Cummings	Lee (CA)	Schiff	Pastor (AZ)	Pence	Whitfield
Murphy (PA)	Runyan	Wittman	Davis (IL)	Levin	Schmidt	Huelskamp	Poe (TX)	Wilson (SC)
Myrick	Ryan (WI)	Wolf	DeFazio	Lewis (GA)	Schmitt	Huizenga (MI)	Price (GA)	Wittman
Neugebauer	Sanchez, Loretta	Womack	DeGette	Lipinski	Schrader	Hunter	Quayle	Wolf
Noem	Scalise	Woodall	DeLauro	LoBiondo	Schwartz	Issa	Rehberg	Yoder
Nugent	Schilling	Young (AK)	Denham	Lowe	Scott (SC)	Jenkins	Renacci	Young (FL)
Nunes	Schmidt	Young (IN)	Dent	Lujan	Scott (VA)	Kelly	Rigell	Young (IN)
Nunnelee	Schock		DesJarlais	Lungren, Daniel E.	Scott, David	King (NY)		
Olson	Schweikert		Dicks	Lynch	Sensenbrenner			
Palazzo	Scott (SC)		Dingell	Manzullo	Serrano	Ellison	Hinchey	Moran
	Scott, Austin		Doggett	Marchant	Sewell	Fleming	King (IA)	Pelosi
			Dold	Markey	Sherman	Giffords	Maloney	
			Doyle	Matheson	Shuler			
			Duffy	Matsui	Shuster			
			Duncan (SC)	McCarthy (CA)	Simpson			
			Engel	McCarthy (NY)	Sires			
			Farenthold	McClintock	Slaughter			
			Farr	McCollum	Smith (NJ)			
			Finer	McDermott	Stark			
			Fincher	McGovern	Stearns			
			Fitzpatrick	McHenry	Stivers			
			Fortenberry	McIntyre	Stutzman			
			Frank (MA)	McKinley	Sullivan			
			Fudge	McMorris	Sutton			
			Gardner	Rodgers	Terry			
			Gerlach	Meehan	Thompson (CA)			
			Gibbs	Meeks	Thompson (MS)			
			Gibson	Mica	Thompson (PA)			
			Gohmert	Michaud	Tiberi			
			Gonzalez	Miller, George	Tierney			
			Goodlatte	Moore	Tipton			
			Gosar	Mulvaney	Tonko			
			Gowdy	Murphy (CT)	Towns			
			Green, Al	Nadler	Upton			
			Green, Gene	Napolitano	Van Hollen			
			Griffin (AR)	Neal	Velázquez			
			Griffith (VA)	Nugent	Walden			
			Grijalva	Nunes	Wasserman			
			Grimm	Oliver	Schultz			
			Guinta	Owens	Watt			
			Guthrie	Pallone	Waxman			
			Gutierrez	Pascrell	Webster			
			Hanna	Paul	Welch			
			Hartzler	Paulsen	West			
			Hastings (FL)	Payne	Wilson (FL)			
			Hayworth	Pearce	Woodall			
			Heinrich	Perlmutter	Woolsey			
			Higgins	Peters	Wu			
			Hinojosa	Peterson	Yarmuth			
			Hirono	Petri	Young (AK)			

NOT VOTING—6

Costa	Giffords	Pelosi
Ellison	Hinchey	Rush

□ 1442

Ms. MOORE, Messrs. AKIN, ROTHMAN, and STUTZMAN changed their vote from “aye” to “no.”

Messrs. CRITZ, GUTIERREZ, AMASH, BISHOP of Georgia, and DOYLE changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. REED

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. REED) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 261, noes 162, not voting 8, as follows:

[Roll No. 575]

AYES—261

Ackerman	Bass (NH)	Bishop (UT)
Adams	Becerra	Black
Baca	Benishek	Blumenauer
Baldwin	Berkley	Bono Mack
Barrow	Berman	Boswell
Barton (TX)	Bishop (GA)	Brady (PA)
Bass (CA)	Bishop (NY)	Brady (TX)

NOES—162

Aderholt	Blackburn	Chu
Akin	Bonner	Coffman (CO)
Alexander	Boren	Cole
Altmire	Boustany	Conaway
Amash	Brooks	Cooper
Andrews	Broun (GA)	Costello
Austria	Buchanan	Cravaack
Bachmann	Burgess	Crawford
Bachus	Burton (IN)	Crenshaw
Barletta	Calvert	Cuellar
Bartlett	Campbell	Culberson
Berg	Cantor	Davis (CA)
Biggert	Carter	Davis (KY)
Bilbray	Cassidy	Diaz-Balart
Bilirakis	Castor (FL)	Donnelly (IN)

NOT VOTING—8

Ellison	Hinchey	Moran
Fleming	King (IA)	Pelosi
Giffords	Maloney	

□ 1447

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

Messrs. HONDA, WEBSTER, and CONYERS changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FLEMING. Mr. Chairman, on rollcall No. 575 I was unavoidably detained. Had I been present, I would have voted “aye.”

AMENDMENT NO. 65 OFFERED BY MR. HOLT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. HOLT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 164, noes 261, not voting 6, as follows:

[Roll No. 576]

AYES—164

Ackerman	Becerra	Blumenauer
Andrews	Berman	Boswell
Baca	Biggert	Brady (PA)
Baldwin	Bishop (GA)	Braley (IA)
Bass (CA)	Bishop (NY)	Brown (FL)

Butterfield	Hoyer	Pingree (ME)	Langevin	Palazzo	Scott (SC)	Conaway	Johnson, Sam	Pearce
Capps	Hultgren	Polis	Lankford	Pastor (AZ)	Scott, Austin	Costa	Jones	Pence
Capuano	Inslee	Price (NC)	Larsen (WA)	Paulsen	Sensenbrenner	Cravaack	Jordan	Pitts
Cardoza	Israel	Quigley	Latham	Pearce	Sessions	Denham	King (IA)	Poe (TX)
Carnahan	Jackson (IL)	Rahall	LaTourette	Pence	Shimkus	Flores	King (NY)	Pompeo
Carney	Jackson Lee	Rangel	Latta	Peterson	Shuster	Farenthold	Kingston	Posey
Carson (IN)	(TX)	Reyes	Lewis (CA)	Petri	Simpson	Fincher	Kline	Price (GA)
Castor (FL)	Johnson, E. B.	Richardson	LoBiondo	Pitts	Slaughter	Flake	Labrador	Quayle
Chu	Jones	Richmond	Loeb sack	Platts	Smith (NE)	Fleming	Landry	Ribble
Clarke (MI)	Kaptur	Rothman (NJ)	Lofgren, Zoe	Poe (TX)	Smith (NJ)	Flores	Lewis (CA)	Roe (TN)
Clarke (NY)	Keating	Roybal-Allard	Long	Pompeo	Smith (TX)	Foxx	Long	Rohrabacher
Clay	Kildee	Ruppersberger	Lucas	Posey	Smith (WA)	Franks (AZ)	Luetkemeyer	Rokita
Cleaver	Kind	Rush	Luetkemeyer	Price (GA)	Southerland	Gallegly	Lummis	Rooney
Clyburn	Kucinich	Ryan (OH)	Lummis	Quayle	Stearns	Gardner	Lungren, Daniel	Ross (FL)
Cohen	Larson (CT)	Sánchez, Linda	Lungren, Daniel	Reed	Stivers	Garrett	E.	Royce
Connolly (VA)	Lee (CA)	T.	E.	Rehberg	Sullivan	Gibson	Mack	Ryan (WI)
Conyers	Levin	Sarbanes	Mack	Reichert	Sullivan	Gingrey (GA)	Manzullo	Scalise
Cooper	Lewis (GA)	Schakowsky	Manzullo	Renacci	Terry	Gohmert	Marchant	Schmidt
Costello	Lipinski	Schiff	Marino	Ribble	Thompson (PA)	Goodlatte	Marino	Schweikert
Courtney	Lowey	Schrader	Marino	Rigell	Thornberry	Gosar	McCarthy (CA)	Scott, Austin
Crowley	Luján	Schwartz	McCarthy (CA)	Rivera	Tiberi	Gowdy	McCaul	Sensenbrenner
Cummings	Lynch	Scott (VA)	McCaul	Roby	Tipton	Graves (GA)	Graves (MO)	Sessions
Davis (CA)	Maloney	Scott, David	McClintock	Roe (TN)	Turner	Graves (MO)	McHenry	Shimkus
Davis (IL)	Markey	Serrano	McCotter	Rogers (AL)	Upton	Griffin (AR)	McKeon	Smith (NJ)
DeFazio	Matheson	Sewell	McHenry	Rogers (KY)	Walberg	Griffith (VA)	Mica	Stearns
DeGette	Matsui	Sherman	McKeon	Rogers (MI)	Walden	Grimm	Miller (FL)	Stutzman
DeLauro	McCarthy (NY)	Shuler	McKinley	Rohrabacher	Walsh (IL)	Guthrie	Miller (MI)	Thornberry
Deutch	McCollum	Sires	McMorris	Rokita	Walsh (MN)	Harris	Miller, Gary	Tipton
Dicks	McDermott	Speier	Rodgers	Rooney	Webster	Hartzer	Mulvaney	Walberg
Dingell	McGovern	Stark	Mica	Ros-Lehtinen	West	Hensarling	Murphy (PA)	Walsh (IL)
Doggett	McIntyre	Sutton	Miller (FL)	Ross (AR)	Westmoreland	Herger	Myrick	Webster
Doyle	McNerney	Thompson (CA)	Miller (MI)	Ross (FL)	Whitfield	Huelskamp	Neugebauer	West
Duncan (TN)	Meehan	Thompson (MS)	Miller, Gary	Royce	Wilson (SC)	Huizenga (MI)	Nugent	Westmoreland
Edwards	Michaud	Tierney	Mulvaney	Runyan	Wittman	Hunter	Nunes	Wilson (SC)
Engel	Miller (NC)	Tonko	Murphy (PA)	Ryan (WI)	Wolf	Hurt	Nunnelee	Woodall
Farr	Miller, George	Towns	Myrick	Sanchez, Loretta	Womack	Issa	Paul	Yoder
Fattah	Moore	Tsongas	Neugebauer	Scalise	Woodall	Jenkins	Paulsen	Young (IN)
Filner	Moran	Van Hollen	Noem	Schilling	Yoder	Johnson (OH)		
Frank (MA)	Murphy (CT)	Velázquez	Nunes	Schmidt	Young (AK)			
Fudge	Nadler	Visclosky	Nunnelee	Schock	Young (FL)			
Green, Al	Napolitano	Wasserman	Olson	Schweikert	Young (IN)			
Green, Gene	Neal	Schultz						
Grijalva	Oliver	Watt	Ellison			Ackerman		Heinrich
Gutierrez	Owens	Waxman	Giffords	Hinchoy	King (IA)	Aderholt	Crawford	Herrera Beutler
Hastings (FL)	Pallone	Welch		Hirono	Meeks	Alexander	Crenshaw	Herrera Beutler
Higgins	Pascrell	Wilson (FL)				Andrews	Critz	Higgins
Himes	Paul	Woolsey				Austria	Crowley	Himes
Hinojosa	Payne	Yarmuth				Bachus	Cuellar	Hinojosa
Hochul	Pelosi					Baldwin	Culberson	Hirono
Holt	Perlmutter					Barletta	Cummings	Hochul
Honda	Peters					Barrow	Davis (CA)	Holden
						Bartlett	Davis (IL)	Holt
						Bass (CA)	Davis (KY)	Honda
						Bass (NH)	DeFazio	Hoyer
						Becerra	DeGette	Hultgren
						Berg	DeLauro	Inslee
						Berkley	Dent	Israel
						Berman	DesJarlais	Jackson (IL)
						Biggart	Berg	Jackson (IL)
						Bishop (GA)	Berkley	Deutch
						Bishop (NY)	Berman	Diaz-Balart
						Bishop (NY)	Baca	Dicks
						Blumenauer	Bachus	Dingell
						Bonner	Baldwin	Doggett
						Boren	Barletta	Dold
						Boswell	Barrow	Donnelly (IN)
						Brady (PA)	Bartlett	Doyle
						Brady (TX)	Boren	Dreier
						Brooks	Boswell	Duffy
						Brown (FL)	Brady (PA)	Duncan (SC)
						Bucshon	Brady (TX)	Edwards
						Buerkle	Braley (IA)	Emerson
						Butterfield	Brooks	Engel
						Camp	Brown (FL)	Eshoo
						Capito	Bucshon	Farr
						Capps	Buerkle	Fattah
						Capuano	Butterfield	Filner
						Cardoza	Camp	Fitzpatrick
						Carnahan	Capito	Fleischmann
						Carney	Capps	Forbes
						Carson (IN)	Capuano	Fortenberry
						Carter	Cardoza	Frank (MA)
						Cassidy	Carnahan	Frelinghuysen
						Castor (FL)	Carney	Fudge
						Chandler	Carson (IN)	Garamendi
						Chu	Carter	LoBiondo
						Cicilline	Cassidy	Gerlach
						Clarke (MI)	Castor (FL)	Gibbs
						Clarke (NY)	Chandler	Gonzalez
						Clay	Chu	Granger
						Cleaver	Cicilline	Green, Al
						Clyburn	Clarke (MI)	Green, Gene
						Cohen	Clarke (NY)	Grijalva
						Cole	Cleaver	Grijalva
						Connolly (VA)	Clyburn	Gutierrez
						Conyers	Cohen	Hall
						Cooper	Cole	Hanabusa
						Costello	Connolly (VA)	Hanna
						Courtney	Conyers	Harper
							Cooper	Hastings (FL)
							Costello	McDermott
							Courtney	McGovern
								McIntyre
								McKinley

NOES—291

## NOT VOTING—6

The Acting CHAIR (during the vote).  
There is 1 minute remaining in this vote.

□ 1451

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

Stated for:

Ms. HIRONO. Mr. Chair, on rollcall No. 576,  
had I been present, I would have voted "aye."

AMENDMENT NO. 68 OFFERED BY MR. ROYCE

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from California (Mr. ROYCE)  
on which further proceedings were  
postponed and on which the noes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 136, noes 291,  
not voting 4, as follows:

[Roll No. 577]

AYES—136

Adams	Coble	Goodlatte	Adams	Black	Calvert
Aderholt	Coffman (CO)	Gosar	Akin	Blackburn	Campbell
Akin	Cole	Gowdy	Amash	Bono Mack	Canseco
Alexander	Conaway	Granger	Bachmann	Boustany	Cantor
Altmire	Costa	Graves (GA)	Barton (TX)	Broun (GA)	Chabot
Amash	Cravaack	Graves (MO)	Benishke	Buchanan	Chaffetz
Austria	Crawford	Griffin (AR)	Bilirakis	Bucshon	Chaffetz
Bachmann	Crenshaw	Griffith (VA)	Bucshon	Buerkle	Chandler
Bachus	Critz	Grimm	Burgess	Burgess	Chu
Barletta	Cuellar	Guinta	Burton (IN)	Burton (IN)	Cicilline
Barrow	Culberson	Guthrie			Clarke (MI)
Bartlett	Davis (KY)	Hall			Clarke (NY)
Barton (TX)	Denham	Hanabusa			Clay
Bass (NH)	Dent	Hanna			Cleaver
Benishke	DesJarlais	Harper			Clyburn
Berg	Diaz-Balart	Harris			Cohen
Berkley	Dold	Hartzler			Cole
Bilbray	Donnelly (IN)	Hastings (WA)			Connolly (VA)
Bilirakis	Dreier	Hayworth			Conyers
Bishop (UT)	Duffy	Heck			Cooper
Black	Duncan (SC)	Heinrich			Costello
Blackburn	Ellmers	Hensarling			Courtney
Bonner	Emerson	Herger			
Bono Mack	Eshoo	Herrera Beutler			
Boren	Farenthold	Holden			
Boustany	Fincher	Huelskamp			
Brady (TX)	Fitzpatrick	Huizenga (MI)			
Brooks	Flake	Hunter			
Broun (GA)	Fleischmann	Hurt			
Buchanan	Fleming	Issa			
Bucshon	Flores	Jenkins			
Buerkle	Forbes	Johnson (GA)			
Burgess	Fortenberry	Johnson (IL)			
Burton (IN)	Foxx	Johnson (OH)			
Calvert	Franks (AZ)	Johnson, Sam			
Camp	Frelinghuysen	Jordan			
Campbell	Gallegly	Kelly			
Canseco	Garamendi	King (NY)			
Cantor	Gardner	Kingston			
Capito	Garrett	Kinzinger (IL)			
Carter	Gerlach	Kissell			
Cassidy	Gibbs	Kline			
Chabot	Gibson	Labrador			
Chaffetz	Gingrey (GA)	Lamborn			
Chandler	Gohmert	Lance			
Cicilline	Gonzalez	Landry			



Donnelly (IN)	Larson (CT)	Rahall	Myrick	Rogers (KY)	Stutzman	Johnson (OH)	Neugebauer	Schweikert
Doyle	LaTourette	Rangel	Neugebauer	Rogers (MI)	Sullivan	Johnson, Sam	Nugent	Scott (SC)
Duncan (TN)	Lee (CA)	Reichert	Neugebauer	Rohrabacher	Terry	Jones	Paul	Scott, Austin
Edwards	Levin	Reyes	Nugent	Rokita	Thompson (PA)	Jordan	Paulsen	Sensenbrenner
Engel	Lewis (GA)	Richardson	Nunes	Rooney	Thornberry	Kingston	Pearce	Sessions
Eshoo	Lipinski	Richmond	Nunnelee	Ros-Lehtinen	Tjiberi	Kline	Petri	Smith (NE)
Farr	LoBiondo	Ross (AR)	Olson	Roskam	Tipton	Labrador	Pitts	Southerland
Fattah	Loeb	Ross (FL)	Palazzo	Royce	Towns	Lamborn	Poe (TX)	Stearns
Filner	Lofgren, Zoe	Rothman (NJ)	Palazzo	Royce	Turner	Latta	Pompeo	Stutzman
Fincher	Lowe	Roybal-Allard	Pastor (AZ)	Ryunan	Turner	Long	Price (GA)	Thornberry
Fitzpatrick	Lujan	Ruppersberger	Paul	Ryan (WI)	Velázquez	Mack	Quayle	Tipton
Frank (MA)	Lungren, Daniel	Rush	Paulsen	Scalise	Visclosky	Marino	Rigell	Walberg
Fudge	E.	Ryan (OH)	Pearce	Schilling	Walden	Matheson	Roe (TN)	Walsh (IL)
Garamendi	Lynch	Sánchez, Linda	Pitts	Schmidt	Walberg	McClintock	Rohrabacher	Webster
Gerlach	Maloney	T.	Poe (TX)	Schrock	Walsh (IL)	McHenry	Rokita	West
Gibson	Manzullo	Sanchez, Loretta	Pompeo	Schweikert	Waxman	Mica	Rooney	Westmoreland
Gonzalez	Marino	Sarbanes	Posey	Scott (SC)	Webster	Miller (FL)	Ross (FL)	Whitfield
Goodlatte	Markey	Schakowsky	Price (GA)	Sensenbrenner	Westmoreland	Miller, Gary	Royce	Wilson (SC)
Green, Al	Matheson	Schiff	Quayle	Serrano	Whitfield	Mulvaney	Ryan (WI)	Woodall
Griffith (VA)	Matsui	Schrader	Reed	Sessions	Wilson (SC)	Murphy (PA)	Schmidt	Young (IN)
Grijalva	McCarthy (NY)	Schwartz	Rehberg	Shimkus	Wittman			
Gutierrez	McCaul	Scott (VA)	Renacci	Shuster	Wolf			
Hanabusa	McCollum	Scott, Austin	Ribble	Simpson	Womack	Aderholt	Dicks	Lance
Harris	McDermott	Scott, David	Rigell	Smith (NE)	Yoder	Alexander	Dingell	Landry
Hastings (FL)	McGovern	Sewell	Rivera	Smith (NJ)	Young (AK)	Altmire	Doggett	Langevin
Heck	McIntyre	Sherman	Roby	Southerland	Young (FL)	Austria	Dold	Lankford
Heinrich	McNerney	Shuler	Roe (TN)	Stearns	Young (IN)	Baca	Donnelly (IN)	Larsen (WA)
Higgins	Meeks	Sires	Rogers (AL)	Stivers		Bachus	Doyle	Larson (CT)
Himes	Mica	Slaughter				Baldwin	Dreier	Latham
Hinojosa	Michaud	Smith (TX)	Ellison	Green, Gene	NOT VOTING—4	Barletta	Duncan (SC)	Lee (CA)
Hirono	Miller (NC)	Smith (WA)	Giffords	Hinchee		Barrow	Edwards	Levin
Hochul	Miller, George	Speier				Bartlett	Ellmers	Lewis (CA)
Holden	Moore	Stark				Bass (CA)	Emerson	Lewis (GA)
Holt	Moran	Sutton				Bass (NH)	Engel	Lipinski
Honda	Murphy (CT)	Thompson (CA)				Becerra	Eshoo	LoBiondo
Hoyer	Nadler	Thompson (MS)				Berg	Farenthold	Loeb
Inslee	Napolitano	Tierney				Berkley	Farr	Lofgren, Zoe
Israel	Neal	Tonko				Berman	Fattah	Lowe
Jackson (IL)	Oliver	Tsongas				Biggart	Filner	Lucas
Johnson (GA)	Owens	Van Hollen				Bilbray	Fitzpatrick	Luetkemeyer
Johnson (IL)	Pallone	Walz (MN)				Bilirakis	Fleischmann	Lujan
Johnson, E. B.	Pascrell	Wasserman				Bishop (GA)	Fortenberry	Lummis
Jones	Payne	Schultz				Bishop (NY)	Frank (MA)	Lungren, Daniel
Kaptur	Pelosi	Waters				Blumenauer	E.	
Keating	Perlmutter	Watt				Bonner	Fudge	Lynch
Kildee	Peters	Welch				Boren	Gallely	Maloney
Kind	Peterson	West				Boswell	Garamendi	Manzullo
Kinzinger (IL)	Petri	Wilson (FL)				Boustany	Gardner	Markey
Kissell	Pingree (ME)	Woodall				Brady (PA)	Gerlach	Matsui
Kucinich	Platts	Woolsey				Braley (IA)	Gibbs	McCarthy (CA)
Lance	Polis	Wu				Brown (FL)	Gibson	McCarthy (NY)
Langevin	Price (NC)	Yarmuth				Buchanan	Gonzalez	McCaul
Larsen (WA)	Quigley					Buchson	Gosar	McCollum
						Burgess	Gowdy	McCotter
						Burton (IN)	Granger	McDermott
						Butterfield	Graves (MO)	McGovern
						Calvert	Green, Al	McIntyre
						Camp	Green, Gene	McKeon
						Capito	Griffin (AR)	McKinley
						Capps	Grijalva	McMorris
						Capuano	Grimm	Rodgers
						Cardoza	Guinta	McNerney
						Carnahan	Guthrie	Meehan
						Carney	Gutierrez	Meeks
						Carson (IN)	Hanabusa	Michaud
						Carter	Hanna	Miller (MI)
						Cassidy	Harper	Miller (NC)
						Castor (FL)	Hastings (FL)	Miller, George
						Chandler	Hastings (WA)	Moore
						Chu	Heck	Moran
						Cicilline	Heinrich	Murphy (CT)
						Clarke (MI)	Herrera Beutler	Myrick
						Clarke (NY)	Higgins	Nadler
						Clay	Himes	Napolitano
						Cleaver	Hinojosa	Neal
						Clyburn	Hirono	Noem
						Coble	Hochul	Nunes
						Cohen	Holden	Nunnelee
						Cole	Holt	Olson
						Connolly (VA)	Honda	Oliver
						Conyers	Hoyer	Owens
						Cooper	Inslee	Palazzo
						Costa	Israel	Pallone
						Costello	Issa	Pascrell
						Courtney	Jackson (IL)	Pastor (AZ)
						Crawford	Jackson Lee	Payne
						Crenshaw	(TX)	Pelosi
						Critz	Johnson (GA)	Pence
						Crowley	Johnson, E. B.	Perlmutter
						Cuellar	Kaptur	Peters
						Cummings	Keating	Peterson
						Davis (CA)	Kelly	Pingree (ME)
						DeFazio	Kildee	Platts
						DeGette	Kind	Polis
						DeLauro	King (IA)	Posey
						Denham	King (NY)	Price (NC)
						Dent	Kinzinger (IL)	Quigley
						Deutch	Kissell	Rahall
						Diaz-Balart	Kucinich	Rangel

## NOES—309

## NOT VOTING—4

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1501

So the amendment was agreed to. The result of the vote was announced as above recorded.

Stated for:

Mr. GENE GREEN of Texas. Mr. Chair, on rollcall No. 579, had I been present, I would have voted "aye."

AMENDMENT NO. 48 OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. BROUN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 114, noes 309, not voting 8, as follows:

[Roll No. 580]

AYES—114

Adams	Davis (KY)	Huelskamp	Adams	Chaffetz	Gingrey (GA)
Aderholt	Denham	Huizenga (MI)	Akin	Coffman (CO)	Gohmert
Akin	Dent	Hultgren	Amash	Conaway	Goodlatte
Alexander	Diaz-Balart	Hunter	Bachmann	Cravaack	Graves (GA)
Amash	Dicks	Hurt	Barton (TX)	Culberson	Griffith (VA)
Austria	Dreier	Issa	Benishek	Davis (IL)	Hall
Bachmann	Duffy	Jackson Lee	Bishop (UT)	Davis (KY)	Harris
Bachus	Duncan (SC)	(TX)	Black	DesJarlais	Hartzler
Barletta	Ellmers	Jenkins	Blackburn	Duffy	Hayworth
Barton (TX)	Emerson	Johnson (OH)	Bono Mack	Duncan (TN)	Hensarling
Berg	Farenthold	Johnson, Sam	Brooks	Fincher	Herger
Biggart	Flake	Jordan	Broun (GA)	Flake	Huelskamp
Bilirakis	Fleischmann	Kelly	Buerkle	Fleming	Huizenga (MI)
Bishop (UT)	Fleming	King (IA)	Campbell	Flores	Hultgren
Black	Flores	King (NY)	Cantore	Forbes	Hunter
Blackburn	Forbes	Kingston	Chabot	Fox	Hurt
Bonner	Fortenberry	Kline	Cantor	Franks (AZ)	Jenkins
Bono Mack	Fox	Labrador	Chabot	Garrett	Johnson (IL)
Boustany	Franks (AZ)	Lamborn			
Brady (TX)	Frelinghuysen	Landry			
Brooks	Gallely	Lankford			
Broun (GA)	Gardner	Latham			
Buchanan	Garrett	Latta			
Buchson	Gibbs	Lewis (CA)			
Buerkle	Gingrey (GA)	Long			
Burgess	Gohmert	Lucas			
Burton (IN)	Gosar	Luetkemeyer			
Calvert	Gowdy	Lummis			
Camp	Granger	Mack			
Campbell	Graves (GA)	Marchant			
Canseco	Graves (MO)	McCarthy (CA)			
Cantor	Griffin (AR)	McClintock			
Capito	Grimm	McCotter			
Carter	Guinta	McHenry			
Cassidy	Guthrie	McKeon			
Chabot	Hall	McKinley			
Chaffetz	Hanna	McMorris			
Coffman (CO)	Harper	Rodgers			
Cole	Hartzler	Meehan			
Conaway	Hastings (WA)	Miller (FL)			
Cravaack	Hayworth	Miller (MI)			
Crawford	Hensarling	Miller, Gary			
Crenshaw	Herger	Mulvaney			
Culberson	Herrera Beutler	Murphy (PA)			

Reed Schiff Tierney  
 Rehberg Schilling Tonko  
 Reichert Schock Towns  
 Renacci Schrader Tsongas  
 Reyes Schwartz Turner  
 Ribble Scott (VA) Upton  
 Richardson Scott, David Van Hollen  
 Richmond Serrano Velázquez  
 Rivera Sewell Visclosky  
 Roby Sherman Walden  
 Rogers (AL) Shimkus Walz (MN)  
 Rogers (KY) Shuler Wasserman  
 Rogers (MI) Shuster  
 Ros-Lehtinen Simpson Schultz  
 Roskam Sires Waters  
 Ross (AR) Slaughter Watt  
 Rothman (NJ) Smith (NJ) Waxman  
 Roybal-Allard Smith (TX) Welch  
 Runyan Smith (WA) Wilson (FL)  
 Ruppertsberger Stark Wittman  
 Rush Stivers Wolf  
 Ryan (OH) Sullivan Womack  
 Sánchez, Linda Sutton Woolsey  
 T. Terry Wu  
 Sanchez, Loretta Thompson (CA) Yarmuth  
 Sarbanes Thompson (MS) Yoder  
 Scalise Thompson (PA) Young (AK)  
 Schakowsky Tiberi Young (FL)

Dicks King (NY) Richardson  
 Dingell Kingston Rigell  
 Dold Kinzinger (IL) Rivera  
 Donnelly (IN) Kline Roby  
 Doyle Labrador Roe (TN)  
 Dreier Lamborn Rogers (AL)  
 Duffy Lance Rogers (KY)  
 Duncan (SC) Landry Rogers (MI)  
 Duncan (TN) Lankford Rohrabacher  
 Ellmers Larsen (WA) Rokita  
 Emerson Latham Rooney  
 Farenthold LaTourette  
 Fattah Latta Ros-Lehtinen  
 Fincher Lewis (CA) Roskam  
 Fitzpatrick Lipinski Ross (AR)  
 Flake LoBiondo Ross (FL)  
 Fleischmann Loeback Royce  
 Fleming Lucas Runyan  
 Flores Luetkemeyer Ruppertsberger  
 Forbes Lummis Ryan (OH)  
 Fortenberry Lungren, Daniel Ryan (WI)  
 Foxx E. Sarbanes  
 Franks (AZ) Mack Scalise  
 Frelinghuysen Manullo Schilling  
 Gallegly Marchant Schmidt  
 Gardner Marino Schock  
 Garrett McCarthy (CA) Schrader  
 Gerlach McCarthy (NY) Schwartz  
 Gibbs McCaul Schweikert  
 Gibson McClintock Scott (SC)  
 Gingrey (GA) McCollum Scott (VA)  
 Gohmert McCotter Scott, Austin  
 Goodlatte McHenry Scott, David  
 Gosar McIntyre Sensenbrenner  
 Gowdy McKinley Sessions  
 Granger McMorris Shimkus  
 Graves (GA) Rodgers Shuler  
 Graves (MO) McNeerney Shuster  
 Green, Al Meehan Simpson  
 Green, Gene Mica Slaughter  
 Griffin (AR) Michaud Smith (NE)  
 Griffith (VA) Miller (FL) Smith (NJ)  
 Grimm Miller (MI) Smith (TX)  
 Guinta Miller (NC) Sutherland  
 Guthrie Miller, Gary Stearns  
 Hall Mulvaney Stivers  
 Hanna Murphy (CT) Stutzman  
 Harper Harper, PA) Sullivan  
 Harris Myrick Sutton  
 Hartzler Neugebauer Terry  
 Hastings (WA) Noem Thompson (PA)  
 Hayworth Nugent Thornberry  
 Heinrich Nunes Tiberi  
 Hensarling Nunnelee Tipton  
 Herger Olson Tonko  
 Herrera Beutler Owens Turner  
 Higgins Palazzo Upton  
 Himes Paulsen Van Hollen  
 Hochul Pence Visclosky  
 Holden Perlmutter Walden  
 Huelskamp Peterson Walsh (IL)  
 Huizenga (MI) Petri Webster  
 Hultgren Pingree (ME) Welch  
 Hunter Pitts West  
 Hurt Platts Westmoreland  
 Inslee Poe (TX) Whitfield  
 Issa Pompeo Whitson (SC)  
 Jenkins Posey Wittman  
 Johnson (IL) Price (GA) Wolf  
 Johnson (OH) Price (NC) Womack  
 Johnson, Sam Quayle Woodall  
 Jordan Quigley Reed  
 Keating Kelly Yarmuth  
 Kelly Rehberg Yoder  
 Kildee Reichert Young (AK)  
 Kind Renacci Young (FL)  
 King (IA) Ribble Young (IN)

Johnson, E. B. Moran Schiff  
 Nadler Serrano  
 Kaptur Napolitano Sewell  
 Kissell Neal Sherman  
 Kucinich Olver Sires  
 Langevin Pallone Smith (WA)  
 Larson (CT) Pascrell Speier  
 Lee (CA) Pastor (AZ) Stark  
 Levin Paul Thompson (CA)  
 Lewis (GA) Payne Thompson (MS)  
 Lofgren, Zoe Pearce Tierney  
 Long Pelosi Towns  
 Lowey Peters Tsongas  
 Luján Polís Velázquez  
 Lynch Rahall Walz (MN)  
 Maloney Rangel Wasserman  
 Markey Reyes Schultz  
 Matheson Richmond  
 Matsui Rothman (NJ) Waters  
 McDermott Roybal-Allard Watt  
 McGovern Rush Waxman  
 McKeon Sánchez, Linda Wilson (FL)  
 Meeks T. Woolsey  
 Miller, George Sanchez, Loretta Wu  
 Moore Schakowsky

NOT VOTING—4

NOT VOTING—8

Ackerman Giffords Marchant  
 Andrews Hinchey Speier  
 Ellison LaTourette

ANNOUNCEMENT BY THE ACTING CHAIR  
 The Acting CHAIR (during the vote).  
 There is 1 minute remaining in this vote.

□ 1504

So the amendment was rejected.  
 The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SHIMKUS  
 The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. SHIMKUS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 297, noes 130, not voting 4, as follows:

[Roll No. 581]

AYES—297

Adams Bono Mack Chabot  
 Aderholt Boren Chandler  
 Akin Boswell Clay  
 Alexander Boustany Coble  
 Altmire Brady (TX) Coffman (CO)  
 Amash Braley (IA) Cohen  
 Andrews Cole  
 Austria Broun (GA) Conaway  
 Bachmann Buchanan Cooper  
 Bachus Buchson Costa  
 Barletta Buerkle Costello  
 Barrow Burgess Courtney  
 Bartlett Burton (IN) Cravaack  
 Barton (TX) Calvert Crawford  
 Bass (NH) Camp Crenshaw  
 Benishek Campbell Critz  
 Berg Canseco Cuellar  
 Biggart Cantor Culberson  
 Bilbray Capito Davis (KY)  
 Bilirakis Cardoza Denham  
 Black Carney Dent  
 Blackburn Carter DesJarlais  
 Bonner Cassidy Diaz-Balart

NOES—130

Ackerman Chu  
 Baca Cicilline Filner  
 Baldwin Clarke (MI) Frank (MA)  
 Bass (CA) Clarke (NY) Fudge  
 Becerra Cleaver Garamendi  
 Berkeley Clyburn Gonzalez  
 Berman Connolly (VA) Guterrez  
 Bishop (GA) Conyers Hanabusa  
 Bishop (NY) Cummings Hastings (FL)  
 Bishop (UT) Davis (CA) Heck  
 Blumenauer Davis (IL) Hinojosa  
 Brady (PA) DeFazio Hirono  
 Brown (FL) DeGette Holt  
 Butterfield DeLauro Honda  
 Capps Deutch Hoyer  
 Capuano Doggett Israel  
 Carnahan Edwards Jackson (IL)  
 Carson (IN) Engel Jackson Lee  
 Castor (FL) Eshoo (TX)  
 Chaffetz Farr Johnson (GA)

ANNOUNCEMENT BY THE ACTING CHAIR  
 The Acting CHAIR (during the vote).  
 There is 1 minute remaining in this vote.

□ 1508

So the amendment was agreed to.  
 The result of the vote was announced as above recorded.

AMENDMENT NO. 47 OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. BROUN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 187, noes 239, not voting 5, as follows:

[Roll No. 582]

AYES—187

Adams Campbell Franks (AZ)  
 Akin Canseco Gallegly  
 Amash Cantor Gardner  
 Bachmann Carter Garrett  
 Bartlett Cassidy Gibbs  
 Barton (TX) Chabot Gingrey (GA)  
 Bass (NH) Chaffetz Gohmert  
 Benishek Coffman (CO) Goodlatte  
 Berg Cole Gosar  
 Biggart Conaway Granger  
 Bilbray Cravaack Graves (GA)  
 Bilirakis Culberson Graves (MO)  
 Bishop (UT) Davis (KY) Green, Gene  
 Black Dent Griffith (VA)  
 Bono Mack DesJarlais Grimm  
 Boustany Diaz-Balart Guinta  
 Barton (TX) Duffy Hall  
 Brooks Duncan (TN) Hanna  
 Broun (GA) Ellmers Harris  
 Buchanan Farenthold Hayworth  
 Buchson Flake Heinrich  
 Bucino Fleming Hensarling  
 Buerkle Flores Herger  
 Burgess Flores Herrera Beutler  
 Burton (IN) Forbes Huelskamp  
 Calvert Fortenberry Huizenga (MI)  
 Camp Foxx

Hultgren	Mica	Royce	Reyes	Scott (VA)	Towns
Hunter	Miller (FL)	Runyan	Ribble	Scott, David	Tsongas
Hurt	Miller (MI)	Ryan (WI)	Richardson	Serrano	Turner
Issa	Miller, Gary	Scalise	Richmond	Sewell	Van Hollen
Jenkins	Mulvaney	Schilling	Roby	Sherman	Velázquez
Johnson (IL)	Murphy (PA)	Schmidt	Rogers (AL)	Shimkus	Visclosky
Johnson, Sam	Myrick	Schock	Rogers (KY)	Shuler	Walz (MN)
Jones	Neugebauer	Schweikert	Ross (AR)	Shuster	Wasserman
Jordan	Nugent	Scott (SC)	Rothman (NJ)	Simpson	Schultz
King (NY)	Nunes	Scott, Austin	Roybal-Allard	Sires	Waters
Kingston	Olson	Sensenbrenner	Ruppersberger	Slaughter	Watt
Kinzinger (IL)	Paul	Sessions	Rush	Smith (NE)	Waxman
Kline	Paulsen	Smith (NJ)	Ryan (OH)	Smith (WA)	Welch
Labrador	Pearce	Smith (TX)	Sánchez, Linda	Speier	Wilson (FL)
Lamborn	Pence	Southerland	T.	Stark	Womack
Lance	Perlmutter	Stearns	Sanchez, Loretta	Sutton	Woolsey
Landry	Peters	Stivers	Sarbanes	Thompson (CA)	Wu
Lankford	Petri	Stutzman	Schakowsky	Thompson (MS)	Yarmuth
Latta	Pitts	Sullivan	Schiff	Thompson (PA)	Young (AK)
Lewis (CA)	Poe (TX)	Terry	Schrader	Tierney	Young (FL)
LoBiondo	Polis	Thornberry	Schwartz	Tonko	
Long	Pompeo	Tiberi			
Lucas	Posey	Tipton			
Luetkemeyer	Price (GA)	Upton	Ellison	Gutierrez	Marchant
Lungren, Daniel	Quayle	Walberg	Giffords	Hinchez	
E.	Reichert	Walden			
Mack	Renacci	Walsh (IL)			
Manzullo	Rigell	Webster			
Matheson	Rivera	West			
McCarthy (CA)	Roe (TN)	Westmoreland			
McCaul	Rogers (MI)	Rogers			
McClintock	Rohrabacher	Wilson (SC)			
McCotter	Rokita	Wittman			
McHenry	Rooney	Wolf			
McKeon	Ros-Lehtinen	Woodall			
McMorris	Roskam	Yoder			
Rodgers	Ross (FL)	Young (IN)			

## NOES—239

Ackerman	DeLauro	Kind
Aderholt	Denham	King (IA)
Alexander	Deutch	Kissell
Altmire	Dicks	Kucinich
Andrews	Dingell	Langevin
Austria	Doggett	Larsen (WA)
Baca	Dold	Larson (CT)
Bachus	Donnelly (IN)	Latham
Baldwin	Doyle	LaTourrette
Barletta	Dreier	Lee (CA)
Barrow	Duncan (SC)	Levin
Bass (CA)	Edwards	Lewis (GA)
Becerra	Emerson	Lipinski
Berkley	Engel	Loebsack
Berman	Eshoo	Loftgren, Zoe
Bishop (GA)	Farr	Lowey
Bishop (NY)	Fattah	Lujan
Blackburn	Filner	Lummis
Blumenauer	Fincher	Lynch
Bonner	Fitzpatrick	Maloney
Boren	Fleischmann	Marino
Boswell	Frank (MA)	Markey
Brady (PA)	Frelinghuysen	Matsui
Brale (IA)	Fudge	McCarthy (NY)
Brown (FL)	Garamendi	McCollum
Butterfield	Gerlach	McDermott
Capito	Gibson	McGovern
Capps	Gonzalez	McIntyre
Capuano	Gowdy	McKinley
Cardoza	Green, Al	McNerney
Carnahan	Griffin (AR)	Meehan
Carney	Grijalva	Meeks
Carson (IN)	Guthrie	Michaud
Castor (FL)	Hanabusa	Miller (NC)
Chandler	Harper	Miller, George
Chu	Hartzler	Moore
Cicilline	Hastings (FL)	Moran
Clarke (MI)	Hastings (WA)	Murphy (CT)
Clarke (NY)	Heck	Nadler
Clay	Higgins	Napolitano
Cleaver	Himes	Neal
Clyburn	Hinojosa	Noem
Coble	Hirono	Nunnelee
Cohen	Hochul	Olver
Connolly (VA)	Holden	Owens
Conyers	Holt	Palazzo
Cooper	Honda	Pallone
Costa	Hoyer	Pascrell
Costello	Inslee	Pastor (AZ)
Courtney	Israel	Payne
Crawford	Jackson (IL)	Pelosi
Crenshaw	Jackson Lee	Peterson
Critz	(TX)	Pingree (ME)
Crowley	Johnson (GA)	Platts
Cuellar	Johnson (OH)	Price (NC)
Cummings	Johnson, E. B.	Quigley
Davis (CA)	Kaptur	Rahall
Davis (IL)	Keating	Rangel
DeFazio	Kelly	Reed
DeGette	Kildee	Rehberg

There was no objection.

**ELECTING A MEMBER TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES**

Mr. LARSON of Connecticut. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

**H. RES. 350**

*Resolved*, That the following named Member be and is hereby elected to the following standing committee of the House of Representatives:

(1) COMMITTEE ON ETHICS.—Mr. Courtney.

Mr. LARSON of Connecticut (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

**ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012**

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that, during further consideration of H.R. 2354 in the Committee of the Whole pursuant to House Resolution 337, no further amendment to the bill may be offered except: pro forma amendments offered at any point in the reading by the chair or ranking minority member of the Committee on Appropriations or their respective designees for the purpose of debate; amendments printed in the CONGRESSIONAL RECORD and numbered 21, 26, 27, 53, 63, 66, 67, 70, 75, 76, 80, and 81; an amendment by Mrs. ADAMS regarding limiting funds for a Department of Energy Web site that disseminates information regarding energy efficiency and educational programs to children or adolescents; two amendments by Mrs. BLACKBURN regarding across-the-board cuts; an amendment by Mr. BROUN of Georgia regarding limiting funds for certain programs, projects or activities in Energy Programs-Science; two amendments by Mrs. CAPPs regarding limiting funds for the Diablo Canyon Nuclear Power Plant; an amendment by Mr. COHEN regarding funding levels for the Solar Energy Program; an amendment by Mr. DENHAM regarding limiting funds to implement section 10011(b) of Public Law 111-11; an amendment by Mr. ENGEL regarding limiting funds for lease or purchase of new light-duty vehicles; an amendment by Ms. ESHOO regarding limiting funds for contracts with business entities that do not disclose political expenditures; an amendment by Mr. FLAKE regarding limiting funds for Advanced

**NOT VOTING—5**

Ellison  
Giffords  
Gutierrez  
Hinchez  
Marchant

**ANNOUNCEMENT BY THE ACTING CHAIR**

The Acting CHAIR (during the vote). There is 1 minute remaining.

**□ 1512**

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. FRELINGHUYSEN. 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. WEBSTER) having assumed the chair, Mr. DOLD, 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. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

**RESIGNATION AS MEMBER OF COMMITTEE ON ETHICS**

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Ethics:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, July 14, 2011.*

Hon. JOHN BOEHNER,  
*Speaker of the House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER: I write to inform you that I have notified Chairman Bonner and Ranking Member Sanchez of my resignation from the Ethics Committee of the House of Representatives.

It is because of my high regard for the Ethics Committee and its vital, non-partisan role enforcing the standards of official conduct in the House of Representatives that I make this decision. Having recently announced my candidacy for the United States Senate, I want to ensure my status as a candidate for higher office does not in any way cause the work of the Ethics Committee to become fodder for politics or partisanship.

It has been a privilege and an honor to serve on this committee.

Sincerely,

MAZIE K. HIRONO.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

Research Projects Agency-Energy; an amendment by Mr. FLAKE regarding limiting funds for Fossil Energy Research and Development; amendments by Mr. FRELINGHUYSEN regarding funding levels; an amendment by Mr. GOSAR regarding the Davis-Bacon Act; an amendment by Mr. GRAVES regarding limiting funds to be used in contravention of the 2006 Missouri River Master Manual; an amendment by Mr. HASTINGS of Florida regarding limiting funds to be used in contravention of Executive Order No. 12898; an amendment by Mr. HASTINGS of Washington regarding limiting funds for the McNary Shoreline Management Plan; an amendment by Mr. HASTINGS of Washington regarding limiting funds for the Office of Nuclear Security; an amendment by Mr. HASTINGS of Washington regarding limiting funds for Federal Energy Regulatory Commission project No. 2342; an amendment by Ms. JACKSON LEE of Texas regarding limiting funds to be used in contravention of the Department of Energy Organization Act; an amendment by Ms. KAPTUR regarding funding for Energy Efficiency and Renewable Energy; an amendment by Mr. LUTKEMEYER regarding the study pursuant to section 5018(a)(1) of the Water Resources Development Act of 2007; an amendment by Mr. ROHRBACHER regarding limiting funds for loan guarantees for carbon capture and sequestration; an amendment by Mr. ROHRBACHER regarding 10 percent of loan guarantee funds for non-water advanced nuclear reactors; an amendment by Mr. ROHRBACHER regarding loan guarantees for carbon capture and sequestration projects not exceeding funds for non-water advanced nuclear reactor loan guarantees; an amendment by Mr. RICHMOND or Mr. SCALISE regarding funding for Corps of Engineers construction; and an amendment by Mr. SHERMAN regarding limiting funds for international activities at the Office of Energy Efficiency and Renewable Energy; and, further, that each such amendment may be offered only by the Member named in this request or a designee, or by the Member who caused it to be printed in the CONGRESSIONAL RECORD or a designee, shall not be subject to amendment, except that the chair and ranking minority member of the Committee on Appropriations (or a respective designee) each may offer one pro forma amendment for the purpose of debate, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole; and, further, that each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent; and, further, that an amendment shall be considered to fit the description stated in this request if it addresses in whole or in part the object described.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 337 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2354.

□ 1520

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 further consideration of the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with Mr. DOLD (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, the bill had been read through page 62, line 2.

Pursuant to the order of the House of today, no further amendment may be offered except those specified in the previous order, which is at the desk.

AMENDMENT NO. 26 OFFERED BY MR. COLE

Mr. COLE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to implement any rule, regulation, or executive order regarding the disclosure of political contributions that takes effect on or after the date of enactment of this Act.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Oklahoma (Mr. COLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. COLE. Mr. Chairman, in April a draft Executive order was circulated that would force companies, as a condition of applying for a Federal contract, to disclose all Federal campaign contributions. In my opinion, if implemented, this Executive order would lead to a significant politicization of the Federal procurement process. Instead of judging companies on the basis of their past work performance, their demonstrated ability to do the job or their price, we would actually introduce potentially the element of their political participation and contributions and activities into the consideration process.

This Executive order would not, in fact, lead to more objectivity in the evaluation process. It would, instead, chill the constitutionally protected right of people to donate politically to whatever candidate or cause or political party they choose to. Those very same people would fear repercussion to their bottom line as, frankly, I'm sure this Executive order intends to do.

The draft order claims that these burdensome and intrusive disclosure

requirements are necessary to ensure that contracting decisions, quote, deliver the best value to the taxpayer and are free from the undue influence of extraneous factors such as political activity or political favoritism. If one accepts this rationale—and I certainly don't—then delivering the, quote, best value to the taxpayer would require such disclosure by anyone receiving Federal dollars.

This Executive order would not apply to Federal employee unions that negotiate with the government to provide billions of dollars in benefits for their members, nor would it apply to many nonprofits that receive Federal grants, many of whom have strong political agendas of their own.

My amendment would prevent any funds from this act going towards the implementation of any rule, regulation, or Executive order regarding political contributions that takes effect on or after the date of the enactment of the act. It is important to recognize, Mr. Chairman, my bill does not change Federal campaign law in any way. It does not change the current disclosure requirements.

My amendment has already been agreed to on three previous pieces of legislation: the Defense Authorization bill for FY 2012, the Homeland Security appropriations bill, and also the Defense appropriations bill.

Mr. Chairman, "pay-to-play" has no place in the Federal contracting process. Requiring the disclosure of campaign contributions for government contracts in my opinion does just that.

Congress considered the proposed Executive order, something like it, during the 111th Congress as part of the DISCLOSE Act and rejected it. This Executive order is a backdoor attempt to implement the DISCLOSE Act by executive fiat.

For those reasons, Mr. Chairman, I urge the adoption of the amendment.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. COLE. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise to support the amendment.

The Department of Energy relies heavily on a dedicated contractor workforce to manage and operate our national laboratories. Therefore, such an Executive order would impact nearly every program at the Department of Energy.

I urge a "yes" vote on the gentleman from Oklahoma's amendment, a member of our committee.

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

Ms. ESHOO. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. ESHOO. I thank the chairman.

I rise once again in strong opposition to Representative COLE's amendment to block transparency and disclosure for taxpayers. That's what this issue is about.

It is with continuing curiosity that when I listened to the gentleman, Mr. COLE, present his view, in fact you believe in disclosure, bring a bill to the floor. The reason that the House has passed what you keep offering is the House is not presented with an opposing view because my amendment is continually blocked and not accepted to be debated on the floor.

What this is about is the following: there are businesses large and small that receive billions of taxpayer dollars for services and products in doing business with the Federal Government. In return for this public money, they should have the obligation, which is not burdensome, to simply disclose how they use it. That's all this is. When they spend it in our elections, they know it, the recipients know it, but the taxpayers don't know it. That's one hell of a deal. For those who want to keep it in a dark corner, it's a great deal for them.

The American people have spoken clearly. Last year, a CBS/New York Times poll found that 92 percent of the American people support requiring campaigns, independent groups, businesses to disclose how much money they've raised, where it came from, and how it was used.

I am going to offer my own amendment again, for the fourth time, to require the disclosure which Representative COLE's amendment forbids. I expect, once again, that the majority is going to block it. It's an unfortunate turnaround, I think, from just a few years ago when Republicans led the fight for disclosure. They were for it before they decided to be against it. Does that tag line ring some bells for you? You were thinking that it would be better than restricting contributions. That was the thinking at the time. But now that the Supreme Court allows unlimited corporate spending, they're against any restrictions whatsoever.

We should oppose any amendments that are designed to keep the public less informed rather than more informed about what happens with their tax dollars. That's what this is about. The majority has made a big deal and talked incessantly about spending. What about this spending? Does this not mean something in terms of the Federal Government and the taxpayers? I think with public dollars comes public responsibility.

This does not present any constitutional issues, no freedom of speech issues. It is not burdensome. It is simply disclosure. If you want to stand with the uber-lobbyists who are representing lobbyists in support of the gentleman from Oklahoma's amendment, be my guest. I didn't come to Congress to do that.

I think that the President's Executive order is sensible, I think it should be put into place, and I think that any legislation brought to this floor to prevent that from happening is really on the wrong side of history.

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

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

I would just remind my friend from California that when Republicans brought disclosure, they didn't link it to the contracting process, which this potential Executive order does. I think that's out of bounds.

I would also remind my friend the Democrats opposed that and when Democrats were in the majority, and overwhelmingly in the majority, they failed to enact legislation similar to what she suggests in the DISCLOSE Act.

I think this is something that this legislative body has looked at. If my friend from California wants to introduce a bill to do this, that's perfectly appropriate to it, but doing it in the context of the contracting process is simply wrong. People that are submitting bids will somehow think inevitably that they will be helped or hurt by their political activity. That has no basis in judging the quality of a bid for a Federal contract.

In addition, frankly, my friends have never wanted to apply that same standard to labor unions or to affiliated groups applying for Federal dollars. I would actually agree with them on that. I don't think it has any place in a disclosure in those areas either. There's a place to do this, and there's a place not to do it. Doing it on a contract is inevitably meant to try and use the Federal dollars to impact, one way or another, what groups do politically. That's wrong, we shouldn't allow it, and we should never, never risk politicizing the procurement process.

With that, I reserve the balance of my time.

□ 1530

Ms. ESHOO. Mr. Chairman, I yield the balance of my time to the gentleman from New Jersey (Mr. ANDREWS).

The Acting CHAIR. The gentleman is recognized for 1 minute.

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

Mr. ANDREWS. I thank my friend for yielding.

I would say to my friend from Oklahoma, through the Chair, that he makes a very compelling case. I agree with him. I think that the secret groups that are funding massive—usually negative—ad campaigns against people running for office should be held to exactly the same standard labor unions are held under present law. If a labor union uses dues money or PAC money or any money to advocate for or against a candidate or a cause, they must disclose it to the public and to their members. That is precisely the principle that Ms. ESHOO is standing for, and I am proud to stand with her.

If you really believe in something that you say, then you shouldn't be ashamed to let everyone know that you

said it. If you really believe that what you're advocating is right for the country, then you will let everyone know that you said it. It's a simple principle of disclosure. It is something that I think is long overdue. Let's not have anybody hide in the shadows of the American political process.

The Acting CHAIR. The time of the gentleman has expired.

Mr. COLE. Mr. Chairman, I would just urge the body to support the amendment.

I would disagree with my friend. Sham groups are quite often formed in labor unions or underneath, but that's another debate for another day. Let's just keep outside money out of the procurement process.

I yield back the balance of my time and urge adoption of my amendment.

Mr. VISCLOSKEY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. I rise in strong opposition to the gentleman's amendment and join with my colleagues from California and New Jersey in their opposition.

The amendment is a legislative attempt to circumvent a draft Executive order which would provide for increased disclosure of the political contributions of government contractors, especially contributions given to third-party entities.

The argument is made that companies should not disclose more information because people in power would misuse that information to retaliate against them. Using that logic, all campaign disclosures are bad. Government contractors already disclose contributions and expenditures by their PACs and those who contribute to them. By extension, we ought to take that law and ensure that the voters of this country are protected so that they also know what those corporations are doing with their money as far as involvement in the electoral process.

The provisions, as drafted, are, I think, very good. The information is required to be provided, and the Executive order that the amendment would circumvent enhances the quality of information that people and citizens ought to have before they go to the polls. Disclosure is good. And for that reason I rise, again, in strong opposition to the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. COLE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. VISCLOSKEY. 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 Oklahoma will be postponed.

AMENDMENT OFFERED BY MS. ESHOO

Ms. ESHOO. Mr. Chairman, I have an amendment at the desk.



The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available in this Act may be used to enter into a contract with a corporation or other business entity that does not disclose its political expenditures.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to the order of the House of today, the gentlewoman from California (Ms. ESHOO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. ESHOO. Mr. Chairman, I rise for the fourth time this year to call for transparency in our political system. I maintain the view shared by the overwhelming majority of the American people that transparency in the use of our tax dollars is absolutely critical.

There are thousands of companies that do business with the Federal Government, receiving billions of public dollars for their services and their products. Our constituents deserve to know whether they spend any of these dollars to influence our elections. My amendment will accomplish this, and I once again urge my colleagues to support it.

Now, some say, as we just heard a few moments ago, that this disclosure requirement will politicize the procurement process. It's difficult to maintain that view with a straight face. As I've said before, when a business contracts with the Federal Government and spends money in elections, the process is already politicized. Even in the Citizens United decision legalizing corporate expenditures, eight out of nine justices specifically endorsed prompt disclosure of expenditures. Justice Anthony Kennedy wrote, "Disclosure permits citizens and shareholders to react to the speech of corporate entities in a proper way." This is not an onerous burden. As Justice Louis Brandeis famously said, "Sunlight is the best disinfectant."

I want to share an example from my home State of California that illustrates the importance of disclosure. Last year, in 2010, Proposition 23 was on the ballot. It was an effort to kill the State's tough new global warming rules. The airwaves were flooded with ads, but because California requires disclosure, voters were informed. The oil companies financing the ads had to stand by them each and every time the ad aired, stating that they had paid for them. So voters were informed. They made up their minds. Prop 23 lost by 23 percent in November because voters knew who had paid for the ads and what and whom were behind them. It wasn't just someone skipping through a field, it was going to have an effect on them. It was disclosure.

As he has a half-dozen times this year, my colleague, TOM COLE, has offered an amendment to prevent the very disclosure I'm asking us to endorse. I urge my colleagues on both sides of the aisle to reject it. Preventing transparency puts us all on the wrong side of history every time.

Republicans supported disclosure before they were against it, and the record is very clear on that. So I urge those from both the other side of the aisle and my colleagues on this side—I don't believe this is a partisan issue—I believe that disclosure is good for America, it's good for our system. It is not burdensome, it is not anti-constitutional, and it's simple. The voters should know, taxpayers should know.

I yield back the balance of my time.

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I insist on my point of order.

The Acting CHAIR. The gentleman will state his point of order.

Mr. FRELINGHUYSEN. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part, "An amendment to a general appropriation bill shall not be in order if changing existing law." The amendment requires a new determination.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

For the reasons stated by the Chair on February 17, June 2, and July 7, 2011, the amendment constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained. The amendment is not in order.

□ 1540

AMENDMENT NO. 66 OFFERED BY MR. GOSAR

Mr. GOSAR. I have an amendment at the desk, the Gosar-Altmiere-Gibbs amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to implement or enforce section 327.13(a) of title 36, Code of Federal Regulations.

The Acting CHAIR. Pursuant to the order of the House today, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chair, I rise in support of our amendment that would defund a Federal regulation, a regulation that has the force of law across the United States that is, in my view, unconstitutional and simply wrong.

Currently, as a result of law passed in the 111th Congress, a person licensed

by a State to carry a personal sidearm for personal defense can carry that weapon in a national park or refuge. Prior to 2009, our own Federal Government trampled the Second Amendment and prohibited citizens from protecting themselves in some of the most dangerous remote lands we have. The ability to carry a firearm in case of emergency is imperative. Later we learned that when Congress changed the law, the bill language omitted the Army Corps of Engineers, creating confusion and uncertainty.

The Corps owns or manages over 11.7 million acres, including 400 lakes and river projects, 90,000 camp sites, and 4,000 miles of trail. Soon after the law's passage, the Army Corps proudly declared that it would continue to ban self-defense on its lands. There is a bill pending, H.R. 1865, that seeks a long-term fix, but this amendment is a short-term fix. It defunds a Federal regulation by which the Army Corps of Engineers enforces, creates, and authorizes its ban on self-defense firearms.

This bipartisan amendment to the Energy and Water appropriations bill will clarify this confusing policy. We are simply asking that the Secretary of the Army not use any fiscal year 2012 funding to enforce a regulation that prohibits firearm possession that complies with State law on Corps projects and lands. The amendment would not, however, allow firearms in Federal facilities, such as Army Corps headquarters, Corps research facilities, or lock and dam buildings. This is a commonsense amendment that upholds our Constitution and gives people who use our public lands the right to defend themselves, if needed.

I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chair, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. I would take a different tact on the issue of common sense and security. I would like to talk about the security of our Nation and about our economic infrastructure and about these Corps regions.

I understand that the intent of the gentleman's amendment is to prohibit the Corps from preventing individuals from having handguns on projects administered by the Corps. I understand it's aimed at those who obviously support the Second Amendment. I do, myself. The fact is, I believe the gentleman's amendment is injurious to our national security. I do not think it is a good idea to allow individuals to walk around with guns over dams and water treatment plants that are administered by the Army Corps of Engineers.

Now, I assume that some of my colleagues disagree with me. However, this amendment also prohibits the Corps from implementing or enforcing rules on explosives and fireworks and other weapons. I don't believe there are

other Members in this body who believe the Corps should not be able to stringently enforce rules on explosives at dams and water projects and treatment facilities that they have jurisdiction over. Further, what if there's danger of fire on the Corps land? Unless there is some other law that supersedes the regulations that your amendment is aimed at, Corps employees would not be able to prevent people from launching fireworks, despite the dangers of wildfires.

I strongly oppose the gentleman's amendment and would hope that he would consider withdrawing his overly broad and misguided amendments.

I reserve the balance of my time.

Mr. GOSAR. I yield 1½ minutes to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Mr. Chairman, I rise in support of the Gosar-Gibbs-Altire amendment, to prohibit funding the Secretary of the Army to enforce a regulation that prohibits firearm possession in compliance with State law on Corps projects and lands.

Earlier this year, Representative ALTMIRE from Pennsylvania, Representative GOSAR from Arizona, and myself introduced H.R. 1865, a stand-alone bill that would prohibit the Secretary of the Army from enforcing any regulation that keeps an individual from possessing firearms on Army Corps of Engineer water or resource development projects.

Gun owners need to be able to exercise their Second Amendment rights when they are legally camping, hunting, and fishing on Army Corps property. Last Congress, this House passed national parks language that became law to allow for guns on national parks land; and the Army Corps of Engineers immediately issued the following release: "Public Law 111-024 does not apply to Corps projects or facilities. The passage of this new law does not affect application of title 36 regulations." This policy preempts State regulatory framework from transporting and carrying firearms, thus invalidating concealed weapon permits and other State laws that allow law-abiding citizens to transport and carry firearms.

This amendment is a bipartisan effort that would put a temporary fix to end the patchwork of regulations that govern different lands managed by different Federal agencies.

I urge all Members to support the Gosar-Gibbs-Altire amendment.

Mr. VISCLOSKEY. I yield 2 minutes to the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. I thank the gentleman from Indiana.

I rise in support of the Gosar-Gibbs-Altire amendment to protect the Second Amendment rights of our Nation's sportsmen.

The Army Corps of Engineers owns or manages more than 11 million acres of Federal lands, where Americans are not allowed to carry firearms for self-defense, including 90,000 camp sites and

thousands of miles of trails where law enforcement is scattered.

Our amendment will simplify regulations for law-abiding citizens by defunding a Federal regulation that bans firearms for self-defense on Army Corps lands. This will not change rules against bringing firearms into Federal buildings, such as Army Corps headquarters, or locks and dams. It will simply guarantee that sportsmen are able to defend themselves while they legally hunt and fish on property that the Army Corps owns and operates.

To correct this problem in the long term, Mr. GIBBS and I have also introduced the Recreational Lands Self-Defense Act. But this amendment is a necessary first step and is supported by the National Rifle Association and Gun Owners of America.

I urge my colleagues to vote "yes."

Mr. GOSAR. Mr. Chairman, the Second Amendment is a key component of national security. And in that aspect, it allows citizens to carry. This is about possession of sidearms only. It does not apply to explosives in or around structures.

I will finish up by saying that I wish everybody would support this amendment, and I look forward to its passage.

I yield back the balance of my time.

Mr. VISCLOSKEY. Mr. Chairman, in closing, I will reiterate my strong opposition to the gentleman's amendment.

We are talking about allowing people with weapons in areas where we have dams and water treatment plants, and the Army Corps of Engineers ought to be able to exercise control over those for the protection of those major economic infrastructures. I would respectfully disagree with the gentleman, that he would also reduce their ability as far as the regulation of people with explosives. And I think that, again, is very detrimental relative to our national security. For these reasons, I strongly oppose the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

□ 1550

AMENDMENT OFFERED BY MR. COHEN

Mr. COHEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ For "Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy" for the Solar Energy Program, as authorized by sections 602(b), 604(e), 605(d), 606(d), and 607(i)(5) of the Energy Independence and Security Act of 2007, there is hereby appropriated, and the amount otherwise provided by this Act for "Department of Energy—Energy Programs—Fossil Energy Research and Development" is hereby reduced by, \$16,000,000 and \$32,000,000, respectively.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Tennessee (Mr. COHEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. COHEN. Mr. Chairman, our Nation is at an energy crossroads. Either we can further increase our addiction to fossil fuels and use advanced technologies to suck out every last drop of oil, coal, and natural gas that exists underneath the Earth's surface, no matter what the economic or environmental cost, or we can decide to break our addiction to fossil fuels by investing in clean, renewable energy sources that have the capacity to power our Nation forever.

The majority's decision to cut funding for renewable energy programs and increase spending on fossil fuels makes it clear that they haven't quite gotten off their addiction to dirty energy, but this amendment offers them an opportunity to do so. Their decision is shortsighted, will endanger American prosperity, and threaten our economic viability.

To help rectify this situation, this amendment's offered to cut \$32 million from the Fossil Energy Research and Development account and increase the Solar Energy program by \$16 million, to give my friends on the other side an opportunity to let the Sun shine in and join with God's wonderful source of energy. My amendment has a net impact of zero on the budget authority and does not increase 2012 outlays.

Despite overwhelming evidence that the U.S. needs to invest more in solar and spend less on fossil fuels, the majority has decided to reduce funding for solar research and development by 37 percent. This severe cut is unacceptable and especially egregious since the majority has allocated an additional \$32 million to the Fossil Fuels account, a 7 percent increase.

This amendment that I have offered seeks to create some parity to 2011 funding by cutting the Fossil Fuels account back to its 2011 level and increasing the Solar account by 10 percent. Solar is the future and fossil fuels aren't.

If the majority wants to fulfill their commitment to create jobs and increase American energy security, then they need to start seriously investing in solar. Recent studies have demonstrated investments in solar can create three times as many jobs as funding for traditional fossil fuels. And if the government decided to invest \$1 million in solar development, that investment would create at least 17 jobs. But that same million dollars in fossil fuels would create but five jobs. And jobs is what the American public is interested in.

The 17 jobs created would be high-paying jobs in the manufacturing and construction sectors, the kind of jobs that once were the backbone of our Nation and the jobs that the American

people are clamoring for, giving the middle class an opportunity to have jobs and participate in the American economy.

I have witnessed the power of solar in my own community to create jobs, spur economic development, and transform the lives of everyday Americans. As a result of previous Federal solar investments, Sharp Solar, which is located in my district, is a burgeoning solar industry and operates a manufacturing facility that employs nearly 500 Memphians. Additional Federal investments in solar will create thousands of new jobs in my district and millions of new jobs across the country, some of which will be in New Jersey.

Not only is solar a superior job creator, but it's also a far better long-term investment. Fossil fuel proponents may not publicly admit it, but renewable energy will power the future. So establishing dominance in this sector is critical to our national energy security and economic security. Supplies of fossil fuels are diminishing rapidly, and their nonrenewable nature makes them a short-term solution to a long-term problem.

Recognizing the critical role renewable energy technologies like solar will have, nations across the world are making massive investments in clean technology so they can establish themselves as leaders and exporters of the future's energy. I recently visited Germany, and solar is everywhere. The Germans are investing and supplying many of their buildings with solar, and they are a leader, just as China is. But America's being left behind.

As is demonstrated by this appropriations bill, the U.S. is not making the requisite investments in solar to compete in the emerging global marketplace. Unless the majority decides to change course and support the efforts that we've made here to make unprecedented investments in renewables, the United States will transition from importing oil from the Middle East to importing clean energy technologies from China and Europe, not what we should be aiming for.

My \$16 million amendment alone will not determine the course of America's energy future, because we need to be investing billions in solar energy to keep up with the Chinese, the Germans, and other countries, but this zero cost amendment will create jobs and push America a little further down the road to a clean energy economy. The amendment offers a clear signal to the American people and the world the United States is serious about ending its addiction to fossil fuels and becoming a world leader in the renewable energy sector.

We shouldn't just orbit around the Sun; we should harness its energy and use it to supply energy for this planet. The Sun is there for a purpose other than just an anchor.

I urge support for this important amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. His amendment would increase funding for the Office of Energy Efficiency and Renewable Energy's Solar Energy program at the expense of fossil energy research. Our bill applied solar energy research to \$97 million below fiscal year 2011 because, especially within today's budgetary constraints, we cannot afford to spend taxpayers' dollars on activities like demonstrations of proven technologies that should be funded by the private sector. But our bill preserves funding for the cutting-edge research that will advance American industry and help us lead globally. By the numbers, I can't support an amendment that adds funding back into this program.

Fossil energy generates 70 percent of our Nation's electricity and, may I add, generates, I believe, close to 55 percent of your State's energy. And it will continue to provide the lion's share of your and our Nation's energy's needs well into the 21st century.

The Fossil Energy Research program receives \$477 million in our bill for research that's let us squeeze more energy out of our domestic fossil energy resources. This research aims to increase the efficiency of our fossil energy plants across the Nation. If we were to increase the efficiency of our fossil energy plants by just 1 percent, we would increase the output of our power plants by 12 times the total output of solar power in the United States. That's without using 1 pound or 1 liter of extra fuel from the ground.

I appreciate, truly, the gentleman's desire to move towards solar technologies, coming from a State that is a leader in that regard, and that's why we have included \$166 million in our bill for that purpose. The Energy Efficiency and Renewable account has nearly \$9 billion in unspent stimulus money. We've heard that before in earlier debates. And the importance of using fossil energy sources well is too great; so I can't support cutting into further fossil energy research and development. Therefore, I oppose the amendment and urge my colleagues to do likewise.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. COHEN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. COHEN. 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 Tennessee will be postponed.

□ 1600

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_. None of the funds made available under this Act may be expended to administer or enforce the requirements of subchapter IV of chapter 31 or title 40, United States Code (commonly referred to as the Davis-Bacon Act), except with respect to a contract that exceeds \$20,000,000.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise in support of my amendment to H.R. 2354 that seeks to defund title 40, U.S.C. section 31, up to \$20 million instead of the current \$2,000 threshold.

Right now we are in serious and prolonged economic recession. The construction industry has been hit the hardest throughout the United States. My amendment defunds the Davis-Bacon Act up to a certain amount in order to allow small business and small contractors the ability to compete on the smaller government contracts.

This amendment will assist the small businesses that do not have the resources to compete for the larger contracts that compel compliance with all the requirements of Davis-Bacon. That is why this amendment defunds contract applications for smaller contracts under the \$20 million threshold, but the larger projects are still subject to the Davis-Bacon Act. This is a temporary measure for the duration of the fiscal year in direct response to the recession.

Now, on average, research establishes that Federal public projects that are forced to operate under this law spend 22 percent more than projects not bound by this law. By eliminating the onerous cost for small projects, there will actually be more work, up to 22 percent more work, for the same dollar and the smaller contractors will be able to compete for jobs that otherwise are out of their reach.

Yet this agreement preserves the application of the act to the larger projects, so that those big projects across the U.S., where larger contracts typically get the contracts in any event, these companies can more readily comply with the provisions of the act and have deeper pockets to handle the administrative and other requirements mandated by the act.

We also know that one study concluded that the Davis-Bacon Act will waste \$10.9 billion in 2011. We also know that the Government Accountability Office states that this act is extremely difficult to administer, and the GAO has advocated for its repeal as

far back as 1979. To a certain degree, this amendment seeks to reduce that waste, but the most important aspect of this amendment is encouraging small business participation in these government building contracts.

I have stated before that we, as Members of Congress, we are stewards of the public Treasury. We have an obligation to spend taxpayer money wisely. The government does not earn money. The government does not generate wealth. We have an obligation to spend this money wisely, and we have an obligation to help the businesses of the country, and those that build our infrastructure need our help. This amendment addresses that need.

The Heritage Foundation suggests that for every billion dollars, Federal construction spending supports 14,000 workers. Then the savings from the suspension of the Davis-Bacon law for 1 year would support 163,000 new construction jobs.

My amendment addresses this very issue and seeks to boost employment and work for small businesses and small contractors who can compete for smaller government contracts temporarily if the Davis-Bacon requirements are defunded for 1 year.

I ask that you support this amendment, support small businesses, more efficient spending of our taxpayer money, spreading our limited resources and keeping more American construction workers in a job, a livelihood, and a mission to rebuild this America together.

I reserve the balance of my time.

Mr. VISCLOSKEY. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. Mr. Chairman, Davis-Bacon is a fairly simple concept, and it is a very fair one.

What it does is to protect the government and the taxpayers, as well as the workers, in carrying out the policy of paying a decent wage on government contracts.

The Davis-Bacon Act requires that workers on federally funded construction projects be paid no less than the wages paid in the community for similar work. The fact is that opponents claim Davis-Bacon requires union wage jobs. However, more than 75 percent of Davis-Bacon wage determinations are not based solely on union wages.

The quality of work on energy and water projects, for example, is crucial to the communities depending on them, and we do need individuals who are trained, who are more efficient, and who are going to do the job right the first time. One of the things that tends not to be noted when we have a discussion and debate about Davis-Bacon is the money it saves to the taxpayers that are hidden costs by those who do not use union labor and do not pay union scale wages.

By including fringe benefits in wage calculations, the Davis-Bacon act de-

livers health care and pensions for workers on Federal projects, ensuring that they aren't part of the many uninsured Americans who rely on Medicaid and cost the American taxpayers. The Department of Labor survey methods also incorporate hourly investments in training and apprenticeship, where appropriate, to ensure the skilled, productive, future workforce.

I would also point out that in the past the House has taken two votes on this issue, the first vote taken included a limitation on Davis-Bacon and was considered in H.R. 1, and it failed by a vote of 189-233. The second vote was a limitation taken during consideration of the FAA bill, and it failed 183-238.

But, most importantly, and the gentleman indicated that he is spurred on to action here because of the recession, is because of the money involved relative to those who work in the United States of America. Since 1977, we have fortunately had great growth in this general economy.

But I would point out to all of the Members that according to the Department of Labor in 1977, the real hourly wage that a human being in the United States of America earned for 1 hour's worth of labor was \$19.57. In 2010 the Department of Labor reported that a human being in the United States of America for their human labor for 1 hour now earns \$19.04.

People today, for an hour's worth of work, make less than they did in 1977, despite the growth of our economy. The last thing we need to do here today is to put more downward pressure on the ability of an American citizen to work at a good-paying job that guarantees them a decent living, and I strongly oppose the gentleman's amendment.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise in support of the gentleman's amendment.

The recommendation I brought to the full committee prohibited Davis-Bacon provisions on any sort of construction, roads, bridges, dams, and buildings, because the taxpayers, as a result, pay more.

Unfortunately, this provision was stricken, impacting right to work States and, quite honestly, short-changing them.

You do the math. There have been plenty of studies. Davis-Bacon provisions inflate costs for construction projects as much as, in some cases, 22 percent. These added expenses come at a time when we are really close to being broke as a nation. How many more jobs, union or nonunion jobs, could we provide to put America back to work by supporting this amendment? Plenty more, and thus I am pleased to support the amendment.

I urge my colleagues to do likewise.

I yield back the balance of my time.

□ 1610

Mr. GOSAR. Mr. Chairman, at a national unemployment rate of 9.3 percent, this is a jobs amendment. Davis-Bacon does not protect the Federal Government nor the taxpayer. It only increases the cost to the taxpayer and the Federal Government by 22 percent. There are no studies that show that there is any difference in outcomes. As a contractor and working in contracts, we're held to the same standards. This is a temporary measure meant to help all our small companies and business contractors. It's also an investment into increasing the number of build-outs of our vital infrastructure projects.

I urge my companions on the other side of the aisle to join in this and look at this fairly and increase the access to this funding, properly and fairly, to make sure that we get more people to work and get this vital infrastructure back and get America back to work.

I yield back the balance of my time.

Mr. VISCLOSKEY. Mr. Chairman, I appreciate the recognition. I would close by indicating that there has been discussion about the burden that this act imposes upon small businesses. And I would, again, wish to contradict that.

I also believe that the administrative requirements of the act are critical to prevent a fraud against government agencies. First, to comply with the IRS and overtime regulations, all law-abiding contractors must retain records on hours worked, wages, and benefits. Second, electronic transmission of data has streamlined reporting. Third, the integrity of the whole program relies on this reporting to avoid kickbacks, misclassification of workers, and cheating under the Davis-Bacon Act. It is important to remember that Federal overtime law, including the Fair Labor Standards Act, requires all employers—not just those that must comply with Davis-Bacon—to keep records.

So, again, I would ask that my colleagues oppose the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR (Mr. WESTMORELAND). The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. VISCLOSKEY. 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 Arizona will be postponed.

AMENDMENT OFFERED BY MS. JACKSON LEE OF TEXAS

Ms. JACKSON LEE of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act for "Department of Energy—Energy Programs—Science" may be used in contravention of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.).

The Acting CHAIR. Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. I want to thank the chairman of the subcommittee and ranking member for the courtesies extended to me.

Mr. Chairman, my amendment will protect funds provided for science under title 3 of the Department of Energy's energy programs. This amendment addresses the need to increase programs that educate minorities in science, technology, engineering, and mathematics, known as STEM, as well as the need to train teachers and scientists in advanced scientific and technical practices.

Let me, first of all, say I consider this a jobs bill. I'm excited when we talk about jobs here on the floor of the House and recognize that America has changed. As a former member of the Committee on Science, Space, and Technology and a member of the Aviation subcommittee and Space subcommittee dealing with NASA's commitment and mission in human exploration, I believe that America's future is not only today but in front of her and focused on science and technology. The importance of developing a highly skilled technical workforce is crucial.

Over the last 50 years there have been major changes in the United States in terms of both the economy and the population. Now let me be very clear. I'm a member of the Manufacturing Caucus, and I believe that we should restore manufacturing in this country. We are so well placed to be multitasked, boosting our manufacturing and then, as well, moving forward to processing and analyzing information. In this information-driven economy, it is important that we recognize that our valuable assets are human resources. Therefore, in order to compete successfully in the global economy, the U.S. needs citizens who are literate in terms of science and mathematics, and a STEM workforce that is well educated and well trained.

I believe my amendment focuses on that very program and focus. By investing in the scientific advancement of our workforce and our youth, we are investing in our future, we're investing in job creation, and we're investing in greater job opportunities for Americans. It is important to note that under this legislation, workforce development for teachers in science has taken a hit. But I believe what we should do is make sure that we emphasize that those resources be kept in and at some point add to those resources. And the reason I say that is, workforce development programs for teachers and sci-

entists provide funding to graduate fellowship programs that help train the Nation's top scientists, a crucial, crucial effort.

The United States faces a critical shortage of highly qualified mathematics and science teachers. We will need an additional 283,000 teachers in secondary schools setting up by 2015 to meet the needs of our Nation's students. This qualified teacher shortage is particularly pronounced in low-income districts. So in order to move forward, let us protect the scientific aspect of the work of this government.

According to the National Center for Education Statistics, about 30 percent of fourth-graders and 20 percent of eighth-graders cannot perform basic mathematical computation. So I have long recognized the need to improve the participation performance of America's students in science, technology, engineering, and math. I worked with one of our corporate leaders to ensure that private funding was given to one of our inner city school districts to establish a program without comparison in its excellence focusing on science, technology, engineering, and math.

Mr. FRELINGHUYSEN. Will the gentlewoman yield?

Ms. JACKSON LEE of Texas. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. We would be happy to accept your amendment as it restates current law, and we appreciate your advocacy in this regard.

Ms. JACKSON LEE of Texas. I thank the gentleman very much. And as I conclude with that generous offer, let me mention in 2006 only 4.5 percent of college graduates in the United States received a diploma in engineering compared to 25 percent in South Korea and 33 percent in China.

So let me close, Mr. Chairman, by saying that we have had programs that have been very effective, such as the Harmony Science Academy in Houston, that devotes an impressive amount of time and resources educating the city's youth, minority youth in math and science and even doing research in cancer.

Finally, I want to thank Dr. Reagan Flowers, who has implemented a dynamic program on STEM technology in the Houston area and a national program. I would like to congratulate Mae Jemison, one of our astronauts, the first African American woman to go into space, who likewise has an outstanding program, and the Ron McNair Program, one of our astronauts who lost his life sacrificing for the American people, challenging us and challenging our capacity. His program run by his family is another excellent program.

In conclusion, from Ben Franklin to NASA to Silicon Valley, the success of the competitiveness of America has always depended on the knowledge and skills in the STEM field. This amendment will help us focus on expanding that for all Americans.

I thank the gentleman for his generosity.

Mr. Chair, I rise today to offer an amendment to H.R. 2354, the Energy and Water Appropriations Development Bill. My amendment will protect funds provided for science under Title III of the Department of Energy's Energy Programs. This amendment addresses the need to increase programs that educate minorities in science, technology, engineering and mathematics, STEM, as well as the need to train teachers and scientists in advanced scientific and technical practices.

As a former Member of the Committee on Science, Space, and Technology, I recognize the importance of developing a highly skilled technical workforce. Over the last 50 years, there have been major changes in the United States in terms of both the economy and the population. The economic base has built upon the base of manufacturing of durable goods and added the processing and analyzing of information. In the 21st century we can manufacture goods and expand information technology—both create jobs. In this information-driven economy, the most valuable assets are human resources. Therefore, in order to compete successfully in the global economy, the U.S. needs citizens who are literate in terms of science and mathematics, and a STEM workforce that is well educated and well trained (Friedman 2005, National Academy of Sciences 2005, Pearson 2005). Consequently, we cannot—literally or figuratively—afford to squander its human resources; it is imperative that we develop and nurture the talent of all its citizens.

The jobs of tomorrow will require workers who possess strong advanced science, engineering and math backgrounds. Other countries are training and educating their citizens in these areas and we must do the same. By investing in the scientific advancement of our workforce and our youth, we are investing in our future . . . we are investing in job creation . . . we are investing in greater job opportunities for Americans. This investment is the only way to address the increasing knowledge gap between our Nation's workforce and those of our international counterparts. We must invest in our citizens. My amendment will ensure the funds that have been made available will be utilized for that purpose.

PROGRAM 1: WORKFORCE AND DEVELOPMENT  
PROGRAMS FOR TEACHERS AND SCIENTISTS

The workforce and development program for teachers and scientists is vital to ensure that we have an adequate amount of properly educated and trained teachers and scientists. Under H.R. 2354, workforce development for teachers and scientists is funded at \$17,849,000, which is \$4,751,000 below the fiscal year 2011 level, which is a devastating \$17,751,000 below the President's requested amount. This is a draconian cut which will have drastic effects on an already struggling workforce. My amendment would ensure that the amount provided to this program would remain intact.

The workforce development program for teachers and scientists provides funding to graduate fellowship programs which train and develop our Nation's top scientists, engineers, and teachers. These individuals go on to become researchers and innovators—contributing to American business and, moreover, the U.S. economy. Fellowship programs like these are exactly what our country needs in order to develop a highly skilled technical workforce.

As we have heard time and time again in many different contexts, our country suffers

from a shortage of scientists and engineers. Moreover, our country is dealing with a lack of qualified instructors, at all levels—elementary, secondary, and post-secondary—to teach STEM subjects—science, technology, engineering, and mathematics.

The United States faces a critical shortage of highly qualified mathematics and science teachers, we will need an additional 283,000 teachers in secondary school settings by 2015 to meet the needs of our Nation's students. This qualified teacher shortage is particularly pronounced in low-income, urban school districts. As BHEF reported in *A Commitment to America's Future: Responding to the Crisis in Mathematics and Science Education*, high teacher turnover in conjunction with increasing student enrollment and lower student-to-teacher ratios will cause annual increases in the mathematics and science teacher shortage culminating in a 283,000-person shortage by 2015.

Fewer American students than ever are graduating from college with math and science degrees. In 2006 only 4.5 percent of college graduates in the United States received a diploma in engineering compared with 25.4 percent in South Korea, 33.3 percent in China, and 39.1 percent in Singapore.

The problem is systemic. According to the National Center for Education Statistics, about 30 percent of fourth-graders and 20 percent of eighth graders cannot perform basic mathematical computations. Today, American students rank 21st out of 30 in science literacy among students from developed countries and 25th out of 30 in math literacy. If this trend continues, there will be dire consequences for our children and our economy.

To be sure, in order to train and develop the amount of scientists, educators, and teachers of STEM subjects that our country needs, we would really need more of these graduate fellowship programs. As reflected in the budgetary request, which H.R. 2354 fails to meet, an increased number of graduate fellowships would be ideal to invest in our future.

At the very least, we would want to keep the same amount of graduate fellowships available. Unfortunately, the proposed amount appropriated to these programs under H.R. 2354 ignores the current shortage of scientists and teachers, and irresponsibly ignores our future by providing for lesser amount of graduate fellowships.

**PROGRAM 2: SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM)**

I have long recognized the need to improve the participation and performance of America's students in Science, Technology, and Engineering and Math, STEM, fields.

Traditionally, our Nation recruited its STEM workforce from a relatively homogenous talent pool consisting largely of non-Hispanic White males. However, this pool has decreased significantly due not only to comprising an increasingly smaller proportion of the total US Population but also to declining interest among this group in pursuing careers in STEM. It is important to note that the need to improve the participation of underrepresented groups—especially underrepresented racial/ethnic groups—in STEM is not solely driven by demographics and supply-side considerations; an even more important driver is that STEM workers from a variety of backgrounds improve and enhance the quality of science insofar as they are likely to bring a variety of

new perspectives to bear on the STEM enterprise in terms of both research and application (Best 2004; Jackson 2003; Leggon and Malcom 1994).

The current state of STEM education is deplorable. In 2006 only 4.5 percent of college graduates in the United States received a diploma in engineering, compared with 25.4 percent in South Korea, 33.3 percent in China, and 39.1 percent in Singapore. Today, American students rank 21st out of 30 in science literacy among students from developed countries and 25th out of 30 in math literacy. If this trend continues, there will be dire consequence for our children and our economy.

These numbers are discouraging, but the statistics on minority students in the STEM fields are even more alarming. In 2004, African American and Hispanic students were among the least likely groups to take advanced math and science courses in high school. Even as African Americans, Hispanics, and Native Americans comprise an increasingly large portion of the population, they continue to be underrepresented in the science and engineering disciplines. Together, these three groups account for over 25 percent of the population, but only earn 16.2 percent of bachelor's degrees, 10.7 percent of master's degrees, and 5.4 percent of doctorate degrees in the science, math and engineering fields. This fact directly contributes to the unacceptable underrepresentation of African American and Hispanics in the STEM workforce. If we choose to continue to ignore this problem, we are not only shortchanging our students' success, we will be giving up on our Nation's future.

Many school districts across the nation have begun to recognize this problem and work towards a strategic solution. In my home district for example, several public schools and charter schools have started to allocate funds towards programs aimed at increasing STEM performance.

For example the Harmony Science Academy in Houston devotes an impressive amount of time and resources towards educating the city's youth in the sciences. Small class sizes, high expectations for students, and well-qualified teachers helped this school make it to Newsweek magazine's list of best high schools in America. Harmony Science Academy is a success story we can all be proud of. Unfortunately, schools like this are the exception and not the rule.

In many school districts there simply are not enough resources available to make our children science and math literate. There is a shortage of qualified teachers, many classes are woefully overcrowded and some schools just cannot afford the materials and books that students need in order to master basic math and science concepts. I cannot stand idly by while we fail to give our children the educational tools they need to succeed in life and gain employment.

This amendment recognizes the importance of equipping young minds with the technological and scientific knowledge necessary to compete in a globalized economy. Further, within the context of globalization, I strongly believe that this country's ability to achieve and maintain a high standard of living is dependent on the extent to which it can harness science and technology. Thus, in order to enhance the international competitiveness of the country, it is critical for us to promote and support students pursuing careers in STEM fields.

Mr. Chairman, it is essential that we invest in a workforce ready for global competition by creating a new generation of innovators and make a sustained commitment to Federal research and development. We need to spur and expand affordable access to broadband, achieve energy independence, and provide small business with tools to encourage entrepreneurial innovation.

The establishment and maintenance of a capable scientific and technological workforce remains an important facet of U.S. efforts to maintain economic competitiveness. Pre-college instruction in mathematics and scientific fields is crucial to the development of U.S. scientific and technological personnel, as well as our overall scientific literacy as a nation. The value of education in scientific and mathematics is not limited to those students pursuing a degree in one of these fields, and even students pursuing nonscientific and non-mathematical fields are likely to require basic knowledge in these subjects.

Mr. Chairman, the United States has a great history of scientific innovation. From Ben Franklin to NASA to Silicon Valley, the success and competitiveness of America has always depended the knowledge and skills in the STEM fields. Funding my amendment today will help ensure that the American legacies of intelligence, innovation, and invention continue. Today I urge my colleagues to support this amendment and invest in America's future.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HASTINGS OF WASHINGTON

Mr. HASTINGS of Washington. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used to implement or enforce the recommendations or guidance proposed by the Army Corps of Engineers in the final draft of the McNary Shoreline Management Plan, Lake Wallula, Washington.

The Acting CHAIR. Pursuant to the order of the House of today, 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.

For years, the Walla Walla District of the Army Corps of Engineers has managed several miles of the public shoreline along the Columbia and Snake Rivers in the Tri-Cities area of my congressional district.

Five years ago, in 2006, the Corps sought to update its McNary Shoreline Management Plan, which had last been revised in the early 1980s. The existing management plan includes a permit program for private property owners that seek to build or use docks along the river shoreline.

The 2006 revision was so controversial that the Corps was forced back to the drawing board. It proposed a variety of restrictive measures, including a moratorium on the building of docks by private property owners along the shoreline and requiring existing dock owners to tear out their docks at great personal expense in order to keep their permits.

□ 1620

The Corps got an earful at a public meeting on the proposal and this year came back with a similarly controversial proposal, which included new questionable mandates from the National Marine Fisheries Service—including specific requirements for the length, width, color, and transparency of each dock, all of which NMFS claims would help save salmon.

Mr. Chairman, with all existing local docks as is right now, salmon runs are at near record levels along the Columbia River, and the Corps itself acknowledges that juvenile salmon in the McNary area average 20 to 30 million. Mr. Chairman, docks aren't killing salmon.

Regrettably, the Corps did little to justify their plan's sketchy science at another recent public meeting at which over 200 people attended to voice their opposition.

This amendment will ensure that the Army Corps will not charge ahead with a shoreline management plan until it answers questions about the questionable NMFS mandate and addresses concerns raised by a substantial number of citizens. Without this amendment, the Corps' unwise shoreline plan would be implemented and force questionable regulations on local residents and recreational activities.

Mr. Chairman, I am not suggesting that the Corps should not be allowed to implement a revised shoreline plan, but it should not do so based on shaky science and without ensuring that the local public's concerns are adequately addressed.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. We have no objection to your amendment. We are pleased to support it. Certainly anyone who lives near the Columbia and Snake Rivers knows this is a beautiful part of the country. We are aware of this issue and commend you for addressing it forthrightly.

Mr. HASTINGS of Washington. I appreciate the chairman's concurrence on this. If that is the same on both sides, I will be more than happy to yield back.

Mr. Chairman, 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.

AMENDMENT OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . The amounts otherwise provided by this Act are revised by reducing the amount made available for "Department of Energy—Energy Programs—Departmental Administration", and by increasing the amount made available for "Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy" (except for Program Direction), by \$10,000,000.

The Acting CHAIR. Pursuant to the order of the House of today, the gentlewoman from Ohio (Ms. KAPTUR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I offer this amendment to help promote a dynamic energy market in America through continued development of our budding solar industry. My amendment conservatively would transfer \$10 million from administrative costs within the Department of Energy and shift those to solar energy research and development within the Energy Efficiency and Renewable Energy account.

Certainly I understand the difficulty in drafting this bill, given the large allocation cuts for the Energy and Water Subcommittee, and I appreciate the chairman's work and the ranking member's work in helping America meet the energy and water challenges of our Nation, which are huge. Yet this bill cuts research in solar energy by more than one-third from last year and over 60 percent from the President's request, providing \$166 million—\$97 million below fiscal year 2011 and \$291 million below the request.

The \$10 million transfer I propose from administration to implementation represents less than 5 percent of the funds in the administrative budget of the Department of Energy. I want to make clear that this amendment does not target other programs that are critical to our Nation's energy needs. Rather than cut fossil fuels and nuclear power, this amendment asks the Department of Energy to tighten its administrative belt a little bit more to prioritize the administration's core mission, the promotion of a viable energy future for America, and to do it in a sector that is growing jobs in our country despite what we face in terms of international global competition.

While this amendment proposes a modest 5 percent cut from the Department's administrative accounts, these dollars will go far in supporting additional energy options for American consumers and companies.

Solar energy production has nearly tripled in the last 5 years. In 2006, we generated 508,000 megawatt hours. Today, we produce 1.4 million megawatt hours annually. And I can't wait until it is 100 million.

Ernst & Young predicts the cost of solar will decrease by as much as half next year. And while the U.S. economy is anticipated to increase jobs by just 2 percent over the next year, in the solar industry that number is 26 percent, according to Cornell University. As costs go down and production capacity grows, solar energy becomes a viable alternative to imported energy sources. And this is exactly what our country needs right now: a vibrant energy market that gives Americans choices and encourages economic growth here at home.

Now, some would argue that with numbers like these, solar energy doesn't need anything, any additional funding, but I disagree. It is precisely because of our investment in this fledgling, cutting-edge industry that is high tech that such successes are possible. We cannot allow America to be complacent. Right now we are in competition to be the energy leader of the future in this sector. For years, we were the leader in developing new technology, but we have been falling behind. And guess who has been right at our heels the whole time: China. China knows that our technology will power the future, and they are setting themselves up to be the new global leaders in solar. I can verify that.

As we sat back and patted ourselves here, China exponentially increased their funding for solar and other clean energy technology. In addition, they are providing 15-year tax holidays for firms that locate production there. So as we develop this very fledgling industry here, they are more than willing to outsource it there. So we must redouble our efforts and continue our investment in research and bring this market to scale in America.

Right now, we are powering homes and some bases with solar. We should be powering neighborhoods and entire communities. That's what it means to have the real thriving, new energy market that Americans are demanding, and the jobs that go with them.

This amendment will create increased efficiency within the Department of Energy and promote American industry and energy independence. I ask my colleagues to think about it and help me by supporting this amendment which merely takes less than 5 percent of the administrative budget of the Department of Energy, \$10 million—we are not talking about billions here—and shifts it to the Solar Energy account. I ask my colleagues to join me in supporting the Kaptur amendment for solar.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentlewoman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. The gentlewoman's amendment would reduce funding in the departmental accounts. Because of quite a few amendments we

have already passed on the floor, your reduction would not be a 5 percent reduction; it probably would be a 10 percent reduction.

I know generally there is not a lot of sympathy for administrative responsibilities in the Department of Energy, but this would leave Secretary Steve Chu with not perhaps enough people in his operation to oversee a lot of issues that he has before him, including solar energy.

May I say for the record, the Solar Energy account in the Department of Energy budget is \$166 million. It is less than perhaps what it should be, but if you take it from the Department administrative account, we will have, I think, cause for more managerial problems to deal with. We also, may I say, have in the Energy Efficiency and Renewable program, as I have mentioned on a number of occasions, \$9 billion of unspent stimulus funds. So there is plenty of money in here, and I don't think that the Department salaries and wages ought to suffer and be reduced at a time when they need the additional leadership over there. I somewhat reluctantly oppose your amendment and urge my colleagues to do so as well.

I yield back the balance of my time.

□ 1630

Ms. KAPTUR. May I inquire as to my remaining time?

The Acting CHAIR. The gentlewoman from Ohio has 30 seconds remaining.

Ms. KAPTUR. I want to thank the chairman of the subcommittee very much, Mr. FRELINGHUYSEN, as well as the ranking member, Mr. VISCLOSKY, for allowing me this time.

I am going to ask for a vote on this amendment, but I am hoping that as this moves towards the Senate and final consideration that, as to some of those who just happened to get to the microphone earlier, we might find a way to move some of those dollars around to support an industry that truly is a cutting-edge industry for our country, which deserves the kind of support that this Congress should give to new technology to try to create good jobs in this country and help us wean ourselves off our chief strategic vulnerability—imported energy.

I ask my colleagues to support the Kaptur amendment on solar.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. KAPTUR. 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 gentlewoman from Ohio will be postponed.

AMENDMENT OFFERED BY MR. HASTINGS OF WASHINGTON

Mr. HASTINGS of Washington. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following:  
SEC. 609. None of the funds made available by this Act may be used by the Department of Energy to move the Office of Environmental Management under the authority of the Under Secretary for Nuclear Security of the Department of Energy.

The Acting CHAIR. Pursuant to the order of the House of today, 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, last Friday, the Department of Energy made a surprise announcement that not only was the Assistant Secretary for Environmental Management—or EM—leaving but that they were restructuring the entire \$6 billion program under the Under Secretary of Nuclear Security, who also serves as the head of the NNSA.

EM is responsible for cleaning up the nuclear waste created during our Nation's defense program that helped end World War II and the Cold War. The Federal Government has signed legal agreements with the States to clean up this waste. The major restructuring was simply declared by DOE with absolutely zero consultation with Congress, the States, the communities or the stakeholders.

I haven't been given sufficient answer to the simple question: How does EM benefit from this change?

We have no idea how this decision was reached or why restructuring was considered. Given what little has been made public, I believe there are some real risks, including the potential for cleanup to become less of a priority under as structure that has always been focused—and rightfully so—on nuclear security.

In the late 1980s, DOE moved the cleanup program out of the weapons program in order to provide more definition, transparency and to focus on cleanup. Now DOE wants to put them back together.

I ask again: What is the benefit to EM?

In DOE's own words from this past Friday: "The Office of Environmental Management has made unparalleled progress in cleaning up our Nation's Cold War nuclear legacy at sites across the country." Yet, out of nowhere, they decide to throw the program into a state of flux.

Without sufficient answers, I can't stand idly by while the department makes a seemingly snap decision that will impact something as important and as complex as nuclear waste cleanup. So my amendment would prohibit the use of funds to move the Office of Environmental Management under the Under Secretary of Nuclear Security.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the distinguished chairman, the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I would be happy to support your amendment. Of course, I will reserve judgment as to what Secretary Chu's plans are as they're somewhat on the drawing board; but we would agree with you that he needs to come to the Appropriations Committee and explain fully how he is going to have a better program for environmental management. It's too important to the Nation, not only to your State, but to other clean-up operations and sites around the Nation.

Mr. HASTINGS of Washington. I thank the gentleman for his support.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. HASTINGS of Washington. I would be happy to yield to the gentleman from Indiana.

Mr. VISCLOSKY. I would make the point that this past Friday, the Department of Energy said that the Office of Environmental Management has made unparalleled progress in cleaning up our Nation's Cold War nuclear legacy at sites across the country, and then they announced restructuring. This subcommittee held a hearing on the issue of cleanup in April of 2006. We find ourselves here in 2011 still talking about it, let alone the cost.

I appreciate the gentleman's concern. My point would be I have some ambivalence, as I'd mentioned to the gentleman earlier, simply because I had a conversation with the Secretary relative to the change. My observation to the Secretary is I appreciate he knows he has a problem, and I also appreciate he has done something about the problem.

I certainly appreciate the attentiveness of the gentleman, of your involvement and your good work on this, and I certainly do not object to what you're trying to accomplish here, because I do think, the stronger the message, the more diligent the department will be on this matter. I thank the gentleman for raising the issue.

Mr. HASTINGS of Washington. In reclaiming my time, Mr. Chairman, I will simply say that this may be a good idea; but for goodness sakes, what is the benefit to a \$6 billion program that only 6 days ago was announced is moving under another structure? There may be a good reason, but tell us what that reason is. So this amendment, hopefully, will elicit that answer, and we can move forward.

With support on both sides, Mr. Chairman, 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.

AMENDMENT OFFERED BY MR. ENGEL

Mr. ENGEL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:



SEC. \_\_\_\_ . None of the funds made available by this Act may be used by the Department of Energy or any other Federal agency to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from New York (Mr. ENGEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ENGEL. Mr. Chairman, on May 24, President Obama issued a memorandum on Federal fleet performance, which requires all new light-duty vehicles in the Federal fleet to be alternate fuel vehicles, such as hybrid, electric, natural gas or biofuel, by December 31, 2015.

My amendment simply echoes the Presidential memorandum by prohibiting funds in the Energy and Water appropriations bill from being used to lease or purchase new light-duty vehicles except in accord with the President's memorandum. I have introduced similar amendments to the Department of Defense, Homeland Security, and the Agriculture appropriations bills. All three were accepted by the majority and passed by voice vote.

Our transportation sector is by far the biggest reason we send \$600 billion per year to hostile nations to pay for oil at ever-increasing costs, but America doesn't need to be dependent on foreign sources of oil for transportation fuel. Alternative technologies exist today that when implemented broadly will allow any alternative fuel to be used in America's automotive fleet.

The Federal Government operates the largest fleet of light-duty vehicles in America. According to GSA, there are over 660,000 vehicles in the Federal fleet, with just over 15,000 being used by the Department of Energy. By supporting a diverse array of vehicle technologies in our Federal fleet, we will encourage the development of domestic energy resources, including biomass, natural gas, coal, agricultural waste, hydrogen, and renewable electricity. Expanding the role these energy sources play in or transportation economy will help break the leverage over Americans held by foreign government-controlled oil companies; it will increase our Nation's domestic security, and protect consumers from price spikes and shortages in the world's oil markets.

I just want to say very briefly on a similar note, I have worked with my colleagues JOHN SHIMKUS, ROSCOE BARTLETT and STEVE ISRAEL to introduce the bipartisan Open Fuel Standard Act, which is H.R. 1687. Our bill would require 50 percent of all new automobiles in 2014, 80 percent in 2016, and 95 percent in 2017 to be warranted to operate on non-petroleum fuels in addition to, or instead of, petroleum-based fuels. Compliance possibilities include the full array of existing tech-

nologies, including flex fuel, natural gas, hydrogen, biodiesel, plug-in electric drive, and fuel cell, as well as a catchall of new technologies.

So I encourage my colleagues to support this amendment.

□ 1640

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. We are prepared to accept your amendment and commend you for it.

Mr. ENGEL. I thank the gentleman.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HASTINGS OF WASHINGTON

Mr. HASTINGS of Washington. Mr. Chairman, for the last time, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available to the Corps of Engineers by this Act may be used for the removal or associated mitigation of Federal Energy Regulatory Commission Project number 2342.

The Acting CHAIR. Pursuant to the order of the House of today, 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. I yield myself as much time as I may consume.

Mr. Chairman, in these tight budget times, it is more important than ever that the Federal Government focus its funding on the most essential and core functions. The Federal Government, however, should not subsidize private companies' business decisions, particularly when that business decision involves tearing out a 14 megawatt hydropower dam that has served two rural counties in my district.

The Condit Dam, a privately owned and operated hydropower-producing dam located in my district, was constructed in 1913 on the White Salmon River, which is a tributary of the Columbia River. Since 1947, the Condit Dam has been owned and operated by PacifiCorp and has held a license with the Federal Energy Regulatory Commission.

Over the past 20 years, rather than agree to the rigorous and costly measures associated with the FERC relicensing process, PacifiCorp opted to pursue actions to surrender its license to operate the dam and now wants to remove that dam at its own cost. This amendment will ensure that no Federal tax dollars will be used by the Corps of Engineers to remove or mitigate for the removal of the Condit Dam.

Recently, PacifiCorp representatives communicated to my office that they acknowledge that PacifiCorp itself, and not the Corps, is responsible for all impacts that removing this dam might cause to the Federal Columbia River navigation channel. My amendment simply ensures that the Federal taxpayers do not get left holding the bag for a private company's actions that could cost this private company, by their own admission, up to \$32 million.

Having said that, I do want to say this, Mr. Chairman. While I give tacit approval to a dam being removed in the Northwest—it's a private decision by a private company—I want to reiterate and continue my opposition to any attempt to remove any of the Federal dams along the Columbia or Snake River. This is a private company making their decision, and they should pay for it; and that's what this amendment attempts to address.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the distinguished chairman.

Mr. FRELINGHUYSEN. I am pleased to support your amendment.

Mr. HASTINGS of Washington. I thank the gentleman very much.

With that concurrence on the other side, I yield back the balance of my time and urge adoption of the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. HASTINGS).

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. CAPPS

Mrs. CAPPS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following:

SEC. 609. None of the funds provided in this Act may be expended by the Nuclear Regulatory Commission for the purposes of the license renewal process for the Diablo Canyon Nuclear Power Plant, Units 1 and 2, until advanced, peer-reviewed seismic studies are completed and lessons learned from the earthquake and resulting tsunami that severely damaged Japan's Fukushima Daiichi nuclear power plant on March 11, 2011 are taken into account.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to the order of the House of today, the gentlewoman from California (Mrs. CAPPS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. CAPPS. I yield myself as much time as I may consume.

My amendment would ensure the Nuclear Regulatory Commission does not move forward with the license renewal process for the Diablo Canyon power plant, located in my congressional district, until advanced seismic studies are completed and independently reviewed.

Over the last several months, I've called for a short pause in the relicensing effort currently under way at this nuclear power plant until a myriad of seismic questions at the facility are answered. Further studies are needed to demonstrate if the plant's design and operations can withstand an earthquake and other potential threats, including a previously undetected fault line, the Shoreline Fault, which runs within a few hundred yards of the plant. Even PG&E, the plant's operator, has acknowledged the validity of these concerns.

Earlier this year, the utility acceded to my request and asked the NRC to delay the finance issuance of the plant's license renewal while it completes recommended advanced seismic studies of the area. The NRC agreed to review those findings before making a final decision. PG&E also asked the California Public Utilities Commission to suspend proceedings associated with license renewal for Diablo Canyon until the studies are submitted to the NRC.

But, Mr. Chairman, PG&E and the NRC are only talking about delaying the final decision. The relicensing process is still going forward, despite the fact that virtually all of the decisions that would be made about the relicensing of the plant would be affected by what the seismic studies tell us. The cart is clearly being put before the horse here, and we need to rectify this.

My constituents deserve answers to questions regarding the ability of the plant to withstand an earthquake and nuclear accident at the same time and how long the plant would be self-sustaining in the event of such damage. It is particularly pertinent given that in March the NRC confirmed that Diablo Canyon is one of two nuclear power plants in the highest risk seismic areas in the country.

I am, to put it lightly, concerned that the NRC has not taken this seismic risk seriously enough. For example, it has failed to support the recommendations from a 2008 California Energy Commission report clearly delineating that more information is needed to determine the true seismic risk at Diablo Canyon. And just yesterday, an NRC task force review of the Japanese reactor meltdowns determined that our reactors are not sufficiently prepared to respond to catastrophic events or even simple power outages, like the one that triggered the Fukushima meltdown.

The NRC should quickly move to adopt the recommendations of this report as well as the full complement of lessons that can be learned from this disaster, and it should do it before moving forward on issuing new operating licenses to PG&E to run Diablo Canyon long into the future.

Finally, it is important to note, Mr. Chairman, that there is no hurry to relicense Diablo Canyon. The current operating licenses run to 2024 and 2025. Surely that's more than enough time to adequately investigate seismic con-

cerns in a thoughtful and transparent manner.

To be clear, I'm not calling for Diablo Canyon to be shut down or for the plant to be denied new operating licenses. What I am doing with this amendment is asking that the relicensing process be paused, briefly, until comprehensive, independent analyses of the seismic issues are completed and that they be considered as part of the relicensing process.

Diablo Canyon provides over 3 million people in California with affordable electricity. It provides many jobs in my district. It's an important element of the tax base of San Luis Obispo County; but this is an issue about safety, and we all agree that safety must be everyone's number one concern here.

I urge my colleagues to support this amendment that would ensure that this is the case.

I yield back the balance of my time.

POINT OF ORDER

Mr. FRELINGHUYSEN. I insist on my point of order.

Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law." The amendment imposes additional duties.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to speak on the point of order?

The Chair is prepared to rule.

The Chair finds that this amendment imposes new duties on the Nuclear Regulatory Commission. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

□ 1650

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used for the Advanced Research Projects Agency—Energy.

Mr. FLAKE (during the reading). I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, I know there are a lot of people that are offer-

ing amendments, so I will try to move very quickly here.

This amendment would simply prohibit funds from going to the Advanced Research Projects Agency—Energy, or ARPA-E. There is ARPA-Defense, there is ARPA other stuff, there is ARPA-E. This is what we are trying to do is prohibit funding from going to ARPA-E, or energy.

ARPA-E is currently set to receive about \$100 million in this appropriation bill. The most compelling argument given to defund ARPA-E is found on its own Web site, which states that it was established "to focus on creative, out-of-the-box transformational energy research that industry by itself cannot or will not support due to its high risk, but where success would provide dramatic benefits." It is this kind of, I guess, out-of-the-box thinking that has gotten us into this deficit that we're running, about \$1.6 trillion.

We are broke. We are borrowing 41 cents on every dollar that we spend, yet still we find within our budget reason to find \$100 million to fund energy research in private companies that others won't fund because it's too risky.

Now, we're not talking about products for defense for which there is no commercial application; we're talking about private sector research that could reap a windfall for some private company, and has in a number of other areas. But yet we believe that it's prudent to borrow—because we're borrowing everything here—borrow money from the taxpayer to pick and choose favored companies to receive this research money.

It's not right. We ought to defund it. I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. My colleague's amendment would eliminate funding for ARPA-E. The committee's top responsibility, of course, is to reduce government spending, and I appreciate my colleague's amendment and perhaps some of his other amendments for that reason. To that end, our bill reduces spending for energy and water development to near the 2006 level, \$100 billion below fiscal year 2011, and a full \$5.9 billion below the request.

I certainly share many of my colleague's concerns about this program. The committee has taken a very close look at it. Right now, ARPA-E must not intervene where private capital markets are already acting, and it must not be redundant with other programs of the Department of Energy.

I oppose the gentleman's amendment.

I yield to the ranking member, Mr. VISCLOSKEY.

Mr. VISCLOSKEY. I appreciate the chairman yielding and would join him in opposition to the gentleman's amendment.

We just had a vote earlier in the Chamber adding \$79 million to this program. But setting that particular vote

aside, as I have mentioned several times, while I have great trepidation about people at the Department of Energy talking to each other and the Department not having the same vigor, if you would, that they have for ARPA-E, instilling that in other research centers, it does appear that this is a successful program in its infancy. We certainly ought to make sure that it has a chance to show that it can be successful over a limited number of years—they are talking about 3. My emphasis with them is to distill that same effort across the Department of Energy.

So I would join my chairman in opposing the gentleman's amendment.

Mr. DICKS. Will the gentleman yield?

Mr. FRELINGHUYSEN. I would be happy to yield to the gentleman from Washington.

Mr. DICKS. I rise in opposition to this amendment, too. The bill would provide \$100 million for ARPA-E, which is already \$80 million less than FY 2011 funding—and of course we have to take into account the amendment that was just passed—and \$450 million below the President's budget request.

ARPA-E is a promising new program that can drive innovation to support our scientific competitiveness. As I stated previously in my opening statement, ARPA-E has shown potential as a new organizational model. And I am disappointed that the same vigor that led to its creation has been largely absent when it comes to addressing the systemic and organizational problems in other existing applied programs, which was an element of the justification used for ARPA-E.

ARPA-E is modeled on DARPA. And as the ranking member of the Defense Appropriations Subcommittee, DARPA has been one of the great leaders of innovation in the national security area.

So again, I'm sorry to say it, but I think we have to defeat the Flake amendment.

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

Mr. FLAKE. Mr. Chairman, I'm just hoping that this amendment doesn't rise to the level of being the most ridiculous amendment that the gentleman from Washington has ever seen.

Mr. DICKS. Close.

Mr. FLAKE. They usually do.

But I would just say again here, we're not talking about things in national security or in defense for which there is no commercial application, for which companies that invest in this kind of research would not reap a windfall, the reason for which the profit motive incentivizes companies to invest in these things. Why in the world does government have to be the investor of last resort in what are, quote, transformational energy research for which the industry by itself cannot or will not support due to its high risk? I mean, if it's that high risk, believe me, we shouldn't be taking it.

If venture capital out there won't do it, we shouldn't be doing it either with

money that we're borrowing from venture capitalists and others who have a little better idea than we do. When we go out and support corn ethanol for 30 years, for crying out loud, or some of these other things and we keep doing it and saying, Yeah, it's going to come around one of these days and this is just a promising new area of research, come on. We're \$14 trillion in debt. We have negotiations going on right now over at the White House or somewhere else trying to figure a way to raise the debt ceiling to spend more.

Isn't it time that we review programs like this, where we are trying to replace what is not happening in the private sector or trying to outguess the private sector?

And I just tell you, if we can't cut here, I don't know where we're going to cut, I really don't. The gentleman made the point that we are down to 2006 levels. Great. We ought to go further than that. I mean, 2006, we act as if that was a Great Depression year, "Grapes of Wrath" music playing or something. It wasn't exactly that. We have seen ramping up year after year after year in some of these programs. We are spending more than we ever have.

So I would urge adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. 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 Arizona will be postponed.

#### AMENDMENT OFFERED BY MRS. CAPPES

Mrs. CAPPES. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds provided in this Act may be expended by the Nuclear Regulatory Commission to issue a draft supplemental environmental impact statement (SEIS) for Diablo Canyon Nuclear Power Plant, Units 1 and 2.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from California (Mrs. CAPPES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mrs. CAPPES. Mr. Chairman, I yield myself such time as I may consume.

It is my hope that we can simply all agree to this amendment. It would simply bar the NRC from issuing a draft Supplemental Environmental Impact Statement for the license renewal of the Diablo Canyon nuclear power plant.

The purpose of this amendment is to ensure that the NRC does not move forward with the relicensing effort currently underway at Diablo Canyon until advanced, peer-reviewed seismic studies of the area are completed and the findings are shared with the NRC. These advanced seismic studies are needed because the USGS—U.S. Geological Survey—announced in 2008 the discovery of a previously undetected fault line, the Shoreline Fault, which runs within a few hundred yards of Diablo Canyon.

□ 1700

The NRC also recently confirmed that Diablo Canyon is one of two nuclear power plants in the highest risk seismic areas in the country. Without these studies, we cannot say for certain whether an earthquake along the Shoreline Fault or others nearby would result in a severe nuclear accident.

It's important to note, Mr. Chairman, that my amendment only affects the Diablo Canyon nuclear power plant. It will not shut down the power plant, nor will it stop the relicensing effort or even prevent PG&E, the plant's operator, from gaining new operating licensings to run Diablo Canyon in the future. Instead, it would simply ensure the NRC gets answers to the unstudied and unresolved seismic questions before it issues the draft environmental report.

My amendment is also consistent with PG&E's own request that the NRC delay the final issuance of the plant's license renewal until its seismic research in the area is completed. The NRC has also made it clear it will review those findings before making a decision on whether to grant renewed operating licenses for the plant to PG&E.

Moreover, last month, PG&E asked the California Public Utilities Commission to suspend proceedings associated with license renewal funding for Diablo Canyon until its advanced seismic studies are finished and the findings have been submitted to the NRC. Unfortunately, however, work on the relicensing effort continues, even though the seismic studies have not been completed and won't be for several years and even though the outcome of these studies could very well affect every operation at the plant.

Mr. Chairman, we need answers about the seismic risks at Diablo Canyon and what steps are needed to address them and prepare for any disaster, and we need them before the relicensing process moves forward. So I urge my colleagues to join me in voting "yes" on this straightforward amendment, to ensure an evaluation of the risks that the offshore faults pose to Diablo Canyon.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. We respect the gentlewoman's efforts to protect the interests of her State and district; however, her amendment intervenes in a specific local project by prohibiting funds for a required step in the licensing process. I do not believe this is an appropriate Federal role in a process that should be driven by the State and local communities while being carefully evaluated by the Nuclear Regulatory Commission. I, therefore, must oppose the amendment and urge other Members to oppose it as well.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. FRELINGHUYSEN. I would be happy to yield to the ranking member from Indiana.

Mr. VISCLOSKY. I appreciate the gentleman yielding.

I reluctantly join him in his opposition. Again, I understand what the gentlewoman from California is attempting to do. I appreciate her endeavors here and certainly would commit to working with her to ensure that the Nuclear Regulatory Commission is moving forward in a considered and responsible manner on this license application.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Mrs. CAPPS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. CAPPS. 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 gentlewoman from California will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used for the Fossil Energy Research and Development program of the Department of Energy.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. This amendment would prohibit funds from going to the Fossil Energy Research and Development program.

The Fossil Energy Research and Development program is set to receive nearly \$500 million through this appropriation bill. The committee report recommends that no less than \$25 million be used to continue research in certain areas. But we shouldn't have any money going to subsidize Big Oil.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. The gentleman's amendment would eliminate funding for the Fossil Energy Research and Development program, causing hundreds, if not thousands, of job losses and threatening our Nation's ability to compete in the rapidly growing portion of the energy sector.

I may also note for the record, Mr. Chairman, that Arizona itself is dependent, I believe, with close to 60 percent of its energy coming from fossil energy. So fossil energy is a part of the Nation's equation, and we had better be careful before we eliminate research and development.

Let me say, I appreciate and recognize the gentleman's passion for cutting spending and spending that is duplicative, but this type of research is important.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the ranking member.

Mr. VISCLOSKY. I want to join the chairman in his opposition.

Recognizing that 70 percent of our energy consumption comes from carbon fuels, it's very important for this government and for this Nation to learn how to, as efficiently and as effectively, use them. And again I think, for that reason alone, we should oppose the gentleman's amendment.

I appreciate the chairman yielding.

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

Mr. FLAKE. You know, with an energy resource as old as fossil energy, we're talking fossil fuels, we're talking Big Oil. We always hear from the other side of the aisle, Quit subsidizing Big Oil. And here we are directly saying we're going to give them research.

You know, some of the companies that directly receive grants under the plan I think are companies like Chevron or others to develop energy in the gulf or whatever else. Why in the world are we subsidizing that? We are hearing that they have profits, billions and billions of dollars just in the quarter, not just the year, and yet here we are subsidizing them again to more efficiently use fossil energy?

Now, fossil energy has been around a long time. It's not exactly a notion that no research goes into it. And it's going to be around for a lot longer still. Why in the world is the Federal Government saying we need to subsidize these companies who are conducting research on use and efficiency for fossil energy?

If we can't cut here, again, where can we cut? If we're going to stand up for Big Oil when it comes to spending money here, then where can we cut? I'm just flabbergasted when I come down to the floor and look at what

we're funding and subsidizing here. But yet I hear the rhetoric about how we need to make sure that they're paying taxes and whatever else. I think they should. I think we ought to get rid of the corporate subsidies, all of these kinds of corporate subsidies. But why in the world are we developing programs to spend billions of dollars overall, millions in this case, to help these for-profit companies that we blast in one breath and then subsidize with the next? Where does it end, Mr. Chairman? If we can't cut here, where can we cut?

Again, this is fossil energy. It's been around a long time. It will be around a long time. We don't need to subsidize it.

And remember, every dollar we spend here is a dollar that we have borrowed from people across the country, from taxpayers, from investors, from venture capitalists, from others who would invest it far more wisely than we would here. The best allocation of capital resources is through the free market, not by government fiat or subsidy. We've learned that over time, but yet we persist in doing this time after time after time.

I urge adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. 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 Arizona will be postponed.

□ 1710

AMENDMENT OFFERED BY MR. DENHAM

Mr. DENHAM. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. 6\_\_\_\_. None of the funds made available by this Act may be used to implement section 10011(b) of Public Law 111-11.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from California (Mr. DENHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DENHAM. I yield myself as much time as I may consume.

Mr. Chair, the underlying bill has already removed the funding for a program that is failing to show any positive results and has done more harm than good. The San Joaquin River Restoration Program continues to push forward on an ill-advised path of wasting water out to the ocean under the guise of saving salmon. What this amendment does is to prohibit the premature reintroduction of an endangered species into an uninhabitable

river, a river biologists say is not ready for salmon, a program that is supposed to occur after the construction of fish screens and the completion of an environmental study, neither of which is complete.

All Central Valley salmon runs are struggling to regain healthy numbers. This amendment ensures that bureaucrats don't purposely reduce the numbers of available salmon in other streams to plant them into the San Joaquin system and further threaten or endanger current runs. The Bureau of Reclamation needs to be provided with more time to complete the environmental studies and build the infrastructure required by the San Joaquin River Restoration Program before this river can sustain a salmon run.

Finally, even the National Marine Fisheries Services has doubts about the success of reintroduction. Contained within the final draft of their Reintroduction Strategies, NMFS expressed concerns that the San Joaquin River Restoration Program will not complete necessary channel improvements for a successful reintroduction.

Mr. Chair, I reserve the balance of my time.

Mr. VISCLOSKEY. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. Mr. Chairman, I rise in strong opposition to the amendment offered by my colleague from California. In 2009, Congress ratified the San Joaquin Settlement Act, which ended 18 years of litigation in the Central Valley of California over water. The agreement was supported by the previous administration and California's then-Republican Governor Schwarzenegger.

The Federal authorizing legislation was initially cosponsored by Congressman Pombo in the House and Senator FEINSTEIN in the Senate. The underlying bill zeroes the \$9 million request for the San Joaquin River Restoration Fund and rescinds \$66 million in mandatory funds for these activities.

As we stand on the House floor today, we are undermining this agreement, which, if it were to stand, that is the amendment, will land this case simply back into court. If the court is forced to take over river restoration, the Friant water users would be at risk of losing over 20 years of water supply certainty provided by the settlement. The amendment, I believe, is an attempt to end the broadly supported and bipartisan effort to restore the river, while also improving water supply management, flood protection, and water quality.

The amendment is piling on, if you would, given that the vast majority of funding for the settlement has been cut. There is no need to eliminate all funding just to ensure water attorneys can make a few more boat payments.

As I said at the outset, I strongly oppose the gentleman's amendment.

I reserve the balance of my time.

Mr. DENHAM. Mr. Chair, it's apparent that the gentleman from Indiana has not seen the river in my area, or simply just doesn't understand its flow. But to take an endangered species from Northern California, truck it down to the Central Valley, put it into a river that does not have fish screens, that does not have fish ladders, that does not have the environmental study just to watch these fish die is not only irresponsible, but it's a waste of money.

So I would invite the gentleman from Indiana to come visit us anytime. But certainly don't make the mistake of killing an endangered species. I urge the adoption of the amendment.

I yield back the balance of my time.

Mr. VISCLOSKEY. In closing, I would again point out that in 2009, Congress ratified this settlement to end 18 years of litigation. I do not think we should adopt the amendment and potentially begin another 18 years of litigation and would ask my colleagues to oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DENHAM).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SCALISE

Mr. SCALISE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ For "Corps of Engineers-Civil-Construction" there is hereby appropriated, and the amount otherwise provided by this Act for "Corps of Engineers-Civil-Expenses" is hereby reduced by, \$1,000,000.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Louisiana (Mr. SCALISE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. SCALISE. Mr. Chairman, I offer this bipartisan amendment with my fellow Louisiana colleague, Democratic Congressman CEDRIC RICHMOND. And what our amendment does is it transfers \$1 million out of the Corps of Engineers' expense account and into the Corps' construction account for critical coastal restoration efforts.

If you look at what we're dealing with here, what we're trying to address, not only can we maintain fiscal responsibility, but we need to also maintain and restore America's wetlands.

And just what is happening to America's wetlands? What are we trying to address with this amendment? Louisiana alone has lost 25 square miles of coastal wetlands every year.

And I want to hold up this football to represent that every single hour, Mr. Chairman, every single hour the State of Louisiana alone loses an entire football field of land, an entire football field of land that's eroded away. And

what exactly does that wetland, America's wetland, protect that's eroding away?

I want to show a chart here of the oil and gas infrastructure, the pipelines that move America's energy throughout the country. In the gulf coast alone, just in Louisiana, we produce about one-third of America's energy. And we talk all the time about our interest in reducing our country's dependence on foreign oil, and I strongly, strongly support that effort. In fact, Louisiana is at the forefront of doing that.

But that energy that we produce, and we ought to be producing more of it, we have the opportunity to produce more, but the energy we do produce is distributed throughout the entire country through pipelines that are in jeopardy right now because of that erosion of our coast, this wetland in America.

And not only is it the oil and gas infrastructure that's at risk, but also seafood production. The gulf coast of Louisiana, we produce a third of the country's seafood. And just looking at this chart makes me hungry when you look at the oysters, and the crabs, and the fish, this great product that we produce off our coast. But all of that comes from America's wetland, from that wetland that's evaporating, eroding away. And we're trying, we're bringing a bipartisan amendment to stop that from happening.

Louisiana's put its own skin in the game to the tune of over a billion dollars, over a billion dollars of money that Louisiana's put in. But there was a project that was authorized by this Congress, because this is a national issue. And, in fact, Congress has recognized this is an issue that shouldn't just be left up to Louisiana, because we're talking about something that protects and serves the entire country. And that's why in 2007, the LCA project was authorized by Congress. And all we're trying to do is keep that project alive, moving a million dollars from the expense account over into the Corps' construction account.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise in reluctant opposition. First of all, I want to commend the gentleman for his advocacy for coastal restoration, and should we say literally carrying the ball for coastal restoration and for his remarkable props. We know on this committee what a high priority it is for his district and his State. May I thank him also for coming to the floor earlier to make a case, obviously, for controlling spending, but also doing some things that are very important to his constituents and others affected by the devastating floods. I want to commend him for his strong advocacy.

□ 1720

The bill before us includes more than \$16 million, or more than 15 percent of the entire investigations account, to continue work on coastal restoration through studies, engineering, and design on various components of the program.

The committee had to make some tough choices in the bill, though, and although the Corps of Engineers construction account has increased \$86 million above the President's request, let me say, above the President's request, it is still a reduction from fiscal year 2011.

The Corps had numerous projects under construction that were not included in the President's budget request and so were likely to be funded in construction year 2012.

While construction funding is trending downward, I believe it is most prudent to prioritize funding for these ongoing projects so they can be completed and the Federal Government can realize some benefits from previous spending, rather than starting new projects, as important as they are.

And even given that this project is currently authorized at approaching \$2 billion and may continue to grow, it would not be prudent to begin another major new project while we have so many new commitments.

For these reasons I must oppose the amendment, but I sympathize with the gentleman on the purposes for which he is here.

I yield to the ranking member, the gentleman from Indiana.

Mr. VISCLOSKY. I thank the chairman for yielding.

I also would use the word "reluctantly" because I understand the need that the gentleman has in his region in this country. I appreciate his efforts in this regard.

But, again, I do support the Chair's policies as far as no new starts, given the fact that over the last several years we have terminated hundreds of ongoing projects. This is going to be a significant cost.

Until we can have the intestinal fortitude with the administration to provide the necessary funds for ongoing funds alone, it is difficult to begin a new endeavor. The gentleman indicated his efforts to increase a request made by the President, despite his best efforts to add money to the bill. We are now \$677 million below what we are spending on water projects in this country in fiscal year 2010.

So, again, with all reluctance I am constrained to join with my chairman in opposition.

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

Mr. SCALISE. Mr. Chairman, I appreciate the interest by both gentlemen in dealing with the backlog that the Corps currently has, and, in fact, that's one of the reasons why, when I worked closely with my colleague from New Orleans, CEDRIC RICHMOND, on this amendment, we first of all made sure

not to take anything away from existing projects, so those existing projects in the pipeline are not affected at all by this amendment.

And, in fact, the Corps's overall budget is not increased by our amendment, and we worked very hard to get to that point that we weren't taking away from other vital projects but pointing out that this is not a Louisiana-specific issue, this is a national issue. And as we talked about that pipeline, that series of pipelines that goes throughout the entire country to supply the energy needs of our Nation, and we talk about the vital seafood production and the things that make our gulf seafood so appetizing to people all around the country and around the world, but I also want to go back to this football and talk about the football field of land that erodes every hour. Just the last hour we have been sitting here, an entire football field of America's wetlands has eroded away, and we can reverse that trend without taking away from any other projects.

I understand the importance of that and, like I said, that's why we worked so hard to put the amendment together in the way that we did. I would urge adoption from all of my colleagues.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. SCALISE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SCALISE. 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 Louisiana will be postponed.

AMENDMENT NO. 81 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. The amount otherwise made available by this Act for "Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy" is hereby reduced to \$0.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Georgia (Mr. BROUN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BROUN of Georgia. Mr. Chairman, my amendment eliminates funding to the Department of Energy's Office of Efficiency and Renewable Energy.

We should be developing the vast quantities of proven energy resources readily available in this country, but instead the government continues to subsidize green technologies that are

not yet ready to be used wide scale. They are neither efficient nor affordable, and Federal agencies should not be in the business of picking winners and losers. If these technologies were viable, the Federal Government would not need to give them handouts and, instead, they would be able to succeed on their own.

Further, this legislation provides millions of dollars of foreign assistance to countries like China and India to implement renewable energy programs. At a time when our Nation is broke, and we are broke, why are we sending taxpayer money to our foreign competition?

I urge support of this amendment.

I reserve the balance of my time.

Mr. VISCLOSKY. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, I would point out to my colleagues that the amendment, as stated by the gentleman, would eliminate all funding for the Office of Efficiency and Renewable Energy.

The bill already includes a reduction of \$491 million from the current year level, which is a 25 percent cut.

The debate, relative to energy policy in this House—and not necessarily restricted to this amendment—talks about subsidies. But there are two parts to a Federal budget: There are spending-side issues and there are revenue- and tax-side issues.

I would hazard a guess as we stand here that there is not an energy source in the United States of America, be it coal, be it nuclear, be it gas, be it solar, be it wind, that does not somehow receive some benefit either by loss revenue or direct spending of the Federal Government in its endeavors.

What we do have to do is necessary research to make sure that we do expand the mix of energy utilization in this country, and certainly that is the purpose of the Renewable Energy Program Research at the national level. With 70 percent of our energy now generated through coal or natural gas, this cannot continue.

As I have said in earlier debates during the week, my senior Senator from Indiana, Senator LUGAR, has always described our energy problem as a national security issue given where petroleum products tend to be bought in the United States of America. Without this type of very serious research, we are not going to solve that national security problem, and we are not going to assiduously create job opportunities and economic opportunities.

I would respectfully object and oppose the gentleman's amendment.

Mr. LEWIS of California. Will the gentleman yield?

Mr. VISCLOSKY. I yield to the gentleman from California.

Mr. LEWIS of California. I appreciate my colleague for yielding.

Very briefly, while I am very respectful of my colleague's attempt here to

do what he can to cut clear back on spending, this is a very important area of our committee's responsibility.

The amendment would totally eliminate funding for Energy Efficiency and Renewable Energy. It is a bit, a step too far, and I associate myself with the remarks of my colleague and reluctantly oppose the amendment.

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

Mr. BROUN of Georgia. I appreciate the gentleman from Indiana's comments, and I submit that the best way to make sure that we have that national security that my colleague from Indiana was talking about is for us to open up all of our God-given resources of energy here in this country, and we are not doing that.

Mr. Chairman, we need to start doing everything we can to develop every energy source that we have, and I believe in an all-of-the-above energy policy.

□ 1730

The best way to determine what energy policy is going to be viable and is best for America is by letting the marketplace work. I believe in the brilliance of the marketplace. The marketplace, unencumbered by taxes and regulation as well as free from government meddling in the marketplace by picking winners or losers, is the best way to develop those drastically needed energy resources. And I believe in renewable energy. But is it viable economically? And is this country going to be viable economically if we continue spending like we have been spending?

And, in fact, many Members of Congress seem to have the idea that this country is going to totally dry up and blow away if the Federal Government doesn't supply everything to every entity's needs. I hear over and over again from colleagues that they want to continue this spending and that spending. In fact, in the committees—I serve on three committees—I hear my colleagues, particularly other side, talk about we have a tremendous debt that we need to deal with.

But it reminds me—as I hear them also talking about not cutting programs—it reminds me of an old saying back from our founding era when our Founding Fathers were talking about the discussion in taxes. Today's mantra is "don't cut me, don't cut thee, cut the fellow behind the tree." Well there's nobody behind the tree.

I believe we are in an economic emergency as a Nation, and Congress needs to face the fact. We're headed towards an economic collapse as a Nation. We've got to stop picking winners and losers and let the marketplace do that. Let people vote with their dollars instead of our funding this and not subsidizing that, subsidizing this and not subsidizing that. The best way to do these things, the best way to figure out who should be the winner or loser is let the marketplace do what it does best and let people vote with their dollars. Let

people invest in things that make sense and not invest in those things that don't make sense.

And we've got a lot of renewables such as this corn-based ethanol that doesn't make sense. It doesn't make sense economically, and it doesn't make sense even from an energy perspective. In fact, I'm a good Southern boy. I love my grits and cornbread. It makes absolutely no sense for me to be burning up my grits and cornbread driving down the road putting it in the gas tank of my GMC Yukon.

So we need to let the marketplace do its thing. We need to reel in the spending that Republicans and Democrats alike over the last several decades have been using to grow the size and scope of government. So I encourage my colleagues on both sides to support this amendment. It makes sense economically.

I yield back the balance of my time.  
Mr. VISCLOSKY. I urge a "no" vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BROUN of Georgia. 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 Georgia will be postponed.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I would just point out that there are no amendments left on our side that I know of, and I hope that your side can be more expeditious. Thank you. Some of us have important ball games to go to.

I yield back the balance of my time.

AMENDMENT NO. 63 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. 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 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used to carry out the activities specified in section 505 of the Energy Policy Act of 1992 (42 U.S.C. 13255).

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Georgia (Mr. BROUN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BROUN of Georgia. Mr. Chairman, I will try to be expeditious and comply with my friend from Washington's request to not delay this.

This amendment simply prohibits the Department of Energy from spending

money to implement the Vehicle Technologies Deployment Subprogram within the Energy Efficiency and Renewable Energy's "Clean Cities" program.

Earlier, I offered an amendment to cut funding from this program and transfer it into the spending reduction account. As I mentioned before when I presented my previous amendment, it is not appropriate for the Federal Government to be spending dollars on programs that the private sector should be doing or that local and State government can do. This program, this Vehicle Technologies Deployment Subprogram, is corporate welfare. I remind my friends, this is corporate welfare. And, in fact, I have heard over and over from my friends on the Democrat side that we need to stop doing corporate welfare. And I hope that they will support this amendment because that's what this simply is.

I urge my colleagues to support my amendment.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. The amendment of the gentleman from Georgia would prohibit funds for the Vehicle Technologies activities at the Department of Energy that work with cities across the country to reduce our dependence on foreign oil. The gentleman should know that the committee closely evaluated the alternative fuels program and slashed it to \$202 million below the budget request, leaving only \$26 million that we found to be well justified.

So we are making some progress and we are making some tough decisions. And even though the gentleman's heart is in the right place, we do need the \$26 million to continue the program, and thus I oppose the gentleman's amendment, albeit reluctantly.

I yield back the balance of my time.

Mr. BROUN of Georgia. Mr. Chairman, I appreciate the committee's cutting this program down to the \$26 million. But, again, this is corporate welfare to Fortune 100 companies, many that get these funds. We do need to reduce this country's dependence upon foreign oil, but this is not the way to do it. The way to do it is to open up exploration of our own energy resources here in America.

This is a commonsense amendment to strike out about \$26.5 million out of funding that we just simply don't have. It's money that we're borrowing from our foreign competitors as well as here in this country, and it's creating more and more debt. So I urge passage of my amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BROWN of Georgia. 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 Georgia will be postponed.

AMENDMENT NO. 27 OFFERED BY MR. FLORES

Mr. FLORES. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), add the following new section:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

The Acting CHAIR. Pursuant to order of the House of today, the gentleman from Texas (Mr. FLORES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. FLORES. Mr. Chairman, I rise to offer my amendment, which would address another restrictive and misguided Federal regulation. Section 526 of the Energy Independence and Security Act prevents Federal agencies from entering into contracts for the procurement of an alternative fuel unless its "lifecycle greenhouse gas emissions" are less than or equal to emissions from conventional fuel produced from conventional petroleum resources. Simply put, my amendment would stop the government from enforcing this ban on Federal agencies funded by the Energy and Water appropriations bill.

□ 1740

The initial purpose of section 526 was to stifle the Defense Department's plan to buy and develop coal-based or coal-to-liquids jet fuels, based on the opinion of environmentalists that coal-based jet fuel produces more greenhouse gas emissions than traditional petroleum. I recently offered similar amendments to the MilCon-VA, Ag, and DOD appropriations bills, and each time those amendments passed this House by voice votes. My friend Mr. CONAWAY also had language added to the Defense authorization bill to exempt the Defense Department from this burdensome regulation. But section 526's ban on fuel choice applies to all Federal agencies, not just the Defense Department. That is why I am offering it again today.

Federal agencies should not be burdened with wasting their time studying fuel emissions when there is a simple fix, and that is not restricting their fuel choices based on extreme environmental views, policies, and regulations like section 526. With increasing competition from other countries for energy and fuel resources, and the continued volatility and instability in the Middle East, it is more important than ever for our country to become more

energy independent and to further develop and produce our domestic energy resources. Placing restrictions on Federal agencies' fuel choices is an unacceptable precedent to set with regard to America's energy independence and its energy policy.

Section 526 makes our Nation more dependent on Middle East oil. Stopping the impact of section 526 will help American energy, improve the American economy, and create American jobs. I urge my colleagues to support passage of this commonsense amendment.

I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, section 526, I believe, is a commonsense provision that stops Federal agencies from wasting taxpayer dollars on new, alternative fuels that are dirtier and more polluting than the fuels we use today. The section simply bars agencies from entering into contracts to purchase alternative and unconventional fuels that emit more carbon pollution than conventional fuels on a lifecycle basis. I think that is just a rational, commonsense requirement.

The effect of this provision that has been in place is to spur development of advanced biofuels. These fuels are being successfully tested and proven today on U.S. Navy planes at supersonic speeds. And I believe it is a testament to American ingenuity.

I think the path that the gentleman wants to pursue is the wrong one. It is unsustainable in the longer term, and it will not lead us to energy security. Therefore, I am opposed to his amendment.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I am prepared to accept the amendment offered by the gentleman from Texas. His amendment strengthens national security by allowing the Federal Government more alternatives to imported petroleum fuels.

More than half of the oil the Nation consumes each year is imported, as we know, and today the price of gasoline is hovering around the \$4-a-gallon mark. By declaring some new fuel options to be off limits, section 526 of the Energy Independence and Security Act of 2007 limits our Nation's ability to reduce its dependence on oil imports.

His amendment puts all alternatives back on the table, which I think is needed, so the Nation can begin to develop and use fuels that are made with resources from here in the United States. Energy self-sufficiency is a national security issue, and this amendment takes us in the right direction. I

am pleased to support the gentleman's amendment.

I yield back the balance of my time.

Mr. FLORES. I want to respond to what my amendment really does, and let me read a letter from the Department of Defense general counsel to Senator INHOFE from July of 2008. I quote: "It creates uncertainty about what fuels DOD can procure, and will discourage the development of new sources, particularly reliable domestic sources of energy supplies for the Armed Forces."

Let me go on. Let me give you a practical, real world example as to what section 526 does.

Our closest neighbor with stable energy supplies is Canada. We import 650,000-plus barrels a day of oil that is produced from oil sands in Canada. That oil makes its way throughout the refinery system throughout the United States and gets blended into jet fuels, gasoline, and diesel fuel. A literal interpretation of section 526 would say that the U.S. military, the United States Government, more broadly, cannot utilize any of those fuels. There is no technical or commercial way that the military of the United States Government can make sure it is not using any fuel source that came from that crude oil.

Let me go on and wrap up like this. You are going to hear a lot of remarks from the other side of the aisle regarding the claims about section 526 or about my amendment. My amendment does nothing, nothing to remove the ability of the Federal Government to use alternative fuel sources. It can use whatever fuel source it wants to under my amendment.

Section 526 increases our reliance on Middle East oil. It hurts our military readiness, and its national security and energy security. It prevents the increased use of safe, clean, and efficient North American oil and gas. It increases the cost of American food and energy, and it hurts American jobs and the American economy.

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

Mr. VISCLOSKY. If I could ask the author of the amendment just one question.

On the letter, was that a letter from Senator INHOFE to the Department of Energy or from the Department of Energy to the Senator?

I yield to the gentleman from Texas.

Mr. FLORES. It is from the Department of Defense to Senator INHOFE.

Mr. VISCLOSKY. I appreciate the clarification.

I remain opposed to the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. FLORES).

The amendment was agreed to.

AMENDMENT NO. 75 OFFERED BY MR. YOUNG OF INDIANA

Mr. YOUNG of Indiana. 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 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used to pay the salaries of Department of Energy employees to carry out section 407 of division A of the American Recovery and Reinvestment Act of 2009.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Indiana (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. YOUNG of Indiana. Mr. Chairman, I yield myself such time as I may consume.

Our Nation's unemployment rate currently sits at 9.2 percent, a full 1.6 percent higher than when President Obama took office. I am hearing from my southern Indiana constituents, and I've heard this for months now, that the President's failed experiment of spending our way to prosperity and creating great uncertainty about future tax rates and interest rates must end.

A step in the right direction would be supporting this modest amendment which my esteemed colleague, the gentleman from Indiana (Mr. BURTON), and I have worked on together. The amendment would merely restore eligibility criteria for the Weatherization Assistance Program to pre-stimulus levels.

By way of background, prior to 2008, the Weatherization Assistance Program enabled families at or below the 150 percent poverty level to reduce their energy bills by making their homes more energy efficient. Since the stimulus bill increased this eligibility threshold, the Weatherization fund has exploded and currently has accumulated an estimated \$1.5 billion in unspent funds.

Moreover, the program has been a model of government waste and inefficiency. Late last year, for example, New Jersey's State auditor audited just \$614,000 worth of Weatherization funds disbursed in his State. He found that \$33,000 of this \$614,000 that were spent actually went to no services at all. So over 5 percent of the funds spent in that State were spent on nothing.

This sort of waste and inefficiency, no doubt, is being seen all across the country. We have seen recent audits of Weatherization programs in Illinois, Delaware, Tennessee, and Texas yield similar results.

Personally, I agree with those who say that most Americans already have sufficient incentives and means to reduce their energy bills by weatherizing their own homes and that government lacks sufficient incentives to spend our tax dollars responsibly. That is why we should adopt this modest amendment that would merely limit this program to our neediest citizens by restoring eligibility criteria back to pre-stimulus levels.

So I would say let's improve our climate for private sector job creation however we can. Let's eliminate wasteful and nonessential spending wherever we can find it. That is what this amendment does.

□ 1750

Mr. VISCLOSKY. Will the gentleman yield?

Mr. YOUNG of Indiana. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. We accept the amendment.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. YOUNG of Indiana. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. We accept the amendment as well.

Mr. YOUNG of Indiana. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. YOUNG).

The amendment was agreed to.

AMENDMENT NO. 76 OFFERED BY MR. LANDRY

Mr. LANDRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to pay the salary of individuals appointed to their current position through, or otherwise carry out, paragraphs (1), (2), and (3) of section 5503(a) of title 5, United States Code.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Louisiana (Mr. LANDRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. LANDRY. Mr. Chairman, my amendment is simple. It prevents the misuse of recess appointments while preserving the Founders' intent by allowing the President to quickly make emergency recess appointments if the need arises.

I know this may surprise many Members, but current law actually prohibits the salaries of recess appointees, which was a law passed in 1863 that stayed on the books until 1940. It prohibited those who received recess appointments from being paid. Then some exceptions were made, and those exceptions basically took the intent of the law out. So these exceptions, these loopholes, are so broad that they make the prohibition against recess appointments useless, but the administration can always find a way to make these recess appointments.

I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR (Mr. BASS of New Hampshire). The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. These are legal appointments made by the President of

the United States—by this President, the last President, the President before that, the President back to George Washington. It is the administration's priority to make these appointments.

While each of us, or collectively, disagree with some of the individuals put into particular positions, until we change the law, the House should not pick and choose the staff for the executive branch any more than it should be picking ours.

If the gentleman wants a say in the President's hires and appointments, I suggest he work to change the Constitution. Article II, section 2 gives the Senate say over Presidential appointments and gives the President power to make recess appointments.

I urge my colleagues to vote "no" on the amendment.

I reserve the balance of my time.

Mr. LANDRY. I don't argue the legality of the President's recess appointments.

I am doing what many Congresses have done prior, all the way since 1860, when they realized that this was a problem when Presidents and administrations tried to bypass the will of the people. I am using the power of this House, which is the power of the purse, to make sure that, when the President makes recess appointments—look, this isn't the 1800s anymore. Congress is not out for months and months at a time. If the President needs to make an appointment in an emergency, he certainly has the time, and he will be able to take that recess appointment and put it before the Senate. I am simply saying, until that recess appointee is confirmed by the Senate, he or she shall not receive any pay.

My friends across the aisle have spent most of the past month talking about closing loopholes, so I hope they will join me in protecting the taxpayers by closing the loophole in the law that currently exists. Let's bring the law back to the intent of it, which is to prohibit recess appointees from receiving salaries until the appointees are confirmed. I urge my colleagues to vote for this amendment.

I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, this is a constitutional issue, and we have no business in it. I would urge my colleagues to vote against the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. LANDRY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. LANDRY. 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 Louisiana will be postponed.

AMENDMENT OFFERED BY MRS. BLACKBURN

Mrs. BLACKBURN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 5 percent.

The Acting CHAIR. Pursuant to the order of the House of today, the gentlewoman from Tennessee (Mrs. BLACKBURN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Chairman, the Energy and Water Development appropriations bill before us today includes \$30.6 billion in funding. That falls \$1 billion below last year's level and \$5.9 billion beneath the President's budget request.

While I applaud our appropriators for the great work they've done in reducing this spending, I am one of those Members of the House who believes there is still room for improvement. We are in an extraordinary time when it comes to our budget and when it comes to the budget of this Nation in the spending, and this extraordinary time does require some extraordinary measures.

That's why I am introducing a 5 percent across-the-board spending reduction amendment. This amendment has the backing of 10 national conservative groups. This amendment would reduce the funding appropriated by this bill by an additional \$1.5 billion and would take Federal spending back to just above the fiscal year 2007 level.

Across-the-board spending cuts effectively control the growth and the cost of the Federal Government. They give agencies the flexibility to determine which expenses are necessary and which are not. In fact, in my State of Tennessee, as I have mentioned many times as we have debated these across-the-board amendments—and Mr. Chairman, I know many of my colleagues are probably a little bit tired of hearing of these across-the-board spending cuts—we bring them forward because the States have used them, and they've used them successfully.

A Governor in my State, who is of my colleague's party across the aisle, made a 9 percent across-the-board spending reduction to bring that budget back into balance, to put our State on a firm fiscal footing. Our States that have balanced budget amendments take these actions, and they take them carefully, cautiously, and with an eye towards securing fiscal stability.

It is time for us in Congress to begin to enact these very same measures. Removing a nickel from every dollar is a way we can help our departments find new efficiencies and to reform wasteful business practices. It would save taxpayers millions of dollars in the process. Indeed, if we had been doing this for years, we probably wouldn't find ourselves in the situation that we are

in right now. It's a step in the right direction, so I encourage the support of my colleagues on the amendment.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in strong opposition to the gentlewoman from Tennessee's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. First of all, I do appreciate the fact that she recognizes the committee made some tough choices. In fact, our overall bill is really down close to the 2006 level. Obviously, in some quarters, that doesn't satisfy every Member of Congress, but I'm respectful of her desire to go further.

Cuts of this magnitude, quite honestly, go far too deep. The types of things we do in our bill—our responsibility for the reliability of the nuclear stockpile—that's utmost, as is our responsibility for cleaning up nuclear waste. In fact, there are consent decrees where things have to be cleaned up because of things left over from World War II. There is research and development, which is important, and water issues. We heard for 2½ hours earlier today of the types of things that can happen to our Nation when water infrastructure is not kept up and modernized. There is the loss of human life, the loss of livelihoods, the loss of tens of thousands of jobs.

□ 1800

I am respectful of the gentlewoman's perspective, but in reality this would be very damaging to our national security and to things that are important to life and property.

I am happy to yield to the ranking member.

Mr. VISCLOSKEY. I appreciate the chairman for yielding and join with him in opposition. I think he has stated the case very well.

I would also add the expenditures in this legislation on nonproliferation. I think one of the greatest threats our country faces is the issue of nuclear terrorism. Again, we have to be very thoughtful. The chairman has had to make some very serious and profound choices. I think he has done an excellent job doing so, and we ought to stop where we are.

I am opposed to the woman's amendment.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield back the balance of my time.

Mrs. BLACKBURN. In closing, I do appreciate the comments that have been made, and I appreciate the work of the Appropriations Committee. I do agree that the issues that are dealt with are important issues. So is the fiscal stability of this Nation, I think. That's a very crucial and very important issue that is laid before us at this time. So is sending a message to our constituents and to the taxpayers of this Nation, that, yes, indeed we are

going to require the bureaucracy to tighten its belt.

One of the questions I am most often asked by my constituents is, in our homes, in our businesses, in our churches, we're all tightening the belt. Why is the bureaucracy not tightening its belt? Why does Washington seem to be recession-proof?

They want to see this bureaucracy engaged in this. They want to see the bureaucracy join us in the fight to put this Nation on a firm fiscal footing.

When it comes to our Nation's security, I would just remind my colleagues that on July 6, 2010, Admiral Mullen made the comment that the greatest threat to our national security is our Nation's debt.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. BLACKBURN. 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 gentlewoman from Tennessee will be postponed.

AMENDMENT OFFERED BY MRS. BLACKBURN

Mrs. BLACKBURN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 1 percent.

The Acting CHAIR. Pursuant to the order of the House of today, the gentlewoman from Tennessee (Mrs. BLACKBURN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Thank you, Mr. Chairman, and I thank the chairman of the Appropriations Committee for the time to speak on this and to bring this amendment forward.

Again, this is a cut amendment. Every year, I say let's look at 1 percent, 2 percent, 5 percent. Let's look at where to make these reductions. I do it because I know that we all realize and probably many of us in this Chamber agree with the sentiment that Ronald Reagan regularly expressed, and that is that the closest thing to eternal life on Earth is a Federal Government program. We are reminded of that fact today as we are here debating this funding bill.

This amendment calls for a clean 1 percent across-the-board reduction in each account of this act. One penny on a dollar. We are doing this, yes, for today; yes, to send a message to constituents that we are working to reduce the spending; yes, to send a message to those that are watching the

growing debt in this country; yes, a message that we are getting the fiscal house in order. We are also doing it for our children and our grandchildren, to make certain that they have an America that is strong, that is safe, that has its fiscal house in order.

We are in a time where every child that is born in this Nation is now seeing \$46,000 worth of debt heaped on their head, Federal debt, that is theirs. It is so important that we make this cut. It's an extra \$306 million that would come out of this budget.

As I said in my previous remarks, the appropriators have worked hard. They have worked diligently to make certain that they were reducing and coming in below last year's level, and they are to be commended for that. But these are extraordinary times and it requires that we put the focus on going a step further, that we engage those that are running the bureaucracies, and that we have them go save a penny out of a dollar and that they do it for future generations.

Mr. Chairman, I reserve the balance of my time.

Mr. FRELINGHUYSEN. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. First of all, I want to thank the gentlewoman from Tennessee again for her steadfastness in trying to reduce spending.

Our committee had the lowest—our spending level went back to 2006. One of the benefits of serving on the committee and one of the reasons I traditionally oppose across-the-board cuts, 1 percent, 5 percent, 3 percent, is when you serve on the committee and you've already made substantial reductions, you do it in a careful and thoughtful manner. And when you're dealing with issues that relate to the nuclear stockpile, the reliability of that stockpile, the responsibility for taking care of nuclear waste and meeting consent decrees and court orders and you're dealing with lives and property that relate to issues of flooding and things that affect lives and property literally, billions of dollars of commerce that we heard about earlier this afternoon from those who represent Missouri and the Mississippi, really the bedrock of, I think, 44 percent of our Nation's economy, making these types of cuts, while it may feel good, without having the benefit of what we have the benefit of, which is debate and input from some of the Nation's greatest experts as well as obviously people from the administration, there is no way that I would support this reduction.

I would be pleased to yield to the ranking member.

Mr. VISCLOSKY. I appreciate the gentleman for yielding.

I think you have stated the case well and do want to join with you in my strong opposition to the gentlewoman's amendment.

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

Mrs. BLACKBURN. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentlewoman has 2½ minutes remaining.

Mrs. BLACKBURN. I yield 1 minute to the gentleman from Georgia (Mr. GRAVES).

Mr. GRAVES of Georgia. I thank the gentlelady.

I want to thank you for your amendment, because you bring forth such an incredible issue that we can't just stop with what was passed out of the Appropriations Committee. There are Members all across this body that had the opportunity to scour the legislation—and I'm on the committee—and to improve upon the legislation. That's exactly what she's doing here by offering additional cuts.

Mr. Chairman, I want to bring out the fact that in the House over the last five appropriations bills, there have been 250 amendments offered. Only 11 cutting amendments have been passed, and eight of these were by voice vote. So here on the floor of the House, and I guess I'm speaking to my colleagues in the Republican Party, we are not cutting any more than what comes out of the committee. So far, out of these five appropriations bills, there's been \$691 billion spent, and yet we've only cut \$304 million in addition to that.

Mr. Chairman, as I think about where we are, I brought the analogy and trying to put this in context of where we are as a Nation, that's 2 cents, just two pennies out of a gallon of gas. Just two pennies.

I leave you that—my 2 cents' worth on this appropriations bill.

Mrs. BLACKBURN. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank the gentlelady for yielding.

I rise in support of this amendment. This is the last opportunity we have, really, to rein in spending that's literally bankrupting our country in this bill.

It's interesting. All the talk of the billions of dollars of subsidies that we continue to dole out to dubious enterprises are all unfulfilled promises of energy independence. You would think after 30 years those promises are starting to ring hollow. After 30 years of such promises, we're more dependent on foreign energy than when we began and even deeper in debt.

I rise also to draw to the attention of the House a provision of this measure relating to the Strategic Petroleum Reserve.

□ 1810

Under current law as that reserve is drawn down either for maintenance or for market manipulation, the proceeds from the oil must go back into the Strategic Petroleum Reserve. That guarantees that it's maintained in a constant state of readiness to provide for our national security. Whenever a dollar comes out of that reserve, a dollar has to be put back into it—until

this bill. There is a half-billion dollars going out of the Strategic Petroleum Reserve, not to replenish the reserve, but to fund additional spending in this budget. That is a scandal.

Mrs. BLACKBURN. Mr. Chairman, I would just remind my colleagues, all the issues we address are important issues, but as Admiral Mullen has said, "the greatest threat to our national security is our growing national debt."

We are calling for another \$306 million to be reduced from this bill. Ten conservative groups support this. Let's tighten our belts. Let's engage the bureaucracy. Let's put our country back on the path to fiscal health.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. BLACKBURN. 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 gentlewoman from Tennessee will be postponed.

AMENDMENT NO. 53 OFFERED BY MR. HARRIS

Mr. HARRIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used to fund any portion of the International program activities at the Office of Energy Efficiency and Renewable Energy of the Department of Energy with the exception of the activities authorized in section 917 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17337).

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Maryland (Mr. HARRIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. HARRIS. Mr. Chairman, I will try to be brief because this amendment follows up on an amendment that was adopted by a voice vote by the Committee of the Whole just 2 days ago.

This amendment is the second part of the amendment I offered on Monday of this week. That amendment reduced funding by \$6 million from the EERE, and that would be enough to cut the funding that this amendment limits that would reduce funding for the international programs of EERE. It was an amendment endorsed by Citizens Against Government Waste.

The international programs are a subset of the EERE budget and do not have their own line item in an appropriations bill, so because of that, this limitation amendment would be required to properly implement the

spending reduction amendment, again, passed by the committee on Monday.

This amendment clearly states that no funds may be spent on the international program activities of the Office of Energy Efficiency and Renewable Energy, with the exception of the activities authorized in section 917 of the Energy Independence and Security Act of 2007. So we removed \$6 million in funding on Monday, \$8 million was recommended by the committee, therefore leaving \$2 million in the program. The United States Government has \$1.5 trillion in debt, borrowing 40 cents out of every dollar, and now is not the time to take our hard-borrowed dollars and spend them overseas.

This program literally—and I will read the programs funded under the international program—assists manufacturing facilities in China and India to reduce their energy use. Mr. Chairman, we should be keeping that money to help our factories reduce their energy use, not our international competitors. Improving energy efficiency in the Chinese building sector. Mr. Chairman, we should be improving our energy efficiency, not the Chinese building sector. Partnering with the Kazakhstan Government to provide training on industrial efficiency. Mr. Chairman, when we're borrowing this amount of money, we should be using it to promote our industrial efficiency, not the Kazakhstan Government.

Furthermore, it does things like help build windmills in Mexico. Now Mr. Chairman, we don't have the money to build windmills here, we have to borrow the money to do that. We shouldn't be borrowing money to build windmills in Mexico.

Again, this amendment implements the spending reduction already adopted on Monday.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. The amendment eliminates, as we know, international cooperative programs at the Department of Energy that focus on developing innovative energy technologies.

I appreciate and share the gentleman's concerns that activities that simply fund energy projects—like installing windmills—in other nations are not an appropriate use of taxpayer dollars. There is nothing in this program that funds windmills, with all due respect. This is especially true when we must rein in spending and eliminate waste all around. But this is a good example of when a scalpel is needed to save the worthwhile programs instead of a blunt instrument that eliminates the entire program.

The gentleman is correct that this program includes several small activities that the United States should not bankroll. However, many of the large

activities in this program not only engender good will in countries like China, India, and Brazil—and Kazakhstan, which has been a tremendous ally in the war on terror—but they also increase economic activities abroad.

The energy sectors in China and India are increasing by leaps and bounds. In just the last 10 years, China's energy consumption has more than doubled. China and India and other nations' energy sectors represent an enormous economic opportunity for whoever will develop and supply energy technologies used in these rapidly growing countries. Cooperative programs eliminated by this amendment help the U.S. industry and researchers gain access to these booming markets. These programs don't cost much, but they leverage much more in international contacts and economic opportunities. For this reason and many others, I oppose the amendment.

I yield to the ranking member, the gentleman from Indiana.

Mr. VISCLOSKY. I appreciate the gentleman yielding and would join him in his opposition to the gentleman's amendment.

Again, I think the chairman has stated the proposition very well, but I would point out that the program's technical assistance activities really do help prime markets for clean technologies in major emerging economies to support and encourage U.S. exports.

So again, I am opposed to the amendment and appreciate the gentleman yielding.

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

Mr. HARRIS. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman has 2½ minutes remaining.

Mr. HARRIS. Mr. Chairman, just so we dispel any misconceptions that the committee might hold about what these programs are, let me read from the EERE Web site, because we were saying these are developing countries. Well, China is not a developing country, Mr. Chairman. This is what it says: "The U.S. Department of Energy today announced \$1 million in available funding to train energy assessors who will assist manufacturing facilities in China and India to reduce their energy use." Mr. Chairman, those aren't my words; they're the words of the Department that is asking for funding, for us to borrow money from China so that we can go to China to "reduce their energy use."

It goes on to say, "The EERE engages in multiple technology and policy efforts to improve energy efficiency in the Chinese building sector." These aren't my words, Mr. Chairman; these are the words of the DOE that wants us to borrow money from China to spend money in China to improve energy efficiency in the Chinese building sector.

Let's go further on. It says, "EERE partnered with the Kazakh Govern-

ment to provide training on Save Energy Now industrial efficiency." In Kazakhstan. I would offer that if we want to do foreign aid, that we do it in the Department of State budget.

With regards to these cooperative programs, they're not zeroed out. The chairman should know that these programs are partially funded through the Department of State, and we don't affect the Department of State budget in this appropriation. What we do say is the Department has egregiously spent American taxpayer dollars. They are wasting taxpayer dollars. And with regards to wind power and windmills, I don't know what they're building in Mexico, but let me read from their Web site—not my words, their Web site: "EERE is involved in several projects currently underway, including wind energy in Mexico." Now Mr. Chairman, unless there is something else beside windmills that uses wind energy, the Department says they are involved in projects involving windmills in Mexico.

This country can't afford to make Chinese factories energy efficient and to build windmills in Mexico when we are borrowing 40 cents out of every dollar.

Mr. Chairman, I urge adoption of this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. HARRIS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HARRIS. 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 Maryland will be postponed.

□ 1820

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I yield to the gentleman from Ohio.

Mr. RENACCI. Mr. Chairman, I rise for the purpose of asking the gentleman from New Jersey, the subcommittee chairman, to engage in a colloquy on the importance of solid oxide fuel cell technology and the need to maintain sufficient funding levels for research and development of this critical asset.

Mr. Chairman, I first want to commend you on the fine bill. This bill, which I know was full of difficult choices and competing priorities, comes in more than 16 percent less than the administration's request, marking a clear commitment to fiscal discipline and restraint. I understand that within the Fossil Energy Research and Development account the committee has appropriated \$25 million for the research, development, and demonstration of solid oxide fuel cells.

Is my understanding correct, Mr. Chairman?

Mr. FRELINGHUYSEN. The gentleman from Ohio is correct. As the committee states in the report accompanying H.R. 2354, we believe solid oxide fuel cell systems have the potential to substantially increase the efficiency of clean coal power generation systems, to create new opportunities for the efficient use of natural gas, and to contribute significantly to the development of alternative fuel vehicles.

Mr. RENACCI. If the gentleman will continue to yield, I appreciate his kind words about this particular innovative technology.

I believe that properly funding solid oxide fuel cell systems is an important step towards an all-of-the-above energy policy. The technology will help increase American energy capacity, reduce emissions, reduce our dependence on imported oil, and encourage the sustainable use of domestic hydrocarbons, including coal, oil, and natural gas, particularly newly discovered shale gas in the Marcellus and Utica formations located within my home State of Ohio.

It is my understanding that the Department of Energy's Solid State Energy Conversion Alliance, or SECA, is a model example of a public-private partnership that creates jobs, promotes private investment, and enhances our energy security. It is also my understanding that preserving the current funding level is paramount in protecting over 700 existing SECA-related private sector jobs. Moreover, ensuring timely commercialization of this technology will provide the basis for broader domestic economic growth, potentially paving the way for creating thousands more high-tech, high-skilled American manufacturing jobs.

Does the chairman agree with this understanding?

Mr. FRELINGHUYSEN. I want to assure the gentleman from Ohio of my agreement with the economic, environmental, and energy security benefits of this technology and that I will work to maintain this already reduced funding level as the Energy and Water Development appropriations bill moves forward.

Mr. RENACCI. I appreciate the gentleman's commitment to this technology and to working to ensure that this funding level, approximately 50 percent less than in fiscal year 2011, is not needlessly reduced any further for the coming fiscal year.

I again thank the gentleman from New Jersey and the ranking member from Indiana for their hard work on this bill.

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

AMENDMENT NO. 21 OFFERED BY MR. LUETKEMEYER

Mr. LUETKEMEYER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used for the study of the Missouri River Projects authorized in section 108 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (division C of Public Law 111-8).

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Missouri (Mr. LUETKEMEYER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. LUETKEMEYER. Mr. Chairman, the Missouri River basin is currently facing some of the worst flooding in its history. This devastation, combined with the ongoing economic crisis and our aging inland waterways infrastructure, means that now, more than ever, we must be focused and responsible with taxpayer-funded river projects.

My amendment would prohibit funding for the Missouri River Authorized Purposes Study, also known as MRAPS. This \$25 million earmarked study comes on the heels of a comprehensive \$35 million, 17-year study completed in 2004 that showed that the current authorized purposes are important and should be maintained.

For river communities, few issues are as important as flood control, water supply, power, and navigation. People in these communities rely on the river for their livelihoods and will do so today, tomorrow, and long after the floodwaters have receded.

This Congress and this administration need to focus on protecting human life and property and maintaining the safety and soundness of our levees. We also must support the important commercial advantages provided to us by our inland waterways system.

The Missouri River moves goods to market and is an important tool in both domestic and international trade. That's why the National Corn Growers Association, the American Waterways Operators, the Coalition to Protect the Missouri River, and the Missouri Farm Bureau support this amendment.

This study puts in jeopardy the lower Missouri and the Mississippi rivers, which could result in devastating consequences for navigation and transportation, resulting in barriers for waterways operators, agriculture, and every product that depends on the Missouri and Mississippi rivers to get to market.

The current authorized uses of the Missouri River provide necessary resources and translate to continued economic stability not only for Missourians but also for many Americans living throughout the Missouri and Lower Mississippi River basins.

We've said we want to focus on creating and maintaining jobs. This Congress is on the brink of passing three major trade agreements, and the ability of our inland waterways to transport manufactured and agricultural goods, goods purchased and grown by Americans, is as important as it ever has been.

This study is duplicative and wasteful of taxpayer dollars. On this exact issue we've already spent 17 years and \$35 million on hundreds of public meetings and extensive litigation. I offered identical language during our first debate on the fiscal year 2011 continuing resolution. That amendment passed by a vote of 245-176. I appreciate my colleagues who offered their support and hope to have their support again.

While there is no funding in the underlying bill for MRAPS, I will remind my colleagues that in committee an amendment was adopted to allow the Corps of Engineers to use and receive non-Federal funds to continue and complete ongoing Federal studies. The need for my amendment is as urgent as ever.

With that, I yield 1 minute to the gentleman from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Mr. Chairman, I rise in support of amendment No. 21, sponsored by my friend and colleague from Missouri.

This amendment is a commonsense idea to save tax dollars and ensure that the Missouri River focuses on protecting human life and property. It ensures \$25 million of taxpayer dollars won't be wasted on a second study of the purposes of the Missouri River. A 17-year, \$35 million study was just completed in 2004 to look at the purposes of this river. We don't need a second study, and we don't need to squander the taxpayers' money in this way.

Think about how much money is proposed for this study: \$25 million. That's a lot of money. As a commonsense person from Missouri, I have to ask: How does government spend that much money on a study? \$500,000 is a lot of money where I come from. How about \$1 million or \$2 million? Think of what the average family could do with \$1 million or \$2 million. But this study thinks that's not enough. It wants \$25 million to study a river that's already been studied.

Now is the time for common sense. Now is the time for fiscal sanity. Now is the time to stop spending money we don't have on things we don't need.

Mr. LUETKEMEYER. Mr. Chairman, I now yield 1 minute to the gentleman from Missouri (Mr. AKIN).

Mr. AKIN. The lady before me said it so eloquently and so simply: Why do we want to spend a whole lot of money? We're already in a crisis now. Huge debates about how are we going to control Federal spending. And here we find this proposal to drop another \$25 million to do a study that we have already done before.

First of all, we could save a lot of money in this, and that's a good idea. Of course, why is it that somebody would make the proposal after we've done a study that's supposed to work for 17 years and want to do it all over again? Well, it's because they didn't like the results of the first study, quite obviously.

What did the study prioritize? Well, it prioritized, first of all, protecting

human lives. That's not exactly a bad prioritization. And that's in the context of flood control. But it also talked about their livelihoods, not just their lives but their livelihoods. And that was the transportation part. That should also be a part of what the Missouri River is about. And of course the water supply and the safety. Now the proposal is to make the priorities on something else.

Look, the Missouri River is a great resource. We need to use it that way and prioritize our people, their property, and their prosperity.

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

The Acting CHAIR. Who seeks time in opposition?

The question is on the amendment offered by the gentleman from Missouri (Mr. LUETKEMEYER).

The amendment was agreed to.

□ 1830

AMENDMENT OFFERED BY MR. LUETKEMEYER

Mr. LUETKEMEYER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. \_\_\_\_ . None of the funds made available in this Act may be used to continue the study conducted by the Army Corps of Engineers pursuant to section 5018(a)(1) of the Water Resources Development Act of 2007.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Missouri (Mr. LUETKEMEYER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. LUETKEMEYER. Mr. Chairman, in recent months the Midwestern United States has been pummeled by severe weather that has destroyed land, homes, and even lives, particularly along the Missouri and Mississippi Rivers. Citizens living in communities along the Missouri River have endured what is beginning to be referred to as the worst flooding in history.

Just in this year alone, millions of taxpayer dollars have gone towards environmental restoration and recovery programs, while operations and maintenance of our infrastructure has been terribly neglected. Because of this neglect, this year's record rainfall, snowfall, and subsequent snowmelt have created extremely dangerous conditions that are growing more serious with each passing day.

President Obama in his fiscal year 2012 budget requested more than \$72 million for the Missouri River Recovery Program, which would primarily go towards the funding of environmental restoration studies and projects. This funding dwarfs the insufficient \$6.1 million that was requested for an entire operations and maintenance fund that supports the area covering the entire region from Sioux City to the mouth of

the Missouri in St. Louis. It is preposterous to think that environmental projects are more important than the protection of human life.

The Missouri River Ecosystem Restoration Plan, or MR-ERP, is slated to receive \$4 million of the more than \$72 million in Federal funding that will go towards the Missouri River Recovery Program. This program is only one of the many Missouri River ecosystem recovery programs funded by American taxpayers, and MR-ERP is one of no fewer than 70 environmental and ecological studies focused on the Missouri River. The people who have to foot the bill for these studies and projects, many of which take years to complete and are ultimately inconclusive, are the very people who are at risk of losing their farms, their businesses, their homes, and even their lives today.

I do not take for granted the importance of river ecosystems. I grew up near the Missouri River, as did many of the people I represent in Congress. But we have now reached a point in our Nation where we value the welfare of fish more than the welfare of human beings. Our priorities are backwards.

My amendment, supported by the Coalition to Protect the Missouri River and the Missouri Farm Bureau, proposes a prohibition of funding for the MR-ERP program. The end of the study will in no way jeopardize the Corps' ability to meet requirements under the Endangered Species Act. What this amendment will do is eliminate one of the many ecosystem studies along the river, a study that has become little more than a tool of the administration for the promotion of the return of the river to its most natural state, with little regard for navigation, trade, power generation, or the many people who depend on the Missouri River and adjacent lands for their livelihoods. This study has the potential to result in river management that is environmentally driven rather than focused on balancing the needs of the environment with those along the river and our wonderful communities.

We've seen this same scenario played out on a nationwide basis. The result is increased unemployment, reduced trade, economic depression, and sometimes questionable environmental results.

Mr. Chairman, should the funding for MR-ERP go forward, we must stop and think about what we are doing. I urge my colleagues to support this amendment, to support our Nation's river communities.

I yield 1 minute to the gentlewoman from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Thank you, Representative LUETKEMEYER.

I rise today in support of this amendment. Like he said, this amendment is about priorities. What is important? Or better yet, who is important? I would contend that people are important, people along the Missouri River, people who are seeing their homes flooded and their livelihoods destroyed due to

flooding. Crops, businesses, and homes are underwater as levees have been breached and overtopped in parts of Missouri.

Now is the time to refocus our attention on what matters as we manage the Missouri River. We need to protect people and property. The President's 2012 budget, as Representative LUETKEMEYER said, requested \$72 million to "recover" the river for two birds and one fish, but only \$6.1 million for operations and maintenance on the levees from Sioux City to St. Louis. Now, that's an example of wrong priorities.

This amendment ensures that the Corps of Engineers continues to focus on people and keep flood control and navigation as the focus. It's time to get our priorities back and to save tax dollars while we're doing it. That's a good combination.

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

Mr. VISCLOSKEY. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. Mr. Chairman, I do rise in opposition to the amendment offered by the gentleman from Missouri. The WRDA 2007 Act, which was passed with such bipartisan support that it overcame a Presidential veto, authorized the Corps to undertake the Missouri River Ecosystem Restoration Plan and develop the Missouri River Recovery Implementation Committee to consult on the study. This authority provided a venue for collaboration between the 70-member stakeholder group of tribes, States, affected groups, and Federal agencies to develop a shared vision and comprehensive plan for the restoration of the Missouri River ecosystem.

By prohibiting the Corps from expending any fiscal year 2012 funding on the study, this amendment will result in a scheduled delay of the study, potentially additional start-up expenses and schedule impacts, and potential erosion of trust of the delicate partnership in this basin. There also could be legal implications associated with the National Environmental Policy Act if funding were prohibited for this study in the longer term. A 1-year prohibition would not allow work described above to be done and could push the entire schedule of the report out.

I also do believe that it places the Army Corps in jeopardy of not being in compliance with the act, which could also adversely affect their operation of the dams on the waterways. In the long term, the study represents the required programmatic NEPA coverage for the Missouri River Fish and Wildlife Recovery Project; and 13 Federal agencies, eight States, and 15 tribes have formally agreed to cooperate with the agency under the act. The fact that this was authorized in 2007 in an overwhelming fashion, that you have had this collaboration, and there are risks

involved in adopting the gentleman's amendment, I would urge my colleagues to oppose this amendment.

I reserve the balance of my time.

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

The Acting Chair. The gentleman is recognized for 30 seconds.

Mr. LUETKEMEYER. Mr. Chairman, very quickly, I think I understood the gentleman to say that this would affect some of the Corps' operations. This will in no way affect the Corps' operations whatsoever. This is a study that does nothing more than dictate how some things should be done after the study is over with. And in Missouri, our experience with these kinds of studies is such that we always come out on the short end.

We have farmers, and businesses, and communities along the river right now who have been dramatically impacted by previous studies which have protected fish and birds over the welfare of our citizens, our communities, and our businesses.

I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I would suggest that my colleague's relief stands with the authorizing committees. We have a law in place since 2007. Perhaps he might want it amended through the authorization process. At this point in time, I think it is unwise policy to slow this study down and would ask my colleagues to oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. LUETKEMEYER).

The amendment was agreed to.

□ 1840

AMENDMENT NO. 70 OFFERED BY MR. BURGESS

Mr. BURGESS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, before the short title, insert the following new section:

SEC. \_\_\_\_ . None of the funds made available in this Act may be used—

(1) to implement or enforce section 430.32(x) of title 10, Code of Federal Regulations; or

(2) to implement or enforce the standards established by the tables contained in section 325(i)(1)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6295(i)(1)(B)) with respect to BPAR incandescent reflector lamps, BR incandescent reflector lamps, and ER incandescent reflector lamps.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Earlier this week, 233 Members of this body, our colleagues, voted in repealing the 100-watt light bulb ban. This ban comes as a result of the 2007 energy legislation that in-

cluded a provision that regulates what type of light bulb the American people may buy and may use in their homes. The Federal Government has no right to tell me or any other citizen what type of light bulb to use at home. It is our right to choose.

Clearly a majority of this body, 233 Members, agree with the American people. Stay out of the decisionmaking and give the choice back to the consumer. Consumers want the 100-watt light bulb, and some consumers need the 100-watt light bulb.

Now after our debate earlier on the floor this week I got this message from a constituent named Dave. Dave wrote: I need my 100-watt light bulb to do the type of work that I do. It is very detailed work. I need to see my work with a 100-watt light bulb, and sometimes I use a 200-watt light bulb. It is necessary. I cannot do my work with less wattage because I have to strain my eyes to do my work and that causes me headaches, and then I am unable to work. Those types of light bulbs, 100-watt light bulbs, are like having sunshine at your home and at your work bench. LEDs do not suffice. Neons don't work, nor any other type of new-tech bulbs that are so-called energy savers, and I don't want to purchase those lights that have mercury in them. Nobody should have the right to dictate what types of lights we buy and use in our homes. I cannot read the very fine, small print of some of the product labels using those weak light bulbs. Stop that ban on those light bulbs that will serve us well with proper light for working on very detailed projects and reading product labels that have very small print.

That is what Dave said. Dave should have the right to choose what sort of light bulb he uses when doing his work at home.

Now, look, I work in a Federal building. I understand the Federal Government gets to tell me what type of light under which I must work in that Federal building. But when I go home at night to read my Denton Record Chronicle, I should be able to choose what type of light I use for that illumination.

In 2010, the last major GE factory that manufactured the incandescent light bulb closed its doors as a result of the reckless 2007 legislation, and as a direct result 200 people lost their jobs. This wasn't the only plant to close as a result of that 2007 legislation.

These policies kill jobs. It's the clearest example of how real consequences affect real people with this reckless legislation. These jobs are being sent overseas. General Electric has said that the new lights cost about 50 percent more to make in the U.S. than in China.

The overregulating government policies have to stop. It would not only be better for the environment and our pocketbooks, but it would bring those jobs back to America.

My amendment at the desk would give Dave his choice of light and would

allow every other American to choose, yes, choose what light bulb they want to use when they are in the comfort of their own home.

I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I support the amendment of the gentleman from Texas. I am pleased to do so.

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

Mr. VISCLOSKY. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. As the gentleman pointed out, we had this debate earlier this week on the House floor. I would point out that the performance standards for light bulbs were established in an act in 2007. It's the law of the land.

At that time the bill enjoyed strong bipartisan support, with 95 House Republicans voting for final passage and the bill being signed into law by President George Bush.

As far as I am aware, the issues that inspired this standard have not changed and, if anything, have gotten worse. Families continue to struggle every day to meet rising energy bills and there are real savings to be had by moving to more efficient illumination.

It is estimated that efficient lighting will save the average American family around \$100 every year. Further, while claiming that the incandescent bulb is dead makes for a good sound bite, it doesn't affect reality. As a result of the 2007 law, manufacturers are already making a variety right of new energy-saving bulbs for homes, including more efficient incandescent bulbs.

These bulbs look, light and turn on like those we have used for decades, but are 28 to 33 percent more efficient. What we are talking about here is a standard, not the definition of a discrete bulb.

This progress has been made because of the standard and goals that were set in that bill. I do not think it is time to turn the clock back. I do think we ought to enjoy these energy savings, and I am opposed to the gentleman's amendment.

I reserve the balance of my time.

Mr. BURGESS. The fact is, the United States Congress, the Federal Government, should not pick winners and losers. Yes, there is new technology. It didn't happen as fast as the proponents of this legislation articulated in December of 2007, and the technology that was promised for 5 years later, which is now, in fact, has been slow to develop, but it will develop and then let them meet in the marketplace.

Let the consumer decide. Let the consumer pick the winners and losers in this argument, not the United States Congress, not the Federal Government.

We had no business restricting the sale of the 100-watt light bulb. We had no business restricting what light people should use in their homes. This is

one time we should back off and let the American people make the choices that are right for them.

I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I would simply say again we are talking about a standard that was adopted under law in 2007. We ought to try to achieve that standard to save energy in this country.

I remain opposed to the gentleman's amendment. I would ask my colleagues to vote "no."

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BURGESS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. BURGESS. 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 Texas will be postponed.

AMENDMENT NO. 80 OFFERED BY MR. CRAVAACK

Mr. CRAVAACK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, before the short title, insert the following:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used to develop or submit a proposal to expand the authorized uses of the Harbor Maintenance Trust Fund described in section 9505(c) of the Internal Revenue Code (26 U.S.C. 9505(c)).

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Minnesota and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. CRAVAACK. Mr. Chairman, in March of this year, Jo-Ellen Darcy, Assistant Secretary of the Army for Civil Works, testified before the House Subcommittee on Water Resources and the Environment that the administration is preparing to plan draft legislation to expand the scope of projects eligible to receive Harbor Trust Fund moneys.

In the hearing, Assistant Secretary Darcy alluded to the Administration's interest in using Harbor Trust Fund moneys for port security, among other things.

While I fully support funding port security through the general appropriations process, I oppose the efforts to divert Harbor Maintenance Trust Fund moneys until the Federal Government demonstrates it has fully used these trust funds to their intended purpose, and that is dredging.

As many of you know, the Harbor Maintenance Tax is an ad valorem tax assessed on the maritime shippers that use America's ports. By law, revenues of this user tax are to be dedicated to the United States Army Corps of Engineers' operations and maintenance budgets to ensure American navigation

channels remain dredged to their authorized depths and widths.

Despite the significant revenues and the roughly \$6 billion supposed balance in the Harbor Maintenance Trust Fund, our Nation's maritime infrastructure has largely fallen into disrepair.

Only one-third of our Nation's navigation channels are at their authorized depths and widths. Portions of the important Atlantic Intracoastal Waterway have been closed to commercial navigation due to lack of maintenance dredging. Eight out of the ten of our Nation's largest harbors are not dredged at their authorized depths and widths.

Mr. Chairman, make no mistake, this has a direct impact on American job creation and prosperity. When American ships have to "light load" to clear the shallowest channel, American economic productivity is lost.

For example, for each inch silted in, the American Laker fleet collectively, per voyage, leaves 8,000 tons of Minnesota ore on the docks in Duluth. That's enough to produce over 6,000 cars. I know I don't have to tell the ranking member and fellow Steel Caucus member what this means.

Moreover light loading causes increased transportation costs for our exports, decreases our national economic competitiveness. Every billion dollars in exports, Mr. Chairman, translates to 15,000 American jobs.

Given the economic straits we are in it is imperative we don't hold back American business with increased transportation costs caused by unmaintained channels.

□ 1850

We must, Mr. Chairman, ensure that the moneys intended for dredging are not siphoned off for other programs. My amendment will prohibit moneys from being used by the administration to develop a plan or draft legislation to expand the scope of the projects eligible to receive Harbor Maintenance Trust Fund moneys.

American shippers are taxed specifically to maintain the channels they, and our Nation, depend on. It is imperative that we ensure that harbor trust fund moneys be spent as they are intended, thereby ensuring American competitiveness and the proliferation of American jobs.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Let me thank the gentleman for his amendment and tell him that I'm pleased to accept it. I know that you included the fact that you wouldn't have to tell the ranking of the important purpose of your amendment. I also share those same sentiments. We don't want to downgrade the purposes for the harbor maintenance fund from the express purposes now. There are too many pri-

orities that are out there. We don't need to expand them.

I'm very pleased to lend my support.

I yield to the gentleman from Indiana.

Mr. VISCLOSKY. I appreciate the gentleman yielding. I associate myself with your support of the amendment.

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

Mr. CRAVAACK. I thank the gentleman for their kind comments, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. CRAVAACK).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROHRABACHER

Mr. ROHRABACHER. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. Of the funds made available by this Act for carrying out section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513), the amount of funds made available by the Secretary to carry out projects described in subsection (b)(5) of that section shall not exceed the amount of funds made available by the Secretary to carry out projects described in subsection (b)(4) that use coolants different from those commercial technologies that are in service at the time the guarantee is issued.

Mr. FRELINGHUYSEN. I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. The gentleman from The New Jersey reserves a point of order.

Pursuant to the order of the House of today, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, I rise in support of my amendment which would require that the amount provided for in title 17 of the Energy and Water development appropriations bill for loan guarantees for advanced nuclear energy facilities be equal to or exceed that for loan guarantees targeted for carbon capture and sequestration projects.

In laymen's terms, my amendment would specify that we cannot use more funds in this act for loan guarantees for carbon capture and sequestration projects than we make available for projects using nuclear technologies such as small modular gas-cooled reactors.

The purpose for this is simple. These new technologies hold significant promise of meeting our ever-increasing energy needs with safe, clean, reliable, cost-effective, proliferation-resistant noncarbon-producing American-built nuclear reactors.

As a member of the Science Committee, I, along with my colleagues, have studied this technology over the past 7 years. And let me note, the bureaucracy has studied this technology almost to death. Well, the time has



come for that study to be left behind. It's time for the study to be over, and it's time for us to act. There are commercial companies out there right now trying to bring these technologies to market, and this amendment will help make this a reality.

I would like to also note that the GAO and the committee have stated that there is a lack of transparency in this loan guarantee program. We cannot expect to perform proper oversight without knowing where and how these funds are being used, and it is critical that we become more specific in stating how we intend the funds to be used. And that's what this amendment would do.

It would also be important that we require the administration to report back to Congress with a full explanation of how these funds are being used. Thus I ask for support for this amendment.

The Acting CHAIR. Does the gentleman from New Jersey continue to insist on his point of order?

Mr. FRELINGHUYSEN. I do.

The Acting CHAIR. The gentleman reserves his point of order.

Who seeks time in opposition?

Mr. FRELINGHUYSEN. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise in opposition to the gentleman's amendment. But may I say I have always found him to be very thoughtful and considerate, and I know that he is extremely knowledgeable about this and is committed to the whole issue of taking a look at these types of loan guarantees.

When we put together our bill, we had several guiding principles, and chief among them was to get the Federal Government out of the private sector's way. You should understand that.

The loan guarantee program is at the heart of that debate, and our bill begins to ramp down this temporary program while including funding to help new technologies so that the private sector could take them over. The gentleman's amendment, however, appears to dictate which technology should receive funding through this program and which should not.

Mr. Chairman, responsible private sector entities have sunk literally hundreds of millions of dollars into their applications; and this amendment would, I think, potentially cut off those applicants, despite their investments in good faith efforts. And even more importantly, however, the amendment would determine which technologies win and which would lose. I don't think in our committee or in this Congress we should be determining the winners and losers. We should let the market decide.

So I would ask my colleagues to oppose the amendment.

I yield back the balance of my time.

## POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I do insist on my point of order.

The Acting CHAIR. The gentleman will kindly state his point of order.

Mr. FRELINGHUYSEN. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law."

The amendment requires a new determination.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to be heard on the point of order?

The gentleman from California is recognized.

Mr. ROHRABACHER. I believe that it is Congress' job to make decisions. We are the ones who should be actually designating exactly where money is going. I'm a senior member of the Science and Technology Committee. We have studied this issue directly, and this is my recommendation. And I think that what we're supposed to do here is make sure that rather than having money, saying we can just spend all we want in sequestration and accepting that alternative, that we must designate what we think is the best use and most efficient use of the taxpayer money. That sounds within the rules to me.

The Acting CHAIR. The Chair is prepared to rule on the point of order.

The Chair finds that this amendment includes language requiring a new determination of whether a certain type of coolant is used on a project. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

## AMENDMENT OFFERED BY MR. ROHRABACHER

Mr. ROHRABACHER. I have another amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following:

SEC. 609. None of the funds made available by this Act may be used to carry out projects described in section 1703(b)(5) of the Energy Policy Act of 2005 (42 U.S.C. 16513(b)(5)).

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROHRABACHER. I rise in support of my amendment which would require that none of the funds provided for in title 17 of the Energy and Water development appropriations bill be used for the purposes of providing loan guarantees for "carbon capture and sequestration projects." If you think that carbon capture and sequestration is an important goal—and I'm sure there are some people who believe it is.

Let me just note that I do not believe that, and I think that having heard the debates that have been going on about this particular issue over the years, that there are large numbers of my colleagues who do not believe that as well.

Well, if you do not believe in carbon sequestration and capture as an important goal, then I would suggest that the best sequestration—if you really believe that we must sequester carbon and that that is an important goal, then let me suggest this, and that's what my amendment is all about: it's better to leave the oil and coal in the ground if that's what you really want to do is capture this carbon and sequester the carbon and capture it.

□ 1900

And I would suggest that the best way to do that is by promoting new nuclear technologies such as the new, inherently safe, small, modular nuclear reactors, especially those that do not use water as a coolant. We can provide all the clean, safe electricity that we need. And I would hope that any funds that the Secretary might have, in terms of his opinion, determined to use in carbon capture and sequestration, instead that the Secretary will use that limited amount of money that he has available to him on a positive program that will permit us an alternative to oil and gas. I personally, however, do not believe that oil and gas necessarily and the capture of carbon sequestration is an important goal; but if you do, you should be supporting—instead of basically using that as an expensive tool that will hurt the economy, we should be using the funds that are available instead to promote this positive alternative of nuclear energy, especially the high-temperature, gas-cooled reactor.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. As I said earlier, respectfully, I still think this amendment, as with the previous one, is an issue where we are determining winners and losers, and I believe the market should decide.

Let me say, the committee is strongly supportive of the whole issue of development of small, modular nuclear reactors, and it is amazing how much interest there is out there. There is incredible ingenuity that is going into it.

We do have support for nuclear loan guarantees. I think there is \$11 billion in unused funds and \$6 billion for fossil fuels. We have money available for the development of these types of technologies which hopefully you will find to be reassuring.

But for reasons I said earlier, without repeating myself again, I oppose your amendment at this time.

I yield back the balance of my time.

Mr. ROHRABACHER. How much time do I have remaining, Mr. Chairman?

The Acting CHAIR. The gentleman has 2½ minutes remaining.

Mr. ROHRABACHER. Mr. Chairman, let me just suggest that, again, we should be taking responsibility, especially when we see something as important to the American people as the issue of energy, especially clean energy, and how we are going to make sure that it is supplied to the people of the United States.

Specifically designating that these funds won't be used for sequestration and carbon capture, I mean, that seems to me that is what we should do. We should determine whether or not we believe this is an appropriate use of government funds. I suggest that it is not, especially when we have alternatives that are available to us, like these new technologies in the nuclear field, that can give us what we need in terms of not producing carbon and making sure that you don't even need sequestration then. If you have those alternatives, then we shouldn't be spending the money on this other approach, on the carbon capture and sequestration approach. That makes sense to me.

We need, as Members of Congress, to set these type of parameters on the spending of our limited dollars in a way that will have the most positive impact, and the carbon capture and sequestration concept is not the best way to spend our money when we have these other alternatives.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROHRABACHER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ROHRABACHER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. ROHRABACHER

Mr. ROHRABACHER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following:  
SEC. 609. Not less than 10 percent of the funds made available by this Act for carrying out section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513) shall be available for carrying out projects described in subsection (b)(4) of such section that use coolants different from those commercial technologies that are in service at the time the guarantee is issued.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to the order of the House of today, the gentleman from California (Mr. ROHRABACHER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, I rise in support of my amendment, which would support advanced nuclear reactors, particularly those reactors that do not use a light water coolant, which happens to be technology used for decades and seems to be what certain members of the business world are trying to foist off on the American people. No, it is time to upgrade, to update, and innovate.

Since I understand that a point of order has been raised against this amendment, I intend to withdraw it. But before I do so, I would like to make some remarks as to why it is important for these new reactors to come forward.

As I stated earlier, these new technologies, such as the high-temperature, gas-cooled reactors hold significant promise of meeting our ever-increasing energy needs with safe, clean, reliable, cost-effective, noncarbon-producing, proliferation-resistant, American-built nuclear power plants. A number of our commercial companies out there right now are ready to bring forth this cutting-edge nuclear technology and put it on the market and create new, high-tech private sector jobs for the American people. Their success should be our goal.

There is some mention of these technologies in the committee report. I am very grateful for that, but I would like to draw attention to why these are so vitally important for our country.

First of all, the small modular nuclear reactors, especially those that do not rely on decades-old light water coolant systems, exemplify the next wave of nuclear power, and we should pursue it far more aggressively than we are today. Specifically, we should be more aggressively pursuing the next generation nuclear plant and make the best use of the technologies that have been developed which include inherently safe reactors that don't require extraneous engineered safety devices to protect the public. We have a new level of safety that is almost unimaginable in these new reactors. We should understand that we need the high fuel burn-up rates that will greatly reduce the proliferation concerns. So we have reactors now that will be available that will not leave the residue and the leftover material that can be turned into nuclear weapons.

We also have reactors that are modular, scalable, and can be delivered on the back of a truck. This would make them far more economical and far more feasible for various communities throughout the world. Read that, we can manufacture these somewhere in America and transport them around the country or around the planet.

The Department of Energy should encourage and partner with industry to build working reactor prototypes using these technologies to provide the data required for commercial licensing.

The Nuclear Regulatory Commission should encourage applications from private companies for the purpose of

building working commercial reactors incorporating these new technologies. The NRC should also consider these applications immediately upon receiving them and expedite the processing.

□ 1910

Ideally, the NRC should be able to complete the process within 2 years of the receipt of the initial application. That should be more than a goal. That should be a commitment.

I hope I've made it clear how vital these technologies are to our energy future. We are either going to lead the world in the nuclear arena or we are going to be left behind as a country.

Now, I understand that there is a technical problem with this amendment, but I would like to make sure that my colleagues understand the significance of this new technology.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MRS. ADAMS

Mrs. ADAMS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following:  
SEC. 609. None of the funds made available by this Act may be used by the Department of Energy for maintaining, developing, or creating any Web site which disseminates information regarding energy efficiency and educational programs on energy efficiency specifically to children under 18 years of age, including the current Web site operated by the Office of Energy Efficiency and Renewable Energy titled Kids Saving Energy and the current Web site operated by the Energy Information Administration titled Energy Kids.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Florida (Mrs. ADAMS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mrs. ADAMS. I rise today in support of my amendment to H.R. 2354, which would eliminate wasteful spending at the Department of Energy.

Why did the foolish gardener plant a light bulb? He wanted to grow a power plant.

How did Benjamin Franklin feel when he discovered electricity? He was shocked.

Mr. Chairman, what's shocking about this is how our hard-earned taxpayer dollars are being used. While some may find these jokes humorous, there are those of us who don't believe it's funny. There is nothing funny about the source of wasteful funding for these jokes. These riddles, along with numerous others just like it, are displayed on the U.S. Energy Information Administration's "Energy Kids" Web site, as seen here. This Web page also has Sudoku and crossword puzzles about greenhouse gases and coal power. These riddles and games are being paid for by

you, the taxpayer, at a time when our country is facing enormous debt.

In November, the American people sent a resounding message to Congress, calling on them to stop wasteful spending and to prioritize Federal dollars towards job creation. With our Nation facing a \$14.3 trillion debt, this is the kind of wasteful spending we must stop. Rather than using taxpayer dollars to reduce energy prices for all Americans, the Department of Energy has instead decided to spend your hard-earned taxpayer dollars towards creating and maintaining this Web site.

This Web site is not the only Web site of its kind. There are others just like it. The Office of Energy Efficiency and Renewable Energy maintains a “Kids Saving Energy” Web site. This Web site has videos with Tinker Bell telling children to use energy-saving light bulbs and quizzes asking children how many kilowatt hours an average U.S. home uses each month. While I have no problem with Tinker Bell—I am a huge supporter of Disney World, which is just outside my district—I do have a problem with wasteful government spending, and that’s where the problem lies.

In this tight economy, Congress must prioritize funding, and these Web sites are a blatant misuse of taxpayer money. Now, Mr. Chairman, I recently asked Secretary Chu how much money the Department of Energy spends to maintain and operate these Web sites, but the Secretary refused to provide the amount. In today’s economy, Congress and the Department of Energy should be squarely focused on reducing our national deficit, encouraging job creation in the private sector and making energy more affordable for American families.

My amendment would ensure that no Federal funds in the underlying legislation may be used to maintain, develop or create these and other similar Web sites, and I would encourage you to support this amendment.

I reserve the balance of my time.

Mr. VISCLOSKY. I rise in opposition to the gentlewoman’s amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, there is a Web page that has been described by the proponent of the amendment at the Energy Information Agency. Over the past 12 months, the Web site has had over 26 million visitors. There are 224 million pages of information. It is not an underutilized site. The fact is that young people access the kids’ page more than any other one on this Web site, visiting 16 million pages. “Energy Kids” gets nearly 10 times as many hits, if you will, as the adult version.

The gentlelady talks about puzzles and other very elementary approaches as far as education. I think education, not being an educator myself, ought to be age appropriate. I would also point out that there have not been signifi-

cant changes as far as the update for this site in that they’re trying to hold down the cost. To the extent that work has taken place, \$10,000 has been spent in fiscal year 2011, not necessarily in the coming year. There is no anticipated incremental cost for the “Energy Kids” Web site in the fiscal year 2012 President’s budget.

But the reason I really rise in opposition is not necessarily over the details but with respect to the idea that we should not look for ways to educate young people in this country. We are having a tax on science; we are having a tax on scientific knowledge; we are having a tax on education. What is wrong at this late date with educating young people and having the Federal Government reach out and provide information on conserving energy, on using it wisely, recycling, so that we can reduce our dependency on energy?

We have programs—and have had them for years—on drugs. Maybe for those under 18 we shouldn’t have any Federal expenditures to educate young people about drugs because, well, we’ve got to save money. We’re at a spot where we just can’t spend any more Federal funds on education. We have an obesity problem in this country. Youth obesity is at a crisis level, but maybe what we should do is say, If you’re under 18, we don’t want to spend any money educating you because we can talk to you when you’re 19. We have a problem as far as people not getting enough exercise. Too many people use elevators. They park their cars close to the door. So maybe we shouldn’t spend any Federal resources educating young people about, you know, you should walk once in a while. You shouldn’t sit on that couch all day. You shouldn’t watch that TV all day.

So let’s stop educating. Let’s stop using any Federal money because we’ve got a debt crisis here—and I acknowledge that. So let’s just stop educating young people. Let’s just stop, and we’ll wait until they’re all 18 and they have type 2 diabetes. Then we’ll stop because they’ve got a drug problem, and maybe we can convince them to get off of drugs when they’re 18. Maybe we’ll convince them they ought to get on a treadmill when they’re 18. In this case, when are we going to start?

As a parent myself and not an educator, my sense is the damage is done for young people. That’s why we have a Head Start program by the time they start school. Children have that impression. They gain that knowledge. They have values that are transferred to them by their parents. I certainly think there is an absolute role by the Federal Government to help young people know what are the values and what are things to do that will improve our society for them and their generation. So I am strongly opposed to this amendment.

I reserve the balance of my time.

Mrs. ADAMS. I appreciate that. I too want to encourage our young people to get outside and exercise instead of

staying on their computers and playing Sudoku games and other games through this Web site.

We need to look at the funding that’s being spent. While you’ve quoted numbers, the Secretary couldn’t give me any numbers in committee. We’ve asked for those numbers, and he still has yet to provide them.

I ask my colleagues to support this amendment.

I yield back the balance of my time.

Mr. VISCLOSKY. The gentlewoman talked about getting people away from their computers, and I would agree that we need a balance in life. That’s why we should educate people—children—that there is a value of sitting in front of that computer, in gaining knowledge through that computer and in using it for their homework—but then getting out and exercising, making sure they know they shouldn’t do drugs, making sure they should eat appropriately.

Not being a terribly compliant person as far as technology, I understand that you could take a walk and still access that site. So why don’t we do both. I would ask the gentlewoman to consider withdrawing her amendment, but I will state my opposition to it.

I yield back the balance of my time.

□ 1920

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Mrs. ADAMS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. ADAMS. 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 gentlewoman from Florida will be postponed.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I yield to the gentleman from Oregon.

Mr. WU. Mr. Chairman, I would like to engage in a colloquy with the gentleman from New Jersey.

Throughout this debate on the Energy and Water appropriations bill, we have discussed the importance of research and development of new energy technologies. However, I would like to highlight the importance of demonstration projects that are carried out within the Department of Energy’s Building Technologies Program.

The Department of Energy spends millions of dollars each year on research and development for new technologies. However, that R&D often reaches a point known as the Valley of Death. The Valley of Death is where promising new technologies fade into obscurity because they can’t attract the capital investments to move from concept to commercialization.

In essence, on one side of the Valley of Death is research and development;

good ideas. On the other side is the actual deployment and commercialization. A demonstration project takes the research and development just a little bit further and bridges this divide so that private entities will be interested in deployment, private entities will be interested in commercialization.

This good use of federally funded demonstration projects is critical to reducing the risk to private sector investors and allows technologies to cross the Valley of Death and establish commercial viability for investors and, indeed, attract their interest.

I strongly believe that in the course of our discussion about funding for the coming fiscal year, it is important to highlight the importance of the Building Technologies Program's demonstration projects. I very much appreciate our previous discussions that I have shared with the chairman and ranking member, and I would be interested in the chairman's insight into this matter.

Mr. FRELINGHUYSEN. I agree with the gentleman about the importance of projects that develop new, extraordinarily beneficial technologies that would never be developed without Federal investment. It is critical that we maintain a national investment in activities at the Department of Energy that protect our country's security and competitiveness.

The Building Technologies Program at the Department of Energy has played a significant role in developing technologies that are too risky for the private sector to invest in alone and that will substantially reduce energy costs for American homes and businesses. The government's role in energy should not extend to commercializing new technologies. It is the role of the private sector to deploy them.

However, without many of the projects that develop these new technologies, it would be too risky for private companies to invest. I want to thank the gentleman for his deep commitment to advancing American technology and innovation, and I look forward to continuing to work with him on this important issue.

Mr. WU. I thank the chairman and the ranking member for their engagement in this issue, and I look forward to working with them.

The chairman knows that fully 40 percent of total energy use in America is in buildings and fully 70 percent of electricity use is in buildings. So when we make buildings more efficient, this is indeed the low-hanging fruit toward future energy efficiency, and in fact the ability to bring new, innovative American-made technologies to market is key to rejuvenating our economy. Successful projects in the Building Technologies Program will result in the manufacture and sale of new products here in the United States and result in rejuvenating our economy and building good American jobs here.

I thank you, Mr. Chairman. I thank the ranking member.

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

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. BASS of New Hampshire) having assumed the chair, Mr. REED, 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. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

#### HR OF MEETING ON TOMORROW

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

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

There was no objection.

#### JOBS

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

Mr. REED. Mr. Speaker, I rise today to have an important discussion that we should focus on, I believe, here in the House, in the Senate, and in the White House. That is a discussion focusing on jobs. We need to get America back to work. We have been focusing now on this side of the aisle, in our committee work, day after day after day to present proposals. We've moved them. We've adopted them here in the House. The focus is on policies that are going to promote the private sector, that are going to promote the development of an environment where people will take the risk and become job creators and put people back to work here in America.

I talk often in my office back in the district, as I go out to town hall meetings and have conversations with people as I go down the street to our local supermarket and to our local stores. I focus on four areas that we need to adopt legislation on here in Washington, D.C., or repeal legislation on in Washington, D.C., that will create an environment where jobs will be created for generations to come.

The first and probably the most appropriate and important focus that we should be spending time on today is the question of getting our fiscal house in order. We have had a lot of debate over the last few months, weeks, about this debt ceiling that's coming to roost and the vote that we're going to have to take here in the House, I would imag-

ine. One of the reasons why that issue is so critical to us at this point in time is we need to demonstrate to the world that America is going to get its fiscal house in order once and for all so that our markets recognize that we are serious about this issue, that we recognize that \$14 trillion of national debt is just not sustainable and that it really will destroy America as we know it, and, more importantly, what it will do when we send a message. If we can adopt a policy here out of Washington, D.C., that deals with the debt ceiling but fundamentally deals with the underlying debt, it will send a message that the American market is something that you can invest in again, around the world, that foreign investors, domestic investors, will have the confidence and the certainty that America is a place to invest your dollars, your foreign currency, to create the new environment, the new marketplaces, the new facilities, the new manufacturers, the new industrial base to put people back to work again.

□ 1930

I am extremely confident that we here in the House of Representatives, and particularly on our side of the aisle, can come to a reasonable solution to this debt ceiling issue and do it in such a way that takes care of the debt ceiling crisis but that also takes care of the underlying debt crisis that put us into this situation and will continue to put us in this situation unless we get serious and deal with it now. This is the time. This is the moment. And that will send that indication to the world that America is strong, and we can invest here and put people back to work.

The second thing that I tell people as I go around and I talk to them in my district and I talk to people on the street and see them as we go down the road is that what we need to do in Washington, D.C., is to set the agenda out of the House that will create an environment where regulations out of Washington, D.C., are cut, are repealed, are streamlined, so the bureaucratic red tape that our job creators, that the private sector in America faces day in and day out—as a private business owner myself before I came to this Chamber, starting and opening four businesses, I can tell you, as I went through employing people and taking the responsibility and taking the risk of putting my capital on the line, putting my family on the line for all the time and the resources that we committed into it, the bureaucracy that I dealt with in creating those businesses and putting those people back to work was mind-boggling.

I talk to business owners all across America and people that want to go out and start their own businesses, and what they tell me is all I want to do is manufacture my widget, all I want to do is go out and provide the service that I enjoy doing, that I have made my career or my passion in life. But

yet what I find myself doing when I go down this path is complying with paperwork, complying with regulations, spending hours upon hours—not innovating, not creating new technology, not figuring out a better way to deliver services at a better price and in a better fashion or creating a new widget or creating a new product in a more efficient manner. I spend hours filling out paperwork to comply with regulations coming out of Washington, D.C., and out of my State capitol.

And I will tell you, that resonates with me. That's why we need a policy here in Washington, D.C., that calls upon every regulatory body in Washington to look at the impacts of their regulations from an economic point of view, how it's going to impact that creation, that innovation of the private sector in a negative way, and balance that in relationship to what the goal of the regulation is.

And sometimes those goals are very good. A lot of our environmental laws are reasonable and regulations are reasonable, but they take a balanced approach to accomplishing what we all want—clean air, clean water, a clean environment to pass on to our kids and to the next generation.

But at the same time, we can't do it without recognizing that if we kill the American way of life, that there will be no America for our children to enjoy. So we have to have a commonsense, balanced, reasonable approach to this government and this regulatory expansion that's coming out of Washington that needs to be crippled and needs to be cut and needs to be repealed.

So I have focused a lot of my effort—and a lot of my colleagues have spent a lot of time—talking about and implementing legislation that will cut the agency's ability to promulgate those regulations that will destroy America unless they're reined in. So we need to focus on that second point.

The third point, I have talked to so many folks about our Tax Code until I'm blue in the face. As a member of the Ways and Means Committee, I can tell you that going through the 70,000 pages plus of the Tax Code and the tax regulations is mind-numbing. And the problem is that we're forcing all Americans to try to comply with that Code. We have talked about this.

Since we took the majority, since I came here in November as an elected new Member of Congress, I have spent a tremendous amount of time trying to advocate for comprehensive tax reform that will streamline the Code, make it much more competitive, bring down the corporate rates and the individual rates to a point, with the pass-through entities that have to be taken care of, so that we are competitive on the world stage in dealing with our Tax Code.

I was glad to see the President the other day talking about, in this debt ceiling debate, how he was targeting some loopholes and exemptions and the corporate jets. Like we're here on the

Republican side, we came to Congress, we left our families, we left our businesses because we want to protect corporate jets. Come on. That's not being honest with the American people. We have been talking about comprehensive tax reform from day one. We're ready to go. I'm glad the President now has conceded that that's where we have to go and that's part of the debt ceiling conversation, and it needs to be.

So the bottom line is we make that Tax Code more competitive. We streamline it so honest, hardworking Americans can comply with it, and we revamp the Code, reform the Code in such a way that it's a competitive Tax Code that doesn't excessively burden those in the private sector and all taxpayers across America with that tax burden that's just going to kill America if we don't get this spending under control, which those revenues from the Tax Code go to take care of.

The fourth point that I stress to people as I go around and I talk to them is that we need a domestic-orientated energy policy that taps into our energy in such a way that it's comprehensive, it is an all-of-the-above approach. And what I mean by that is, when I was the Mayor of the City of Corning and we would have people coming in and talking to us about siting a new facility or a new manufacturing base or a new operation, there was always the part of the conversation that we got to that was, Okay, why should I invest in the City of Corning in the State of New York? What are your tax rates? What is the tax burden I'm looking at? What are the insurance costs that I'm going to have to pick up by coming to the State of New York, the City of Corning?

The other issue that was repeatedly discussed in the top three of those conversations was, what are your utility costs? What is the cost to me, for producing this new product or this new technology going to run me? And that's where, if we have a comprehensive energy policy focused on domestic supplies of energy, not only will we be taking care of a national security issue with having these supplies of energy being produced from domestic sources of things such as natural gas from the Marcellus shale, or Utica shale in my part of the State, or shell formations and tight sand formations all across America, but we have oil supplies that have been identified and are available to us. If we just unleash those resources, we have to say we go after these energy sources in a clean, responsible manner, environmentally safe.

And everybody I talk to supports that on our side of the aisle. No one here is going to destroy the environment for the sake of getting energy out of the ground, for the sake of hurting our children or our grandchildren. That's not what we stand for. But we stand for focusing on those energy supplies that are here and promote those energy supplies so that we have a source of energy that's dependable,

that will provide us with long-term, low-cost sources of energy supplies to our manufacturing and industrial bases and reignite America again so that we become a powerhouse in the area of employment and put our people back to work.

So those are four key principles that we bring to the table. And one additional piece that I'd like to talk about tonight that is ripe and ready for us to take is the expansion of opportunities of our exports.

We have three free trade agreements that are ready to go. We have South Korea; we have Colombia; we have Panama. They have been negotiated. There has been a long history, many years of going back and forth with these countries and asking these countries to engage in honest negotiations that deal with all the issues that you deal with when you enter into a free trade agreement. And both parties—we as the United States of America, the Governments of South Korea, Colombia, and Panama—have come to the table in good faith, and we have finally gotten to the point where we are ready to move on these agreements. All the issues have been negotiated. All the issues of the free trade agreements have been taken care of. Now, I know there is an issue in Washington, D.C., that we're still dealing with when it comes to trade adjustment assistance, but, fundamentally, the free trade agreements have been negotiated and worked out with these countries, and we're ready to go.

But what are we doing? We're waiting on the White House to send them up here. We're waiting on the President, who set, in his State of the Union message, a goal of doubling our exports. A great goal. I applaud the goal. But in order to double our exports out of America, we've got to create an environment in which the private sector flourishes, such as those four points, and focus on those four points that I just talked about. But we also have to expand the markets upon which those new products and our existing products can be sold to so that we can increase and meet that export goal. That's why I supported the free trade agreements when I came to Congress and as I went out on the campaign trail.

□ 1940

We have three great agreements that are ready to move, be moved, and ready to be voted on, and I think have strong support on both sides of the aisle. Under the President's own numbers, these three agreements are looking to create at least 250,000 jobs. This is coming out of his administration. The agencies under his control are projecting that these agreements will provide opportunities for at least 250,000 new jobs. To me, this is a no-brainer. We shouldn't be haggling back and forth and trying to figure out what's holding these agreements up, ready for a vote. These countries have negotiated with us in good faith. We've had

those hard negotiations, and now we're ready to go. The President even mentioned the other day on TV when I was watching some news reports that he wants to move forward on these agreements, but yet he hasn't sent them up to the Congress, as he's required to do by our laws, in order to get them implemented.

I think it's troublesome when you hear the President talk about setting a goal of increasing exports by 50 percent and say to the public that he is committed to these free trade agreements and that all Congress has to do is pass them, but yet when you look at the details, all he has to do is send it up to Congress, and we'll take care of it. But he hasn't taken the step necessary to do that, and that is solely under his control to do.

So I call upon the President: Send these free trade agreements up. We're ready to go. We have support. Let's open up the South Korean markets. Let's open up the Colombian market. Let's open up the Panama markets. Let's give our people in America the benefits of these new export opportunities that each of these countries represents.

I come from a part of the State of New York where we have a lot of wine, grape growers, wine producers, apple growers. And I will tell you, in the agricultural area, this is going to be a great asset in particular. These markets will represent new sources of opportunity to farmers who have been plowing and working this land for generations. Yet we here in Washington, D.C., just cannot figure out how to get this done because the President won't send it up for us to get the process taken care of. So I call upon the President to move on these free trade agreements as soon as possible. He's indicated to the American public his support for them. He indicates that he's ready to pass them and sign them. And I'll just tell you, I'm here to call him out on it and say, We need to do it. Let's do it.

One other thing I wanted to talk about tonight is kind of my concern about the whole issue of this debt ceiling debate and where we're going with it. And I'll tell you, I am greatly concerned about the political rhetoric that we seem now to be committed to. I see us in Washington, D.C., going down a path where we're talking about situations where we're going to hold back Social Security checks, we're going to hold back payments for funding our troops, and I just don't see how that's productive.

What we have is a debt problem. We have clearly articulated a plan on this side of the aisle. We have come up with budgets that we've passed out of this House. We have put down on paper proposals of where cuts could be made. We went through the whole process of H.R. 1 back and forth for 7 days, with an open debate on the floor of the House in front of the American people, identifying areas that could be cut and that

could be streamlined, and we laid out our plan. It's in black and white. But today, I still don't know where the President of the United States is.

I hear a lot of news reports about some type of position that the President has taken on \$4 trillion, and it supposedly has \$3 trillion worth of cuts and \$1 trillion worth of tax increases. I've never seen that. Actually, I've heard discussions that have cited sources in the White House or sources off the Hill that show the package having \$3 trillion of tax increases with only \$1 trillion worth of cuts. Now, I don't know if that's the case, because I don't know what the President's really standing for because I have never seen it in black and white. But what I would ask is that the President put it on a piece of paper, because if he's asking me as a Member of Congress to support debt ceiling relief in exchange for \$3 trillion worth of new taxes, I'm not going to do that because that taxes everybody in America, every man and woman and business in America. It violates a campaign pledge made by the President in his campaign where he would not raise taxes on the middle class. So I want to see what he's proposing.

I am greatly concerned that we're also at the point where we need to have this conversation in front of the American people. We need to have the American people weigh in on what the detailed proposal is. You know, we've been very transparent; we've been very open—we here in the House, especially on this side of the aisle. The House Republicans have put the budget out, have gone through H.R. 1, have put documents out that have been scored by the CBO as to what impact they'll have financially. But we haven't seen anything from the President. And the American people deserve the opportunity to know where the President is at in these discussions.

What we cannot do, we cannot get to the 11th hour and say, Here it is, America. Take it or leave it. That's just not right. That's just not responsible governing. What we need to do is have a thoughtful, honest debate back and forth with our positions.

Mr. President, you said the other day, Don't call my bluff. I'm going to go to the American people.

I tell you, Go to the American people.

I want to go to the American people. I came to Congress to have this discussion in the open, in front of the world, because it's time. We need to. And until we see a plan, we can't have that honest debate that our forefathers, our Founding Fathers, and so many have sacrificed to give us, the transparency of democracy, the transparency to come to this Chamber that is filled with so much history and have the debate.

Go to the Senate floor and go into the living rooms of the American public and say, This is what we're talking about. This is what we're fighting about.

Now I am ready to have that debate. I'm ready to have that conversation, and I know at the end of the day where I will come out. I will stand for a product that gets this Nation taken care of for generations because its fiscal house is, once and for all, taken care of. If that means we have to compromise, we'll compromise, but let's have it. We can only compromise upon which we know. That is why it is so important that the President come forth in written fashion with his proposal.

I sent a letter to the White House today with many of my colleagues in the freshman class, of which I am a proud member, calling upon him to do that, and hopefully he will do that. My intent is to go down there physically next week with, hopefully, numerous other members of the freshman class and stand in front of the White House and say, Hey, we're new Members of Congress. We're here to have the conversation. We're ready to act. Give us what you stand for. Put in black and white what you stand for and what your position is, and let's debate. We're ready to go.

So the bottom line is that as we go down this path through this debt ceiling crisis—and we do have two crises. We have the debt ceiling crisis that everyone knows about, August 2, but we have the underlying debt crisis that causes us to have this debt ceiling problem that we now face. We have to take care of both because—make no mistake about it—if we just do a simple raise the debt ceiling or something gimmicky that gets us through that August 2 or whatever the final date shall be and if we do it in such a way that there's really no meat on the bone and there is no substance to the proposal—make no mistake about it—the world markets are going to look right through that and see right through it, and they're going to say, You guys are not serious about this \$14 trillion worth of debt. You guys in America are not serious about getting \$1.6 trillion of annual budget deficits under control.

□ 1950

Do you know what? We have an obligation now to advise all of those members of the world who are going to invest in America that this is not that AAA rating that we have all enjoyed since 1917, I believe. That America will be downgraded on its debt regardless if we default or not because we have not taken the moment; we have not seized the moment to be honest with the American people and with the world and said we're going to get it taken care of.

That's where I am at. I am ready to get it taken care of. That's what I came to Washington, D.C., to do. That's what I know many of my fellow colleagues in the freshman class came to Washington, D.C., to do. We don't care about reelection. We don't care about politics. We're talking about the substance that will make sure that America is here for generations to come.

A few of my other colleagues had intended to join us this evening, but I know we have a tradition here in the House that I am becoming aware of with the baseball game that's going on between the Democrats and the Republicans. And I think as they attend to that—and that's a great tradition, and I applaud my colleagues for taking the time to continue on in that tradition—I know I have got another Member potentially coming down here, I have been given word.

I don't stand on these issues alone. I don't stand with these comments in a vacuum. I don't stand here today as one man in 435 Members of Congress who believes in what I am articulating. There is an army of people in Washington who are standing with me and with whom I am standing who believe the same way: that it is time to get our fiscal house in order, that it is time to advance an agenda out of Washington, D.C., that once and for all shows a firm commitment to the private sector and reins in government so that government does not kill the private sector and the dreams of all the Americans that are yet to come.

So I am looking forward to continuing this debate and moving forward on the issues that we have talked about. And as we deal with these issues, I do it mindful of the situation that we face on a day-to-day basis of the politics of Washington, D.C. But I will tell you, even though I am aware of those politics, the issues that we are talking about today—the issues that we are facing—transcend politics.

I was pleased today that I was able to get an amendment offered on the floor in some of the debates in our appropriations process where I reached across the aisle, to a colleague of mine from Buffalo from the other side, and we legislated. We adopted policy. We adopted an amendment to that appropriations bill that I think is going to be good for America. And it showed I think in that instance to me, and I hope to many others, that we can work together, that we can work together in a bipartisan fashion to tackle the issues that are facing America such as that which we took care of today between Mr. HIGGINS and myself. And that philosophy is alive and well.

I know the press likes to gin up headlines based on the partisan debate that we often have here in the Chamber, and they try to paint us all as we are in one camp on the Republican side and they are in the other camp on the Democratic side. I can tell you, in living it day to day, that truly is not the case. There are many good people on both sides of the aisle that are more than willing to sit down and talk to each other and try to work out these issues.

But a lot of times that rhetoric, those headlines, cause us to act in ways that are extremely divisive and kill that bipartisan effort and support that we should be nurturing and promoting. That's why, today, I was pleased to see the results of that effort

on our behalf and on Mr. HIGGINS' behalf to pass that legislation.

So I am going to continue along those avenues. I am going to call out and hold people accountable for their positions. There's nothing wrong with that. There's nothing wrong with having a good, old-fashioned, honest debate and passionately disagreeing with people with different philosophies so long as you do it in an honest and respectful manner.

I work day to day whenever I get into a disagreement with some of my colleagues and also Members from the other side of the aisle, and I always start with the premise, okay, where are you coming from? Why do you believe you are right? And I try to look at it truly from the eyes of the people that have the contrary opinion. Many times that has opened up my eyes and allowed me to learn from that exchange and strengthen my position, maybe cause my position to bend a little bit or, as I learn and grow, to maybe change those positions. But I can tell you that we should always start by having that conversation.

I have seen where a lot of times people don't want to do that. They don't want to really take the effort, or make the effort, or take the time to really try to look at it through the eyes of the other person, understand where they're coming from and what their philosophy is really all about. I think if we at least do that, if we at least promise to each other that we're willing to do that, this Chamber would work tremendously much better as a body, as a whole. My colleagues in the Senate would also be working in a much better fashion. And as we work with the White House and with the President of the United States, we could also develop that type of relationship.

So I encourage all my colleagues and all my friends to continue with that effort, as I pledge here today to do. As we go forward, I guess I will keep that in heart, and I will continue to do my part in that effort.

As I started this conversation tonight, ladies and gentlemen of America and Mr. Speaker, this is about jobs. This is about adopting a philosophy, a new culture in America that recognizes that the private sector is that engine that's going to be the spark of this economic recovery, and we need to focus on that. We need to expand on our opportunities that are right before us with these free trade agreements when you talk about South Korea, Colombia, and Panama.

I would ask all my colleagues to always focus on getting Americans back to work because, if we do that, we will have a recovery, and we will address much of this budget deficit problem because of the increased revenue that will come from that expansion of getting people back to work and getting that economy going; and we will have a much better world upon which to legislate going forward.

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

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ELLISON (at the request of Ms. PELOSI) for today.

#### ADJOURNMENT

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

The motion was agreed to; accordingly (at 7 o'clock and 58 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, July 15, 2011, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

2458. A letter from the Chief, Planning & Regulatory Branch, Department of Agriculture, transmitting the Department's "Major" final rule—National School Lunch Program: School Food Service Account Revenue Amendments Related to the Healthy, Hunger-Free Kids Act of 2010 (RIN: 0584-AE11) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2459. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule—Group Health Plans and Health Insurance Insurers: Rules Relating to Internal Claims and Appeals and External Review Processes (RIN: 1210-AB45) received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2460. A letter from the Deputy Director, Directorate of Standards and Guidance, OSHA, Department of Labor, transmitting the Department's final rule—Standards Improvement Project-Phase III [Docket No.: OSHA-2006-0049] (RIN: 1218-AC19) received June 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2461. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—National Vaccine Injury Compensation Program: Revisions to the Vaccine Injury Table (RIN: 0906-AA74) received June 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2462. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Medical Devices; Exception From General Requirements for Informed Consent [Docket No.: FDA-2003-N-0212] (formerly Docket No.: 2003N-0355) received June 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2463. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Illinois; Indiana; Michigan; Minnesota; Ohio; Wisconsin; Infrastructure SIP Requirements for the 1997 8-Hour Ozone and PM2.5 National Ambient Air Quality Standards [EPA-R05-OAR-2007-1179; FRL-9436-7] received July 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2464. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Section 110(a)(2) Infrastructure Requirements for 1997 8-Hour Ozone and Fine Particulate Matter National Ambient Air Quality Standards [EPA-R06-OAR-2008-0635; FRL-9437-8] received July 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2465. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; South Carolina; 110(a)(1) and (2) Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standards [EPA-R04-OAR-2010-0721-201126 FRL-9436-4] received July 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2466. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Alabama; 110(a)(1) and (2) Infrastructure Requirement for the 1997 8-Hour Ozone National Ambient Air Quality Standards [EPA-R04-OAR-2010-0720-201123 FRL-9436-3] received July 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2467. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Kentucky; 110(a)(1) and (2) Infrastructure Requirement for the 1997 8-Hour Ozone National Ambient Air Quality Standards [EPA-R04-OAR-2009-0426-201124 FRL-9436-5] received July 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2468. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Mississippi; 110(a)(1) and (2) Infrastructure Requirement for the 1997 8-Hour Ozone National Ambient Air Quality Standards [EPA-R04-OAR-2010-0722-201125 FRL-9436-6] received July 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2469. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's "Major" final rule—Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone in 27 States; Correction of SIP Approvals for 22 States [EPA-HQ-OAR-2009-0491; FRL-9436-8] (RIN: 2060-AP50) received July 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2470. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Bracketville, Texas) [MB Docket No.: 09-219 RM-11581] received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2471. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Senate's Resolution of Advice and Consent to the Treaty with the United Kingdom Concerning Defense Trade Cooperation (Treaty Doc. 110-07); to the Committee on Foreign Affairs.

2472. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Takes of Marine Mam-

mals Incidental to Specified Activities; Taking Marine Mammals Incidental to Space Vehicle and Missile Launch Operations at Kodiak Launch Complex, Alaska [Docket No.: 100806326-1088-02] (RIN: 0648-AY99) received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2473. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30786; Amdt. No. 3429] received June 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2474. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30785; Amdt. No. 3428] received June 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2475. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30748; Amdt. No. 3427] received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2476. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Amendment of Class D and Class E Airspace; Livermore, CA [Docket No.: FAA-2010-1264; Airspace Docket No. 10-AWP-23] received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2477. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Poplar, MT [Docket No.: FAA-2011-0016; Airspace Docket No. 11-ANM-1] received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2478. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Kenbridge, VA [Docket No.: FAA-2011-0160; Airspace Docket No. 11-AEA-05] received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2479. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Brunswick Malcolm-McKinnon Airport, GA [Docket No.: FAA-2010-0949; Airspace Docket No. 10-ASO-34] received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2480. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Amendment of Class D and Class E Airspace; Palmdale, CA [Docket No.: FAA-2010-1241; Airspace Docket No. 10-AWP-22] received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2481. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report as required by Sections 402(a) and 409(a) ("the Jackson Vanik Amendment") of the 1974 Trade Act, as amended; to the Committee on Ways and Means.

2482. A letter from the Chief, Publications and Regulations Branch, Internal Revenue

Service, transmitting the Service's final rule—Extension of Time for Filing Returns [TD 9531] (RIN: 1545-BH88) received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2483. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—this notice provides interim guidance under section 1012 of the Internal Revenue Code on issues relating to the basis of stock [NOTICE 2011-56] received June 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2484. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Applicable Federal Rates—July 2011 (Rev. Rul. 2011-14) received June 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2485. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting transmitting unanimously approved Recommendation 2011-1, Safety Culture at the Waste Treatment and Immobilization Plant; jointly to the Committees on Energy and Commerce and Armed Services.

#### 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. RYAN of Wisconsin: Committee on the Budget. First Semiannual Activities and Summary Report of the Committee on the Budget for the 112th Congress (Rept. 112-147). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HANNA (for himself, Mr. BARTON of Texas, Mr. DOYLE, Mr. CRAWFORD, Mr. ROSS of Arkansas, Mr. BECERRA, Mr. CARDOZA, Mrs. DAVIS of California, Mr. HERGER, Mr. ISSA, Ms. LEE, Mrs. NAPOLITANO, Mr. ROHRBACHER, Mr. PERLMUTTER, Mr. POLIS, Mr. LARSON of Connecticut, Mr. CARNEY, Ms. CASTOR of Florida, Mr. DEUTCH, Mr. DIAZ-BALART, Mr. HASTINGS of Florida, Mr. MICA, Mr. ROONEY, Ms. WASSERMAN SCHULTZ, Mr. AUSTIN SCOTT of Georgia, Mr. BRALEY of Iowa, Mr. COSTELLO, Mr. DAVIS of Illinois, Mr. GUTIERREZ, Mr. KINZINGER of Illinois, Ms. SCHA-KOWSKY, Mr. SCHOCK, Mr. BURTON of Indiana, Mr. CARSON of Indiana, Mr. DONNELLY of Indiana, Ms. JENKINS, Mr. YARMUTH, Mr. ALEXANDER, Mr. FLEMING, Mr. RICHMOND, Mr. CAPU-ANO, Mr. KEATING, Mr. MCGOVERN, Mr. NEAL, Mr. TIERNEY, Ms. TSONGAS, Mr. SARBANES, Mr. KILDEE, Mr. ROGERS of Alabama, Mr. WALBERG, Mr. ELLISON, Mr. KLINE, Ms. MCCOLLUM, Mrs. EMERSON, Mr. GRAVES of Missouri, Mr. LONG, Mr. HARPER, Mr. THOMPSON of Mississippi, Mr. KISSELL, Mr. PRICE of North Carolina, Mr. SHULER, Mr. TERRY, Mr. ANDREWS, Mr. FRELINGHUYSEN, Mr. HOLT, Mr. LOBIONDO, Mr. ROTHMAN of New Jersey, Mr. SIRES, Mr. HEINRICH, Mr. LUJÁN, Ms. BERKLEY, Mr. ACKERMAN, Mr. BISHOP of



New York, Mr. HINCHEY, Mr. ISRAEL, Mrs. LOWEY, Mr. MEEKS, Mr. REED, Ms. VELÁZQUEZ, Mr. KUCINICH, Mr. RENACCI, Mr. RYAN of Ohio, Ms. SUTTON, Mr. SCHRADER, Mr. WALDEN, Mr. WU, Mr. ALTMIRE, Mr. BRADY of Pennsylvania, Mr. FITZPATRICK, Mr. GERLACH, Mr. KELLY, Mr. MARINO, Mr. MEEHAN, Mr. PLATTS, Ms. SCHWARTZ, Mr. SHUSTER, Mr. LANGEVIN, Mr. WILSON of South Carolina, Mrs. NOEM, Mr. COHEN, Mr. COOPER, Mr. CUELLAR, Mr. DOGGETT, Mr. FARENTHOLD, Mr. GOHMERT, Mr. GONZALEZ, Mr. MARCHANT, Mr. THORNBERRY, Mr. MATHESON, Mr. HURT, Mr. MORAN, Mr. SCOTT of Virginia, Mr. WELCH, Mr. INSLEE, Mr. MCDERMOTT, Mr. SMITH of Washington, Ms. MOORE, Mr. RAHALL, Mrs. LUMMIS, Mrs. BACHMANN, Ms. ZOE LOFGREN of California, Ms. LINDA T. SÁNCHEZ of California, Mr. MURPHY of Connecticut, Mr. LIPINSKI, Mr. CHANDLER, Mr. LYNCH, Mr. RUPPERSBERGER, Mrs. MILLER of Michigan, Mr. CARNAHAN, Mr. PASCRELL, Mr. CROWLEY, Mr. HIGGINS, Mr. RANGEL, Mr. CRITZ, Mr. HOLDEN, Mr. DUNCAN of South Carolina, Mrs. McMORRIS RODGERS, Ms. HOCHUL, Mr. YOUNG of Alaska, Mr. COBLE, Mr. AUSTRIA, Mr. GOWDY, Mr. SCOTT of South Carolina, Mr. POE of Texas, Mr. GRIFFITH of Virginia, Mr. ROGERS of Michigan, Mr. GOSAR, Ms. BASS of California, Mrs. BONO MACK, Ms. CHU, Ms. ESHOO, Mr. HUNTER, Mr. LEWIS of California, Mr. DANIEL E. LUNGREN of California, Mr. MCCARTHY of California, Mr. MCKEON, Mr. GEORGE MILLER of California, Ms. PELOSI, Ms. RICHARDSON, Mr. GARDNER, Mr. COURTNEY, Ms. DELAURO, Ms. BROWN of Florida, Mr. RIVERA, Ms. ROS-LEHTINEN, Mr. ROSS of Florida, Mr. SOUTHERLAND, Mr. WEST, Ms. WILSON of Florida, Mr. BARROW, Mr. BISHOP of Georgia, Mr. PRICE of Georgia, Mr. WESTMORELAND, Ms. HANABUSA, Mr. BOSWELL, Mr. LABRADOR, Mrs. BIGGERT, Mr. DOLD, Mr. HULTGREN, Mr. JACKSON of Illinois, Mr. ROSKAM, Mr. SHIMKUS, Mr. BUCSHON, Mr. ROKITA, Mr. POMPEO, Mr. LANDRY, Mr. FRANK of Massachusetts, Mr. MARKEY, Mr. BARTLETT, Ms. EDWARDS, Mr. HOYER, Mr. MICHAUD, Ms. PINGREE of Maine, Mr. CONYERS, Mr. HUIZENGA of Michigan, Mr. UPTON, Mr. CRAVAACK, Mr. PAULSEN, Mr. PETERSON, Mr. WALZ of Minnesota, Mr. CLAY, Mr. CLEAVER, Mrs. HARTZLER, Mr. LUETKEMEYER, Mr. NUNNELEE, Mr. PALAZZO, Mr. BUTTERFIELD, Mrs. ELLMERS, Mr. JONES, Mr. MCHENRY, Mr. WATT, Mr. BERG, Mr. BASS of New Hampshire, Mr. GARRETT, Mr. LANCE, Mr. RUNDYAN, Ms. BUERKLE, Ms. CLARKE of New York, Mr. GIBSON, Mr. GRIMM, Ms. HAYWORTH, Mr. KING of New York, Mrs. MALONEY, Mrs. MCCARTHY of New York, Mr. NADLER, Mr. OWENS, Mr. SERRANO, Ms. SLAUGHTER, Mr. TONKO, Mr. TOWNS, Ms. FUDGE, Mr. JOHNSON of Ohio, Ms. KAPTUR, Mr. LATOURETTE, Mr. BOREN, Mr. COLE, Mr. LANKFORD, Mr. BLUMENAUER, Mr. DEFAZIO, Mr. BARLETTA, Mr. DENT, Mr. FATTAH, Mr. THOMPSON of Pennsylvania, Mr. CICILLINE, Mrs. BLACKBURN, Mr. DESJARLAIS, Mr. DUNCAN of Tennessee, Mr. FLEISCHMANN, Mr. ROE of Tennessee, Mr. BRADY of Texas, Mr. CANSECO, Mr. CARTER, Mr. MCCAUL, Mr. SESSIONS, Mr. CONNOLLY of Virginia, Mr. GOODLATTE, Mr. DICKS, Ms.

HERRERA BEUTLER, Mr. DUFFY, Mr. KIND, Mr. PETRI, Mr. RIBBLE, Mr. MCKINLEY, Mr. CAMPBELL, Mr. DENHAM, Mr. MILLER of Florida, Mr. SIMPSON, Mr. PENCE, Mr. YOUNG of Indiana, Mr. DAVIS of Kentucky, Mr. BOUSTANY, Mr. GIBBS, Mrs. SCHMIDT, Mr. STIVERS, Mr. TIBERI, Mr. PIERLUISI, Mr. FORBES, Mr. REICHERT, Mrs. CAPITO, Mr. DREIER, Mr. THOMPSON of California, Mr. HECK, Mr. SULLIVAN, Mr. CONAWAY, Mr. FLORES, Ms. GRANGER, Mr. HALL, Mr. SAM JOHNSON of Texas, Mr. OLSON, Mr. SMITH of Texas, Mr. HENSARLING, Mr. BACHUS, Mr. LATTA, and Mr. BACA):

H.R. 2527. A bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the National Baseball Hall of Fame; to the Committee on Financial Services, 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. SAM JOHNSON of Texas (for himself and Mr. REICHERT):

H.R. 2528. A bill to rescind the authority of the Secretary of the Treasury to develop a return-free tax system; to the Committee on Ways and Means.

By Ms. JENKINS (for herself, Ms. BERKLEY, Mr. BURTON of Indiana, Mr. BRALEY of Iowa, Mr. LATTA, Mr. TIBERI, Mr. AUSTRIA, Mrs. CAPITO, Mr. JONES, Mr. COBLE, Mr. SULLIVAN, Mr. MCKINLEY, Mr. FRANK of Massachusetts, Mr. PAUL, Mr. HULTGREN, Mr. BILBRAY, Mrs. BLACKBURN, Mr. POSEY, and Mrs. ELLMERS):

H.R. 2529. A bill to amend the Patient Protection and Affordable Care Act to repeal distributions for medicine qualified only if for prescribed drug or insulin; to the Committee on Ways and Means, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MICHAUD (for himself and Mr. MILLER of Florida):

H.R. 2530. A bill to amend title 38, United States Code, to provide for increased flexibility in establishing rates for reimbursement of State homes by the Secretary of Veterans Affairs for nursing home care provided to veterans; to the Committee on Veterans' Affairs.

By Mr. CHAFFETZ:

H.R. 2531. A bill to amend title 44, United States Code, to repeal the National Historical Publications and Records Commission, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUPPERSBERGER (for himself and Mr. KING of New York):

H.R. 2532. A bill to permit certain members of the United States Secret Service and certain members of the United States Secret Service Uniformed Division who were appointed in 1984, 1985, or 1986 to elect to be covered under the District of Columbia Police and Firefighter Retirement and Disability System in the same manner as members appointed prior to 1984; to the Committee on Oversight and Government Reform, and in addition to the Committees on the Budget, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Texas (for himself, Mr. CONYERS, Mr. COBLE, and Mr. COHEN):

H.R. 2533. A bill to amend title 28 of the United States Code with respect to proper venue for cases filed by corporations under chapter 11 of title 11 of such Code; to the Committee on the Judiciary.

By Mr. GOWDY (for himself and Mr. SOUTHERLAND):

H.R. 2534. A bill to provide that the public debt limit shall not affect timely payment of certain Social Security, public debt, defense, veterans, and Medicare obligations; to the Committee on Ways and Means.

By Ms. JACKSON LEE of Texas (for herself, Mr. YOUNG of Florida, Mr. CONYERS, Ms. KAPTUR, Mr. ANDREWS, Mr. HASTINGS of Florida, Ms. HANABUSA, Mr. MICHAUD, Mrs. MALONEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. QUIGLEY, Mr. HIGGINS, Mr. CICILLINE, Mr. KILDEE, Mr. GUTIERREZ, Mr. MEEKS, Mr. RANGEL, Mr. HINOJOSA, Ms. BASS of California, Mr. SIREN, and Mr. TONKO):

H.R. 2535. A bill to require financial literacy and economic education counseling for student borrowers, and for other purposes; to the Committee on Education and the Workforce.

By Mr. PETRI (for himself and Mr. LOEBSACK):

H.R. 2536. A bill to provide, develop, and support 21st century readiness initiatives that assist students in acquiring the skills necessary to think critically and solve problems, be an effective communicator, collaborate with others, and learn to create and innovate; to the Committee on Education and the Workforce.

By Mr. COHEN (for himself, Mr. CONYERS, Ms. MOORE, and Mr. FILNER):

H.R. 2537. A bill to provide grants to cities with high unemployment rates to provide job training, public works, and economic development programs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, Financial Services, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CALVERT (for himself, Mr. LEWIS of California, Mr. MCKEON, Mr. GALLEGLY, Mr. GARY G. MILLER of California, Mr. ROHRBACHER, Mr. CARDOZA, and Mr. DENHAM):

H.R. 2538. A bill to amend the National Environmental Policy Act of 1969 to authorize assignment to States of Federal agency environmental review responsibilities, and for other purposes; to the Committee on Natural Resources.

By Ms. FUDGE:

H.R. 2539. A bill to establish a competitive grant program for youth summer job placement; to the Committee on Education and the Workforce.

By Ms. FUDGE:

H.R. 2540. A bill to direct the Attorney General to establish and operate a toll-free nationwide telephone hotline through which individuals may obtain information on voting in elections for Federal office and report information on problems encountered in voting in such elections, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HERRERA BEUTLER (for herself, Mr. SCHRADER, Mr. MICHAUD,

Mrs. McMORRIS RODGERS, Ms. PINGREE of Maine, and Mr. WALDEN):

H.R. 2541. A bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements; to the Committee on Transportation and Infrastructure.

By Mr. MACK (for himself, Mr. DIAZ-BALART, and Mr. SIRE):

H.R. 2542. A bill to withhold twenty percent of United States assessed and voluntary contributions to the Organization of American States (OAS) for every permanent council meeting that takes place where Article 20 of the Inter-American Charter is not invoked with regard to Venezuela's recent constitutional reforms, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. MALONEY (for herself, Ms. MOORE, Ms. NORTON, Mr. CONNOLLY of Virginia, Mr. CONYERS, Ms. HIRONO, Mr. GRIJALVA, Mr. JACKSON of Illinois, Mr. RANGEL, Mr. TOWNS, Mrs. LOWEY, Ms. LEE of California, and Ms. ZOE LOFGREN of California):

H.R. 2543. A bill to direct the Federal Trade Commission to prescribe rules prohibiting deceptive advertising of abortion services; to the Committee on Energy and Commerce.

By Ms. MCCOLLUM:

H.R. 2544. A bill to increase the statutory limit on the public debt, increase job creation, and reduce projected medium and long-term Federal budget deficits and debt; to the Committee on Ways and Means.

By Mr. MICHAUD (for himself and Ms. FOX):

H.R. 2545. A bill to clarify the application of the Small Business Regulatory Enforcement Fairness Act to the Internal Revenue Service, to require the Service to convene a regulatory review panel for certain rules, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Small Business, 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. PALLONE:

H.R. 2546. A bill to amend the Solid Waste Disposal Act to require the Administrator of the Environmental Protection Agency to promulgate regulations on the management of medical waste; to the Committee on Energy and Commerce.

By Mr. SARBANES (for himself, Ms. BALDWIN, Mr. CONNOLLY of Virginia, Ms. BERKLEY, Mr. LEWIS of Georgia, Ms. MCCOLLUM, Mr. MORAN, Mr. MCGOVERN, Mr. GRIJALVA, Mr. JACKSON of Illinois, Mr. HOLT, Mr. ISRAEL, Mr. OLVER, Mr. ELLISON, Mrs. NAPOLITANO, Mr. COURTNEY, Mr. FILLNER, Mr. BLUMENAUER, Mr. SABLON, Mr. KUCINICH, Ms. CASTOR of Florida, Mrs. CHRISTENSEN, Mr. YARMUTH, Mr. MCNERNEY, Mr. KILDEE, Mr. FARR, Mr. MEEKS, Mr. WELCH, Mr. HINCHEY, Ms. HIRONO, Ms. SUTTON, Mr. HEINRICH, Mr. PRICE of North Carolina, Ms. PINGREE of Maine, Mrs. MCCARTHY of New York, Mr. POLIS, Mr. LANGEVIN, Ms. NORTON, Mr. SCHIFF, and Mr. CUMMINGS):

H.R. 2547. A bill to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SCHOCK (for himself, Mr. MANZULLO, Mr. JACKSON of Illinois, Mr. DAVIS of Illinois, Mr. RUSH, Mr. COSTELLO, Mr. SHIMKUS, Mrs. BIGGERT, Mr. ROSKAM, Mr. WALSH of Illinois,

Mr. SCHILLING, Mr. DOLD, Mr. HULTGREN, Mr. KINZINGER of Illinois, Mr. LIPINSKI, Mr. QUIGLEY, Mr. GUTIERREZ, Ms. SCHAKOWSKY, and Mr. JOHNSON of Illinois):

H.R. 2548. A bill to designate the facility of the United States Postal Service located at 6310 North University Street in Peoria, Illinois, as the "Charles 'Chip' Lawrence Chan Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. YOUNG of Alaska (for himself, Mr. COURTNEY, and Mr. MANZULLO):

H.R. 2549. A bill to amend the Internal Revenue Code of 1986 to allow a business credit for donations for vocational educational purposes; to the Committee on Ways and Means.

By Mr. PAYNE (for himself, Mr. CAPUANO, and Mr. BERMAN):

H. Con. Res. 65. Concurrent resolution welcoming the independence of the Republic of South Sudan, congratulating the people of South Sudan for freely and peacefully expressing their will through an internationally accepted referendum, and calling on the Governments and people of Sudan and South Sudan to peacefully resolve outstanding issues including the final status of Abyei; to the Committee on Foreign Affairs.

By Mr. LARSON of Connecticut:

H. Res. 350. A resolution electing a Member to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. MARKEY:

H. Res. 351. A resolution expressing the sense of the House of Representatives that the United States Postal Service should issue a semipostal stamp to support medical research relating to Alzheimer's disease; to the Committee on Oversight and Government Reform, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

93. The SPEAKER presented a memorial of the Legislature of the State of Florida, relative to Senate Resolution No. 1654 memorializing the Congress that colleges and universities named in this memorial are authorized to operate educational programs beyond the secondary level; to the Committee on Education and the Workforce.

94. Also, a memorial of the Legislature of the State of Florida, relative to Senate Resolution 218 urging Congress to dedicate penalties collected from parties responsible for the Deepwater Horizon oil disaster to repairing the environmental and economic damage caused by the disaster; to the Committee on Transportation and Infrastructure.

## 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. HANNA:

H.R. 2527.

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

Article I, Section 8, Clause 5 states: "The Congress shall have Power . . . To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures."

By Mr. SAM JOHNSON of Texas:

H.R. 2528.

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

Article I, Section 8, Clause 1

By Ms. JENKINS:

H.R. 2529.

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

Article I, Section 8

By Mr. MICHAUD:

H.R. 2530.

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. CHAFFETZ:

H.R. 2531.

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

Article I, Section 8, Clause 1

By Mr. RUPPERSBERGER:

H.R. 2532.

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

Article I, §8, clause 3, the Commerce Clause.

By Mr. SMITH of Texas:

H.R. 2533.

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

Article I, Section 8, Clause 4 (the Bankruptcy Clause); Article III, Section 1 (the power of Congress to establish inferior federal courts)

By Mr. GOWDY:

H.R. 2534.

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

Article I, Section 8, of the Constitution enumerates the power of Congress to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.

By Ms. JACKSON LEE of Texas:

H.R. 2535.

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

To the Commerce Clause of the U.S. Constitution.

By Mr. PETRI:

H.R. 2536.

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

Article I, Section 8, Clause 1 of the Constitution.

By Mr. COHEN:

H.R. 2537.

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

This Bill is enacted pursuant to Article I, Section 8, Clause 1 of the United States Constitution, known as the "General Welfare Clause." This provision grants Congress the broad power "to pay the Debts and provide for the common defense and general welfare of the United States."

By Mr. CALVERT:

H.R. 2538.

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

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Ms. FUDGE:

H.R. 2539.

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

Article I, Section 8, Clause 3

The Congress shall have Power \* \* \* To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. FUDGE:

H.R. 2540.

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

Fifteenth Amendment, Sections 1 and 2

Section. 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section. 2. The Congress shall have power to enforce this article by appropriate legislation.

By Ms. HERRERA BEUTLER:

H.R. 2541.

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

Pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. MACK:

H.R. 2542.

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

Article I, Section 8 of the Constitution

By Mrs. MALONEY:

H.R. 2543.

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

Article I, Section 8, Clause 3

By Ms. MCCOLLUM:

H.R. 2544.

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

Article I, Section 8, Clause 18, which gives Congress the power "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing powers."

By Mr. MICHAUD:

H.R. 2545.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution, including, but not limited to, Clauses 1 and 18.

By Mr. PALLONE:

H.R. 2546.

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

Article 4, Section 3, Clause 2:

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. SARBANES:

H.R. 2547.

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 8 of the U.S. Constitution.

By Mr. SCHOCK:

H.R. 2548.

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

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. YOUNG of Alaska:

H.R. 2549.

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

Article I, Section 8, Clause 1 of the Constitution

#### ADDITIONAL SPONSORS

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

H.R. 58: Mr. HALL.  
 H.R. 136: Ms. DELAURO.  
 H.R. 210: Mr. AL GREEN of Texas, Mr. SIRES, Mr. TOWNS, Mr. HASTINGS of Florida, Mr. THOMPSON of California, Ms. WILSON of Florida, and Mr. DAVIS of Illinois.  
 H.R. 333: Mr. MARINO.  
 H.R. 361: Mrs. HARTZLER.  
 H.R. 389: Mr. WALSH of Illinois.  
 H.R. 412: Mr. RAHALL.  
 H.R. 420: Mr. HALL, Mr. GENE GREEN of Texas, Mr. HUNTER, Mr. BRADY of Pennsylvania, Mr. COURTNEY, Mr. KINGSTON, and Mr. SMITH of New Jersey.  
 H.R. 452: Mr. WALBERG, Mr. BROOKS, Mr. MCHENRY, and Mr. KINGSTON.  
 H.R. 494: Ms. SCHAKOWSKY.  
 H.R. 595: Mr. JOHNSON of Georgia.  
 H.R. 615: Mr. GENE GREEN of Texas and Mr. HUNTER.  
 H.R. 645: Mr. HALL and Mr. WOODALL.  
 H.R. 687: Ms. LORETTA SANCHEZ of California, Mr. LATHAM, and Mr. HEINRICH.  
 H.R. 721: Mr. OWENS, Mr. ROGERS of Kentucky, Mr. DUNCAN of Tennessee, and Mr. RUSH.  
 H.R. 733: Mr. CLARKE of Michigan.  
 H.R. 777: Mr. RAHALL.  
 H.R. 860: Mr. PETERS, Ms. LINDA T. SANCHEZ of California, Mr. COHEN, Ms. LORETTA SANCHEZ of California, Mr. CICILLINE, Mr. HASTINGS of Florida, Mr. LATHAM, and Mr. GARY G. MILLER of California.  
 H.R. 885: Mr. ELLISON, Mr. MCINTYRE, Mr. GRIJALVA, and Ms. NORTON.  
 H.R. 912: Mr. SCHRADER.  
 H.R. 942: Mr. BUTTERFIELD.  
 H.R. 1041: Mr. WEST.  
 H.R. 1072: Mr. NUNNELEE, Mr. HARPER, and Mr. PALAZZO.  
 H.R. 1089: Ms. HANABUSA.  
 H.R. 1112: Mr. HINOJOSA.  
 H.R. 1172: Mr. MICHAUD.  
 H.R. 1174: Mr. FILNER.  
 H.R. 1193: Mr. CARDOZA and Mr. CALVERT.  
 H.R. 1204: Ms. WOOLSEY.  
 H.R. 1295: Mr. LATOURETTE and Mrs. HARTZLER.  
 H.R. 1269: Mr. PETERS and Mr. PALLONE.  
 H.R. 1280: Mr. BURTON of Indiana, Mr. FLAKE, and Mr. CHABOT.  
 H.R. 1283: Ms. LORETTA SANCHEZ of California.  
 H.R. 1288: Mr. HARRIS and Mr. SMITH of Washington.  
 H.R. 1297: Mr. OWENS.  
 H.R. 1300: Mr. QUIGLEY.  
 H.R. 1397: Mr. BISHOP of New York.  
 H.R. 1426: Mr. PASTOR of Arizona.  
 H.R. 1443: Mr. HUNTER.  
 H.R. 1459: Mrs. ELLMERS.  
 H.R. 1464: Mr. ACKERMAN.  
 H.R. 1465: Mr. COURTNEY.  
 H.R. 1466: Ms. HANABUSA.  
 H.R. 1489: Mr. ALEXANDER and Mr. GRIJALVA.  
 H.R. 1505: Mr. HALL.  
 H.R. 1506: Mr. CLAY.  
 H.R. 1513: Mr. GRIMM, Mr. GUTIERREZ, Mr. HASTINGS of Florida, and Ms. CHU.  
 H.R. 1565: Mr. MCINTYRE.  
 H.R. 1612: Mr. BARROW.  
 H.R. 1633: Mr. CARTER.  
 H.R. 1639: Mr. SOUTHERLAND.  
 H.R. 1653: Mr. TIBERI and Mr. GERLACH.  
 H.R. 1697: Mr. ROSS of Arkansas.  
 H.R. 1714: Mr. GRIMM.  
 H.R. 1736: Ms. WILSON of Florida, Mr. GUINTA, Ms. BROWN of Florida, Mr. COFFMAN of Colorado, Mr. BRADY of Pennsylvania, Mr. MCCAUL, Mr. DENT, Mr. YOUNG of Florida, Mr. COOPER, Mr. LAMBORN, and Mr. MCINTYRE.

H.R. 1744: Ms. BUERKLE, Mr. BENISHEK, and Mr. SCHILLING.

H.R. 1772: Mrs. CHRISTENSEN and Mrs. MALONEY.

H.R. 1803: Mr. BOREN.

H.R. 1821: Mr. FILNER and Ms. SUTTON.

H.R. 1856: Mr. HUELSKAMP and Mr. BARLETTA.

H.R. 1905: Mr. HUIZENGA of Michigan, Mr. CASSIDY, Mr. FINCHER, Mr. JOHNSON of Ohio, Ms. CLARKE of New York, Mr. THOMPSON of California, Mr. NUNES, Mr. KELLY, and Mr. JACKSON of Illinois.

H.R. 1941: Mr. REYES.

H.R. 1951: Mr. LIPINSKI.

H.R. 1958: Mr. BRALEY of Iowa and Mr. BOSWELL.

H.R. 1968: Ms. PINGREE of Maine.

H.R. 1984: Mr. GRIJALVA and Ms. ZOE LOFGREN of California.

H.R. 2042: Ms. LORETTA SANCHEZ of California.

H.R. 2059: Mr. LANKFORD.

H.R. 2064: Mr. HALL.

H.R. 2088: Mr. CROWLEY, Ms. ROS-LEHTINEN, and Mr. CARNAHAN.

H.R. 2107: Ms. PINGREE of Maine.

H.R. 2108: Mr. NEUGEBAUER and Mr. HALL.

H.R. 2117: Mr. LUETKEMEYER, Mr. MARINO, Mr. DUNCAN of South Carolina, Mr. STIVERS, Mr. NEUGEBAUER, Mrs. EMERSON, Ms. JENKINS, Mr. SESSIONS, Mr. FLEISCHMANN, and Mr. GARDNER.

H.R. 2123: Mr. CLARKE of Michigan.

H.R. 2128: Mr. PAUL and Mr. CHABOT.

H.R. 2140: Mr. LYNCH.

H.R. 2159: Mr. BARROW.

H.R. 2164: Mr. LATHAM.

H.R. 2194: Mr. WU.

H.R. 2218: Mr. CRENSHAW.

H.R. 2227: Mr. ROSS of Arkansas.

H.R. 2230: Mr. POLIS.

H.R. 2233: Mr. LATHAM.

H.R. 2238: Mr. KING of Iowa.

H.R. 2257: Mr. MARINO.

H.R. 2271: Mr. JOHNSON of Ohio.

H.R. 2313: Mr. DANIEL E. LUNGREN of California and Mr. DUNCAN of South Carolina.

H.R. 2333: Mr. NADLER and Ms. WILSON of Florida.

H.R. 2402: Mr. MICA, Mr. HULTGREN, Mr. AUSTRIA, Mr. MARINO, and Mr. DESJARLAIS.

H.R. 2409: Mr. WALSH of Illinois, Mr. MULVANEY, and Mr. DUNCAN of South Carolina.

H.R. 2431: Ms. RICHARDSON and Mr. MEEKS.

H.R. 2433: Mr. ROE of Tennessee, Mr. WEST, Mr. DENHAM, and Mr. BENISHEK.

H.R. 2444: Mr. LARSEN of Washington.

H.R. 2488: Mr. COURTNEY.

H.R. 2492: Mr. GRIMM and Mr. WHITFIELD.

H.R. 2496: Mr. FRANKS of Arizona, Mr. BARTLETT, Mr. HERGER, and Mr. LATHAM.

H.R. 2497: Mr. NUGENT.

H.R. 2514: Mr. BURTON of Indiana.

H.R. 2521: Mr. BLUMENAUER.

H.J. Res. 5: Mr. RIBBLE.

H.J. Res. 10: Mr. BARROW, Mr. DONNELLY of Indiana, Mr. MATHESON, Mr. THOMPSON of California, Mr. ROSS of Arkansas, Mr. BOREN, Mr. BOSWELL, Mr. CARDOZA, Mr. MCINTYRE, Mr. PETERSON, Mr. DAVID SCOTT of Georgia, Mr. COSTA, Mr. MICHAUD, and Mr. BISHOP of Georgia.

H. Con. Res. 56: Mr. FARENTHOLD.

H. Con. Res. 63: Mr. SCOTT of Virginia.

H. Con. Res. 64: Mr. TOWNS, Mr. BUTTERFIELD, Mr. CRITZ, Mr. AL GREEN of Texas, Mr. RICHMOND, Mr. NADLER, Ms. SUTTON, Mr. HASTINGS of Florida, Ms. CHU, Mrs. MALONEY, Ms. HANABUSA, Mr. GUTIERREZ, Mr. MCGOVERN, Mr. COHEN, and Ms. ZOE LOFGREN of California.

H. Res. 134: Mr. WAXMAN.

H. Res. 207: Ms. SCHWARTZ.

H. Res. 231: Mr. CAPUANO and Ms. WOOLSEY.

H. Res. 290: Mr. LIPINSKI.

H. Res. 295: Mr. DOGGETT and Mr. PRICE of North Carolina.

H. Res. 298: Mr. BROWN of Florida.  
H. Res. 304: Ms. TSONGAS.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2354

OFFERED BY: MRS. BLACKBURN

AMENDMENT No. 82: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 5 percent.

H.R. 2354

OFFERED BY: MRS. BLACKBURN

AMENDMENT No. 83: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 1 percent.

H.R. 2354

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 84: Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act for "Department of Energy—Energy Programs—Science" may be used in contravention of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.).

H.R. 2354

OFFERED BY: MR. GOSAR

AMENDMENT No. 85: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available under this Act may be expended to administer or enforce the requirements of subchapter IV of chapter 31 or title 40, United States Code (commonly referred to as the Davis-Bacon Act), except with respect to a contract that exceeds \$20,000,000.

H.R. 2354

OFFERED BY: MR. LUETKEMEYER

AMENDMENT No. 86: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used to continue the study conducted by the Army Corps of Engineers pursuant to section 5018(a)(1) of the Water Resources Development Act of 2007.

H.R. 2354

OFFERED BY: MR. ENGEL

AMENDMENT No. 87: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Department of Energy or any other Federal agency to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

H.R. 2434

OFFERED BY: MR. WESTMORELAND

AMENDMENT No. 4: Page 3, line 20, strike "\$200,000,000" and insert "\$0".

Page 4, line 3, strike "\$200,000,000" and insert "\$0".

H.R. 2434

OFFERED BY: MS. RICHARDSON

AMENDMENT No. 5: Strike section 901.

H.R. 2434

OFFERED BY: MR. GOODLATTE

AMENDMENT No. 6: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used for construction of the Richard H. Poff Federal Building in Roanoke, Virginia.



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 112<sup>th</sup> CONGRESS, FIRST SESSION

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No. 105

## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island.

### PRAYER

The PRESIDING OFFICER. It is my honor and privilege to announce today's opening prayer will be offered by the Right Reverend Geralyn Wolf from the Episcopal Diocese of Rhode Island.

The guest Chaplain offered the following prayer:

Let us pray.

Almighty God, shepherd of our souls, the global community listens with eager expectation to the deliberations and decisions of the Senate of these United States.

With Your holy wisdom, enter the hearts of those who serve this august Chamber; assure them of Your constant love and presence as they address challenges that occasion creative solutions.

Let Your holy spirit come and breathe upon their anxieties, diminishing their power, and releasing a freshness of vision that secures the common good and honors the generations to follow.

May their pursuit of peace, security, and happiness extend across nations and peoples, moving beyond political allegiances to a proclamation of hope for all humanity.

Bless us, dear Lord, and make us a blessing to others. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable SHELDON WHITEHOUSE led the Pledge of Allegiance as follows:

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication

to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 14, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island, to perform the duties of the Chair.

DANIEL K. INOUE,  
President pro tempore.

Mr. WHITEHOUSE thereupon assumed the chair as Acting President pro tempore.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from Rhode Island.

### WELCOMING THE GUEST CHAPLAIN

Mr. WHITEHOUSE. Mr. President, I am delighted to be here with my senior colleague, Senator JACK REED, to welcome Geralyn Wolf, the Bishop of the Episcopal Archdiocese of Rhode Island, who shared with us the prayer this morning.

I wish to share with my colleagues what a wonderful addition she is to our Rhode Island community. She has served in Kentucky and in Pennsylvania, but she has been in Rhode Island for many years and has been devoted to our community, particularly to the needy in our community, to the point where at one point she spent 30 days living as a homeless person in order to see firsthand what the resources were to support people when they faced the burden and the sorrow of homelessness and to inform her actions as the bishop of our diocese.

She is keenly interested in the Sudan and works with priests who are helping to bring Christianity to those areas as the vehicle for peace amidst some of the worst and most horrific violence on the face of our planet.

It gives both Senator REED and myself great pride that she has come down to Washington today to open the Senate. It is my hope, and I am sure Senator REED's as well, that during the course of our deliberations today we will be informed by the hopes and the sentiments and the confidence and the blessings she expressed.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I join my colleague Senator WHITEHOUSE in welcoming Bishop Wolf to the Senate today. I commend Senator WHITEHOUSE for his invitation. Bishop Wolf is not only a pastoral leader in our community, she is also a great community leader. She not only preaches the gospel, she lives the gospel.

As Senator WHITEHOUSE indicated, she went on the mean streets of Providence, and there are such streets in every town in this country, to experience firsthand the travails and the troubles of people just trying to get by. That experience informed her ministry and informed her public positions, and we thank her for that. She has a global vision as well as a vision in Rhode Island. That global vision is a world inspired by American actions that is peaceful and progressive and finds opportunity for all.

So on behalf of the people of Rhode Island, I wish to thank her for her service, and I thank her especially for the grace she has brought to us today and has brought the State of Rhode Island as a result of her service.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. REED of Rhode Island). The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will be

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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in a period of morning business for 1 hour. Republicans will control the first half and the majority will control the final half.

Following morning business, the Senate will resume consideration of the motion to proceed to H.R. 2055, the Military Construction and Veterans' Affairs appropriations bill, postcloture. We hope to yield back time and begin consideration of the bill sometime today.

#### BUDGET NEGOTIATIONS

Mr. REID. Mr. President, there are some in the Republican Party who will not listen to the truth no matter who speaks it.

This is my opinion: If we allow this Nation for the first time in its history to default on our national obligations, it will not only be a black mark on our reputation but also a massive financial disaster that will sweep the world into global depression.

But it is not my opinion alone. I have come to that belief by listening to the most respected voices in the business community. Default, they say, is a "risk our country must not take."

They are not the only ones who believe that is true. The most respected bankers have also said it. JPMorgan Chase CEO Jamie Dimon said default would be "catastrophic."

Investors have said it. Bill Gross, one of the world's largest mutual fund managers, sent us a warning yesterday. He said:

There should be no question at all. The debt ceiling must be raised and not be held hostage by budget negotiations. Don't mess with the debt ceiling, Washington.

That is what Bill Gross said.

Economists have also said it. Ben Bernanke, appointed by President Bush as Chairman of the Federal Reserve, has said default would be a "major crisis" that would send "shock waves" through the world financial markets. Yesterday, he said failure to avert default would mean "huge financial calamity."

Even other Republicans have said it. This is what Speaker BOEHNER said in April:

Not raising the debt limit would have serious—very serious—implications for the worldwide economy and jobs here in America.

Perhaps most telling of all, all three rating agencies have already sent warning shots across our bow. Last night, Moody's cautioned us that America's AAA rating was already under review for downgrade. Never in the history of the country has that happened, that we are being reviewed to downgrade our debt rating. We have 3 weeks left until we miss our first payment. They cited the "rising possibility" that we will default. They said we could lose this crucial rating—which saves every American money every day—even before we miss a payment.

Standard & Poor's has told Congress and business leaders that even if the

United States keeps paying creditors but delays payments such as Social Security or veterans' benefits, it may cut our rating.

Fitch Ratings has said a default would "threaten the still fragile financial stability of the United States and the world as a whole."

So why are some Republicans in Congress still saying that a first ever default on our Nation's financial obligations would be no big deal?

When every financial expert, investor, business leader, and banker in the country—and even every reasonable member of your own political party—is telling you the consequences of default would be catastrophic, it is time to start listening. Why? Because default won't just roil the financial markets, pushing interest rates higher and tank the stock markets. It will affect every American's wallet as well.

Here are a few of the things that will happen. Social Security checks and benefits to our troops would stop. Some of the most vulnerable Americans would be placed at risk. Our promise to the men and women who protected this Nation so bravely—and those who protect it today—would be broken. We would not be able to make payments to our military.

Payments on our national debt would stop. American investments and retirement accounts could be decimated. Millions of Americans could lose their jobs.

Interest rates would rise not only for the government but for ordinary Americans as well. Those Americans will pay more for their mortgages. They will pay more to use a credit card or buy a car or finance a university education. They will even pay more for their electric bills, groceries, and gas. The spike in interest rates and damage to the U.S. dollar alone would cost the average American family more than \$1,500 immediately. It would be the most serious financial crisis this country has ever faced, and it would come at a time when our economy can least afford it. In the long run, it would wind up costing the government not millions, not billions, but trillions of dollars—a fact Republicans shouting about the debt fail to mention. For every 1-percent increase in interest rates, it will cost our Nation \$1.3 trillion—again, not million, not billion, but trillion. For every 1-percent increase in interest rates, it will cost this Nation \$1.3 trillion.

With so much at stake, even Speaker BOEHNER and Minority Leader MCCONNELL seem to understand the seriousness of the situation. They are willing to negotiate in good faith, which I appreciate, and the country appreciates.

Meanwhile, House Majority Leader ERIC CANTOR has shown that he shouldn't even be at the table, and Republicans agree he shouldn't be at the table.

One House Republican told Politico, a Hill publication, last night: "He lost a lot of credibility when he walked

away from the table. . . . It was childish." What is that all about?

We had negotiations going on here in Room S. 219, a short jaunt from here, and he walked out on the meetings with the Vice President of the United States. It was childish.

Another Republican said CANTOR is putting himself first. He said this: "He's all about ERIC."

The time for personal gain and political posturing is over. It is time to put our economy and our country first. The risks we face are simply too grave.

We don't need to take my word for it. More than 300 respected business leaders wrote to Congress the night before last to make it clear how serious this crisis is.

A great nation—like a great company—has to be relied upon to pay its debts when they become due. This is a Main Street not Wall Street issue.

We are listening. It is time for the irresponsible voices in the Republican Party who continue to deny the truth of this crisis to start listening as well.

I note the absence of a quorum.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

#### BUDGET NEGOTIATIONS

Mr. MCCONNELL. Mr. President, over the past few days, a lot of people have taken it upon themselves to offer Republicans in Congress and me in particular their advice on the debt limit. I have listened to all of it very carefully. I appreciate how frustrating it is for people to think that in spite of everything we know about the state of our economy, and despite all the warnings we have heard about the dangers presented by our deficits and debt, we can't do something about it. I share that frustration. No one has spent more time cajoling and persuading this White House of the need to do something big.

I was truly hopeful the President could be persuaded to view the upcoming debt limit vote as an opportunity to cut Washington spending and the debt that has ballooned since he took office, and to preserve entitlements at the same time. But, in the end, he wasn't interested in doing something of that magnitude that would pass.

He gave us three bad choices: higher taxes, smoke and mirrors or default, and we refuse to accept any of them. Republicans will not be reduced to being the tax collectors for the Obama

economy. We will not be seduced into calling a bad deal a good deal, and we will not let the White House fool around with the full faith and credit of the United States.

If the President wants to threaten seniors or veterans or rattle the world economy by pretending he cannot pay our bills, he, of course, can do that. But he is not going to implicate Republicans in these efforts.

That is why I proposed, as a last resort, a plan that would force the White House to show its hand. If the President would rather default than cut back on the size and scope of government, let him explain that. If he would rather preserve his vision of Washington than protect entitlements, let him explain that. If he and the Democratic Senate would rather borrow and spend us into oblivion, they can certainly do that. But do not expect any more cover from Republicans on it than they got on health care—none.

The American people deserve to know what their elected representatives stand for in this debate. None of these proposals that have been presented up to now would do that.

If Democrats will not agree to reforms we need, then we should at least show the public where we stand. What they wanted was a deal that purported to lower the debt from \$26 trillion to \$24 trillion over 10 years, then have us give it thumbs up and call it a bipartisan victory for fiscal discipline. We were not about to call this a good deal any more than we were willing to call the health care bill real reform.

We refuse to let this President use the threat of a debt-limit deadline to get us to cave on tax hikes or phony spending cuts. It is time to change this debate altogether. It is time to make it clear to the American people where the two parties stand in this debate.

Either you are with the President and his vision of a government that continues to live beyond its means or you are with those of us who believe Washington needs some strong medicine. Either you want to simply borrow and spend our Nation into oblivion or you want to get our fiscal house in order, and the single most effective way to do that is with a balanced budget amendment.

If the President and Democrats in Congress will not agree to cut back, let's force them. Let's pass a constitutional amendment that actually requires Congress to live within its means.

It is time for the American people to contact lawmakers on the Democratic side and simply demand it. Republicans are unanimous in their support for a balanced budget amendment. We need 20 Democrats to join us.

It is an uphill climb, but if the American people speak out, we can get it done. If the President will not agree to it, it is time we go around him and directly to the American people.

Let's keep the pressure on. Let's show the administration where the

public is on this issue. Let's get our fiscal house in order.

I yield the floor.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

The Senator from Tennessee is recognized.

#### THE BUDGET

Mr. CORKER. Mr. President, I realize a scheme has been concocted on the debt ceiling that allows Democrats to go into this next election continuing to ensure that spending to many of their constituents is at levels that please them; therefore, allowing them to run successfully in 2012, and that scheme also allows Republicans to run in 2012 with spending being the issue.

I think we all understand that, look, the debt ceiling is going to be increased, and it is going to be increased in such a way that both sides of the aisle have the ability to campaign against the other respective to their bases.

But the fact is, our great Nation is in decline because of the elected leaders in Washington. Our great Nation is in decline because of this body and the way it is acting, the House of Representatives and the way it is acting, and the White House and the way it is acting.

This body, as we meet and go on to a spending bill, is helping our great Nation go into decline. Let me explain why.

Maybe the debt ceiling was the wrong place to pick a fight as it relates to trying to get our country's house in order. Maybe that was the wrong place to do it. The reason it was chosen is because this body has not passed a budget in 806 or 807 days, and I credit both sides for that. But the fact is the Senate has not passed a budget in over 806 days.

I had a dinner this week, Monday night, with six Democrats and five Republicans. I will not mention their names to impugn them in any way. But all of them expressed tremendous frustration with the way this body is being run. Basically, most Senators in this body are nothing but two-bit pawns—two-bit pawns—as a political fight is under way basically to lay out the groundwork, if you will, for the 2012

election. That is what is happening right now in this body, and I think we all know that.

Yet yesterday we voted to move to a spending bill where we, in essence, are acting as accomplices. We are accomplices to this—the Presiding Officer and myself. I voted against it. But anybody who votes to go to a spending bill without forcing the Senate to come to terms with a budget is, in essence, an accomplice to allowing the shenanigans that are taking place right now to continue. We are allowing this great Nation to go into decline by not forcing us to make those tough decisions.

The reason the debt ceiling was chosen is because there has not been any other mechanism to cause us to sit down and make those tough choices as it relates to spending in our country. Because we were unwilling to do that, many people lined up, as a matter of fact, Democrats and Republicans—there is a Gang of 6 that had been working, with three Republicans and three Democrats. It is my sense that they too had planned to use the debt ceiling vote as a place to try to cause us to come together around something that might be sensible for our country. We have not seen the details of that. I hope we will see that soon.

But my point is, both sides of the aisle actually had focused on this debt ceiling vote—or many people on both sides of the aisle—to try to cause us to have the fiscal discipline we need. Obviously, with this new scheme, that is not going to happen.

I think we all know the debt ceiling is going to be raised. Blame will be assessed to either side. Both sides will use that in the 2012 election, and then we will move on to another cycle where probably we will continue to be irresponsible.

But the fact is, by moving to a spending bill without a budget—everyone who agrees to do that, every single person in this body who agrees to move to a spending bill, no matter what it is funding or no matter at what level it is funding the things it is funding, every one of us is an accomplice in causing this great Nation to decline, every single one of us.

I would urge people in this body who would like to see us actually do our work, cause us to function the way the Founding Fathers had created this body, cause us to function in a way that no longer allows our country to be in decline, I would urge everybody in this body to not agree to go to this spending bill and to say we will not spend any more of the U.S. resources—taxpayers' resources—without first agreeing to those tough decisions.

I love seeing some of the masters of the universe on some of these financial programs in the morning. I heard one of them this morning on a particular program I sometimes turn on to see what the markets are doing in reaction to the ridiculous, undisciplined nature of this body, I heard one of them say the debt ceiling is no place—most

countries do not even vote on a debt ceiling. What they do is they vote on budgets. In this country, we do not even vote on budgets. Of course, we have figured out a way to not make any tough decision on the debt ceiling vote either, and I understand what is getting ready to happen.

But, again, I say to all those folks who are not head of this body, who are not in leadership, who in the bathrooms or in the halls or at dinner or at lunch complain about the fact that this place is dysfunctional, complain about the fact that they do not have the ability to be involved in causing us to function in the way we should, every single one of you, in my opinion, who votes to go to a spending bill today or end debate on a spending bill—in essence, allow us to pass a spending bill—is an accomplice, is an accomplice in allowing this great Nation to go into decline. That is pretty strong, but I believe it.

The fact is we make a big deal out of some items around here, but we do not make a big deal when it comes to something we can actually affect and cause us as a body to do the things we need to do.

I say to the Presiding Officer, look, I am very disappointed in the Senate. I am very disappointed in the White House. I am very disappointed in all of us. I am very disappointed in the childish behavior this body has continued to exude over the course of this entire year. I am very disappointed we would even consider going on with spending taxpayer resources and not sitting down and making tough decisions. I am very disappointed, candidly, that both sides of the aisle only want it their way.

I do not think this great country was created the way it was so one side of the aisle got it exactly the way they wanted it. I think this body was created to be “the greatest deliberative body in the country.” Yet we do not do that. We do not act that way. We do not debate tough issues. We hide—all of us—we hide and we let our leadership concoct ways to keep us from doing the tough things we need to do.

The fact that we cannot even have a budget on this floor to come out of a committee, when, obviously, there is a majority—and I am not even pointing fingers at the other side; I think both sides are equally problematic in this because both sides, it is evident to me, are going to allow us to go to a spending bill today without a budget, but the fact that we cannot even bring a budget to the floor, when committees are stacked in such a manner that one side does have the majority, to me, is incredible.

If we move to a spending bill today without a budget, if we continue to do the things we do here, just without worrying about the fundamentals of what it takes for this country to be great, this body today will move one step further down the path of causing this great Nation to go into decline, to

keep us from making tough decisions, to allow committee heads or subcommittee heads in Appropriations to be able to bring forth their fruit, if you will, the things they would like to spend money on.

By the way, I support much—I probably support everything that is in this bill. I am not sure. It supports veterans. It supports military construction. But the fact is, actually, the very people this benefits, the people who are veterans, the people who have given their limbs—some have given loved ones—probably are embarrassed by the Senate too. Even though they would like to receive the benefits at some point in time down the road—when these benefits come to fruition in this next fiscal year, they would like to receive those—they probably would prefer, first, that all of us in this body do our job, that we quit acting like the children we have been acting like this entire year; that we quit calculating what we are going to do around the 2012 elections; that we quit hiding behind our leadership and allowing them to go down and negotiate grand bargains in private; that we quit, again, hiding from tough decisions.

I hope others will join with me and that we will not end debate on this bill. Let me put it this way: If we do not do that—in other words, if we proceed with spending in this bill—I sure hope all those who vote to do so will stop talking in private about how embarrassed they are about this Senate, will stop talking in private about how they feel like little pawns in a political game, will stop talking in private about how they would like to see this body start acting in the fashion it should act.

We have not done any real business this year. We all know it. We have not done any real business this year because we have not wanted to take on those tough issues. I am embarrassed by that, personally. I am embarrassed about the way this Senate has been conducting its business this year.

I am not going to vote for a spending bill until we pass a budget. If we had passed a budget and had the tough debates about revenues and expenditures, we would not be in this no-win situation right now as it relates to the debt ceiling, and we all know that. But we want to hide behind that.

With that, 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, as we all know, in the next few weeks we are going to have to be faced with a decision about what to do with the debt limit, and of course there has been a lot of discussion around here as well as

between the White House and the congressional leadership about how best to resolve this issue.

I believe what it really comes down to is a question about what is the best way to resolve a debt crisis. I think it creates a great debate, a philosophical debate about do we need to grow government or do we need to shrink government. I would argue that is kind of the defining line in this debate, whether you believe the best way out of a debt crisis is to expand and grow government or whether you think, as I do, that we ought to make government smaller, not larger, if we are trying to figure out how to get out of this particular circumstance we find ourselves in right now.

We have a \$14 trillion debt. We are going to have to increase the borrowing authority to get to the 2012 election by \$2.4 trillion. That is the rate at which our debt is growing. I have said on the floor before that if you look at just the daily borrowing our Federal Government does, it exceeds the entire budget of my State of South Dakota for a whole year. So we will borrow more in the next 24 hours here in Washington, DC—about \$4 billion—than the State of South Dakota spends in an entire year. That is the dimension of the problem we are facing.

Many of us believe the best thing we could do in order to get ourselves on a better fiscal track is to pass a balanced budget amendment to the Constitution. Frankly, I hope we will have an opportunity to vote on just that sometime in this next week or the following week. Most States around the country, including my State of South Dakota, have a balanced budget amendment in their constitution. It requires them year-in and year-out to get their books balanced. They cannot continue to spend as if there is no tomorrow. They cannot spend money they do not have. They live within their means. That is what most Americans have to do, that is what American businesses and families have to do, and it certainly makes sense that we ought to be doing that at the Federal level.

I would urge my colleagues, as we look at the short-term issue, which is the debt limit vote, we have to figure out how we are going to get the best deal we can get in the near term, but what are we going to do in the long term to put our country on a more sustainable fiscal footing? I would argue that putting an imposed discipline on Congress, such as an amendment to the Constitution that would require us year-in and year-out to balance our budget, just makes sense. It is practical, it makes economic sense, and it certainly is discipline that has been lacking here in Washington, DC, for some time.

If you look at the States that have made hard decisions—mine is a good example of that—they had to cut spending this year significantly to balance their budgets, but at least they are doing that. They are making these



hard choices and hard decisions, and that is something we have been putting off here for way too long.

I would point out to my colleagues here that as we talk about how to get the country back on the right fiscal track, we do have to start setting priorities.

Well, we are not doing that. We haven't had a budget here now for 806 days. It has been 806 days since the Democratic majority in the Senate has allowed us to have a vote on a budget.

Many of us believe that in order to determine how you are going to spend \$3.7 trillion of America's hard-earned money, you ought to have some priorities. You ought to at least put a pathway out there about how you are going to go about spending those dollars and setting priorities for the country.

Well, we are not doing that because we have not passed a budget in 806 days. That is the fundamental responsibility we have as leaders. The people of this country elected us to do that. We are not doing that, I think that is creating uncertainty. It is creating instability out there around the country.

I met with some business owners this morning who say that in their particular industry, there are people who want to invest, they want to create jobs, and they want to make capital investments. But these are long-term investments, and they don't know what is happening, they don't know what the policies coming out of Washington are going to be with regard to taxes, spending, regulations, all of those sorts of things. There is an enormous amount of uncertainty.

There was a survey done just recently by the U.S. Chamber of Commerce in which they asked small businesses about their future hiring plans, and 64 percent of the small businesses that responded to that survey said they were not going to add to their payroll this year, they were not going to hire this year. Another 12 percent said they were actually going to cut jobs. Why? Half of the people who responded to the survey said: Economic uncertainty. They just flat do not know what Washington is going to do next. And you can't have that kind of uncertainty. What the markets want, what businesses want, what investors want is they want to know what the rules are going to be, and they want some certainty about what is going to happen next.

The kind of uncertainty we are creating reaches beyond our shores because I think that if you look at what is happening in Europe today, they are facing a debt crisis in many of those countries. What are the economic impacts of that? Well, if you look at the interest rates in the Euro zone, the 3-year government interest rates are 19.4 percent for Portugal, 28.9 percent for Greece, and 12.9 percent for Ireland. That is our future if we don't get our fiscal house in order.

What does that mean? That means that not just does the Federal Govern-

ment have to pay more to borrow money, pay more in higher interest costs, it also means that those interest costs—all interest rates in this country, whether it is for an auto loan or a home loan or a student's college loan, they all track with the Treasury borrowing rates. If those rates go up, that has profound implications for our economy. That means people across this country are going to pay much higher interest rates. Small businesses are going to pay higher interest rates to borrow money.

These are real-world impacts if we do not make the right kinds of decisions here to get this spending and this borrowing under control. So if you want to see our future, look at some of the European countries. Look at what impact this is having on interest rates and on their economies. That is something our economy could not withstand.

We are already facing 9.2 percent unemployment. We have a need to get people back to work. And what we need now is not more expanded government and more uncertainty about what Washington, DC, is going to do; we need stability, we need certainty, and we need decisions here which have a favorable impact on the private marketplace and create an inducement to hire people as opposed to discouraging it, which is what we are seeing today.

I have argued down here on many occasions that this debt is really strangling our economy because it is crowding out private investment. Anytime the government is out there borrowing money, it means there is less capital out there for private businesses to have access to. I think the more fundamental issue in this whole debate, however—and I mentioned this yesterday in some remarks on the floor—is really the size and scope of government and whether we want to see an expanded, bigger, larger government or whether we ought to try to work our way out of this debt crisis by actually reducing the size of our government.

I pointed out that in the past couple of years alone, we have seen government expand dramatically. In fact, nondefense discretionary spending in the last 2 years has grown by 24 percent. The debt has grown by 35 percent in just the time this President has been in office. The amount we spend on our Federal Government as a percentage of our entire economy has grown dramatically as well. The 40-year historical average is 20.6 percent. That is what we historically, for the past 40 years, have spent on the Federal Government as a percentage of our entire economic output. If you go back to the year 1800—hard to believe—it was 2 percent. That is what we spent on the Federal Government as a percentage of our entire economy. Of course, it has grown since that time, but it has really taken off here in just the last few years.

I pointed out yesterday as well that of the five times the budget has actually been balanced in this country since 1969, in every circumstance it has

been when government has spent less as a percentage of our entire economy than the average. So if the average is 20.6 for the past 40 years, the times when we have actually balanced the budget, we have averaged spending 18.7 percent of our GDP.

The point simply is this: If you want to solve this problem, it gets solved on the spending side of the equation. The problem we have in this country is not that we tax too little or have too little revenue, it is that we spend too much because this year we will spend, as a percentage of our entire economy, 24.3 percent. There is almost a quarter of the entire economy of this country now being spent by the Federal Government, and that will only go up over time as we see these new entitlement programs, the new health care program that was created last year, continue to consume more and more of our resources in this country. That means there is less and less out there for the private economy where the real jobs are created.

If you look at just what we pay in interest costs alone and how we would be influenced by a slight uptick in interest rates—there was a great op-ed written in the Wall Street Journal a couple of weeks back by Larry Lindsey, who is a former economic adviser to President Bush and also a member of the Federal Reserve Board of Governors. He pointed out that if interest rates return to their 20-year average, it would add \$4.9 trillion in additional borrowing costs over the next decade. So everything we are talking about here in this debate about the debt limit in terms of reducing spending really pales in comparison to just a normalization of interest rates.

If we saw interest rates go back to what is a 20-year average, we would see an additional \$4.9 trillion that we would have to spend to finance our debt. That is a staggering statistic. Again, I think it speaks to the need for us to get our spending under control because the amount we borrow, as it continues to ratchet up, and we continue to get further in debt, the likelihood is that our interest rates are going to go up in a corresponding manner, and we will end up spending more and more on higher interest.

I think the real issue is whether we as a nation are going to make a conscious decision that the way we resolve this debt crisis is either on the spending side or on the revenue side. We heard our colleagues on the other side—and we heard the President—say we need more revenue. In fact, I have not been in on the discussions occurring at the White House, but it is my understanding that one of the latest proposals on the table was a \$1.6 trillion increase in taxes. In other words, they want to add \$1.6 trillion in additional tax revenues in order to get some amount of spending reduction.

We have seen this picture before. We can go back to the 1990 budget deal that President Bush made with the

Congress at the time which was supposed to have 2-to-1 spending cuts to tax increases. The tax increases occurred; the spending cuts didn't. That is our history. That is why making a deal that involves massive increases in taxes on our economy, on our small businesses, when we have 9.2 percent unemployment is a bad idea when the problem we are trying to fix is fundamentally a spending problem. It would be one thing if we were spending at a historical rate. If we were spending at a rate that is 20 percent of our total economy, the 40-year average, that would be different. We are spending more than 24 percent. This is fundamentally a spending problem that cannot be solved on the revenue side.

The only thing that increasing taxes would do is make it harder, more expensive, and more difficult for small businesses to create jobs. That is precisely what we want small businesses to think about doing. Instead, 64 percent of them are saying that this next year they are not going to add to the payroll, create jobs. Why? Because of economic uncertainty. We need to create some certainty out there. We need them to know that tax rates will stay at a low level—taxes on investments and income. We need them to know we are committed to cutting spending and getting the Federal debt under control. We need them to know we are not going to add massively to the cost of doing business in this country by dramatically increasing the number of Federal regulations with which they have to comply.

I hear that everywhere I go, whether it is a farmer, rancher, or small business owner—everywhere. In a meeting I had with some small business owners, they said the regulations are making it increasingly costly and more difficult for them to create jobs. So if we get into the final days of this debate and these decisions have to be made, I would say that the President needs to recognize that this is not a revenue issue; this is a spending issue, and he needs to step up and provide leadership and a pathway for how we get our fiscal house in order—not by increasing taxes on the job creators in our economy, our small businesses but, rather, by getting Federal spending under control.

I think we would have an incredibly warm and favorable reception from both the House and the Senate, who are prepared to do business when it comes to reducing spending and making government smaller, not bigger, dealing with this long-term structural problem that we have of a runaway debt that is growing literally by the year at the tune of about \$1 trillion annually.

If we don't do this, as I said before, we are looking at a future that will resemble many countries in Europe. We don't want to be a country that defaults on our debt. We obviously need to address this issue of the debt limit. We need to do it in a responsible way that holds us accountable to the Amer-

ican people who spoke loudly and clearly in the last election indicating that they believe government has gotten too big and is growing too fast. They want the government reined in.

The way we do that is to rein in Federal spending. That involves not just the discretionary spending I mentioned earlier, which has grown at 24 percent in the last 2 years, but the long-term structural challenges that we face in entitlement programs—Medicare and Social Security.

Republicans in the Congress are willing to lead on those issues and are willing to step forward and put forward a plan. The only plan put forward so far has come from the House Republicans, and it has been criticized by a lot of Democrats in the House and Senate and also by the White House. We have yet to see a plan from the other side. It has been 806 days, and we haven't had a budget presented by the Democratic majority in the Senate, nor has the President come forward with a plan that actually does something to reduce spending and debt.

The President did submit a budget proposal earlier this year which dramatically would have increased spending and doubled the debt over the next decade and dramatically increased taxes. That is the wrong message to have received.

The message the people of this country are sending is that we want Washington to focus on the spending side. We want a smaller Federal Government, not a larger Federal Government. We want the Federal Government to do what we have to do—American families and small businesses—and that is to live within its means.

I hope this debt debate, as it comes to a conclusion, will come to a good outcome and result for the people of this country. We don't want to have this country in a situation where we are not making payments, where we are defaulting on our debt. But we cannot just continue this pattern of raising the borrowing authority of this country, adding to the Federal debt, without doing something to get that debt under control, without doing something to reduce the amount this Federal Government spends every single year. Spending at 24 to 25 percent of our entire economy is a trend that cannot be continued and cannot be sustained. We need to get back to more of a historical average, where the American people want us to be.

The reason the American people reacted the way they did in the last election is they saw this government growing at a rate that made them very uncomfortable and frightened. That continues to this day because there is uncertainty about the country's future and an instability that exists today.

I heard from some business owners this morning. They want stability, some certainty about what the rules are going to be. More importantly, it starts by having a Federal Government that lives within its means and doesn't

spend money that it doesn't have and that focuses intently on getting spending and debt under control and creating favorable conditions for economic growth and job creation.

That doesn't happen by raising government revenues, raising taxes; that happens by the Federal Government exercising fiscal responsibility, reducing spending, reducing debt, and keeping taxes low on our job creators so that we can get people in this country back to work. That is the correct prescription for this country. It is a prescription I hope the President will embrace.

I can say that the Republicans in the Senate—and I daresay the Republicans in the House of Representatives as well—are prepared to meet him in working together on that challenge of reducing spending and debt and creating conditions favorable to economic growth and job creation and getting American people back to work.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RUBIO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUBIO. Mr. President, I ask unanimous consent to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUBIO. Mr. President, I stand here today having spent some time over the last few days thinking about this dispute regarding the debt limit, as we are hearing from our constituents across the country who are looking at Washington and asking: What is going on? What are you guys doing?

It is a difficult process for people to understand. They elect us and send us here to serve our country and to solve problems. Yet they read in the newspapers all these startling statements—the President saying a few days ago he can't guarantee Social Security payments, others saying our bond rating might be at risk. And, of course, the reality of daily life is that, more than ever, Americans are finding it difficult to find a job, and the ones who do are working twice as hard and making less.

So things have gotten tougher over the last couple of years, unfortunately, and people have a right to be upset with the direction we are heading. And that was one of the reasons I felt compelled to run for the Senate—to come up here and be part of trying to make a difference, be part of putting this country on a track that helps us to embrace all the things that make us exceptional and unique and continue to make us exceptional and unique.

When I look at this dispute, I see two things that are very clear. No. 1, we can't continue to do what we are doing now, and anyone who argues we can is

not being realistic and is doing a great disservice to the future of our country. It is this simple: You can't have a government that spends \$1.5 trillion more than it takes in every single year. You can't have a government that borrows 40 cents out of every dollar it spends.

Look what happened yesterday. Greece was downgraded. They are on the verge of being in default. Not Greece—I apologize. It was Ireland. Why is that happening in Europe? Why are these countries in trouble? It is not because they refuse to raise their debt limit; it is because people don't think they can pay back the money anymore. The people who lend the money, the people who sell the debt, they are saying: We don't know how you are going to pay us back. Your economy doesn't produce enough money. You have no plan to bring spending under control. We have lost confidence in you.

That is the message being sent to Europe today, and if we keep doing what we are doing now, that is the message that will be sent here to America very soon. The impact that will have not just on our country but on the world is, quite frankly, devastating. That is what we are facing.

The fundamental problem is twofold: We have a government that spends too much money—more money than it takes in—and we have a government that doesn't take in enough money to pay its debts because its economy is not growing. That is why I have argued from the days on the campaign trail to when I got elected that the way out of this problem is a two-pronged approach. You have to do them both.

You have to cut spending. We have to have spending cuts and spending discipline. It doesn't all have to happen overnight, but we have to stop spending \$1.5 trillion a year of money we do not have. We cannot continue to do that.

That is why I support the cut, cap, and balance plan, because it says we are going to begin to cut spending this year in a real way, we are going to cap the ability of government to continue to grow its spending in future years, and we are going to give the States the right to ratify a balanced budget amendment for our country that basically says: You cannot spend more money than you take in. States balance their budgets, businesses have to balance their budgets, families have to balance their budgets. If this Federal Government doesn't begin to balance its budget sometime in the near future, we may cross a line that is irreversible and puts us in a place similar to what we are seeing in Europe today.

So on the spending side, it has to happen. Again, to people who pretend we can do it overnight, I say: Of course not. It took a long time to get into this predicament, and it will take a while to get out, but we have to start trending in the right direction. It is critically important that some sort of spending discipline plan be put in place.

Look, I know this is a political place. The debate is always framed by politics. I, like everyone else here, fully participate in the political banter. But today, for a moment, I want to step back from that and just say this. Ultimately, I want to see a solution to the spending plan. I will welcome that solution whether it comes from the White House, from the minority leader, or from the majority leader. I just want someone to step up and offer a plan that begins to bring spending discipline under control. I know I have endorsed one. It is called the cut, cap, and balance plan. If there is a better way to do it, offer it now. What are you waiting for? Now is the time to offer it. If someone in this building has a better way to bring spending under control, now is the time to offer it. Don't negotiate in the shadows. All these negotiations going on we are hearing about in the press—where is the plan? Where is the document that tells us and shows us how we can bring spending under control? Now is the time to show it. Now is the time to do it. What are you waiting for?

That is on the spending side. Spending cuts are important. They are essential. We cannot do it without fiscal spending discipline, but that is not enough. We also have to grow. We have to grow. That is where the crux of this debate has really gotten to. You hear in the press that this fight is because certain people don't want to raise taxes on certain people. That is really not what this issue is about. I think everyone agrees that we need growth, that government needs growth in its revenue so it has a way to pay down this debt. The debate is about from where this revenue comes.

Some argue: Well, the way you get more money for government is to raise taxes on people—raise taxes on very rich people. I have two problems with that, and neither one is ideological.

The first problem is it doesn't work. You can't possibly raise taxes high enough to collect enough money to make a difference on the debt. I looked at some of the tax increases the President and others have proposed. It adds up to less than 10 days of deficit spending. Even if you raise the taxes on what they define as rich to 100 percent next year, it is still not enough money to pay for just 1 year's deficit. So tax increases don't work because they don't work. They do not generate enough money to do anything.

The second reason I can't support tax increases is because it will kill jobs. And while this debt is a huge issue—it is very important—the jobs issue is even more important. The No. 1 issue in Washington is the debt—rightfully so because it is a huge, enormous, generational issue—but unemployment is the No. 1 issue in America. We are talking about people who have worked hard their entire lives, who went to school and did everything that was asked of them, and now they go out into the job market and they can't find

a job. It is especially astonishing among young people—25, 30 years of age—who went to college and got their degrees and now they can't find a job, certainly not in the areas they studied.

We have to get that turned around. Every other problem we face in our country—the housing crisis and all these other problems—becomes easier to deal with if you have more people working, people making money, paying taxes, and spending money in our economy. So unemployment is what we have to get at, and we are not going to create jobs by tax increases. If someone in this building, if someone in Washington has a tax increase that creates jobs, I invite them to offer it. We are all ears. If someone in Washington has a tax increase that helps create jobs, right now is the time to offer it. I would submit we will not find one because there are no tax increases that will create jobs. If you don't create jobs and you don't grow this economy, there is no way out of this debt. You can't cut your way out of it, and you certainly can't tax your way out of it.

Does that mean we don't do anything about taxes, as I hear some commentators in the press saying? Of course not. Our Tax Code is broken. There are a bunch of things in the Tax Code that do not belong there, and I think there is bipartisan support—whether the media tries to ignore it or not—in the Senate, in the House, in Washington for tax reform.

Tax reform we can get done. Tax reform means we are going to look at the Tax Code, and if there are things in the Tax Code that are there because somebody hired a lobbyist and got it put in the Tax Code but it is not really good policy, it shouldn't be in there. And if we find enough of those unfair things in the Tax Code, then we can lower everybody's rates. We can make the rates flat, we can make the Tax Code simpler and easier to comply with, and that is what we should aim for because that is what job creators tell us.

I swear to you, I have never met a job creator who told me they are looking for a State with high taxes and burdensome regulations. I have never met one. There may be one, but I invite anyone here in Washington, DC, to produce for us a job creator—a company or an individual—who says that what they are looking for is to open a business someplace where the taxes are high and difficult to understand and the regulations are expensive to comply with. And that is what we have in America. You want to know why jobs aren't being created. Because that is what we have in America. So if someone knows of a job creator anywhere in the world who is looking for a high, complex tax environment or looking for a high regulatory environment, I would like to meet them because I have yet to meet a job creator who is looking for that, and that is what we have.

I will submit to you that there is bipartisan support for the idea of tax reform, of simplifying our Tax Code and

making it easier to comply with, of—if we do it the right way—lowering everybody's tax rates so that people have more money in their pockets to spend into the economy and grow their business or to start a new business because that is how jobs are created.

I know all of us would like to think that Senators and Presidents create jobs but not outside this building they do not. Jobs are created when everyday people from all walks of life decide, you know what, today I am going to open a business and operate from the spare bedroom of my home or out of the garage or when somebody has an existing business and decides: I want to grow this business, so I am going to hire a couple more people because I have a belief this business can do better.

We need to get people excited about doing that again, and we are not going to get them excited about doing that again if our taxes and our regulations are out of control. So let's begin to focus with regard to this debt limit on some of the things that there has to be agreement on, and there are two things: We must control our spending, and we must put a plan in place that shows the world how America will bring its spending under control, and we have to do something to grow our economy.

Ask any job creator in the real world, What are you looking for to grow and create jobs? They will tell you, We are looking for confidence. And we get confidence from knowing that regulations are predictable and easy to comply with, and the Tax Code is predictable, affordable, and easy to comply with.

I submit that if we focused on that and not all the other noise that goes on in the back and forth of this place, we can actually start moving toward a solution.

The last point I would make is the word "compromise" is a very popular word around here, and there is nothing wrong with compromise, so long as the compromise also happens to be a solution. Because if your compromise doesn't solve the problem, you have created a new problem.

There is nothing wrong with compromise. Maybe your ideas of tax reform are different than my ideas of tax reform, but ultimately we have to solve the broken Tax Code. So compromise is not a dirty word, unless the compromise makes it worse, not better. Too often in politics compromise leads to things that make things worse, not better. If you raise taxes in this economy, with 9 percent unemployment, you are going to make things worse, not better.

I hope we will rally in a bipartisan fashion around the concept of tax reform, of creating a Tax Code in America that encourages people to create jobs here once again, because if we can solve the jobs issue, if we can begin to solve the unemployment issue, all these other issues we face as a nation become easier to face.

Mr. President, I thank you for your attention 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. CARDIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BROWN of Ohio). Without objection, it is so ordered.

Mr. CARDIN. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### BUDGET NEGOTIATIONS

Mr. CARDIN. Mr. President, we are getting dangerously close to the August 2 deadline. The August 2 deadline is the deadline for America to increase its debt limit or to face default on our obligations. We need to come together. We need to increase the debt limit, and this is an opportunity for us also to manage our debt.

We have been talking about this for a while, and I understand—and I think my colleagues understand—the responsible thing for us to do is to use this opportunity to increase the debt limit to also craft a game plan to manage our national debt and our spending. We need to have a credible plan. Our debt is not sustainable. We cannot continue along this path. We understand that. We have to have a credible plan to manage our deficit. Well, quite frankly, the Democrats have come up with these plans.

The proposal offered by Senator CONRAD, the chairman of the Budget Committee—and supported by all the Democrats on the Budget Committee, and I am proud to be a member of that committee—brings forward a credible proposal that has all the elements of our budget on the table. It reduces government spending. It deals with protecting the priorities that are important for America's growth. It invests in education. It invests in innovation and in infrastructure so we can create the jobs necessary for America's prosperity. That is what that budget does. It brings about more deficit reduction than the Republican budget, bringing our debt under control.

We understand we need a bipartisan budget. It is not going to be just what the Democrats want. That is what the political process is all about. Midterm elections: The House is controlled by Republicans. The Senate has a Democratic majority. We have to come together.

What many of us have said in this body is let's use the bipartisan Bowles-Simpson proposal as a starting point. That has all the elements on the table, including mandatory spending and including doing a better job on revenues. It is a bipartisan proposal. Democrats have said we are willing to work and come out with what we call the grand

deal—the deal that will manage our debt and all elements of the Federal budget will be on the table as we talk about that.

But there is one option that should not be on the table, and that option is to allow August 2 to pass without increasing the debt limit; in other words, to permit America to default on its obligations. That is one option that cannot be on the table. Quite frankly, what concerns me is there seems to be a growing number of Republicans who say that is an option; that is OK; it will be all right for us to pass August 2 without increasing the debt limit.

Let me quote, if I might, from David Brooks, the conservative columnist, who said:

... the Republican Party may no longer be a normal party. Over the past few years, it has been infected by a faction that is more of a psychological protest than a practical, governing alternative. The members of this movement do not accept the logic of compromise, no matter how sweet the terms. If you ask them to raise taxes by an inch in order to cut government by a foot, they will say no. If you ask them to raise taxes by an inch to cut government by a yard, they will still say no.

The members of this movement do not accept the legitimacy of scholars or intellectual authorities. A thousand impartial experts may tell them that a default on the debt would have calamitous effects, far worse than raising revenues a bit. But the members of this movement refuse to believe it.

I know the majority leader in the House of Representatives, Mr. CANTOR, tells us there is no compromise that can pass at the present time in the House of Representatives. I don't accept that. I think Democrats and Republicans working together in the House can pass a grand deal under the parameters that have been talked about at the White House. But what Mr. CANTOR needs to do is work with the Democrats as well as the Republicans in the House of Representatives. We have to come together, Democrats and Republicans.

The one part of the option that should not be on the table is to allow us to pass August 2 without raising the debt limit. Let me talk about the consequences. I have said I believe they are catastrophic consequences, and I do believe that. We know it is likely—almost certain—that the rating houses will downgrade America's currency from the most secure currency in the world. We would be downgraded. We run a real risk as to whether the dollar will continue to be the global currency. Right now, many international transactions are related in dollars. We know that as it relates to energy. All of a sudden, on August 3, we run the risk that the American dollar will no longer be the global currency, having a major impact on the U.S. economy.

J.P. Morgan tells us we could expect an immediate increase in interest costs of 75 to 100 basis points. What does that mean? Well, for the taxpayers of this country, it means it is going to cost

more money for us to pay for our borrowing. That will raise the cost of interest payments which I would suggest is a not very productive use of taxpayer dollars, causing taxpayers to have to pay more for our borrowing. But it goes well beyond the Federal taxpayers. It affects every family in America. The estimates are that the effect of the increase in U.S. obligations on interest rates will have an effect on all borrowing. So if a person is buying a home, they can expect the interest costs will increase by about \$1,000 a year. If a person is a credit card holder, they can expect their interest rates to go up about \$250 a year. That is the effect it is going to have on every American family if we pass August 2 without increasing our debt limit.

If a person has money in the stock market, they can expect there will be a reduction in the value of their wealth. We saw that happen once before when retirement account values slipped dramatically. We are at risk of having that happen again if we pass August 2 without increasing the debt limit.

The impact it will have on our economy, on jobs—we expect it will clearly have a negative impact on our job market. We will lose jobs and we very well may go back into a recession. That is why this is catastrophic if we don't deal with the debt limit in a mature way.

Let me cite the numbers. In the month of August, we expect we are going to have about \$172 billion of revenue coming into our Treasury, but we are going to have \$360 billion of bills coming in—spending we have already incurred that we have to pay for. There are those who say we can pick which bills we want to pay and let the others go. They say we will have some winners and losers. Well, I think we will have all losers, because we can't pick winners and losers.

There are some who say, well, obviously, we will pay interest on the national debt. OK, we will pay that. How about Social Security, and how long can we pay Social Security? If we don't pay Social Security, what happens to those on fixed incomes or, if we reduce the Social Security payments, how does someone who has planned their monthly budget manage with getting, say, 40 percent less of their Social Security in August? How do they handle their obligations?

Then what do we do about Medicare? Do we continue to pay Medicare at 100 percent? Well, I assume we are going to run out of money.

What do we do about our military, our soldiers, who we all say we want to support? Do we continue their salaries or do we reduce their amounts by, say, 40 percent? If we pay all of those, there is no money left over to pay veterans' benefits. What happens to our veterans who are depending on their checks to be able to meet their obligations?

Then what do we tell our students who are preparing to go to school in the fall about their Pell grants, that

their Pell grants aren't going to be available and maybe they can't go to school in the fall? They have to make plans right now.

What do we do about small business owners who are depending upon their contracts with the Federal Government in order to make their payroll? Is their money going to be coming in on August 3? We can't pay those bills unless we raise the debt limit. It has nothing to do with increased obligations of this country; we are talking about spending we have already incurred, that has already been obligated, and now the people who are entitled to the money are asking for their checks. What do we do on August 3?

I don't believe we have a choice. I think we must increase the debt limit. I don't think it is an option not to. No responsible legislator would consider that to be an option.

Yes, let's use that opportunity to manage our deficit. I still hold out hope we can get this grand deal. It has to be fair. It has to be balanced. It has to allow America to grow and it has to allow us to create more jobs. It has to invest in education and innovation and infrastructure so America can compete. We know we can get that done if we use a balanced approach: Reduce government spending at all levels, including the military, as we bring our troops home from Afghanistan. Yes, we need to look at the money we spend through our Tax Code. We have talked about this over and over. We need to have a balanced approach, a credible approach, to manage our debt. That should be our first option. But under no circumstances should we allow America to default on its obligations, causing harm to every American family.

I urge my colleagues to put the national interests first and to take off the table the default on our debt. Take that off the table. Let's put the national interests first and work together to bring about a credible plan to manage our national debt.

With that, 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. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. MCCASKILL). Without objection, it is so ordered.

#### UNANIMOUS CONSENT AGREEMENT—H.R. 2055

Mr. DURBIN. Madam President, I ask unanimous consent that at 1:20 p.m., the Senate proceed to the consideration of H.R. 2055, the Military Construction, Veterans Affairs and Related Agencies appropriations bill; further that following the opening remarks of the two managers of the bill, Senator SESSIONS be recognized to raise a 303(c)

Budget Act point of order; that Senator JOHNSON be recognized to waive the applicable portion of the Budget Act; that there be 4 hours of debate, equally divided, between Senators JOHNSON and SESSIONS or their designees prior to a vote on cloture on the motion to waive; provided further, that if cloture is invoked, the Senate immediately proceed to a vote on the motion to waive, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### U.S. CREDIT RATING

Mr. DURBIN. Madam President, this morning's Wall Street Journal has a headline which I hope America will pay close attention to: "Raters put U.S. on notice." The United States of America has a credit rating, much as we do as individuals, businesses, and families. The credit rating of the United States is AAA, the very best.

What does it mean? It means two things. First, that those who do business with America think it is the best place to do business—the most reliable economy, the rule of law, transparency. It says good things about America. It translates into the lowest interest rates charged when America borrows money. That is a good thing because we borrow a lot of money.

This AAA rating, of course, is something that is not guaranteed. You have to work for it. Countries around the world now, particularly in Europe, are struggling and failing economically, some in worse shape than others. In the Irish Times yesterday they referred to what they called the "PIGS". I had never seen that term before. It refers to Portugal, Ireland, Greece, and Spain. They said this week Italy was joining the PIGS, the seventh largest economy in the world, roiling in euro debt, being called on to transform and change their economies and their government to deal with their national debt.

It is a tough time in the European Union, and the jury is still out about any one of those countries and how this will end. The United States is not in that situation, thank goodness. Our economy has its problems. We know that: 9.2 percent of our workforce is unemployed, a situation where many small businesses are still struggling, where families struggle, many of them paycheck to paycheck, to get by. But still, the fact that we have to guard our borders to keep people from coming here is an indication of what America's promise means to the rest of the world.

This notice from the rating agencies that now we are on a watch, a credit watch, as to whether our AAA credit rating in America should be diminished

is serious. Secretary of Treasury Tim Geithner meets with us when we go down to the White House to talk about the current negotiation over the debt ceiling. What he told us yesterday was that this rating is the product of two things: First, there is no clear path available to indicate that Congress is able to extend the debt ceiling of the United States on August 2; and, secondly, there is no clear indication that Congress and the President are working together to deal with our national deficit. Because of that, Secretary Geithner said this rating has come out, and that is the reality of what we face.

First, a word about the debt ceiling. What is it? Most people do not know, and it is understandable because it does not get much attention, although it has been around a long time. The debt ceiling was created in 1939. It was created because Congress decided they did not want to vote every time we issued a national bond or some other note. We would rather give our Department of Treasury the authority to issue debt obligations up to a certain dollar level. As the debt of the United States increased and the need to borrow increased, that level increased as well. Between 1993 and today, we have extended the debt ceiling in America 89 times, 55 times under Republican Presidents, 34 times under Democratic Presidents, and virtually without notice. Who is the No. 1 President in the history of the United States to extend the debt ceiling and to increase America's debt? Ronald Reagan, far and away. He did it 18 times, and during the course of his 8 years in office, raised the national debt ceiling by 199 percent.

Then you go to the next President, who raised it 90 percent in debt, President George W. Bush. So it is a bipartisan undertaking. What it means is that when needed, the Congress of the United States authorizes the President to borrow the money necessary to cover what we have spent in appropriations from Congress, in our entitlement and mandatory programs—Social Security, Medicare, and the like—we have to borrow money.

In fact, we borrow 40 cents for every \$1 we spend in Washington for everything—40 cents for every \$1. So we are looking to the people to loan us money on a regular basis. The No. 1 one creditor of the United States, among countries, is China—ironic—our No. 1 creditor, our No. 1 competitor. An interesting relationship.

The debt ceiling comes due August 2. As it has been routinely extended time and time again, this time is different. The House Republican leadership has said: We refuse to vote to extend the debt ceiling of the United States unless we see deficit reduction. What would happen if we did not extend the debt ceiling?

What would happen if you did not make your mortgage payment? I think I would know what would happen to Loretta and me in Springfield, IL. We

might hear from our bank, and our bank might say: Mr. DURBIN, you know, the month of July has come and gone and you did not pay your mortgage on your home in Springfield. What is up?

If you said: I am just not going to pay it this month, they would say: That is not what you signed up for. You signed up to meet your obligation. So if you do not pay it, you face foreclosure.

But in the meantime, what have you done, what my family would have done under those circumstances, is to jeopardize our credit rating. The next time my family would want to borrow money for a home, the bank would say: I am not sure you are such a good risk. You have missed your mortgage payment or, if they loaned us money, it would be at a higher interest rate.

That is the reality of what happens if you do not extend the debt ceiling. This situation when it comes to America is grave. It is not just about America paying a higher interest rate to borrow money, it is about the interest rate across our country being affected. Down at the Federal Reserve, Ben Bernanke and the Federal Reserve Board of Governors are doing everything in their power to keep interest rates low because we want businesses to expand, to be profitable, and to hire people.

When interest rate costs go up, businesses find it more expensive to borrow and borrow less. Individual families find it more difficult to buy the car, the home, the appliances they might need. So with interest rates going up as a result of our failure to extend the debt ceiling, we are doing exactly the opposite of what the American economy needs today. That is why it is so serious. In fact, it could be catastrophic. In a few minutes, we are going to hear from Treasury Secretary Tim Geithner, who is going to come before us and talk about the impact of failure to extend the debt ceiling.

What we are doing in the White House today is negotiating with leaders of Congress, Democrats and Republicans, and the President to extend the debt ceiling because many of us believe it would be disastrous. If we would default on our debt, we call into question the full faith and credit of the United States of America. At the end of the day, we would find ourselves with a self-inflicted wound to the American economy: raising interest rates and making it more difficult to come out of this recession.

We are trying to reach an agreement, and it has been hard going. We have had five face-to-face meetings in the White House so far. Yesterday's was reported in the news as contentious, and it was. The President has said he believes our first obligation is to get the American economy back on track and Americans back to work. We should not do anything in the course of our business that would make that more difficult. I could not agree with him more.

The highest priority in America is putting Americans back to work in good-paying jobs right here at home. The highest priority in America is allowing small businesses to expand, to do more business, and hire more people. That is what we ought to be about. If we fail to extend the debt ceiling, it makes it more difficult to reach those goals.

I listened as Presidential candidates of the other party in Iowa say: It does not matter. Default on the debt. Let's see what happens. That is the most—let me think of a good word here—naive comment on our economy I can imagine. The people who are making it have no business aspiring to the highest office in the land. We need to accept this responsibility and deal with this debt ceiling honestly. We need to extend it so there is no question about the credit rating—the full faith and credit of the United States of America.

Secondly, we need to get serious about this deficit. I know the occupant of the chair has strong personal feelings about this. She has introduced legislation dealing with this deficit and how we can cope with it in the Senate and in the House. I have been part of the President's deficit commission. I have been engaged with colleagues of both political parties on how to take it further. Our goal is, very simply stated, I believe and those who are engaged in these conversations believe we can reduce the debt of the United States by up to \$4 trillion over the next 10 years. We can do it in a sensible, thoughtful way, with shared sacrifice across America.

We need to put everything—and I underline the word “everything”—on the table. Spending programs are the start. We should go to them and root out what we consider to be wasteful, unnecessary, fraudulent, and abusive practices in our spending, whether it is in the Department of Defense or any other agency of government.

When the Department of Defense came before the Bowles-Simpson commission, we asked them how many private contractors work for the Department of Defense.

Their answer: We have no idea.

We said: Give us a range.

They said: The range is somewhere between 1 million and 9 million people working for the Department of Defense—maybe.

That is unacceptable. We can do better. Our brave men and women in uniform deserve better, and so do the American taxpayers.

We must put all spending on the table, reducing spending where we can, where we must, to move toward \$4 trillion in deficit reduction. Then we need to put entitlement programs on the table. This is where many Democrats get nervous because you are talking about things that mean a lot to us—Social Security, Medicare, and Medicaid, for example. I am as committed to those programs as any Member of the Senate. I believe we can protect the

basic benefits under those programs and still find ways to make them stronger and longer.

Social Security, untouched, will make every promised payment, with cost-of-living adjustments, for the next 25 years. You can't say that about much in Washington. You can't say that about any program other than Social Security. We can do better by making minor, small changes in Social Security today and putting the savings back into Social Security, and then we can say it will last 75 years, which means everybody going into the workplace, starting their work career in America, will know they can count on Social Security to be there when they need it. That is an attainable goal, and if we face it honestly, we can do it.

When I was elected in 1982 and came to office in 1983, we were facing bankruptcy in Social Security. We came together with a bipartisan approach and passed it. We bought literally 52 years of solvency for Social Security, and not a single Member lost the next election because we did it in a bipartisan fashion, determined to make Social Security stronger. We can do it again.

Medicare—same story. Medicare, of course, provides health care for the elderly and disabled in America. It is extremely expensive because health care costs keep going up. Are there ways to reduce the costs of Medicare so that the people who are deserving of care—seniors and the disabled—will have it available to them?

On January 1 of this year, 9,000 Americans turned the age of 65; on January 2, another 9,000; and then every day since—every day for the next 19 years. The boomers have arrived. They have paid into Medicare and Social Security their entire lives, and they expect America to keep its promise. And we will. But we can look at Medicare and find ways to make that program more cost-efficient. There are certainly ways that are obvious.

Under the Medicare prescription drug program, we currently don't have a Medicare option. All we have is private health insurance company options. Let Medicare bargain with pharmaceutical companies to buy in bulk and bring down the cost of drugs for seniors, thus reducing their out-of-pocket costs and our costs as taxpayers. The pharmaceutical industry hates that the way the Devil hates holy water. The fact is that when you put Medicare in there, like the Veterans' Administration is in there, it can make a difference.

We need to include spending, entitlements, and revenue. I hope we can do it on a bipartisan basis.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 2055, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, namely:*

##### TITLE I

##### DEPARTMENT OF DEFENSE MILITARY CONSTRUCTION, ARMY

*For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$3,066,891,000, to remain available until September 30, 2016: Provided, That of this amount, not to exceed \$255,241,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

##### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

*For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$2,187,622,000, to remain available until September 30, 2016: Provided, That of this amount, not to exceed \$84,362,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

##### MILITARY CONSTRUCTION, AIR FORCE

*For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$1,227,058,000, to remain available until September 30, 2016: Provided, That of this amount, not to exceed \$81,913,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

##### MILITARY CONSTRUCTION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

*For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$3,380,917,000, to remain available until September 30, 2016: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed \$439,602,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the amount appropriated, notwithstanding any other provision of law, \$24,118,000 shall be available for payments to the North Atlantic Treaty Organization for the planning, design, and construction of a new North Atlantic Treaty Organization headquarters.*

##### MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

*For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$773,592,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$20,671,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

##### MILITARY CONSTRUCTION, AIR NATIONAL GUARD

*For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$116,246,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$9,000,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

##### MILITARY CONSTRUCTION, ARMY RESERVE

*For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$280,549,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$28,924,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both*

Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, NAVY RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$26,299,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$2,591,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, AIR FORCE RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$33,620,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$2,200,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**NORTH ATLANTIC TREATY ORGANIZATION  
SECURITY INVESTMENT PROGRAM**

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, \$272,611,000, to remain available until expended.

**FAMILY HOUSING CONSTRUCTION, ARMY**

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$186,897,000, to remain available until September 30, 2016.

**FAMILY HOUSING OPERATION AND MAINTENANCE,  
ARMY**

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$494,858,000.

**FAMILY HOUSING CONSTRUCTION, NAVY AND  
MARINE CORPS**

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$100,972,000, to remain available until September 30, 2016.

**FAMILY HOUSING OPERATION AND MAINTENANCE,  
NAVY AND MARINE CORPS**

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$367,863,000.

**FAMILY HOUSING CONSTRUCTION, AIR FORCE**

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension,

and alteration, as authorized by law, \$84,804,000, to remain available until September 30, 2016.

**FAMILY HOUSING OPERATION AND MAINTENANCE,  
AIR FORCE**

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$404,761,000.

**FAMILY HOUSING OPERATION AND MAINTENANCE,  
DEFENSE-WIDE**

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$50,723,000.

**DEPARTMENT OF DEFENSE FAMILY HOUSING  
IMPROVEMENT FUND**

For the Department of Defense Family Housing Improvement Fund, \$2,184,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

**HOMEOWNERS ASSISTANCE FUND**

For the Homeowners Assistance Fund established by section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966, (42 U.S.C. 3374), as amended by section 1001 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 194), \$1,284,000, to remain available until expended.

**CHEMICAL DEMILITARIZATION CONSTRUCTION,  
DEFENSE-WIDE**

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, \$75,312,000, to remain available until September 30, 2016, which shall be only for the Assembled Chemical Weapons Alternatives program.

**DEPARTMENT OF DEFENSE BASE CLOSURE  
ACCOUNT 1990**

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$323,543,000, to remain available until expended.

**DEPARTMENT OF DEFENSE BASE CLOSURE  
ACCOUNT 2005**

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$258,776,000, to remain available until expended: Provided, That the Department of Defense shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to obligating an amount for a construction project that exceeds or reduces the amount identified for that project in the most recently submitted budget request for this account by 20 percent or \$2,000,000, whichever is less: Provided further, That the previous proviso shall not apply to projects costing less than \$5,000,000, except for those projects not previously identified in any budget submission for this account and exceeding the minor construction threshold under section 2805 of title 10, United States Code.

**ADMINISTRATIVE PROVISIONS**

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the

Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except:

- (1) where there is a determination of value by a Federal court;
- (2) purchases negotiated by the Attorney General or the designee of the Attorney General;
- (3) where the estimated value is less than \$25,000; or
- (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to:

- (1) acquire land;
- (2) provide for site preparation; or
- (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.



SEC. 113. The Secretary of Defense is to inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project:

(1) are obligated from funds available for military construction projects; and

(2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883, of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to:

(1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or

(2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative

means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

SEC. 120. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the Committees on Appropriations of both Houses of Congress the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(INCLUDING TRANSFER OF FUNDS)

SEC. 121. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 122. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than \$35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 123. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

SEC. 124. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under the Defense Base Closure and Realignment

Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of cancelling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: Provided, That the Secretary of Defense shall notify the congressional defense committees within seven days of a decision to carry out such a military construction project.

(INCLUDING TRANSFER OF FUNDS)

SEC. 125. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 126. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14–R, Volume 3, Chapter 7, of February 2009, as in effect on the date of enactment of this Act.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, \$58,067,319,000, to remain available until expended: Provided, That not to exceed \$32,187,000 of the amount appropriated under this heading shall be reimbursed to "General operating expenses, Veterans Benefits Administration", "Medical support and compliance", and "Information technology systems"

for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the "Compensation and pensions" appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical care collections fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

#### READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 51, 53, 55, and 61 of title 38, United States Code, \$11,011,086,000, to remain available until expended: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

#### VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by title 38, United States Code, chapters 19 and 21, \$100,252,000, to remain available until expended.

#### VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That during fiscal year 2012, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$154,698,000.

#### VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$19,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$3,019,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$343,000, which may be paid to the appropriation for "General operating expenses, Veterans Benefits Administration".

#### NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$1,116,000.

#### VETERANS HEALTH ADMINISTRATION MEDICAL SERVICES

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, food services, and salaries and expenses of health care employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, as-

sistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, and loan repayments authorized by section 604 of Public Law 111-163; \$41,354,000,000, plus reimbursements, shall become available on October 1, 2012, and shall remain available until September 30, 2013: Provided, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

#### MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.); \$5,746,000,000, plus reimbursements, shall become available on October 1, 2012, and shall remain available until September 30, 2013.

#### MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, \$5,441,000,000, plus reimbursements, shall become available on October 1, 2012, and shall remain available until September 30, 2013.

#### MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, \$581,000,000, plus reimbursements, shall remain available until September 30, 2013.

#### NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemetery expenses as authorized by law; purchase of one passenger motor vehicle for use in cemetery operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, \$250,934,000, of which not to exceed \$25,100,000 shall remain available until September 30, 2013.

#### DEPARTMENTAL ADMINISTRATION GENERAL ADMINISTRATION (INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-Wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, \$431,257,000, of which not to exceed \$21,562,000 shall remain available until September 30, 2013: Provided, That \$15,000,000 shall be to increase the Department's acquisition workforce capacity and capabilities and may be transferred by the Secretary to any other account in the Department to carry out the purposes provided therein: Provided further, That funds provided under this heading may be transferred to "General operating expenses, Veterans Benefits Administration".

#### GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, and reimbursement of the Department of Defense for the cost of overseas employee mail, \$2,018,764,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That of the funds made available under this heading, not to exceed \$105,000,000 shall remain available until September 20, 2013: Provided further, That from the funds made available under this heading, the Veterans Benefits Administration may purchase (on a one-for-one replacement basis only) up to two passenger motor vehicles for use in operations of that Administration in Manila, Philippines.

#### INFORMATION TECHNOLOGY SYSTEMS

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, \$3,161,376,000, plus reimbursements: Provided, That \$915,000,000 shall be for pay and associated costs, of which not to exceed \$25,000,000 shall remain available until September 30, 2013: Provided further, That \$1,709,953,000 shall be for operations and maintenance as designated in the President's 2012 budget justification, of which not to exceed \$110,000,000 shall remain available until September 30, 2013: Provided further, That \$536,423,000 shall be for information technology systems development, modernization, and enhancement as designated in the President's 2012 budget justification, and shall remain available until September 30, 2013: Provided further, That none of the funds made available under this heading may be obligated until the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that:

- (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget;
- (2) complies with the Department of Veterans Affairs enterprise architecture;
- (3) conforms with an established enterprise life cycle methodology; and

(4) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government: Provided further, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: Provided further, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects and in the amounts, specified under this heading in the report accompanying this Act.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$112,391,000, of which \$6,600,000 shall remain available until September 30, 2013.

#### CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$589,604,000, to remain available until expended, of which \$5,000,000 shall be to make reimbursements as provided in section 13 of the Contract Disputes Act of 1978 (41 U.S.C. 612) for claims paid for contract disputes: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account, and funds provided for the purchase of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: Provided further, That funds made available under this heading for fiscal year 2012, for each approved project shall be obligated:

- (1) by the awarding of a construction documents contract by September 30, 2012; and
- (2) by the awarding of a construction contract by September 30, 2013: Provided further, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of

both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above.

#### CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$550,091,000, to remain available until expended, along with unobligated balances of previous "Construction, minor projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: Provided, That funds made available under this heading shall be for:

- (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and
- (2) temporary measures necessary to prevent or to minimize further loss by such causes.

#### GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, \$85,000,000, to remain available until expended.

#### GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal governments in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$46,000,000, to remain available until expended.

#### ADMINISTRATIVE PROVISIONS

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2012 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred as necessary to any other of the mentioned appropriations: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2012, in this Act or any other Act, under the "Medical services", "Medical support and compliance", and "Medical facilities" accounts may be transferred among the accounts: Provided, That any transfers between the "Medical services" and "Medical support and compliance" accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: Provided further, That any transfers between the "Medical services" and "Medical support

and compliance" accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That any transfers to or from the "Medical facilities" account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code, hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for "Construction, major projects", and "Construction, minor projects") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the "Medical services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2011.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from "Compensation and pensions".

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2012, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the "General operating expenses, Veterans Benefits Administration" and "Information technology systems" accounts for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2012 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2012 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not exceed \$42,904,000 for the Office of Resolution Management and \$3,360,000 for the Office of Employment and Discrimination Complaint Adjudication: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to the "General administration" and "Information technology systems" accounts for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental cost is more than \$1,000,000, unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction, major projects" and "Construction, minor projects" accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, major projects" and "Construction, minor projects".

SEC. 214. Amounts made available under "Medical services" are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to "Medical services", to remain available until expended for the purposes of that account.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian

Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational Assistance Act, to provide healthcare, including behavioral health and dental care. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term "rural Alaska" shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the Municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough or the Matanuska Susitna Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the "Construction, major projects" and "Construction, minor projects" accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the "Medical services", "Medical support and compliance", "Medical facilities", "General operating expenses, Veterans Benefits Administration", "General administration", and "National cemetery administration" accounts for fiscal year 2012, may be transferred to or from the "Information technology systems" account: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Amounts made available for the "Information technology systems" account for development, modernization, and enhancement may be transferred between projects or to newly defined projects: Provided, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

SEC. 222. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with—

(1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2506); or

(2) section 8110(a)(5) of title 38, United States Code.

SEC. 223. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2012, in this Act or any other Act, under the "Medical facilities" account for non-recurring maintenance, not more than 20 percent of the funds made available shall be obli-

gated during the last 2 months of that fiscal year: Provided, That the Secretary may waive this requirement after providing written notice to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2011 for "Medical services", "Medical support and compliance", "Medical facilities", "Construction, minor projects", and "Information technology systems", up to \$241,666,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of title XVII of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 225. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500) shall also be available:

(1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of title XVII of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571); and

(2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 226. Of the amounts available in this title for "Medical services", "Medical support and compliance", and "Medical facilities", a minimum of \$15,000,000, shall be transferred to the Department of Defense/Department of Veterans Affairs Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

(INCLUDING RESCISSION OF FUNDS)

SEC. 227. (a) Of the funds appropriated in title X of division B of Public Law 112–10, the following amounts which will become available on October 1, 2011, are hereby rescinded from the following accounts in the amounts specified:

(1) "Department of Veterans Affairs, Medical services", \$1,400,000,000.

(2) "Department of Veterans Affairs, Medical support and compliance", \$100,000,000.

(3) "Department of Veterans Affairs, Medical facilities", \$250,000,000.

(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified, to become available on October 1, 2011, and to remain available until September 30, 2013:

(1) "Department of Veterans Affairs, Medical services", \$1,400,000,000.

(2) "Department of Veterans Affairs, Medical support and compliance", \$100,000,000.

(3) "Department of Veterans Affairs, Medical facilities", \$250,000,000.

SEC. 228. The Secretary of the Department of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in major construction projects that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: Provided, That such notification shall occur within 14 days of a contract identifying the programmed amount: Provided further, That the Secretary shall notify the committees 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 229. The scope of work for a project included in "Construction, major projects" may not be increased above the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations.

### TITLE III

#### RELATED AGENCIES

##### AMERICAN BATTLE MONUMENTS COMMISSION SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$61,100,000, to remain available until expended.

##### FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

##### UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

#### SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, \$30,770,000: Provided, That \$2,726,323 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102-229.

##### DEPARTMENT OF DEFENSE—CIVIL CEMETERIAL EXPENSES, ARMY

#### SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed \$1,000 for official reception and representation expenses, \$45,800,000, to remain available until expended: Provided, That none of the funds available under this heading shall be for construction of a perimeter wall at Arlington National Cemetery. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the Lease of Department of Defense Real Property for Defense Agencies account.

Funds appropriated under this Act may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery making additional land available for ground burials.

##### ARMED FORCES RETIREMENT HOME TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the

Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$67,700,000, of which \$2,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi.

### TITLE IV GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. Such sums as may be necessary for fiscal year 2012 for pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 403. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 404. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 405. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of "E-Commerce" technologies and procedures in the conduct of their business practices and public service activities.

SEC. 406. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 407. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 408. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

- (1) the public posting of the report compromises national security; or
- (2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 409. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantanamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense unless authorized by Congress.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

This Act may be cited as the "Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2012".

Mr. DURBIN. Madam 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. JOHNSON of South Dakota. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

Mr. JOHNSON of South Dakota. Madam President, I am pleased to present the fiscal year 2012 Military Construction and Veterans Affairs and related agencies appropriations bill to the Senate. The bill was unanimously reported out of the committee on June 30. It is a fiscally disciplined and bipartisan measure, and I hope all Senators will support it.

I thank my ranking member, Senator KIRK, for his contributions in crafting this bill. He has taken a very active role on the subcommittee, and it has been a pleasure to work with him. I also thank Chairman INOUE and Vice Chairman COCHRAN, as well as Leader REID and Minority Leader MCCONNELL for their support and assistance in moving this bill forward.

The MILCON-VA appropriations bill provides crucial investments in infrastructure for our military, including barracks and family housing, mission critical training and operational facilities, schools and hospitals, and childcare and family support centers. It also fulfills the Nation's promise to our vets by providing the resources needed for their medical care and benefits.

Madam President, the bill before the Senate today totals \$142 billion, of which \$72.5 billion is discretionary funding. We are all mindful of the severe economic problems facing this Nation, and this bill reflects that reality. It is \$1.25 billion below the budget request and \$618 million below the fiscal year 2011 enacted level. I can assure my colleagues there are no congressional earmarks in the bill.

As always, protecting essential benefits and health care for veterans tops my list of priorities. With an aging population of veterans requiring increased services, and a surge of combat veterans from the Iraq and Afghanistan wars entering the system, the demand for VA health care services has increased dramatically in recent years. The number of Iraq and Afghanistan veterans in the VA health care system will exceed half a million in 2012, a 106-percent increase since 2008.

The sluggish economy is exacerbating the pressure on the VA as more and more out of work or underemployed veterans turn to the VA for their health care.

This bill provides \$58.6 billion for VA discretionary funding, \$2.3 billion over current funding. Nearly 90 percent of the funding—\$50.6 billion—is for veterans health care. The bill also includes \$52.5 billion in fiscal year 2013 advance appropriations for veterans medical care.

The bill includes \$2.9 billion, as requested, to meet the health care needs of veterans who have served in Iraq and Afghanistan, a \$594 million increase over the current funding. This funding includes research and treatment programs for mental health issues, including traumatic brain injury and post-traumatic stress disorder.

One of the very few areas in which the bill provides an increase in funding is VA medical research, which is funded at \$581 million, \$72 million over the budget request, to restore funding to the current level. This program funds a broad array of vital research efforts including mental health, spinal cord injury, burn treatment, polytrauma injuries, and sensory loss.

The bill includes \$4.9 billion for health care and support services for homeless veterans. Ending homelessness among veterans is a top priority of VA Secretary Eric Shinseki, and it is a goal fully supported by the committee. As a result of programs the Secretary has instituted, and the robust funding provided in recent MilCon/VA bills to implement them, the average number of homeless veterans on any given night has dropped from 195,000 6 years ago to 75,600 this year. The funding in this bill provides the resources to continue to make headway on this very important initiative.

As a Senator from a rural State, I am pleased to report that the bill also includes \$250 million for programs, such as mobile clinics and telemedicine services, to support rural and Native American veterans. This continues the rural health initiative that I initiated in the fiscal year 2009 MilCon/VA bill, and reflects the importance that both Congress and the VA place on meeting the needs of veterans who live in rural areas and must often travel hundreds of miles for treatment at a VA facility.

The bill also includes \$52 million for collaborative efforts with the Indian Health Service to ensure that Native American veterans receive the care that they have earned. I am encouraged by this funding and by the fact that the VA created an Office of Tribal Government Relations earlier this year to expand outreach to American Indians, Alaska Natives, and Native Hawaiians. Access to health care among Native Americans is a major problem in South Dakota and other rural States, and I believe that collaboration between the VA and the Indian Health Service is essential to leverage the resources and services of both agencies.

Information technology, or IT, represents another important investment in this bill. The bill provides the full \$3.2 billion as requested in the budget to develop electronic health care

records, paperless claims systems, and seamless integration of medical and service records with the Defense Department. Secretary Shinseki and former Defense Secretary Robert Gates worked very closely over the past year to develop a framework for implementing a joint VA-DOD electronic health care record system. Their leadership and determination to overcome bureaucratic hurdles to a find a joint electronic solution to the current maze of paperwork involved in transferring health records from DOD to VA was key to making progress on this long-stalled effort.

The Secretaries have announced that the Departments have agreed to pursue a number of integrated development approaches including the decision to share common data centers and to utilize open source software development. I hope that implementing a joint electronic health record system remains a top priority for Secretary Panetta as he assumes the leadership of the Defense Department.

There are several other notable VA programs funded in this bill, including \$270 million for women's veterans programs, \$6.9 billion for long term care for veterans, and \$112 million for the VA Inspector General's Office. Each of these programs meets an emerging requirement for the VA.

As more and more women join the ranks of America's veterans entitled to VA health care, their unique needs require a reevaluation and reemphasis of services offered in VA clinics and hospitals.

Long-term care for veterans is also emerging as a mounting need for veterans, including both the growing population of aging veterans as well as severely wounded veterans from the wars in Iraq and Afghanistan.

With the growth and complexity of VA services, it is essential to maintain vigilant oversight of VA programs. The committee, therefore, has provided \$112 million for the Office of Inspector General, \$3 million over the budget request, to support robust oversight by the inspector general.

The bill also provides the full budget request for both major and minor construction as well as the full advance appropriation request for medical facilities. However, I have deep concerns about the VA's budget request in all three areas. With this year's budget submission, the Department also transmitted its 10-year Strategic Capital Investment Plan. The plan identifies a requirement of between \$53 billion and \$65 billion over the next decade to address critical infrastructure needs. Yet, the combined request for both major and minor construction is \$400.8 million below the fiscal year 2011 enacted level. Additionally, the advance request for medical facilities includes \$600.2 million for nonrecurring maintenance at existing clinics and hospitals, a \$510 million decrease from what is being spent this year.

While I understand that the budget crisis facing the country requires sac-

rifice and belt tightening from all sectors, funding decreases of this magnitude given the requirements and the age of VA facilities is alarming. I urge the Department to develop and submit a comprehensive plan with next year's budget submission identifying specific ways in which to adequately finance VA's infrastructure needs.

In addition to the above mentioned items, the budget submission included a request to establish a \$953 million contingency fund to be available for medical care if a larger than expected number of veterans turns to the VA for health care as a result of the lagging economy. The contingency fund was to be composed of carryover funds already available to the VA as a result of the Federal pay freeze plus \$240 million in fiscal year 12 funding.

Instead of creating a loosely defined contingency fund based on an untested projection of the VA's standard modeling formula, the committee has directed the Department to use \$664 million in carryover funds made available by the Federal pay freeze, as well as additional carryover funds projected to reach \$500 million by the end of fiscal year 12, to address this contingency, should it arise.

With little room to maneuver on the VA side of the ledger, the vast majority of the savings in the bill comes from incrementing or deferring funding for certain military construction projects. The bill provides \$13.7 billion for military construction, \$1 billion below the request. The MilCon reductions in the bill are restricted to the active duty components. The Guard and Reserve components, Family Housing, BRAC and other accounts are fully funded at the President's request.

The MilCon portion of this bill mirrors the Senate Defense authorization bill, which was unanimously reported out of the Senate Armed Services Committee on June 16. Every military construction project funded in this bill is authorized in the authorization bill. In fact, if you do the math, 52 Senators in this Chamber have already voted in favor of the MilCon portion of this bill.

Because of the constrained budget environment, the bill does not provide any increase in funding for military construction projects. Several Senators urged the committee to provide additional funding for such things as Army Guard readiness centers or various unfunded requirements of the services. In normal times, the committee would wholeheartedly support these efforts, but given the austere budget circumstances, there was simply no money to fund these initiatives.

In addition to MilCon and VA, the bill includes \$221 million for several related agencies, including \$77 million for the American Battle Monuments Commission as requested; \$45.8 million for Arlington National Cemetery as requested, and \$67.7 million for the Armed Forces Retirement Home as requested. The bill also provides \$30.8 million for the U.S. Court of Appeals

for Veterans Claims, which is \$25 million below the request. The reduction reflects the committee's decision to defer funding for a proposed courthouse for the Court until uncertainties surrounding the cost and location of the project can be resolved.

Madam President, I again thank my ranking member for his support in crafting this bill. I also thank the staff of the subcommittee—Christina Evans, Chad Schulken and Andy Vanlandingham of my staff; Dennis Balkham and D'Ann Letteri of the minority staff, and former minority staffer Ben Hammond—for their months of hard work and cooperative effort to produce this bill.

Again, this is a well-balanced and bipartisan bill. It provides resources vital to the well being of our troops and their families, and to the millions of veterans who have served and sacrificed for their Nation. I urge my colleagues to support this bill, and I yield the Floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. KIRK. Madam President, I first came to Capitol Hill in 1984 during Ronald Reagan's first term. I believe it was Chairman Hatfield running the committee on the Senate side and Jamie Whitten on the House side. I care very much about the appropriations process and the Appropriations Committee because I think we spend less with a higher degree of transparency when we consider appropriations bills in regular order, as this one now is.

This bill funds our veterans programs and our military construction needs mainly for the Active-Duty and Reserve Americans who wear the uniform—or wore the uniform—upon which all of our freedoms and the independence of our country depends. Today, there are over 20 million veterans, and this bill cares for them in a bipartisan way. We owe these veterans just about everything—for our independence and freedom—and this bill cares for them.

Now, why, in this difficult and partisan time, is this bill coming up in this way? Why is it that we have every Republican on the subcommittee and the full committee in favor of this legislation? It is because the chairman made the decision, that I strongly supported, to mark to the House level. When we marked to the House level, we opened the door for full bipartisan support for this needed bill.

We present to the Senate this bill for full consideration, taking into account all of the requests of Members in their budget submission. But let me emphasize that not only are we slightly below the House spending level in discretionary budget authority, there are no earmarks in this bill, reflecting the new wave of reform that has come to the Appropriations Committee—both the House and the Senate.

We have made a tough set of spending decisions in this bill. We have come

in \$1.2 billion below President Obama's spending request. We came in \$620 million below last year's level. I was a bit surprised we were able to do this—and that we did—but we are even \$2.6 million below the House Republican-approved level in the bill put together by Chairman CULBERSON.

This bill spends in discretionary budget authority less than the House of Representatives, and I will just point out that when the House took up this legislation, over 400 Members of the House of Representatives—Republicans and Democrats—supported this legislation, and only five Members of the House voted against this legislation. That is why this legislation enjoys such tremendous bipartisan support on our side.

This bill would not be possible without the outstanding work of Chairman JOHNSON and his staff, his military experience and, most importantly, his son's military experience. On behalf of the veterans of his State, he has done a very good job, with my full support. We take care of our veterans and their benefits, their health care, and the construction of medical facilities in this legislation.

Madam President, many veterans live in urban areas, but also a great many live in rural and even highly rural areas. This bill pays attention to their needs thanks to the chairman, and also I want to highlight the work of the Senator from Alaska, LISA MURKOWSKI, in the decisions we made in this bill to make sure veterans who live in the State of Alaska will not, in many cases now, need to leave the State for their veterans care.

We have also worked diligently with our veterans service organizations, and I would highlight this bill has now been endorsed by the Veterans of Foreign Wars, by AMVETS, by the Paralyzed Veterans of America, the Disabled American Veterans, and the Iraq and Afghanistan Veterans of America. I take the last endorsement very seriously, having, as a reservist, served in Afghanistan myself.

Chairman JOHNSON highlighted the funding levels in this bill, which I think are quite important, but I would also like to highlight several policy issues in this bill. No. 1, originally, the administration—our commander in South Korea—put forward an idea to bring almost 50,000 American dependents to South Korea to build homes and hospitals and schools. But the cost could be upwards of over \$20 billion to transfer that many Americans to the Korean peninsula.

Given this time of deficits and debt, and given this enormous bill, I think DOD is rethinking this proposal, as they wisely should. I think this bill lays out a set of concerns over where we go with such a spending decision.

With regard to Guantanamo—very important to me—originally there was a proposal to transfer the al-Qaida core of terrorists to my State, to Thompson, IL. This bill wisely concludes the

overwhelming bipartisan provision prohibiting the construction or renovation of any facility in the United States or its territories for individuals detained at Guantanamo Bay.

With regard to Guam, while the Navy is attempting to move more than 17,000 marines and their families from Okinawa to Guam, the plan that Chairman JOHNSON and I have seen has serious problems. Therefore, there are no projects in this bill associated with this very complicated move.

We did fund the Air Force request for projects related to the Strike capability for the bed down of Strike and intelligence capabilities, but the rest we are looking for further information.

Also, with regard to our military infrastructure in Germany, we believe there is a better need for accounting of funds that we provide for facilities, and, as a result, we cut about \$37 million from the requested projects.

With regard to charter schools and improving education for our military families, we think the children of servicemembers have a unique situation and fewer choices when choosing schools. So we have asked the Department of Defense to conduct a study and tell this committee where charter schools could make a positive difference.

I will highlight here my work with my fellow Senator, Mr. DURBIN, on potential charter school operations serving the men and women and the families of the Great Lakes community in northern Illinois.

I raise the one particular issue important to me, which is that over time we are planning on spending upwards of \$20 billion, as we should, on the new facilities for Guam. But I think if we are going to make that kind of investment in Guam, we need to make sure those facilities are there when the United States needs them most in a military capacity, which is during combat. That is why it is so essential to provide also for the missile defense of Guam, and, I would say, for the missile defense of Guam on platforms that cannot be sunk. That is why we are calling on the Department of Defense not to ignore plans to provide for the missile defense of Guam, and, I would say to emphasize, a land-based solution that is more survivable.

We also highlighted more scrutiny on the budget request, especially with regard to funding for general officers quarters. I will say that in my review, along with the chairman, we saw a disciplined budget request largely by the Air Force and the Navy to house our Air Force generals and admirals; but I have been disappointed with the Army, which originally came forward with a request for \$1.4 million to upgrade a general's garden in Germany. Luckily, the Army has pulled back that request, and we are looking for further scrutiny to make sure that general officer quarters budget requests are in line with the practice of the sister services of the Air Force and the Navy.

This bill also handles issues with regard to the VA, especially on information technology. This bill fully funds the account and encourages the Department to pursue open-source, off-the-shelf technology for electronic health records, and I think that is critical to maintaining cost containment as we go forward.

I will also say we have been urging the Department of Defense and Veterans Affairs to come up with one common electronic medical record. The vision here is that when an American joins the U.S. military, that record then follows that servicemember through, at minimum, for example, a 3-year enlistment, and then a 60-year to 90-year time as a veteran. It should be a common record. I hope the two Secretaries, Panetta and Shinseki, move to finally make sure that becomes a reality.

With regard to the contingency fund in this bill, the Department of Veterans Affairs requested a contingency fund in the event they needed additional funds. We do not support establishing this fund but did allow the Department to keep \$664 million it received last year in advance appropriations for the now-prohibited pay raises. This should be adequate to ensure our veterans are not only cared for but will give the VA some flexibility during the period of conflict in Iraq and Afghanistan.

This bill also emphasizes caregivers who give care to our wounded veterans, veterans who live in rural areas, and veterans who are sent to facilities a long distance from their home, as I mentioned, in the State of Alaska. We also highlighted the issue of claims processing so our veterans could finally receive the compensation they deserve in a reasonable amount of time.

I want to echo the chairman's thanks to the staff, especially led by Tina Evans on the Democratic side and Dennis Balkham on the Republican side.

In short, this is a very good bill. It represents the Senate moving forward under regular order. It represents greater transparency to the appropriations process.

I would highlight, we have cut or reduced funding in 24 separate major areas, and these were hard choices to make. We did them in line with the decisions made by the authorizing committee under Chairmen LEVIN and MCCAIN's leadership. We also completely denied funding for a proposed brandnew building to house the Court of Veterans Appeals. In this time of deficit and debt, I think we should hold off.

In sum, this bill represents cooperation between Republicans and Democrats. This bill represents budget control and cooperation between House and Senate. This bill represents cooperation and coordination between the authorizing Armed Services Committee and the Appropriations Committee, and this bill, underlined with the endorsement of major veterans

service organizations, represents a commitment to our veterans.

I think we should move forward. I know later we will consider a point of order with regard to not taking up a bill prior to the adoption of a formal budget. I would hope that common sense would prevail here; that because this is one of those rare measures where we are marking up to the House level that only five Members of the House voted against at that level, that all of the Republicans and all of the Democrats on the subcommittee voted for this legislation, and yesterday 89 Members voted in overwhelming bipartisan fashion for cloture to bring this bill up so we can get the Senate moving again, that we can get the appropriations process moving again, that we can stand by our men and women in uniform who need these facilities, and our veterans, and that, yes, we can control spending in full agreement with the House of Representatives but still move the Senate forward.

Madam President, with that, I yield back my time.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I thank my colleagues for their excellent presentation. They are excellent Senators. And, from all that appears, they produced a piece of legislation that will be positive for our country. But the pending measure, H.R. 2055, An Act Making Appropriations for Military Construction, the Department of Veterans Affairs and related Agencies, offered by the Senators, would appropriate Federal funds for the year 2012. However, the Senate has not yet adopted a concurrent budget resolution for 2012, and there is no 302(a) allocation in place for that fiscal year.

Section 303(c) of the Congressional Budget Act prohibits consideration of any appropriation bill until a concurrent resolution on the budget has been agreed to and an allocation has been made to the Committee on Appropriations for fiscal year 2012, or any subsequent year.

Therefore, I raise a point of order against this measure pursuant to section 303 of the Congressional Budget Act.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Madam President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive the point of order under section 303 of that act for H.R. 2055, and any amendments thereto and motions thereon.

Mr. SESSIONS. Madam President, I object and would debate the issue.

I make this motion for a very important reason, not directly related to the quality of the work of Senator JOHNSON and Senator KIRK in producing this bill, but a very important question concerning the budget of the United States.

We have in the United States Code a budget act. The budget act says you

shouldn't be bringing forth appropriating bills until you have a budget. That is pretty simple, that is pretty commonsensical, and it is the correct way to do business. We haven't had a budget for 806 days now. The reason we are spending this country into bankruptcy is we have had no budget. This year, the majority has not even sought to bring one to committee, and certainly not brought one on the floor.

The Democratic leadership said it would be foolish to pass a budget. Well, I don't think it is foolish to pass a budget. I think our lack of budget is the reason we have gotten out of control in what we are doing. So that is the reason why I made the objection.

Madam President, I ask unanimous consent that I be able to enter into a colloquy with my Republican colleagues.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Madam President, I would say this is a very important matter, and I don't like to have to take this action, but I believe it is the right action.

I see on the floor Senator CORKER from Tennessee. He was mayor of the city of Chattanooga and as mayor he produced budgets and actually did one of the greatest jobs of any mayor of the United States, the truth be known, in making that city the fabulous place it is today. He is a businessman also.

I ask Senator CORKER, what are his thoughts at this point in time about the state of the financial management of the taxpayers' money being handled by the Senate?

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Thank you, Madam President.

I thank the Senator from Alabama for his comments and leadership on the Budget Committee.

To the two gentlemen, the Senator from Illinois and the Senator from South Dakota, I thank them for their work in appropriations. This discussion on the floor has absolutely nothing to do with work they have done. I understand actually the top line they are using is within the budget that was passed through the House.

The reason I am here today, though, is for this reason: There aren't many Senators on either side of the aisle who believe the Senate is functioning in an appropriate manner. I can't go to the dining room or any other place, walk down the hall, get on the subway, without some Senator saying, Can you believe how this place is operating? Our allowing spending bills to come to the floor and to be voted upon without having budgets basically makes us an accomplice in allowing this place to continue to be dysfunctional.

We are having a showdown over the debt ceiling because there isn't any other place to have a showdown. I realize many people have decided that is not the appropriate place, and there has been a scheme concocted to sort of



allow both sides to have it as they may and try to fight this out in the electoral process down the road instead of dealing with some of the tough issues we ought to deal with now.

But it seems to me that what we do by going on about our business in this way is we act as accomplices to the dysfunctionality of the Senate. It is my belief this Senate, by virtue of the way we are acting, is making this great Nation weaker. That is what we are doing. This Chamber we are standing in right now is causing this great Nation to decline because we are unwilling to come down here. I would say, candidly, leadership on both sides of the aisle doesn't want us to come down and make tough decisions. Either side wants it 100 percent their way. But we realize that to move things ahead, you have got to skirmish, you have got to fight, you have got to debate. Sometimes you have to do some things you don't want to do to move the country ahead. But we are avoiding that, and what we are doing today is moving possibly to an appropriations bill, a spending bill, without a budget.

I can't imagine in a country spending \$3.7 trillion, 40 percent of it that we don't have, that we are going to move to spending bills without resolving these particular issues. So I am extremely disappointed.

I know I have been saying some pretty strong things on the floor, but it is because I am concerned about this country. I know everybody here is concerned about this country. It is not as if those of us who have been talking about this issue are the only ones. That is not the image or perception I am trying to project. I think sometimes we go to sleep at the switch. We go about our business almost as zombies down here, continuing to allow this dysfunctionality to occur.

I am all in support of the movement put in place here to basically not allow this to go forward because we don't have a budget. That is the appropriate place for us to be.

I hope the Senate, in spite of the fact this appropriations bill funds some things that candidly we all support—we want to see veterans get benefits. But those veterans, many of them, lost limbs doing tough things for our country, and they are watching potentially us not having the courage to do tough things on the floor that might flesh this out, that might cause us to actually take a tough position on the floor. But, oh, that might affect electoral politics down the road, so instead of doing that, we will go 806 days without a budget.

Look, I am disappointed. I am disappointed in all of us on both sides of the aisle. I do not think we should be going to a spending bill until we do the tough business that we were sent here to do as Senators.

With that, I yield to my friend from Alabama.

Mr. SESSIONS. Before recognizing other Senators, I briefly ask Senator

CORKER, having been a businessman and a mayor and having observed the political scene in the country, is the Senator aware of any government entity—city, county or State—that systematically, almost structural, is borrowing 40 cents out of every \$1 they spend? Can he remember any time in Tennessee, in any city or State, that ever ran such a deficit?

Mr. CORKER. No, I cannot. The fact is, that is why recent polls show Americans have about a 20-percent approval rating of Congress. What I would say, based on what I know, based on what we are getting ready to do on the floor today, 20 percent is way too high. The fact is we do everything we can to avoid tough decisions in public, tough decisions in public where we have to take a stand.

That is what we were elected to do. That is what the veterans who receive benefits, if this bill passes, did. That is what we are not doing. My guess is they will be willing to wait until this bill passes—it doesn't fund things until next year—and allow us to make the tough decisions we need to make as we flesh out a budget, as we work out among ourselves to finally come to a place we agree upon in funding this government.

I certainly appreciate the leadership of the Senator. I know others want to speak at this moment and I yield the floor.

Mr. SESSIONS. I thank Senator CORKER. I just would say the spasm that is occurring in the Senate, the frustration that is boiling up, is not for light or transient reasons. It is a big deal when the U.S. Government has been for months and will continue to be borrowing about 40 percent of every \$1 we spend, running up the largest deficits the Nation has ever seen. The law says, the United States Code says you should have a budget.

When you set a budget, you take all the bills that are out there and tell them how much money they have to spend so the total amount of money at the end does not exceed a dangerous level for the country. That is what a budget does.

We are going to seek and repeatedly call to the attention of this Senate that we have the cart before the horse. We are spending money without a budget and we are going to have to have a budget or else we are not in control of our spending. Once you have a budget, it takes 60 votes to violate the budget. You can stick to it if you make up your mind to do so. We do not have to violate it and burst the budget. That is what we are talking about today. It is a matter of great seriousness. I am pleased my colleague, Senator RAND PAUL from Kentucky, who was elected last fall to this body, is here. I know he talked about the State of the American economy and our debt during that campaign.

I ask the Senator, what are his thoughts as we approach this moment?

Mr. PAUL. I wish to join in the sort of the outrage that we would consider

spending money without having a plan. Who spends money with no plan as to how much you are going to spend or a plan as to what the repercussions are for spending money you do not have? We are spending \$100,000 a second. By the time I finish this sentence, we will have spent  $\frac{1}{2}$  million.

Of that \$100,000 a second, we are borrowing \$40,000 a second. The President is asking us now—you all heard about it, the debate is on—the President is asking us to add \$2 trillion of spending and borrowing, of borrowing and spending—\$2 trillion. How long will it last? We do not know because there is not a budget, but there is going to be an estimated \$2 trillion that will be spent in the next year that we do not have.

What does that mean to a country? There are estimates that our deficit now, which approaches the size of our economy, is costing us 1 million jobs a year. What does that mean? That also means less revenue, which means worse deficits. It is all compounding upon itself.

We have a rule and a law within the Senate—is it called the budget resolution from 1974?

Mr. SESSIONS. The Budget Act.

Mr. PAUL. In this, it had some rules. Right now we are discussing: Do we need new rules to do something about the deficit? This was a rule they thought about back in 1974. It was supposed to make things better. But it shows the rules only work if we obey them. We will be in defiance of this rule. That is the question I have for Senator SESSIONS: Will we be in defiance of our own rules if we go forward with an appropriation without a budget?

Mr. SESSIONS. It absolutely will. It sets forth precisely the language. It requires this. It is pretty clear. I don't think there is any doubt about it: Until the concurrent resolution on the budget for fiscal year has been agreed to and an allocation has been made to the Committee on Appropriations of the Senate under section 302(a) for that year, it shall not be in order for the Senate to consider any appropriations bill.

That is pretty clear. I am pleased to see the Senator is a doctor, not a lawyer, but I believe anybody could understand that point.

Mr. PAUL. What was the intention, though? What was the intention that rule would do? By having a budget was it supposed to limit, then, what each appropriations bill for each subject would be allowed to spend?

Mr. SESSIONS. That is correct. I am sure in 1974 they were concerned about the process in the Senate. They decided to try to bring order to it. They decided to require the budget be passed which sends a message over to the Appropriations Committee. This is a subcommittee of the Appropriations Committee producing their MILCON proposal.

They then give them numbers which they are supposed to stay within. If

they do not, it requires a 60-vote total to proceed above the budget number. It is a way to bring integrity to the system.

Mr. PAUL. So by invoking this rule from the 1974 Budget Act, the Senator's intention has nothing to do with the bill presented before us, it has to do with whether we should be responsible as a government, have a budgetary plan, know how much money comes in, know how much money is being spent, and do the responsible things the American people expect of us.

I am concerned what happens if we keep on this path. If we keep spending money at the rate we are spending it, within about a decade entitlements and interest consume the whole budget, that is, if interest rates do not go up. As you noticed the other day when Larry Lindsey wrote about it in the Wall Street Journal, he said if interest rates go up to where they have historically been, we will add another \$5 trillion. My fear is the economy will not withstand it, our country will not withstand it, and we need to have somebody to say enough is enough.

The country needs to have a plan. We need to budget how much money comes in and how much we can spend. I think this is a good first step.

Mr. SESSIONS. I thank the Senator. I cannot think of a more important time in history for us to return to the tried and true budgetary process than at a time in which we are spending to a degree that is irresponsible, above anything we have ever done before. It is threatening the American economy. It is not a light, little problem. It is a serious problem. We are going now 805, 806 days without a budget. That is part of the problem.

We are going to continue to work to insist that we proceed in the regular order under a budget. The House has passed a budget. The Republican House passed one by April 15, as the law requires. We have not even had a markup in the Budget Committee because the Democratic leadership has decided it is not fun to vote on a budget. You have to show your cards. You have to show where you are going to raise taxes, where you are going to cut spending, and how much the deficit is going to be after it is all over.

President Obama's budget received such a poor reception because it was so unbalanced and irresponsible that, I guess, maybe they decided it would be foolish, as the leader said, for the Senate to even produce one. That is not a good reason.

I know it might be appropriate that we yield at this point to our colleagues and let them share any remarks they have.

Mr. PAUL. I have a question before we finish. The question I have is: We have not had a budget in 2 years. When is the last time we had appropriations bills and are we working in the committees? See, the people expect us to come up here and do our jobs and I think our job is in committee. We de-

liberate over a budget in your Budget Committee. Over appropriations, are we deliberating over appropriations or have we had any committee hearings over the debt ceiling or how we could cut spending in order to spend so much money we do not have? Are we in the process of doing what we are supposed to be doing in committee?

Mr. SESSIONS. I don't believe we are, but I have to give this subcommittee credit. I am told that the appropriations bill now before the Senate is the first stand-alone appropriations bill brought to the floor of the Senate since 2008.

When I came here, we would try to pass all our appropriations bills, at least a number of them, before the August recess and all by September 30. When we did not, we were embarrassed. In the last several years, everything has been cobbled into one big continuing resolution and moved in a block.

I guess I say to my colleagues as I yield the floor, thank you for proceeding at a pace to get a bill forward. It is not your fault that we have not had a budget at this point in time.

I yield the floor and reserve the remainder of the time.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, I believe Senator KIRK would like to speak in favor of the motion to waive and I yield him as much time as he may consume.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. KIRK. Mr. President, I thank our ranking Republican member on the Budget Committee because in normal circumstances I would be strongly supporting him and agree with him. The irony is, this legislation conforms to a budget, it conforms to the PAUL RYAN House budget and fits under the 302(b) allocation; that is, the amount of money the House granted to the House Appropriations Subcommittee that wrote this bill. When this bill passed our very conservative House of Representatives, only five Members of the House voted against it. All the leading Members of the House voted for it.

We talk about needing to make tough decisions. I appreciate the Members and their praise for the underlying legislation because we made some tough decisions. We looked at the President's request and we made a number of cuts.

In Alaska, at Fort Wainwright, we cut \$57 million from their aviation complex; in Germany, at Gomersheim Central Distribution Facility we cut \$21 million; also, at that same facility, their infrastructure we cut by \$16 million; at Fort Bliss, for the maintenance facility, we terminated funding for that, also for their infrastructure proposal; at Fort Belvoir, road and infrastructure projects, we terminated that project. In Honduras, at Soto Cano, we made a \$5 million reduction; in California, the Coronado Fitness Center for

North Island, we made a \$14 million reduction; in California, at Bridgeport, for a multipurpose building, an addition, we made a \$3 million reduction; in the Persian Gulf, in Bahrain, for the bachelors' enlisted quarters, we terminated funding for that for this fiscal year; also, in Bahrain, a waterfront development, also terminated that; in the Marianas, at the North Ramp utilities, we also terminated that. That was a \$78 million reduction. In Marianas, at the north ramp facility, we also terminated with a \$78 million reduction; also in the Finnegan Water Utilities, ended funding for that project. In Guam, at the Guam Strike Fuel Systems Maintenance Handler, we cut funding in half, saving \$64 million. In Nebraska, at Offutt, we made a \$30 million reduction for their replacement facility No. 1. In Al Udeid in Qatar, we terminated funding for the Blatchford-Preston Complex. In Utah, at Hill Air Force Base, we terminated funding for the F-35 ADAL Hangar. In Colorado, at Buckley, we made a \$70 million reduction in their Mountainview Operations Facility. In Maryland, at their joint base Andrews, their ambulatory care center suffered a 150-percent reduction. In Maryland, at Fort Meade, the high-performance computing factory, we terminated funding for that facility. In Texas, joint base San Antonio, the ambulatory care center, we cut funding in half, saving \$80 million. In Texas, at Fort Bliss, at the hospital replacement facility, we reduced funding by \$27 million. In Utah, Camp Williams, the data center, we cut that funding in half, saving \$123 million.

In total, we made the reductions in 24 separate programs including canceling the building I talked about, a whole new court for the Court of Veterans Appeals. That is why this legislation came in \$2.6 million even below the House, why it is \$1.2 billion in budget authority below the President and \$620 million below last year's budget authority, reminding Members there are no earmarks in this legislation.

Eighty-nine Members voted for cloture on this legislation yesterday, which is why we brought it up. My hope is those 89 Members vote for cloture again on this underlying motion. I think most of our Members on my side, the Republican side, are going to vote for this budget point of order once we get to that, and I completely understand. I will probably be supporting him on other bills. The only common-sense point I will make here is that because we are at the House budget level and because the House has adopted them, this conforms to the PAUL RYAN budget, I think we should move forward, especially as our ranking member wisely said, this is the first appropriations bill coming up separately since 2008, and I will say you make specific reductions to real spending when you actually bring up a bill, as Chairman JOHNSON has decided to do with my backing.

I yield to Chairman JOHNSON and thank him for the time.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I see Senator LEE from Utah. Senator LEE is a new Senator. He campaigned throughout his State and talked about the kind of issues we are dealing with today. I would yield to him at this time.

Mr. LEE. We have now been operating for more than 800 days without a budget having been passed. We are operating at the direction of the party in control of this body on autopilot. It is easy to operate on autopilot. In many ways it is far easier than operating not on autopilot, especially when we are spending more than \$1.5 trillion a year more than we are bringing in, more than \$1.5 trillion every year more than we have, continuing to bury our children under a mountain of debt. When you are on autopilot, you don't have the same constraints, the same hard choices, the same prioritization demands that need to be made that Americans make every single day as they manage their homes, their lives, their families, their businesses—and State and local governments. This is unfortunate. It is unnecessary, and it is shameful. It should not continue to operate this way. An enterprise as large as the Federal Government, which brings in \$2.2 trillion every single year, having access to more money than perhaps any other institution on Earth, ought to be able to operate with a budget. It ought to be able to pass a budget. It ought not be operating on autopilot so as to insulate itself from critiques justifiable and unjustifiable alike, from those who would say: Why are you doing it this way? Why are you doing it that way? To have a debate, a discussion, that is necessary. It necessarily surrounds the budgeting process in any legislative body, in any republic around the world.

In the process of operating on autopilot, we are severely exacerbating our deficit problem with our national debt now totaling nearly \$15 trillion. What then is the solution? I believe the solution to our current problem, especially as we approach the debt limit, involves the cut, cap, and balance approach, including passage by both Houses of Congress of the Cut, Cap, and Balance Act, one that would require, in addition to our making immediate short-term cuts and adopting statutory spending caps designed to put us on a firm, smooth glidepath toward a balanced budget, that we also pass a balanced budget amendment to the Constitution. All of these would be passed as conditions precedent to our raising the debt limit, which many of us are willing to do, if necessary, to get those measures passed. We are not willing to raise it without those measures first being passed because we cannot continue to perpetuate this problem, one which we

operate on autopilot while burning \$1.5 trillion a year that we do not have.

This is crowding out other priorities. It is crowding out other investment in our economy. It is killing jobs. It is jobs we need to be focused on because that is what the American people are focused on. They are worried about their ability and the ability of their friends and family members, many of whom are unemployed, to be able to provide for their children, to pay their rent, to buy their groceries. These are things every American ought to be able to have access to and would have access to if only they had access to jobs. But at a time when we are spending at such a rate as we are, when we borrowed to such a degree that we have that our debt-to-GDP ratio is at about 95 percent, we are killing as many as 1 million jobs every year in America as long as we remain in that danger zone. This simply cannot continue.

Another thing we face right now that is something I find completely unacceptable is the fact that amidst all of this debate and discussion we have had in recent weeks about the debt limit, amidst the offer on the part of what are now most of the Republicans in the Senate to raise the debt limit under the circumstances I have outlined, the President of the United States responded to those offers by threatening—promising, perhaps—to cut Social Security to current retirees if the debt limit is not immediately raised and raised only consistent with the conditions that he is demanding right now. I fail to understand why the President of the United States would prefer to make so hasty, so cruel, and so reckless a threat as withholding Social Security checks for current retirees before looking at any other Federal program.

Look, we borrow at a rate of about \$125 billion a month. That is a lot of money. A lot of people don't make that much money in a whole year. As we are borrowing at that rate, we have to take into account the fact that Social Security benefits cost the U.S. Treasury about \$50 billion a month. It is \$50 billion out of \$125 billion each month that we borrow, assuming that is the portion we borrow. Meanwhile, we are bringing in \$200 billion a month in tax revenue. So there is more than enough tax revenue there to cover not only Social Security benefits but also interest on debt and a number of other things as well. That begs the question: Why are Social Security beneficiaries the first to be threatened? Why is it their checks that the President is threatening to withhold first? There is no explanation to this that he has offered, and I hereby demand one.

I think our current retirees deserve more than to be used as pawns in a high-stakes political game, one that uses fear and uncertainty and doubt rather than reason and discussion and debate and willingness to compromise. The need for this has never been greater. The consequences for disregarding

the need for debate and discussion have never been higher. I urge my colleagues and I urge all Americans to work together to find a solution to this, a solution that need not involve and should not involve threatening America's most vulnerable, including retirees, who rely each month on Social Security, withholding those benefits simply because the President of the United States is unwilling to compromise, is unwilling to meet the conditions many Republicans in this body have acknowledged are their conditions precedent for raising the debt limit.

There is a way forward. There is a road that will take us home, and the road home can be found in the Cut, Cap and Balance Act. This is not just the best proposal, this is the only proposal that currently has significant public support from a substantial number of Members of this body. Sometime today or tomorrow, companion legislation will be introduced in the House of Representatives, and we will be moving forward. I urge my colleagues to carefully consider this, and I urge my fellow Americans to carefully consider these and to urge their representatives and their Senators to embrace them and to adopt them.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I thank Senator LEE for his leadership on this cut, cap, and balance plan. I think it would change the debt trajectory of our country and put us on a path to prosperity rather than a path to decline and deficit and maybe financial crisis.

Indeed, Mr. Erskine Bowles and Mr. Alan Simpson, the co-chairmen of the debt deficit commission appointed by President Obama, told us earlier this year in the Budget Committee that this Nation has never faced a more predictable economic crisis. What he is saying was the spending course we are on is so out of sync with reality, it is inevitable we will pay a price economically for that. So part of the reason we are where is because we have not had a budget in over 2 years. If you don't have a budget, it makes it harder for the American people to ascertain whether you are spending more than you ought to be spending, and the whole process is able to be pursued without public knowledge and full disclosure when you don't have a budget.

Every President is required by the same Budget Act to submit a budget. I think there is no President who has failed to comply with the Budget Act and does not require that you go to jail if you violate it. It would probably be better off if that had been the case. But the President submitted a budget earlier this year in February. It was, I believe, the most irresponsible budget ever presented to Congress at a time when systemic, structural deficits of trillions of dollars, the likes of which we have never, ever had before—at a time when we needed to confront that and discuss it as a people, as a nation,

he submitted a budget that increased taxes significantly, increased spending even more, and increased the deficit, not reduced it.

Eventually it came up for a vote. I brought it up for a vote since my colleagues wanted to vote down the House budget that was a responsible budget. It would actually change our debt course, reduce spending by \$6 trillion. They brought that up and it got 40 or so votes, but it did not pass. I then brought up President Obama's budget, in a Senate with a majority of Democratic Members, and it failed 0 to 97. Mr. President, 97 to 0, because it didn't deserve a single vote, but it had one characteristic about it that was important. It actually had numbers in it. I guess the budget staff—they always produced a budget—before the spin doctors at the White House realized it, they sent out a budget projecting the President's future plans for America. For example, at a time when we are borrowing 40 cents of every dollar, the President proposed next year to increase the Education Department. Ninety percent of our education funds are from the States, and they always take care of that, and we provide certain Federal funds that can be an asset to them sometimes. Sometimes it is a liability, frankly. But at any rate, he asked for a 10.5-percent increase in Education, a 9.5-percent increase to the Energy Department, which spends most of its time blocking the production of energy rather than producing more lower cost, cleaner energy for the country. It proposed a 10.5-percent increase in the State Department budget, and it proposed—hold your hats—a 60-percent increase in transportation. Much of that was for high-speed rail so everybody can walk—80 percent of Americans, apparently, can walk to a train station and travel on the high-speed rail. We don't have the money for that. States are rejecting the money. They run the numbers. They know it is just going to be feasible and that it is just an overreach.

I guess what I am saying is that somebody in this country does not get it. I thought the American people sent a message loud and clear last year when they sent a lot of new Members to Congress, such as Senator PAUL and Senator LEE, who were shocked at it and talked to their constituents and came to Congress to do something about it.

We haven't even brought up a budget. Why didn't Senator REID and the Democratic leadership decide to bring up a budget? Well, if they bring a budget, then they have to show what they believe. They have to propose a solution to the problem. Well, what was their plan? Because they called up the House budget and voted it down—every Democrat voted it down—and they never produced one of their own. When I brought up President Obama's budget, they voted it down. So we have not seen one real solution.

They have been talking about, oh, they will do this and that. Senator

DURBIN said we can change Social Security some—we can do something about Medicare. Let's see your plan. Let's see it. The chairman of the Budget Committee says he has a budget. He has a budget, and he leaks out portions of it, but nobody sees the real budget. There are certain numbers and visions and ideas, and he claims they have a budget. But if a person is unwilling to produce the budget and have a hearing in the Budget Committee, then I think they don't have one. It is not a budget. I don't know what it is, but it is not a budget.

I see my colleague, Senator CORNYN, who has been a member of the Budget Committee. I know he is knowledgeable about these issues, and I am pleased to yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I have come to the floor to express my appreciation for the ranking member of the Budget Committee, Senator SESSIONS, and to express many of the same concerns I know he has articulated.

One of the most basic responsibilities of any business or family or, frankly, of Congress itself is to pass a budget. But, as the Senator from Alabama pointed out—and it has been pointed out time and time again—Congress has failed for more than 800 days—800 days—to perform one of its most basic and fundamental responsibilities, and that is to take up and pass a budget.

Even though we haven't passed a budget and taken up a budget, that doesn't mean the spending has stopped. Indeed, the spending goes on in a reckless sort of way. We have spent \$7.3 trillion since the last budget was passed, and we have increased the national debt by \$3.2 trillion.

Now the Senate is considering a spending bill, an appropriations bill, before we have even passed a budget. It strikes me that is exactly backward. We should be passing and debating a budget first before we then take up appropriations bills. This is not the way Congress should operate.

Now, taxpayers who might be watching this on C-SPAN or elsewhere or in the gallery may be asking themselves, well, how can Congress spend money without having a budget in place, because we know a budget is a very important form of self-discipline. It requires us to identify what our priorities are. What are the things we have to spend money on? What are things we would like but we can put off until tomorrow or next year? What are the things we would like to have but we really can't afford? The fact is, Congress has been operating in an undisciplined and extravagant sort of way not with our money but with the taxpayers' money and, even worse, with the money these young men and women who are sitting in front of me are going to have to pay because our legacy to them will be a burden of debt which will limit their opportunity and their prosperity.

As Senator SESSIONS, our ranking member, has pointed out, this is not only a bad idea, this is not only bad policy, this is not only a breach with our precedent and policies, there is, in fact, a Budget Act rule that prohibits what is going on; that is, spending money without a budget in place. It violates the Senate rules.

Everybody knows spending money without a budget in place is not fiscally responsible. Of course, I would say to the distinguished Senator from South Dakota, we all support our military and our veterans, and there is no greater responsibility of the Federal Government than to defend our citizens and to make sure the needs of our troops and veterans are met. But Congress should not, in the interest of doing something that is important, circumvent its own rules.

Taxpayers deserve transparency. With transparency comes accountability. And without a budget, taxpayers get neither.

We know what has been going on in the absence of Congress doing its job. Indeed, the President's own proposed budget would have vastly expanded the debt and the deficits, and that is why it lost when we brought it to the floor and said we want to vote on it. It lost 97 to 0. No member of the opposing party, the President's own party, voted for the President's proposed budget because it was irresponsible. It did nothing to solve the problem of reckless spending, deficits, and unsustainable debt.

So what are we left with? Well, we are told that on August 2 the Secretary of the Treasury says we will run out of money. Rather than having a budget debated and voted on in front of the American people where every American citizen could watch it and see what is going on and call our offices and express their concerns either supporting that budget or saying, no, Members of Congress ought to change it by offering an amendment, what we are given now by the President is secret negotiations behind closed doors. I assume it will be rolled out at some point, and we will be told: Take it or leave it. August 2, we are out of money. And Mr. Senator, Madam Senator, Madam Congressperson, you can't do your most fundamental job; that is, have a debate in the light of day in front of the American people.

Now, does this ring a bell? It seems to me this is starting to be a habit—a bad habit. It started with the health care bill. It was rammed through Congress. It was a product of secret negotiations. All sorts of special deals were cut behind closed doors. Only now are we really beginning to see what the consequences of those special deals were and the costs that were vastly underestimated in the health care bill.

I hate to say this, but President Obama has failed to lead on the debt ceiling. First, we know he called for a clean up-or-down vote without any cuts or any entitlement reform. That is

the first thing he called for. Thank goodness he has moved away from that position, but there are problems yet. But when he was a Senator in 2006, he said, "Increasing America's debt weakens us domestically and internationally." At the time, he also said, "It is a sign that we now depend on ongoing financial assistance from foreign countries to finance our Government's reckless fiscal policies." That was back in 2006 when then-Senator Obama made those statements. So today we are presented with a much different officeholder—the President of the United States—who is now demagoging those who hold the same truths he espoused himself in 2006, back when our debt and our deficits were much smaller than they are today.

This isn't a matter of the President not understanding the problem we find ourselves in because he appointed a bipartisan commission, the Simpson-Bowles commission, that reported back in December in a report called "A Moment of Truth" which laid out in sobering detail the unsustainability of our national debt, the reckless spending that had gone on, and the borrowing from the Chinese and other governments. But rather than the President taking up the report of his own fiscal commission, he simply ignored it. He ignored it in the State of the Union Message. He certainly ignored it in his proposed budget, which was dead on arrival over here, without a single Democrat voting for it.

In essence, the President has outsourced his leadership responsibilities to others. We know the President's current proposal, if one can call it that—and, frankly, the devil is in the details, and while the House has passed a budget, while the Simpson-Bowles commission has made a recommendation, as well as the Domenici-Rivlin bipartisan recommendation, we have yet to see the President's plan. Yes, he has held press conferences, he has bashed those rhetorically who have held the very same position he held in 2006, but he has failed to lead and offer a plan to deal with this impending crisis.

In fact, the President's current rhetoric—I don't think we can dignify it by calling it a plan—is significantly to the left of his own bipartisan Simpson-Bowles recommendations. He is certainly to the left of Simpson-Bowles when it comes to spending—calling for much more spending, no cuts but continued spending. He is to the left of Simpson-Bowles when it comes to taxes, when "more" is the only word he seems to know when it comes to taxes—more taxes. In fact, when the President says we are going to cut \$1 trillion, let's say, or \$2 trillion, but we are going to raise taxes \$2 trillion, what does that net? That means no net change in the size of the Federal Government, and that means no real downpayment on our national debt or deficit. It is a sleight of hand. It is phony. It is designed to give the appearance of

doing something serious while doing nothing serious at all.

We know the President has failed to lead in other ways. He has delegated or outsourced his responsibility to the Vice President. It took only a few weeks ago for the President to finally step up and engage personally, and we find that more often than not he proposed phony solutions such as changing the depreciation schedule for corporate jet owners, dealing with the tax treatment of oil and gas companies, and changing an accounting rule called "last in, first out." But the facts are that those changes, even if adopted, would be a drop in the bucket. They would do nothing significant or serious to deal with our huge deficits and our unsustainable debt.

Unfortunately, the President's own personal engagement is frequently nothing more than personal attacks. His recent press conferences have been full of name-calling and straw man attacks that are, frankly, beneath the dignity of the office of President of the United States. Instead of being a Commander in Chief, it is more like he has decided: I am going to be campaigner in chief. I am not going to deal with the problem. I am going to just look at winning the next election. Then we read yesterday that even in private the President is throwing temper tantrums like he did yesterday and stomping out of the meeting at the White House—again, failing to show leadership.

But the most cynical thing the President has done, the most cynical abdication of leadership he has displayed so far is his new threat to hold seniors, our veterans, and our troops hostage unless Congress will agree to job-killing tax increases immediately. This is shameful behavior.

We all know that even if the August 2 deadline passes without a deal, according to the Bipartisan Policy Center, the U.S. Treasury will still have enough revenue—about \$172 billion—to pay for Social Security benefits, to pay for Medicaid and Medicare, to pay Active-Duty military, and other national priorities. Let me repeat: The only reason seniors and our troops will see their checks stop coming is if the Obama administration decides to make other spending a priority, if the Obama administration chooses to hold our troops and seniors hostage just so they can raise taxes.

This is another amazing display of cynicism, or I guess the most charitable way I can say it: short term memory. The President himself said last December the reason we should not raise taxes in a fragile economic recovery is because it would be bad for job creation. It would further discourage job creation at a time when we need jobs badly.

Well, let me say just a word about tax increases and why this side of the aisle believes so strongly that tax increases are not the answer to our debt crisis.

As one President famously said:

The last thing you want to do is to raise taxes in the middle of a recession because that would just suck up—take more demand out of the economy and put businesses in a further hole.

Well, the President who said that was President Barack Obama back in 2009. The President makes our case for us.

Another President said low taxes help "millions of entrepreneurs . . . hire new workers." Oh, yes, that was again President Barack Obama when he signed the extension of tax relief last December.

Then there was another President, somebody our Nation holds in high regard, who happens to have been a Member of the other political party, who said:

The final and best means of strengthening demand among consumers and business is to reduce the burden on private income and the deterrents to private initiative which are imposed by our present tax system. . . .

That was President John F. Kennedy in 1962. President Kennedy also said:

In short, it is a paradoxical truth that tax rates are too high today and tax revenues are too low and the soundest way to raise the revenues in the long run is to cut the rates now. . . .

He said—and he was exactly right:

Only full employment can balance the budget, and tax reduction can pave the way to that employment.

The purpose of cutting taxes now is not to incur a budget deficit, but to achieve the more prosperous, expanding economy which can bring a budget surplus.

He had it exactly right. We need to not only cut spending, but we need to grow revenue. The best way to grow revenue is to get more taxpayers, to get more people back to work. The reason Federal revenue is so low is not because tax rates are too low or people are not taxed enough, it is because too many people are out of work.

When people do not have a job, they do not pay taxes, they do not pay their home mortgages, and they lose their homes. We are for more people getting back to work. We have tried the failed stimulus, the goal of which was to keep unemployment below 8 percent. We know that failed. Yet we racked up another \$800 billion in debt.

So why don't we try the old-fashioned way: take our boot off the necks of the job creators in America to make it easier, not harder, to create jobs, to provide incentives for entrepreneurs to start new businesses, to help existing small businesses expand their business. But they cannot do it, and they will not do it with uncertainty about their taxes, with the regulatory overreaching and other policies coming out of Washington, DC.

Republicans are holding the line against the President's demand for higher taxes for a very simple reason. President Kennedy was right about taxes back in 1962, and President Barack Obama was right about taxes as recently as last December. Unfortunately, he has changed his mind, or he has forgotten the position he took just last December.

Republicans do not want tax increases, and we do not want to see the Federal Government default on its obligations. So we have an obligation to come up with an affirmative plan, a positive plan to solve the problem. I believe we have done so.

The first is a balanced budget amendment to the U.S. Constitution that is cosponsored by every Republican on this side of the aisle. The last time we voted on a balanced budget amendment in the Senate was 1997—before I got here—where 11 Democrats voted to support that constitutional amendment. I hope our Democratic colleagues will join us in doing not an extraordinary thing, not a heroic thing—it is a very ordinary but a very commonsense thing—and that is to make sure the Federal Government learns to live within its means and not spend money it does not have. We hope they will join us.

Part of that plan is also the cut, cap, and balance legislation I have cosponsored and that I hope the House of Representatives will take up and send over here soon. This legislation is a plan that avoids defaulting on our obligations. It prevents more taxes, particularly during a fragile economic recovery. It cuts reckless spending, and it gets our fiscal house in order.

What is painfully apparent is we are running out of time, and I am not just talking about the August 2 deadline. Yesterday, Moody's Investors Services said it was reviewing the Nation's top-notch, AAA credit rating for a potential downgrade.

If credit agencies downgrade our debt, it will cost more for us to borrow from the Chinese and our other creditors. As we know, because of Federal Reserve policies, the Federal Reserve has kept interest rates below historic norms. If those were to grow to historic norms because our debt has been downgraded by the credit agencies—or for any other reason—the interest on our national debt alone will crowd out other priorities for our Nation. It will make it less likely we can afford to do what we need to do to defend our national security or to provide the very safety net that our Democratic colleagues claim to care so much about. We will not have the money to do it because we will not have acted responsibly in dealing with the deficit and the debt today.

I urge my colleagues to heed these warnings and to join us in cutting spending and to get our debt under control. In the end, everyone will come out a winner if we accomplish that goal. This is not a Republican plan. This is not a Democratic plan. This is what is right and good and necessary for the United States of America, and so that generations in the future can enjoy the same opportunity and prosperity we ourselves have enjoyed. Heaven help us—Heaven help us—if we fail to take advantage of this opportunity and to deal responsibly with this impending crisis.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank the Senator from Texas. This is very serious business we are engaged in. The strength of his comments, the method of delivery, and the content are indicative of the serious challenges we are facing.

For example, under the budget that was submitted to us, the only budget we have seen so far from the President, the interest on our debt, according to the Congressional Budget Office—that used their 10-Year budget and calculated we are paying about \$214 billion in interest today on our debt—in the 10th year of President Obama's budget, as Senator CORNYN said, the interest would crowd out other things. It would be \$940 billion—1 year's interest.

When we borrow money, we pay interest just like individuals do when they borrow money. We are borrowing so much money that we are doubling the debt again in our country in 10 years. The interest on it will crowd out other things. For example, it would be more than Social Security, more than our Medicare, more than our Defense Department spending in that year.

So I thank the Senator for sharing that.

I see Senator JOHNSON, and I would be pleased to yield at this time.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, I thank the Senator for his courtesy and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I will just wrap up and close at 2 o'clock. I understand under our agreement that 2 o'clock will start the time allocated for the Democratic speakers as they may appear, and there would be time at 3 o'clock under my control for Republican speakers.

The PRESIDING OFFICER. That is the understanding, although the Chair is told the agreement has not been formalized as yet. But the Chair understands that is the agreement. The Senator from Alabama is correct.

Mr. JOHNSON of South Dakota. That is all right.

Mr. SESSIONS. Very good.

So I will wrap up and ask unanimous consent that there be 30 minutes under my control at 3 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SESSIONS. I thank the Chair.

Well, the fundamental problem is that our Democratic leadership has decided it would be foolish to have a budget, even though it is required by law. They have refused to produce a budget now for 806 days—over 2 years. Last year, Senator CONRAD produced a budget in committee, and it was voted on and brought to the floor, but the majority leader refused to even bring it up for debate and vote.

This year I suppose it was that the majority leader decided we would not even have one in committee. So we have not commenced any action to pass a budget. But now we are proceeding to spend money. We are proceeding to pass legislation that would expend taxpayers' money without a budget. That is not good policy by any standards, whether we have a law or not. But we actually have a law that requires us to have a budget first. That is why I found myself having to raise a budget point of order.

We were not elected to shut down the committees, to violate the congressional process of deciding how money should be spent, to cede our constitutional responsibility to some secret meeting somewhere so they can produce some sort of bill and drop it in the Senate on August 1, presumably, and then demand that we pay for it.

Because, look, you have to look behind the numbers. Just because the President says his budget does one thing, his plan does another thing, don't you think we ought to check it out?

One of the most stunning statements I have ever heard from a President and from the Budget Director was heard earlier this year after the President presented his budget. He and the Budget Director publicly—and the Budget Director in committee—said: Our budget will have us live within our means and pay down the debt.

They used those words. So anybody hearing that thinks: Gosh, I am glad the President prepared a budget that will have us live within our means and pay down our debt. We have been spending too much money.

What is the truth? The truth is, the lowest single annual deficit in 10 years, according to the Congressional Budget Office analysts, would be \$740 billion.

The highest President Bush ever had was \$450 billion. That was too high. This year it will be \$1.500 billion, and I would point out that in the outyears \$740 billion was about year 6. The 7, 8, 9, 10 numbers are going up again, and CBO says in the 10th year, the deficit under the President's budget will be \$1.2 trillion. So this is not good. We need to get our house in order.

We are going to insist that we do it in the right way. That is why I have objected to proceeding to spending bills without a budget. It is time for the majority leader to bring us into session. Let's have a budget. Let's see where people stand. Let's make the tough decisions. Let's vote on it. Let's allow ourselves to be held accountable by the people who sent us here.

I yield the floor.

The PRESIDING OFFICER (Mr. SANDERS). The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, the media has been focused on our differences. But I think there is one thing that every single member of this body agrees on, we have to address the long-term debt and deficits.

Like many Members of this Chamber, I have repeatedly called for a bipartisan package that includes reforms to everything deficit related. That means cuts to spending, domestic, defense, and mandatory, as well as increased revenues. I have supported attaching deficit reduction measures to the vote on the debt limit. And I believe reducing the deficit is critical to strengthening the long-term health of the economy.

But I also believe that everyone—everyone—has to come to the table to find a compromise solution that will get this done. Democrats know this, that is why time and again we have offered compromise plans, including more than a trillion dollars in spending cuts. It is disappointing that politics are keeping some from negotiating in good faith. That is a disservice to the American people.

I have spoken before about what some people are trying to protect, tax breaks for big oil, for hedge fund operators and for yacht owners. I would like to speak now about what some are willing to risk to protect those tax giveaways. What happens if we do not increase the debt limit and meet the United States' financial obligations.

First of all, raising the debt limit does not mean spending more. Our spending is set by Congress's annual budget process.

Raising the debt limit means paying our government's bills. Our government. It is not the Democrats' government, it is not President Obama's government. It belongs to all of us. We are talking about servicing savings bonds issued under President Reagan. Supporting an Army first sent to Afghanistan under President Bush.

Paying Social Security checks, food inspectors, and air traffic controllers. This is about the full faith and credit of our government.

Failure to raise the debt limit means default. It means the United States would not meet its obligations. What would happen?

Warren Buffett said it would be Congress's "most asinine act ever."

Fed Chairman Ben Bernanke said it would lead to "a huge financial calamity."

Economist and former Reagan adviser Larry Kudlow said default would be "catastrophe."

The biggest concern these experts name is the potential for a global financial crisis. Companies, pension funds, and governments across the world hold U.S. savings bonds. A default could trigger a crisis worse than the one in 2008, which itself triggered the worst recession since the Great Depression.

We are just now climbing out of the hole caused by the last financial crisis. We cannot risk another one.

Let me read from a letter sent to Congress earlier this week by hundreds of America's top businesses and business organizations, including the Chamber of Commerce, the Financial

Services Roundtable, and great New Hampshire companies like Cirtronics and Control Air:

We believe it is vitally important for the U.S. government to make good on its financial obligations. . . .

It is critical that the U.S. government not default in any way on its fiscal obligations. A great nation—like a great company—has to be relied upon to pay its debts when they become due. This is a Main Street not Wall Street issue. Treasury securities influence the cost of financing not just for companies but more importantly for mortgages, auto loans, credit cards and student debt. A default would risk both disarray in those markets and a host of unintended consequences. The debt ceiling trigger does offer a needed catalyst for serious negotiations on budget discipline but avoiding even a technical default is essential. This is a risk our country must not take.

Again, this is not my opinion. This is the opinion of business leaders. We should listen to them.

In a recent op-ed in USA Today, the Chamber and the Financial Services Forum spelled out why they believe a default would result in "hundreds of thousands of lost jobs every year."

First, they point out that a default would halt critical government operations, far more abruptly than we have seen in past standoffs over the budget. They say:

The U.S. Treasury is expected to take in about \$170 billion in tax revenue in August, but needs to pay \$300 billion in expenses. The resulting \$130 billion deficit would require the government to pick which programs—Medicare, Medicaid stamps, unemployment insurance—to pay for and which not to fund. And there would be little money left to pay our troops or to run the courts, the prison system, the FBI, or other essential operations.

They go on to note that default would make our government debt and deficit problem worse.

Yesterday, Moody's, the credit rating agency, put the United States governments' credit rating under review. If Moody's were to downgrade our credit rating, investor confidence in U.S. bonds would be shaken, and it would be more expensive for our government to borrow money.

This is something that I understand viscerally because, as Governor of New Hampshire, we worked closely to try to avoid the rating agencies downgrading the State's borrowing so that we would not have to pay more money. JP Morgan estimates that the higher interest rates caused by default could increase our annual deficits by a staggering \$75 billion every year. Just from higher interest rates. If we are serious about reducing the deficit, this is the wrong way to go.

That is why we need to find a compromise solution. We have in the past. The debt limit has gone up under every President in modern times. President Nixon raised it nine times. President Clinton raised it four times. Since President Kennedy, the most frequent and largest increases came under President Reagan. He raised the debt limit 18 times, by a total of 199 percent. I

don't think anyone here thinks President Reagan was a champion of big government.

I believe that many of my colleagues on both sides of the aisle understand the importance of getting this done. I believe many of them believe in the value of compromise. We all have to be at the table. We all have to be ready to compromise to reach a solution.

I ask my colleagues to do what is right and put politics aside, for the good of the economy and of the country.

Mr. HARKIN. Mr. President, I would like to follow up a little bit on what the Senator from New Hampshire just spoke about; that is, the absurdity, the absolute absurdity of what is going on in Washington today.

Our Nation used to have a two-party system in this country, but it is increasingly apparent that one of our two parties has morphed—has morphed—into some kind of a quasi-religion driven by one ideology: preserving and expanding tax breaks for the wealthy and for big corporations.

To that end, many Republicans in Congress are perfectly willing to push the United States of America into defaulting on its debt obligations with dire economic consequences. This is a very dangerous detour in our Nation's political and economic life. But just as dangerous, just as dangerous as the prospect of a default on our debt obligations is the Republican's determination to defund and dismantle as much of the Federal Government as possible. To that end, they are demanding deep, Draconian cuts to Federal funding and investment at a time when unemployment is already sky high and rising, and when our economy remains fragile.

To justify these deep cuts, Republicans with this new ideology have articulated an absurd economic theory—absolutely absurd. They claim slashing Federal funding and investments by trillions of dollars will somehow magically create jobs.

I don't know of any Main Street economist, or anybody with an ounce of common sense, who agrees with this bizarre theory. To the contrary, economists warn us that this is absolutely the wrong time to be slashing Federal investments. Why? For the obvious reason that deep, short-term cuts to Federal spending will dramatically reduce demand in the economy, thus reducing employment even further.

Already this year, cuts to government spending at the State and local levels have destroyed an estimated 500,000 public sector jobs, and that goes along with an undetermined number of private-sector jobs. Economists understand that terminating the jobs of teachers, police officers, and other essential public employees has a negative impact on the economy just as eliminating private-sector jobs do. Nonetheless, as if they live in kind of a parallel, upside down universe, Republicans insist that slashing Federal funding and investment will create

jobs. Let's test that theory in one area of Federal investment. Let's take transportation funding. Everybody understands that our transportation infrastructure is woefully inadequate. It is in a state of increasing overload and disrepair. Most people understand that ramping up investments in modernizing our highways, bridges, and public transit systems would strengthen our economy and create millions of jobs. These are the veins and arteries of our commerce.

What have the Republicans in the House proposed? Last week, the Republican leader put forward a new transportation authorization bill that would slash current investments in transportation by more than one-third—a one-third cut in transportation. Will this create jobs, as the Republicans claim? Of course not. The Senate Environment and Public Works Committee estimates that the House bill would destroy more than 490,000 highway construction jobs and close to 100,000 transit-related jobs—mass transit.

This is pure folly. This is a classic example of what happens when ideological obsessions cause Members of Congress to be blind to practical, common-sense realities.

I have repeatedly come to the floor to advocate for a balanced approach to bringing deficits under control, one that includes some spending cuts and revenue increases. At the same time, economists warn us that we need a deficit reduction plan that defers the lion's share of spending cuts and tax increases for several years, allowing our economy to recover before the negative impacts are felt.

I must also ask: Why are we proposing to slash all this funding for highways, schools, and infrastructure here at home, while we continue to spend untold billions of dollars to build highways, schools, and infrastructure in Afghanistan? A lot of people ask me: Senator HARKIN, you say you are willing to cut spending. Where? Let's start here, with Afghanistan and Iraq. We are spending \$168 billion in Iraq and Afghanistan this year alone. This year—fiscal year 2011—we are spending more than \$13 billion to train the Iraqi and Afghan security forces—\$13 billion. OK. What did we spend in America to retrain our workers so they can get new jobs? Less than \$10 billion. We are spending more money to train Afghan and Iraqi security forces than we are to retrain our own workers all over America, at a time when 24 million Americans are unemployed or underemployed. Yet we are spending \$168 billion a year on Afghanistan and Iraq. I applaud the President for his actions, but quite frankly, they don't go far enough. The President should have a faster timeframe for our troops to get out of Afghanistan. I have said that publicly many times. If we want to save some money, save that \$1 million it costs to keep one soldier in Afghanistan, get them back here. We went to Afghanistan to get the Taliban out, get

al-Qaida out, and get Osama bin Laden. We got Osama bin Laden, Al-Qaida is no longer in Afghanistan, and the Taliban is gone. Why are we still there? Why are we still spending about \$14 billion a month in Afghanistan?

Again, we need a balanced approach. Spending cuts alone won't do the job. I think the Republicans have just proved this. The Republicans have proved that spending cuts alone will not get the job done. Why do I say that? Look at the so-called Ryan budget. It dismantles Medicare, guts Medicaid, and makes severe cuts across the Federal budget. Yet it still adds trillions of dollars to the deficit for years to come—largely because it refuses to touch tax breaks for the well-to-do or to raise other revenues from corporations.

The Republicans have said they don't want to raise taxes on the so-called job creators. They don't want to raise taxes on job creators. To call trust fund millionaires and Wall Street money manipulators "job creators" is laughable. Meanwhile, to call many large corporations in the United States "job creators" is increasingly questionable.

Actually, in one respect, you can indeed argue that America's big brandname corporations—GE, Microsoft, and so on—are "job creators." The problem is that they are not creating many jobs here in the United States. They are creating jobs overseas and eliminating them here. The U.S. Commerce Department data shows that during the 2000s, U.S. companies—multinational companies—cut their workforce here at home by 2.9 million, and they increased their workforce overseas by 2.4 million. They are creating jobs, all right—just not here in America. To add insult to injury, there are provisions in the United States Tax Code that promote this kind of behavior—the kinds of tax breaks that Republicans insist on preserving.

They don't want to tax job creators. Yet we have shown that these big multinationals are creating jobs overseas. I wish to—and I am sure the occupant of the chair would also—close some of those loopholes so there is not a tax benefit to shipping jobs overseas. The Republicans say, no, they don't want to do that.

In the month of May, U.S. trade deficit soared to more than \$50 billion—the highest level in nearly 3 years—in 1 month. In May, our trade deficit—out of that \$50 billion—for one country, China, was a staggering \$25 billion. You might say, what does that mean? Those figures represent a transfer of millions of jobs and billions in wages from the United States to China or other countries abroad. We need to seriously examine our trade and tax policies, which continually send our jobs and wages overseas. We need to stop bowing before the sacrosanct altar of "free trade" as if it doesn't even warrant our examination. Instead, we need to ask how we can make our trade policy work for the middle class—for in-

stance, by defending America's right to oppose currency manipulation and abusive trade practices.

We ought to talk about fair trade, fair trade, fair trade, not free trade, free trade, free trade. You see where free trade gets us if we don't stand up to other countries that manipulate their currencies, such as China, where we are shipping all our jobs and money.

As I have said, our fragile economy is at the point of maximum danger. This Congress is at a historic decision point with regard to raising the debt ceiling and bringing deficits under control. However, as we have seen played out in the press, in the media, standing in the way of a rational, reasonable compromise is congressional Republicans' ideological obsession with preserving tax cuts for millionaires and billionaires at any and all costs. They are threatening to force us to default on the national debt.

I will close with this. I heard our distinguished minority leader, the Senator from Kentucky, say this was now Obama's economy and the problems we have are because of Obama. He has been President for almost 3 years—about 2½ years now. Therefore, he says he owns that. You know, this is kind of an interesting world we are living in. We have a debt ceiling, and why has the debt gone up? Because we borrowed money—a lot of money. The Congressional Budget Office says the debt we have today comes from. Remember, 10 years ago, we had a surplus, a budget surplus, one of the largest in our Nation's history left after President Clinton. Then President Bush comes into office, the Republicans take over the House and Senate, and they ram through a massive tax cut, which takes the surpluses and gives them mostly to the wealthy in our country. Then 9/11 happened and we entered into two wars—totally unpaid for—and we borrow it from China, or wherever, to pay for two wars.

Then we had a Medicare drug prescription benefit—most of which benefits go to the drug companies, by the way—and we didn't pay for that. We borrowed money for that also. So the debt we are grappling with today is because of policies enacted by a Republican President and a Republican Congress. They ran up the debt. Now they don't want to pay for it. This is not President Obama's debt at all. This is what happens when you have almost 8 or 9 years of uninterrupted borrowing and spending by President Bush and the Republican Congress. This is their debt.

Again, I call upon reasonable, responsible Republicans to come forward and give up on this ideological obsession, this new theology that says: no tax reform, no raising of revenues from anyone, even those who can afford it the most.

I remain an optimist. It is not too late for reason to prevail. We have heard loudly and clearly from the extremists and ideologues, who would bring



down our economic house rather than agree to any compromise. Now it is time for decent, patriotic Americans to speak up and say enough. We can and must come together around a balanced plan to bring our deficits under control, and we must uphold the full faith and credit of the United States of America.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. COONS. 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. COONS. Mr. President, I rise today, as have so many other Senators, because I am concerned about what I have been hearing about the threat of default that is now just over 3 weeks away—what I have heard both here in Washington and in Delaware.

This looming default crisis is one of the most grave and predictable threats to our economy and our country I have ever seen. It is no longer floating at a distance just over the horizon, or something we can debate academically, the impact of which we may yet avert. It is here now. We are on the edge. Given the difficulties this body can have in moving something through in a matter of days, we are very close to the absolute last day when we can consider options and a path forward. Default is right before us and it must be dealt with.

I rise not to add to the political rhetoric—there has been plenty of that—nor do I rise to try and elicit panic or fear in the broader public.

I rise because the folks of Delaware—the people from whom I have been hearing—just don't know what to believe. They know our deficit spending and our national debt are out of control, and they are deeply concerned. That is good. I share that concern. I share that commitment to making certain we reduce our spending and we deal with our deficit because deficit and debt at the size we have today can harm our economy fundamentally. They are a basic challenge to our national security, to our success, and to our growth going forward. But I also rise because there is no faster way to ensure that our economy will never get back on track, that our country will never reach its full potential than to let our Nation default on its financial obligations.

We need to deal with this default crisis in a responsible and pragmatic way to create a real and lasting solution. We must restore certainty to our markets to help get our economy going again. And what do we hear from business, businessmen large and small all over the country? Certainty. We need predictability and certainty in the markets. Well, nothing is creating uncertainty more than this grinding lack

of resolution to the vote to raise our Nation's debt ceiling.

I wish to take a few moments, if I could, to talk about the reality of this impending crisis, and I would like to look at a few of the myths I hear at home that need to be cleared up.

First, some Members of this body and the other House of Congress, some folks running for President, and some people in the press have suggested that a default will cause only minor economic disruption, if any at all. Economist after economist, think tank after think tank, study after study has shown in the last few weeks that nothing could be further from the truth.

There are predictable consequences of default that will affect every American—Americans in every State, at every income level. More than any, I worry about the working families or those currently out of work who are already struggling through the greatest recession we have known in my lifetime. One report suggests 640,000 people will lose their jobs in the months after default. Economists confirm that the cost of home mortgages, car loans, and interest rates will go up for everything. The cost of food, gas, and everyday items for families all over this country will go up in real and concrete ways.

More importantly, if we default on America's mortgage, the impact in terms of the increased cost of borrowing for our whole country and for all of our families won't just be brief, it will be lasting because it will hang with us on our credit score as a nation for years. To the folks watching, if you think it is difficult to find a job or to help grow a business to help deal with the daily cost of living now, just wait until we default on America's mortgage and the cost of borrowing funds to do anything—to create new jobs or to help pay your bills as a family—goes up.

Default will have real and lasting economic consequences that will haunt this economy and haunt the working families of this Nation for years.

The second myth is that we can just stop spending money without real consequences. Some in this very Chamber have suggested that when we get to August, there will still be plenty of money coming in to service the debt, so there is no real threat of default, and that what we need to do is a relatively simple exercise of just deciding which things we will stop paying.

This second myth goes that the Treasury Department will just start picking winners and losers: They will pay Social Security but forgo Medicare; they will pay our troops but pink-slip our Federal civilians; they will fund the Pentagon but forget the Department of Education—never mind the ethical quandaries, the long-term disservice such action would have on our economy and our country. Frankly, the truth is that it is not even clear they have the legal authority to do so in the Treasury Department, to pick these winners and losers on a week-by-week basis.

Let's just choose one example of the studies done on this myth that we can simply pay the debt service and a few big things and the consequences of the rest would be fine. According to the Bipartisan Policy Center, beginning in August, if we continue to make payments, obviously on interest on the debt but also on Social Security, Medicare, Medicaid, all defense contractors, and unemployment insurance—so the really important things—and we just stop paying the rest, our troops on Active Duty; all of our veterans programs; all of law enforcement, including, for example, the FBI; the whole Federal court system; the FAA, which monitors air traffic; the FDA, which inspects food quality and safety; and a host of dozens of other Federal programs would come to a halt within days.

The consequences to the safety of our families, to the strength of our economy, to the confidence of our country, and to our role at home and abroad would, in my view, be tragic—almost catastrophic. So even if we could avoid technically defaulting for a few days or weeks by continuing to service our debt, the costs and consequences of these other “easy choices” would be dramatic, difficult, and lasting.

According to Steve McMillin, who was the former Deputy Director of OMB under President Bush—he was recently quoted on this topic:

I would say the options Treasury has if the debt limit is not raised are all very ugly.

Let me give a third myth. As I was talking with some small business owners in Delaware over the past week, some suggested they really felt we needed to go ahead and take the tough medicine of defaulting and cut up the President's credit card, stop the President from spending.

While I share their concerns about the very real and very significant threat posed by our deep deficits and share the view that we must cut spending—as all of us who are Democrats on the Budget Committee have said now publicly, we are committed to a balanced approach that significantly cuts Federal spending—the metaphor of cutting up the credit cards is wrong. It is not just wrong, it is desperately wrong and misleading. Our Nation defaulting on its debt is not like cutting up a credit card and stopping the future spending; it is much more like defaulting on a mortgage; it hurts our credit rating and hinders our ability to borrow. As we have been told before, every 1 percent increase in interest rates will cause our national debt to go up \$1.3 trillion over 10 years. According to some economists, increased interest rates could last for a decade or more.

No, the obligations that come due August 2 are the obligations that have already been undertaken. As Senator HARKIN said before me, it is Republicans, both President and Congress, and Democrats, both President and Congress, over the last decade who have moved us into a bigger house as a

country. It is the cost of two wars, the cost of an expanded Medicare Part D, the cost of expanding investment in our country—the cost of this bigger house that is now coming due. For us to stop paying that mortgage would have the same consequences for our country as it would for any family because when you default on your mortgage, it is not like cutting up a credit card, it affects your credit rating, and it affects your ability to borrow and your ability to do anything more for your family for years to come. So, too, would the consequences be for this country, and we cannot afford to let our country become a bad investment.

Lastly, some have suggested that August 2 is not a serious deadline, that somehow Secretary Geithner must have some other rabbit in the hat or some escape hatch.

Back in January, Secretary Geithner sent a letter to all in Congress suggesting that we would, in fact, run out of money on May 16, and the government—the Treasury Department—would then have to start taking extraordinary measures to avoid default. In fact, he detailed in six pages all the extraordinary measures that would be required. And he was right almost literally to the day about when that transition occurred and when those extraordinary measures needed to be deployed.

The time runs out August 2, but if for some reason you don't believe the deadline presented to us by our very own Secretary of the Treasury and the Treasury Department, look at what the three bond rating agencies are already saying about the impending default. Moody's, S&P, and Fitch have all threatened to downgrade America's rating from AAA—the most secure, most stable in the world. S&P suggested last week a downgrade to D, to junk bond status. I suggest America is not a junk bond nation. It puts us at risk as a nation, as a people, and as an economy when we are mentioned in the same sentences as Ireland, as Greece, as Italy—countries currently wrestling with fundamental failures to meet their obligations as a country. We are better than that.

All of us in this Chamber—all of us—are challenged to come together to put our economy and our country back on solid footing, to restore certainty to the markets, and to give confidence to retirees, to families, to parents raising children, and to small businesses by getting serious about putting a plan on this floor next week and passing it because, frankly, if we allow this country to default on its sovereign debts, to fail to meet its moral commitments, both financial and to the people of the United States, the consequences will be desperate and lasting.

I suggested a few weeks ago that we should consider seriously the Bipartisan Policy Center's proposal—the so-called SAVEGO—which would pick up where the pay-as-you-go discipline of the 1990s started and modernize it for

our current situation. If we cannot get a comprehensive \$4 trillion balanced deal together on this floor and passed, let's at least get a downpayment and enforce a budget mechanism that would ensure that a comprehensive deal is accomplished over the next decade. SAVEGO, which I recommend to everyone in this body, would lock in savings over the next decade, force both parties to stay at the table, and urge us to meet the targets we all know we need to meet: to reduce our deficits, to stabilize our debts, to strengthen our country, and to move past this tragic narrow debate over August 2 and our Nation's mortgage.

We need to focus not on the next election cycle, not on the partisan back-and-forth that might win an advantage for one party over another or one person over another in this Chamber for 2012, but we need instead to focus on the next generation, on the future.

The only way forward, in my view, is to honor our moral commitments as a nation to the men and women who rely on Medicare and Medicaid and Social Security, on the safety of our troops, and on the investments we make in the future, and to continue to honor our obligations as a nation. To do anything less is to dishonor the sacrifice of those who have served us in the past and to ignore the very real needs of the working families all over this country who look to us for leadership and sacrifice to put us on a sustainable path forward.

Mr. President, with that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

Mr. SANDERS. Mr. President, we are at a pivotal moment in American history, and I think many Americans are confused and perplexed and angry and frustrated as to where we are today and how we got to where we are and what the consequences of decisions made in the past and that are being made right now will mean to their families. Let me just take a minute and try to give my view as to how we got to where we are and what our options are.

As you have just stated, Mr. President, and Senator HARKIN before you, anyone who talks blithely about defaults and saying it is not a big deal for this country clearly does not understand what he or she is talking about.

This is the greatest Nation in the history of the world. This is a nation whose faith and credit has been the gold standard of countries throughout the world. This is a nation, since George Washington, which has paid out every nickel it has borrowed, which is, in fact, why it is the great Nation it is

and why we have the strongest economy in the world today, troubled though it may be.

The idea for some people to simply say: Oh, not a big deal; we are not going to pay our debt, nothing to worry about, those are people who are wishing our economy harm for political reasons, and those are people whose attitudes will have terrible consequences for virtually every working family in this country in terms of higher interest rates, in terms of significant job loss, in terms of making a very unstable global economy even more unstable.

This country, which has paid its debts from day one, must pay its debts. I can't say it any more clearly than that.

Our Republican friends, especially our rightwing friends who now control the House of Representatives, have given us an option and here is their option. What they have said is: We want to do deficit reduction, and this is how we are going to do it. We are going to end Medicare as we know it and force elderly people, many of whom don't have the money, to pay substantially more for their health care. So under their plan, when a person is 70 and they get sick and they don't have a whole lot of income, they don't know what happens to them. They forgot to tell us. But what they did tell us is Medicare is not going to be there for them. They told us that tomorrow, if their plan was passed, they are going to have to pay a heck of a lot more for the prescription drugs than they are paying today. Oh, you don't have the money? Hey, that is not our problem.

They told us we are going to make savage cuts in Medicaid, throw millions of kids off health insurance, when 50 million Americans have no health insurance today. They want millions more without any health insurance.

If your mom or dad is in a nursing home and that nursing home bill is paid significantly by Medicaid and Medicaid isn't paying anymore, they forgot to tell us what happens to your mom or dad in that nursing home. What happens? What happens today if one is unemployed and not able to get an unemployment extension? What happens to the middle-class family, desperately trying to send their kids to college and we make savage cuts in Pell grants and they can't go to college? What does it mean for the Nation if we are not bringing forth young people who have the education they need? They forgot to tell us that. If you are one of the growing numbers of senior citizens in this country who are going hungry, they want to cut nutrition programs.

On and on it goes. Every program that has any significance to working families, the sick, the elderly, children, the poor, they are going to cut, and they are going to cut in a savage way. They are going to do that in the midst of a recession, where real unemployment is already at 15 percent and the middle class is disappearing and poverty is increasing. That is their idea.

When we say to them: Well, hey, the very rich are doing phenomenally well; the top 1 percent now earns more income than the bottom 50 percent; the top 400 wealthiest families in this country have more wealth than the 150 million Americans—don't you think maybe it is appropriate that when the rich are getting richer and their tax rates have gone down, their effective tax rates are the lowest in modern history, when major corporations are making billions of profits and in some cases not paying a nickel in taxes, don't you think maybe it is fair that they contribute to deficit reduction rather than just the elderly and the sick and working families, they say: No. We have a line in the sand, and if it means this country will default on its debt for the first time in history, that is OK. But we are absolutely going to defend the richest people in this country, millionaires and billionaires, and make sure they don't pay a nickel more in taxes. We are going to make sure there is no tax reform so we can continue to lose \$100 billion every single year because wealthy people and corporations stash their money in tax havens in the Cayman Islands or Bermuda, and that is just fine. We will protect those tax breaks while we savage programs for working families.

Those are the choices our rightwinged Republican friends are giving us: defaults with horrendous economic consequences for working families in this country and, in fact, for the entire global economy or massive cuts to programs working families desperately need.

Neither of those options is acceptable to me, and neither are those options acceptable to the vast majority of the people in this country. Every single poll I have seen says that the American people want shared sacrifice. They don't want or believe that deficit reduction can simply come down on the backs of the weak and the vulnerable, the elderly, the children, and the poor; that the wealthy and large corporations also have to participate.

I must, also, in all honesty, tell you I have been disappointed by the President's role in these discussions and some of his ideas. He has brought forth an idea which I categorically reject, that we should make significant cuts in Social Security; that when someone reaches the age of 85, they would lose \$1,000 as opposed to what they would otherwise have gotten. This Senator is not going to balance our budget on the backs of an 85-year-old person who is earning \$14,000 a year—not with my vote.

This Senator does not agree with the President that we raise the eligibility age for Medicare from 65 to 67 because I don't know what happens to millions of people who work their whole lives, finally reach 65 anticipating Medicare, but it is not going to be there for them. So I very strongly disagree with the President on those initiatives.

Let me tell you that elections have consequences, and I think many people

now are beginning to catch on to that. It is no secret our rightwinged Republican colleagues did very well in November 2010. They captured the House of Representatives, and now, 1 year-plus later, for the first time in the history of this country, we are on the verge of a default.

I would close by saying to people all over this country, if you believe we have to start investing in America and creating the millions of jobs this country desperately needs, elections have consequences.

If you believe we have to address the deficit crisis in a way that is responsible, in a way that asks the wealthy and large corporations also to play a role, in a way, as Senator HARKIN mentioned a moment ago, that calls for cuts in defense spending and bringing our troops home as soon as possible from Afghanistan and Iraq, you have to be involved in the political process, in my view.

A group of people in the House whose views represent a small minority of the American people are holding this Congress hostage, and it is time for the American people to stand and say enough is enough. The function of the Congress is to represent all our people and not just the wealthiest and most powerful.

With that, I yield the floor and note 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 Wyoming.

Mr. BARRASSO. Mr. President, I ask that the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SANDERS). Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, I come to the floor as someone who is back in my home State every weekend. As I talk to people and say: What is on your mind, they say what is on their mind are jobs, the economy, the Nation's debt, and the Nation's spending. I say: What do you think about things going on in Washington? They say the problem with Washington is it taxes too much, borrows too much, and the government grows bigger every day, and they say: What are we going to do about it? When we talk about the debt, the people of Wyoming have a clear understanding that the number is very large.

They say: What about the budget? As we get into the discussion, it comes down to: What budget? Where is the budget? It has been 800 days since a budget has gone through this body—over 800 days. You are talking more than 2 years. Why is that?

There was a vote on the budget earlier this year. There was the President's so-called budget, lost 97 to 0. Not even one Democrat voted for what the President had proposed. The news magazine *The Economist* called it a dishonest budget. In Wyoming, we balance

our budget every year. We do not have a debt like the country has, the country with its \$14 trillion debt. In Wyoming, the debt is zero because year after year we balance our budget, live within our means, spend only what comes in, and actually have money left over that we can invest in the people of our State. That is because from the beginning, when the constitution of our State was written, included right there in the constitution was a component saying: You shall balance the budget every year. Do not spend more than you have coming in.

To do that, one of the most useful things is that there actually be a budget, something to live within, something to look to as a guidepost, as a roadmap. I am still looking for one in this body. Where is it? Why have we not seen one? That is why I am coming to the floor today with a number of my colleagues to say: What is going on that it has been over 800 days with no budget, no opportunity to have the American people look to a roadmap to see where the country is headed?

We hear all the discussion about, are we headed to a default? What about the debt limit? What about the ceiling—is that going to be raised? The people say: What is the plan? What is the spending plan? What is the savings plan? I do not hear one coming for the majority party. I do not see one from the majority leader. I do not see one from the Budget Committee. I do not see one from the President. They are having discussions at the White House about how to try to get spending under control. Where is the President's plan?

What I hear from the President is that he wants to raise taxes. The people of Wyoming would say the best way for more revenue to come in is not to raise taxes on the people who are working, it is to put some of those 9.2 percent of Americans who are looking for work, put them to work, and then that money will come in as they pay taxes.

I come today to the floor with a number of my colleagues—Senator SESSIONS, the Senator from Alabama has arrived—and we are going to be engaged in a colloquy to discuss some of these issues.

We ought to be focusing on these 9.2 percent of Americans who cannot find work, millions of Americans who cannot find jobs. When I talk to the job creators, they are saying it is the President's position and his policies that have made matters worse—made matters worse with increasing health care costs as a result of the health care law, made matters worse as a result of the regulations that came out of Washington that add costs onto businesses, and making it worse in increased energy costs as the President continues to send energy jobs overseas, as he makes it harder and harder to explore for American energy.

I ask my colleague, Senator SESSIONS, to give us his thoughts, if I could, on the concerns we face as a nation without a budget, without a plan,

without a roadmap, at a time of astronomical deficits, huge numbers, numbers that are too high for people even to understand and comprehend.

(Mrs. MCCASKILL assumed the chair.)

Mr. SESSIONS. Madam President, I appreciate Senator BARRASSO and his leadership on so many issues in this Senate.

It is a sad event that we are now filing an objection to the movement of an appropriations bill because it violates the Budget Act contained in the United States Code. The Budget Act says you shall not move forward with an appropriations bill if you have not first passed the budget.

I ask my friend from Wyoming, as an accomplished orthopedic surgeon and physician and from his personal experience in the legislature in his State, does it strike him that when you are in the most serious debt crisis that perhaps the Nation has ever had from a structural, systemic point of view, that we ought to follow the law, we ought to first decide how much money we can afford to spend next year and then allocate that money to the various spending appropriations committees so they can produce a plan that would live within that budget? Is that the commonsense way we should proceed?

Mr. BARRASSO. Madam President, I would say absolutely yes. If you are a family in Wyoming, I don't care if you are living in Casper or living in Kemmerer, either way you know you need to live within some construct of how much is coming in, how much you can spend—live within a budget. Families have budgets. They live within their budgets. The State of Wyoming has a budget. We have a balanced budget component of our constitution. It not only says we have to have a budget, it says we have to balance it. If you do not have a budget to begin with, I cannot understand how you can balance it.

Is it any surprise that we are \$14 trillion in debt and we are borrowing \$4 billion a day, \$2 million a minute in this country, and we are borrowing a lot of it from China? It would seem we ought to be following the law—have a budget and then live within the budget, and it needs to be a responsible budget consistent with what is coming in.

Mr. SESSIONS. We appreciate our colleagues who worked on this bill, but there are more appropriations that should be done this year. How can they be continued without a budget? You say we spent within the President's numbers or the House numbers, but those have not been approved in the Senate. We have no votes in the Senate. It is not a binding number.

The truth is, what we need to do is what the House did, I believe. I ask Senator BARRASSO, isn't it true that the Republican House, with a new leadership, came in, they faced up to the 10-year budget window we have, they laid out a plan for 10 years, and it cut spending by \$6 trillion? It actually simplified our Tax Code substantially and

reduced certain taxes, focusing on tax reductions that create growth so we could have more income generated. And, whether you agree with it or not, by April 15 they did all this, which is what this code says. Doesn't the Senator think they have done their duty? What would he say about the failure of the Senate to even attempt to present a budget?

Mr. BARRASSO. The House has approved a budget. They presented a budget, debated a budget, discussed a budget, and passed a budget. There has been nothing in the Senate for over 800 days.

On the weekends, people at home tell me: We have to stop spending money we do not have. We expect better. We expect better of those who are elected to go to Washington and represent us. We expect better.

They also believe that the money they are sending to Washington—it is their money, not Washington's money—the money they are sending to Washington, people do not believe they are getting value for their dollar. If you asked "Of every dollar you are sending in, how much value are you getting back," it is an alltime low—50 cents on the dollar. People don't think they are getting value.

People want an efficient government. That is not what they are finding today. They are finding amazing amounts of waste, fraud, and abuse. Fundamentally, they are not finding a budget, a roadmap, a plan, and then life within that. That is why I come to the Senate floor with my colleague from Alabama today to say the law is specific—not just in the State of Wyoming but also in the United States—that we need to have a budget.

Mr. SESSIONS. The law is specific, and the need is there whether we had a law or not. The law doesn't require families to have budgets, but families who are smartly managing their money have budgets. Businesses have budgets. No law requires them to have budgets, but it is because it is the only way to manage your money. It is an unacceptable situation in which we find ourselves.

Let me ask the Senator, I want to try to boil it down to the nub, why we have not done it, why the majority in the Senate has not proceeded with a budget.

Let me just say that a budget is considered so important that, unlike other legislation, it can be passed with a simple majority. It cannot be filibustered. It has priority process to be moved rapidly on the floor. It cannot be blocked. The goal is that you could pass a budget. Even a party, if they wanted to do it on a straight party-line basis, with over 50 votes could pass a budget.

I am trying to focus on whether there is something broken about the Senate. Is there something broken that causes us not to be effective? Is there something broken in the way we operate that would have kept the Budget Committee from bringing a budget forward

and voting on it in committee and passing it out of committee? They did that last year. Is there any reason the Senator can think of, of a substantive nature, that would have blocked that?

Mr. BARRASSO. I would say the only reason I know is someone intentionally does not want to bring a budget to the floor of the Senate. If a budget were on the floor of the Senate, then we could look through it, read it, people at home could look through it, have some input, call, write, talk to us at townhall meetings, and say we ought to try to amend this proposal to spend less money over here, more money over there, and try to decide the best way to work together as a nation to improve opportunities for people in this country.

That is what a family budget does. They don't have to by law, but smart families do that. They make plans, they think ahead, and not just 3 months or 6 months, families look ahead and put money aside for college opportunities. They think about whether they will need a new car, a roof sometime down the line—what will they need? That is what a budget is all about.

I see no reason fundamentally why there is no budget proposed by the majority party here on the floor for all of the country to take a look at, all of the country to say: Yes, change this, more here, less there, prioritize, and let the country work.

Mr. SESSIONS. If the Senator will yield, unless you are unwilling to tell the American people where you stand, unwilling to put real numbers on paper—you prefer to say: American people, don't worry about it; we are meeting in secret over here. Don't worry about it; we have the Vice President, and he called some Senators together, and he is going to fix it. You guys who serve on committees and the Finance Committee where taxes have to be voted on, should be voted on are no longer relevant. The system is broken.

They are saying: We are not going to go along with this, and it is not because it will not work, it is because the budget presented by the President, the only budget we have seen here increased taxes substantially, it increased spending even more than that, and it increased the debt more than if we had done nothing over the 10 years.

I see our colleague, Senator TOOMEY, a new Senator but not new to the budget process because he was a member of the Budget Committee in the House.

What I am frustrated about, and I believe people should be frustrated about, is this policy decision by the leadership in the Senate that it was foolish to produce a budget. That is not a sign that the Senate is broken; it is a sign that the leadership is broken. It is a sign the leadership does not have the courage to actually stand before the American people and produce a plan, because it either would raise taxes too much, not cut spending enough, or

raise the debt too much. I think that is irresponsible, but I have to say, Senator TOOMEY, a new member of our Senate, has produced a budget. He laid it out right at our committee, and he was prepared, as a member of our committee, to produce his budget and advocate for it. You know what happened? We did not meet. I cannot call the committee into session. I am the ranking Republican. Senator TOOMEY cannot call the committee into session and have a vote. They decided not to meet, not to do their duty. They are going to meet in secret somewhere and have their little discussions about what they want to do, and the people who are elected to be accountable to the American people for what we do with their money are standing around wondering what is happening. Forgive me if I am not happy. I do not think it is right. I think it is weakening the Senate. I believe our constitutional responsibility is not being fulfilled if we end up with some big deal bill on August 1, and we are told it has to be passed by August 2, and you can find out what is in it after we pass it. I am not there. Count me out.

We had more people wanting to get on the Budget Committee this year. They were so excited. It was the most wanted committee to be on in the entire Senate, and we have not done anything. The Senator was selected to be on the committee, which is a tribute to his experience, and I guess I would ask, how does the Senator feel about where we are?

Mr. TOOMEY. I thank the Senator for raising this issue because I do think this is a very important issue. Many of us wanted to be on the Budget Committee because we see what a critical moment our country is in. We see the very dire straits we have put ourselves in because of the fiscal irresponsibility of Washington, and some of us believe we do not have a lot of time to get this in order. So I was looking forward to the opportunity to serve on the committee that would design the blueprint for our entire fiscal policy for this year and hopefully beyond.

I think this is a fundamental responsibility, frankly, of any responsible organization, to have a budget. I ran a small business for years, my own little business. We always had a budget. The corner pizza shop has a budget. We are the biggest enterprise in the world, the U.S. Government. We spend \$3.6 trillion, and for the majority party to choose—I have to say cynically—not to even write a budget, to abdicate that fundamental responsibility to lay out for the American people how much money they want to spend, on what they want to spend it, where the money is going to come from, to abdicate that responsibility is shocking.

To make matters worse, they have a statutory obligation to do this, so it is actually also illegal, and here we are without a budget. We are about to run out of this year's funding. When we come back from the August break, we

are going to be passing some huge omnibus. Who knows what is in that. We have a broken-down process. I believe it has contributed to where we are today with this debt limit.

By the way, a brief aside, if I could, about this debt limit issue. We had a discussion today in the Banking Committee—Federal Reserve Board Chairman Bernanke was there to testify—and it was a useful discussion. Unfortunately, after I left the committee, I learned later Senator SCHUMER began to discuss some of my remarks with Chairman Bernanke, and in the process he grossly mischaracterized what I said. I am quite sure Senator SCHUMER would never intentionally mischaracterize the remarks of one of his colleagues. So what I wish to do is clarify what was actually said so that in the future it won't be mischaracterized. I had observed that the Treasury will have more than enough cash coming in in the form of tax receipts to pay the interest on our debt in the event that we didn't raise the debt ceiling on August 2. I immediately went on to say, and I will now quote myself, if you will allow. I said:

Now, I don't know of anybody that suggests that we can or should go indefinitely without raising the debt ceiling, and I have argued that we would certainly be much better off reaching an agreement and raising the debt ceiling prior to August 2.

That was characterized by Senator SCHUMER as follows and I will quote him. He said:

For a smart guy—

He was referring to me, believe it or not.

I mean, to say we can pay the obligations and not pay the rest and that that is just fine. Wow, I'm sort of surprised at it.

Well, obviously I never said it was fine. What I have said is we have a dire crisis on our hands and we need to do something about it, and I don't know we are going to get another opportunity than the opportunity over this question of whether and when and by how much we will raise the debt limit, but I am not going to sit by idly, and I am not going to go along with some deal that raises the debt limit without making the real cuts in spending we need and the real process reform.

As Senator SESSIONS knows, some of us have advocated that there be a simple deal, if you will, preferably one that we would discuss in public, one we would have a debate over, one we would have a vote on. The deal is simply this: We will agree to raise the debt limit by the full amount the President has requested, provided only that the President agree to put us on a path to a balanced budget. That is it. We call it cut, cap, and balance. It has some immediate cuts. It has spending caps that put us on the path to a balanced budget, and it calls for the adoption of a balanced budget amendment to the Constitution.

We had a Democratic President named William Clinton who, together with the Republican Congress in the

1990s, acknowledged the importance of reaching a balanced budget. None of us think we can do it overnight. None of us are calling for that. But back then in the 1990s they decided they would strive for it and, in fact, they achieved it. We reached a balanced budget and ran a modest surplus.

All I am asking today as we confront this issue and as we contemplate saddling ourselves and our kids and grandkids with a debt more than we have now, what I am suggesting is at the same time we take the measures necessary to get us out of this mess, to prevent us from going further down this unsustainable path and to get to the point where we don't continue running deficits, a path to a balanced budget. Cut spending now, statutory spending caps, and a balanced budget amendment. We now have a big majority of Republican Senators who cosponsored this bill that would raise the debt ceiling by \$2.4 trillion, provided we get these changes. I am increasingly optimistic the House might very well pass a bill that would raise the debt limit contingent only on this path to a balanced budget.

While we are down here today, I think this is what we ought to be talking about. We should not go on to an appropriations bill that has no context because there has been no budget. We ought to be focused on getting this problem solved and then get back to the regular order of having a budget that defines the level of spending and where that money is going to come from and allows us to pursue the ordinary appropriation process so we can exercise our constitutional responsibility to control the purse strings of this Federal Government.

I thank Senator SESSIONS for raising this issue. This is a very important issue, and I agree with the Senator wholeheartedly that it is a travesty that we don't have a budget in this body. I certainly hope we don't go further down this path.

Mr. SESSIONS. I thank the Senator from Pennsylvania. He has been such a fabulous addition to the committee, talented and experienced and worked so hard that he has actually laid out a budget himself. The President has 500 people. The Congress here has a lot of staffers. Senator TOOMEY has produced a budget. The House has produced a budget, but we have not seen one here.

I am pleased my colleague, another member of the Budget Committee, Senator RON JOHNSON, is here. He is a business person who traveled his state and talked with his constituents about his concerns about the debt this country faces.

I am pleased to hear Senator JOHNSON's thoughts at this time.

Mr. JOHNSON of Wisconsin. I thank the Senator. First of all, I thank the Senator for his leadership on this issue. I share your concern about the dysfunction of not only this body, our Budget Committee, but Washington in general. I mean, Washington is broken.

We are currently conducting business as usual here in Washington, and it is bankrupting our Nation.

Certainly having spent 34 years as a manufacturer, I recognize you have to have a good process if you are going to have a good product. And because our process here is so broken, that is one of the reasons we are bankrupting this Nation—because we don't have a good process. It is, to me, unbelievable that in the Senate we haven't passed a budget now in—what is it—805 or 806 days? Over 2 years we have not passed a budget yet in this body. As an accountant—that is my background—I had to produce a budget on time for a wide variety of sizes of businesses, and it is simply unbelievable to me when I know how hard individuals and businesses work to produce a budget. And, by the way, they generally present those budgets on time. They don't miss the budget dates. But they actually produce a budget, and there is an awful lot of work that goes into those budgets.

I come here after 34 years in business, and I come here to the Senate understanding, again, not because I want to be a Senator but because I realize we are bankrupting this Nation, that America is in peril. I get here, and I hope to get on the Budget Committee so I can actually start solving this problem. I get on the Budget Committee, and I am ready to roll up my shirt sleeves and start working on the problem. What did we hold? I think we had six hearings on the President's budget, a budget that was so unserious that it lost in this body 0 to 97. Not one Member of the President's own party thought it was serious enough or maybe it didn't spend quite enough for them. Maybe it didn't tax enough for them. But, for whatever reason, not one member of the President's own party decided to vote for that budget. I think that is a stunning repudiation.

It is very disappointing, quite honestly, because right now, as our country faces bankruptcy, we are hungry for leadership and we are not getting any. The fact is if the President were serious about addressing this issue, if he were serious about attacking this problem, he would have been coming to us months ago to negotiate in good faith to prevent the bankrupting of America, but that hasn't happened.

So what is happening now? For the last few weeks we have been holding some secret meetings, far from the view of the American public. I am not sure, is that how we are going to solve the financial future of America? I came here to work. I came here to be engaged in debate. I was hoping we would have a very open process under general order, but that is not what is happening. What I am afraid is we are going to end up with a deal that is going to be dropped in our laps with a couple of days to go, like with the health care law, like Dodd-Frank. All of a sudden we get these thousand-page bills dumped in our laps with no time

to review, and then you start to see the unintended consequences. That is a real shame.

I just came from a press conference where every Member of the freshman class—we had a meeting this morning—and we were talking about, what can we do? I mean, we all came here in a very sincere desire to actually solve the problem. One of the things we talked about is how President Obama, rather than being serious about this, rather than tackling the problem, is willing to scare seniors and members of our military. We thought that was over the line. So we sent a letter to the President today asking: Please, step to the plate. Seriously address the problem. Stop scaring our seniors. Work with us. We want to help you solve the problem.

Mr. SESSIONS. I thank the Senator. I thank him for his great group of freshmen Senators who have added so much common sense to our problem. We were not elected to preside over the financial decline of America. We were not elected to skirt the law. We were not elected to shut down committees, to shut down debate, to cede our constitutional responsibility to secret meetings and closed-door proceedings. We were elected to do our duty, and there is no higher duty than to protect the American people from a clear and present danger. For that reason, I will oppose cloture on today's motion to waive section 303(c) of the Budget Act. I will vote to sustain the budgetary point of order, and I will encourage my colleagues to support my amendment raising that budget point of order to a threshold of 60 votes.

This is only the beginning of our fight. There will be more votes, more objections, more points of order working with my colleagues. I will give all that I have to help put this country on a sound, honest, financial path. Washington must recognize that America's strength does not lie in the size of our government, but in the scope of our freedoms and in the hearts of our people. The debt we have today is already pulling down our economic growth. Experts tell us we have lost 1 percent of economic growth because our debt exceeds 90 percent of our total economy—90 percent of GDP. It is 95 percent of GDP right now. We will reach 100 percent of GDP by the end of this year. That alone reduces growth, according to the experts. Secretary of the Treasury Geithner said he thought that was an excellent study that found that fact.

What does 1 percent growth mean? Well, instead of the first quarter having 1.8 or 2 percent growth, we would have had 3 percent growth. If we had 3 percent growth instead of 2 percent growth, 1 million more jobs would be added per year, based on just the alteration of the difference between 2 percent growth and 3 percent growth.

We have to face these problems. I hope our colleagues are reaching a decision about how to proceed that can be successful. We have to make

progress this year. We are going to have to sustain progress for a decade. If we do so, we will put this country on the right path. If we get that debt down—it is not too hard to do it—we will start seeing our growth come back, more jobs being created, more wealth being created, more taxes being paid, less help to people who are in need because they are now working when they weren't.

So I thank the Chair. I appreciate the opportunity to share these remarks.

Madam President, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. 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. SESSIONS. Madam President, I ask unanimous consent that it be in order for me to offer and receive a vote on an amendment to this bill which relates to a 303(c) point of order that requires adoption of a budget resolution prior to the consideration of any appropriations bills.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON of South Dakota. Madam President, the amendment is not germane to the bill. I am trying to keep this bill bipartisan and free of extraneous matters. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. SESSIONS. Madam President, I yield the floor.

Mr. INOUE. Madam President, I rise today in support of the motion to waive section 303 of the Budget Act and to allow the Senate to move forward with its consideration of the MilconVA appropriations bill. I would like to say for the record that I agree with the Senator from Alabama that it would be preferable for the Senate to have passed a budget resolution prior to its consideration of individual appropriations bills.

In fact, on March 10 of this year, I stated my strong desire to move all of the fiscal year 2012 bills through regular order, which of course begins with the passage of a budget resolution and adoption of our 302(a) allocation. Unfortunately, such is not the case this year. As we are all painfully aware, the current impasse over the budget is a direct result of the unwillingness of some in Congress to negotiate a comprehensive solution to our long-term deficit problem.

We are all well aware of these realities. It is my strong belief, however, that we must not allow the needs of our military or our veterans to be held hostage by the current budget stalemate. And while it is true that we do not have an overall allocation for discretionary appropriations, for the MilconVA bill we were able to agree with our House colleagues on an acceptable allocation. Therefore, there is

no reason to delay consideration of this bill.

It is important that all of our colleagues understand that what we are recommending is not unprecedented. In fact, the Senate has acted on appropriations legislation absent a budget resolution four times in the past decade, including twice under Republican control. It is my strong desire, as I believe it is the desire of every member of the Appropriations Committee, that we move our bills under regular order. However, with less than 90 days left in the fiscal year and no budget resolution in sight, efforts need to be made to ensure the livelihood of our veterans and their families are not disrupted.

This is not a controversial bill. It passed out of the full committee unanimously, by a vote of 30-0. Yesterday, 89 Senators voted in favor of the motion to proceed to the bill. Finally, my colleagues should know that many of the provisions of this bill were voted on in the Armed Services Committee which was also passed unanimously, by a vote of 22-0. That is a great deal of support for moving forward with this measure. And, I am aware of no serious opposition to the substance of the bill.

For all these reasons, I urge my colleagues to join me in support of waiving the budget point of order and allowing the Senate to move forward with its consideration of the fiscal year 2012 Military Construction and Veterans Affairs appropriations bill.

CLOTURE MOTION

Mr. JOHNSON of South Dakota. Madam President, there is a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to waive the points of order under section 303 of the Congressional Budget Act of 1974 for H.R. 2055, any amendments thereto and motions thereon.

Harry Reid, Tim Johnson, Mark Kirk, Richard J. Durbin, Kay R. Hagan, Michael F. Bennet, Mark R. Warner, John F. Kerry, Richard Blumenthal, Barbara Boxer, Carl Levin, Debbie Stabenow, Jeff Bingaman, Mark Udall, Patty Murray, Patrick J. Leahy, Sheldon Whitehouse.

Mr. JOHNSON of South Dakota. Madam President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of South Dakota. I ask unanimous consent that all time be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order and pursuant to rule

XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to waive the points of order under section 303 of the Congressional Budget Act of 1974 for H.R. 2055, any amendments thereto and motions thereon.

Harry Reid, Tim Johnson, Mark Kirk, Richard J. Durbin, Kay R. Hagan, Michael F. Bennet, Mark R. Warner, John F. Kerry, Richard Blumenthal, Barbara Boxer, Carl Levin, Debbie Stabenow, Jeff Bingaman, Mark Udall, Patty Murray, Patrick J. Leahy, Sheldon Whitehouse.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on the motion to waive the points of order under section 303 of the Congressional Budget Act of 1974 for H.R. 2055, and any amendments or motions thereto, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Utah (Mr. HATCH), and the Senator from Kansas (Mr. ROBERTS).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted "yea."

The yeas and nays resulted—yeas 71, nays 26, as follows:

[Rollcall Vote No. 110 Leg.]

YEAS—71

Akaka	Grassley	Mikulski
Alexander	Hagan	Murkowski
Baucus	Harkin	Murray
Begich	Heller	Nelson (NE)
Bennet	Hoeven	Nelson (FL)
Bingaman	Hutchison	Pryor
Blumenthal	Inouye	Reed
Blunt	Johanns	Reid
Boxer	Johnson (SD)	Rockefeller
Brown (MA)	Kerry	Sanders
Brown (OH)	Kirk	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Kohl	Snowe
Carper	Landrieu	Stabenow
Casey	Lautenberg	Tester
Cochran	Leahy	Thune
Collins	Levin	Udall (CO)
Conrad	Lieberman	Udall (NM)
Coons	Lugar	Warner
Cornyn	Manchin	Webb
Durbin	McCaskill	Whitehouse
Feinstein	McConnell	Wicker
Franken	Menendez	Wyden
Gillibrand	Merkley	

NAYS—26

Ayotte	Enzi	Paul
Barrasso	Graham	Portman
Boozman	Inhofe	Risch
Chambliss	Isakson	Rubio
Coats	Johnson (WI)	Sessions
Coburn	Kyl	Shelby
Corker	Lee	Toomey
Crapo	McCain	Vitter
DeMint	Moran	

NOT VOTING—3

Burr Hatch Roberts

The PRESIDING OFFICER. On this vote, the yeas are 71, the nays are 26. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader is recognized.

Mr. REID. Madam President, I am giving fair warning to everyone. We have gotten nonchalant about coming to vote. We have an extra 5 minutes. We are not going to extend that in the future. It is not fair to everyone else who gets here on time. So everyone is on notice. We are going to cut the votes off in 20 minutes. People come straggling in 8, 10 minutes late. That is not going to work anymore. It is going to affect Democrats and Republicans.

Madam President, this will be the last vote of the week. We will more than likely be in session tomorrow. There will be no votes tomorrow. If there are people who want to offer amendments, the two managers of this bill, Senator JOHNSON and Senator KIRK are here. They are here tonight. This vote coming up will be the last vote of the week.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. VITTER. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Utah (Mr. HATCH), the Senator from Kansas (Mr. MORAN), and the Senator from Kansas (Mr. ROBERTS).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 40, as follows:

[Rollcall Vote No. 111 Leg.]

YEAS—56

Akaka	Gillibrand	Murray
Baucus	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Inouye	Pryor
Bingaman	Johnson (SD)	Reed
Blumenthal	Kerry	Reid
Boxer	Kirk	Rockefeller
Brown (MA)	Klobuchar	Sanders
Brown (OH)	Kohl	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Lautenberg	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Cochran	Lieberman	Udall (NM)
Conrad	Manchin	Warner
Coons	McCaskill	Webb
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Franken	Mikulski	

NAYS—40

Alexander	Coats	DeMint
Ayotte	Coburn	Enzi
Barrasso	Collins	Graham
Blunt	Corker	Grassley
Boozman	Cornyn	Heller
Chambliss	Crapo	Hoeven

Hutchison	McCain	Shelby
Inhofe	McConnell	Snowe
Isakson	Murkowski	Thune
Johanns	Paul	Toomey
Johnson (WI)	Portman	Vitter
Kyl	Risch	Wicker
Lee	Rubio	
Lugar	Sessions	

## NOT VOTING—4

Burr	Moran
Hatch	Roberts

The motion was agreed to.

Mr. JOHNSON of South Dakota. Madam President, I move to reconsider the vote.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. INOUE. Madam President, I am pleased that we are beginning consideration of the fiscal year 2012 Military Construction and Veterans Affairs appropriations bill.

This bill passed out of the Committee on Appropriations by a unanimous vote of 30 to 0. It is the hope of the committee that such strong, bipartisan support will continue as the full Senate debates this measure and that we will be able to consider germane amendments in a reasonable period of time, pass the bill, and move on to a conference with the House.

As we continue to debate the larger fiscal challenges our Nation faces, I note that the level of funding in the Senate mark of this MILCON-VA bill is consistent with the level of funding in the House-passed measure.

I thank Chairman JOHNSON and Vice Chairman KIRK for their brilliant work in producing a bill that provides essential support to our veterans, our Active-Duty military, and their families. The resources provided in this bill will fund vital construction projects and will ensure that our wounded veterans and warriors receive the excellent care they deserve.

It is good we are moving the first of our fiscal year 2012 appropriations bills under regular order. As I have said on numerous occasions, the best way to ensure that every taxpayer dollar is spent wisely is to move our 12 bills through the committee, the full Senate, to a conference with the House, and through final passage in both Chambers.

Our ability to work together on this important bill serves as a reminder that bipartisan compromise can be achieved by the Congress, even in the most difficult of budget environments. It is my hope that the spirit of bipartisanship embodied in this bill will serve as a model for the remaining fiscal year 2012 appropriations process.

I congratulate Chairman JOHNSON and Vice Chairman KIRK for their efforts. I look forward to returning to the floor at the earliest possible date with the next appropriations measure.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. COCHRAN. Madam President, I thank the distinguished Senator from Hawaii for his kind word about the management of this bill. I join him in his congratulations to the two managers. We appreciate their hard work.

The committee had extensive hearings and review of all the appropriations bills we are going to be taking up—a public hearing process, open for comments, with opportunities for people to express their views. They have done that in a diligent, careful, and responsible manner. I think it is a credit to the Senate that we have considered this bill today. We look forward to continuing to work our way through all the appropriations bills that come under the jurisdiction of the committee. I especially thank my friend from Hawaii for his leadership.

Mr. JOHNSON of South Dakota. Madam 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. KIRK. 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. KIRK. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

## REMEMBERING BETTY LOU REED

Mr. KIRK. Madam President, while we are waiting for authors of their amendments to come to the floor to speak on a point of personal business, I wanted to rise to eulogize one of my mentors in politics.

State Representative Betty Lou Reed died this week. She was somebody many of us in northern Illinois looked up to. Betty Lou Reed served from her home community of Deerfield, IL. She knew Senator Everett Dirksen well and helped in his campaigns for reelection. She was someone who practiced the art of politics from the fiscally conservative side but the ideological center. She was someone who was a role model for many of us at the township, the State, and especially at the Federal level.

I first met Betty Lou after she had retired from our State legislature in Springfield, IL, when she served as the district director for Congressman John Porter. I remember a long visit with her, as she was showing me the congressional district where I grew up, from a political point of view.

As we passed by the Zion nuclear reactor, she said: Whatever your feelings from college, buddy boy, here we are pro nuclear power. And she began to introduce me to the politics, especially of Lake County, IL.

Betty Lou Reed was someone who liked to drink her bourbon and branch water, as she called it, regularly in the evening, telling old war stories about how things were done in Springfield,

IL. She was always kind and considerate, and I never heard a swear word from her, ever—despite the rough language that is used both in Springfield and in Chicago.

Her husband was a staunch supporter of hers and always available for the continuous set of parades and public meetings she went to. She guided us, especially in the consideration of the first Base Realignment and Closure Committee in which Ft. Sheridan—in Illinois, next to her home district—was the poster child for disposal, given its high value and golf course next to Lake Michigan. We went through a number of proposals, such as bringing in a prison or homeless shelters, et cetera, but finally came to a mutually agreed-upon solution of a set of public buildings, parks, and additions to Lake Forest, Highwood, and Highland Park.

Probably her greatest legacy was in supporting and teaching a young Congressman from our area, Congressman John Porter, the ropes and guiding him through difficult elections and tough partisan times. I served as Congressman Porter's chief of staff while she, as she put it, garnered the real votes back home and took care of business.

Betty Lou lost her husband a while ago, and she passed away this week. Many of us in northern Illinois remember her not just as a trusted public official and congressional staff member but as someone who taught us the ropes—even those of us from Chicagoland—and how to exercise the art of politics, maybe more gently and with better language than our predecessors.

I very much will miss Betty Lou Reed. I know Congressman Porter shares this sentiment, as do many of the staff and the political families of northern Illinois, and I wanted to take this moment today in the Senate to mark her passing and say how very much we will miss her.

Madam 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.

Mr. MENENDEZ. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, it is so ordered.

## BUDGET NEGOTIATIONS

Mr. MENENDEZ. Mr. President, I know we are on the MILCON appropriations bill, but I did not want to lose the opportunity to talk about a pressing issue before the country today; that is, how we will work to resolve the Nation's obligations to its creditors and what the failure of doing that means to the Nation and to each and every American. I rise to ask a simple question of my Republican colleagues: When is an entitlement not an entitlement? Apparently, given the rhetoric



and actions of some of our friends on the other side of the aisle, the answer would be that an entitlement is not an entitlement when it benefits an entitled class of wealthy Americans. In the Republicans' ideological haze that is swirling around Washington these days, it is only an entitlement when it goes to the middle-class families, to students, to seniors, to the disabled, to the downtrodden, and the dispossessed.

Those entitlements, according to the Republicans, should be on the chopping block. But entitlements to the wealthy can never be on the table, despite the fact that our current Tax Code allows the wealthiest 400 taxpayers in America to pay a smaller percentage of their income in taxes than the average New Jersey family—less than the average New Jersey family.

What Republicans will ultimately do, their goal in this debt negotiation, is outlined in the House-passed budget that ends Medicare as we know it, the baseline of retirement security for our seniors, what was the retirement security of my mother in the twilight of her life as she struggled against Alzheimer's, after having worked a lifetime to help build a family and be part of contributing to a community. She would not have lived in the dignity she deserved in the twilight of her life but for Medicare as we know it—and it makes a middle-class life in America more expensive and less accessible.

It seems to me the policies of our Republican friends would make sure the rich get even more rich at the expense of the middle class. They think the rich are entitled to all the tax loopholes they get but seniors and the disabled, they do not need the health benefits they are getting. We call this leadership? Do they call it leadership, to stand on ideology and send this Nation into default?

Default basically means being a deadbeat. I think average Americans understand what being a deadbeat is all about. We teach our children to meet their responsibilities. We say do not incur a debt, but if you incur that debt, meet your responsibility—pay it. But now we have leaders in this Nation who say let's have this Nation be a deadbeat, and we would leave a senior citizen who lives—I know some of our friends here who may not have an appreciation of this—who lives month to month only on Social Security, standing hopelessly on the front porch waiting for a check that may not come. You call that leadership?

We call it leadership to risk increasing interest rates on mortgages when families are struggling to pay at the current rates on student loans, on car payments, on credit cards that middle-class families can ill-afford now? They call it leadership to risk leaving a wounded veteran without a benefit check or active military men and women, their families, without a paycheck?

They call it leadership to risk a spike in prices that increases the cost of gro-

ceries and gas and potentially costs a middle-class family in New Jersey an additional \$1,500? They call it leadership to risk an end to unemployment benefits to States, leaving those already struggling in this economy at risk of losing what little they have?

They call it leadership to risk Medicaid payments to States for disabled seniors in nursing homes who have no other options but amazingly allow a millionaire who owns a stable of racehorses a depreciation allowance on the Tax Code on those racehorses? That is an entitlement we should not touch? That is leadership? Bottom line, it is estimated that about \$125 billion worth of bills, on average, may have to be put off if we don't deal with meeting the Nation's obligations.

It is not leadership if the dollar plummets and America loses. It is not leadership if no one follows but the far rightwing of the Republican Party. If we are going to balance the budget by limiting entitlements and subsidies and earmarks, perhaps we should begin with those entitlements in the Tax Code that benefit those who are the wealthiest in the country. Perhaps we should look at ending entitlements for rich oil companies that receive \$2 billion a year. They receive in just two tax breaks that the code gives them \$21 billion over the next 10 years. Yet, oh, no, we can't touch that, but we can tell some senior that, in fact, they have to be on the chopping block; that Medicare has to end as we know it.

How about \$6 billion for ethanol producers or how about the racehorse depreciation allowance or the billions year after year that defense contractors think they are entitled to? How about investing in new bridges and tunnels and a new state-of-the-art transportation system in New Jersey instead of Kandahar?

Our friends on the other side who believe we should balance the budget by spending cuts alone are more than willing to bargain away student loans, bargain away prescription drug coverage, even bargain away nursing home care for the elderly parents to protect entitlements for big oil companies, billionaire corporate executives who travel the world in private jets, and millionaires who believe they are entitled to all of the tax loopholes they are getting now after the biggest tax cut in history—entitled to tax cuts but not obligated to create American jobs, contrary to the false rhetoric we hear from the other side about a correlation between entitlements for the wealthy and job creation.

The hard rightwing of the Republican Party has come to the table willing to give up nothing—unwilling to accept an offer by the President and Democrats of trillions of dollars in spending cuts, potential savings in entitlement programs, and tax reform options, all of which they have been demanding, unless we agree to protect the entitlements that exist for the wealthy. Not even a single penny on the revenue side

of the option. Don't touch those entitlements for the big five oil companies. Don't touch the entitlements for the corporate jets. Don't touch the entitlements for the racehorses. Don't touch any of those entitlements giving the tax breaks and having a code where an incredible universe of corporations in America don't even pay at the end of the day by using all of the provisions of the code, anything toward the common good.

They come to the table with nothing. They look America in the eye and tell us we cannot cut subsidies to big oil companies. We cannot put entitlements to the wealthy on the table because in their ideological haze, they conveniently, through this political sleight of hand, label any attempt to end those tax breaks, those entitlements, as a tax increase on what they like to call the job creators. Their excuse for such an irresponsible bargaining position: trickle-down economics. I have heard this so many times over the time I have been in Congress. But the problem is nothing has ever trickled down. Yet those same entitlements for the entitled, the \$5 trillion entitlement the Bush tax cuts would cost going forward over the next decade that we are told at the outset would create jobs, would turn out to be the greatest failed jobs program in American history.

I look at how those tax breaks are skewed to the wealthiest. I understand the opportunity to help middle-class families, and I promote that because they are the ones who spend in this economy and create demands. But the way those tax cuts are skewed to the wealthiest, \$5 trillion, I ask my friends: Where are all the jobs that were supposedly going to be created as a result of that? Where are all the jobs these Republican entitlements to the wealthy are supposed to produce? Where are they? When middle-class Americans are struggling to make ends meet, pay the bills, keep their jobs, their health care, their homes, entitlements to the entitled are the most reckless kind of spending.

This is the irresponsible Republican entitlement spending that should be on the table, the very entitlement spending that contributed to our current debt, and yet our friends on the other side continue to protect these entitlements.

They will not vote to raise the debt limit unless we cut entitlements for the working middle-class families of this country, but they protect entitlements for the wealthiest Americans. They are holding a gun to our heads at a critical time in our economic history, but we need only to look back at how often Republicans, themselves, have raised the debt limit.

As we can see from this chart, to pay for tax cuts for the wealthy, George W. Bush had seven increases of the debt ceiling, increasing it by 90 percent for the largest increase in history, a total of over \$5 trillion that includes the entitlements for the wealthy that they

will not put on the table in the name of shared sacrifice even if it means America defaults on its debt and becomes a deadbeat and sends a ripple-effect throughout the world and its economies that come back crashing on our shores in the United States. So it is amazing me.

Ronald Reagan raised the debt ceiling 18 times. Mr. President, 18 times in 8 years, a total percentage increase of 199 percent, amounting to \$1.8 trillion, which in today's dollars would be \$4 trillion. Mr. President, 18 times, Ronald Reagan, George Bush, 7 times, for \$5.3 trillion.

That amount, by the way, under the Bush years, ends up being, what. What is it equal to? The Bush tax cuts, \$5 trillion.

They will not raise the debt limit to protect the good faith of the American financial system, to protect middle-class families who have already lost so much under Republican economic policies that led us to the brink of economic disaster. The whole confluence of what happened in September of 2008 where we had these Bush tax cuts totally unpaid for, denying the Federal Treasury those moneys, at a time in which we had two wars raging abroad in Iraq and Afghanistan, a new entitlement program unpaid for, and a marketplace that instead of being a free market—which I support—became a free-for-all market in which investor decisions ended up becoming a collective risk to the entire country, and that is what we have been facing.

Instead of meeting this responsibility, they favor cuts in entitlements to the seniors, to the disabled, to families struggling to make ends meet, to students seeking to get the college education that could help fuel America's prosperity. That is what we saw in the House Republican budget that passed but are willing to decimate our Nation's economy to protect entitlements for the rich. They have dug in their heels and walled off irresponsible, unnecessary tax breaks for big oil companies. They have walled off entitlements to multibillion-dollar corporations and millionaires who need no entitlements because they believe—blinded by their ideological haze—the rich are entitled to their outrageous giveaways even if it means ballooning the deficit and sending the Nation into default on its debt. Entitlements for these special interests, cuts for everyone else.

Republicans prefer to talk about cutting entitlements rather than what it really means—rather than cutting Social Security, rather than cutting Medicare, rather than cutting Medicaid—because cutting entitlements seems so esoteric. It is not very personal. But we all know our families, our mothers and fathers who may be getting their health care on Medicare or one of them who may be sitting in a nursing home on Medicaid or a poor child who is getting their health care being taken care of on Medicaid, we know our friends and neighbors with

disabilities, and we understand what those challenges are.

Let's be clear. The only entitled people Republicans are talking about in this debate are those who already enjoy enormous benefits under the Tax Code, both individually and corporations that feel entitled to these pretty outrageous tax breaks.

Oil companies, as I heard from the executives who appeared before the Senate Finance Committee, clearly feel entitled to \$21 billion in subsidies. Millionaires and billionaires think they are entitled to the Bush tax cuts. Corporate titans think they are entitled to tax breaks for their private corporate jets, and Republicans think these are the only entitlements worth protecting.

It is time to stop trying to balance the budget on the backs of seniors and middle-class working families. It is time to stop protecting government handouts to the entitled class at the expense of the middle class and telling America in good economic times that it stimulates the economy and in bad times that it is a job creation policy.

The truth is, it is neither. It is simply an entitlement program for an entitled small class of Americans who are not struggling to make ends meet or pay the mortgage or afford health care or find another minimum wage job to put food on the table. This stark contrast of wealth in the Nation is in the numbers.

The 400 wealthiest taxpayers—those who get the most out of Republican entitlements—had an average income in 2008 of \$270 million, almost \$300 million. That amounts to an hourly wage of about \$31,000 an hour. Their average tax rate was about 18 percent. In contrast, the median New Jersey household earned about \$64,777 the entire year as opposed to just 2 hours. That equated to 2 hours for the richest 400 people, and yet they paid an average of 21.2 percent. They paid a higher percentage of less of their wages than those 400 top earners in the country.

A first lieutenant at Fort Dix, NJ, earned about \$52,000. He paid an average tax rate of 18.9 percent. So I ask, looking at these numbers, what should be on the table and what should not? The fact is, we are offering solutions. We are simply asking for fairness and for our friends on the other side to bring something to the table other than a political ideology and an unrealistic ultimatum, all in order to protect an entitled class that needs no protections. I don't usually agree with the conservative columnist David Brooks, but as I have said on this floor before, I agree with him when he says, "The members of this movement talk blandly of default and are willing to stain their Nation's honor . . .

They are willing to stain their Nation's honor.

I agree when he wrote that "if the debt talks fail independent voters will see Democrats as willing to compromise but Republicans were not."

Although this is not even about that. At the end of the day, this is about the Nation. This is about our economy. This is about trying to get people back to work. This is about trying to ensure families can realize their hopes and dreams and aspirations. This is about the United States of America, a beacon of light to the rest of the world, the gold standard in terms of credit and meeting its obligations, continuing to be that gold standard and that beacon of light or becoming a deadbeat in the world.

I would go even further and say the American public will see right through these efforts to protect entitlements for a privileged class while those Americans who struggle every day to build the foundation of America, the cuts go on their backs. They come to the table with nothing other than an ideological fixation that prevents them from negotiating in good faith, prevents them from putting the interests of the country ahead of their narrow political interests.

I have read some of the comments about this issue as it relates to: Well, you know, do we end up giving President Obama the ability to get re-elected? This is not about President Obama. This is about the United States of America. This is about our country. This is about being responsible at one of its most critical times. This is about getting the country back on track. It is about giving the private sector faith and confidence that we are not going to default on our debt, that we are going to meet our obligations. It is about telling investors in the world the United States is still a good place to invest. And when those investments are made, jobs are created, people go to work, once again they have the dignity of work taking place; they are able to spend in the economy, the economy grows, that creates other jobs, other opportunities, and we move toward fulfillment once again of the great American opportunity.

That is what this debate is all about. It is a debate about each and every one of us. The sooner our friends realize it is not about a political equation, it is not about who wins and loses in a political context, it is about the Nation, the better. If we can fix our attention to the needs of the Nation, then I have to believe we can meet this challenge in a balanced way. Clearly, if Ronald Reagan raised the debt ceiling 18 times and if George Bush raised it 7 times, then this time, the first time under President Obama it needs to be raised, which is merely to pay the obligations we already have, I have to believe responsible people will come forward and say yes and do it in a way that isn't on the backs of middle-class working families.

Mr. President, 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. COBURN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 553

Mr. COBURN. I call up amendment No. 553.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN], for Mr. McCAIN, proposes an amendment numbered 553.

Mr. COBURN. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To eliminate the additional amount of \$10,000,000, not included in the President's budget request for fiscal year 2012, appropriated for the Department of Defense for planning and design for the Energy Conservation Investment Program)

On Page 64, line 24, strike "\$3,380,917,000" and insert "\$3,370,917,000".

Mr. COBURN. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of New Mexico.) Without objection, it is so ordered.

AMENDMENT NO. 556

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I call up my amendment No. 556, which is at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from South Dakota [Mr. JOHNSON], for himself and Mr. KIRK, proposes an amendment numbered 556.

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 114 between lines 18 and 19, insert the following:

SEC. 301. Not later than 90 days after enactment of this Act, the Executive Director of Arlington National Cemetery shall provide a report to the Committees on Appropriations of the Senate and the House of Representatives detailing the strategic plan and timetable to modernize the Cemetery's Information Technology system, including electronic burial records.

Mr. KIRK. Mr. President, this is a joint amendment. I support it. It concerns a report on the operations of Arlington National Cemetery. It is very necessary. My understanding is that

this then sets up the vote that the leaders have scheduled for Monday afternoon. And that is what we are doing right now to continue the consideration of this bill.

#### MORNING BUSINESS

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### INTERNET GAMBLING

Mr. REID. Mr. President, per the request of Senator KYL's office, I ask unanimous consent that a letter from myself and Senator KYL to the Attorney General be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, July 14, 2011.

Hon. ERIC HOLDER,  
Department of Justice,  
Washington, DC.

DEAR ATTORNEY GENERAL HOLDER: As you know, several weeks ago, the U.S. Attorney in the Southern District of New York indicted various individuals associated with online poker sites for violations of various laws. Additional indictments were unveiled in Baltimore at the end of May.

These indictments came after many years in which the entities operated Internet poker websites to Americans in an open and notorious way with apparently no repercussions from law enforcement. Leading up to the indictments, this lack of activity by law enforcement led to a significant and growing perception that operating Internet poker and other Internet gambling did not violate U.S. laws, or at least that the Department of Justice thought that the case was uncertain enough that it chose not to pursue enforcement actions. In turn, this perception allowed this activity to spread substantially, so that at least 1,700 foreign sites continue to offer Internet gambling to U.S. players. We think it is important that the Department of Justice pursue aggressively and consistently those offering illegal Internet gambling in the United States.

In addition, we have two further concerns: the spread of efforts to legalize intra-state Internet gambling and the spread of efforts to offer such intra-state Internet gambling through state-sponsored lotteries.

We believe that the Department of Justice's longstanding position has been that all forms of Internet gambling are illegal—including intra-state Internet gambling, because activity over the Internet inherently crosses state lines, implicating federal anti-gambling laws such as the Wire Act. Yet efforts are underway in about a dozen states to legalize some form of intra-state Internet gambling. In many cases, Internet gambling advocates in those states cite the silence of the Department of Justice in the face of these efforts as acquiescence. In fact, we have heard that at a major conference in May, several officials from various state lotteries boasted that they have obtained the Department of Justice's effective consent by writing letters of their plans that stated that if no objection was received they would proceed with their Internet gambling plans—

and no objection has been received despite many months or years.

This is troubling. We respectfully request that you reiterate the Department's longstanding position that federal law prohibits gambling over the Internet, including intrastate gambling (e.g., lotteries). Conversely, if for some reason the Department is reconsidering its longstanding position, then we respectfully request that you consult with Congress before finalizing a new position that would open the floodgates to Internet gambling.

Finally, we would like to work with you to strengthen the penalties for those who violate the law and to see what modifications would be helpful to the Department to enhance its ability to fight Internet gambling.

Sincerely,

HARRY REID,  
U.S. Senator.  
JON KYL  
U.S. Senator.

#### TRIBUTE TO GERALD M. CHASE

Mr. LEVIN. Mr. President, it is with great pride that I pay tribute to a dedicated public servant from my home state of Michigan. Gerry Chase has devoted his professional life to helping others and improving the quality of public health in northern lower Michigan for nearly four decades, and I am pleased to recognize his life's work as he retires from public service this month. Through his many initiatives as the Public Health Officer for Northwest Michigan, Gerry has impacted many by working tirelessly to better the lives of the residents of Antrim, Charlevoix, Emmet, and Otsego Counties.

Gerry accepted the position of public health officer in 1974 at the urging of his mentor Roy R. Manty. Shortly after earning his bachelor of arts and a master's in public health from the University of Michigan, Gerry embarked on what he initially thought would be a short-term assignment, but would become his life's work. Thirty-seven years later, Gerry can look back with pride on a fulfilling and impressive record of accomplishment.

Charged with the responsibility of promoting wellness, preventing disease, and providing quality healthcare, Gerry has been at the forefront of some of the more complex and daunting public health issues, leading an agency that has grown from 17 in the mid-1970s to more than 200 employees today. Among Gerry's countless accomplishments as public health officer is an initiative to provide dental care to over 20,000 low-income residents, an effort to increase the number of poor women eligible for cost-free breast and cervical cancer screenings, and the establishment of a multicounty workplace smoking ban.

Through these accomplishments and many more like them, residents of these counties are living healthier and better. In 2007, Gerry was awarded the Roy R. Manty Distinguished Service Award, Michigan's top public health award. This honor, which bears the name of his mentor, is given to a person that embodies the "values, dedication and spirit Manty brought to public

health," which is a fitting tribute for a man that has dedicated his life to the public good.

Gerry is also a loving and devoted husband to his wife of 45 years, Kay, and an outstanding role model for his children, Gerald, Harold, and John, and for his grandchild, Taylor. In fact, I am reminded every day of his efforts in this regard through the work of his son, Harold, a member of my staff for the last 15 years. Gerry has been an active member of his community as well, helping to develop the Northwest Academy, a charter school in Charlevoix County, leading a troop of Boy Scouts, and serving as a Big Brother.

Gerry has set a high standard and has left a lasting footprint which will endure for many years to come. I know my colleagues will join me in congratulating Gerry on his many impressive accomplishments over the last thirty-seven years. I wish him the best as he begins a new chapter in life.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO FRANK SPRINGOB

• Mr. KOHL. Mr. President, today I wish to recognize Greenfield Chief of Police Frank Springob for 46 years of service to the community and State of Wisconsin. I am honored to have the opportunity to congratulate my friend and great member of law enforcement, Chief Springob, on his retirement.

From an early age, Frank Springob was destined to become a police officer. Growing up on Milwaukee's south side, Frank spent a lot of time visiting his local police station and officers who became Frank's first mentors. Frank began his career as a police clerk trainee and with an unparalleled commitment to community service, spent the next 29 years working his way up through the ranks of the Greenfield Police Department, until he was appointed Greenfield's chief of police in 1994.

Throughout his career, Frank remained endlessly committed to helping improve the lives of the residents he swore to protect and serve. During his time on the police force, Frank has seen the population of the city more than double. His encyclopedic knowledge of law enforcement and the history of the city helped ensure that the people of Greenfield received a special brand of policing—one focused, above all else, on helping people.

During his time as chief, Frank has overseen the development and construction of the Law Enforcement Center, while maintaining one of the best, most cost effective departments in the State of Wisconsin. Still, Frank's greatest legacy as chief of police will be the team of officers he has helped shape and the incredible work they will continue to do serving the residents of Greenfield.

Chief Frank Springob is an outstanding example of a true public serv-

ant and his dedication to protecting others has set a standard that we can all admire. The city of Greenfield and the State of Wisconsin have benefitted greatly from his service and I am proud to offer these words in recognition of his extraordinary career.●

#### RECOGNIZING THE SMOKY TOAST CAFE

• Ms. SNOWE. Mr. President, while the news these days all too often highlights the negatives in our economy, such as the plight of a high unemployment rate and weak growth, we should also be reminded that some people are making the best of a bad economy and taking a risk by starting new businesses. One couple in downeast Maine has made the incredible transition from operating a boatbuilding shop to starting a new restaurant all in the course of less than a decade. Instead of complaining about the calamitous economic times, they did something to continue their passion of entrepreneurship. That is why today I wish to honor the Smoky Toast Cafe located in Jonesboro, which opened last year to much acclaim.

Tracy Watts and William Faulkingham started their boat-finishing business, Jonesboro Custom Finish Shop, nearly a decade ago. During the booming economy of the early 2000s, business was good and their docks were never dry, with customers constantly bringing in boats for finishing and renovations. The company finished a variety of watercraft, ranging from lobster boats and commercial vessels to canoes and sport fishing boats. With orders coming in on a regular basis, William and Tracy never lacked for work. Regrettably, that all changed when the economic downturn struck late last decade, as thousands of small businesses in Maine and the rest of the country saw demand slack off and the need for their services diminish.

But instead of waiting around for the economic winds to shift, the energetic founders of this boatbuilding business changed course altogether and found a new calling—off the water—in the restaurant industry. Tracy and William built the Smoky Toast Cafe on the same land where Jonesboro Custom Boats had previously operated. Using the skills they had honed over time William's handiness and Tracy's cooking—they started over from scratch. Now more than a year into this new endeavor, the business is off to a strong start. After all, no matter how hard times may be, quality food always sells.

But William and Tracy also know that starting a new business in this climate will take even more hard work. They have built a loyal following among the downeast community of fishermen and harvesters, and open their doors at 5 a.m. to welcome these dedicated individuals with hearty breakfasts and fresh baked muffins and

bread. The Smoky Toast Cafe is also open for lunch, offering standard favorites as well as Maine seafood dishes. The restaurant is also utilizing social media, such as Facebook and Twitter, to promote itself and bring in new customers, by posting daily specials and company news items.

Small businesses like the Smoky Toast Cafe are the main generators of jobs and economic growth in this country and will be the drivers of our recovery. The commitment to entrepreneurship displayed by Tracy and William is a remarkable example to aspiring business owners who are considering whether or not to take the risk in starting their own company. I commend William and Tracy for their tremendous efforts and wish them many successful years of business.●

#### MESSAGE FROM THE HOUSE

At 1:08 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2018. An act to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations to the State's water quality standards, and for other purposes.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 2018. An act to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, 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-2475. A communication from the Secretary of the Commission, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Commodity Pool Operators: Relief From Compliance With Certain Disclosure, Reporting and Recordkeeping Requirements for Registered CPOs of Commodity Pools Listed for Trading on a National Securities Exchange; CPO Registration Exemption for Certain Independent Directors or Trustees of These Commodity Pools" ((17 CFR Part 4) (RIN3038-AC46)) received in the Office of the President of the Senate on July 13, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2476. A communication from the Acting Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Competitive and Noncompetitive Non-Formula Federal Assistance Programs—Administrative Provisions for the Sun Grant Program" (RIN0524-AA64) received in the Office of the President of the Senate on July 8, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2477. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (12) officers

authorized to wear the insignia of the grade of major general or brigadier general, as indicated, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-2478. A communication from the Under Secretary of Defense (Policy), transmitting, pursuant to law, a report relative to information on "certain Iraqis affiliated with the United States"; to the Committee on Armed Services.

EC-2479. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Prohibition on Interrogation of Detainees by Contractor Personnel" ((RIN0750-AG88) (DFARS Case 2010-D027)) received in the Office of the President of the Senate on July 8, 2011; to the Committee on Armed Services.

EC-2480. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Simplified Acquisition Threshold for Humanitarian or Peacekeeping Operations" ((RIN0750-AH29) (DFARS Case 2010-D032)) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Armed Services.

EC-2481. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-2482. 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-2011-0002)) received in the Office of the President of the Senate on July 12, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2483. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65) (Docket No. FEMA-2011-0002)) received in the Office of the President of the Senate on July 12, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2484. 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-8187)) received in the Office of the President of the Senate on July 12, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2485. 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-2011-0002)) received in the Office of the President of the Senate on July 12, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2486. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of the New State of the Republic of South Sudan to the Export Administration Regulations" (RIN0694-AF27) received in the Office of the President of the Senate on July 12, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2487. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Technical Amendment to the Authorization Validated End-User Regulations of the Export Administration Regulations" (RIN0694-AF23) received in the Office of the President of the Senate on July 12, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2488. A communication from the Associate General Counsel for Legislation and Regulation Divisions, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "SAFE Mortgage Licensing Act: Minimum Licensing Standards and Oversight Responsibilities" (RIN2502-A170) received in the Office of the President of the Senate on July 12, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2489. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Regulation M (Consumer Leasing)" (Docket No. R-1423) received in the Office of the President of the Senate on July 8, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2490. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Regulation Z (Truth in Lending)" (Docket No. R-1422) received in the Office of the President of the Senate on July 8, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2491. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Regulation Z (Truth in Lending)" (Docket No. R-1424) received in the Office of the President of the Senate on July 8, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2492. A communication from the Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Rules and Regulations Implementing the Truth in Caller ID Act of 2009" ((RIN3060-AJ66) (FCC 11-100)) received in the Office of the President of the Senate on July 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2493. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Queen Conch Fishery of Puerto Rico and the U.S. Virgin Islands; Queen Conch Management Measures" (RIN0648-AY03) received in the Office of the President of the Senate on July 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2494. A communication from the Administrator of the National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, a report relative to "The National Initiative for Increasing Seat Belt Use: Buckle Up America Campaign"; to the Committee on Commerce, Science, and Transportation.

EC-2495. A communication from the Assistant Deputy Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Listing Endangered and Threatened Species: Threatened Status for the Oregon Coast Coho Salmon Evolutionary Significant Unit" (RIN0648-XA407) received in the Office of the President

of the Senate on July 12, 2011; to the Committee on Environment and Public Works.

EC-2496. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Criteria for Use of Computers in Safety Systems of Nuclear Power Plants" (Regulatory Guide 1.152, Revision 3) received in the Office of the President of the Senate on July 12, 2011; to the Committee on Environment and Public Works.

EC-2497. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Cedar River, Cedar Rapids, Iowa flood risk reduction project; to the Committee on Environment and Public Works.

EC-2498. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report on National HIV Testing Goals; to the Committee on Health, Education, Labor, and Pensions.

EC-2499. A communication from the Chairman of the National Credit Union Administration, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2500. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Office's annual report on Federal agencies' use of the physicians' comparability allowance (PCA) program; to the Committee on Homeland Security and Governmental Affairs.

EC-2501. A communication from the Executive Director of the U.S. Election Assistance Commission, transmitting, pursuant to law, the 2009-2010 Impact of the National Voter Registration Act of 1993 on the Administration of Elections for Federal Office (NVRA) report; to the Committee on Rules and Administration.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-57. A resolution adopted by the Legislature of Rockland County, New York, urging the Federal Communications Commission to adopt and implement proposed rules that would require mobile service providers to provide usage alerts and information that will assist consumers in avoiding unexpected charges on their bills; to the Committee on Commerce, Science, and Transportation.

POM-58. A resolution adopted by the Legislature of Rockland County, New York, requesting that the United States House of Representatives pass bill H.R. 1268—The Nuclear Power Licensing Reform Act of 2011; to the Committee on Environment and Public Works.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Stephen A. Higginson, of Louisiana, to be United States Circuit Judge for the Fifth Circuit.

Jane Margaret Triche-Milazzo, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.

Alison J. Nathan, of New York, to be United States District Judge for the Southern District of New York.

Susan Owens Hickey, of Arkansas, to be United States District Judge for the Western District of Arkansas.

Katherine B. Forrest, of New York, to be United States District Judge for the Southern District of New York.

David V. Brewer, of Oregon, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2013.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PRYOR:

S. 1367. A bill to amend the Internal Revenue Code of 1986 to permit information sharing with respect to prison inmate information, and for other purposes; to the Committee on Finance.

By Mr. ROBERTS (for himself and Mr. NELSON of Nebraska):

S. 1368. A bill to amend the Patient Protection and Affordable Care Act to repeal distributions for medicine qualified only if for prescribed drug or insulin; to the Committee on Finance.

By Mr. CRAPO (for himself, Mr. WYDEN, Mr. RISCH, and Mr. BEGICH):

S. 1369. A bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements; to the Committee on Environment and Public Works.

By Mrs. BOXER (for herself, Ms. MURKOWSKI, and Mrs. MURRAY):

S. 1370. A bill to reauthorize 21st century community learning centers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself and Mr. WHITEHOUSE):

S. 1371. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to add Rhode Island to the Mid-Atlantic Fishery Management Council; to the Committee on Commerce, Science, and Transportation.

By Mr. REED (for himself, Mr. KIRK, Mr. BINGAMAN, Mr. CARDIN, Mr. DURBIN, Mrs. GILLIBRAND, Mr. KERRY, Mr. LAUTENBERG, Ms. MIKULSKI, Mrs. MURRAY, Mr. SANDERS, and Mr. WHITEHOUSE):

S. 1372. A bill to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROCKEFELLER:

S. 1373. A bill to amend the Internal Revenue Code of 1986 to reduce international tax avoidance and restore a level playing field for American businesses; to the Committee on Finance.

By Mr. MENENDEZ:

S. 1374. A bill to direct the Federal Trade Commission to prescribe rules prohibiting deceptive advertising of abortion services; to the Committee on Commerce, Science, and Transportation.

By Mr. LEVIN (for himself and Mr. BROWN of Ohio):

S. 1375. A bill to amend the Internal Revenue Code of 1986 to provide that corporate

tax benefits based upon stock option compensation expenses be consistent with accounting expenses shown in corporate financial statements for such compensation; to the Committee on Finance.

#### ADDITIONAL COSPONSORS

S. 71

At the request of Mr. INOUE, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 71, a bill to amend the Public Health Service Act to provide for health data regarding Native Hawaiians and other Pacific Islanders.

S. 319

At the request of Ms. SNOWE, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 319, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes.

S. 382

At the request of Mr. UDALL of Colorado, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 382, a bill to amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that is subject to ski area permits, and for other permits.

S. 384

At the request of Mrs. FEINSTEIN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 384, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

S. 418

At the request of Mr. HARKIN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 424

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 424, a bill to amend title XVIII of the Social Security Act to preserve access to ambulance services under the Medicare program.

S. 431

At the request of Mr. PRYOR, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 431, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service.

S. 483

At the request of Ms. SNOWE, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 483, a bill to amend title XVIII of the Social Security Act to provide for the

treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program.

S. 534

At the request of Mr. KERRY, the name of the Senator from Arkansas (Mr. PRYOR) was withdrawn as a cosponsor of S. 534, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 560

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 560, a bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare program.

S. 672

At the request of Mr. ROCKEFELLER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 672, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 755

At the request of Mr. WYDEN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 755, a bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for restitution and other State judicial debts that are past-due.

S. 876

At the request of Mr. LAUTENBERG, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 876, a bill to amend title 23 and 49, United States Code, to modify provisions relating to the length and weight limitations for vehicles operating on Federal-aid highways, and for other purposes.

S. 958

At the request of Mr. CASEY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 958, a bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs.

S. 984

At the request of Mr. HARKIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 984, a bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families.

S. 1052

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1052, a bill to amend the Public Health Service Act to create a National Childhood Brain Tumor Prevention Network to provide grants and coordinate research with respect to the

causes of and risk factors associated with childhood brain tumors, and for other purposes.

S. 1096

At the request of Ms. SNOWE, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1096, a bill to amend title XVIII of the Social Security Act to improve access to, and utilization of, bone mass measurement benefits under the Medicare part B program by extending the minimum payment amount for bone mass measurement under such program through 2013.

S. 1232

At the request of Ms. AYOTTE, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 1232, a bill to modify the definition of fiduciary under the Employee Retirement Income Security Act of 1974 to exclude appraisers of employee stock ownership plans.

S. 1265

At the request of Mr. BINGAMAN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1265, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 1275

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1275, a bill to require the Secretary of Health and Human Services to remove social security account numbers from Medicare identification card and communications provided to Medicare beneficiaries in order to protect Medicare beneficiaries from identity theft.

S. 1280

At the request of Mr. ISAKSON, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 1280, a bill to amend the Peace Corps Act to require sexual assault risk-reduction and response training, and the development of sexual assault protocol and guidelines, the establishment of victims advocates, the establishment of a Sexual Assault Advisory Council, and for other purposes.

S. 1301

At the request of Mr. LEAHY, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1301, a bill to authorize appropriations for fiscal years 2012 to 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in person, and for other purposes.

S. 1310

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a co-

sponsor of S. 1310, a bill to improve the safety of dietary supplements by amending the Federal Food, Drug, and Cosmetic Act to require manufacturers of dietary supplements to register dietary supplement products with the Food and Drug Administration and to amend labeling requirements with respect to dietary supplements.

S. 1324

At the request of Mrs. BOXER, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 1324, a bill to amend the Lacey Act Amendments of 1981 to prohibit the importation, exportation, transportation, and sale, receipt, acquisition, or purchase in interstate or foreign commerce, of any live animal of any prohibited wildlife species, and for other purposes.

S. 1328

At the request of Mr. REED, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1328, a bill to amend the Elementary and Secondary Education Act of 1965 regarding school libraries, and for other purposes.

S. 1335

At the request of Mr. INHOFE, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1335, a bill to amend title 49, United States Code, to provide rights for pilots, and for other purposes.

S. 1340

At the request of Mr. LEE, the names of the Senator from Tennessee (Mr. ALEXANDER), the Senator from Indiana (Mr. COATS), the Senator from Wyoming (Mr. ENZI), the Senator from North Dakota (Mr. HOEVEN), the Senator from Texas (Mrs. HUTCHISON) and the Senator from Kentucky (Mr. MCCONNELL) were added as cosponsors of S. 1340, a bill to cut, cap, and balance the Federal budget.

S. 1349

At the request of Mr. JOHANNES, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from South Dakota (Mr. THUNE), the Senator from Kansas (Mr. ROBERTS), the Senator from Kansas (Mr. MORAN) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 1349, a bill to amend the National Flood Insurance Act of 1968 to clarify the effective date of policies covering properties affected by floods in progress.

S. 1354

At the request of Mrs. HAGAN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1354, a bill to authorize grants to promote media literacy and youth empowerment programs, to authorize research on the role and impact of depictions of girls and women in the media, to provide for the establishment of a National Task Force on Girls and Women in the Media, and for other purposes.

S. 1366

At the request of Ms. CANTWELL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1366, a bill to amend the Internal Revenue Code of 1986 to broaden the special rules for certain governmental plans under section 105(j) to include plans established by political subdivisions.

S.J. RES. 17

At the request of Mr. MCCONNELL, the names of the Senator from Maryland (Ms. MIKULSKI), the Senator from Michigan (Ms. STABENOW), the Senator from Georgia (Mr. ISAKSON) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S. RES. 216

At the request of Mrs. BOXER, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. Res. 216, a resolution encouraging women's political participation in Saudi Arabia.

S. RES. 230

At the request of Mr. WHITEHOUSE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. Res. 230, a resolution expressing the sense of the Senate that any agreement to reduce the budget deficit should not include cuts to Social Security benefits or Medicare benefits.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROBERTS (for himself and Mr. NELSON of Nebraska):

S. 1368. A bill to amend the Patient Protection and Affordable Care Act to repeal distributions for medicine qualified only if for prescribed drug or insulin; to the Committee on Finance.

Mr. ROBERTS. Mr. President, I rise today to introduce a bipartisan bill, the Restoring Access to Medication Act of 2011. This bill would repeal the portion of the Patient Protection and Affordable Care Act which requires individuals to have a prescription to spend the money they have saved in their Flexible Spending Accounts.

Flexible Spending Accounts, FSAs, Health Savings Accounts, HSAs, and other medical savings arrangements provide plan participants with an affordable, convenient and accessible means to manage their health care expenses.

More than 35 million Americans participate in FSAs and more than 10 million Americans participate in a HSA. These accounts allow plan participants to set aside their own dollars on a pre-tax basis to pay for health care expenses, giving individuals control over health care decisions and how to pay for that care.

A key benefit of these plans prior to enactment of the Patient Protection

and Affordable Care Act, PPACA, was the ability for participants to use the dollars they set aside in these plans to pay for the cost of over-the-counter medications.

However, under PPACA, plan participants may no longer use funds from these accounts to purchase over-the-counter medications, unless they have a prescription for the medication.

This prohibition takes away choice from individuals about how to manage their health care expenses and adds yet another burden to physicians, as some plan participants will seek a prescription for over-the-counter medications. And, worst of all, it injects increased costs into our health care system.

Rather than promoting cost-effectiveness and accessibility, this provision instead directs participants to potentially more costly, less convenient, and more time-consuming alternatives. Further, it injects unnecessary confusion and complexity into a system that was previously straightforward and easy for consumers to utilize.

This bill repeals Sec. 9003 of the PPACA and restores the ability of plan participants to use the funds in their FSA, HRA, HSA or Archers MSA to purchase OTC medications, allowing them to better manage the cost of their health care expenses.

A family physician from Leawood, Kansas told me, "I am pleased that legislation is being introduced to reverse this policy. Many of my patients face undue burdens purchasing needed medications that are essential to their health maintenance and overall wellbeing. Reversal of this policy will allow my patients to continue to purchase the numerous beneficial over-the-counter products that are so important in our daily lives and will eliminate a substantial administrative burden on my practice."

In Kansas, and throughout the U.S., a broad coalition of groups support this legislation, including the U.S. Chamber, NFIB, pharmacist groups, drug store organizations and consumer groups.

I would invite my colleagues to join me in this effort by cosponsoring this legislation.

By Mr. CRAPO (for himself, Mr. WYDEN, Mr. RISCH, and Mr. BEGICH):

S. 1369. A bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements; to the Committee on Environment and Public Works.

Mr. CRAPO. Mr. President, over the last several months, this body has been focused on issues pertaining to our economy, such as the ailing jobs market and our debt and deficits. That is as it should be. However, while these important issues have commanded most of our attention here in the United States Senate, that is not to say that other matters and conflicts

have suddenly taken a back seat to them. Even as we vigorously debate our economic future, home-state and regional issues continue to command our attention. It is one of those regional issues that brings me to the floor today.

Two months ago, a three judge panel of the U.S. Court of Appeals for the 9th Circuit handed down a final decision that could have far reaching negative impacts on public and private forests, and the communities that rely on them, throughout the United States. In the case of Northwest Environmental Defense Center v. Brown, the Court ruled that logging road runoff when managed with a system of ditches and culverts and deposited into rivers and streams qualifies under the Clean Water Act as point source pollution. This means that storm water when mixed with dirt and rocks will now be subject to some of the most stringent environmental protection laws in the United States. America's Federal forests are already heavily litigated, but with one fell swoop, this decision threw out over 35 years of precedent, opening the door for even more litigation on Federal forest lands, and subjecting private and state forest lands to the same specter.

There was a time when forest jobs supported millions of Americans and their communities. But a lot has changed since then. Endless litigation, cheap imports, disease and a general shift in Federal forest management policy have drastically changed the landscape for forest jobs and the families and communities that rely on them. Working on the forests used to make up a considerable amount of the tax base in many rural communities, particularly in my State of Idaho. However, that has shrunk dramatically in recent decades.

Forest communities that were once prosperous now find themselves in a state of perpetual economic jeopardy, with young people searching for employment elsewhere and tax bases that can barely cover the cost of basic public services. This has become so dire that in 2000, Congress had to pass legislation to provide funding to rural communities with Federal public lands to make up for lost revenues from timber harvests on those lands.

Given all of this, I am disappointed that another impediment is being added to the economic survival of our forest communities.

This decision will impact both public and private forests. In the case of Federal forests, we have millions upon millions of acres that are in need of active management and restoration. Our Federal forests have suffered from under management, disease, wild fires and other factors, and to address these problems, the U.S. Forest Service needs to be able to get to work on much needed fuels reduction, thinning and other forest health projects. But litigation has made that very difficult, and this decision is only going to make it worse.

Then, there are private forests. The people who own, manage and work on these private forests need roads to have access to them. But, this judicially-mandated permit requirement will inevitably lead to increased costs for businesses that are already operating on the margins. Furthermore, this decision will impose the Federal Government into the management of private lands as these permits, even if issued by a State agency, will be subject to Environmental Protection Agency oversight under the Federal Clean Water Act, as well as citizen suits that are intended to further reduce timber harvests.

We need to do something about this unfortunate and unwise decision out of the Ninth Circuit Court of Appeals. As such, I am introducing legislation along with my friends Senator WYDEN, Senator RISCH and Senator BEGICH to overturn it. This legislation is entitled the Silviculture Regulatory Consistency Act of 2011. Our forests and the communities that they have long supported are already in considerable jeopardy, and we need to do everything in our power to help these rural communities. Passing this legislation is only one step in that process, but it is a very necessary one.

I hope that the Senate can pass this bipartisan legislation as soon as possible.

Mr. WYDEN. Mr. President, today I am joining with my colleagues from Idaho, Senator CRAPO and Senator RISCH, and my colleague from Alaska, Senator BEGICH, to correct a regulatory problem that left uncorrected will bury private, State and tribal forest lands in a wave of litigation. If we have learned anything from the court battles that have contributed to the widespread gridlock and mismanagement of our Federal forests, it is that this is not the best path to ensure our forests' future and should be considered only as a last resort. Now those battles threaten to spill over onto private forest lands.

Since the advent of the Clean Water Act, Democratic and Republican administrations have held that most silviculture activities were nonpoint sources for purposes of the act and would be best regulated at the State level, under the States' individual forest practices laws. Under this rule, known as the "silviculture rule," silvicultural activities, such as nursery operations, site preparation, reforestation and subsequent treatment, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, or road construction and maintenance, from which there is natural runoff, were regulated through the Clean Water Act by States best management practices.

This rule for forest roads has now been explicitly invalidated by the Ninth Circuit Court of Appeals, which—in a series of two decisions—implicitly undermined the long-held "silvicultural rule," stemming from



litigation over the use of forest roads in Oregon State-owned forests.

According to the Ninth Circuit, stormwater runoff collected and directed by a system of ditches and culverts creates a discrete point source and therefore, must be regulated as industrial stormwater runoff. This judicial interpretation of the Clean Water Act means that every source of runoff on forest roads will now require an industrial stormwater runoff permit. Not only will new roads need to be permitted, but the hundreds of thousands of miles of existing roads in Oregon and around the country, on both public and private lands, will now need to be reviewed and issued permits.

If this one court's decision to overturn 35 years of widely-accepted, Environmental Protection Agency, EPA, policy is allowed to stand, private, State, and tribal forest owners will also likely be subjected to litigation as part of the permitting process or through lawsuits under the citizen suit provisions of the Clean Water Act. The outcome could well deny States the use of their forests which they depend on to pay for schools and services, while significantly depressing the investment required to sustain private forestry.

If this decision is allowed to stand, every use of forest roads will require permitting and will therefore be subject to challenge by citizen lawsuits. This will not only overburden landowners and managers in the Ninth Circuit states by adding significant compliance and permitting costs, it will create an opportunity for administrative appeal and litigation every time a permit is approved.

Initially, the court's ruling will apply solely to my region of the country, but we can expect lawyers to quickly beat a path to other Federal courts and the EPA itself, seeking to extend the ruling to all other forested regions of the country, and giving an immediate and perhaps permanent competitive advantage to our foreign competitors who have far lesser environmental standards and enforcement.

The fact of the matter is that forests and forest roads—even private ones—have multiple economic and environmental uses and users—from wildlife habitat to recreation to timber production—over decades long growing and harvesting cycles. The “silviculture rule” existed because forestry is different from other industries, even other agricultural production. This is why, in this instance, I believe the courts have gone too far in reinterpreting the law and why legislation is needed to make the long-accepted “silvicultural rule” the legal basis for Clean Water Act regulation of forestry practices.

The Clean Water Act is one of the cornerstones of environmental protection. In the past two Congresses, I co-sponsored the Clean Water Restoration Act because I believed that the U.S. Supreme Court went too far in reinterpreting decades of Clean Water Act law by excluding wetlands and intermittent streams that had long been protected under that law. Here too, I be-

lieve that the courts have gone too far in reinterpreting what has been a long-standing understanding of how silvicultural activities should be regulated. The Ninth Circuit concluded that only Congress can authorize EPA's original reading of the law. Senators CRAPO, RISCH, BEGICH and I are introducing legislation today in response to that conclusion.

That is not to say that the persons who orchestrated this litigation were not well-intentioned in their desire to address the water quality issues that can arise from silviculture, as they can in virtually every other agricultural activity. Rather, I believe they had the best of intentions. In fact, I share their intentions. I have labored for decades and will continue to work to address the poor condition of forest roads on Federal lands. I will also be the first to argue that the Federal Government has much to do in that regard. Efforts can also be made on State and private lands. In many instances, what is needed is simply more technical assistance and financial incentives to help landowners and managers that are seeking to do the right thing. I certainly care about keeping the pristine quality of our streams and the impacts that sediment can have on salmon and aquatic creatures. It is part of the reason why I have championed wilderness and wild and scenic river legislation to protect Oregon's special places, including its beautiful waterways.

But I can't agree with their decision to first fight this out in court. Their litigation tries to impose an outcome on my region without ever attempting to address the concerns and needs of the thousands of people in my State who earn their living as responsible stewards of private forest land. Oregon is still struggling to come back from the economic crisis and many of our forested counties continue to suffer from double digit unemployment. Where will the 120,000 people in Oregon who make their living on private forest land go when private lands experience the same gridlock as their Federal land counterparts? How will small woodlot owners in Oregon—mostly mom and pop investments—survive when subjected to Federal regulation and lawsuits for the first time in our State's history? How many millions of acres of private, shareholder-owned forest land will be converted to nonagricultural purposes when companies are no longer able to carry out needed forest management? To my knowledge, the litigants did not make a meaningful effort to address any of those challenges before initiating the lawsuit that now threatens to throw my State into a dangerous economic trajectory.

I should point out that this issue transcends partisan concerns, as evidenced by the prominent Democrats who have found common ground with Republicans on this issue. Oregon's Governor, John Kitzhaber, one of the most prominent environmental champions in the Nation, has consistently fought against the Northwest Environmental Defense Center ruling and continues to do so. Senator BEGICH, who is known for his thoughtful and balanced

approach to natural resource issues, joins me as an original cosponsor. On the House side, I am joined by Democratic Congressman KURT SCHRADER, who knows better than most the unintended consequences of well-intentioned, but poorly aimed efforts at regulation.

To my friends in the environmental community who raise legitimate concerns about a range of issues surrounding this policy I encourage you to sit down with us in a dialogue, at both the Federal and State levels. Bring your ideas for how we can monitor and protect water without sacrificing what remains of Oregon's forest industry. You will be heard and I stand ready to work with you. But it is not enough to simply dictate outcomes. We have to first look for solutions that avoid the epidemic of litigation and appeals that threaten the sustainability and survival of our timber industry. You are, of course, right to expect that we arrive at those solutions within a reasonable period of time.

By Mrs. BOXER (for herself, Ms. MURKOWSKI, and Mrs. MURRAY):

S. 1370. A bill to reauthorize 21st century community learning centers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. BOXER. Mr. President, I rise today to urge my colleagues to cosponsor the Afterschool for America's Children Act, which I am introducing today with Senators MURKOWSKI and MURRAY.

Across the country, afterschool programs help keep children safe and help them learn through hands-on academic enrichment activities that are disappearing from the regular school day.

Numerous studies have shown that quality afterschool programs give students the academic, social and professional skills they need to succeed. Students who regularly attend have better grades and behavior in school, and lower incidences of drug use, violence and unintended pregnancy.

Over the past 10 years, the 21st Century Community Learning Centers, CCLC, program has helped support afterschool programs for millions of children from low-income backgrounds, including over 1.6 million children last year.

Unfortunately, the demand for affordable, quality afterschool experiences far exceeds the number of programs available. The 2009 report, America After 3PM, found that while afterschool programs are serving more kids than ever, the number of unsupervised children in the United States has increased. More than 18 million children have parents who would like to enroll their child in an afterschool program but can't find one available.

For over 10 years, federally funded afterschool programs have played an important role in the lives of so many children and families. The Afterschool for America's Children Act, AACA, would strengthen the 21st CCLC program, leaving in place what works and

using what we have learned about what makes afterschool successful to improve the program.

The AACA would modernize the 21st CCLC program to improve States' ability to effectively support quality afterschool programs, run more effective grant competitions and improve struggling programs. In addition, this legislation helps improve local programs by fostering better communication between local schools and programs, encouraging parental engagement in student learning, and improving the tracking of student progress.

Afterschool programs have such a diverse group of supporters, from law enforcement to the business community, because these vital programs help keep the children of working parents safe while enriching their learning experience and preparing them for the real world.

I urge my colleagues to join me and Senators MURKOWSKI and MURRAY in supporting the Afterschool for America's Children Act to ensure that 21st CCLC dollars are invested most efficiently in successful afterschool programs that keep children safe and help them learn.

By Mr. REED (for himself and Mr. WHITEHOUSE):

S. 1371. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to add Rhode Island to the Mid-Atlantic Fishery Management Council; to the Committee on Commerce, Science, and Transportation.

Mr. REED. Mr. President, today, along with my colleague Senator WHITEHOUSE, I am introducing the Rhode Island Fishermen's Fairness Act of 2011.

For nearly a decade, I have worked to correct a serious flaw in our fisheries management system, which denies the fishermen of my state a voice in the management of many of the stocks that they catch and rely upon for their livelihoods.

The Magnuson-Stevens Fishery Conservation and Management Act established eight regional fishery management councils to give fishermen and other stakeholders the leading role in developing the fishery management plans for federally regulated species. As such, the councils have enormous significance on the lives and livelihoods of fishermen. To ensure equitable representation, the statute sets out the states from which appointees are to be drawn for each council.

Under the Magnuson-Stevens Act, the State of Rhode Island was granted voting membership on the New England Fishery Management Council, NEFMC, as NEFMC-managed stocks represent a significant percentage of landings and revenue for the State. However, while Rhode Island has an even larger stake in the Mid-Atlantic fishery it does not have voting representation on the Mid-Atlantic Fishery Management Council, MAFMC,

which currently consists of representatives from New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, and North Carolina.

Rhode Island's stake in the Mid-Atlantic fishery is hardly incidental. According to National Oceanic and Atmospheric Administration, NOAA, data, Rhode Island accounts for approximately a quarter of the catch from this fishery, and its landings are greater than the combined total of landings for the States of New York, Delaware, Pennsylvania, Maryland, Virginia, and North Carolina. In fact, only one State, New Jersey, lands more MAFMC regulated species than Rhode Island.

This legislation offers a simple solution. Following current practice, the Rhode Island Fishermen's Fairness Act would create two seats on the MAFMC for Rhode Island: one seat appointed by the Secretary of Commerce based on recommendations from the Governor of Rhode Island, and a second seat filled by Rhode Island's principal state official with marine fishery management responsibility. To accommodate these new members, the MAFMC would increase in size from 21 voting members to 23.

Pursuant to a provision included in the Magnuson-Stevens Reauthorization Act of 2006 at my request, the MAFMC reported to Congress on this issue in 2007 and confirmed that there is a precedent for this proposal. As the report notes, North Carolina's representatives in Congress succeeded in adding that State to the MAFMC through an amendment to the Sustainable Fisheries Act in 1996. Like Rhode Island, a significant proportion of North Carolina's landed fish species were managed by the MAFMC, yet the State had no vote on the council.

With mounting economic, ecological, and regulatory challenges, it is more important than ever that Rhode Island's fishermen have a voice in the management of the fisheries they depend on. I look forward to working with Senator WHITEHOUSE and my other colleagues to restore a measure of equity to the fisheries management process by passing the Rhode Island Fishermen's Fairness 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. 1371

*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 "Rhode Island Fishermen's Fairness Act".

**SEC. 2. FINDINGS.**

The findings are as follows:

(1) Rhode Island fishermen participate in fisheries managed by the New England Fishery Management Council (NEFMC) and the Mid-Atlantic Fishery Management Council (MAFMC).

(2) Rhode Island currently has voting membership on the NEFMC under the Magnuson-

Stevens Fishery Conservation and Management Act but does not have voting membership on the MAFMC.

(3) Rhode Island lands more MAFMC-managed stocks than any other MAFMC member except the State of New Jersey.

(4) A higher percentage of Rhode Island's commercial landings (by weight or value) traditionally have come from species that are managed by the MAFMC as compared to species managed by NEFMC.

(5) MAFMC has found that Rhode Island's circumstance parallels that of Florida and North Carolina, which each have voting membership on two different fishery management councils.

**SEC. 3. ADDITION OF RHODE ISLAND TO THE MID-ATLANTIC FISHERY MANAGEMENT COUNCIL.**

Section 302(a)(1)(B) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)(1)(B)) is amended—

(1) by inserting "Rhode Island," after "States of";

(2) by inserting "Rhode Island," after "except North Carolina.";

(3) by striking "21" and inserting "23"; and

(4) by striking "13" and inserting "14".

By Mr. REED (for himself, Mr. KIRK, Mr. BINGAMAN, Mr. CARDIN, Mr. DURBIN, Mrs. GILLIBRAND, Mr. KERRY, Mr. LAUTENBERG, Ms. MIKULSKI, Mrs. MURRAY, Mr. SANDERS, and Mr. WHITEHOUSE):

S. 1372. A bill to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I am introducing bipartisan legislation to provide new support for environmental education in our Nation's classrooms. I thank Senators KIRK, BINGAMAN, CARDIN, DURBIN, GILLIBRAND, KERRY, LAUTENBERG, MIKULSKI, MURRAY, SANDERS, and WHITEHOUSE for agreeing to be original cosponsors of the No Child Left Inside Act of 2011. Given the major environmental challenges we face today, our bill seeks to prioritize teaching our young people about their natural world. For more than three decades, environmental education has been a growing part of effective instruction in America's schools. Responding to the need to improve student achievement and prepare students for the 21st century economy, many schools throughout the Nation now offer some form of environmental education.

Yet, environmental education is facing a significant challenge. Many schools are being forced to scale back or eliminate environmental programs. As a result, fewer and fewer students are able to take part in related classroom instruction and field investigations, however effective or popular. State and local administrators, teachers, and environmental educators point to two factors behind this recent and disturbing shift: the unintended consequences of the No Child Left Behind Act and dwindling sources of funding for these critical programs.

The legislation that we are introducing today would address these two

concerns. First, it would provide a new professional development initiative to ensure that teachers possess the content knowledge and pedagogical skills to effectively teach environmental education in the classroom, including the use of innovative interdisciplinary and field-based learning strategies. Second, the bill would create incentives for states to develop a peer-reviewed comprehensive statewide environmental literacy plan to make sure prekindergarten, elementary, and secondary school students have a solid understanding of our planet and its natural resources. Lastly, the No Child Left Inside Act provides support for school districts to initiate, expand, or improve their environmental education curriculum, and for replication and dissemination of effective practices. This legislation has broad support among national and state environmental groups and educational groups.

The American public recognizes that the environment is already one of the dominant issues of the 21st century. In 2003, a National Science Foundation panel noted that “in the coming decades, the public will more frequently be called upon to understand complex environmental issues, assess risk, evaluate proposed environmental plans and understand how individual decisions affect the environment at local and global scales. Creating a scientifically informed citizenry requires a concerted, systemic approach to environmental education . . .”. In the private sector, business leaders also increasingly believe that an environmentally literate workforce is critical to their long-term success. They recognize that better, more efficient environmental practices improve the bottom line and help position their companies for the future.

Environmental education is an important part of the solution to many of the problems facing our country today. It helps prepare the next generation with the skills and knowledge necessary to be competitive in the global economy. Studies have shown that it enhances student achievement in science and other core subjects and increases student engagement and critical thinking skills. It promotes healthy lifestyles by encouraging kids to get outside.

In Rhode Island, organizations such as the Rhode Island Environmental Education Association, Roger Williams Park Zoo, Save the Bay, the Nature Conservancy, and the Audubon Society as well as countless schools and teachers, reach out to children to offer educational and outdoor experiences that these children may never otherwise have, helping to inspire them to learn. Partnering with the Rhode Island Department of Education, these organizations have developed a statewide environmental literacy plan.

Similar efforts are taking place across the Nation. According to the National Association for Environmental Education, 40 states have taken

steps towards developing similar plans to integrate environmental literacy into their statewide educational initiatives. Despite these extraordinary efforts, environmental education remains out of reach for too many kids.

That is why I look forward to working with my colleagues to enact the No Child Left Inside Act of 2011.

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. 1372

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

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “No Child Left Inside Act of 2011”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. References.

Sec. 3. Authorization of appropriations.

**TITLE I—ENVIRONMENTAL LITERACY PLANS**

Sec. 101. Development, approval, and implementation of State environmental literacy plans.

**TITLE II—ESTABLISHMENT OF ENVIRONMENTAL EDUCATION PROFESSIONAL DEVELOPMENT GRANT PROGRAMS**

Sec. 201. Environmental education professional development grant programs.

**TITLE III—ENVIRONMENTAL EDUCATION GRANT PROGRAM TO HELP BUILD NATIONAL CAPACITY**

Sec. 301. Environmental education grant program to help build national capacity.

**SEC. 2. REFERENCES.**

Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

**SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

(a) **AUTHORIZATION.**—There are authorized to be appropriated to carry out section 5622(g) and part E of title II of the Elementary and Secondary Education Act of 1965, such sums as may be necessary for fiscal year 2012 and each of the 4 succeeding fiscal years.

(b) **DISTRIBUTION.**—With respect to any amount appropriated under subsection (a) for a fiscal year—

(1) not more than 70 percent of such amount shall be used to carry out section 5622(g) of the Elementary and Secondary Education Act of 1965 for such fiscal year; and

(2) not less than 30 percent of such amount shall be used to carry out part E of title II of such Act for such fiscal year.

**TITLE I—ENVIRONMENTAL LITERACY PLANS**

**SEC. 101. DEVELOPMENT, APPROVAL, AND IMPLEMENTATION OF STATE ENVIRONMENTAL LITERACY PLANS.**

Part D of title V (20 U.S.C. 7201 et seq.) is amended by adding at the end the following:

**“Subpart 22—Environmental Literacy Plans**  
**“SEC. 5621. ENVIRONMENTAL LITERACY PLAN REQUIREMENTS.**

“In order for any State educational agency, or a local educational agency served by a

State educational agency, to receive grant funds, either directly or through participation in a partnership with a recipient of grant funds, under this subpart or part E of title II, the State educational agency shall meet the requirements regarding an environmental literacy plan under section 5622.

**“SEC. 5622. STATE ENVIRONMENTAL LITERACY PLANS.**

“(a) **SUBMISSION OF PLAN.**—

“(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of the No Child Left Inside Act of 2011, a State educational agency subject to the requirements of section 5621 shall, in consultation with State environmental agencies and State natural resource agencies, and with input from the public—

“(A) submit an environmental literacy plan for prekindergarten through grade 12 to the Secretary for peer review and approval that will ensure that elementary and secondary school students in the State are environmentally literate; and

“(B) begin the implementation of such plan in the State.

“(2) **EXISTING PLANS.**—A State may satisfy the requirement of paragraph (1)(A) by submitting to the Secretary for peer review an existing State plan that has been developed in cooperation with a State environmental or natural resource management agency, if such plan complies with this section.

“(b) **PLAN OBJECTIVES.**—A State environmental literacy plan shall meet the following objectives:

“(1) Prepare students to understand, analyze, and address the major environmental challenges facing the students’ State and the United States.

“(2) Provide field experiences as part of the regular school curriculum and create programs that contribute to healthy lifestyles through outdoor recreation and sound nutrition.

“(3) Create opportunities for enhanced and on-going professional development for teachers that improves the teachers’—

“(A) environmental subject matter knowledge; and

“(B) pedagogical skills in teaching about environmental issues, including the use of—

“(i) interdisciplinary, field-based, and research-based learning; and

“(ii) innovative technology in the classroom.

“(c) **CONTENTS OF PLAN.**—A State environmental literacy plan shall include each of the following:

“(1) A description of how the State educational agency will measure the environmental literacy of students, including—

“(A) relevant State academic content standards and content areas regarding environmental education, and courses or subjects where environmental education instruction will be integrated throughout the prekindergarten to grade 12 curriculum; and

“(B) a description of the relationship of the plan to the secondary school graduation requirements of the State.

“(2) A description of programs for professional development for teachers to improve the teachers’—

“(A) environmental subject matter knowledge; and

“(B) pedagogical skills in teaching about environmental issues, including the use of—

“(i) interdisciplinary, field-based, and research-based learning; and

“(ii) innovative technology in the classroom.

“(3) A description of how the State educational agency will implement the plan, including securing funding and other necessary support.

“(d) PLAN UPDATE.—The State environmental literacy plan shall be revised or updated by the State educational agency and submitted to the Secretary not less often than every 5 years or as appropriate to reflect plan modifications.

“(e) PEER REVIEW AND SECRETARIAL APPROVAL.—The Secretary shall—

“(1) establish a peer review process to assist in the review of State environmental literacy plans;

“(2) appoint individuals to the peer review process who—

“(A) are representative of parents, teachers, State educational agencies, State environmental agencies, State natural resource agencies, local educational agencies, and nongovernmental organizations; and

“(B) are familiar with national environmental issues and the health and educational needs of students;

“(3) include, in the peer review process, appropriate representatives from the Department of Commerce, Department of Interior, Department of Energy, the Environmental Protection Agency, and other appropriate Federal agencies, to provide environmental expertise and background for evaluation of the State environmental literacy plan;

“(4) approve a State environmental literacy plan not later than 120 days after the plan’s submission unless the Secretary determines that the State environmental literacy plan does not meet the requirements of this section;

“(5) immediately notify the State if the Secretary determines that the State environmental literacy plan does not meet the requirements of this section, and state the reasons for such determination;

“(6) not decline to approve a State environmental literacy plan before—

“(A) offering the State an opportunity to revise the State environmental literacy plan;

“(B) providing technical assistance in order to assist the State to meet the requirements of this section; and

“(C) providing notice and an opportunity for a hearing; and

“(7) have the authority to decline to approve a State environmental literacy plan for not meeting the requirements of this part, but shall not have the authority to require a State, as a condition of approval of the State environmental literacy plan, to—

“(A) include in, or delete from, such State environmental literacy plan 1 or more specific elements of the State academic content standards under section 1111(b)(1); or

“(B) use specific academic assessment instruments or items.

“(f) STATE REVISIONS.—The State educational agency shall have the opportunity to revise a State environmental literacy plan if such revision is necessary to satisfy the requirements of this section.

“(g) GRANTS FOR IMPLEMENTATION.—

“(1) PROGRAM AUTHORIZED.—From amounts appropriated for this subsection, the Secretary shall award grants, through allotments in accordance with the regulations described in paragraph (2), to States to enable the States to award subgrants, on a competitive basis, to local educational agencies and eligible partnerships (as such term is defined in section 2502) to support the implementation of the State environmental literacy plan.

“(2) REGULATIONS.—The Secretary shall promulgate regulations implementing the grant program under paragraph (1), which regulations shall include the development of an allotment formula that best achieves the purposes of this subpart.

“(3) ADMINISTRATIVE EXPENSES.—A State receiving a grant under this subsection may

use not more than 2.5 percent of the grant funds for administrative expenses.

“(h) REPORTING.—

“(1) IN GENERAL.—Not later than 2 years after approval of a State environmental literacy plan, and every 2 years thereafter, the State educational agency shall submit to the Secretary a report on the implementation of the State plan.

“(2) REPORT REQUIREMENTS.—The report required by this subsection shall be—

“(A) in the form specified by the Secretary;

“(B) based on the State’s ongoing evaluation activities; and

“(C) made readily available to the public.”.

## TITLE II—ESTABLISHMENT OF ENVIRONMENTAL EDUCATION PROFESSIONAL DEVELOPMENT GRANT PROGRAMS

### SEC. 201. ENVIRONMENTAL EDUCATION PROFESSIONAL DEVELOPMENT GRANT PROGRAMS.

Title II (20 U.S.C. 6601 et seq.) is amended by adding at the end the following:

#### “PART E—ENVIRONMENTAL EDUCATION PROFESSIONAL DEVELOPMENT GRANT PROGRAMS

##### “SEC. 2501. PURPOSE.

“The purpose of this part is to ensure the academic achievement of students in environmental literacy through the professional development of teachers and educators.

##### “SEC. 2502. GRANTS FOR ENHANCING EDUCATION THROUGH ENVIRONMENTAL EDUCATION.

“(a) DEFINITION OF ELIGIBLE PARTNERSHIP.—In this section, the term ‘eligible partnership’ means a partnership that—

“(1) shall include a local educational agency; and

“(2) may include—

“(A) the teacher training department of an institution of higher education;

“(B) the environmental department of an institution of higher education;

“(C) another local educational agency, a public charter school, a public elementary school or secondary school, or a consortium of such schools;

“(D) a Federal, State, regional, or local environmental or natural resource management agency that has demonstrated effectiveness in improving the quality of environmental education teachers; or

“(E) a nonprofit organization that has demonstrated effectiveness in improving the quality of environmental education teachers.

“(b) GRANTS AUTHORIZED.—

“(1) PROGRAM AUTHORIZED.—From amounts appropriated for this subsection, the Secretary shall award grants, through allotments in accordance with the regulations described in paragraph (2), to States whose State environmental literacy plan has been approved under section 5622, to enable the States to award subgrants under subsection (c).

“(2) REGULATIONS.—The Secretary shall promulgate regulations implementing the grant program under paragraph (1), which regulations shall include the development of an allotment formula that best achieves the purposes of this subpart.

“(3) ADMINISTRATIVE EXPENSES.—A State receiving a grant under this subsection may use not more than 2.5 percent of the grant funds for administrative expenses.

“(c) SUBGRANTS AUTHORIZED.—

“(1) SUBGRANTS TO ELIGIBLE PARTNERSHIPS.—From amounts made available to a State educational agency under subsection (b)(1), the State educational agency shall award subgrants, on a competitive basis, to eligible partnerships serving the State, to enable the eligible partnerships to carry out the authorized activities described in subsection (e) consistent with the approved State environmental literacy plan.

“(2) DURATION.—The State educational agency shall award each subgrant under this part for a period of not more than 3 years beginning on the date of approval of the State’s environmental literacy plan under section 5622.

“(3) SUPPLEMENT, NOT SUPPLANT.—Funds provided to an eligible partnership under this part shall be used to supplement, and not supplant, funds that would otherwise be used for activities authorized under this part.

“(d) APPLICATION REQUIREMENTS.—

“(1) IN GENERAL.—Each eligible partnership desiring a subgrant under this part shall submit an application to the State educational agency, at such time, in such manner, and accompanied by such information as the State educational agency may require.

“(2) CONTENTS.—Each application submitted under paragraph (1) shall include—

“(A) the results of a comprehensive assessment of the teacher quality and professional development needs, with respect to the teaching and learning of environmental content;

“(B) an explanation of how the activities to be carried out by the eligible partnership are expected to improve student academic achievement and strengthen the quality of environmental instruction;

“(C) a description of how the activities to be carried out by the eligible partnership—

“(i) will be aligned with challenging State academic content standards and student academic achievement standards in environmental education, to the extent such standards exist, and with the State’s environmental literacy plan under section 5622; and

“(ii) will advance the teaching of interdisciplinary courses that integrate the study of natural, social, and economic systems and that include strong field components in which students have the opportunity to directly experience nature;

“(D) a description of how the activities to be carried out by the eligible partnership will ensure that teachers are trained in the use of field-based or service learning to enable the teachers—

“(i) to use the local environment and community as a resource; and

“(ii) to enhance student understanding of the environment and academic achievement;

“(E) a description of—

“(i) how the eligible partnership will carry out the authorized activities described in subsection (e); and

“(ii) the eligible partnership’s evaluation and accountability plan described in subsection (f); and

“(F) a description of how the eligible partnership will continue the activities funded under this part after the grant period has expired.

“(e) AUTHORIZED ACTIVITIES.—An eligible partnership shall use the subgrant funds provided under this part for 1 or more of the following activities related to elementary schools or secondary schools:

“(1) Creating opportunities for enhanced and ongoing professional development of teachers that improves the environmental subject matter knowledge of such teachers.

“(2) Creating opportunities for enhanced and ongoing professional development of teachers that improves teachers’ pedagogical skills in teaching about the environment and environmental issues, including in the use of—

“(A) interdisciplinary, research-based, and field-based learning; and

“(B) innovative technology in the classroom.

“(3) Establishing and operating environmental education summer workshops or institutes, including follow-up training, for elementary and secondary school teachers to

improve their pedagogical skills and subject matter knowledge for the teaching of environmental education.

“(4) Developing or redesigning more rigorous environmental education curricula that—

“(A) are aligned with challenging State academic content standards in environmental education, to the extent such standards exist, and with the State environmental literacy plan under section 5622; and

“(B) advance the teaching of interdisciplinary courses that integrate the study of natural, social, and economic systems and that include strong field components.

“(5) Designing programs to prepare teachers at a school to provide mentoring and professional development to other teachers at such school to improve teacher environmental education subject matter and pedagogical skills.

“(6) Establishing and operating programs to bring teachers into contact with working professionals in environmental fields to expand such teachers’ subject matter knowledge of, and research in, environmental issues.

“(7) Creating initiatives that seek to incorporate environmental education within teacher training programs or accreditation standards consistent with the State environmental literacy plan under section 5622.

“(8) Promoting outdoor environmental education activities as part of the regular school curriculum and schedule in order to further the knowledge and professional development of teachers and help students directly experience nature.

“(f) EVALUATION AND ACCOUNTABILITY PLAN.—

“(1) IN GENERAL.—Each eligible partnership receiving a subgrant under this part shall develop an evaluation and accountability plan for activities assisted under this part that includes rigorous objectives that measure the impact of the activities.

“(2) CONTENTS.—The plan developed under paragraph (1) shall include measurable objectives to increase the number of teachers who participate in environmental education content-based professional development activities.

“(g) REPORT.—Each eligible partnership receiving a subgrant under this part shall report annually, for each year of the subgrant, to the State educational agency regarding the eligible partnership’s progress in meeting the objectives described in the accountability plan of the eligible partnership under subsection (f).”

### TITLE III—ENVIRONMENTAL EDUCATION GRANT PROGRAM TO HELP BUILD NATIONAL CAPACITY

#### SEC. 301. ENVIRONMENTAL EDUCATION GRANT PROGRAM TO HELP BUILD NATIONAL CAPACITY.

Part D of title V (20 U.S.C. 7201 et seq.) (as amended by section 101) is further amended by adding at the end the following:

“Subpart 23—Environmental Education Grant Program  
**“SEC. 5631. PURPOSES.**

“The purposes of this subpart are—

“(1) to prepare children to understand and address major environmental challenges facing the United States; and

“(2) to strengthen environmental education as an integral part of the elementary school and secondary school curriculum.

#### “SEC. 5632. GRANT PROGRAM AUTHORIZED.

“(a) DEFINITION OF ELIGIBLE PARTNERSHIP.—In this section, the term ‘eligible partnership’ means a partnership that—

“(1) shall include a local educational agency; and

“(2) may include—

“(A) the teacher training department of an institution of higher education;

“(B) the environmental department of an institution of higher education;

“(C) another local educational agency, a public charter school, a public elementary school or secondary school, or a consortium of such schools;

“(D) a Federal, State, regional, or local environmental or natural resource management agency, or park and recreation department, that has demonstrated effectiveness, expertise, and experience in the development of the institutional, financial, intellectual, or policy resources needed to help the field of environmental education become more effective and widely practiced; and

“(E) a nonprofit organization that has demonstrated effectiveness, expertise, and experience in the development of the institutional, financial, intellectual, or policy resources needed to help the field of environmental education become more effective and widely practiced.

“(b) GRANTS AUTHORIZED.—

“(1) IN GENERAL.—The Secretary is authorized to award grants, on a competitive basis, to eligible partnerships to enable the eligible partnerships to pay the Federal share of the costs of activities under this subpart.

“(2) DURATION.—Each grant under this subpart shall be for a period of not less than 1 year and not more than 3 years.

#### “SEC. 5633. APPLICATIONS.

“Each eligible partnership desiring a grant under this subpart shall submit to the Secretary an application that contains—

“(1) a plan to initiate, expand, or improve environmental education programs in order to make progress toward meeting—

“(A) challenging State academic content standards and student academic achievement standards in environmental education, to the extent such standards exist; and

“(B) academic standards that are aligned with the State’s environmental literacy plan under section 5622; and

“(2) an evaluation and accountability plan for activities assisted under this subpart that includes rigorous objectives that measure the impact of activities funded under this subpart.

#### “SEC. 5634. USE OF FUNDS.

“Grant funds made available under this subpart shall be used for 1 or more of the following:

“(1) Developing and implementing State curriculum frameworks for environmental education that meet—

“(A) challenging State academic content standards and student academic achievement standards for environmental education, to the extent such standards exist; and

“(B) academic standards that are aligned with the State’s environmental literacy plan under section 5622.

“(2) Replicating or disseminating information about proven and tested model environmental education programs that—

“(A) use the environment as an integrating theme or content throughout the curriculum; or

“(B) provide integrated, interdisciplinary instruction about natural, social, and economic systems along with field experience that provides students with opportunities to directly experience nature in ways designed to improve students’ overall academic performance, personal health (including addressing child obesity issues), and understanding of nature.

“(3) Developing and implementing new approaches to advancing environmental education, and to advancing the adoption and use of environmental education content standards, at the State and local levels.

#### “SEC. 5635. REPORTS.

“(a) ELIGIBLE PARTNERSHIP REPORT.—In order to continue receiving grant funds

under this subpart after the first year of a multiyear grant under this subpart, the eligible partnership shall submit to the Secretary an annual report that—

“(1) describes the activities assisted under this subpart that were conducted during the preceding year;

“(2) demonstrates that progress has been made in helping schools to meet the State academic standards for environmental education described in section 5634(1); and

“(3) describes the results of the eligible partnership’s evaluation and accountability plan.

“(b) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of the No Child Left Inside Act of 2011 and annually thereafter, the Secretary shall submit a report to Congress that—

“(1) describes the programs assisted under this subpart;

“(2) documents the success of such programs in improving national and State environmental education capacity; and

“(3) makes such recommendations as the Secretary determines appropriate for the continuation and improvement of the programs assisted under this subpart.

#### “SEC. 5636. ADMINISTRATIVE PROVISIONS.

“(a) FEDERAL SHARE.—The Federal share of a grant under this subpart shall not exceed—

“(1) 90 percent of the total costs of the activities assisted under the grant for the first year for which the program receives assistance under this subpart; and

“(2) 75 percent of such costs for each of the second and third years.

“(b) ADMINISTRATIVE EXPENSES.—Not more than 7.5 percent of the grant funds made available to an eligible partnership under this subpart for any fiscal year may be used for administrative expenses.

“(c) AVAILABILITY OF FUNDS.—Amounts made available to the Secretary to carry out this subpart shall remain available until expended.

#### “SEC. 5637. SUPPLEMENT, NOT SUPPLANT.

“Funds made available under this subpart shall be used to supplement, and not supplant, any other Federal, State, or local funds available for environmental education activities.”

By Mr. ROCKEFELLER:

S. 1373. A bill to amend the Internal Revenue Code of 1986 to reduce international tax avoidance and restore a level playing field for American businesses; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, today I am introducing the International Tax Competitiveness Act, legislation that will protect American businesses and workers by ensuring that they can compete on a level playing field with competitors who are using tax evasion to boost profits and ship jobs and dollars overseas.

This bill targets companies that cheat the Federal Government out of billions of dollars a year in revenue by taking advantage of tax loopholes. This legislation is designed to put an end to the practice where American companies avoid domestic taxes by moving their headquarters to a post office box overseas, while their executives and much of their workforce remain here in the United States. If you benefit from the protection of American laws and the talent of the American workforce, you should also pay taxes here in the United States.

In March, the television program 60 Minutes aired a story on tax avoidance

that centered on Zug, a town in Switzerland. While Zug has only 26,000 residents, it is home to nearly 30,000 corporations, many of which operate out of mailboxes. This is because the tax rates in Zug are low and companies can create phony headquarters there that allow them to avoid higher taxes in their home country.

The International Tax Competitive-ness Act also discourages tax abuse related to transfer pricing. Sometimes, a company will produce a product here in the United States, taking advantage of generous research and development subsidies, and then sell it to a foreign subsidiary for pennies on the dollar. The royalty payments and profits then flow to that foreign company in a low tax jurisdiction, cheating the American government out of this revenue. This legislation would recognize many of these transactions for what they are . . . blatant abuse of the tax code, and treat profits as American-earned for tax purposes.

At a time when members of Congress are working hard to balance the budget and reduce our debt, everyone must contribute to the effort and our laws must be obeyed. It is not fair to cut funding for valuable healthcare and education programs in an effort to cut spending, while allowing corporations to avoid paying billions of dollars in taxes.

I want to thank my counterpart from the House of Representatives, Representative LLOYD DOGGETT, for his leadership in that body on this legislation. I ask my colleagues to join me in supporting this important legislation and thank the chair for allowing me to speak on this issue.

By Mr. LEVIN (for himself and Mr. BROWN of Ohio):

S. 1375. A bill to amend the Internal Revenue Code of 1986 to provide that corporate tax benefits based upon stock option compensation expenses be consistent with accounting expenses shown in corporate financial statements for such compensation; to the Committee on Finance.

Mr. LEVIN. Mr. President, today I am introducing a bill with my colleague, Senator SHERROD BROWN, to eliminate the federal tax break that gives special tax treatment to corporations that pay their executives with stock options. The bill is called the Ending Excessive Corporate Deductions for Stock Options Act, and it has been endorsed by the AFL-CIO, Citizens for Tax Justice, Consumer Federation of America, OMB Watch, and Tax Justice Network-USA. According to the Joint Committee on Taxation, eliminating this corporate tax break would bring in almost \$25 billion over 10 years.

The existing special treatment of corporate stock options forces ordinary taxpayers to subsidize the salaries of corporate executives. The subsidy is a consequence of the current mismatch between U.S. accounting rules and tax rules for stock options, which have de-

veloped along divergent paths and are now out of kilter. Today, U.S. accounting rules require corporations to report stock option expenses on their books when those stock options are granted, while federal tax rules provide that they use another method to claim a different—and typically much higher—deduction on their tax returns when the stock options are exercised. The result is that corporations can claim larger tax deductions for stock options on their tax returns than the actual expense they show on their books, creating a tax windfall for those corporations.

Stock options are the only type of compensation where the tax code lets a corporation deduct more than the expense shown on their books. For all other types of compensation—cash, stock, bonuses, and more—the tax return deduction equals the book expense. In fact, if corporations took tax deductions for compensation in excess of what their books showed, it could constitute tax fraud. The sole exception to that rule is stock options. It is an exception we can no longer afford.

When corporate compensation committees learn that stock options can generate tax deductions that are many times larger than their book expense, it creates a huge temptation for corporations to pay their executives with stock options instead of cash. Why? Because compensating executives with stock options instead of cash can produce a huge tax windfall for the corporation. By taking advantage of federal tax laws that have not been updated for four decades, corporations can claim tax deductions at rates that are often 2 to 10 times higher than the stock option expense shown on their books.

Stock options are paid to virtually every chief executive officer, CEO, in America and are a major contributor to sky-high executive pay. Stock options give the recipients the right to buy company stock at a set price for a specified period of time, typically 10 years.

Since the 1980s, CEO pay has increased at a torrid pace. In 2010, according to Forbes magazine, executives at the 500 largest U.S. companies received pay totaling \$4.5 billion, averaging \$9 million per CEO. Thirty percent of that pay was comprised of exercised stock options which were cashed in for an average gain of about \$2.7 million, bringing total pay to its highest level since before the recession. The highest paid executive in 2010 was the CEO of United Health Group, who received \$102 million in total pay. Of that pay, almost all of it—\$98 million—came from exercising stock options.

During the recession from 2007 to 2009, while many stock prices dropped in value, 90 percent of corporations awarded stock options to their executives. Because of the depressed stock prices at the time, most of those stock options were recorded on the corporations' books as a relatively small ex-

pense. Fast forward to 2010, and even in this struggling economy, as stock prices have begun to increase, those same stock options are seeing major jumps in their value, far above their book expense.

For example, in a recent study conducted by the Wall Street Journal, the CEO of Oracle Corporation was granted stock options in July 2009, with an estimated value of \$62 million. Two years later, those options are estimated to be worth over \$97 million, a gain of \$35 million in just two years. Other corporate executives have experienced similar increases in their stock option holdings. For example, according to the Wall Street Journal analysis, the CEOs of Abercrombie and Fitch Inc., Nabors Industries, Ltd., and Starbucks Corporation all saw jumps in the value of stock options awarded during the financial crisis of more than \$60 million each. The former CEO of Occidental Petroleum, Ray R. Irani, received a compensation package valued at \$76.1 million, including stock option awards valued at \$40.3 million.

These huge increases in the dollar value of the stock option awards mean skyrocketing tax deductions for corporations doing so well that their stock prices have climbed. The deductions will reduce the taxes being paid by these successful companies, depriving the U.S. treasury of needed revenues.

The average worker, by the way, has not experienced any increase in pay. From 2009 to 2010 alone, CEOs at the 500 biggest U.S. corporations saw a 12 percent increase in compensation, but median income has been stagnant. According to the Bureau of Labor Statistics, only 8 percent of workers in private industry received stock options as part of their compensation package. For CEOs, however, more than 90 percent of those in the S&P 500 received stock options in the 12 months starting October 1, 2008.

The financial tycoon J.P. Morgan once said that executive pay should not exceed 20 times average worker pay. But since 1990, CEO pay has increased to a level that is now nearly 300 times greater than the average worker's salary. The single biggest factor fueling that massive pay gap is stock options which are, in turn, generating huge tax deductions for the corporations that doled them out.

This bill would end the loophole that allows a corporation to deduct on its taxes more than the stock option expense shown on its books. Over a 5 year period, from 2005 to 2009, the latest year for which data is available, IRS tax return data shows that corporate stock option tax deductions have exceeded corporate book expenses by billions of dollars every year, with the size of the excess tax deductions varying from \$12 billion to \$61 billion per year. These excessive deductions mean billions of dollars in reduced taxes for

corporations wealthy enough to provide substantial stock option compensation to their executives, all at the expense of ordinary taxpayers.

We cannot afford to continue this multi-billion dollar loss to the U.S. Treasury, and tax fairness means ordinary taxpayers should not continue to be asked to subsidize corporate executive salaries. That is why the bill I am introducing today would change the tax code so that corporations can deduct only the stock option expense actually shown on their books.

To get a better understanding of why this bill is needed, it helps to have a clear understanding of how stock option accounting and tax rules fell out of sync over time.

Calculating the cost of stock options may sound straightforward, but for years, companies and their accountants engaged the Financial Accounting Standards Board, or FASB, in an all-out, knock-down battle over how companies should record stock option compensation expenses on their books.

U.S. publicly traded corporations are required by law to follow Generally Accepted Accounting Principles, or GAAP, which are issued by FASB which is, in turn, overseen by the SEC. For many years, GAAP allowed U.S. companies to issue stock options to employees and, unlike any other type of compensation, report a zero compensation expense on their books, so long as on the grant date, the stock option's exercise price equaled the market price at which the stock could be sold.

Assigning a zero value to stock options that routinely produced huge amounts of executive pay provoked deep disagreements within the accounting community. In 1993, FASB proposed assigning a "fair value" to stock options on the date they were granted to an employee, using mathematical valuation tools. FASB proposed further that companies include that amount as a compensation expense on their financial statements. A battle over stock option expensing followed, involving the accounting profession, corporate executives, FASB, the SEC, and Congress.

In the end, after years of fighting and negotiation, FASB issued a new accounting standard, Financial Accounting Standard, or FAS, 123R, which was endorsed by the SEC and became mandatory for all publicly traded corporations in 2005. In essence, FAS 123R requires all companies to record a compensation expense equal to the fair value on grant date of all stock options provided to an employee in exchange for the employee's services.

Opponents of the new accounting rule had predicted that, if implemented, it would severely damage U.S. capital markets. They warned that stock option expensing would eliminate corporate profits, discourage investment, depress stock prices, and stifle innovation. But none of that happened.

2006 was the first year in which all U.S. publicly traded companies were required to expense stock options. Instead of tumbling, both the New York Stock Exchange and NASDAQ turned in strong performances, as did initial public offerings by new companies. The dire predictions were wrong. Stock option expensing has been fully implemented without any detrimental impact to the markets.

During the years the battle raged over stock option accounting, relatively little attention was paid to the taxation of stock options. Section 83 of the tax code, first enacted in 1969 and still in place after four decades, is the key statutory provision. It essentially provides that, when an employee exercises compensatory stock options, the employee must report as income the difference between what the employee paid to exercise the options and the market value of the stock received. The corporation can then take a mirror deduction for whatever amount of income the employee realized.

For example, suppose a company gave options to an executive to buy 1 million shares of the company stock at \$10 per share. Suppose, 5 years later, the executive exercised the options when the stock was selling at \$30 per share. The executive's income would be \$20 per share for a total of \$20 million. The executive would declare \$20 million as ordinary income, and in the same year, the company could take a tax deduction for \$20 million.

The two main problems with this approach are, first, that the deduction amount is out of sync—and usually significantly greater than—the expense shown on the corporate books years earlier and, second, the \$20 million in ordinary income obtained by the executive did not come from the corporation itself. In fact, rather than pay the executive the \$20 million, the corporation actually received money from the executive who paid to exercise the option and purchase the related stock.

In most cases, the \$20 million was actually paid by unrelated parties on the stock market who bought the stock from the executive. Yet the tax code currently allows the corporation to declare the \$20 million paid by third parties as its own business expense and take it as a tax deduction. The reasoning behind this approach has been that the exercise date value was the only way to get certainty regarding the value of the stock options for tax deduction purposes. That reasoning lost its persuasive character, however, once consensus was reached on how to calculate the value of stock option compensation on the date the stock options are granted.

So U.S. stock option accounting and tax rules are now at odds with each other. Accounting rules require companies to expense stock options on their books on the grant date. Tax rules require companies to deduct stock option expenses on the exercise date. Companies report the grant date expense to

investors on their financial statements, and the exercise date expense on their tax returns. The financial statements report on the stock options granted during the year, while the tax returns report on the stock options exercised during the year. In short, company financial statements and tax returns use different valuation methods and value, resulting in widely divergent stock option expenses for the same year.

To examine the nature and consequences of that stock option book-tax difference, the Permanent Subcommittee on Investigations, which I chair, initiated an investigation and held a hearing in June 2007. Here is what we found.

To test just how far the book and tax figures for stock options diverge, the Subcommittee contacted a number of companies to compare the stock option expenses they reported for accounting and tax purposes. The Subcommittee asked each company to identify stock options that had been exercised by one or more of its executives from 2002 to 2006. The Subcommittee then asked each company to identify the compensation expense they reported on their financial statements versus the compensation expense on their tax returns. The Subcommittee very much appreciated the cooperation and assistance provided by the nine companies we worked with. At the hearing, we disclosed the resulting stock option data for those companies, including three companies that testified.

The data provided by the companies showed that, under then existing rules, eight of the nine companies showed a zero expense on their books for the stock options that had been awarded to their executives, but claimed millions of dollars in tax deductions for the same compensation. The ninth company, Occidental Petroleum, had begun voluntarily expensing its stock options in 2005, but also reported significantly greater tax deductions than the stock option expenses shown on its books. When the Subcommittee asked the companies what their book expense would have been if FAS 123R had been in effect, all nine calculated book expenses that remained dramatically lower than their tax deductions. Altogether, the nine companies calculated that they would have claimed about \$1 billion more in stock option tax deductions than they would have shown as book expenses, even using the tougher new accounting rule. Let me repeat that—just 9 companies produced a stock option book-tax difference and excess tax deductions of about \$1 billion.

KB Home, for example, is a company that builds residential homes. Its stock price had more than quadrupled over the 10 years leading up to 2006. Over the same time period, it had repeatedly granted stock options to its then CEO. Company records show that, over 5 years, KB Home gave him 5.5 million stock options of which, by 2006, he had exercised more than 3 million.

With respect to those 3 million stock options, KB Home recorded a zero expense on its books. Had the new accounting rule been in effect, KB Home calculated that it would have reported on its books a compensation expense of about \$11.5 million. KB Home also disclosed that the same 3 million stock options enabled it to claim compensation expenses on its tax returns totaling about \$143.7 million. In other words, KB Home claimed a \$143 million tax deduction for expenses that on its books, under current accounting rules, would have totaled \$11.5 million. That is a tax deduction 12 times bigger than the book expense.

Occidental Petroleum disclosed a similar book-tax discrepancy. That company's stock price had also skyrocketed, dramatically increasing the value of the 16 million stock options granted to its CEO since 1993. Of the 12 million stock options the CEO actually exercised over a 5-year period, Occidental Petroleum claimed a \$353 million tax deduction for a book expense that, under current accounting rules, would have totaled just \$29 million. That is a book-tax difference of more than 1200 percent.

Similar book-tax discrepancies applied to the other companies we examined. Cisco System's CEO exercised nearly 19 million stock options over 5 years, and provided the company with a \$169 million tax deduction for a book expense which, under current accounting rules, would have totaled about \$21 million. UnitedHealth's former CEO exercised over 9 million stock options in 5 years, providing the company with a \$318 million tax deduction for a book expense which would have totaled about \$46 million. Safeway's CEO exercised over 2 million stock options, providing the company with a \$39 million tax deduction for a book expense which would have totaled about \$6.5 million.

Altogether, these nine companies took stock option tax deductions totaling about \$1.2 billion, a figure nearly five times larger than the \$217 million that their combined stock option book expenses would have been. The resulting \$1 billion in excess tax deductions represents a tax windfall for these companies simply because they issued lots of stock options to their CEOs.

Tax rules that produce huge tax deductions that are many times larger than the related stock option book expenses give companies an incentive to issue massive stock option grants, because they know it is highly likely the stock options will produce a relatively small hit to the profits shown on their books, and are likely to produce a much larger tax deduction that can dramatically lower their taxes.

The data we gathered for just nine companies found excess stock option tax deductions of \$1 billion. To gauge whether the same tax gap applied to stock options across the country as a whole, the Subcommittee asked the IRS to perform an analysis of what, back then, was newly available stock option data.

The data is taken from tax Schedule M-3, which corporations were required to file for the first time in 2004, with their tax returns. The M-3 Schedule asks companies to identify differences in how they report corporate income to investors versus what they report to Uncle Sam, so that the IRS can track and analyze significant book-tax differences.

The M-3 data showed that, for corporate tax returns filed from July 1, 2004 to June 30, 2005, the first full year in which it was available, companies' stock option tax deductions totaled about \$43 billion more than their stock options expenses on their books. Similar data over the next 5 years, with the latest available data from tax returns filed from July 1, 2008 to June 30, 2009, showed that corporate stock option tax deductions as a whole exceeded their book expenses every year by billions of dollars, with the size of the excess tax deductions varying from \$12 billion to \$61 billion per year. These excessive deductions meant billions of dollars in reduced taxes for the relevant corporations each year.

In addition, the IRS data showed that the bulk of the stock option deductions were taken by a relatively small number of corporations nationwide. For example, in 2005, 56 percent of the excess tax deductions were taken by only 100 corporations, while 76 percent were taken by 250 corporations. In fact, over the 5 years of data, just 250 corporations took two thirds to three quarters of all of the stock option deductions claimed in those years. That is just 250 corporations out of the more than 5 million corporations that filed tax returns each year. In other words, the IRS data proves that the corporate stock option tax loophole actually benefits a very small number of corporations.

Claiming massive stock option tax deductions enabled those corporations, as a whole, to legally reduce payment of their taxes by billions of dollars each year. Moreover, under current tax rules, if a stock option deduction is not useful in the year it is first available, the corporation is allowed to add the deduction to its net operating losses and use the deduction to reduce its taxes for up to the next 20 years, an unbelievable windfall. It is a corporate loophole that just keeps going.

There were other surprises in the stock option data as well. One set of issues disclosed by the data involves what happens to unexercised stock options. Under the current mismatched set of accounting and tax rules, stock options which are granted, vested, but never exercised by the option holder turn out to produce a corporate book expense but no tax deduction.

Cisco Systems told the Subcommittee, for example, that in addition to the 19 million exercised stock options previously mentioned, their CEO held about 8 million options that, due to a stock price drop, would likely expire without being exercised. Cisco

calculated that, had FAS 123R been in effect at the time those options were granted, the company would have had to show a \$139 million book expense, but would never have been able to claim a tax deduction for this expense since the options would never have been exercised. Apple made a similar point. It told the Subcommittee that, in 2003, it allowed its CEO to trade 17.5 million in underwater stock options for 5 million shares of restricted stock. That trade meant the stock options would never be exercised and, under current rules, would produce a book expense without ever producing a tax deduction.

In both of these cases, under current accounting rules, it is possible that the stock options given to a corporate executive would have produced a reported book expense greater than the company's tax deduction. While the M-3 data indicates that, overall, accounting expenses lag far behind claimed tax deductions, the possible financial impact on an individual company with a large number of unexercised stock options is additional evidence that existing stock option accounting and tax rules are out of kilter and should be brought into alignment. Under our bill, if a company incurred a stock option expense, it would always be able to claim a tax deduction for that expense.

Another set of issues brought to light by the stock option data focuses on the fact that the current stock option tax deduction is typically claimed years later than the initial book expense. Normally, a corporation dispenses compensation to an employee and takes a tax deduction in the same year for the expense. The company controls the timing and amount of the compensation expense and the corresponding tax deduction. With respect to stock options, however, corporations may have to wait years to see if, when, and how much of a deduction can be taken. That's because the corporate tax deduction is wholly dependent upon when an individual corporate executive decides to exercise his or her stock options.

Our bill would require that, when the company gives away something of value, it reflects that expense on its books and claims that same expense in the same year on its tax return. The company, and the government, would not have to wait to see if and when the stock options given to executives were exercised. As with any other form of compensation, the company would use the FASB accounting rules to determine the value of what it is giving away, and take the equivalent tax deduction in the year the compensation was provided.

UnitedHealth, for example, told the Subcommittee that it gave its former CEO 8 million stock options in 1999, of which, by 2006, only about 730,000 had been exercised. It did not know if or when its former CEO would exercise the remaining 7 million options, and so could not calculate when or how much



of a tax deduction it would be able to claim for this compensation expense.

If the rules for stock option tax deductions were changed as provided for in our bill, companies would typically take the deduction years earlier than they do now, without waiting to see if and when particular options are exercised. In addition, by requiring stock option expenses to be deducted in the same year they appear on the company books, stock options would become consistent with how other forms of compensation are treated in the tax code.

Right now, U.S. stock option accounting and tax rules are mismatched, misaligned, and out of kilter. They allow companies collectively to deduct billions of dollars in stock option expenses in excess of the expenses that actually appear on the company books. They disallow tax deductions for stock options that are given as compensation but never exercised. They often force companies to wait years to claim a tax deduction for a compensation expense that could and should be claimed in the same year it appears on the company books.

The bill being introduced today would cure those problems. It would bring stock option accounting and tax rules into alignment, so that the two sets of rules would apply in a consistent manner. It would accomplish that goal simply by requiring the corporate stock option tax deduction to reflect the stock option expenses as shown on the corporate books each year.

Specifically, the bill would end use of the current stock option deduction under Section 83 of the tax code, which allows corporations to deduct stock option expenses when exercised in an amount equal to the income declared by the individual exercising the option, replacing it with a new Section 162(q), which would require companies to deduct the stock option expenses as shown on their books each year.

The bill would apply only to corporate stock option deductions; it would make no changes to the rules that apply to individuals who receive stock options as part of their compensation. Those individuals would still report their compensation in the year they exercise their stock options. They would still report as income the difference between what they paid to exercise the options and the fair market value of the stock they received upon exercise. The gain would continue to be treated as ordinary income rather than a capital gain, since the option holder did not invest any capital in the stock prior to exercising the stock option and the only reason the person obtained the stock was because of the services they performed for the corporation.

The amount of income declared by an individual after exercising a stock option will likely be greater than the stock option expense booked and deducted by the corporation which em-

ployed that individual. That's in part because the individual's gain often comes years after the original stock option grant, during which time the underlying stock will usually have gained in value. In addition, the individual will typically exercise the option and immediately sell the stock and therefore receive income, not just from the corporation that supplied the stock options years earlier, but also from the third parties purchasing the resulting shares.

Consider the same example discussed earlier of an executive who exercised options to buy 1 million shares of stock at \$10 per share, obtained the shares from the corporation, and then immediately sold them on the open market for \$30 per share, making a total profit of \$20 million. The individual's corporation didn't supply that \$20 million. Just the opposite. Rather than paying cash to its executive, the corporation received a \$10 million payment from the executive in exchange for the 1 million shares. The \$20 million profit from selling the shares was paid, not by the corporation, but by third parties in the marketplace who purchased the stock. That's why it makes no sense for the company to declare as an expense the amount of profit that an employee—often a former employee—obtained from unrelated parties in the marketplace.

The executive who exercised the stock options must still treat any resulting profit as ordinary income for the reasons given earlier: the executive received the shares at a below market cost, solely because of work that the executive performed for the corporation in return for the stock option compensation.

The bill we are introducing today would put an end to the current approach of allowing a corporation to take a mirror deduction equal to the ordinary income declared by its executive. It would break that old artificial illogical symmetry and replace it with a new logical symmetry—one in which the corporation's stock option tax deduction would match its book expense.

I call the current approach a case of artificial symmetry, because it uses a construct in the tax code that, when first implemented 40 years ago, enabled corporations to calculate their stock option expense on the exercise date, when there was no consensus on how to calculate stock option expenses on the grant date. The artificiality of the approach is demonstrated by the fact that it allows corporations to claim a deductible expense for money that comes not from company coffers, but from third parties in the stock market. Now that an accounting consensus determines how to calculate stock option expenses on the grant date, however, there is no longer any need to rely on an artificial construct that calculates corporate stock option expenses on the exercise date using third party funds.

It is also important to note that the bill would not affect in any way cur-

rent tax provisions that provide favored tax treatment to so-called Incentive Stock Options under Section 422 of the tax code. Under that section, in certain circumstances, corporations can surrender their stock option deductions in favor of allowing their employees with stock option gains to be taxed at a capital gains rate instead of ordinary income tax rates. Many start-up companies use these types of stock options, because they don't yet have taxable profits and don't need a stock option tax deduction. So they forfeit their stock option corporate deduction in favor of giving their employees more favorable treatment of their stock option income. Incentive Stock Options would not be affected by our legislation and would remain available to any corporation providing stock options to its employees.

The bill would make one other important change to the tax code as it relates to corporate stock option tax deductions. In 1993, Congress enacted a \$1 million cap on the compensation that a corporation can deduct from its taxes, so that other taxpayers wouldn't be forced to subsidize corporate executive pay. That cap was not applied to stock options, however, instead allowing companies to deduct any amount of stock option compensation from their tax obligations, without limit.

By not applying the \$1 million cap to stock option compensation, the tax code created a significant tax incentive for corporations to pay their executives with stock options. Indeed, it is common for executives to have salaries of \$1 million, while simultaneously receiving millions of dollars more in stock options. History has subsequently shown that the \$1 million cap—established to stop ordinary taxpayers from being forced to subsidize enormous paychecks for corporate executives—is effectively meaningless without including stock options.

Further, while corporate directors may be comfortable diluting their shareholders' interests while doling out massive amounts of stock options, that still does not mean that ordinary taxpayers should be forced to subsidize the large amounts of stock option compensation involved. The bill would eliminate this unwarranted, favored treatment of executive stock options by making deductions for this type of compensation subject to the same \$1 million cap that applies to other forms of compensation covered by Section 162(m). It is also worth noting that, if the cap were applied to stock options, it would not prevent stock option pay from exceeding \$1 million—it would simply ensure that those stock option awards were not made at the expense of ordinary taxpayers.

The bill also contains several technical provisions. First, it would make a conforming change to the research tax credit so that stock option expenses claimed under that credit would match the stock option deductions taken under the new tax code section 162(q).

Second, the bill would authorize the Secretary of the Treasury to adopt regulations governing how to calculate the deduction for stock options in unusual circumstances, such as when a parent corporation issues options on its shares to the employee of a subsidiary or another corporation in a consolidated group, or when one corporation issues options on its shares to employees of a joint venture.

Finally, the bill contains a transition rule for applying the new Section 162(q) stock option tax deduction to existing and future stock option grants. Essentially, this transition rule would ensure that stock options issued prior to the enactment date of the legislation would remain tax deductible and ensure all corporations can start deducting stock option expenses on a yearly schedule.

The transition rule has three parts. First, it would allow the old Section 83 deduction rules to apply to any option which was vested prior to the effective date of the new stock option accounting rule, FAS 123R, and exercised after the date of enactment of the bill. The effective date of FAS 123R is June 15, 2005 for most corporations, and December 31, 2005 for most small businesses. Prior to the effective date of FAS 123R, most corporations would have shown a zero expense on their books for the stock options issued to their executives and, thus, would be unable to claim a tax deduction under the new Section 162(q). For that reason, the bill would allow these corporations to continue to use Section 83 to claim stock option deductions on their tax returns.

For stock options that vested after the effective date of FAS 123R and were exercised after the date of enactment, the bill takes another tack. Under FAS 123R, these corporations would have had to show the appropriate stock option expense on their books, but would have been unable to take a tax deduction until the executive actually exercised the option. For those options, the bill would allow corporations to take an immediate tax deduction—in the first year that the bill is in effect—for all of the expenses shown on their books with respect to these options. This “catch-up deduction” in the first year after enactment would enable corporations, in the following years, to begin with a clean slate so that their tax returns the next year would reflect their actual stock option book expenses for that same year.

After that catch-up year, all stock option expenses incurred by a company each year would be reflected in their annual tax deductions under the new Section 162(q).

This transition rule is a generous one, but even with it, the Joint Committee on Taxation has estimated that closing the corporate stock option tax deduction loophole would produce \$24.6 billion in corporate tax revenues over 10 years.

Over the last 5 years, the stock option book-tax gap has ranged from \$12

billion to \$61 billion per year, generating deductions far in excess of corporate expenses. Corporations have avoided paying their fair share to Uncle Sam by simply giving their executives the right to tap huge sums of money from the stock market. It is a tax policy that forces ordinary taxpayers to subsidize outsized executive compensation and that favors corporations doling out stock options over paying their executives in cash.

Right now, stock options are the only compensation expense where the tax code allows companies to deduct more than their book expense. In these times of financial distress, we cannot afford this multi-billion dollar loss to the Treasury, not only because of the need to reduce the deficit, but also because the stock option tax deduction contributes to the anger and social disruption caused by the ever deepening chasm between the pay of executives and the pay of average workers.

The Obama administration has pledged itself to closing unfair corporate tax loopholes and to returning sanity to executive pay. It should start with supporting an end to excessive stock option corporate deductions. I urge my colleagues to include this legislation in any deficit reduction package this year, or to pass it separately.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 553. Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

SA 554. Mr. SESSIONS (for himself, Mr. CORNYN, Mr. VITTER, Mr. HATCH, and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 555. Mr. TESTER (for himself and Mr. BAUCUS) submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 556. Mr. JOHNSON of South Dakota (for himself and Mr. KIRK) proposed an amendment to the bill H.R. 2055, supra.

SA 557. Mr. WEBB (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 558. Mr. WEBB (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 553. Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; as follows:

On page 64, line 24, strike “\$3,380,917,000” and insert “\$3,370,917,000”.

SA 554. Mr. SESSIONS (for himself, Mr. CORNYN, Mr. VITTER, Mr. HATCH,

and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

#### SEC. \_\_\_\_ . NO BUDGET—NO APPROPRIATIONS.

(a) SUPERMAJORITY.—Section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(1) in subsection (c)(1), by inserting after “Sections” the following: “303(c),”; and

(2) in subsection (d)(2), by inserting after “sections” the following: “303(c),”.

(b) APPLICATION TO RECONCILIATION.—Section 303(c)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 634(c)(2)) is amended by inserting at the end the following: “Paragraph (1) shall not apply to any legislation reported pursuant to reconciliation directions contained in a concurrent resolution on the budget.”.

SA 555. Mr. TESTER (for himself and Mr. BAUCUS) submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 127. None of the amounts appropriated or otherwise made available by this title may be obligated or expended to carry out the Combat Air Forces Restructuring Plan of the Air Force until the Secretary of the Air Force certifies to Congress that the Air Force has completed all environmental reviews required in connection with the movement or relocation of any aircraft under the Restructuring Plan.

SA 556. Mr. JOHNSON of South Dakota (for himself and Mr. KIRK) proposed an amendment to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; as follows:

On Page 114 between lines 18 and 19, insert the following:

SEC. 301. Not later than 90 days after enactment of this Act, the Executive Director of Arlington National Cemetery shall provide a report to the Committees on Appropriations of the Senate and the House of Representatives detailing the strategic plan and timetable to modernize the Cemetery’s Information Technology system, including electronic burial records.

SA 557. Mr. WEBB (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 5 and 6, insert the following:

SEC. 127. None of the funds appropriated or otherwise made available by this title may

be obligated or expended for road improvements at Naval Station Mayport, Florida.

**SA 558.** Mr. WEBB (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 5 and 6, insert the following:

SEC. 127. None of the funds appropriated or otherwise made available by this title may be obligated or expended for architectural and engineering services and construction design of any military construction project necessary to establish a homeport for a nuclear-powered aircraft carrier at Naval Station Mayport, Florida.

## NOTICES OF HEARINGS

### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Wednesday, July 20, 2011, at 10 a.m. in SD-430 to mark up the following: S. 958, the Children's Hospital GME Support Reauthorization Act of 2011; S. 1094, the Combating Autism Reauthorization Act; S. \_\_\_\_\_, the Workforce Investment Act Reauthorization Act of 2011; and, any nominations cleared for action.

For further information regarding this meeting, please contact the committee on (202) 224-5375.

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce that the Committee on Energy and Natural Resources will hold a business meeting on Thursday, July 21, 2011, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the business meeting is to consider S. 916, the Oil and Gas Facilitation Act of 2011, and S. 917, the Outer Continental Shelf Reform Act of 2011.

For further information, please contact Sam Fowler at (202) 224-7571 or Alison Seyferth at (202) 224-4905.

### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, July 21, 2011, at 2 p.m. to conduct an oversight roundtable hearing entitled "Improving For-Profit Higher Education: A Roundtable Discussion of Policy Solutions."

For further information regarding this meeting, please contact Beth Stein on (202) 224-6403.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on July 14, 2011, at 9:30 a.m. in room G50 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CARDIN. 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 14, 2011, at 10 a.m. to conduct a committee hearing entitled "The Semiannual Monetary Policy Report to Congress."

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CARDIN. 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 14, 2011, at 10 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FOREIGN RELATIONS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 14, 2011, at 10:30 a.m., to hold a hearing entitled, "Two New Sudans: A Roadmap Forward."

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "Lessons from the Field: Learning From What Works for Employment for Persons with Disabilities" on July 14, 2011, at 10 a.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON INDIAN AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on July 14, 2011, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON THE JUDICIARY

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Sen-

ate, on July 14, 2011, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON VETERANS' AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session on July 14, 2011, in room 418 of the Russell Senate Office Building beginning at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

### SELECT COMMITTEE ON INTELLIGENCE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 14, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

### SUBCOMMITTEE ON SCIENCE AND SPACE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Subcommittee on Science and Space of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 14, 2011, at 10 a.m. in room 253 of the Russell Senate Office Building. The Committee will hold a hearing entitled, "The National Nanotechnology Investment: Manufacturing, Commercialization, and Job Creation."

The PRESIDING OFFICER. Without objection, it is so ordered.

## PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that CPT Michael K. Lynch, a U.S. Army Aviation officer, who is currently serving as my defense legislative fellow this year, be granted floor privileges for the duration of H.R. 2055.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that Michael Barrie Rhemann, an intern with the Senate Appropriations Committee, be accorded floor privileges during consideration of H.R. 2055.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Jordana Signer, Adi Sehic, and Tyler Smith of my staff be granted floor privileges for the duration of today's proceedings.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, on behalf of Senator LEAHY, I ask unanimous consent that a law clerk on his staff, Brendan Forbes, be granted floor privileges for the week of July 18, 2011.

The PRESIDING OFFICER. Without objection, it is so ordered.

## MEASURE READ THE FIRST TIME—H.R. 2018

Mr. SCHUMER. Mr. President, I understand there is a bill at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes.

Mr. SCHUMER. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

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UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that on Monday, July 18, 2011, at 5 p.m., the Senate proceed to executive session to consider Calendar No. 82; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time the Senate proceed to vote without intervening action or de-

bate on Calendar No. 82, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate, that any related statements be printed in the RECORD, that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

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ORDERS FOR MONDAY, JULY 18, 2011

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., Monday, July 18, 2011; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 3:30 p.m. with Senators permitted to speak therein for up to 10 minutes each; and that following morning business, the Senate resume consideration of H.R.

2055, the Military Construction, Veterans Affairs and Related Agencies appropriations bill; further, that at 5 p.m., the Senate proceed to executive session under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

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PROGRAM

Mr. SCHUMER. Mr. President, there will be a rollcall vote at 5:30 p.m. on Monday. That vote will be on the confirmation of J. Paul Oetken to be United States District Judge for the Southern District of New York.

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ADJOURNMENT UNTIL MONDAY, JULY 18, 2011, AT 2 P.M.

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 7:06 p.m., adjourned until Monday, July 18, 2011, at 2 p.m.

## EXTENSIONS OF REMARKS

HONORING MARGARET ALLIS

**HON. TOM MARINO**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. MARINO. Mr. Speaker, I rise today in honor of my constituent, Mrs. Margaret Allis, on her 90th birthday. Margaret V. Allis was born on August 2, 1921 in White Sulphur Springs, West Virginia. Margaret graduated from White Sulphur Springs High School. After graduation Margaret traveled with her family to California before coming back east and settling in Sayre, Pennsylvania.

In Sayre, Margaret's father opened the Seven Sister's Sweet Shop on Keystone Avenue in West Sayre where Margaret worked for a number of years. Margaret then attended Elmira Business School in New York State where she learned secretarial skills. While attending school, Margaret met Frances Romeyn Allis at the Joycrest Roller Skating Rink. Margaret and Romeyn married June 7, 1946 and returned to Pennsylvania, making their home in Litchfield.

Through the years Romeyn and Margaret established a family with the birth of six children. Margaret was a dedicated housewife to Romeyn for 49 years until his passing in 1995. Margaret still lives in the house they shared, where she hosts her large family including 13 grandchildren and numerous great grandchildren.

Mr. Speaker, I rise today to honor Margaret V. Allis on her 90th birthday and ask my colleagues to join me in praising her commitment to her family, her community, and our nation.

CLEAN WATER COOPERATIVE  
FEDERALISM ACT OF 2011

SPEECH OF

**HON. DON YOUNG**

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes:

Mr. YOUNG of Alaska. Mr. Chair, I want to thank Chairman MICA and Ranking Member RAHALL for taking action on the Clean Water Cooperative Federalism Act. This bill will restore the balance between the Federal Government and the states in the administration of the Clean Water Act.

This bill contains a provision that is crucial to job creation in my state, as well as the entire nation. This bill will limit EPA's ability to veto dredge and fill permits issued by the Army Corps of Engineers.

I had introduced legislation in both the 111th and 112th Congresses, and requested hear-

ings, to address the EPA's veto authority over the Corps of Engineers when issuing 404 dredge and fill discharge permits. I want to thank the Chairman for working with me to accommodate my concerns.

Section 404 of the Clean Water Act gives authority to the Army Corps of Engineers to issue permits for discharges of dredged or fill material into navigable waters at specified disposal sites.

Permit applicants must meet requirements that have been established by the Corps and the EPA. In turn, the Corps issues these 404 permits for activities including construction, mining, farming, and other purposes.

However, the Clean Water Act also gives EPA the authority to overturn the Corps decision if the discharge of materials will have an unacceptable adverse effect on municipal water supplies, shellfish beds, fishery areas, wildlife, and recreation areas. While this language may have had good intentions, the EPA can stop a project simply by withholding the permit.

Giving EPA so much authority over construction projects, mining activities, and energy production projects has become a problem in recent years, especially under the Obama Administration.

This free-for-all veto authority hands the reigns of our economy over to an agency that lacks interest in our economic well being. The EPA is not concerned with recovering natural resources and creating jobs for the good of the Nation. They are concerned with delaying—and hopefully stopping—all new development in Alaska, and in your states as well.

To illustrate the power of these permits, I simply point to 2 projects in my state:

Conoco Phillips' CD-5 Development is the first step that allows our Nation access to the National Petroleum Reserve in Alaska, which stands to produce 2.7 billion barrels of oil.

This project has been studied extensively over the last decade and measures have been taken to lessen environmental impacts. Due to pressure from the EPA, the necessary 404 permit was denied and remains in limbo, as the Corps is considering an appeal.

Finally, I'll leave you with a hard fought success story of the Kensington Gold Mine outside of Juneau, Alaska. The operators of the mine had to take their fight to the Supreme Court to defend the validly issued permit for their tailings facility from challenges by environmental extremists.

This operation employed approximately 300 workers during the remaining construction phase, and provides an estimated 370 direct and indirect jobs, including many for the local Alaska Native communities.

This operation will generate an estimated \$25 million in direct and indirect annual payroll, and will be the second largest private employer in Juneau.

The Kensington Mine is a model project that fully meets economic recovery goals of the American public.

Had the 404 permit never been issued, and had the Supreme Court not corrected the

wrong of the 9th District, these economic benefits would not have been realized.

HONORING CHIEF JOHN TURNER

**HON. STEVE AUSTRIA**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. AUSTRIA. Mr. Speaker, I rise today on behalf of the people of Ohio's Seventh Congressional District to honor the city of Beaver Creek's retired Police Chief John Turner for his commitment and years of service to public law enforcement.

Police Chief Turner began his law enforcement career in 1976 as a dispatcher with the Beaver Creek Police Department. The following year he was hired on as a full-time police officer and later assigned to the Investigation division working as a detective until 1990 when he was promoted in rank as Sergeant. Chief Turner also served as the Team Leader and Tactical Commander for the Regional Emergency Response Team and then as an Administrative Sergeant, Public Information Officer, Accreditation Manager, Budget Coordinator, Grants Administrator and Assessor for the Commission for Accredited Law Enforcement Agencies, (CALEA). In 2003, he was promoted to the rank of Captain and then served as the Operations Commander for the Patrol Division until he was promoted to Chief of Police.

To strengthen Chief Turner's education and performance as a law enforcement official, he attended Sinclair Community College where he graduated with his Associates Degree in Criminal Justice and then later attended and graduated from the Ohio Police Executive Leadership College. He also received certifications from his attendance at Northwestern University Traffic Institute's School of Police Staff and Command as well as the Federal Bureau of Investigation (FBI) National Academy in Quantico, VA.

Chief Turner has received many commendations and awards recognizing his faithful and dedicated service to the community. In 1986, the Fraternal Order of the Eagles Aerie 321 recognized Chief Turner as "Policeman of the Year." He has received accolades from the Beaver Creek Rotary, the Noon Optimist Club and the Veterans of Foreign Wars. In 1990, he was nominated by the Green County Victim Witness Division for the prestigious Silver Star Award and was later selected by the members of his police department to receive the Beaver Creek Police Department's "Leadership/Integrity Award" in 2006.

Chief Turner is a Beaver Creek, OH, native and lifelong resident. He and his wife, Linda have two sons, Tim and Tom.

Thus, with great appreciation, I congratulate Chief John Turner on his retirement and commend his exemplary service as public law enforcement official and extend best wishes for his future retirement.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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

BICENTENNIAL CELEBRATION OF  
ST. JAMES' EPISCOPAL CHURCH  
IN HYDE PARK, NEW YORK

**HON. CHRISTOPHER P. GIBSON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. GIBSON. Mr. Speaker, I rise today on behalf of the people of New York's 20th District to recognize the Bicentennial Celebration of the historic St. James' Episcopal Church in Hyde Park, NY. I would like to express my sincere appreciation for the community service and historical value that this 200 year old parish has provided our district, state, and nation.

St. James' Episcopal Church was founded in 1811 with the help of several prominent figures and families in this historical region, including Dr. John Bard—President George Washington's personal physician during the Revolutionary War—and the Livingston family. A statue of Robert Livingston is one of the New York statues in the U.S. Capitol Building.

While the parish continued to be home to many prominent local and state figures for the next 100 years, the next parishioner to become a national figure was President Franklin Delano Roosevelt. After his baptism as a child in the chapel at St. James', President Roosevelt began his 39 year service to the parish as a vestryman in 1906, which ended upon his death in 1945. In fact, his pew—the third from the front—continues to be honored. The funeral of his First Lady, Eleanor Roosevelt, was also held at the church in 1962, with King George VI, Queen Elizabeth, Presidents Harry S. Truman, Dwight Eisenhower, and John F. Kennedy all in attendance.

Unfortunately, St. James' was devastated by a fire in June 1984 that enveloped most of the church buildings, with the original black walnut pulpit being one of the few items to not be destroyed. The parishioners, appreciating the historic and cultural value of the parish and the buildings themselves, joined together and fully funded its reconstruction, making it as close to the original specifications as possible.

St. James' Episcopal Church continues to be a major spiritual and cultural bulwark to the community of Hyde Park and Dutchess County, contributing to the projects and groups such as the County Rural and Migrant Ministry, the Dutchess County Coalition for the Homeless, an After School Reading Program ministry, and the Boy and Girls Scouts of America.

I am proud to serve such a historical and dedicated parish as that of St. James' Episcopal Church. Their year-long Bicentennial Celebration is truly an example of the American spirit and embodies the concept of a Shining City upon a Hill.

COMMEMORATING THE 37TH ANNI-  
VERSARY OF THE TURKISH IN-  
VASION OF CYPRUS

**HON. ALBIO SIRE**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. SIRE. Mr. Speaker, thirty-seven years ago, on July 20, 1974, nearly 200,000 Greek Cypriots fell victim to a Turkish invasion of

northern Cyprus. They were forcibly evicted from their homes and became refugees in their own country. Today, Turkey continues to occupy more than one-third of Cyprus with more than 43,000 Turkish troops, making the occupied area of Cyprus one of the most militarized areas in the world. In addition, mass violation of the human rights and fundamental freedoms of the Cypriot people continue, as well as forcible ethnic segregation and division of the Greek Cypriot and Turks Cypriot communities.

During the invasion, Greek Cypriots were expelled from their homes, resulting in the usurpation and illegal exploitation of the property belonging to the Greek Cypriot refugees. Massive colonization of the occupied areas of Cyprus has also occurred over the past several decades through the illegal placement of more than 160,000 Turkish mainland settlers, who now outnumber the indigenous Turkish Cypriots by almost two to one. Furthermore, cultural destruction and religious desecration continues in northern Cyprus, where many churches, chapels, monasteries, and numerous archaeological sites have been looted, vandalized, or destroyed.

I had the opportunity to visit Cyprus several years ago and observe first-hand the devastation that the occupation has had on the island for 37 years. Upon my return, it has been a goal of mine to work with my colleagues in Congress to promote a reunified and prosperous Cyprus where Greek Cypriots and Turkish Cypriots can live together in peace, security and stability and clear of foreign aggression. On July 20th we must remember our Cypriot friends and commit to work with them to reunify the island.

HONORING IRWIN NALITT FOR A  
LIFETIME OF SERVICE

**HON. RUSH D. HOLT**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. HOLT. Mr. Speaker, I rise today to recognize the career of Irwin Nalitt, who at 93 has decided to retire from his position as Councilman of Monroe Township in New Jersey. Councilman Nalitt moved to Monroe in 1982, when it was still largely a farming community. Since he first was elected in 1988, Councilman Nalitt has been instrumental in leading the Township's growing and increasingly active population.

Most people are ready to settle down when they reach the age of 69, but Councilman Nalitt was just starting his busy career as a public servant. Councilman Nalitt has held positions as a member of the Monroe Township School Board and Planning Board and served as the President of the Concordia Civic Association for several years. Even today, Councilman Nalitt remains active on the Monroe Township Master Plan Committee and Library Board of Trustees, and he is the Council Advisor to the Commission on Aging.

One of Councilman Nalitt's most noteworthy accomplishments was the opening of the Monroe Township Library in 1989. He and his late wife Helen were very active in the library's construction and maintenance, and they volunteered many hours to make the library a useful and inviting part of their town.

I have had the pleasure of working with Councilman Nalitt on many matters and know him to be one of the finest public servants in the state. One project was to implement his vision of a free shuttle service that would take passengers around Monroe and to surrounding towns. I was pleased to secure federal funding for this project and to work with Councilman Nalitt to ensure that this service not only would be affordable and convenient for residents, but also would ease traffic and boost the local economy.

While the Township of Monroe has rapidly transformed, Councilman Nalitt has remained a constant source of wisdom, generosity and humor. His sense of duty and purpose is a comfort to the residents of Monroe Township, and his bright humor is always well-received at Council meetings. Though he will be stepping down as Councilman, he plans to stay on the Library Board and the Commission on Aging. Councilman Nalitt has been a cornerstone of the Council for more than 20 years, and I ask my colleagues to join me in recognizing his many contributions and commend his active citizenship as a model for all community residents.

ENERGY AND WATER DEVELOP-  
MENT AND RELATED AGENCIES  
APPROPRIATIONS ACT, 2012

SPEECH OF

**HON. MARCIA L. FUDGE**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes:

Ms. FUDGE. Mr. Chair, I'd like to thank my colleague from California for allowing me to join him in offering this very important bipartisan amendment.

As we are discussing fiscal issues and trying to make responsible spending cuts, I'm confused as to why ARPA-E is even on the table. It is one of the most effective and efficiently run programs in the Federal Government. It is an example of what we are doing right. An example of a place where we not only should be investing in scientific research, but where we need to be investing.

Let's look at the internet. We all know that the internet is a product of the Defense Advanced Research Projects Agency, or DARPA. DARPA was established in 1958 in response to the Soviet launch of Sputnik. Back then, Congress knew that it was government's role to address what was not only a matter of national security, but also pride.

Now, let's look at the energy industry today. We have lost our technological lead, we are no longer number one in innovation, our competitors are rapidly outpacing us in advanced energy fields. Worst of all, we're addicted to foreign oil. Moreover, we are consuming more energy than we are producing, and it is not sustainable.

No matter what combination of sources you think is the answer, there's no arguing the energy crisis in this country is today's Sputnik.

Yet instead of working together to make sure that future generations will have electricity, we're voting to ban efficiency standards for light bulbs. Where are our priorities?

Most of us know, and all of us should know, that we cannot rely the private sector to invest in basic research. Companies need to make profits, and they need to minimize risk. Basic research is risky. However, the return on investment is often smaller compared to the return to the economy as a whole. That's why it's the role of government to make these investments, especially now, as we are coming out of a recession.

Google recently released a comprehensive report which examined the potential impact of what breakthroughs in energy technology could mean for the United States. They found that certain key innovations could: grow the U.S. economy by over 155 billion dollars in GDP per year; create over 1.1 million new jobs; save consumers over 942 dollars per year; reduce U.S. oil consumption by over 1.1 billion barrels per year.

ARPA-E will allow us to make the breakthroughs needed for these outcomes. If anything, we should be increasing funding for this vital program.

Take, for example, one of the projects that Case Western Reserve University is working on in Northeast Ohio. It involves high-power titanate capacitors for power electronics. This project will develop novel capacitors for power electronics in the hybrid electric vehicle and consumer electronics markets. The capacitors are designed with metallic glass that allows spontaneous self-repair. This self-repair allows the devices to be driven to higher voltages and thereby achieve higher energy density. The market for capacitors in power applications is 1.6 billion dollars per year.

Research like this is what will make this country prosperous again. We cannot afford to cut this program, and I urge my colleagues to support this amendment.

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HONORING DANIEL COCHRAN

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Daniel Cochran. Daniel is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and earning the most prestigious award of Eagle Scout.

Daniel has been very active with his troop, participating in many scout activities. Over the many years Daniel has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Daniel has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Daniel Cochran for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

INTRODUCTION OF THE NO CHILD LEFT INSIDE ACT

**HON. JOHN P. SARBANES**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. SARBANES. Mr. Speaker, I rise today to introduce the No Child Left Inside, NCLI, Act. This legislation, which successfully passed the House of Representatives in 2008, seeks to address some of the most pressing issues of our time: our children's health, education, and future jobs. By creating an environmental education grant program and providing teacher training for environmental education across the curriculum, we can prepare our children for science, technology, engineering, and mathematics jobs that will be the cornerstone of the United States' 21st century economy. Riding the wave of interest across the country that has brought together an NCLI Coalition with over 2,000 organizations representing over 50 million Americans, this legislation is a down payment to grow the next generation of scientists, promote environmental stewardship, and encourage Americans to live healthier lifestyles. In addition, research shows that hands-on, outdoor environmental education has a measurably positive impact not only on student achievement in science, but also in reading, math, and social studies.

Despite these important benefits, environmental education is facing a national crisis. Many schools are being forced to scale back or eliminate environmental education programs. The No Child Left Inside Act seeks to give schools and teachers the resources and flexibility to spark the imagination of our nation's children and I urge my colleagues to join me in supporting this important bill.

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FLOOD INSURANCE REFORM ACT OF 2011

SPEECH OF

**HON. BETTY McCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1309) to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, and for other purposes:

Ms. McCOLLUM. Madam Chair, I rise in support of H.R. 1309, the Flood Insurance Reform Act of 2011. This important bill reauthorizes the National Flood Insurance Program (NFIP) through Fiscal Year 2016 and secures the program's near-term fiscal health. Minnesota has experienced its fair share of flooding this year. This bill is vitally needed to help communities in my state and states across the country recover from natural disasters.

The National Flood Insurance Program (NFIP) was established by Congress under the National Flood Insurance Act of 1968. The

NFIP is a federal program that enables property owners in participating communities to purchase flood insurance in exchange for state and community flood protections. The National Flood Insurance Program is the primary source of reliable, affordable flood insurance coverage for about 5.6 million homes and businesses.

H.R. 1309 takes the necessary steps to ensure the NFIP's long term viability by encouraging broader participation in the program, eliminating wasteful subsidies, and updating the program to meet needs of the 21st century. Lastly, this bill delays the mandatory requirement for homeowners in newly classified "Special Flood Hazard Areas" to purchase flood insurance. The three year delay ensures affected homeowners are not suddenly burdened with new insurance costs and allows them adequate time to challenge new flood zone designations.

I urge my colleagues to support the Flood Insurance Reform Act of 2011.

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HONORING MICHAEL J. STACK, JR.

**HON. ROBERT A. BRADY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to honor my dear friend Michael J. Stack, Jr. Mike left us yesterday. But, his spirit will live on forever.

Mike was deeply rooted in Philadelphia's civic and political life. His father served in this body from January 3, 1935—January 3, 1939. But, in many ways, the son eclipsed the father. Mike, Jr., was a quiet giant. He was an accomplished attorney and a forceful advocate for regular people. He was a loving husband and father. And, you can find his face next to the definition of the word friend in the dictionary.

But, Mike kept a special place in his heart for the people and the committee people of the 58th Ward. Mike never asked me for anything for himself. But, he was always fighting for the needs of the people he represented. The word "no" wasn't in his vocabulary when it came to them. And they loved him for it.

Mike Stack, Jr.'s, career spanned the great events of Philadelphia's history. He was active in the election of every Democrat mayor of Philadelphia in the 20th and 21st Centuries. He played a major role in the rise of our party in the city and in our state. And he was an important advisor to all of our elected officials, especially to me.

Mike was also a prolific writer, having penned four novels. More importantly, he leaves a living legacy behind him. The love of his life, Fay, served with distinction on the bench. And Michael, III serves in Pennsylvania's Senate. But, we are all a little poorer today for having lost this giant of a man.

I ask all of my colleagues to join me in honoring his life and in expressing the condolences of this House to his family.

HONORING NICHOLAS STEPHENS

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Nicholas Stephens. Nicholas is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 337, and earning the most prestigious award of Eagle Scout.

Nicholas has been very active with his troop, participating in many scout activities. Over the many years Nicholas has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Nicholas has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Nicholas Stephens for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## PERSONAL EXPLANATION

**HON. CATHY McMORRIS RODGERS**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mrs. McMORRIS RODGERS. Mr. Speaker, on rollcall No. 537, my vote was not recorded. Had I been present, I would have voted "yea."

## INTRODUCTION OF THE 21ST CENTURY READINESS ACT OF 2011

**HON. THOMAS E. PETRI**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. PETRI. Mr. Speaker, in order for our students to be competitive in the global economy, we must do our part to ensure that they are acquiring the knowledge and skills they need for success.

The skills needed for success go beyond the basics of reading, writing, and math, however. When surveyed, employers continually emphasize that, in our 21st century economy, students need to be adept at critical thinking and problem solving; communication; collaboration; and creativity and innovation, in addition to being proficient in core subjects.

Sixteen states, as well as local school districts from across the country, have formed a partnership with over thirty leading education organizations and corporate entities to find ways to strengthen 21st century skills in their K-12 classrooms. However, this momentum isn't sustainable unless federal policy gives states and districts the flexibility to innovate in this direction.

To remedy this, Representative DAVE LOESACK and I are introducing the 21st Century Readiness Act. This bill does not create any new programs or authorize additional spending; instead, it would amend the Elementary and Secondary Education Act, ESEA,

to emphasize the importance of 21st century skills and give states and districts added flexibility to develop and enhance these skills as part of their own initiatives.

A growing coalition of states and school districts has recognized the importance of giving our students the tools they need to succeed in our 21st century workforce. This bill will give them the flexibility to succeed in these efforts.

I hope that our colleagues will join us in this effort.

## HONORING MATTHEW GIBSON

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Matthew Gibson. Matthew is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 337, and earning the most prestigious award of Eagle Scout.

Matthew has been very active with his troop, participating in many scout activities. Over the many years Matthew has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Matthew has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Matthew Gibson for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## CELEBRATING COACH VIC ROWEN

**HON. LYNN C. WOOLSEY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Ms. WOOLSEY. Mr. Speaker, I rise today to honor Vic Rowen, a man whose distinguished career as Head Football Coach for the San Francisco State University Gators for 28 years, earned him the highest accolades.

On June 4, 2011, the San Francisco State University unveiled a statue to commemorate Coach Rowen's service as well as that of his predecessor, Coach Joe Verducci. These men were honored for exemplifying "the highest ideals of academic performance and competitive athletics" as well as demonstrating "personal accomplishments as men of honor and character." The statue was paid for by grateful players, colleagues, alumni, staff and friends.

Born in Brooklyn, New York in 1919, Coach Rowen played football in college before earning a doctorate in physical education at Columbia University. He held several coaching positions and then joined San Francisco State in 1954 as Joe Verducci's assistant. He became head football coach in 1961. (Coach Verducci passed away in 1964.)

Coach Rowen's tenure covered over half the span of time that football was played at San Francisco State. In his early years, the school won eight Far Western Conference titles and attracted top talent, but after a student strike in 1968, the football program was

severely diminished by budget cuts. Rowen continued to train players and especially coaches (including his son Keith) who excelled in the sport, although the school's winning record was curtailed. My son, Ed Critchett, an all-American inspired by Vic Rowen cherishes the time he spent with the Gators in the 1980s. Rowen retired in 1989, and football was discontinued at the school in 1995.

Also a respected physical education teacher at the University, some of Rowen's other accomplishments include Northern California Coach of the Year, President and Board Member of the American Football Coaches Association, Football Writers Association of America Award, and the Ernie Nevers Award National Football Foundation's College Football Hall of Fame.

Mr. Speaker, please join me in congratulating Coach Vic Rowen on the tribute he and Coach Verducci received on 6/4/11. Vic Rowen was a man who influenced both the character and the skills of hundreds of young men and women at San Francisco State University and is loved and respected by all. I thank him for his commitment and service.

## CLEAN WATER COOPERATIVE FEDERALISM ACT OF 2011

SPEECH OF

**HON. RUSH D. HOLT**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes:

Mr. HOLT. Mr. Chair, I rise in opposition to the so-called "Clean Water Cooperative Federalism Act of 2011", H.R. 2018. This misguided bill would undermine the Clean Water Act and significantly limit the federal government's ability to ensure that our nation's rivers, lakes, and streams are pollution-free.

This legislation is an unprecedented attack on the Clean Water Act. Because H.R. 2018 would make the water we drink less clean, I think it is fair to call this legislation what it is: The Dirty Water Act.

Sadly, the Dirty Water Act is the latest in a long line of bills from the majority that puts big polluters before the health and safety of the American people. From the Dirty Air Act that would remove EPA's statutory authority to regulate carbon pollution to legislation that removes accountability for offshore drilling operations, the majority seems intent on rolling back programs that preserve our environment, protect our public health, and grow our economy.

Since the Clean Water Act was enacted in 1972, water quality safeguards have been collaborative effort between States and the Federal government. The Federal government reviews State water pollution control decisions to assure that they reflect up-to-date science and protect water in downstream locations in other States. The Clean Water Act was written wisely to allow pollution safeguards to grow with the scientific understanding of the dangers posed by various chemicals and with the technical means of controlling these chemicals.



The Clean Water Act protects our rivers, lakes, and streams. The success of the Clean Water Act is because its regulations are based in science. Legislators shouldn't pretend to be scientists.

I urge my colleagues to vote no on this bill.

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HONORING DAKOTA PARTON

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Dakota Parton. Dakota is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 337, and earning the most prestigious award of Eagle Scout.

Dakota has been very active with his troop, participating in many scout activities. Over the many years Dakota has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Dakota has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Dakota Parton for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

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PERSONAL EXPLANATION

**HON. DANNY K. DAVIS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. DAVIS of Illinois. Mr. Speaker, I was unable to cast votes on the following legislative measure. If I were present for roll call votes, I would have voted in the following manner for the following vote:

Roll 534, July 11, 2011: On Agreeing to the Amendment to H.R. 2354: Tierney of Massachusetts Amendment. I would have voted "aye" on this amendment that would restore U.S. Army Corps of Engineers Construction and Operation and Maintenance accounts to Fiscal Year 2011 levels, offset with a \$140,000,000 reduction to Department of Energy's Nuclear Energy activities and a \$92,790,500 reduction to Department of Energy's Fossil Energy Research and Development activities.

Roll 535, July 11, 2011: On Agreeing to the Amendment to H.R. 2354: Graves of Missouri Amendment. I would have voted "no" on this amendment that would reduce the Army Corps of Engineers Construction account by \$1.75 million and increase the Army Corps of Engineers Operation and Maintenance account by \$1 million.

Roll 536, July 11, 2011: On Agreeing to the Amendment to H.R. 2354: Scalise of Louisiana Amendment. I would have voted "no" on that amendment that would increase the Army Corps of Engineers Operation and Maintenance account by \$6.36 million and reduce the expenses account for Supervision and Administration by the same amount.

Roll 537, July 11, 2011: On Agreeing to the Amendment to H.R. 2354: Woodall of Georgia

Amendment. I would have voted "no" on this amendment that would reduce the Army Corps of Engineers Operation and Maintenance account by \$4,900,000 and increases the spending reduction account by the same amount.

Roll 538, July 11, 2011: On Agreeing to the Amendment to H.R. 2354: McClintock of California Amendment I would have voted "no" on this amendment that would zero out all funding for Energy Efficiency and Renewable Energy in addition to eliminating or severely reducing another 13 accounts in the bill, all of which would cut over 10 percent from the total funding in the bill.

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HONORING LINDSAY FARRELL

**HON. NITA M. LOWEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mrs. LOWEY. Mr. Speaker, I rise to pay tribute to Lindsay Farrell for her leadership and 25 years of committed service to Open Door Family Medical Centers.

Ms. Farrell is a graduate of St. Lawrence University, where she received the Sol Feinstein Humanitarian Award. She earned her MBA from the Lubin School of Business at Pace University and is a Fellow in the American College of Medical Practice Executives. She has been involved with Open Door since she first volunteered for the organization as a member of Junior League in 1985 to support the organization's efforts to provide quality healthcare and human services to underserved communities in Westchester County, New York.

Since joining Open Door 25 years ago, Ms. Farrell served as Open Door's Director of Operations and Director of Development before becoming President and CEO. As Director of Development, she skillfully managed capital drives for major facility expansions, and as the Director of Operations she led the center's first successful accreditation by the Joint Commission on the Accreditation of Healthcare Organizations. Additionally, Ms. Farrell was a member of the expert panel initiating the patient visit redesign collaborative directed by the Federal Bureau of Primary Healthcare's Quality Center and is a member of the Board of Directors of the Community Health Care Association of New York State, the National Association of Community Health Centers, and the Taconic Health Information Network and Community. Remarkably, she is also Chair of the Westchester Women's Agenda.

Since becoming President and CEO of Open Door in 1998, she has overseen Open Door's expansion from two sites to four centers in Westchester, five school-based health centers in Port Chester, and one mobile dental unit. Under her extraordinary direction, Open Door now serves over 40,000 low-income community residents, twice as many as in the mid-1990s.

Ms. Farrell's commitment to providing affordable health services to underserved communities in Westchester is greatly appreciated and extolled. I urge you to join me today in honoring her outstanding dedication to improving the lives of others.

COMMEMORATING THE ANNIVERSARY OF THE TURKISH INVASION OF CYPRUS

**HON. STEVE ISRAEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. ISRAEL. Mr. Speaker, I rise today to commemorate the anniversary of the Turkish invasion of Cyprus. On July 20, 1974, Turkish armed forces invaded Cyprus and for 37 years they have remained on that island nation as an occupying force.

The people of Cyprus deserve to see an end to this occupation and a reunification of the island in a bicomunal and bizonal federation. Negotiations aimed at reaching a comprehensive settlement are underway. Any resolution to the issue of the current division of Cyprus must be decided by the Cypriots. However, no final status will be possible without the constructive participation of Turkey. The onus is on the Turkish government to play a positive role, which means it should actively and publicly support the process and the reunification of the island. Turkey must also remove its occupying forces.

Mr. Speaker, Cyprus is a long-time friend and ally of the United States. Our two nations are dedicated to democracy, justice, and the international rule of law, and it is my sincere wish that a final agreement for the reunification of Cyprus will be achieved this year.

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HONORING TYLER PARTON

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Tyler Parton. Tyler is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 337, and earning the most prestigious award of Eagle Scout.

Tyler has been very active with his troop, participating in many scout activities. Over the many years Tyler has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Tyler has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Tyler Parton for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

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HONORING NORMAN AND DOROTHY KREISMAN

**HON. VERN BUCHANAN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. BUCHANAN. Mr. Speaker, I rise today to honor Norman and Dorothy Kreisman for their efforts to provide quality psychiatric services to Southwest Florida residents who suffer from mental illness.

In the 1980s, when the Kreismans' daughter Diane came to live in Sarasota with her parents, they were unable to find adequate local facilities to treat her severe depression and symptoms of schizophrenia.

They worked to raise awareness of the problem in Tallahassee and to secure funding from the State to provide quality care for persons who were suffering from serious mental health disorders.

The Kreismans' efforts helped bring Coastal Recovery Centers, which is now Coastal Behavioral Healthcare, its first mental health services contract from the Florida Department of Children and Families in 1989.

Two years later, they were successful in bringing to Sarasota the funding necessary to build the first public Baker Act receiving facility in the county, now known as the Kreisman Center Crisis Stabilization Unit (CSU).

Recently, in recognition of their contributions to raising awareness and making a difference,

the Kreisman Family received the Sunshine from Darkness first annual Diamond Award.

Further testament to the efforts of the Kreisman family is a recent four-year, \$2 million award from the Substance Abuse and Mental Health Services Administration for the integration of primary and behavioral healthcare on the newly dedicated Kreisman Campus for Integrated Health Care.

The Kreismans' determination to deal with this issue head-on has made it possible for many others throughout Southwest Florida to get the care they need to grow and prosper, despite the challenges of mental illness.

On behalf of the people of Florida's 13th District, I recognize the Kreismans' successful efforts on behalf of area residents dealing with mental illness, and applaud Coastal Behavioral Healthcare's dedication of its 10th Street site as the Kreisman Campus for Integrated Health Care in their honor.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

**HON. TIMOTHY H. BISHOP**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes:

Mr. BISHOP of New York. Mr. Chair, pursuant to the terms for debate on H.R. 2354, the Energy & Water Development Appropriations bill; I submit the following.

2010 FORTUNE 100

source: [http://money.cnn.com/magazines/fortune/fortune500/2010/full\\_list/](http://money.cnn.com/magazines/fortune/fortune500/2010/full_list/)

[Note: Revenue figures for all companies include consolidated subsidiaries and exclude excise taxes.]

Rank	Company	Revenues (\$ millions)	Profits (\$ millions)	Industry descriptor
2	Exxon Mobil	284,650.00	19,280.00	Energy development and production
3	Chevron	163,527.00	10,483.00	Energy development and production
4	General Electric	156,779.00	11,025.00	High-value durable goods manufacturing
8	Ford Motor	118,308.00	2,717.00	High-value durable goods manufacturing
10	Hewlett-Packard	114,552.00	7,660.00	IT equipment development and production
15	General Motors	104,589.00	N.A.	High-value durable goods manufacturing
20	International Business Machines	95,758.00	13,425.00	IT equipment development and production
22	Procter & Gamble	79,697.00	13,436.00	Household product manufacturing
28	Boeing	68,281.00	1,312.00	Defense/Aerospace
33	Johnson & Johnson	61,897.00	12,266.00	Pharmaceutical development and production
37	United Technologies	52,920.00	3,829.00	Defense/Aerospace
40	Pfizer	50,009.00	8,635.00	Pharmaceutical development and production
44	Lockheed Martin	45,189.00	3,024.00	Defense/Aerospace
46	Dow Chemical	44,945.00	648	Chemical development and production
61	Northrop Grumman	35,291.00	1,686.00	Defense/Aerospace
62	Intel	35,127.00	4,369.00	Semiconductor development and production
66	Caterpillar	32,396.00	895	High-value durable goods manufacturing
74	Honeywell International	30,908.00	2,153.00	Defense/Aerospace
75	Abbott Laboratories	30,764.70	5,745.80	Pharmaceutical development and production
85	Merck	27,428.30	12,901.30	Pharmaceutical development and production
86	DuPont	27,328.00	1,755.00	Chemical development and production
95	Raytheon	24,881.00	1,935.00	Defense/Aerospace

IN MEMORY OF LOUIS ARTHUR BEECHERL, JR.

**HON. PETE SESSIONS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. SESSIONS. Mr. Speaker, I rise today to recognize and remember my friend, Louis Arthur Beecherl, Jr. He was kind, generous, and a man of great character that deeply loved God and country. Louis passed away on Tuesday, July 5, 2011.

Born and raised in Dallas, Texas, Louis graduated from Highland Park High School and received Bachelor of Science degrees from Tulane University and the University of Texas. He proudly served as a servicemember in the United States Navy and had a successful career in the energy business spanning forty years.

Louis' life reflected his love for his community and his belief in service. From serving in numerous civic and charitable organizations to participating in the public policy process, he always sought to meet the needs of others and worked tirelessly for the betterment of our community. His passion for water conservation motivated him to become involved with the Texas Water Development Board and the Trinity Improvement Association. His belief in the importance of higher education led him to

establish distinguished professorships and faculty chairs at the University of Texas at Dallas and to serve on the Board of Regents for the University of Texas System. The YMCA of Metropolitan Dallas, Salvation Army, and the Circle 10 Council for the Boy Scouts of America are among the many other organizations he supported. His unwavering commitment to help others inspired us all and his legacy speaks loudly of his impact on our community.

Mr. Beecherl is survived by his loving wife of sixty-one years, Julie; his sons, Louis III and wife Cynthia, John and wife Mary, Will and wife Kay, Ernest and wife Susan, Robert and wife, Medore; his daughters, Jan Davis and husband Alan, Mary Dillard and husband Bill, and Kay Herring and husband Edward; his thirty-five grandchildren, and four great-grandchildren.

I am honored to have known him and called him my friend. He will be greatly missed. May the peace of God be with those he loved and sustain them through this hour of sorrow.

HONORING THE REPUBLIC OF CROATIA'S AMBASSADOR KOLINDA GRABAR KITAROVIC

**HON. JAY INSLEE**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. INSLEE. Mr. Speaker, I rise today as a founding member of the Congressional Croatian Caucus to recognize the service of Croatia's Ambassador to the United States, Kolinda Grabar Kitarovic, and the work of other Croatian Americans. On March 30, 2011, Kolinda Grabar Kitarovic was named a top deputy to the North Atlantic Treaty Organization's (NATO's) Secretary General Anders Fogh Rasmussen. She will serve as NATO's Assistant Secretary General for Public Diplomacy and she departed Washington for Brussels at the end of June.

Many in the United States will miss Ambassador Grabar Kitarovic. On March 19, 2008, she was sworn in as Ambassador Extraordinary and Plenipotentiary of Croatia to the United States after serving three years as Foreign Minister of her new nation-state. In Washington, she effectively communicated her nation's desires to join the West and fully integrate her country into Euro-Atlantic multilateral alliances after the dissolution of the former Socialist Federal Republic of Yugoslavia in the

early 1990s. Ambassador Grabar Kitarovic, the Congressional Croatian Caucus, and the National Federation of Croatian Americans (NFCA) successfully pushed the NATO Treaty to passage in the U.S. Senate, an important achievement for her country. As her record demonstrates, Ambassador Grabar has made a positive impact on both our country and her native Croatia.

The Croatian Caucus was also instrumental in supporting Croatia's bid for full membership in NATO—along with the entire Croatian American community as led by the NFCA—in an earlier legislative initiative. In December 2005, the House passed H. Res. 529 underlining the Republic of Croatia's readiness to join NATO, and I heard from many Croatian Americans in my district and state on the importance of the passage of this Resolution in the House and Senate.

In recognizing the work of Ambassador Grabar Kitarovic, I would also like to recognize two Croatian Americans who, through their work, made a positive impact on myself and on my constituents. As a young high school student growing up in Seattle, I had the good fortune to have played football for one of the greatest high school coaches in Washington state history, who was also a Croatian American: Coach Tony Gasparovic of Ingraham High School. He continues to be remembered fondly by hundreds of his former players.

Another important Croatian American is business leader Ed Loverich, who founded Town and Country Market on Bainbridge Island, Washington in 1957. This store is still a thriving town center today, and has expanded to more locations throughout the Seattle area. These are only a few of the positive contributions that the Croatian-American community has made on the Pacific Northwest, and our country as a whole.

I believe that I also speak for the Croatian Caucus Co-Chairs in wishing Ambassador Grabar Kitarovic and her husband, Jakov Kitarovic, and their two children the best of luck and success in Brussels. We hope her work with NATO brings her back through Washington in the coming years.

#### INTRODUCTION OF THE STOP DECEPTIVE ADVERTISING FOR WOMEN'S SERVICES ACT (SDAWS)

### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mrs. MALONEY. Mr. Speaker, today I along with my colleagues Representatives MOORE, NORTON, CONNOLLY, CONYERS, HIRONO, GRIJALVA, JACKSON, RANGEL, TOWNS, LOWEY and LEE, am reintroducing important legislation that will protect the rights of women seeking information on family planning services. Too often, women who are facing the difficult consequences of an unintended pregnancy are being deceived and intimidated. No matter how one feels about the question of legal abortion, everyone can agree that deception has no place when a woman is seeking information about her pregnancy. Called Crisis Pregnancy Centers, CPCs, they advertise as a source of unbiased pregnancy counseling using neutral-sounding names. However,

some CPCs deliberately use marketing practices which cloak their offerings in medical buzzwords to bring in clients, and then use deceptive propaganda to dissuade women from considering comprehensive birth-control options or legal abortion.

If a woman enters a pregnancy center with full knowledge of the limited services and the center's bias that is entirely her choice. However this becomes an issue when a center knowingly uses misinformation, intimidation or coercion to cause and capitalize on her confusion.

In response to the deceitful practices of these centers, I am introducing the Stop Deceptive Advertising for Women's Services Act. This legislation directs the Federal Trade Commission to promulgate rules under the Federal Trade Commission Act, declaring it an unfair or deceptive act to advertise as a provider of abortion services if the entity does not provide abortion services. This legislation also states that an organization providing abortion services must not advertise that it does not provide these services.

Yesterday, a judge enjoined a New York City ordinance requiring CPCs to post signs disclosing the limited nature of their services. My bill only applies to CPCs that engage in deceptive and misleading advertising. The signage requirement (as adopted by NYC) tackles this issue in a different way. While I support those efforts, my bill is different because it gives a Federal agency the ability to investigate reports on misleading claims in the same way it can for other products and services.

Together, with this legislation, we can help women facing an already difficult and personal decision gain access to the best and most comprehensive healthcare without facing intimidation and deception.

#### OUR UNCONSCIONABLE NATIONAL DEBT

### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. COFFMAN of Colorado. Mr. Speaker, today our national debt is \$14,342,954,633,916.80.

On January 6, 2009, the start of the 111th Congress, the national debt was \$10,638,425,746,293.80.

This means the national debt has increased by \$3,694,528,887,622.61 since then.

This debt and its interest payments we are passing to our children and all future Americans.

#### REMEMBERING A TRUE ADVOCATE FOR SOCIAL JUSTICE, PABLO LOPEZ

### HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. KILDEE. Mr. Speaker, I rise today with a heavy heart and deep sympathy to commemorate the life of my friend, Pablo Lopez.

Pablo was born June 22, 1943, in Bach, Michigan. In 1961 he joined the United States

Air Force serving active until 1965, and reserves until 1967. In 1966 he hired into the Buick factory and he became a prominent labor leader at UAW local 599, the same local as my father. It was at UAW 599 that I got to know Pablo and I am happy I did.

For years after our first meeting, Pablo would call upon me and my staff to help with various issues but he never asked for himself, always looking out for someone else. As a proud Veteran he took up the fight of trying to memorialize their service by naming roads and post offices on their behalf across the 5th district and the state. He was successful at it and I can say if it were not for him the post offices in both Akron and Goodrich, Michigan, would not bear the name of Veteran's Memorial Post Office.

Pablo was an advocate for social justice not only in Flint, Michigan, but across the country. If there was an injustice taking place you would most likely find Pablo fighting it. He joined Cesar Chavez at the Midwest Hispanic Unity March and Rally on June 15, 1990, in Lansing, Michigan, and then traveled to Chicago to join in their march for unity on June 19. The last time he rallied with Cesar was in 1993 in Washington, D.C., always standing up for what he believed in.

Mr. Speaker, I would like to offer my deepest sympathies to the Lopez family and my gratitude for having met Pablo. I am a better person for knowing him and our community is better because of his tireless work.

#### TRIBUTE TO BOBBY GUTHANS

### HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. BONNER. Mr. Speaker, it is with heartfelt sadness that I rise to note the recent passing of a much-beloved member of the south Alabama community, Mr. Robert A. "Bobby" Guthans, who passed away at the age of 82 on June 5, 2011, after an extended illness.

At the time of his death, Bobby was one of Mobile's most revered business and civic leaders. More importantly, he was the epitome of a family man and the dictionary definition of a true "Southern Gentleman."

A native of Mobile, Bobby graduated from the Virginia Military Institute in 1951 with a degree in Chemistry. He was commissioned as an Army officer and spent the next two years fighting for his country in the Korean conflict. Bobby later served on the board of VMI, as well as on the board of Spring Hill College in Mobile.

In 1971, he became president of B-R Dredging Company, a worldwide dredging operation. Two years later, he was named president of Midstream Fuel Service, Inc., Petroleum Energy Products Company and Tenn-Tom Towing Company—a position he held until his retirement in 1999.

Not only was Bobby Guthans an active supporter of Southeastern inland waterways but he was recognized around the country as one of its great leaders. Among his many roles, Bobby served as Chairman of the Board of American Waterways Operators; Chairman of the Southern Region of the AWO; Director of the Executive Committee of the Warrior-Tombigbee Development Association; Director

of the World Dredging Association; and as a member of the National Waterways Conference.

Even with such an extensive business and volunteer portfolio, Bobby also made it a priority to find the time to serve as Chairman of the Board of the Mobile Area Chamber of Commerce; as a member of the Mobile Economic Development Council; the Mobile Industrial Development Board; Blue Cross/Blue Shield of Alabama; the Geological Survey of Alabama; and the Navy League of Mobile.

In 1999, the U.S. Coast Guard bestowed upon Bobby one of its highest honors, the Meritorious Public Service Commendation. In addition, he received the Alfred F. Delchamps, Jr. Award and the National Rivers Hall of Fame Achievement Award. In 1990, the Propeller Club named him Maritime Man of the Year.

While many would have been more than satisfied resting upon this exemplary record of accomplishment, Bobby Guthans—along with his loving wife, Barbara Ann—believed that real fulfillment in life came about by helping others.

As a result, Bobby and Barbara Ann's generosity of spirit and goodness to one and all made them one of Mobile's most beloved couples.

On a personal note, Mr. Speaker, I will always cherish the time I spent with Bobby—learning from him and watching as he used his wealth of contacts and his heart of gold to open doors and help others chase their own personal dreams. Not only was he generous with his time and talents, but Bobby was also a genuine and gentle man, someone Mobile will sorely miss.

During this time of loss for his family and friends, I wish to extend my own condolences to his loving wife of more than 50 years, Barbara Ann, their two wonderful children, Robert A. Guthans, Jr. and Jean Guthans Wilkins; and their five grandchildren, C. Richard Wilkins, Jr., Christopher Wilkins, Michael Wilkins, Robert A. Guthans, III, and Taylor Lynn Guthans. You are all in our thoughts and prayers as you celebrate the life of a man we all loved and respected.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

**HON. JAY INSLEE**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes:

Mr. INSLEE. Mr. Chair, I am concerned about the devastating impact that the underlying legislation will have on the clean energy economy. H.R. 2354 is a disappointment to those working to advance the clean energy economy because it slashes investments—by 40 percent from the President's request—in the new clean energy jobs of the future, ranging from solar to biomass to wind, and new

technologies for more energy efficient cars and buildings.

Today, more than ever, we need investments in clean energy research, innovation, and manufacturing—investments which can grow new industries, create American jobs, reduce U.S. oil dependence, and increase our national security. H.R. 2354 abandons efforts for a new American energy economy that would lower electricity prices for families, reduce our reliance on foreign energy, and increase energy independence.

While I understand the fiscal situation we are in, H.R. 2354 cuts programs that can be targeted to actually grow our economy. The bill slashes Energy Efficiency and Renewable Energy, EERE, by 27 percent, cuts the Advanced Research Projects Agency—Energy, ARPA-E, by 44 percent, cuts Weatherization Assistance Grants and associated training programs by 81 percent, all the while increasing funding for fossil fuel research and development. I believe that this demonstrates that the priorities of H.R. 2354 are aligned with outdated 20th century energy policies that will not recharge our new economy. A 21st century Energy and Water Appropriations Act should include measures to increase funding for renewable energy and clean technology and these increases should be offset by dollars from fossil energy research and development.

To help strengthen our economy and create new jobs, we must rebuild America. In a report released this week by the Brookings Institution entitled "Sizing the Clean Energy Economy: A National and Regional Green Jobs Assessment," it is reported that 2.7 million Americans are now employed in the clean technology economy. The report found that in the State of Washington, there are 83,676 clean energy jobs, with an annual wage of \$46,457. The report showed that median wages for clean-energy workers are about 13 percent higher than median U.S. wages. The clean technology economy has created export intensive jobs; on average, twice as much value is exported from clean tech jobs than the national average. The potential for future job creation in the clean energy economy is endless and targeted investments in this new economy make sense.

As the House of Representatives considers amendments to H.R. 2354, I urge my colleagues to consider the opportunities for economic growth and job creation embodied in the clean energy economy and oppose the misguided priorities in this bill.

HONORING THE LIFE OF MR.  
ETHIME EMONINA

**HON. TERRI A. SEWELL**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Ms. SEWELL. Mr. Speaker, I rise today to honor the life of a great Alabamian and resident of the Seventh Congressional District, Mr. Ethime Emonina who passed away July 10, 2011 at the young age of 34. Mr. Emonina was a remarkable educator, mentor, musician and inspiration to all who encountered him.

As a band instructor in the Tuscaloosa City Schools system, he inspired students to excel in their musical craft and to pursue their dreams of becoming musicians. He encour-

aged countless students to attend college, many on band scholarships. His unique style and spirit warmed the hearts of many, and his trademark smile could not help but solicit a smile in return.

Born in Atlanta, Georgia, on March 18, 1977, to Mr. and Mrs. Godwin and Lucy Eldridge Emonina, he displayed an early love for music. His multitude of talent led him to play the trumpet and piano, among many other instruments.

Mr. Emonina graduated from Central High School in Tuscaloosa, Alabama in 1995, where he left his mark as one of the greatest drum majors in the school's history. He went on to earn a B.A. degree from Jackson State University in 2000. Upon receiving this degree, Mr. Emonina began instructing the band at Eastwood Middle school where he remained until he was offered and accepted a position as director of bands at Paul W. Bryant High School in August 2007. He served in this position until his untimely death.

Mr. Emonina, with his love of learning, had just completed and was awarded a Master's degree in Instructional Leadership at the University of West Alabama and was looking forward to applying his degree as an administrator in the Tuscaloosa City School System.

He received numerous awards from childhood to adulthood for excellence in everything from school performance to instructing the band. Mr. Emonina was married to the former Chrisan Garraway and was the father of two children: Christian, age 9 and Ethan, age 2. He was the loving brother of Ovuke and Venedric Emonina, and was a member of Kappa Alpha Psi Fraternity, Inc.

Over the years, Mr. Emonina has impacted the lives of many students in countless ways. He built a well-deserved reputation as a strict disciplinarian, mentor, teacher, motivator, father figure and friend. He was a true gift to us all and will be missed. His band has a saying, "Love the band and the band loves you back." Mr. Emonina surely loved the band and the band, the community, his family and the people of the Seventh Congressional District, the State of Alabama and this Nation will greatly miss him.

Therefore I, TERRI A. SEWELL, Representative to the United States Congress from the 7th Congressional District of Alabama, do hereby honor the legacy of Mr. Ethime Emonina for his numerous contributions to the 7th Congressional District, the State of Alabama, and the Nation. I ask all to join me in honoring the life of a remarkable man and commending his many achievements on behalf of the State of Alabama.

IN HONOR OF MR. FRANK ZOLAR

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today to honor Frank Zolar on the occasion of his ninth birthday.

Mr. Zolar was born on July 15, 1921 in Pickens, West Virginia. After spending his early life working in sawmills and coal mines, Frank enlisted in the U.S. Army only six days after the attack on Pearl Harbor. He fought with the 1st Infantry Division, also known as the "Big Red One," as a rifleman in the invasion of Africa.

Following the war, Frank moved to Cleveland, Ohio in 1946 and spent the next twenty-one years working at the Fairbanks-Morse Company. While living in Cleveland, Frank met and married Lois, who would be his wife of more than 50 years. The two moved to North Olmsted, Ohio in 1959 where they raised their three daughters, Theresa, Kathy and Karen.

Frank has been an active member of his community and serves as a Sergeant-at-Arms for the North Olmsted Democratic Club. Recently, Mr. Zolar visited Washington, D.C., for the first time in his life with Honor Flight Cleveland, a nonprofit organization which flies veterans to see the memorials on the National Mall.

Mr. Speaker and colleagues, please join me in honoring the ninetieth birthday of Mr. Frank Zolar.

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HONORING DR. DONALD LINKER

**HON. LYNN C. WOOLSEY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Ms. WOOLSEY. Mr. Speaker, I rise with sadness today to honor my friend, Dr. Donald Linker of Tiburon, CA, who passed away unexpectedly on June 16, 2011, after a fall. He was a spirited activist and colorful community character who livened up the many causes he took on.

Born and raised in Kentucky, Don Linker moved to northern California after completing medical school. He served as a physician in the Marines before settling for a number of years in San Francisco where he had a urology practice. He later earned a Masters in Public Health from UC Berkeley. Throughout his career, he was known as a compassionate physician and advocate for research on important public health issues like prostate cancer.

Don was married during his time in San Francisco and had three children, Kevin, Jodi, and Dana. He later moved to Tiburon and became active in Marin County. He was a founder of the local schools foundation and served on the boards of the Buck Center for Research in Aging, the Jewish Community Federation, AIPAC, and the Marin Community Foundation. He also found time to become a painter and had a show of abstract art in the works when he died.

Perhaps best known for his extreme athletic feats, Don Linker had his share of close calls whether windsurfing (where he was swept out to sea), mountain biking (where he garnered several speeding tickets) or skiing (including spending a freezing night on a chairlift because of his attempt to get in one last run).

He is survived by his three children as well as his brother Stephen, his son-in-law Richard Steele, and his two grandchildren, Lauren and Sarah Steele.

Mr. Speaker, I will miss Dr. Don Linker's bright wit and colorful sweaters and bow ties. But mostly I will miss his warm friendship and compassionate spirit. Please join me, his community, his family, and his many friends in mourning his passing.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

**HON. RUSS CARNAHAN**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes:

Mr. CARNAHAN. Mr. Chair, I move to strike the last word.

During this time of economic uncertainty it is important to invest in the future. High speed rail will play a vital role in modernizing our transportation infrastructure, and we must prioritize its further development. If we are to remain economically competitive with the rest of the world, we must invest robustly in our infrastructure and create a true, world class transportation system. High speed rail will revolutionize the transportation industry, and its development will add valuable jobs to our economy.

I am firmly against this bill, which would rescind unobligated funds from high speed rail projects. While I fully support our disaster recovery efforts, there is no reason to do this at the expense of our rail infrastructure. This is merely a ploy by Republicans to cut off funding for a priority area for President Obama.

As a country we cannot afford to ignore this opportunity to create millions of jobs and develop a comprehensive high speed rail system. These cuts would drastically affect the State of Missouri, putting plans for a St. Louis-Kansas high speed rail corridor in jeopardy. We would also lose almost 8,000 jobs and nearly \$300 million in funding for high speed rail projects, including \$3 million in the 3rd District which I represent.

There is no question that we must curtail excessive government spending, a process that will require some belt tightening. But it makes no sense to cut funding for programs, such as high speed rail construction, that will foster sustained, long-term economic growth for America.

I urge all of my colleagues to consider the numerous benefits the high speed rail program will bring to all Americans and to vote against cutting the program's funding. We cannot allow our current fiscal challenges to prevent us from investing in the future while simultaneously helping to kick start our economy.

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IN MEMORY OF MARY ALICE SHIPP

**HON. SANFORD D. BISHOP, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to a faithful public servant, a dedicated civil rights activist, a devoted mother and wife, and a personal friend, Mrs. Mary Alice Shipp.

Mary Alice Shipp was born on November 30, 1927 in Alamo, Georgia, one of six chil-

dren to the late Aaron O. Cook, Sr. and the late Abbie Hall Cook Steward.

Mary Alice Shipp had a thirst for knowledge and throughout her life continued her pursuit of education. She graduated from the Twin City High School in Telfair County and went on to Albany State College, where she received her Bachelor of Science Degree in Elementary Education. She later attended Fort Valley State College, where she became certified in Guidance and Counseling. In addition, she became certified in Career Education at the University of Georgia and became a Master Cosmetologist at the Madam C.J. Cargo Beauty School in Savannah. As the years progressed, she completed advanced training in Christian Education at the Interdenominational Theological Center in Atlanta.

Her love of education led her to teach elementary school in Telfair, Bleckley and Bibb Counties for 28 years before retiring. In addition to teaching, she was an accomplished business woman, owning and operating the Debutante Beauterette in McRae, Georgia for 20 years and was co-owning and managing the Shepard Funeral Home in Sylvester, Georgia.

Mary Alice Shipp served her community, as well. She was appointed to the Georgia Board of Corrections, Georgia Hunger Coalition, Member of the Sylvester City Council, President of the Worth County NAACP, and Director of the Worth County Save the Children. She and her husband, the late Curtis Shipp, were dedicated to the citizens of Worth County and the surrounding area.

For more than 40 years, she was a part of the struggle for civil rights. She was a faithful believer in the teachings of Jesus Christ and the advocacy of the late Rev. Dr. Martin Luther King, Jr. Because of her efforts, she was recognized by numerous organizations for her selfless efforts to help the poor, aged, and less fortunate. She donated many of her awards and memoirs to the Albany Civil Rights Museum. The Mary Alice Shipp Senior Center, named in her honor, also ensures Mrs. Shipp's lasting legacy.

Mrs. Shipp was a woman of great faith. She was converted at an early age and was a devout member of Corinth C.M.E. Church in McRae, Georgia, where she served in numerous capacities for many years. After moving to Sylvester, she became affiliated with Jones Chapel A.M.E. Church and later united with the Brown's Chapel C.M.E. Church, where she served faithfully until her death.

She was blessed with a loving family, including her late husband, Curtis Shipp, two beautiful daughters, Lynette Edwards and Paula Adams; son-in-law, Virgil Adams; grandson, Xavier Omar Edwards; sister, Annie Pearl Little; a sister-in-law, Delores Cook; devoted step-son, Ricky Shipp; nieces, Beverly Burks, Regina Daniels, Antoinette Smith, Judith Cook, Sara Shields and Nekia Daniels; nephews, Charles Little, Jr, Philip Burks, Kelsie Daniels, Jr., and Jason Smith.

Mr. Speaker, through Mrs. Shipp's endeavors to educate and improve her community, she touched many people. She leaves behind a lasting legacy of dedicated service, and I was fortunate to have her as a friend. My heartfelt sympathies are with her family, as it is always difficult to lose a loved one, but there is comfort knowing that today, heaven has a new angel and Mary Alice Shipp is with God.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

**HON. DAVID N. CICILLINE**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes:

Mr. CICILLINE. Mr. Chair, I submit these remarks in opposition to provisions in Title V of the Energy and Water Appropriations measure (H.R. 2354) that would rescind unobligated High Speed Rail funds.

Indeed the recent storms and flooding that have ravaged the Mississippi and Missouri River Basins warrant the immediate attention and relief provided by Emergency Supplemental Funding in Title V. And as a representative from Rhode Island, a state that itself suffered and continues to recover from record level flooding in 2010, I wholeheartedly recognize the importance of this funding, which will enable the Corps of Engineers to repair the damage done by these natural disasters.

However, as Ranking Members DICKS and VISCLOSKEY noted in their views on the underlying bill, H.R. 2354, I too am disappointed by the decision to offset this important disaster relief funding by rescinding unobligated High Speed Rail funds. Time and again Congress has rightly responded to natural disasters with the emergency funding that facilitates recovery in our communities and reconstruction of critical infrastructure. As a Congress, we must respond to natural disasters with the resources it takes, and we must responsibly reduce the deficit. Yet, we must also make the necessary investments that will create jobs now and guarantee the future strength of our economy.

The fact that our Nation's investment in High Speed Rail remains a target for the budget chopping block is not just disappointing—it is a threat to our economy. We have to commit to paying down our debt. But, we must also commit to putting people back to work, supporting our infrastructure, and ensuring our Nation's ability to compete in the global economy. Some estimates say that each month we spend approximately \$8 billion in Afghanistan—just think about that. In just 2 months worth of spending in Afghanistan, we exceed our Nation's entire investment in High Speed Rail. Each year, taxpayers dole out \$4 billion in subsidies to big oil companies who continue to enjoy record profits, and yet here we are, stripping communities of critically important infrastructure dollars.

High Speed Rail is not some far-fetched fantasy, or a transportation solution that should be considered more of a luxury than a national priority. High Speed Rail is a reality. And while we hesitate to get on board, our competitor nations are charging further and further ahead of us. We've seen it in the headlines time and again. China now has the world's fastest conventional high-speed trains and longest network of tracks. Next year, just 4 years after beginning its High Speed Rail service, China will have more track than all of the world's high speed lines combined.

High Speed Rail creates construction jobs in the maintenance and operations jobs in the long term, and indirect jobs by growing access to greater labor pools and driving new economic development. High Speed Rail reduces congestion on our highways and skyways. These are key investments to ensure that America has a fast, safe, and efficient transportation network. And at a time when press reports as recently as this morning indicate states like Rhode Island are experiencing a rise in gas prices again, High Speed Rail provides a logical alternative to our oil addiction.

For the First Congressional District in Rhode Island, the provisions of Title V will strip away \$3 million in High Speed Rail funds. For the state as a whole, it is estimated this Title will rescind more than \$28 million in rail funding. This rescission occurs less than 2½ months after the initial announcement of the allocation to the Ocean State. Not only is Rhode Island battling high rates of unemployment—some of the highest in New England—and a sluggish economic recovery, we now have to battle against the uncertainty and unpredictability created by unwarranted rescissions such as the one before us now in Title V. All told, it is estimated that this rescission will result in the loss of hundreds jobs in my state alone.

As a former Mayor, I know how detrimental this loss in High Speed Rail is for my district, the state of Rhode Island, the Northeast Corridor, and the Nation as a whole. For the city of Providence and the state of Rhode Island, High Speed Rail is a critically important component in efforts to attract the private investment that will help sustain and grow our economy; rebuild the infrastructure that will allow for efficient and timely transport of goods, people, and ideas; and place people in well-paying middle class jobs. Cities and states all across this country are relying on this investment to help improve their economies, relieve transportation congestion, reduce our dependence on foreign oil, and compete in the global economy. Unfortunately, the offset contemplated in Title V will derail these efforts.

I strongly urge my colleagues to vote against this offset because we must not fall further behind as our competitors speed ahead in the global economy.

OPPOSING VOTER SUPPRESSION

**HON. EDDIE BERNICE JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, this August will mark the 46th anniversary of the Voting Rights Act. There are many who say there is no longer a need for the Voting Rights Act. Unfortunately, this is not the case.

It is true that we have made remarkable progress since 1965, including outlawing segregationist principles such as literacy tests, poll taxes and the grandfather clause. However, there is still much work to be done.

As we continue to observe during elections, minorities often face the uphill battle of misinformation distributed in black communities over how and when to vote, and purging of voter rolls and Election Day lines.

The Voting Rights Act was not and never will be about special rights. It is about equal

rights and ensuring that all Americans have the right to vote for their candidates of choice. The reality is that some people out there still want to suppress minority voting.

Recently, Texas passed legislation requiring picture identification in order to participate in the voting process. This systematic use of required voter identification cards will disproportionately impact voters that are elderly, minority, or disabled. Requiring individuals to produce picture identification will turn back the clock on voter rights and do little to prevent voter fraud.

Texas remains under Section 5 of the Voting Rights Act due to a long history of discrimination of minority voters. I have strong concerns regarding the ability of minority, elderly and disabled voters to obtain a state identification card from the Texas Department of Public Safety. There is only one Department of Public Safety office in Dallas, and no offices in central Houston. For potential voters in Southwest Texas some would have to travel up to 200 miles to obtain a state identification card. While I am already working to ensure individuals have the transportation to obtain IDs, I believe many poor and minority voters simply will not have the means to obtain this required card. Putting undue burdens on a certain population of voters is not in line with requirements of the Voting Rights Act.

Our values, our freedom, and our democracy are based on the idea that every eligible American citizen has the right to vote. We cannot and must not give up until every American citizen has the access and opportunity to vote—regardless of their skin color, ethnicity, or language ability.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

**HON. STEVE COHEN**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes:

Mr. COHEN. Mr. Chair, I am pleased to join with my colleagues on the House floor to oppose the Majority's efforts to cut funding for high-speed rail. As the Congressman from Memphis, a city that was damaged by historic floods this spring and a city in much need of disaster relief, I applaud the Majority for proposing more than one billion dollars in relief. However, I am disappointed that the Majority has decided to use high-speed rail funding to offset the cost.

I am disturbed by the Majority's decision to reach across jurisdictions and raid funding from the transportation sector, a sector in desperate need of investment. If an offset must be used then it should be from funds within the Energy and Water account. I also find it alarming that the Majority is cutting funds for high-speed rail, a program that will reduce greenhouse gas emissions, to fund relief for disasters that were exacerbated by climate

change. By cutting this funding, we are increasing our greenhouse gas emissions and only ensuring that we will need exponentially more disaster relief in the future.

The United States needs high-speed rail—it is vital to the mobility of our people and to our economic competitiveness. Creating a nationwide high-speed rail system would be a major economic catalyst that would create thousands of jobs, save billions in congestion reduction, curb our reliance on fossil fuels, reduce harmful pollution, and literally, save lives. Recognizing its enormous benefits, nations across the world are investing billions in high-speed rail and are creating systems that surpass existing U.S. rail service in speed, convenience, reliability, level of service, and comfort.

My Democratic colleagues and I understand the importance of high-speed rail and are fighting for vital funding. President Obama also understands the importance of investing in passenger rail and has set the ambitious goal of providing 80 percent of Americans with convenient access to a passenger rail system within 25 years. To reach this goal, the President has proposed \$53 billion over six years to fund the development of high-speed rail and other passenger rail programs as part of an integrated national strategy. I support the President's goal, an important goal that will never come to fruition if the Majority continues to cut high-speed rail funding.

Building a nationwide high-speed rail system is the 21st century equivalent of constructing the national interstate highway system, a project that has transformed the Nation. To create a nationwide rail system, the government is going to need to dramatically increase its rail sector spending. The discrepancy in historical Federal investment between highways, aviation, and intercity passenger rail is staggering. Between 1958 and 2008, we invested nearly \$1.3 trillion in our Nation's highways and over \$473 billion in aviation. Federal investment in passenger rail pales in comparison: we invested only \$53 billion in passenger rail from 1971 to 2008.

The American people recognize the absence of high-speed rail in the American transportation sector and are clamoring for it. Not a day goes by that I am not asked by a constituent about the prospects of bringing high-speed rail to Memphis. And Memphis is now closer than ever to joining the high-speed rail network, since a study I fought to authorize that is examining the feasibility of connecting Memphis to the South Central Corridor is nearing completion. But this important rail line will only be built if the Majority recognizes the obvious value of high-speed rail and transitions from eliminating all funding for high-speed rail development to fighting for additional funding.

Having suffered through historic floods in Memphis this spring, I understand as well as any other member of this body how critical one billion dollars in disaster relief is. But I implore the Majority not to offset disaster relief with high-speed rail funding. We should not be forced to choose between leveraging our Nation's prosperity and paying for essential disaster relief.

## VOTER SUPPRESSION

### HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today in support of our vibrant, participatory democracy and to speak out against voter suppression. I thank my friend and colleague from Ohio, Congresswoman MARCIA FUDGE, for organizing this Special Order to raise the warning flag on efforts now under way in many States to erode hard fought voter protections.

In the past generation, public officials of both parties have sought to make it easier for Americans to participate in the political process. With the expansion of Early Voting, absentee balloting, and Election Day Registration, the fundamental right to vote has become more accessible for millions of Americans—all while the integrity and administration of our electoral system has been improved.

That progress and our American tradition of "expanding the franchise" are now under attack. In state houses across the country, legislatures have enacted unnecessary and politically-motivated restrictions on the right to vote.

In my home State of Florida, Governor Rick Scott signed a law that imposes such high burdens on voter registration drives that the non-partisan League of Women Voters has been forced to end its registration efforts. The same law arbitrarily makes it more difficult for voters who moved, to change their addresses at the polls, a process that has proven effective in Florida for decades.

As part of a disturbing national trend, the Florida law also cuts the required hours for Early Voting by nearly half, reducing the Early Vote period from 14 days down to just 8 days. I know firsthand the value of early voting for Florida's large senior population, many of whom have difficulty in getting to the polls. Reducing the number of early voting days will have a major impact on their ability to participate in our democratic process.

Even though Early Voting allows busy working voters more opportunities to reach the polls, legislatures in Ohio, Wisconsin, and Georgia have also passed significant cuts to their Early Voting time periods.

An Early Vote reduction was also proposed in North Carolina, but—for now—has stalled because it would actually cost taxpayers more dollars to restrict Early Voting than to maintain the current system.

Strict photo identification laws, in which voters would have to show a specific type of government-issued photo ID before casting a ballot at the polls, were proposed in 36 States. Wisconsin, Texas, Kansas and other States passed these unnecessary laws even though 11 percent of eligible American voters—approximately 23 million people nationwide—lack the photo ID these laws demand. Moreover, the Brennan Center for Justice has demonstrated that the elderly, racial minorities, and young voters all disproportionately lack access to government-issued photo ID and will therefore face the highest burdens under newly enacted photo ID laws.

In Maine, the governor signed a bill ending Election Day Registration even though 60,000 Mainers registered to vote in 2008 alone. In New Hampshire, the legislature actually

pushed a bill that would redefine "domicile" in order to prevent students from voting.

Is this the kind of message to send to young people who want to participate in our democracy?

Restrictions on the right to vote burden all Americans, but they especially affect communities of color and other citizens who have historically experienced discrimination at the ballot box.

The nonpartisan group Project Vote has found that African-Americans and Latinos are more likely than white voters to register through a voter registration drive, meaning that fewer minority Americans will have the chance to register and vote in Florida because of these biased actions.

Despite these inequities, State legislatures around the country have never justified any rationale for these unnecessary changes except for the broadly debunked myth of voter fraud. These efforts to prevent eligible Americans from voting will do nothing to improve our electoral system, but they will reverse years of bipartisan progress in making the right to vote more accessible for every qualified citizen.

In the face of this assault on the right to vote, I am heartened by the commitment of my colleagues and our partners in the civil rights community to preserve the right to vote, knock down unnecessary barriers to the franchise, and continue to work for the inclusions of all eligible Americans in our political process.

## ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

### HON. MIKE MCINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes:

Mr. MCINTYRE. Mr. Chair, I rise today in opposition of the Broun amendment to the fiscal year 2012 Energy and Water Appropriations bill that would transfer \$250,000 from the Southeast Crescent Regional Commission to the Budget Reduction Account. At a time of high unemployment and slow growth, the last thing Congress should be doing is killing engines for job creation.

Commissions similar to the Southeast Crescent Regional are a proven tool to help bring vital economic development to some of the poorest and most underserved parts of the country. Even before the financial crisis, many regions in the Southeast Crescent were suffering from job loss, generational problems of poverty and low economic development. Many of the counties in the Southeast Crescent, including those in states like Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Florida suffer from a high rate of poverty, below average income, and chronic unemployment. Since the economic recession, these rates have only gotten worse.

The Southeastern Crescent Regional Commission is based on the successful models of

the Appalachian Regional Commission and the Delta Regional Authority. The Appalachian Regional Commission in its 50-year history has successfully reduced the number of counties suffering from chronic poverty from 295 to 120—a reduction in high-poverty counties by almost 60 percent.

The Southeastern Crescent Regional Commission will help to leverage Federal, state, local and private investments to create jobs and eradicate unemployment. Therefore, I vehemently oppose the Broun amendment.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

**HON. BILL PASCRELL, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes:

Mr. PASCRELL. Mr. Chair, I rise in opposition to Title V of the Energy and Water Appropriations bill.

Two months ago, Transportation Secretary Ray LaHood visited New York to announce that \$450 million rejected by the State of Florida would be used for Amtrak high-speed railway improvements in the State of New Jersey. To paraphrase a long time champion of Amtrak, who currently serves as our nation's Vice President, this was definitely a big deal.

This needed funding is going to increase the speed and efficiency of Amtrak's Northeast Corridor (NEC) in New Jersey. Specifically, funding has been designated to improve the railroad's infrastructure between New Brunswick and Trenton, allowing for train speeds to be increased from 130 miles per hour, to 160 miles per hour, through improvements to NEC power system, signals, track, and catenaries. As anyone who has ridden on an Acela train during a hot day, or sat on a stagnant train during all too frequent power issues, knows that infrastructure improvements are very necessary for this busy stretch of railroad.

Residents throughout the northeast, including thousands of New Jersey commuters riding New Jersey Transit, will be able to have a more efficient ride with most with a stronger, faster, and more consistent Northeast Corridor.

New Jersey contractors, along with construction and rail laborers, are looking forward to getting to work on this needed project. I know that the people of New Jersey thought that this announcement was a done deal.

That is why I joined their surprise when I learned the Appropriations Committee had decided to divert New Jersey's needed resources and redirect this funding for disaster relief for Mississippi and Missouri River flood events.

I strongly support providing emergency disaster relief. I have great respect for my neighbor to the west, the Chairman of the Energy and Water Subcommittee. His intentions to help Americans who have been flooded out of homes and businesses are certainly laudable. We are both extremely sympathetic to flood relief as our adjoining districts have significant flooding problems that require federal assistance to resolve.

But it is short sighted to take away funding for high-speed rail for this purpose. As China zooms past us at 250 miles per hour, our nation putters along with a transportation system that cannot keep up with growing population and demand. Coming off of another month with anemic job growth, we simply cannot afford to pull funding that would create good paying planning and construction jobs that New Jersey sorely needs.

I urge the Committee to find a new offset for this emergency funding. And at the same time, I urge the Department of Transportation to obligate their rail funds quickly, so that we can get past this charade and get this important high speed rail funding out to bid.



# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S4567–S4622*

**Measures Introduced:** Nine bills were introduced, as follows: S. 1367–1375. **Page S4608**

**Measures Considered:**

**Military Construction and Veterans Affairs, and Related Agencies Appropriations Act—Agreement:** Senate began consideration of H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, taking action on the following motions and amendments proposed thereto: **Pages S4577–S4605**

Pending:

Coburn (for McCain) Amendment No. 553, to eliminate the additional amount of \$10,000,000, not included in the President's budget request for fiscal year 2012, appropriated for the Department of Defense for planning and design for the Energy Conservation Investment Program. **Page S4605**

Johnson (SD)/Kirk Amendment No. 556, of a perfecting nature. **Page S4605**

During consideration of this measure today, Senate also took the following action:

By 71 yeas to 26 nays (Vote No. 110), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the Johnson (SD) motion to waive the points of order under section 303 of the Congressional Budget Act of 1974 for the bill, any amendments thereto and motions thereon. **Page S4601**

By 56 yeas to 40 nays (Vote No. 111), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the Johnson (SD) motion to waive the points of order under section 303 of the Congressional Budget Act of 1974 for the bill, any amendments thereto and motions thereon. Subsequently, the point of order that the bill was in violation of section 303 of the Congressional Budget Act of 1974, was not sustained, and thus the point of order fell. **Pages S4601–02**

A unanimous-consent agreement was reached providing that Senate resume consideration of the bill at 3:30 p.m., on Monday, July 18, 2011. **Page S4622**

**Oetken Nomination—Agreement:** A unanimous-consent-time agreement was reached providing that at 5 p.m., on Monday, July 18, 2011, Senate begin consideration of the nomination of J. Paul Oetken, of New York, to be United States District Judge for the Southern District of New York; that there be 30 minutes for debate, equally divided in the usual form; that upon the use or yielding back of time, Senate vote without intervening action or debate on confirmation of the nomination. **Page S4622**

**Messages from the House:** **Page S4606**

**Measures Read the First Time:** **Pages S4606, S4621–22**

**Executive Communications:** **Pages S4606–07**

**Petitions and Memorials:** **Page S4607**

**Executive Reports of Committees:** **Pages S4607–08**

**Additional Cosponsors:** **Pages S4608–09**

**Statements on Introduced Bills/Resolutions:** **Pages S4609–20**

**Additional Statements:** **Page S4606**

**Amendments Submitted:** **Pages S4620–21**

**Notices of Hearings/Meetings:** **Page S4621**

**Authorities for Committees to Meet:** **Page S4621**

**Privileges of the Floor:** **Page S4621**

**Record Votes:** Two record votes were taken today. (Total—111) **Pages S4601–02**

**Adjournment:** Senate convened at 9:30 a.m. and adjourned at 7:06 p.m., until 2 p.m. on Monday, July 18, 2011. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4622.)

## Committee Meetings

(Committees not listed did not meet)

### GROWING JOBS IN RURAL AMERICA

*Committee on Agriculture, Nutrition, and Forestry:* Committee concluded a hearing to examine growing jobs in rural America, after receiving testimony from Bruce Graham, Indiana Statewide Association of Rural Electric Cooperatives, Inc., Indianapolis; Zac Stewart, Ambient, LLC, Ignacio, Colorado; Paul Bony, ClimateMaster, Oklahoma City, Oklahoma; Helen Sanders, SAGE Electrochromics, Faribault, Minnesota; Marc Verbruggen, NatureWorks, Wayzata, Minnesota; Oliver P. Peoples, Metabolix, Cambridge, Massachusetts; John McIntosh, Signature Crypton Carpet, Dalton, Georgia; and Dennis Hall, The Ohio State University Bioproducts Innovation Center, Columbus.

### LIGHT WATER SMALL MODULAR REACTORS

*Committee on Appropriations:* Subcommittee on Energy and Water Development concluded a hearing to examine the safety and economics of light water small modular reactors, after receiving testimony from Peter Lyons, Assistant Secretary of Energy for Nuclear Energy; William D. Magwood, IV, Commissioner, Nuclear Regulatory Commission; Edwin Lyman, Union of Concerned Scientists, and Ernest J. Moniz, Massachusetts Institute of Technology, both of Cambridge, Massachusetts; E. James Ferland, Jr., Westinghouse Electric Company LLC, Cranberry Township, Pennsylvania; Christofer M. Mowry, Babcock and Wilcox Nuclear Energy, Inc., Charlotte, North Carolina; and Paul Lorenzini, NuScale Power, Inc., Corvallis, Oregon.

### SEMIANNUAL MONETARY POLICY REPORT TO CONGRESS

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine the semiannual Monetary Policy Report to Congress, after receiving testimony from Ben S. Bernanke, Chairman, Board of Governors of the Federal Reserve System.

### NATIONAL NANOTECHNOLOGY INVESTMENT

*Committee on Commerce, Science, and Transportation:* Subcommittee on Science and Space concluded a hearing to examine the National Nanotechnology Investment, focusing on manufacturing, commercialization, and job creation, after receiving testimony from Charles H. Romine, Acting Associate Director for Laboratory Programs, National Institute of Standards and Technology, Department of Commerce; Chad A.

Mirkin, Northwestern University International Institute for Nanotechnology, Evanston, Illinois, on behalf of the President's Council of Advisors on Science and Technology; Diandra L. Leslie-Pelecky, West Virginia University Nano Initiative, Morgantown; Thomas O'Neal, University of Central Florida, Orlando; and George McLendon, Rice University, Houston, Texas.

### BUSINESS MEETING

*Committee on Energy and Natural Resources:* Committee ordered favorably reported the following business items:

An original bill to promote domestic development and deployment of clean energy technologies;

S. 201, to clarify the jurisdiction of the Secretary of the Interior with respect to the C.C. Cragin Dam and Reservoir;

S. 270, to direct the Secretary of the Interior to convey certain Federal land to Deschutes County, Oregon, with an amendment;

S. 271, to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon, with amendments;

S. 278, to provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado;

S. 292, to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act, with an amendment;

S. 333, to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the Little Wood River Ranch;

S. 334, to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the American Falls Reservoir;

S. 382, to amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that is subject to ski area permits, and for other permits;

S. 404, to modify a land grant patent issued by the Secretary of the Interior;

S. 512, to amend the Energy Policy Act of 2005 to require the Secretary of Energy to carry out programs to develop and demonstrate 2 small modular nuclear reactor designs, with an amendment in the nature of a substitute;

S. 519, to further allocate and expand the availability of hydroelectric power generated at Hoover Dam, with amendments;

S. 535, to authorize the Secretary of the Interior to lease certain lands within Fort Pulaski National Monument;

S. 683, to provide for the conveyance of certain parcels of land to the town of Mantua, Utah, with amendments;

S. 684, to provide for the conveyance of certain parcels of land to the town of Alta, Utah, with amendments;

S. 714, to reauthorize the Federal Land Transaction Facilitation Act, with an amendment;

S. 734, to provide for a program of research, development, demonstration, and commercial application in vehicle technologies at the Department of Education, with an amendment in the nature of a substitute;

S. 808, to direct the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Uintah Water Conservancy District;

S. 897, to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects and acid mine remediation programs;

S. 997, to authorize the Secretary of the Interior to extend a water contract between the United States and the East Bench Irrigation District;

S. 1000, to promote energy savings in residential and commercial buildings and industry, with an amendment in the nature of a substitute;

S. 1001, to reduce oil consumption and improve energy security, with an amendment in the nature of a substitute; and

S. 1067, to amend the Energy Policy Act of 2005 to require the Secretary of Energy to carry out a research and development and demonstration program to reduce manufacturing and construction costs relating to nuclear reactors, with an amendment in the nature of a substitute.

## SUDAN

*Committee on Foreign Relations:* Committee concluded a hearing to examine Sudan, focusing on a roadmap forward, after receiving testimony from Princeton Lyman, Special Envoy to Sudan, Department of State.

## EMPLOYMENT FOR PERSONS WITH DISABILITIES

*Committee on Health, Education, Labor, and Pensions:* Committee concluded a hearing to examine learning from what works for employment for persons with disabilities, after receiving testimony from Kathleen Martinez, Assistant Secretary of Labor for Disability Employment Policy; former Pennsylvania Governor Tom Ridge, National Organization on Disability,

Washington, D.C.; Deborah Dagit, Merck, Whitehouse Station, New Jersey; and Amelia Wallrich, Frankfort, Illinois.

## BUSINESS MEETING

*Committee on Indian Affairs:* Committee ordered favorably reported the nominations of Cynthia Chavez Lamar, of New Mexico, Barbara Jeanne Ells, of Colorado, and Deborah Downing Goodman, of Oklahoma, all to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development.

## NATIVE WOMEN

*Committee on Indian Affairs:* Committee concluded an oversight hearing to examine native women, after receiving testimony from Thomas J. Perrelli, Associate Attorney General, Department of Justice; Rose Weahkee, Director, Division of Behavioral Health, Indian Health Service, Department of Health and Human Services; Donald W. Rodgers, Cawtawba Indian Nation, Rock Hill, South Carolina, on behalf of the United South and Eastern Tribes, Inc.; Carmen O'Leary, Native Women's Society of the Great Plains, Timber Lake, South Dakota; Sherry Sanchez Tibbetts, American Indian Community Housing Organization, Duluth, Minnesota; Mickey Peercy, Choctaw Nation of Oklahoma, Durant; and Sarah Deer, William Mitchell College of Law, St. Paul, Minnesota, on behalf of the Amnesty International USA's Native American and Alaska Native Advisory Council.

## BUSINESS MEETING

*Committee on the Judiciary:* Committee ordered favorably reported the nominations of Stephen A. Higginson, of Louisiana, to be United States Circuit Judge for the Fifth Circuit, Jane Margaret Triche-Milazzo, to be United States District Judge for the Eastern District of Louisiana, Alison J. Nathan, and Katherine B. Forrest, both to be a United States District Judge for the Southern District of New York, Susan Owens Hickey, to be United States District Judge for the Western District of Arkansas, and David V. Brewer, of Oregon, to be a Member of the Board of Directors of the State Justice Institute.

## VETERANS' AFFAIRS MENTAL HEALTH CARE

*Committee on Veterans' Affairs:* Committee concluded a hearing to examine Veterans' Affairs mental health care, focusing on closing the gaps, after receiving testimony from William Schoenhard, Deputy Under Secretary for Health Operations and Management, George Arana, Assistant Deputy Under Secretary for Clinical Operations, Antonette Zeiss, Acting Deputy Chief Patient Care Services Officer for Mental

Health, and Mary Schohn, Acting Director, Mental Health Operations, all of the Veterans Health Administration, and John D. Daigh, Jr., Assistant Inspector General for Health Care Inspections, and Michael Shepherd, Senior Physician, both of the Office of Inspector General, all of the Department of Veterans Affairs; Dave Underriner, Providence Health and Services, Oregon Region, Portland; Daniel Williams, National Alliance on Mental Illness,

Homewood, Alabama; and Andrea Sawyer, Wounded Warrior Project, Colonial Heights, Virginia.

## INTELLIGENCE

*Select Committee on Intelligence:* Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

*Committee recessed subject to the call.*

# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 23 public bills, H.R. 2527–2549; and 3 resolutions, H. Con. Res. 65; and H. Res. 350–351 were introduced. **Pages H5084–86**

**Additional Cosponsors:** **Pages H5087–88**

**Report Filed:** A report was filed today as follows: First Semiannual Activities and Summary Report of the Committee on the Budget for the 112th Congress (H. Rept. 112–147). **Page H5084**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Webster to act as Speaker pro tempore for today. **Page H5021**

**Recess:** The House recessed at 11 a.m. and reconvened at 12 noon. **Page H5028**

**Chaplain:** The prayer was offered by the guest chaplain, Reverend Dr. George Dillard, Peachtree City Christian Church, Peachtree City, Georgia. **Page H5028**

**Energy and Water Development and Related Agencies Appropriations Act, 2012:** The House resumed consideration of H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012. Consideration of the measure began on Friday, July 8th. **Pages H5033–50, H5050–80**

Agreed to:

Reed amendment that was debated on July 13th that increases funding, by offset, for Non-Defense Environmental Cleanup by \$41 million (by a recorded vote of 261 ayes to 162 noes, Roll No. 575); **Page H5045**

Schiff amendment that was debated on July 13th that increases funding, by offset, for the Advanced Research Projects Agency—Energy by \$79,640,000 (by a recorded vote of 214 ayes to 213 noes, Roll No. 579); **Pages H5047–48**

Shimkus amendment that was debated on July 13th that increases funding, by offset, for the Yucca Mountain license application by \$10 million (by a recorded vote of 297 ayes to 130 noes, Roll No. 581); **Page H5049**

Gosar amendment (No. 66 printed in the Congressional Record of July 12, 2011) that prohibits funds from being used to implement or enforce section 327.13(a) of title 36, Code of Federal Regulations; **Pages H5053–54**

Jackson Lee (TX) amendment that prohibits funds from being used in contravention of the Department of Energy Organization Act; **Pages H5056–58**

Hastings (WA) amendment that prohibits funds from being used to implement or enforce the recommendations or guidance proposed by the Army Corps of Engineers in the final draft of the McNary Shoreline Management Plan, Lake Wallula, Washington; **Pages H5058–59**

Hastings (WA) amendment that prohibits funds from being used by the Department of Energy to move the Office of Environmental Management under the authority of the Under Secretary for Nuclear Security of the Department of Energy; **Page H5060**

Engel amendment that prohibits funds from being used by the Department of Energy or any other Federal agency to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011; **Pages H5060–61**

Hastings (WA) amendment that prohibits funds from being used for the removal or associated mitigation of Federal Energy Regulatory Commission Project number 2342; **Page H5061**

Denham amendment that prohibits funds from being used to implement section 10011(b) of Public Law 111–11; **Pages H5064–65**

Flores amendment (No. 27 printed in the Congressional Record of July 11, 2011) that prohibits funds from being used to enforce section 526 of the Energy Independence and Security Act of 2007;

**Page H5068**

Young (IN) amendment (No. 75 printed in the Congressional Record of July 13, 2011) that prohibits funds from being used to pay the salaries of Department of Energy employees to carry out section 407 of division A of the American Recovery and Reinvestment Act of 2009;

**Pages H5068–69**

Luetkemeyer amendment (No. 21 printed in the Congressional Record of July 7, 2011) that prohibits funds from being used for the study of the Missouri River Projects authorized in section 108 of the Energy and Water Development and Related Agencies Appropriations Act, 2009;

**Pages H5073–74**

Luetkemeyer amendment that prohibits funds from being used to continue the study conducted by the Army Corps of Engineers pursuant to section 5018(a)(1) of the Water Resources Development Act of 2007; and

**Pages H5074–75**

Cravaack amendment (No. 80 printed in the Congressional Record of July 13, 2011) that prohibits funds from being used to develop or submit a proposal to expand the authorized uses of the Harbor Maintenance Trust Fund.

**Page H5076**

Rejected:

Matheson amendment that was debated on July 13th that sought to increase funding, by offset, for Non-Defense Environmental Cleanup by \$10 million (by a recorded vote of 168 ayes to 257 noes, Roll No. 574);

**Pages H5044–45**

Holt amendment (No. 65 printed in the Congressional Record of July 12, 2011) that was debated on July 13th that sought to increase funding, by offset, for Science by \$42,665,000 (by a recorded vote of 164 ayes to 261 noes, Roll No. 576);

**Pages H5045–46**

Royce amendment (No. 68 printed in the Congressional Record of July 12, 2011) that was debated on July 13th that sought to reduce funding for Science by \$10 million and apply the savings to the spending reduction account (by a recorded vote of 136 ayes to 291 noes, Roll No. 577);

**Pages H5046–47**

Broun (GA) amendment (No. 43 printed in the Congressional Record of July 11, 2011) that was debated on July 13th that sought to reduce funding for Science by \$820,488,000 and apply the savings to the spending reduction account (by a recorded vote of 99 ayes to 328 noes, Roll No. 578);

**Page H5047**

Broun (GA) amendment (No. 48 printed in the Congressional Record of July 11, 2011) that was debated on July 13th that sought to eliminate funding for the Advanced Technology Vehicles Manufacturing Loan Program and apply the savings to the

spending reduction account (by a recorded vote of 114 ayes to 309 noes, Roll No. 580); and

**Pages H5048–49**

Broun (GA) amendment (No. 47 printed in the Congressional Record of July 11, 2011) that was debated on July 13th that sought to eliminate funding for the Southeast Crescent Regional Commission and apply the savings to the spending reduction account (by a recorded vote of 187 ayes to 239 noes, Roll No. 582).

**Pages H5049–50**

Withdrawn:

Rohrabacher amendment that was offered and subsequently withdrawn that sought to require that not less than 10 percent of the funds made available by the Act for carrying out section 1703 of the Energy Policy Act of 2005 be available for carrying out projects described in subsection (b)(4) of such section that use coolants different from those commercial technologies that are in service at the time the guarantee is issued.

**Page H5078**

Point of Order sustained against:

Eshoo amendment that sought to prohibit funds from being used to enter into a contract with a corporation or other business entity that does not disclose its political expenditures;

**Pages H5052–53**

Capps amendment that sought to prohibit funds from being expended by the Nuclear Regulatory Commission for the purposes of the license renewal process for the Diablo Canyon Nuclear Power Plant, Units 1 and 2, until advanced, peer-reviewed seismic studies are completed; and

**Pages H5061–62**

Rohrabacher amendment that sought to prohibit the funds made available for carrying out projects described in subsection (b)(5) of section 1703 of the Energy Policy Act of 2005 from exceeding the amount of funds made available to carry out projects described in subsection (b)(4) that use coolants different from those commercial technologies that are in service at the time the guarantee is issued.

**Pages H5076–77**

Proceedings Postponed:

Cole amendment (No. 26 printed in the Congressional Record of July 8, 2011) that seeks to prohibit funds from being used to implement any rule, regulation, or executive order regarding the disclosure of political contributions that takes effect on or after the date of enactment of this Act;

**Pages H5051–52**

Cohen amendment that seeks to increase funding, by offset, for the Solar Energy Program by \$16 million;

**Pages H5054–55**

Gosar amendment that seeks to prohibit funds from being used to administer or enforce the requirements of subchapter IV of chapter 31 or title 40, United States Code (commonly referred to as the Davis-Bacon Act), except with respect to a contract that exceeds \$20 million;

**Pages H5055–56**

Kaptur amendment that seeks to increase funding, by offset, for Energy Efficiency and Renewable Energy by \$10 million; **Pages H5059–60**

Flake amendment that seeks to prohibit funds from being used for the Advanced Research Projects Agency—Energy; **Pages H5062–63**

Capps amendment that seeks to prohibit funds from being expended by the Nuclear Regulatory Commission to issue a draft supplemental environmental impact statement (SEIS) for Diablo Canyon Nuclear Power Plant, Units 1 and 2; **Pages H5063–64**

Flake amendment that seeks to prohibit funds from being used for the Fossil Energy Research and Development program of the Department of Energy; **Page H5064**

Scalise amendment that seeks to increase funding, by offset, for Corps of Engineers-Civil—Construction by \$1 million; **Pages H5065–66**

Broun (GA) amendment (No. 81 printed in the Congressional Record of July 13, 2011) that seeks to eliminate funding for the Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy; **Pages H5066–67**

Broun (GA) amendment (No. 63 printed in the Congressional Record of July 12, 2011) that seeks to prohibit funds from being used to carry out the activities specified in section 505 of the Energy Policy Act of 1992; **Pages H5067–68**

Landry (No. 76 printed in the Congressional Record of July 13, 2011) that seeks to prohibit funds from being used to pay the salary of individuals appointed to the current position through, or otherwise carry out, paragraphs (1), (2), and (3) of section 5503(a) of title 5, United States Code; **Page H5069**

Blackburn amendment that seeks to reduce each amount made available by this Act by 5 percent; **Pages H5069–70**

Blackburn amendment that seeks to reduce each amount made available by this Act by 1 percent; **Pages H5070–71**

Harris amendment (No. 53 printed in the Congressional Record of July 11, 2011) that seeks to prohibit funds from being used to fund any portion of the International program activities at the Office of Energy Efficiency and Renewable Energy at the Department of Energy with the exception of activities authorized in section 917 of the Energy Independence and Security Act of 2007; **Pages H5071–72**

Burgess amendment (No. 70 printed in the Congressional Record of July 13, 2011) that seeks to prohibit funds from being used to implement or enforce section 430.32(x) of title 10, Code of Federal Regulations or to implement or enforce the standards established by the tables contained in section 325(i)(1)(B) of the Energy Policy and Conservation

Act with respect to BPAR incandescent reflector lamps, BR incandescent reflector lamps, and ER incandescent reflector lamps; **Pages H5075–76**

Rohrabacher amendment that seeks to prohibit funds from being used to carry out projects described in section 1703(b)(5) of the Energy Policy Act of 2005; and **Pages H5077–78**

Adams amendment that seeks to prohibit funds from being used by the Department of Energy for maintaining, developing, or creating any Web site which disseminates information regarding energy efficiency and educational programs on energy efficiency specifically to children under 18 years of age. **Pages H5078–79**

H. Res. 337, the rule providing for consideration of the bill, was agreed to on Friday, July 8th.

**Committee Resignation:** Read a letter from Representative Hirono, wherein she resigned from the Committee on Ethics. **Page H5050**

**Committee Election:** The House agreed to H. Res. 350, electing a Member to a certain standing committee of the House of Representatives. **Page H5050**

**Meeting Hour:** Agreed that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow, July 15th. **Page H5080**

**Discharge Petition:** Representative Gohmert presented to the clerk a motion to discharge the Committees on Armed Services and Transportation and Infrastructure from the consideration of H.R. 1297, to appropriate such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, continue to receive pay and allowances for active service performed when a funding gap caused by the failure to enact interim or full-year appropriations for the Armed Forces occurs, which results in the furlough of non-emergency personnel and the curtailment of Government activities and services (Discharge Petition No. 2).

**Amendments:** Amendments ordered printed pursuant to the rule appear on page H5088.

**Quorum Calls—Votes:** Nine recorded votes developed during the proceedings of today and appear on pages H5044–45, H5045, H5045–46, H5046–47, H5047, H5047–48, H5048–49, H5049, H5049–50. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 7:58 p.m.

## *Committee Meetings*

### USDA FARM LOAN PROGRAMS

*Committee on Agriculture:* Subcommittee on Department Operations, Oversight, and Credit held a hearing on Agricultural Program Audit: Examination of

USDA Farm Loan Programs. Testimony was heard from Bruce Nelson, Administrator, Farm Service Agency, Department of Agriculture.

#### **HUMAN CAPITAL MANAGEMENT: A HIGH RISK AREA FOR THE DEPARTMENT OF DEFENSE**

*Committee on Armed Services:* Full Committee held a hearing on Human Capital Management: A High Risk Area for the Department of Defense. Testimony was heard from Brenda Farrell, Director, Defense Capabilities and Management, GAO; John Hutton, Director, Acquisition and Sourcing Management Team, GAO; Pasquale (Pat) M. Tamburrino, Jr., Deputy Assistant Secretary of Defense (Civilian Personnel Policy); and Keith Charles, Director, Human Capital Initiatives (Acquisitions, Technology and Logistics), Department of Defense.

#### **FAIR LABOR STANDARDS ACT**

*Committee on Education and the Workforce:* Subcommittee on Workforce Protections held a hearing entitled “The Fair Labor Standards Act: Is It Meeting the Needs of the Twenty-First Century Workplace?” Testimony was heard from public witnesses.

#### **REGULATORY CHAOS: FINDING LEGISLATIVE SOLUTIONS TO BENEFIT JOBS AND THE ECONOMY**

*Committee on Energy and Commerce:* Subcommittee on the Environment and the Economy held a hearing entitled “Regulatory Chaos: Finding Legislative Solutions to Benefit Jobs and the Economy.” Testimony was heard from public witnesses.

#### **INTERNET PRIVACY**

*Committee on Energy and Commerce:* Subcommittee on Commerce, Manufacturing, and Trade and the Subcommittee on Communications and Technology held a joint hearing entitled “Internet Privacy: The Views of the FTC, the FCC, and NTIA.” Testimony was heard from Julius Genachowski, Chairman, Federal Communications Commission; Edith Ramirez, Commissioner, Federal Trade Commission; and Lawrence Strickling, Assistant Secretary for Communications and Information and Administrator, National Telecommunication and Information Administration.

#### **BUSINESS MEETING**

*Committee on Energy and Commerce:* Subcommittee on Oversight and Investigations held a business meeting to consider a motion authorizing the issuance of a subpoena for certain records of the Office of Management and Budget relating to the Department of Energy’s issuance of a loan guarantee to Solyndra, Inc. on September 2, 2009. The subcommittee passed a resolution authorizing the full Committee Chairman

to authorize and issue a subpoena duces tecum to the Office of Management and Budget, related to or arising from the investigation of a loan guarantee made to Solyndra, Inc.

#### **OFFICE OF FINANCIAL RESEARCH AND THE FINANCIAL STABILITY OVERSIGHT COUNCIL**

*Committee on Financial Services:* Subcommittee on Oversight and Investigations held a hearing entitled “Oversight of the Office of Financial Research and the Financial Stability Oversight Council.” Testimony was heard from public witnesses.

#### **MISCELLANEOUS MEASURES**

*Committee on the Judiciary:* Full Committee held a markup of the following: H.R. 1932, the “Keep Our Communities Safe Act of 2011”; H.R. 2480, the “Administrative Conference of the United States Reauthorization Act of 2011”; H.R. 704, the “Security and Fairness Enhancement for America Act of 2011”; and H.R. 1002, the “Wireless Tax Fairness Act of 2011.” H.R. 1932, H.R. 2480, and H.R. 1002 were ordered reported, as amended. The markup of H.R. 704, the “Security and Fairness Enhancement for America Act of 2011,” will continue on July 15, 11 a.m., 2141 Rayburn.

#### **LEGISLATIVE MEASURES**

*Committee on Natural Resources:* Subcommittee on Fisheries, Wildlife, Oceans, and Insular Affairs held a hearing on the following: P.L. 110–229, the “Consolidated Natural Resources Act”; H.R. 1466, to resolve the status of certain persons legally residing in the Commonwealth of the Northern Mariana Islands under the immigration laws of the United States; and H.R. 44, the “Guam World War II Loyalty Recognition Act.” Testimony was heard from Benigno Repeki Fitial, Governor, Commonwealth of the Northern Mariana Islands; Eddie Baza Calvo, Governor, Guam; David Gootnik, Director, International Affairs and Trade, GAO; Kelly Ryan, Acting Deputy Assistant Secretary for Immigration and Border Security, Office of Policy, Department of Homeland Security; Nik Pula, Director, Office of Insular Affairs, Department of the Interior; Mauricio Tamargo, former Chairman, Guam War Claims Review Commission, former Chairman, United States Foreign Claims Settlement Commission; and Brig. Gen. V.G. Ben Blaz, USMC (Ret.), former Member of Congress; and public witnesses.

#### **SECURE RURAL SCHOOLS REAUTHORIZATION AND FOREST MANAGEMENT OPTIONS**

*Committee on Natural Resources:* Subcommittee on National Parks, Forests and Public Lands held a hearing

entitled “Secure Rural Schools Reauthorization and Forest Management Options for a Viable County Payments Program.” Testimony was heard from Mary Wagner, Associate Chief, U.S. Forest Service, Department of Agriculture; David Tenney, President, County Supervisors Association of Arizona, Navajo County Board of Supervisors; David Crews, Superintendent, Norwood, Colorado School District; and public witnesses.

### ABANDONED MINED LANDS

*Committee on Natural Resources:* Subcommittee on Energy and Mineral Resources held a hearing entitled “Abandoned Mined Lands: Innovative Solutions for Restoring the Environment, Improving Safety and Creating Jobs.” Testimony was heard from Marcilynn Burke, Deputy Director, Bureau of Land Management; Joel Holtrop, Deputy Chief, U.S. Forest Service; and Anu Mittal, Director, Natural Resources and Environment, GAO; and public witnesses.

### CONSUMER FINANCIAL PROTECTION EFFORTS

*Committee on Oversight and Government Reform:* Full Committee held a hearing entitled “Consumer Financial Protection Efforts: Answers Needed.” Testimony was heard from Elizabeth Warren, Assistant to the President, and Special Adviser to the Secretary of the Treasury.

### EPA’S APPALACHIAN ENERGY PERMITORIUM

*Committee on Oversight and Government Reform:* Subcommittee on Regulatory Affairs, Stimulus Oversight and Government Spending held a hearing entitled “EPA’s Appalachian Energy Permitorium: Job Killer or Job Creator?” Testimony was heard from Rep. Capito, Nancy Stoner, Acting Assistant Administrator for Water, EPA; Margaret E. Gaffney-Smith, Chief, Regulatory Community of Practice, Army Corps of Engineers; and public witnesses.

### TRANSPARENCY AND FEDERAL MANAGEMENT IT SYSTEMS

*Committee on Oversight and Government Reform:* Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform held a hearing entitled “Transparency and Federal Management IT Systems.” Testimony was heard from Vivek Kundra, Chief Information Officer, OMB; Roger Baker, Chief Information Officer, Department of Veterans Affairs; Lawrence Gross, Deputy Chief Information Officer, Department of the Interior; Owen Barwell, Acting Chief Financial Officer, Department of Energy; and Joel Willemsen, Man-

aging Director, Information Technology Issues, GAO.

### EPA’S IRIS PROGRAM

*Committee on Science, Space, and Technology:* Subcommittee on Investigations and Oversight held a hearing entitled “EPA’s IRIS Program: Evaluating the Science and Process Behind Chemical Risk Assessment.” Testimony was heard from Paul Anastas, Assistant Administrator, Office of Research and Development, EPA; David Trimble, Acting Director, Natural Resources and Environment, GAO; J. Christian Bollwage, Mayor, Elizabeth, New Jersey; and public witnesses.

### MISCELLANEOUS MEASURES

*Committee on Science, Space, and Technology:* Subcommittee on Energy and Environment held a markup of legislation regarding Harmful Algal Blooms and Hypoxia Research and Control Amendments Act of 2011. The bill was forwarded, as amended.

### FEMA REAUTHORIZATION AND CUTTING THE RED TAPE IN RECOVERY

*Committee on Transportation and Infrastructure:* Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing entitled “FEMA Reauthorization and Cutting the Red Tape in Recovery.” Testimony was heard from W. Craig Fugate, Administrator, FEMA; Lt. Col. Jerome Hatfield, Deputy Superintendent for Homeland Security, New Jersey State Police, National Emergency Management Association; and public witnesses.

### PIPELINE SAFETY

*Committee on Transportation and Infrastructure:* Subcommittee on Railroads, Pipelines, and Hazardous Materials held a hearing entitled “Silvertip Pipeline Oil Spill in Yellowstone County, Montana”. Testimony was heard from Rep. Tester; Cynthia Quarterman, Administrator, Pipelines and Hazardous Materials Safety Administration; and public witnesses.

### INTELLIGENCE OVERSIGHT

*House Permanent Select Committee on Intelligence:* Full Committee held a hearing on Intelligence Oversight. This was a closed hearing.

### PREVENTING VIOLENT EXTREMISM IN AMERICA

*House Permanent Select Committee on Intelligence:* Subcommittee on Terrorism, HUMINT, Analysis, and Counterintelligence held a hearing entitled “Preventing Violent Extremism in America: A Report from the Bipartisan Policy Center”. This is an open hearing.



## Joint Meetings

No joint committee meetings were held.

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### COMMITTEE MEETINGS FOR FRIDAY, JULY 15, 2011

(Committee meetings are open unless otherwise indicated)

#### Senate

No meetings/hearings scheduled.

#### House

*Committee on Armed Services*, Subcommittee on Military Readiness, hearing on military voting, 11 a.m., 2212 Rayburn.

*Committee on Energy and Commerce*, Subcommittee on Energy and Power, hearing entitled “The American Energy Initiative.” The hearing will focus on legislation regarding the “Pipeline Infrastructure and Community Protection Act of 2011,” 9:30 a.m., 2322 Rayburn.

Subcommittee on Communications and Technology, hearing entitled “Legislative Hearing to Address Spectrum and Public Safety Issues,” 9 a.m., 2123 Rayburn.

*Committee on Homeland Security*, Subcommittee on Oversight, Investigations, and Management, hearing entitled “Homeland Security Contracting: Does the Department Effectively Leverage Emerging Technologies?” 10 a.m., 311 Cannon.

*Committee on the Judiciary*, Subcommittee on Intellectual Property, Competition and the Internet, hearing on legislation regarding the “Innovative Design Protection and Piracy Prevention Act,” 10 a.m., 2141 Rayburn.

Full Committee, markup of H.R. 704, the “Security and Fairness Enhancement for America Act of 2011,” 11 a.m., 2141 Rayburn.

*Committee on Natural Resources*, Full Committee, hearing entitled “Offshore Energy: Interior Department’s Plans for Offshore Energy, Revenue, and Safety Reorganization,” 9 a.m., 1324 Longworth.

*Committee on Veterans’ Affairs*, Full Committee, hearing on H.R. 2433, to amend title 38, United States Code, to make certain improvements in the laws relating to the employment and training of veterans, and for other purposes; H.R. 1941, the “Hiring Heroes Act of 2011”; and H.R. 169, to require the Secretary of Veterans Affairs to include on the main page of the Internet Web site of the Department of Veterans Affairs a hyperlink to the VetSuccess Internet Web site and to publicize such Internet Web site, 10 a.m., 334 Cannon.

#### Joint Meetings

*Commission on Security and Cooperation in Europe*: To hold hearings to examine Internet freedom in the Organization for Security and Co-operation in Europe (OSCE) region, focusing on current trends in Internet governance, 10 a.m., 210 Cannon Building.

*Next Meeting of the SENATE*

2 p.m., Monday, July 18

## Senate Chamber

**Program for Monday:** After the transaction of any morning business (not to extend beyond 3:30 p.m.), Senate will resume consideration of H.R. 2055, Military Construction and Veterans Affairs, and Related Agencies Appropriations Act. Following which, at 5 p.m., Senate will begin consideration of the nomination of J. Paul Oetken, of New York, to be United States District Judge for the Southern District of New York, with a vote on confirmation of the nomination, at approximately 5:30 p.m.

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Friday, July 15

## House Chamber

**Program for Friday:** Complete consideration of H.R. 2354—Energy and Water Development and Related Agencies Appropriations Act, 2012.

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