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No. 19

House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. DENHAM).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,

February 6, 2012.

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

JOHN A. BOEHNER,

Speaker of the House of Representatives.

MORNING-HOUR DEBATE

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

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

HOUSE REPUBLICAN TRANSPORTATION BILL

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

Mrs. CAPPS. Mr. Speaker, there is an old saying that goes: when all you have is a hammer, every problem looks like a nail.

These days, it seems the Republican toolbox is down to just one tool. Because for all of the energy choices available to America, every Republican energy plan centers on one thing, drilling for more oil.

First it was simply: drill here, drill now. Well, we are. There is more drill-

ing taking place in the U.S. lands and water now than during the Bush administration. Indeed, last year, we relied less on foreign oil than in any of the past 16 years. Clean, renewable energy usage is at an all-time high as well.

Then it was: drill for energy independence. It sounds great, but unfortunately we can't simply drill our way to energy independence. Even with all of the expanded drilling we are doing, the plain fact is that we use too much oil and have too few domestic reserves.

Next it was: drilling will create jobs and put everyone back to work. That claim was based on borderline fictional numbers in a report bought and paid for—surprise—by the oil industry.

Now House Republicans have found a new problem that can only be solved by opening more of the country to risky and reckless drilling: filling the funding gap in the highway trust fund. Their latest proposal would combine three bills to open more of America's most sensitive lands and waters to drilling. Supposedly, this is how we are going to fund repairs to America's crumbling bridges and highways.

It shouldn't come as a surprise that again the numbers don't add up. Proponents of this approach now claim that we can make up the \$6 billion a year in the highway trust fund by mandating oil drilling just about everywhere. Yet according to the non-partisan Congressional Budget Office, drilling for oil and gas in protected coastal waters, as they wish, at best would produce only about \$80 million per year of assets. That's a small fraction of the funds needed to repair and upgrade America's roads and bridges.

They also want to open up a pristine coastal plain of Alaska's Arctic National Wildlife Refuge—a special place I've visited—and speed up development of Federal oil shale deposits across the West. Any potential revenues from this drilling, however, will not come close

to meeting the needs of the highway trust fund either. Whatever minimal funds do materialize would not be available for several years, maybe a decade. In other words, it is too little and it is too late.

Mr. Speaker, the only way to make progress in solving our current fiscal mess is not to create a new round of giveaways and favors to the oil industry. It would be better to start cutting some of the unnecessary tax breaks that the oil and gas industry now receives, and use that money to pay for the transportation bill. That's because they are unnecessary. Of the world's 12 most profitable corporations last year, fully half are oil companies. Repealing these tax breaks would save more than \$40 billion over 10 years, which would alone cover almost all the gap in the highway trust fund revenues. Americans are already squeezed at the pump. There is no reason why they should be handing over tax dollars to these wildly profitable companies.

Mr. Speaker, the Deepwater Horizon oil spill was the worst in history, crippling the gulf coast economy, destroying livelihoods of fishermen and tour operators, and killing wildlife for hundreds of miles. It was eerily similar to the destructive oil spill of 1969. That's when Santa Barbara beaches were smothered with oil—that's where I come from—that killed thousands of birds, fish, and sea lions.

Now House Republicans want to expose more of our coastal communities, including Santa Barbara and Ventura Counties, to the tender mercies of the oil and gas industry. They want to mandate new drilling off central coast beaches despite our community's long-held view that the current drilling should be ended, not extended.

They want to gut the environmental laws of our State that our community has used to protect its coastline from the kinds of devastation that the 1969 oil spill brought to Santa Barbara.

□ 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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This might be good news for oil companies, but it is bad news for my constituents; and it is bad energy policy.

Perhaps most ominously, Mr. Speaker, this proposal is bad news for the prospect of a new transportation bill. These new oil-drilling provisions are poison pills and could doom passage of this desperately needed jobs legislation.

This is very reminiscent of the manufactured crisis we saw last year to keep the government funded, pay our bad debts, and continue the payroll tax. We all saw the chaos and gridlock those fights produced. We need to put aside this effort to use the transportation bill as a means to push forward the favored policies for an already-pampered industry.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 8 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DENHAM) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, through Whom we see what we could be and what we can become, thank You for giving us another day.

Send Your spirit upon the Members of this people's House to encourage them in their official tasks. Be with them and all who labor here to serve this great Nation and its people.

Assure them that whatever their responsibilities, You provide the grace to enable them to be faithful to their duties and the wisdom to be conscious of their obligations and fulfill them with integrity.

Remind us all of the dignity of work, and teach us to use our talents and abilities in ways that are honorable and just and are of benefit to those we serve.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. 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 pro tempore. Will the gentleman from Texas (Mr. BURGESS)

come forward and lead the House in the Pledge of Allegiance.

Mr. BURGESS 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.

UNEMPLOYMENT RATE IS ACTUALLY MUCH HIGHER

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

Mr. WILSON of South Carolina. Mr. Speaker, last Friday, the National Bureau of Labor Statistics released its jobs report for the month of January and revealed that our Nation's unemployment rate continues to be above 8 percent, marking the 36th consecutive month of record high unemployment.

Dr. Peter Morici, a business school professor at the University of Maryland, recently stated on Fox News that, if you factor in part-time workers who would prefer full-time positions, that unemployment rate becomes 15.6 percent. Factoring in college graduates in low skill positions, like counter work at Starbucks, the unemployment rate is, sadly, closer to 20 percent.

These statistics provide further evidence that the President's policies are failing to provide job creation. I hope the President and the liberal-controlled Senate will work with the House Republicans on the 30 bills that we've already passed for job creation through private sector growth which are currently held in the Senate.

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

CELEBRATING THE LIFE OF PRESIDENT RONALD REAGAN

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

Mr. BURGESS. Mr. Speaker, 101 years ago today, the 40th President of the United States, Ronald Wilson Reagan, was born. It's a tribute to the man that there is bipartisan agreement to the greatness of Ronald Reagan as President. We hear from both sides of the aisle about his fortitude, his encouraging smile, his positive attitude. He handled the weight of the Presidency with such ease.

I remember, as a young physician in north Texas, watching as this individual led our country from the travails that were Vietnam, Watergate, stagflation, and not only gave us a reason to believe in ourselves, he said it was okay to believe in yourselves as Americans again, and we did. And, as a consequence, we reestablished America as a force in the world and we reestablished our prosperity.

Everyone has their favorite Ronald Reagan quotes. Mine is, as we watch

some of the difficulties and arguments between conservatives during this Presidential year: Remember that if we agree with each other 80 percent of the time, we're on the same side; and if it's a 100 percent, one of us is suddenly unnecessary.

Mr. Speaker, I hope all Members of the House today will acknowledge the 101st anniversary of the birth of Ronald Reagan. The Nation is forever in his debt.

LABOR NUMBERS

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

Mrs. BLACKBURN. Mr. Speaker, I think it is becoming increasingly clear to anybody that's paying attention that this President's policies have failed and are making the economy worse.

More Americans are out of work than when he took office. At that point, unemployment was 7.8 percent. America has witnessed the longest period of sustained high unemployment since the Great Depression, more than 8 percent for every month that he has been in office.

When the President talks about the latest unemployment statistics, I think it's important that we look at more pressing issues, which is labor force participation. For the past 31 months, discouraged workers have been dropping out of the labor force in unprecedented numbers.

In June 2009, which they like to say was the end of the recession—it was 6 months into his term—the labor force participation rate was 65.7 percent. Today, it is down to 63.7 percent. The difference between those two numbers represents 4.8 million people who have given up looking for work. If the labor force participation rate had remained where it was when he took office, at 65.7 percent, the unemployment rate for January 2012 would have been 11 percent, rather than 8.3.

It is time for us to change policies. It is time for us to get America back to work. The American people continue to say, "Where are the jobs?"

PASS THE PAYROLL TAX EXTENSION

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

Mr. COURTNEY. Mr. Speaker, last Friday the Department of Labor came out with job statistics which no one expected. The U.S. economy added 243,000 new jobs, and there was a revision upward for December and November across the board: manufacturing, service, leisure, service industries, health care.

The U.S. economy, which has suffered its biggest blow since the Depression because of the financial meltdown

in 2008, is picking up strength. But as the President said, Congress must not muck it up.

We need to pass the payroll tax cut extension, which expires at the end of February, fix the doctors' fees, and do an unemployment compensation. If we don't do that, the markets are going to head south on us again, just like they did last December.

This Congress wasted the entire month of January with no conference committee to resolve this issue. It is time that we fix this and get it done right away, and we shouldn't go home this weekend until we pass a payroll tax cut extension.

PASS H.R. 1734

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

Mr. DENHAM. Mr. Speaker, there is a lot that tends to divide this House. Tonight, in a rule, and tomorrow morning, in debate, we will address a bill, H.R. 1734, which can pull both parties together, something that can address the waste in government, getting rid of a lot of the expenses that we have in the ongoing maintenance of properties that we just don't need, getting rid of a waste of properties that we can sell off, and actually bringing in new revenue, not by raising taxes, but new revenue by selling off the properties that are underutilized or excess or have yet to be declared excess properties. We can also bring in local tax revenue by putting private development back in these properties.

And most of all, if you really want to create jobs, not only do we have 30 jobs bills sitting over in the Senate right now, but here's yet one more, with bipartisan support, to sell off properties we don't need, reinvest in properties that we can redevelop, rein in the abuse by leasing authority from other agencies, and get government accountable again.

H.R. 1734 will be on the House floor, and we'll be looking forward to bipartisan support.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Pate, one of his secretaries.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 6, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of

the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 6, 2012 at 9:47 a.m.:

That the Senate passed S. 2038.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

BLOCKING PROPERTY OF THE GOVERNMENT OF IRAN AND IRANIAN FINANCIAL INSTITUTIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-85)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (IEEPA), I hereby report that I have issued an Executive Order (the "order") that takes additional steps with respect to the national emergency declared in Executive Order 12957 of March 15, 1995.

In Executive Order 12957, the President found that the actions and policies of the Government of Iran threaten the national security, foreign policy, and economy of the United States. To deal with that threat, the President in Executive Order 12957 declared a national emergency and imposed prohibitions on certain transactions with respect to the development of Iranian petroleum resources. To further respond to that threat, Executive Order 12959 of May 6, 1995, imposed comprehensive trade and financial sanctions on Iran. Executive Order 13059 of August 19, 1997, consolidated and clarified the previous orders. To take additional steps with respect to the national emergency declared in Executive Order 12957 and to implement section 105(a) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195) (22 U.S.C. 8501 et seq.) (CISADA), I issued Executive Order 13553 on September 28, 2010, to impose sanctions on officials of the Government of Iran and other persons acting on behalf of the Government of Iran determined to be responsible for or complicit in certain serious human rights abuses. To take further additional steps with respect to the threat posed by Iran and to provide implementing authority for a number of the sanctions set forth in the Iran Sanctions Act of 1996 (Public Law 104-172) (50 U.S.C. 1701 note) (ISA), as amended by CISADA, I issued Executive Order 13574 on May 23, 2011, to authorize the Secretary of the Treasury to implement certain sanctions imposed by the Secretary of State pursuant to ISA, as amended by CISADA. Finally, to take additional steps with respect to the threat posed by Iran, I issued Executive Order 13590 on November 20, 2011,

to authorize the Secretary of State to impose sanctions on persons providing certain goods, services, technology, information, or support that contribute either to Iran's development of petroleum resources or to Iran's production of petrochemicals, and to authorize the Secretary of the Treasury to implement some of those sanctions.

I have determined that additional sanctions are warranted, particularly in light of the deceptive practices of the Central Bank of Iran and other Iranian banks to conceal transactions of sanctioned parties, the deficiencies in Iran's anti-money laundering regime and the weaknesses in its implementation, and the continuing and unacceptable risk posed to the international financial system by Iran's activities.

The order also implements section 1245(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) (NDAA) by blocking the property and interests in property of Iranian financial institutions pursuant to IEEPA.

The order blocks the property and interests in property of the following:

The Government of Iran, including the Central Bank of Iran;

Any Iranian financial institution, including the Central Bank of Iran; and

Persons determined by the Secretary of the Treasury, in consultation with the Secretary of State, to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the order.

The prohibitions of the order do not apply to property and interests in property of the Government of Iran that were blocked pursuant to Executive Order 12170 of November 14, 1979, and thereafter made subject to the transfer directives set forth in Executive Order 12281 of January 19, 1981, and implementing regulations thereunder. In addition, nothing in the order prohibits transactions for the conduct of the official business of the Federal Government by employees, grantees, or contractors thereof.

I have delegated to the Secretary of the Treasury the authority, in consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the blocking-related purposes of the order. All agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the order.

I have also delegated certain functions and authorities conferred by section 1245 of the NDAA to the Secretary of the Treasury and the Secretary of State in consultation with other appropriate agencies as specified in the order.

I am enclosing a copy of the Executive Order I have issued.

BARACK OBAMA,
THE WHITE HOUSE, February 5, 2012.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4:30 today.

Accordingly (at 2 o'clock and 15 minutes p.m.), the House stood in recess.

□ 1634

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 4 o'clock and 34 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

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

Record votes on postponed questions will be taken after 6:30 p.m. today.

COROLLA WILD HORSES
PROTECTION ACT

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 306) to direct the Secretary of the Interior to enter into an agreement to provide for management of the free-roaming wild horses in and around the Currituck National Wildlife Refuge, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 306

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 "Corolla Wild Horses Protection Act".

SEC. 2. WILD HORSES IN AND AROUND THE CURRITUCK NATIONAL WILDLIFE REFUGE.*(a) AGREEMENT REQUIRED.—*

(1) IN GENERAL.—The Secretary of the Interior shall enter into an agreement with the Corolla Wild Horse Fund (a nonprofit corporation established under the laws of the State of North Carolina), the County of Currituck, North Carolina, and the State of North Carolina within 180 days after the date of enactment of this Act to provide for management of free-roaming wild horses in and around the Currituck National Wildlife Refuge.

(2) TERMS.—The agreement shall—

(A) allow a herd of not less than 110 and not more than 130 free-roaming wild horses in and around such refuge, with a target population of between 120 and 130 free-roaming wild horses;

(B) provide for cost-effective management of the horses while ensuring that natural resources within the refuge are not adversely impacted;

(C) provide for introduction of a small number of free-roaming wild horses from the herd at Cape Lookout National Seashore as is necessary to maintain the genetic viability of the herd in and around the Currituck National Wildlife Refuge; and

(D) specify that the Corolla Wild Horse Fund shall pay the costs associated with—

(i) coordinating a periodic census and inspecting the health of the horses;

(ii) maintaining records of the horses living in the wild and in confinement;

(iii) coordinating the removal and placement of horses and monitoring of any horses removed from the Currituck County Outer Banks; and

(iv) administering a viable population control plan for the horses including auctions, adoptions, contraceptive fertility methods, and other viable options.

(b) CONDITIONS FOR EXCLUDING WILD HORSES FROM REFUGE.—The Secretary shall not exclude free-roaming wild horses from any portion of the Currituck National Wildlife Refuge unless—

(1) the Secretary finds that the presence of free-roaming wild horses on a portion of the Refuge threatens the survival of an endangered species for which such land is designated as critical habitat under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(2) such finding is based on a credible peer-reviewed scientific assessment; and

(3) the Secretary provides a period of public notice and comment on that finding.

(c) REQUIREMENTS FOR INTRODUCTION OF HORSES FROM CAPE LOOKOUT NATIONAL SEASHORE.—During the effective period of the memorandum of understanding between the National Park Service and the Foundation for Shackleford Horses, Inc. (a non-profit corporation organized under the laws of and doing business in the State of North Carolina) signed in 2007, no horse may be removed from Cape Lookout National Seashore for introduction at Currituck National Wildlife Refuge except—

(1) with the approval of the Foundation; and

(2) consistent with the terms of such memorandum (or any successor agreement) and the Management Plan for the Shackleford Banks Horse Herd signed in January 2006 (or any successor management plan).

(d) NO LIABILITY CREATED.—Nothing in this section shall be construed as creating liability for the United States for any damages caused by the free-roaming wild horses to any person or property located inside or outside the boundaries of the refuge.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. HASTINGS of Washington. I yield myself as much time as I may consume.

Mr. Speaker, in 2007, the State of North Carolina, the U.S. Fish and Wildlife Service, the County of Currituck, and the Corolla Wild Horse Fund completed a Wild Horse Management Plan for the colonial Spanish Mustangs that live on the 7,544 acres of public and private lands in coastal North Carolina. This plan expires in April, and the Fish and Wildlife Service has indicated that they will not sign the 2012 plan.

H.R. 306, authored by my friend and classmate Congressman WALTER JONES

from North Carolina, requires the Secretary of the Interior to enter into a new agreement within 180 days of enactment.

It will also stabilize the number of horses to no more than 130, allow the introduction of a small number of Shackleford Banks horses to improve genetic diversity, and will ensure that the Corolla Wild Horse Fund will continue to pay for the costs of caring for and managing these horses.

Mr. Speaker, these horses are living symbols of our colonial history. H.R. 306 ensures that they will survive in the future at no cost to our taxpayers.

I want to thank my friend from North Carolina for his leadership on this matter, and I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, I yield myself as much time as I may consume.

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

Mr. SABLAN. Mr. Speaker, I rise in support of H.R. 306. H.R. 306, as amended, directs the Secretary of the Interior to enter into an agreement with the Corolla Wild Horse Fund, as well as local and State authorities, to provide for the management of the free-roaming wild horses in and around Currituck National Wildlife Refuge. The agreement will increase the cap on the herd size in and around the refuge to 130 horses and specifies that the privately funded Corolla Wild Horse Fund will cover the costs of managing the herd.

Catching a glimpse of these horses on the beach is an integral part of what draws thousands of visitors to the North Carolina coast each year. However, the Currituck refuge was established in 1984 to preserve and protect the native coastal barrier island ecosystem. The refuge provides essential habitat for migrating waterfowl and endangered species, such as piping plover and sea turtles, which also draws visitors to these beaches.

It is unusual to protect a nonnative species in a wildlife refuge. Extra effort and resources are needed to ensure that the wild herd does not impair the ecosystem for the native animals and plants. The Fish and Wildlife Service needs additional funds to accomplish the conservation purposes of the Currituck National Wildlife Refuge. Additional resources would support staff salaries, since no staff is currently stationed at Currituck National Wildlife Refuge; corrals to keep the horses from trampling critical habitat; and research to study the potential impacts of these horses on the island's habitat.

As we move forward to consider the Fish and Wildlife Service budget later this month, we should examine the operations and maintenance backlog of the National Wildlife Refuge System, which has been chronically underfunded. We must provide the Fish and Wildlife Service adequate funding to

preserve all the species in the home of these horses.

I thank Mr. JONES for his work in support of the Currituck National Wildlife Refuge and urge adoption of H.R. 306.

I reserve the balance of my time.

□ 1640

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 4 minutes to the author of this legislation, the gentleman from North Carolina (Mr. JONES).

Mr. JONES. Mr. Chairman, thank you very much for the time. To the ranking member, thank you for your comments as well.

As has already been stated, H.R. 306 would provide for a new public-private management plan for the free roaming Corolla wild horses of North Carolina's Outer Banks—at no cost to our taxpayers.

The Corolla wild horses are Colonial Spanish Mustangs that can be traced back to the Spanish explorers on the Outer Banks in the 16th century. They've survived in the wild for over 400 years and roam across 7,500 acres of public and private land in coastal Currituck County, North Carolina.

Under the existing management agreement between the Interior Department, the State of North Carolina, Currituck County, and the nonprofit Corolla Wild Horse Fund, the maximum number of horses allowed in the herd is 60. Equine genetic scientists believe the number of 60 threatens the herd's existence due to high levels of inbreeding and low levels of genetic diversity.

To address this issue, H.R. 306 would require a new management plan to allow a herd of no less than 110 horses and no more than 130 horses. 110 is the minimum number that leading equine genetic scientist Dr. Gus Cothran of Texas A&M University has found to be necessary to maintain the herd's genetic viability. It is important to note that these numbers are well within the carrying capacity of the land these horses call home. To improve the herd's genetics, the bill would allow for the limited introduction of wild horses from the related herd at Cape Lookout National Seashore.

I would like to emphasize that H.R. 306 requires the Corolla Wild Horse Fund, not the Federal Government, to pay for managing the horses. The fund is a thriving nonprofit with an annual budget of over \$400,000 that is growing each and every year. They already pay the costs of managing the horses, and they will continue to do so under this bill. Confirming this point, the CBO score on H.R. 306 found "the Federal Government would incur no significant additional costs to manage or mitigate the effects of horses on the refuge."

H.R. 306 is similar to another bipartisan bill that was made reference to a while ago that I authored to create a public-private partnership to save the wild horses of Shackleford Banks in

Cape Lookout National Seashore. That legislation was passed by the Republican House in 1998 and was signed into law by President Bill Clinton. I want to, at this time, acknowledge for the record that his Chief of Staff, Erskine Bowles, was instrumental in that bill's becoming law.

Mr. Speaker, the Corolla wild horses are a key part of North Carolina's heritage and an important element of the Outer Banks' economy. In fact, they're the North Carolina State horse. H.R. 306 has broad bipartisan support, and I want to thank both parties for that support. Among others, it is supported by North Carolina Governor Bev Perdue, Currituck County and the local community, the Corolla Wild Horse Fund, the Humane Society, the American Society for Prevention of Cruelty to Animals, the Animal Welfare Institute, and the Foundation for Shackleford Horses.

Mr. Speaker, in closing, I make reference to these posters. As you can well see, these horses have their own heritage. They are absolutely wonderful, beautiful animals, and many times on the coast of North Carolina, when these horses are standing in the ocean with their foal, you will see those tourists come right up to the horse and to the foal and pet them. These horses are part of our heritage, and I thank both parties for passing this bill as I hope that we will pass this bill today.

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

Mr. HASTINGS of Washington. I urge the passage of this important piece of legislation for North Carolina, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 306, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NEW YORK CITY NATURAL GAS SUPPLY ENHANCEMENT ACT

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2606) to authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the Gateway National Recreation Area, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2606

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 "New York City Natural Gas Supply Enhancement Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) ENTITY.—The term "entity" means an entity holding a permit issued under this Act.

(2) LEASE.—The term "lease" means an agreement that authorizes the occupancy and use of certain designated premises for facilities associated with the project, particularly a meter and regulating station.

(3) NATURAL GAS PIPELINE FACILITIES.—The term "natural gas pipeline facilities" means pipeline and related equipment necessary for the transmission and distribution of natural gas, such as meters and heating and pressure-regulating devices used in the transportation of natural gas.

(4) PERMIT.—The term "permit" means any permits, rights-of-way, or any other authorizations necessary for the Secretary to authorize the construction, operation, and maintenance of natural gas pipeline facilities in the Gateway National Recreation Area.

(5) PROJECT.—The term "project" means the natural gas pipeline facilities within Gateway National Recreation Area, including the meter and regulating station to be located at Floyd Bennett Field, that are part of the Rockaway Delivery Lateral/Brooklyn Queens Interconnect Project, as further described in Federal Energy Regulatory Commission (FERC) Docket No. PF09-8, and including authorized revisions to the project.

(6) RENT.—The term "rent" means any payment to the Secretary pursuant to a lease for occupancy and use of designated premises to be made in such a manner and at such intervals as determined by the Secretary.

(7) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Director of the National Park Service.

SEC. 3. PERMITTING INSTRUMENTS FOR NATURAL GAS PIPELINE FACILITIES.

(a) IN GENERAL.—The Secretary may issue permits to authorize the construction, operation, and maintenance of natural gas pipeline facilities, as provided by the project, within Gateway National Recreation Area.

(b) TERMS AND CONDITIONS.—

(1) Any rights-of-way or other permits issued for the natural gas pipeline facilities under this section shall be consistent with the laws and regulations generally applicable to utility rights-of-way within units of the National Park System.

(2) Any permits issued under this section for the natural gas pipeline facilities shall be subject to such terms and conditions the Secretary deems appropriate.

(3) The Secretary shall charge a fee for any permits issued under this section. The fees shall be based on fair market value and shall also include costs incurred by the National Park Service in processing a request for a permit; issuing a permit, if appropriate; and monitoring the permitted activities.

(4) Any permits issued under this section shall be for a term of 10 years, subject to renewal with any changes to its terms and conditions mutually agreed upon.

(c) ENFORCEMENT.—Failure to comply with, or a violation of, any term or condition of a permit may result in a citation, or fine, or the suspension or revocation of authorization to conduct the permitted activity.

SEC. 4. LEASE OF BUILDINGS.

The Secretary may enter into a non-competitive lease with any entity to allow the occupancy and use of buildings and associated properties on Floyd Bennett Field to house facilities associated with the project, particularly a meter and regulating station. Such lease shall—

(1) otherwise be subject to National Park Service leasing regulations;

(2) provide for the restoration and maintenance of the buildings and associated properties in accordance with the Secretary of the Interior's Treatment Standards for Historic Property (36 CFR Part 68), section 106 of the National Historic Preservation Act (36 CFR 800), and any programmatic agreements;

(3) provide for appropriate rent for occupancy and use of the property representing, at minimum but not limited to, fair market value; and

(4) provide for monetary penalties for violations of the lease.

SEC. 5. FEES AND RENT.

(a) FEES.—The Secretary shall retain the portion of any fee assessed under section 3(b)(3) that is equal to the costs incurred in processing and issuing the permit request and monitoring the permitted activities, and the balance of the fee shall be deposited in the Treasury of the United States.

(b) RENT.—Any rent collected pursuant to section 4 shall be deposited in a special account in the Treasury of the United States in accordance with section 3(k)(5) of Public Law 91-383 (16 U.S.C. 1a-2(k)(5)) and shall be available to the Secretary, without further appropriation and without fiscal year limitation, for infrastructure needs, resource protection, and visitor services at the Gateway National Recreation Area.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

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

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

There was no objection.

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

H.R. 2606, introduced by the gentleman from New York (Mr. GRIMM), authorizes the construction of a lateral pipeline off the coast of New York City. The pipeline will pass under the Gateway National Recreation Area and will deliver natural gas to residents of Brooklyn and Queens. Under current law, the National Park Service does not have the authority to approve the pipeline. Therefore, Mr. GRIMM introduced H.R. 2606 to allow this project to move forward, benefiting not only New York residents but visitors to the Gateway National Recreation Area. Specifically, as part of the agreement reached with the National Park Service, historic aircraft hangars located at Floyd Bennett Field will be rehabilitated and put into use by the park. Of course, this project will also create much-needed jobs and promote job creation by providing reliable, affordable energy.

The City of New York has enthusiastically embraced this proposal and, in particular, has expressed support for

the use of the horizontal directional drilling to safely install a 3-mile, 26-inch-diameter pipeline. H.R. 2606 has bipartisan support, and of course it is supported by the National Park Service. So I urge its adoption and reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, I yield myself as much time as I may consume.

This legislation appears to be a good solution to a challenging problem. H.R. 2606 will allow for the delivery of natural gas into an underserved area while also providing a revenue stream that will allow the National Park Service to rehabilitate important historic structures at Gateway National Recreation Area.

Representatives GRIMM and MEEKS, who represent Gateway, are to be commended for their hard work on this compromise bill.

In the past, some have raised concerns regarding whether it is appropriate for Congress to direct funding to specific projects such as this one. We are pleased to see that when a meritorious project such as this one is proposed, a project which will provide energy resources while also improving historic resources, it is allowed to proceed.

We support the passage of H.R. 2606, as amended, and I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 4 minutes to the sponsor of this legislation, the gentleman from Staten Island, New York (Mr. GRIMM).

Mr. GRIMM. I appreciate the opportunity to speak in support of my bill, H.R. 2606, the New York City Natural Gas Supply Enhancement Act.

This bill, as was said, will authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the New York portion of the Gateway National Recreation Area.

I would like to especially thank my colleague and cosponsor and friend, Congressman GREGORY MEEKS, for all of his efforts. It was a pleasure to work with him in a bipartisan manner, and we appreciate his staff as well.

We would like to thank Natural Resources Chairman HASTINGS, Ranking Member MARKEY, Subcommittee Chairman BISHOP, Ranking Member GRIMALVA, and their staffs for helping move our bill through the committee and on a bipartisan basis for their work with the National Park Service in strengthening the bill as it moved to the House floor.

The National Park Service deserves our appreciation as well for all of its efforts over the years for improving the Gateway National Recreation Area and, in particular, for reviving the historic Floyd Bennett Field for future generations.

This project will be the first bulk natural gas transmission project in Brooklyn, Staten Island, and Queens in more than 40 years. The 5.2 million

people living in these three boroughs are demanding more and more natural gas. Natural gas, as we all know, is reliable; it's clean; it's domestic; and it's economical.

On September 15 of last year, New York City Deputy Mayor Cas Holloway testified before the National Parks Subcommittee and, in support of the Grimm-Meeks bill, explained why it was so important. I would like to thank Mr. Holloway, the deputy mayor, for his efforts, and I would like to draw special attention to some of his testimony.

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Deputy Mayor Holloway stated: "Energy demand in New York City is increasing and will continue to grow," so getting this Gateway project done, as Deputy Mayor Holloway said, "is a major effort that includes the private sector, the city, State, and Federal Governments."

This pipeline will pass underneath both Gateway's beachfront Jacob Riis Park in Queens and Jamaica Bay to the meter station located at Floyd Bennett Field in Brooklyn where it will then interconnect into the local natural gas distribution system serving the communities in and around my district.

The pipeline project authorized in H.R. 2606 will help the Park Service in the face of severe fiscal constraints by authorizing the NPS to enter into a lease, which will allow the Gateway pipeline project to meter and regulate a station inside one of the hangar buildings. The meter station is basically a secure building inside a building with a hangar building's exterior being restored to its original condition coupled with a lease payment that we expect NPS to put towards the restoration of other hangar buildings for multipurpose park uses. More importantly, however, is the fact that the Gateway pipeline project will generate approximately \$265 million in construction activity. That's almost 300 local jobs—300 construction jobs—and that's about \$8 million in annual local property taxes for New York City, providing a much-needed short-term and long-term boost to our local economy.

When I came to Congress, I promised my constituents on Staten Island and in Brooklyn that I would find fiscally conservative ways to create jobs and get the country moving again. Mr. Speaker, this bill does exactly that. Not only will it create a unique public-private partnership to revitalize Floyd Bennett Field, but it also creates good-paying jobs and increases the supply of inexpensive natural gas.

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

Mr. HASTINGS of Washington. I urge the adoption of H.R. 2606, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the

rules and pass the bill, H.R. 2606, as amended.

The question was taken.

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

Mr. HASTINGS of Washington. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

QUILEUTE TRIBE TSUNAMI PROTECTION ACT

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1162) to provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1162

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

SECTION 1. OLYMPIC NATIONAL PARK — QUILEUTE TRIBE.

(a) DEFINITIONS.—In this section:

(1) MAP.—The term “Map” means the map entitled “Olympic National Park and Quileute Reservation Boundary Adjustment Map”, numbered 149/80,059, and dated June 2010.

(2) PARK.—The term “Park” means the Olympic National Park, located in the State of Washington.

(3) RESERVATION.—The term “Reservation” means the Quileute Indian Reservation, located on the Olympic Peninsula in the State of Washington.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(5) TRIBE.—The term “Tribe” means the Quileute Indian Tribe in the State of Washington.

(b) FINDINGS AND PURPOSE.—

(1) FINDINGS.—Congress finds that—

(A) the Reservation is located on the western coast of the Olympic Peninsula in the State of Washington, bordered by the Pacific Ocean to the west and the Park on the north, south, and east;

(B) most of the Reservation village of La Push is located within the coastal flood plain, with the Tribe’s administrative buildings, school, elder center, and housing all located in a tsunami zone;

(C) for many decades, the Tribe and the Park have had a dispute over the Reservation boundaries along the Quillayute River;

(D) in recent years, this dispute has intensified as the Tribe has faced an urgent need for additional lands for housing, schools, and other Tribe purposes outside the tsunami and Quillayute River flood zones; and

(E) the lack of a settlement of this dispute threatens to adversely impact the public’s existing and future recreational use of several attractions in the Park that are accessed by the public’s use of Reservation lands.

(2) PURPOSES.—The purposes of this Act are—

(A) to resolve the longstanding dispute along portions of the northern boundary of the Quileute Indian Reservation;

(B) to clarify public use and access to Olympic National Park lands that are contiguous to the Reservation;

(C) to provide the Quileute Indian Tribe with approximately 275 acres of land currently located within the Park and approximately 510 acres of land along the Quillayute River, also within the Park;

(D) to adjust the wilderness boundaries to provide the Quileute Indian Tribe Tsunami and flood protection; and

(E) through the land conveyance, to grant the Tribe access to land outside of tsunami and Quillayute River flood zones, and link existing Reservation land with Tribe land to the east of the Park.

(c) REDESIGNATION OF FEDERAL WILDERNESS LAND, OLYMPIC NATIONAL PARK CONVEYANCE.—

(1) REDESIGNATION OF WILDERNESS.—Certain Federal land in the Park that was designated as part of the Olympic Wilderness under title 1 of the Washington Park Wilderness Act of 1988 (Public Law 100-668; 102 Stat. 3961; 16 U.S.C. 1132 note) and comprises approximately 222 acres, as generally depicted on the Map is hereby no longer designated as wilderness, and is no longer a component of the National Wilderness Preservation System under the Wilderness Act (16 U.S.C. 1131 et seq.).

(2) LANDS TO BE HELD IN TRUST.—All right, title, and interest of the United States in and to the approximately 510 acres generally depicted on the Map as “Northern Lands”, and the approximately 275 acres generally depicted on the Map as “Southern Lands”, are declared to be held in trust by the United States for the benefit of the Tribe without any further action by the Secretary.

(3) BOUNDARY ADJUSTMENT; SURVEY.—The Secretary shall—

(A) adjust the boundaries of Olympic Wilderness and the Park to reflect the change in status of Federal lands under paragraph (2); and

(B) as soon as practicable after the date of enactment of this section, conduct a survey, defining the boundaries of the Reservation and Park, and of the Federal lands taken into and held in trust that are adjacent to the north and south bank of the Quillayute River as depicted on the Map as “Northern Lands”.

(4) LAW APPLICABLE TO CERTAIN LAND.—The land taken into trust under this subsection shall not be subject to any requirements for valuation, appraisal, or equalization under any Federal law.

(d) NON-FEDERAL LAND CONVEYANCE.—Upon completion and acceptance of an environmental hazard assessment, the Secretary shall take into trust for the benefit of the Tribe certain non-Federal land owned by the Tribe, consisting of approximately 184 acres, as depicted on the Map as “Eastern Lands”, such non-Federal land shall be designated as part of the Reservation.

(e) MAP REQUIREMENTS.—

(1) AVAILABILITY OF INITIAL MAP.—The Secretary shall make the Map available for public inspection in appropriate offices of the National Park Service. The Map shall also depict any non-Federal land currently owned by the Tribe which is being placed in trust under this section.

(2) REVISED MAP.—Not later than one year after the date of the land transaction in subsections (d) and (e), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and Committee on Natural Resources of the House of Representatives a revised map that depicts—

(A) the Federal and non-Federal land taken into trust under this section and the Second Beach Trail; and

(B) the actual boundaries of the Park as modified by the land conveyance.

(f) JURISDICTION.—The land conveyed to the Tribe by this section shall be designated as part of the Quileute Reservation and placed in the following jurisdictions:

(1) TRUST LAND.—The same Federal, State, and Tribe jurisdiction as on all other trust lands within the Reservation, so long as the exercise of such jurisdiction does not conflict with the

terms of the easement described in subsection (g) below.

(2) TRIBE JURISDICTION.—Park visitors shall remain subject to the jurisdiction of the Tribe while on the Second Beach parking lot, on those portions of the Second Beach Trail on the Reservation, and Rialto Spit, to the same extent that such visitors are subject to the Tribe’s jurisdiction elsewhere on the Reservation.

(g) GRANT OF EASEMENT IN CONNECTION WITH LAND CONVEYANCE.—

(1) EASEMENT REQUIRED.—The conveyances under subsection (c)(2) shall be subject to the conditions described in this subsection.

(2) REQUIRED RIGHTS UNDER EASEMENT.—Any easement granted under this subsection must contain the following express terms:

(A) NO IMPACT ON EXISTING RIGHTS.—An easement shall not limit the Tribe’s treaty rights or other existing rights.

(B) RETENTION OF RIGHTS.—The Tribe retains the right to enforce its rules against visitors for disorderly conduct, drug and alcohol use, use or possession of firearms, and other disruptive behaviors.

(C) MONITORING OF EASEMENT CONDITIONS.—The Park has the right, with prior notice to the Tribe, to access lands conveyed to the Tribe for purposes of monitoring compliance with any easement made under this subsection.

(3) EXEMPTION FOR SUBSECTION (d) LAND.—The non-Federal land owned by the Tribe and being placed into trust by the Secretary in accordance with subsection (d) shall not be included in, or subject to, any easement or condition specified in this subsection.

(4) REQUIRED TERMS AND CONDITIONS.—The following specified land areas shall be subject to the following easement conditions:

(A) CONDITIONS ON NORTHERN LAND.—Certain land that will be added to the northern boundary of the Reservation by the land conveyance, from Rialto Beach to the east line of Section 23, shall be subject to an easement, which shall contain the following requirements:

(i) The Tribe may lease or encumber the land, consistent with their status as trust lands, provided that the Tribe expressly subjects the conveyance or authorized use to the terms of the easement.

(ii) The Tribe may place temporary, seasonal camps on the land, but shall not place or construct commercial residential, industrial, or other permanent buildings or structures.

(iii) Roads on the land on the date of enactment of this Act may be maintained or improved, but no major improvements or road construction may occur, and any road improvements, temporary camps, or other uses of these lands shall not interfere with its use as a natural wildlife corridor.

(iv) The Tribe may authorize Tribe members and third parties to engage in recreational, ceremonial, or treaty uses of the land provided that the Tribe adopts and enforces regulations permanently prohibiting the use of firearms in the Thunder Field area, and any areas south of the Quillayute River as depicted on the Map.

(v) The Tribe may exercise its sovereign right to fish and gather along the Quillayute River in the Thunder Field area.

(vi) The Tribe may, consistent with any applicable Federal law, engage in activities reasonably related to the restoration and protection of the Quillayute River and its tributaries and streams, weed control, fish and wildlife habitat improvement, Quillayute River or streambank stabilization, and flood control. The Tribe and the Park shall conduct joint planning and coordination for Quillayute River restoration projects, including streambank stabilization and flood control.

(vii) Park officials and visitors shall have access to engage in activities along and in the Quillayute River and Dickey River that are consistent with past recreational uses, and the Tribe shall allow the public to use and access the Dickey River, and Quillayute River along

the north bank, regardless of future changes in the Quillayute River or Dickey River alignment.

(viii) Park officials and visitors shall have access to, and shall be allowed to engage in, activities on Tribal lands at Rialto Spit that are consistent with past recreational uses, and the Tribe shall have access to Park lands at Rialto Beach so that the Tribe may access and use the jetty at Rialto Beach.

(B) CONDITIONS ON SECOND BEACH TRAIL AND ACCESS.—Certain Quileute Reservation land along the boundary between the Park and the southern portion of the Reservation, encompassing the Second Beach trailhead, parking area, and Second Beach Trail, shall be subject to a conservation and management easement, as well as any other necessary agreements, which shall implement the following provisions:

(i) The Tribe shall allow Park officials and visitors to park motor vehicles at the Trail parking area existing on the date of enactment of this Act and to access the portion of the Trail located on Tribal lands, and the Park shall be responsible for the costs of maintaining existing parking access to the Trail.

(ii) The Tribe shall grant Park officials and visitors the right to peacefully use and maintain the portion of the Trail that is on Tribal lands, and the Park shall be responsible for maintaining the Trail and shall seek advance written approval from the Tribe before undertaking any major Trail repairs.

(iii) The Park officials and the Tribe shall conduct joint planning and coordination regarding any proposed relocation of the Second Beach trailhead, the parking lot, or other portions of the Trail.

(iv) The Tribe shall avoid altering the forested landscape of the Tribe-owned headlands between First and Second Beach in a manner that would adversely impact or diminish the aesthetic and natural experience of users of the Trail.

(v) The Tribe shall reserve the right to make improvements or undertake activities at the Second Beach headlands that are reasonably related to enhancing fish habitat, improving or maintaining the Tribe's hatchery program, or alterations that are reasonably related to the protection of the health and safety of Tribe members and the general public.

(vi) The Park officials, after consultation with the Tribe, may remove hazardous or fallen trees on the Tribal-owned Second Beach headlands to the extent necessary to clear or safeguard the Trail, provided that such trees are not removed from Tribal lands.

(vii) The Park officials and the Tribe shall negotiate an agreement for the design, location, construction, and maintenance of a gathering structure in the Second Beach headlands overlooking for the benefit of Park visitors and the Tribe, if such a structure is proposed to be built.

(C) SOUTHERN LANDS EXEMPT.—All other land conveyed to the Tribe along the southern boundary of the Reservation under this section shall not be subject to any easements or conditions, and the natural conditions of such land may be altered to allow for the relocation of Tribe members and structures outside the tsunami and Quillayute River flood zones.

(D) PROTECTION OF INFRASTRUCTURE.—Nothing in this Act is intended to require the modification of the parklands and resources adjacent to the transferred Federal lands. The Tribe shall be responsible for developing its lands in a manner that reasonably protects its property and facilities from adjacent parklands by locating buildings and facilities an adequate distance from parklands to prevent damage to these facilities from such threats as hazardous trees and wildfire.

(h) EFFECT OF LAND CONVEYANCE ON CLAIMS.—

(1) CLAIMS EXTINGUISHED.—Upon the date of the land conveyances under subsections (d) and (e) and the placement of conveyed lands into trust for the benefit of the Tribe, any claims of

the Tribe against the United States, the Secretary, or the Park relating to the Park's past or present ownership, entry, use, surveys, or other activities are deemed fully satisfied and extinguished upon a formal Tribal Council resolution, including claims related to the following:

(A) LAND ALONG QUILLAYUTE RIVER.—The lands along the sections of the Quillayute River, starting east of the existing Rialto Beach parking lot to the east line of Section 22.

(B) SECOND BEACH.—The portions of the Federal or Tribal lands near Second Beach.

(C) SOUTHERN BOUNDARY PORTIONS.—Portions of the Federal or Tribal lands on the southern boundary of the Reservation.

(2) RIALTO BEACH.—Nothing in this section shall create or extinguish claims of the Tribe relating to Rialto Beach.

(i) GAMING PROHIBITION.—No land taken into trust for the benefit of the Tribe under this Act shall be considered Indian lands for the purpose of the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.).

The SPEAKER pro tempore. Pursuant to the rules, the gentleman from Washington (Mr. HASTINGS) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

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

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

There was no objection.

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

The Quileute Indian Reservation is located along the coast of the Olympic Peninsula in my home State of Washington. It consists of approximately 880 acres and is home to about 375 residents. Most of the reservation is located within the flood zone, and much of the tribal infrastructure, including their school, elder center, and housing, is within the tsunami zone. Recent tsunamis in the Pacific clearly demonstrate the risk faced by the tribe and the need to move housing and infrastructure inland.

For the safety of this small tribe, legislation is needed that would transfer a few hundred acres from the vast Olympic National Park to the tribe. This will allow them to move their school and other structures to safer land away from the threat of frequent flooding and tsunami risk.

There are no park-owned facilities or trails in the transferred land, and there are few opportunities in this transferred land for park visitors. To expedite the passage of the key objective of this bill and to allow it to move forward promptly, the Natural Resources Committee deleted a potentially controversial 4,000-acre wilderness designation that is of no benefit to the tribe. The committee also added language borrowing transferred land from being used for gaming purposes, and

the tribe does not oppose this limitation.

I believe these two changes have removed all potential obstacles that could threaten the timely passage of this needed legislation that has been offered by my friend and the ranking member of the Appropriations Committee, Mr. DICKS. I urge the adoption of H.R. 1162, and I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, I yield myself as much time as I may consume.

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

Mr. SABLAN. I rise in support of H.R. 1162, legislation sponsored by the esteemed ranking member of the Appropriations Committee, the gentleman from Washington (Mr. DICKS).

Events in Japan, Indonesia, and elsewhere have demonstrated the devastation that can be caused by tsunamis. The Quileute people live in a dangerous zone, and we fully support this legislation to allow the Quileute to move key facilities to higher ground.

I would note, however, that this version of H.R. 1162 is only half of the bill, as introduced. The Quileute, Mr. DICKS, the National Park Service, and other stakeholders had negotiated over many years a version of this legislation that not only provided safety for the Quileute but also sought to address the resource needs of Olympic National Park. The park portion of this bill was removed by the majority despite the fact that the bill represented a popular negotiated compromise. During consideration of this measure in the Natural Resources Committee, the chairman suggested that the park portion of the original bill be introduced as a second bill to be moved separately. Mr. DICKS has taken this advice, and we hope to see H.R. 3222 on the House floor in the very near future.

Mr. DICKS is to be commended for his diligent work on behalf of the Quileute people and Olympic National Park.

I urge adoption of H.R. 1162, and I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, I yield 5 minutes to the gentleman from Washington (Mr. DICKS), the esteemed ranking member of the Appropriations Committee.

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

Mr. DICKS. I rise to urge passage of H.R. 1162, the Quileute Tribe tsunami and flood protection bill.

I also want to thank the House Natural Resources Committee for its work in shepherding this bill to the floor today. And I am pleased that my good friend and colleague from Washington, Doc HASTINGS, the chairman of the Natural Resources Committee, is on the floor here today to manage this bill as well as the gentleman from the

Northern Mariana Islands. I appreciate their comments and their leadership on this, along with Mr. BISHOP and Mr. GRIJALVA.

The Quileutes are one of eight tribes living in the Washington State district that I represent here in Congress. Although the tribe's reservation at La Push is spectacularly beautiful, it also is a dangerous place to live. The threat of tsunamis is a harsh reality that the Quileute Tribe faces every day. The tribe lives on a one-square mile reservation along the Pacific coast of the Olympic Peninsula. Again, I cannot emphasize enough the breathtaking nature of their home.

The tribe has received much notice over the last few years due to the "Twilight" series of movies and novels. If you're not familiar with the "Twilight" phenomenon yourself, then I am sure that at least your children or grandchildren know about the Quileutes and their role in the "Twilight" world.

H.R. 1162 will provide land currently in Olympic National Park to the Quileute Tribe to enable the relocation of many facilities outside the tsunami zone. We need only look to the tragedy last year in Japan to see the loss of human life and horrific damage that tsunamis can cause.

Much of the Quileutes' infrastructure, including a day care center, the elder center, government offices, and Quileute tribal members' homes, are right in the path of a potential tsunami. This existential threat is compounded by damaging floods from the Quillayute River nearly every year.

The purpose of H.R. 1162 is to help the Quileutes move their buildings and people to safer land. The Olympic National Park would transfer land that is out of the tsunami zone to the tribe for the development of new infrastructure.

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Of the 275 acres the Park Service would provide the tribe for this safety purpose, 222 are currently designated as wilderness. The legislation would designate those 222 acres.

The legislation also settles a long-standing dispute between the Olympic National Park and the tribe over the northern boundary of the reservation. The resolution of this dispute benefits the tribe, the Park Service, and the general public. The park would provide 510 acres to the tribe to settle the dispute.

The bill would place into trust these two parcels as well as another piece of non-Federal land the tribe had acquired earlier. The bill also guarantees access for the public to some of the most beautiful Washington State beaches.

I must note, however, that I am disappointed that a provision of H.R. 1162 was taken from the bill when the Natural Resources Committee passed it last October. The legislation as introduced mitigated the loss of wilderness designation for the 222 acres to be

given to the tribe by designating other parcels already within Olympic National Park as wilderness. It was this provision designating new wilderness within the park that was removed. In response, I have introduced H.R. 3222 that would designate as wilderness those acres stripped from the underlying bill. The National Parks, Forest and Public Lands Subcommittee held a hearing on H.R. 3222 and other bills back in December, and I urge the committee to keep making progress on H.R. 3222.

In closing, I want to recognize the Quileute Tribe, its council and tribals chairs past and present, along with National Park Service Director Jon Jarvis and Olympic National Park Superintendent Karen Gustin for their hard work over many years to resolve this dispute and provide safer land for the tribe.

Again, I want to thank Congressman HASTINGS, the chairman of the Natural Resources Committee; and Todd Young and Todd Ungerecht of his staff. I want to thank National Parks, Forest and Public Lands Subcommittee Chairman ROB BISHOP and Jim Streeter of his staff. On the Democratic side, I want to thank ED MARKEY and the gentleman from the Northern Mariana Islands and their staff, Jeff Duncan and David Watkins, and Pete Mudaff on my staff.

In closing, I urge the House to pass H.R. 1162 to provide the Quileute Tribe a safer home along the Pacific Coast in Washington State.

Mr. HASTINGS of Washington. Mr. Speaker, I advise my friend I have no more requests for speakers if he is prepared to yield back.

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

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

I'm pleased that this legislation is moving forward. I know this has been something that has been worked on by my friend and colleague from Washington for some time, and I'm glad we have finally gotten this far. And hopefully now that it's a clean bill that really deals with the safety of the Quileute Tribe, which is the important part and that's the reason for the bill, I hope it can move very fast through this House and obviously through the Senate.

With that, I urge adoption of H.R. 1162, and I yield back the balance of my time.

Ms. RICHARDSON. Mr. Speaker, I rise today in support of H.R. 1162, which authorizes the transfer of lands within and around the Olympic National Park in the state of Washington. H.R. 1162 would incorporate specified federal lands within the Olympic National Park and specified land owned by the Quileute Tribe into the Quileute Indian Reservation, held in trust by the federal government.

The Quileute people and their reservation are in danger. Most of the reservation is located within the flood zone and most of the tribal infrastructure, including their school,

elder centers, and housing, is within the tsunami zone. This legislation will provide protection to the 375 residents of the Quileute Indian Reservation by transferring a few hundred acres from the vast Olympic National Park to the Tribe.

As a member of the Native American Caucus, I have worked with my colleagues in Congress to address the needs of Native Americans. This legislation will provide the Quileute Indian Tribe with approximately 275 acres of land currently located within the Olympic National Park and approximately 510 acres of land along the Quillayute River.

Mr. Speaker, the proposed land transfer will allow the people of Quileute Indian Tribe to relocate their schools and other structures to safer lands. Based on information from the Department of Interior, CBO estimates that H.R. 1162 would have no significant impact on the federal budget.

California is home to over one hundred federally recognized tribes. Tribes from my state and from other states such as the Quileute Indian Tribe from the state of Washington need protection from natural disasters such as tsunamis and floods.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 1162 and allow the Quileute Indian Tribe to relocate their people and reservation to safer land away from the frequent tsunami risk that threaten the Tribe.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 1162, as amended.

The question was taken.

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

Mr. HASTINGS of Washington. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

RECESS

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

Accordingly (at 5 o'clock and 3 minutes p.m.), the House stood in recess.

□ 1716

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 5 o'clock and 16 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 1734, CIVILIAN PROPERTY REALIGNMENT ACT

Mr. WEBSTER. Mr. Speaker, by direction of the Committee on Rules, I

call up House Resolution 537 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 537

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1734) to decrease the deficit by realigning, consolidating, selling, disposing, and improving the efficiency of Federal buildings and other civilian real property, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, an amendment in the nature of a substitute consisting of the text of the Rules Committee Print 112-11 shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

Mr. WEBSTER. For the purposes of debate only, I yield the customary 30 minutes to my colleague from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During the consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

□ 1720

Mr. WEBSTER. Mr. Speaker, I rise today in support of this rule and the underlying bill.

House Resolution 537 provides for a structured rule for consideration of H.R. 1734, the Civilian Property Realignment Act.

The rule makes six amendments in order. Of these, five are Democrat-sponsored amendments and one is a Republican-sponsored amendment. The only amendments not made in order were either because of a lack of germaneness and/or they were duplicative in nature or the subject of other amendments.

H.R. 1734 has come to the floor under regular order. The applicable subcommittee held two hearings specifically on this bill and held an additional six hearings on the subject of Federal property consolidation. The subcommittee held a markup and subsequently passed the bill out by voice vote. The full committee also held a markup during which several amendments were considered before the bill was reported out of committee. Further, H.R. 1734 enjoys a bipartisan list of cosponsors.

The Civilian Property Realignment Act enjoys bipartisan support because it tackles an inherently bipartisan issue: making government work more efficiently in order to better safeguard taxpayer dollars.

The Federal executive branch agencies hold an extensive real property portfolio that includes 429,000 buildings and over 1 million total properties. In fact, the Federal Government is the largest owner and manager of real estate in our country.

The Office of Management and Budget in 2007 estimated that the Federal Government is holding \$18 billion in real property that it does not need. If we sold all excess Federal properties, the resulting proceeds could approach \$15 billion, on top of the annual savings reaped from reduced maintenance and operating costs.

These properties have been accumulated by the agencies over time and in many cases these agencies' missions have evolved over that period. As missions change, so agencies' needs also change. As a result, many properties that were once crucial have become less useful, or in some cases unneeded altogether.

According to the Congressional Research Service, in fiscal year 2009—the most recent data available—the government held 10,327 unneeded buildings and spent \$134 million annually to maintain them. According to Office of Management and Budget testimony delivered before Congress, the Federal Government has approximately 55,000 properties classified as “underutilized.” It costs taxpayers nearly \$1.7 billion annually to operate underutilized Federal buildings, according to the Government Accountability Office.

H.R. 1734 would establish an independent commission to make rec-

ommendations to Congress to better manage the inventory of Federal civilian real property. The commission, consisting of eight members appointed by the President, would report annually on its findings. Under the bill, within 6 months of enactment the commission would identify and recommend to the President and Congress the sale of at least five high-value Federal properties with an estimated fair market value of at least \$500 million. Both the President and Congress would have the opportunity to approve or disapprove of these recommendations. The President could transmit recommendations from the commission, with or without his approval, to Congress, where an up-or-down vote would take place under an expedited procedure.

H.R. 1734 is modeled after the base realignment and closure—BRAC—process and would require an examination of Federal civilian real properties across government, used and unused, and make decisions based on the best return to the taxpayer. Military installations, properties deemed essential for reasons of national security, and national parks are not subject to the commission's jurisdiction.

The cost-saving initiative would achieve a reduction in the size of the Federal Government real property inventory by selling or redeveloping underutilized properties, increasing the utilization rates of existing properties, and expediting the disposal of surplus properties.

Given the vast real estate holdings of the Federal Government, poor asset management and missed market opportunities cost the taxpayers significant sums of money. The Government Accountability Office has placed real property management on its list of “high risk” governmental activities, citing excess and underutilization of real property, deteriorating and aging facilities, unreliable data, and overreliance on costly leasing.

H.R. 1734, the Civilian Property Realignment Act, seeks to reduce the Federal Government's footprint, increase efficiency, and ultimately enhance stewardship of hard-earned taxpayer dollars. It isn't just about closing buildings. It's about looking at the taxpayers' assets and deciding whether or not they are being efficiently utilized. Given the realities of the current economy, this is the same type of belt-tightening taking place all over our Nation right now. It's time for our government to start leading by example.

Once again, Mr. Speaker, I rise in support of this rule and the underlying legislation. I encourage my colleagues to vote “yes” on both the rule and the underlying bill.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I thank my colleague from Florida for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

I rise in opposition to the structured rule. While the unemployment numbers are now at their lowest point in 3

years, the American people know that our economy is still teetering. That's why it's important for Democrats and Republicans to come together around commonsense proposals.

This underlying bill, the Civilian Property Realignment Act, stemmed from President Obama's proposal in his FY 2012 budget, and I'm glad that Congress is beginning its deliberative process on this important issue.

Currently, the Federal Government owns and manages over 1 million Federal buildings and structures—including many in my home State of Colorado—which costs over \$20 billion a year annually to operate and maintain. This bill seeks to ensure our government is a better steward of taxpayer dollars by improved utilization and management of surplus properties and the elimination and monetization of unnecessary assets to reduce our deficit.

Building on President Obama's proposal contained in his FY 2012 budget, this bill sets up a process to consolidate, sell, or exchange Federal Government assets it no longer needs. Sounds like common sense, but it hasn't been done yet. As the President identified, an estimated 14,000 buildings and structures are currently designated as excess properties. In essence, this legislation attempts to do with Federal Government property what the Department of Defense has successfully already done with its base closure and realignment program—BRAC—for military installations, an attempt to remove politics from the process so that effectively our Federal holdings can be streamlined and that money can be raised from properties that are no longer necessary for the operations of the Federal Government.

To accomplish this goal, this legislation sets up an independent Civilian Property Realignment Commission, which would recommend which Federal properties should be consolidated, sold, exchanged or redeveloped. The commission's downsizing recommendations would be subject to approval by the President and then by Congress before they could be implemented en masse.

The underlying legislation should be a strong bipartisan bill. Unfortunately, there are a number of last-minute considerations which are causing some contention between the two parties. And I understand that some language has been added, including contentious riders that were added without a hearing or a meeting of the Democratic side.

The current language, therefore, includes some offensive provisions that will jeopardize support on my side of the aisle, including a measure that would change Federal law to eliminate the preference homeless shelters receive, as well as a provision that waives compliance with the National Environmental Policy Act, or NEPA, part of the ongoing Republican agenda to gut environmental protections, but in this case, a policy waiver that has

nothing to do with trying to manage our Federal property.

The Federal public comment process needs to be in place when assets are transferred because they have important roles in communities. Whether it's urban, suburban, or rural, our comment process is a critical piece of ensuring that all stakeholders are taken into account. If there's a flaw with the NEPA comment process, or NEPA, fix it elsewhere, but not in the context of a bill that's supposed to streamline Federal Government holdings and allow us to sell off excess property.

Another problem with this bill is that the new programs funded under this bill are not funded. The non-partisan Congressional Budget Office estimates that this bill would cost \$68 million over the next 5 years. Now, some on the other side might argue that \$68 million isn't much money, but as a matter of principle it should have an offset. This violates the CutGo protocols and is an example of the majority spending money without saying where it's going to come from. So to be clear, this bill in its current form would increase our deficit by \$68 million. I think it would be relatively easy, in a bipartisan manner, to figure out where we can find \$68 million elsewhere in the budget to offset this so it doesn't go directly to the deficit.

In addition, the rule before us restricts the number of amendments to be considered and limits debate. During the Rules Committee last week, Democrats asked for an open rule so that all Members could offer amendments. A majority on that committee rejected an open process in favor of this restrictive rule.

□ 1730

The ranking member of the House Oversight Committee, Representative CUMMINGS, offered an amendment to ensure provisions of the Homeless Assistance Act would continue to apply. This was a germane amendment that would be allowed on the floor if this were an open rule, and yet it is blocked by this restrictive process.

That's one example of an amendment that was actually brought to the Rules Committee and dismissed by the majority. But what if this debate inspires a Member to offer other practical, commonsense amendments, including offset ideas to ensure that this doesn't increase our deficit?

Under this process before us, that Member's amendment will not be allowed, no matter how good or how bipartisan or how universal the support is for that amendment. Therefore, I urge a "no" vote on the rule.

I reserve the balance of my time.

Mr. WEBSTER. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. DENHAM).

Mr. DENHAM. Mr. Speaker, I rise in support of H.R. 1734. This has been a bipartisan bill all the way through. It's something we've worked on for well over a year now, including having the

President, OMB and the administration working directly with us on this bill. It is something that is important for the American taxpayer.

We have enough partisan divide here. To be able to find something that cuts waste, something that brings in revenue without raising taxes, and just a more efficient way of doing business is something that both Republicans and Democrats should agree on.

But certainly politics enters into many different situations. As of Friday, we had a bipartisan agreement. I was willing to accept all of the various amendments, including the amendment to NEPA, including the homeless amendment.

We've accepted the amendments on several different occasions. First, it was a \$2 million exemption for homeless to be able to grab a \$2 million piece of property. Then it was renegotiated to \$3 million, and then five million. Why the homeless would need a \$5 million piece of property is beyond me. But in the sense of bipartisanship, we were willing to agree to that.

So that amendment is still on the floor today. We still accept that amendment. We stand by our word. But the other side has decided to interject politics into this, and we will see how that works out in the future.

But the last issue I wanted to just touch on was clarifying an important point about the savings of this bill. This will generate significant savings, but I just wanted to touch on how CBO scores those savings.

First, the bill authorizes \$20 million for the commission itself, just to set up a commission, and \$62 million to fund relocation or cleanup costs that may be needed if one of these properties actually has some occupants in them. This \$82 million is subject to appropriations and requires Congress to approve a future appropriation.

Second, within the first 180 days the bill requires the commission to recommend at least five properties worth a minimum of \$500 million for sale.

When CBO scored this provision in the reported version of the bill, CBO said it would save at least \$160 million in the first 5 years. This requirement to sell at least \$500 million in property is still in the bill.

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

Mr. WEBSTER. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. DENHAM. However, since the bill was modified to require the approval of Congress before it can be implemented, CBO now says the savings will be scored on the future approval resolution, and not in this bill before us today. The savings that will be generated by this commission still exist. This will be scored at a later date.

Only in Washington, DC can you get rid of properties, get rid of the cost of maintaining these properties, have billions of dollars in revenue, actually create jobs in the redevelopment and

sale of the properties and still be able to argue against the savings.

Mr. POLIS. I would inquire if the gentleman from Florida has any remaining speakers.

Mr. WEBSTER. Mr. Speaker, we have no other presenters. We are ready to close.

Mr. POLIS. I will yield myself the balance of my time.

Mr. Speaker, I know that significant issues still remain with the Civilian Property Realignment Act in its current form. The gentleman discussed the potential savings from this bill.

To be clear, this is a transfer of items that are already in the asset column of the Federal Government. It's not the creation of new value or new money out of nothing. It simply turns assets into cash.

We need cash. We have a large deficit to cover. It makes sense to sell excess properties, but this money doesn't come from nowhere. Once those properties are sold, those will no longer be on the ledgers of the Federal Government.

Now, it does save significant operating capital and maintenance of these unnecessary properties; but, again, I think common sense would indicate that if the commission costs \$20 million to set up, with the various people involved with this process, we should specify where that money is coming from in the bill. And I think that there would be a way to do that on a bipartisan basis.

Given all the concerns that remain with this bill regarding how it's paid for, the homeless situation, and the NEPA, the environmental review protections, we should be engaging in an open process, not one that limits and shuts down debate.

The American people are frustrated that this Congress refuses to consider bipartisan-supported balanced bills that would stimulate job growth in our country and restore fiscal responsibility.

We can only reignite the American Dream and reinvigorate our economy by strengthening the middle class and encouraging innovation. President Obama has introduced a package to spur small business growth and startups, which includes many of the proposals previously offered by Members on both sides of the aisle with bipartisan support. And yet, to the dismay on many on my side of the aisle, this Congress has yet to consider these measures that will strengthen the middle class and help small business grow.

I do applaud the majority for beginning to take up the process that President Obama has put forth in his fiscal year 2012 budget of selling off excess Federal property. There just remain a few I's to dot and a few T's to cross to ensure that this important piece of legislation can garner the support of the bipartisan majority in this body.

There remains much work to be done on the large issues, including enacting a comprehensive jobs plan, extending

the payroll tax cuts and unemployment insurance, ensuring seniors have access to their doctors under Medicare, comprehensive tax reform, and putting our fiscal house in order by passing a bold and balanced plan to reduce the deficit.

Selling off excess Federal assets and making sure that the Federal Government doesn't own or have to maintain or operate more than we need to is a small, but critical, piece of the overall equation. This Congress has the opportunity to get it right through a deliberative process.

But because the majority has restricted debate on the underlying bill, I cannot support this rule, and I urge my colleagues to join me in voting "no" on the rule.

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

The cost of real property to the Federal Government—costs are significant, and most agencies do not have the incentives to minimize those costs. Properties sit vacant and woefully underutilized, not only costing taxpayers billions of dollars, but often are eyesores in the local communities, and steal property away from the ad valorem revenues of local communities.

Even so, despite the current budget climate, many agencies continue to seek more space than is necessary, reducing efficiency and increasing cost. Better management of Federal property presents an opportunity to reduce expenditures and increase revenues.

H.R. 1734 is a bipartisan measure. It seeks to address a problem that has become a hallmark of our bloated, inefficient Federal bureaucracy. H.R. 1734 is intended to bring an independent process outside the bureaucratic red tape to the management of real property owned by the Federal Government. It will reduce waste, increase efficiency of the Federal Government, and produce significant savings for the taxpayer.

With deficits over \$1 trillion in the Federal Government, we simply can't afford to sit on money-losing properties and empty Federal buildings any longer. I ask my colleagues to join me in voting in favor of the rule and passage of the underlying bill.

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

The previous question was ordered.

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

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

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

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 38 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

H. Res. 537, by the yeas and nays;
Motion to suspend the rules on H.R. 1162, de novo.

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

PROVIDING FOR CONSIDERATION OF H.R. 1734, CIVILIAN PROPERTY REALIGNMENT ACT

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 537) providing for consideration of the bill (H.R. 1734) to decrease the deficit by realigning, consolidating, selling, disposing, and improving the efficiency of Federal buildings and other civilian real property, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 233, nays 155, not voting 44, as follows:

[Roll No. 34]

YEAS—233

Adams	Bucshon	Duffy
Aderholt	Burgess	Duncan (SC)
Akin	Burton (IN)	Duncan (TN)
Alexander	Calvert	Ellmers
Amash	Camp	Emerson
Amodei	Canseco	Farenthold
Austria	Cantor	Fincher
Bachmann	Capito	Fitzpatrick
Bachus	Carter	Flake
Barletta	Cassidy	Fleischmann
Bartlett	Chabot	Fleming
Barton (TX)	Chaffetz	Flores
Bass (NH)	Coble	Forbes
Benishek	Coffman (CO)	Fortenberry
Berg	Cole	Fox
Biggert	Conaway	Franks (AZ)
Billbray	Costa	Frelinghuysen
Bilirakis	Cravaack	Galleghy
Bishop (UT)	Crawford	Gardner
Black	Crenshaw	Garrett
Blackburn	Culberson	Gerlach
Bono Mack	Davis (KY)	Gibbs
Boren	Denham	Gibson
Boustany	Dent	Gingrey (GA)
Brady (TX)	DesJarlais	Gohmert
Brooks	Diaz-Balart	Goodlatte
Broun (GA)	Dold	Gosar
Buchanan	Dreier	Gowdy

Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luettkemeyer
Lummis
Lungren, Daniel
E.

Manzullo
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Petri
Pitts
Platts
Pompeo
Posey
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Ros-Lehtinen

Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

Slaughter
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney

Tonko
Tsongas
Velázquez
Vislosky
Walz (MN)
Wasserman
Schultz

Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey

Bonner
Buerkle
Campbell
Cardoza
Clyburn
Conyers
Ellison
Engel
Filner
Grijalva
Gutierrez
Insee
Johnson (IL)
Kingston
Kinzinger (IL)

Lipinski
Lowey
Lynch
Mack
Marchant
McNerney
Meeks
Miller (NC)
Moran
Nadler
Neal
Owens
Pascrell
Paul
Payne

NOT VOTING—44

□ 1856

Mr. BISHOP of New York, Ms. WASSERMAN SCHULTZ, Mr. SHERMAN, Ms. HAHN, Ms. HOCHUL, Messrs. RUPPERSBERGER and McDERMOTT changed their vote from “yea” to “nay.”

Mr. BOREN changed his vote from “nay” to “yea.”

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

A motion to reconsider was laid on the table.

Stated against:
Mr. FILNER. Mr. Speaker, on rollcall 34, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “nay.”

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 658) “An Act to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.”

QUILEUTE TRIBE TSUNAMI PROTECTION ACT

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

There was no objection. The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 1162) to provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes, as amended.

The Clerk read the title of the bill. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, as amended.

The question was taken. The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it. Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered. The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 381, nays 7, not voting 44, as follows:

[Roll No. 35]

YEAS—381

Ackerman	Courtney	Hastings (WA)
Adams	Cravaack	Hayworth
Aderholt	Crawford	Heck
Akin	Crenshaw	Heinrich
Alexander	Critz	Hensarling
Altmire	Crowley	Herger
Amodei	Cuellar	Herrera Beutler
Andrews	Culberson	Higgins
Austria	Cummings	Himes
Baca	Davis (CA)	Hinchev
Bachmann	Davis (IL)	Hinojosa
Bachus	Davis (KY)	Hirono
Baldwin	DeFazio	Hochul
Barletta	DeGette	Holden
Barrow	DeLauro	Holt
Bartlett	Denham	Honda
Barton (TX)	Dent	Hoyer
Bass (CA)	DesJarlais	Huelskamp
Bass (NH)	Deuth	Hultgren
Becerra	Diaz-Balart	Hunter
Benishek	Dicks	Israel
Berg	Dingell	Issa
Berkley	Doggett	Jackson (IL)
Berman	Dold	Jackson Lee
Biggert	Donnelly (IN)	(TX)
Bilbray	Doyle	Jenkins
Bilirakis	Dreier	Johnson (GA)
Bishop (GA)	Duffy	Johnson (OH)
Bishop (NY)	Duncan (SC)	Johnson, E. B.
Bishop (UT)	Duncan (TN)	Johnson, Sam
Black	Edwards	Jones
Blackburn	Ellmers	Jordan
Blumenauer	Emerson	Kaptur
Bono Mack	Eshoo	Keating
Boren	Farenthold	Kelly
Boswell	Farr	Kildee
Boustany	Fattah	Kind
Brady (PA)	Fincher	King (IA)
Brady (TX)	Fitzpatrick	King (NY)
Braley (IA)	Flake	Kissell
Brooks	Fleischmann	Kline
Brown (GA)	Fleming	Kucinich
Brown (FL)	Flores	Labrador
Buchanan	Forbes	Lamborn
Bucshon	Fortenberry	Lance
Burgess	Fox	Landry
Burton (IN)	Frank (MA)	Langevin
Butterfield	Franks (AZ)	Lankford
Calvert	Frelinghuysen	Larsen (WA)
Camp	Fudge	Larson (CT)
Canseco	Gallegly	Latham
Cantor	Garamendi	LaTourette
Capito	Gardner	Latta
Capps	Garrett	Lee (CA)
Capuano	Gerlach	Levin
Carnahan	Gibbs	Lewis (CA)
Carney	Gibson	Lewis (GA)
Carson (IN)	Gingrey (GA)	LoBiondo
Castor (FL)	Gohmert	Loebsack
Chandler	Gonzalez	Lofgren, Zoe
Chu	Gosar	Long
Ciilline	Gowdy	Lucas
Clarke (MI)	Granger	Luettkemeyer
Clarke (NY)	Graves (GA)	Lujan
Clay	Graves (MO)	Lummis
Cleaver	Green, Al	Lungren, Daniel
Cohen	Green, Gene	E.
Connolly (VA)	Griffin (AR)	Maloney
Cooper	Grimm	Manzullo
Costello	Guinta	Marino
Courtney	Guithrie	Markey
Critz	Hahn	Matheson
Crowley	Hall	Matsui
Cuellar	Hanabusa	McCarthy (CA)
Cummings	Hanna	McCarthy (NY)
Davis (CA)	Harper	McCaul
Davis (IL)	Harris	McClintock
DeFazio	Hartzler	McCollum
DeGette	Hastings (FL)	McCotter
DeLauro		
Deuth		

McDermott	Rehberg	Smith (NE)
McGovern	Reichert	Smith (NJ)
McHenry	Renacci	Smith (TX)
McIntyre	Ribble	Southerland
McKeon	Richardson	Speier
McKinley	Richmond	Stark
McMorris	Rigell	Stearns
Rodgers	Rivera	Stivers
Meehan	Roby	Stutzman
Mica	Roe (TN)	Sullivan
Michaud	Rogers (AL)	Sutton
Miller (FL)	Rogers (KY)	Terry
Miller (MI)	Rogers (MI)	Thompson (CA)
Miller, Gary	Rokita	Thompson (MS)
Miller, George	Ros-Lehtinen	Thompson (PA)
Moore	Roskam	Thornberry
Mulvaney	Ross (AR)	Tiberi
Murphy (CT)	Ross (FL)	Tierney
Murphy (PA)	Royce	Tipton
Myrick	Runyan	Tonko
Napolitano	Ruppersberger	Tsongas
Neugebauer	Rush	Turner (NY)
Noem	Ryan (OH)	Turner (OH)
Nugent	Ryan (WI)	Upton
Nunes	Sánchez, Linda	Velázquez
Nunnelee	T.	Visclosky
Olson	Sanchez, Loretta	Walberg
Olver	Sarbanes	Walden
Pallone	Scalise	Walsh (IL)
Pastor (AZ)	Schakowsky	Walz (MN)
Paulsen	Schiff	Wasserman
Pearce	Schilling	Schultz
Pelosi	Schmidt	Waters
Perlmutter	Schock	Watt
Peters	Schrader	Waxman
Peterson	Schwartz	Webster
Petri	Schweikert	Welch
Pingree (ME)	Scott (SC)	West
Pitts	Scott (VA)	Westmoreland
Platts	Scott, Austin	Whitfield
Polis	Scott, David	Wilson (FL)
Pompeo	Sensenbrenner	Wilson (SC)
Posey	Serrano	Wittman
Price (GA)	Sessions	Wolf
Price (NC)	Sewell	Womack
Quayle	Sherman	Woolsey
Quigley	Shimkus	Yoder
Rahall	Shuster	Young (FL)
Rangel	Simpson	Young (IN)
Reed	Slaughter	

NAYS—7

Amash	Huizenga (MI)	Woodall
Goodlatte	Hurt	
Griffith (VA)	Palazzo	

NOT VOTING—44

Bonner	Lipinski	Pence
Buerkle	Lowey	Poe (TX)
Campbell	Lynch	Reyes
Cardoza	Mack	Rohrabacher
Clyburn	Marchant	Rooney
Conyers	McNerney	Rothman (NJ)
Ellison	Meeks	Roybal-Allard
Engel	Miller (NC)	Shuler
Filner	Moran	Sires
Grijalva	Nadler	Smith (WA)
Gutierrez	Neal	Towns
Inslee	Owens	Van Hollen
Johnson (IL)	Pascarell	Yarmuth
Kingston	Paul	Young (AK)
Kinzingler (IL)	Payne	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1903

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 35, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Mr. Speaker, on Monday, February 6, 2012, I had a previously scheduled meeting with business leaders in Champaign County, Illinois. As a result, I am unable to attend votes this evening. Had I been present, I would have voted "aye" on H.R. 1162, the New York City Natural Gas Supply Enhancement Act; "aye" on H.R. 1162, to provide the Quileute Indian Tribe Tsunami and Flood Protection Act; and "aye" on the H. Res. 537, the Rule providing for consideration of H.R. 1734, the Civilian Property Realignment Act.

PERSONAL EXPLANATION

Mr. PASCARELL. Mr. Speaker, I missed the two rollcall votes today.

Had I been present, I would have voted "nay" on rollcall vote No. 34, on H. Res. 537—Rule providing for consideration of H.R. 1734—Civilian Property Realignment Act. Additionally, had I been present, I would have voted "aye" on rollcall vote No. 35, on H.R. 1162—To provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3581, BUDGET AND ACCOUNTING TRANSPARENCY ACT OF 2012

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 112-388) on the resolution (H. Res. 539) providing for consideration of the bill (H.R. 3581) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to increase transparency in Federal budgeting, and for other purposes, which was referred to the House Calendar and ordered to be printed.

CIVILIAN PROPERTY REALIGNMENT ACT

Mr. DENHAM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1734.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 534 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1734.

□ 1903

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1734) to decrease the deficit by realigning, consolidating, selling, disposing, and improving the efficiency of federal buildings and other civilian real property, and for other purposes, with Mr. WOODALL in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from California (Mr. DENHAM) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Mr. DENHAM. Mr. Chairman, I yield myself such time as I may consume.

The purpose of H.R. 1734 is to shrink the Federal real property footprint and save billions of taxpayer dollars by selling what we don't need and better utilizing what we keep. In fiscal year 2009 alone, the Federal Government wasted more than \$1.7 billion in operating underused properties. Unfortunately, under existing law, solving this problem is not easy—the process is too cumbersome and congested with red tape.

The administration has tried but has realized it cannot achieve major savings without reform. As a result, H.R. 1734 includes a bipartisan solution to this problem—establishing a civilian BRAC-like process. However, unlike BRAC, the purpose of H.R. 1734 is to save money, and the commission would have to recommend actions that would result in net savings. The administration believes there are several billion dollars worth of high-value properties that could be sold quickly, and I agree with their assessment. Federal real property has been on GAO's high-risk list for nearly a decade now, and our committee, which oversees public buildings, has seen the waste firsthand.

The amended bill creates a nine-member commission that would review Federal properties and recommend specific actions to reduce the Federal building inventory and, more efficiently, house Federal employees. The commission could recommend property sales, consolidations, redevelopments, or other property actions. The bill does not apply to military bases, national parks and recreation areas, or a variety of other Federal properties. The administration would have 30 days to reject the recommendations or forward them to Congress for an up-or-down vote. If approved, agencies would be required to implement them.

In conclusion, let me say that both Republican and Democrat administrations have tried to work within the system to get rid of unneeded Federal property and have failed. Both parties know the process is broken and have proposed an independent BRAC-like commission to solve the problem. I believe this bill is a big step in the right direction, and I thank you for your consideration.

I reserve the balance of my time.

Ms. NORTON. Mr. Chairman, I yield myself such time as I may consume.

I rise in opposition to H.R. 1734, the Civilian Property Realignment Act.

Both Democrats and Republicans agree that we need a system to dispose of and consolidate excess Federal property. I have worked diligently with the

chairman for such a bill for most of this year. However, the bill before us does not reflect the bipartisan compromise I agreed to. Moreover, I have just learned that the President also opposes the bill, and apparently, it does not even reflect a compromise among Republicans.

I opposed this bill in the Transportation and Infrastructure Committee, and it passed on a party-line vote. The bill before us today is essentially the same bill that I opposed at the Transportation and Infrastructure Committee markup. Shortly after that markup, the Oversight and Government Reform Committee, on which I also serve, approved a bipartisan alternative bill by voice vote, which I supported because it did not have the issues I have with the bill before us today.

Why was the Transportation and Infrastructure bill rushed to the Rules Committee on Friday and quickly brought to the floor today?

Why didn't we take the time to craft a bill that could pass the House with bipartisan support and that could stand a chance to pass in the Senate?

□ 1910

Most importantly, Mr. Chairman, why isn't the bipartisan bill that I agreed to before us on the floor this evening? When I testified before the Rules Committee on Friday, I indicated that I would support the bill if the protections in existing law for the environment and the homeless were included in the bill. These protections are not included in the bill.

The Rules Committee reported out a bill with no self-executing amendments. Instead, they made several amendments—including mine—in order for full consideration. I could have done that all along. There are no assurances whatsoever that my amendments would be adopted on this floor. The only way to ensure that my amendments were included in the bill would have been for the Rules Committee to have adopted a rule that made my amendments self-executing and, therefore, a part of the bill before us today.

I will not stand here today to support a bill I've consistently opposed at Transportation and Infrastructure Committee markups on a hope and prayer that my amendments would have been adopted on the floor. I will not offer, as amendments, provisions I had every reason to expect would have been a part of the bill reported out of the Rules Committee. To offer my amendments separately is to greatly risk their defeat while the bill before us, which I oppose, still passes. I will not be used to give bipartisan cover to this bill or to paper over a divide among Republicans.

The subcommittee that I serve on had two excellent hearings on the creation of the Civilian Property Realignment Commission. I support the original bipartisan idea of assembling a Civilian Property Realignment Commis-

sion, but there are several portions of H.R. 1734 before us on the floor right now that do not reflect a revised bipartisan bill. I have consistently attempted to make the needed changes to this bill, and they were unacceptable at the full committee markup and then at Rules, where my changes were not incorporated into the bill on this floor today.

As subcommittee ranking member, I was not informed that if I wanted the changes in the bill, I would have to offer my amendments separately on the floor. Who would have agreed to that as a bipartisan compromise?

I have been consistent in offering amendments to this bill to eliminate the waiver of the National Environmental Policy Act, or NEPA, and the inclusion of a review of excess Federal property for homeless service providers and other public benefit conveyances by the Civilian Property Realignment Commission that would have been created by this bill.

Curiously, the chairman now brings to the floor his own amendment concerning homeless providers which mirrors the homelessness section of the amendment assigned to me, but he does not include in his amendment the NEPA provision section of my amendment to which he and I agreed in order to reach a compromise.

The bill, as it stands, severely limits the review of Federal property for a possible transfer to homeless providers and other public benefit conveyances by the Civilian Property Realignment Commission. By bypassing McKinney-Vento in the disposal process, the bill unnecessarily reduces the pool of Federal properties available for transfer to homeless service providers. In these difficult times, extinguishing the right of first refusal for homeless providers would be a severe blow to a sector that has already had to contend with a huge downturn in charitable giving during the recent recession. The experience, moreover, with homeless service providers is that they take only the smallest properties. And I had already agreed to shorten the time period for providers to claim properties.

Secondly, the bill, as reported, would waive the application of the National Environmental Policy Act to some actions of the commission which I have always strongly opposed. Section 18(b) waives compliance with NEPA for the actions of the President, the commission, or any Federal agency when considering any of the commission's recommendations, except during the process of property disposal and during the process of relocating functions from a property being disposed of or realigned to another location.

It is important to carefully conduct the environmental review on any decision to close, relocate, or reconfigure a Federal facility in time for the commission to consider the full implications of its actions. The current language precludes a full review of the actions until after the decision to sell or

dispose of a piece of Federal property has already been made. This problem could have easily been fixed by including language that required agencies to submit information about the environmental conditions of a building and any information that the agency might have had about the potential impacts to the environment if a property was disposed of, consolidated, or redeveloped. Therefore, I must oppose the bill before us, and I urge opposition until a bipartisan base bill reflecting the issues I have discussed is presented on the floor.

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

Mr. DENHAM. Mr. Chairman, just to quickly respond, let me first say thank you to the ranking member of the subcommittee. We have worked on this bill for a year. We agreed on language. We accepted the administration's language and worked with OMB on making sure that this was a bill that not only passed with bipartisan support but was something that the Senate would welcome and the President would sign. So it's been a good year. We've worked very well together, I think, on the issue up until this point.

And I know that it became somewhat contentious in committee because we had several different properties listed in the bill to help pay for and make sure that this was a pay-as-you-go bill. We pulled those out in an effort to create bipartisanship and to make sure that those issues that the other side of the aisle wanted addressed were addressed, but we went a step further.

As the ranking member of the committee asked for several different amendments, we agreed to those amendments. The environmental issue, we agreed to her amendment. Even though OMB had suggested that they didn't want lawsuits to apply, we went ahead and, in a sense of bipartisanship, wanted to agree to the ranking member's amendment on this. As well, the homeless, we agreed to a \$2 million exemption to make sure the homeless were well taken care of. That was changed to \$3 million. We agreed to that. It was changed to \$5 million. We agreed to that as well, even though I can't imagine the homeless wanting to utilize a \$5 million piece of property—it seems somewhat excessive—but in a true spirit of bipartisanship, we agreed.

I keep my word. I will continue to support the ranking member's amendment on the floor today. As well, I have included it in my amendment. I stand by my word, and I hope others on this floor would do the same.

At this time, Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. SHUSTER), the former chairman of the subcommittee.

□ 1920

Mr. SHUSTER. I thank the gentleman from California for yielding.

I do stand here as the former chairman of the Economic Development, Public Buildings and Emergency Management Subcommittee who served

alongside the distinguished delegate from the District of Columbia. For the years I was chairman, we worked very well together, and so it is a great disappointment that I come to the floor tonight when we thought we had an agreement. If fact, we did have an agreement. The chairman of the subcommittee and the chairman of the full committee were willing to accept the gentlelady's amendment and put it in the bill. But yet here we are today turning this into a partisan bill, which as I said is very disappointing. She said she couldn't come to the floor just on hope. She had more than hope; she had the word of the chairman of the subcommittee and the word of the chairman of the full committee.

So I am here tonight in strong support of the Civilian Property Realignment Act. There are immediate savings: a savings up to \$1 billion a year this year alone, and \$15 billion over the next 10 years. It reduces the size of government. The commission was tasked with literally reducing the Federal footprint.

And as we know, we have an example right down on Pennsylvania Avenue. The Old Post Office building is going to be put up for a long-term lease. We've got some of the premier hotel operators in the world that want to turn that into a first-rate premier hotel right on Pennsylvania Avenue. Whether it's the Waldorf Astoria or the Marriott or the Trump organization, they all want to take that and immediately turn it into a premier hotel. There will be construction jobs, jobs working in the hotel for the long term, so it's really unfortunate that this bill is going to be made partisan this evening.

The bill establishes a real property commission, a nine person Civilian Property Realignment Commission that will serve to consolidate the footprint, maximize the utilization rate of Federal buildings and facilities, reduce the reliance on costly leased space, sell or redevelop high-value assets that are underutilized—as we talked about, the old Post Office Building. It reduces the operating and maintenance costs of Federal civilian real properties through the realignment of other real properties. It reduces redundancy, overlap, and costs associated with field offices. It creates incentives for Federal agencies to achieve greater efficiency in the inventories of real property the Federal Government has. It facilitates and expedites the sale or disposal of unneeded civilian properties. And it assists Federal agencies in achieving the government's sustainability goals by reducing excess space, inventory, energy consumption, as well as by leveraging new technologies.

As the former chair of this committee, I held hearings about the Federal courthouses. We have overbuilt Federal courthouses in many places in this country for years. For years we've done that. This is going to take a step in reducing what we've been doing and consolidating and doing things that are

appropriate and proper to save the taxpayers' money.

It takes the politics out of the process. It provides for expedited review and up-or-down consideration of the commission's recommendations, just like the BRAC process.

Congress would have the opportunity to disapprove of the committee's recommendations en bloc only, not in piecemeal, which is ensuring that politics will be removed from this process.

It provides for a one-time appropriation of \$82 million to fully offset from the GSA's building and acquisition amount, after which proceeds from the sale will be used to repay the Treasury.

The CHAIR. The time of the gentleman has expired.

Mr. DENHAM. I yield the gentleman another 1 minute.

Mr. SHUSTER. I thank the gentleman.

It deals exclusively with public properties—military installations, properties deemed essential for reasons of national security, and national parks are not subject to this jurisdiction.

Again, I come to the floor tonight with deep disappointment in the ranking member, who for so many years has worked in a bipartisan way on this subcommittee. Text was available since December, so it's no surprise. The subcommittee chairman and full committee chairman agreed to accept her amendment in its entirety, and most importantly, and something that's lacking in Washington today and lacking in Congress, is people not keeping their word, and the chairman of the subcommittee is keeping his word, which is extremely important in this whole process.

I urge all of my colleagues to support H.R. 1734, the Civilian Property Realignment Act.

Ms. NORTON. Mr. Speaker, I yield myself 2 minutes.

I hope the gentleman is not implying that I do not keep my word, and let me be clear what my word was. I gave my word that I would support a bipartisan bill, not that I would support the opportunity to offer amendments on the floor.

The gentleman knows quite well that the NEPA amendment is an amendment that his side generally does not support. Let me be plain. They generally don't support NEPA. The reason that the gentleman was willing to somehow come forward with what would appear to be a redundant amendment on homelessness—since mine already had homelessness in it—is because he wanted to separate himself from the NEPA amendment, and he knows full well that I would never support his bill without the NEPA provisions that I have spent months—months—changing.

This is a tragic collapse of what had been a bipartisan process until we went to the Rules Committee, when somebody made it clear, when somebody made it clear—and I don't know who it was—that this bill could be brought

forward, the very bill I voted against, leaving it to this Member to take her chances that the other side of the aisle would support an amendment of the kind they have resolutely refused to support on the floor but that she believed that because a compromise had been worked out with the chairman, they might on this occasion support. I keep my word as well.

I yield 3 minutes to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. I thank the gentlelady for yielding to me, Mr. Speaker, and I rise in opposition to H.R. 1734, the Civilian Property Realignment Act.

Although I support the efforts to improve the process used to dispose of Federal property, I believe in its current form this legislation inappropriately limits the access that service providers for the homeless have traditionally had to surplus Federal property.

Current law requires that all Federal surplus properties be considered for use by entities that provide assistance for the homeless. This legislation would create a BRAC-like commission to dispose of unused Federal property, and would require a majority vote of this commission before any specific property could be considered for homeless assistance.

This provision is misguided and should have been eliminated before this legislation reached the floor. I submitted to the Rules Committee a commonsense amendment that would have fixed this problem. My amendment would have ensured that section 501 of the McKinney-Vento Homeless Assistance Act, which provides for the discounted conveyance of surplus Federal property to homeless assistance providers, would continue to apply to all properties approved for disposal by the commission established by H.R. 1734.

Unfortunately, my amendment was not made in order. There is no evidence that the current process for reviewing properties for use by homeless assistance providers has slowed property disposals. Indeed, more than 14,000 properties have completed Title V reviews and remain on the government's books awaiting disposal.

According to the National Center on Family Homelessness, the number of homeless children in America increased by more than 448,000 from 2007 to 2010 due to the financial crisis. Approximately 1.6 million children—1 in 45 children—were homeless in 2010, a 38 percent increase over the level of child homelessness in 2007.

With access to surplus Federal properties, homeless assistance providers can provide housing, support services, and employment assistance to help the homeless get back on their feet. We should not make careless alterations to the McKinney-Vento program.

I understand the gentlelady from the District of Columbia plans to offer an amendment that would require the Secretary of the Department of Housing and Urban Development to apply

section 501 of McKinney-Vento to the extent practicable. If she does, I would support that.

This is a step in the right direction, and I commend her efforts. But there should be no limitations on the size and value of the properties that should be subject to review for potential use by homeless assistance groups. For that reason, I cannot support this legislation so long as it contains provisions that would be harmful to the homeless and would reduce resources available to homeless assistance providers.

I urge Members to oppose H.R. 1734.

Mr. DENHAM. Mr. Speaker, just to reiterate one more time, I support the gentlelady's amendment. I look forward to voting on it as long as she brings it up. We support the homeless in this bill. We agreed to it in Rules. We still support it today, and there will definitely be sufficient votes on this side of the aisle if she decides to bring it up. And you know what? If it doesn't pass, then vote against the bill. But if you believe in the homeless issue, then put your amendment up and let's have the votes on it.

□ 1930

At this time, Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. DIAZ-BALART), also a former subcommittee chairman.

Mr. DIAZ-BALART. It was a privilege for 2 years to be the ranking member of this subcommittee, and I will tell you that this subcommittee has never been a partisan subcommittee, and I commend Chairman DENHAM for keeping that tradition of focusing on the issues and working with both sides of the aisle to try to get good products without getting into this partisan melee. So I commend the chairman for continuing in that tradition. He's done so in a marvelous way.

And here's another example: he sat down with the ranking member, and they worked out all these issues. The chairman actually went to the Rules Committee, testified in the Rules Committee in favor of making these amendments, the ranking member's amendments, so that they would be in order. Lo and behold, the Rules Committee did what both of them, in a bipartisan way, asked for. They allowed for those amendments to be in order.

Now, I have the highest admiration and respect for the ranking member. I have worked very closely with her, but I'm a little bit, frankly, intrigued. So the ranking member now says, well, if her amendments that the chairman asked to be made in order, the amendments that he supported, that he continues to support, that he says that he supported, that he supported in the Rules Committee, she says if those amendments don't pass, well, then she would vote against the bill, so therefore she's not going to bring up the amendments. Excuse me?

What usually happens is, heck, you bring up amendments even if the rank-

ing member or the chairman doesn't agree with you. But if you have the agreement of the chairman of the committee, he's here again stating it, who's worked with you the entire process, the chairman of the committee helped you get those amendments made in order in the Rules Committee, they come to the floor made in order, here they are ready to discuss, and then you say, no, now I'm not going to put up the amendments because if they don't pass, now I'll vote against the bill.

I agree with the chairman. Put the amendments up. If the amendments don't pass, even with the support of the chairman and the ranking member, then there's good reason for the ranking member to vote against it. But to withdraw an amendment when you have everybody's support, when you are pretty much guaranteed—

The CHAIR. The time of the gentleman has expired.

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

Mr. DIAZ-BALART. You're pretty much guaranteed as much as you are in this process that they're going to pass because you have the ranking member of one party and the chairman who has worked with the ranking member, they both agree, they're noncontroversial, they're ready to go, and, all of a sudden, the ranking member pulls them back and says, for some reason, I'm going to pull them back if they don't pass, I'm going to vote against the bill, well, bring them up. If they don't pass, vote against the bill. But we won't know in the democratic process if an amendment is going to pass even if the chairman and the ranking member agree with it until you bring it up.

So I would respectfully suggest that the ranking member, whom I admire, just bring up the amendments. The chairman has supported them in the Rules Committee, and he's supporting them now. Bring them up. Let's hopefully work on getting the votes because he is working with you to try to get the votes. If they don't pass, vote against it. But the chances are they're going to pass. Let's let the democratic process go forward.

And, again, I commend the chairman for keeping up the tradition of not bogging down in partisan politics. Mr. Chairman, you are to be commended for that. Thank you, sir.

Ms. NORTON. I will take such time as I may require.

I wish that the chairman—he and I have had a very cordial and an amicable relationship. I only wish that he could guarantee that my amendments would, in fact, pass. I'm afraid that, watching his caucus in operation for a full year when they could not even agree whether or not the United States Government should go into default, I can't blame him for not being able to guarantee they will pass. But let me say why taking my chances that they would pass, even given his good faith hoping they would pass, is not enough.

If he, in fact, wanted to make sure that the amendment passed, then he, of course, would be on the amendment. Instead, he does something curious indeed. He looks at my amendment, dissects it, takes the part of the amendment that he regards as less controversial—and on his side of the aisle—both parts will be controversial, but the least controversial part—and he says, I take this part, it's exactly like the homeless part of the so-called Norton amendment, but the other part that I testified in Rules Committee he is not identified with that amendment on this floor.

Now, I ask Members, what would you think if the chairman had gone with you to Rules saying he supported the amendment, and then when we got to the floor was willing to stand up—sorry—went to the trouble of pulling out one section of my amendment only to claim as his own? Why wouldn't he simply embrace my amendment?

Worse, why wouldn't he have made sure that this was a bipartisan bill so that I would not be put in this position? And this is important to understand. If I bring up my amendment separately and it goes down, what will be before the House is essentially the bill I voted against in the Transportation and Infrastructure Committee. Do I look like a fool?

I voted against the bill that is on the floor today. In all good faith, the chairman cannot guarantee that the full bill with the changes that he and I agreed to will be the bill that, in fact, emerges here this evening. In fact, let me be even more blunt. What is more likely to emerge here this evening is the original bill that I, in fact, opposed on the Transportation and Infrastructure Committee. The only way to make sure that my major objection, which was to NEPA, is included in the bill would have been for this bill to come forward with what I agreed to in the bill already. For me to have to come to the floor to beg that a part of this bill which was central to my agreement to support it now get a vote, especially from a side of this Chamber which has consistently voted against sections like the section that is at issue here, is to defy—is not to understand how to put together a compromise.

If you have a compromise and you come to the floor, you don't take out part of what the compromise was about, leaving the other part so that she can fend herself on the floor knowing full well that the chances of getting that part of the amendment passed are, based on past experience, are not very great.

So the reason I oppose it is because I believe that perhaps, and I don't know if other amendments on the Democratic side would be accepted or not, but I believe that as it now stands, the bill will look essentially like the bill that I spent all year opposing because my major reasons for opposing it have not been incorporated in the bill that will be the final bill voted on. And if I

were to depend only on an amendment on this floor to get this provision, which has always been controversial on their side in the bill, then I don't think there's anybody on that side would guarantee that on their side my amendment with the NEPA provision would, in fact, pass.

In that event, what I would be left with is the very bill that I have voted against for an entire year, and that is why I object to the way in which this bill has been handled.

I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, we're talking a lot around this issue. The gentlelady wants a guarantee. Let me give her a guarantee. She can bring her amendment up right now; we'll do it on a voice vote. It will be in the text of the bill within 30 minutes, and that is exactly what we will be voting on tomorrow.

It's very simple. We have the votes. We want the amendment. We want the Democrat support and want this to be a bipartisan bill. So all she has to do is bring up the amendment right now, we'll voice vote it, and it will be part of the bill. So now really the question is, do you or don't you want the bill?

Ms. NORTON. I want the bill you and I agreed upon, Mr. Chairman, and that was the bill that had NEPA in it and that had homeless in it.

And let me ask you, why did you come forward with an amendment that only has the homeless in it, that is the exact mirror image of the homeless section of my bill, but you did not include the NEPA section?

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Mr. DENHAM. Reclaiming my time, I have a second amendment just in case, unfortunately, trust leaves this room. In the unfortunate case that somebody does not offer their amendment, I've got my own. But I am happy to withdraw my amendment and voice vote her amendment right here so it's in the bill and we have a bipartisan agreement.

I'm not sure what the concern is. You want a guarantee? Here is a guarantee, let's do it, bipartisan. Let's get unanimous support out of this House and show the American people we can agree on cutting waste, we can agree on creating jobs, we can agree on selling some of the things we just don't need.

PARLIAMENTARY INQUIRY

Mr. DIAZ-BALART. Parliamentary inquiry of the Chair, if I may.

The CHAIR. The gentleman from Florida will state his inquiry.

Mr. DIAZ-BALART. Mr. Chairman, is it not true that if this language would have been in the bill, that there's no guarantee that somebody would have not done an amendment in the Rules Committee to take it out, so that there is no more different guarantee if it was in than if it was out? Is that not true?

The CHAIR. The gentleman has not stated a proper parliamentary inquiry. That is a matter for debate.

Mr. DENHAM. At this time, Mr. Chairman, I'd like to yield 3 minutes to

the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY. I thank the gentleman from California.

I do stand in strong support of the Civilian Property Realignment Act, and I'll tell you why. I come from the private sector where sometimes assets become liabilities. An asset becomes a liability when it costs you so much to insure it, secure it, and maintain it that it no longer serves the purpose it was originally designed for.

When you look at this, I look at this as almost—there's a TV show. I haven't seen it, but they tell me it's called "Hoarders." This is where people hoard things that they have no use for, but it takes up all space in their house and it takes up their personal wealth.

We are looking at a situation right now in this country where we have to reduce the size of government and reduce the cost. Why? Because it's the hardworking American taxpayer that foots the bill for all these properties that are being unused or underused. Wouldn't it just make sense to take them from the liability side and put it on the asset side? It no longer will cost the American taxpayers money to secure, insure, and maintain. It would go into the private sector. It would create jobs. These people would convert these into a use that makes more sense for today, and they would start paying taxes on it. This is a win-win situation for the American taxpayer.

I would submit to you, if this were not a reelection year, we would not be going through gymnastics in this House of things that make absolutely no sense to the people who pay for them; that's the American taxpayer.

After sitting here for 1 year and watching this ridiculous tennis match and trying to figure out if we really came to reduce the size of government, if we really came to reduce the debt that we have, if we really came to create jobs, if we really came for something that makes sense for America, why are we wasting America's time by debating issues that don't make sense for the people that pick up the tab, and that's the American taxpayer? It is not this House that pays for it. It is those homes around our district and in this country.

I have gotten to the point where I cannot stand listening to this garbage that comes out of here. It does nothing but create animosity. It does nothing to fix the situation. We have absolutely reached way past the midnight hour.

So I strongly support the gentleman's bill, the Civilian Property Realignment Act. Let's change these things from being liabilities into assets. Let's take the government's foot off the throat of the American taxpayers. Let's turn this country around and make it a useful situation.

I thank the gentleman. Please stand strong. We need to get these issues done.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. The Chair would remind all Members to direct their remarks to the Chair.

The Chair recognizes the gentleman from the District of Columbia.

Ms. NORTON. Well, I don't agree that we're past the midnight hour, but I agree that we're past the point of no return.

The gentleman wanted to talk about cost. This bill costs \$68 million, a great deal more than another bill that I do support, the Oversight and Government Reform bill. I serve on that committee as well. I was willing, since this bill was coming to the floor first and since I had worked with the gentleman on this bill all along, to support this bill, but I don't think you can make the case that this bill is less costly than the Oversight and Government Reform bill. I would have thought that my colleagues on the other side would have gotten together to work that problem of two different bills out for themselves.

My chief regret is to have spent a lot of time and effort and conversation that I believed was getting somewhere. Perhaps it was all a big misunderstanding. But if it were, if that's what it was, we certainly informed the other side about my concern before we came. That concern remains.

I don't have any further speakers. I regretfully cannot support the bill before us.

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

Mr. DENHAM. Mr. Chairman, once again, this is the amazing thing about politics. You can have an agreement and support completely the other side's opinion and still have a disagreement only in this House.

I support getting this country back in line with our fiscal responsibility. We have a \$15 trillion debt, and we've got to do something about it. We have an opportunity to have a bipartisan agreement, one that the President is asking for, one he included in his State of the Union as something to get done. If he cannot get his own party, if he cannot get the Senate to come along with his ideas, how are we the obstructionists?

We want to sell properties. We want to sell the noncontroversial properties. Fourteen thousand properties have been identified as excess, underutilized properties that we could be moving immediately. We could be creating billions of dollars to pay down our debt. We could be redeveloping so many of these historic buildings that are sitting empty, creating jobs, getting these properties back on the tax rolls. This is a bipartisan solution that I'm amazed at some of the rhetoric tonight.

Again, if the ranking member wants a guarantee, we'll give her a guarantee tonight. Bring up the amendment. We will voice vote it right now and she will have a guarantee it's in the bill. But yet she doesn't want to do it. So I have a separate amendment. If we cannot get the other side of the aisle to present theirs, we will present ours.

Again, we've got to get rid of some of this waste, this additional expense—\$1.9 billion we pay just in operating costs of these properties we don't use today, properties that are sitting vacant. If Republicans and Democrats can't agree that an empty building that's not being used, that has no reason to be used in the future, cannot be eliminated to reduce our debt, the real question is: What can we agree on? This is the most simple of deficit reduction plans. This is one the President has asked for multiple times.

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

The CHAIR. All time for general debate has expired.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-11 is adopted. The bill, as amended, shall be considered as an original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 1734

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 "Civilian Property Realignment Act" or "CITA".

SEC. 2. PURPOSES.

The purposes of this Act are—

- (1) to consolidate the footprint of Federal buildings and facilities;
- (2) to maximize the utilization rate of Federal buildings and facilities;
- (3) to reduce the reliance on leased space;
- (4) to sell or redevelop high value assets that are underutilized to obtain the highest and best value for the taxpayer and maximize the return to the taxpayer;
- (5) to reduce the operating and maintenance costs of Federal civilian real properties through the realignment of real properties by consolidating, collocating, and reconfiguring space, and other operational efficiencies;
- (6) to reduce redundancy, overlap, and costs associated with field offices;
- (7) to create incentives for Federal agencies to achieve greater efficiency in their inventories of civilian real property;
- (8) to facilitate and expedite the sale or disposal of unneeded civilian properties; and
- (9) to assist Federal agencies in achieving the Government's sustainability goals by reducing excess space, inventory, and energy consumption, as well as by leveraging new technologies.

SEC. 3. DEFINITIONS.

In this Act, unless otherwise expressly stated, the following definitions apply:

- (1) **FEDERAL CIVILIAN REAL PROPERTY AND CIVILIAN REAL PROPERTY.**—
 - (A) **PROPERTY.**—The terms "Federal civilian real property" and "civilian real property" refer to Federal real property assets, including public buildings as defined in section 3301 of title 40, United States Code, occupied and improved grounds, leased space, or other physical structures under the custody and control of Federal agency.
 - (B) **FURTHER EXCLUSIONS.**—Subparagraph (A) shall not be construed as including any of the following types of property:
 - (i) A base, camp, post station, yard, center, homeport facility for any ship, or any activity

under the jurisdiction of the Department of Defense or Coast Guard.

(ii) Properties that are excluded for reasons of national security by the Director of the Office of Management and Budget.

(iii) Properties that are excepted from the definition of "property" under section 102(9) of title 40, United States Code.

(iv) Indian and Native Alaskan properties including—

(I) any property within the limits of any Indian reservation to which the United States owns title for the benefit of an Indian tribe; and

(II) any property title which is held in trust by the United States for the benefit of any Indian tribe or individual or held by an Indian tribe or individual subject to restriction by the United States against alienation.

(v) Properties operated and maintained by the Tennessee Valley Authority pursuant to the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831, et seq).

(vi) Postal properties owned by the United States Postal Service.

(vii) Properties used in connection with Federal programs for agricultural, recreational, and conservation purposes, including research in connection with the programs.

(viii) Properties used in connection with river, harbor, flood control, reclamation, or power projects.

(ix) Properties located outside the United States operated or maintained by the Department of State or the United States Agency for International Development.

(2) **FEDERAL AGENCY.**—The term "Federal agency" means an executive department or independent establishment in the executive branch of the Government, and a wholly owned Government corporation.

(3) **ADMINISTRATOR.**—The term "Administrator" means the Administrator of General Services.

(4) **COMMISSION.**—The term "Commission" means the Civilian Property Realignment Commission.

(5) **OMB.**—The term "OMB" means the Office of Management and Budget.

(6) **FIELD OFFICE.**—The term "field office" means any Federal office that is not the Headquarters office location for the Federal agency.

SEC. 4. COMMISSION.

(a) **ESTABLISHMENT.**—There is established an independent commission to be known as the Civilian Property Realignment Commission, referred to in this Act as the "Commission".

(b) **DUTIES.**—The Commission shall carry out the duties as specified in this Act.

(c) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The Commission shall be composed of a Chairperson appointed by the President, by and with the advice and consent of the Senate, and 8 members appointed by the President.

(2) **APPOINTMENTS.**—In selecting individuals for appointments to the Commission, the President shall consult with—

(A) the Speaker of the House of Representatives concerning the appointment of 2 members;

(B) the majority leader of the Senate concerning the appointment of 2 members;

(C) the minority leader of the House of Representatives concerning the appointment of 1 member; and

(D) the minority leader of the Senate concerning the appointment of 1 member.

(3) **TERMS.**—The term for each member of the Commission shall be 6 years.

(4) **VACANCIES.**—Vacancies shall be filled in the same manner as the original appointment.

(5) **QUALIFICATIONS.**—In selecting individuals for appointment to the Commission, the President shall ensure the Commission contains individuals with expertise representative of the following:

- (A) Commercial real estate and redevelopment.
- (B) Government management or operations.

(C) Community development, including transportation and planning.

(D) Historic preservation.

SEC. 5. COMMISSION MEETINGS.

(a) **OPEN MEETINGS.**—Each meeting of the Commission, other than meetings in which classified information is to be discussed, shall be open to the public. Any open meeting shall be announced in the Federal Register and the Federal website established by the Commission at least 14 calendar days in advance of a meeting. For all public meetings, the Commission shall release an agenda and a listing of materials relevant to the topics to be discussed.

(b) **QUORUM AND MEETINGS.**—Seven Commission members shall constitute a quorum for the purposes of conducting business and 3 or more Commission members shall constitute a meeting of the Commission.

(c) **TRANSPARENCY OF INFORMATION.**—All the proceedings, information, and deliberations of the Commission shall be open, upon request, to the Chairperson and the ranking minority party member, and their respective subcommittee Chairperson and ranking minority party member, of—

(1) the Committee on Transportation and Infrastructure of the House of Representatives;

(2) the Committee on Oversight and Government Reform of the House of Representatives;

(3) the Committee on Homeland Security and Governmental Affairs of the Senate;

(4) the Committee on Environmental and Public Works of the Senate; and

(5) the committees on Appropriations of the House of Representatives and the Senate.

(d) **GOVERNMENT ACCOUNTABILITY OFFICE.**—All proceedings, information, and deliberations of the Commission shall be open, upon request, to the Comptroller General of the United States.

SEC. 6. COMPENSATION AND TRAVEL EXPENSES.

(a) **COMPENSATION.**—

(1) **RATE OF PAY FOR MEMBERS.**—Each member, other than the Chairperson, shall be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

(2) **RATE OF PAY FOR CHAIRPERSON.**—Chairperson shall be paid for each day referred to in paragraph (1) at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level III of the Executive Schedule under section 5314, of title 5, United States Code.

(b) **TRAVEL.**—Members shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

SEC. 7. EXECUTIVE DIRECTOR.

(a) **APPOINTMENT.**—The Commission shall appoint an Executive Director and may disregard the provisions of title 5, United States Code, governing appointments in the competitive service.

(b) **RATE OF PAY FOR DIRECTOR.**—The Executive Director shall be paid at the rate of basic pay payable or level IV of the Executive Schedule under section 5315 of title 5, United States Code.

SEC. 8. STAFF.

(a) **ADDITIONAL PERSONNEL.**—Subject to subsection (b), the Executive Director, with the approval of the Commission, may appoint and fix the pay of additional personnel.

(b) **DETAIL EMPLOYEES FROM OTHER AGENCIES.**—Upon request of the Executive Director, the head of any Federal agency may detail any of the personnel of that agency to the Commission to assist the Commission in carrying out its duties under this Act.

(c) **QUALIFICATIONS.**—Appointments shall be made with consideration of a balance of expertise consistent with the qualifications of representatives described in section 4(c)(5).

SEC. 9. CONTRACTING AUTHORITY.

(a) **EXPERTS AND CONSULTANTS.**—The Commission, to the extent practicable and subject to appropriations made by law, shall use existing contracts entered into by the Administrator for services necessary to carry out the duties of the Commission.

(b) **SPACE.**—The Administrator, in consultation with the Commission, shall identify suitable excess space within the Federal space inventory to house the operations of the Commission.

(c) **PERSONAL PROPERTY.**—The Commission shall use personal property already in the custody and control of the Administrator.

(d) **USE OF SMALL BUSINESSES.**—In exercising its authorities under this section and section 12, the Commission shall use, to the greatest extent practicable, small businesses as defined by section 3 of the Small Business Act (15 U.S.C. 632).

SEC. 10. TERMINATION.

The Commission shall cease operations and terminate 6 years after the date of enactment of this Act.

SEC. 11. DEVELOPMENT OF RECOMMENDATIONS TO THE COMMISSION.

(a) **SUBMISSIONS OF AGENCY INFORMATION AND RECOMMENDATIONS.**—Not, later than 120 days after the date of enactment of this Act and 120 days after the beginning of each fiscal year thereafter, the head of each Federal agency shall submit to the Administrator and the Director of OMB the following:

(1) **CURRENT DATA.**—Current, data of all Federal civilian real properties owned, leased, or controlled by the respective agency, including all relevant information prescribed by the Administrator and the Director of OMB, including data related to the age and condition of the property, operating costs, history of capital expenditures, sustainability metrics, number of Federal employees and functions housed in the respective property, and square footage (including gross, rentable, and usable).

(2) **AGENCY RECOMMENDATIONS.**—Recommendations which shall include the following:

(A) Federal civilian properties that can be sold for proceeds and otherwise disposed of, reported as excess, declared surplus, or otherwise no longer meeting the needs of the agency, excluding leasebacks or other such exchange agreements where the property continues to be used by the agency.

(B) Federal civilian properties that can be transferred, exchanged, consolidated, co-located, reconfigured, or redeveloped, so as to reduce the civilian real property inventory, reduce the operating costs of the Government, and create the highest value and return for the taxpayer.

(C) Operational efficiencies that the Government can realize in its operation and maintenance of Federal civilian real properties.

(b) **STANDARDS AND CRITERIA.**—Not later than 60 days after the date specified in subsection (a), the Director of OMB, in consultation with the Administrator, shall review agency recommendations submitted pursuant to subsection (a), and develop consistent standards and criteria, against which agency recommendations will be reviewed. The Director of OMB and the Administrator shall develop recommendations to time Commission based on those standards and criteria. In developing the standards and criteria, the Director of OMB, in consultation with the Administrator, shall incorporate the following:

(1) The extent to which the Federal building or facility could be sold (including property that is no longer meeting the needs of the Federal Government), redeveloped, or otherwise used to produce the highest and best value and return for the taxpayer.

(2) The extent to which the operating and maintenance costs are reduced through consolidating, co-locating, and reconfiguring space, and through realizing other operational efficiencies.

(3) The extent to which the utilization rate is being maximized and is consistent with non-governmental industry standards for the given function or operation.

(4) The extent and timing of potential costs and savings, including the number of years, beginning with the date of completion of the proposed recommendation.

(5) The extent to which reliance on leasing for long-term space needs is reduced.

(6) The extent to which a Federal building or facility aligns with the current mission of the Federal agency.

(7) The extent to which there are opportunities to consolidate similar operations across multiple agencies or within agencies.

(8) The economic impact on existing communities in the vicinity of the Federal building or facility.

(9) The extent to which energy consumption is reduced.

(c) **SPECIAL RULE FOR UTILIZATION RATES.**—Standards developed by the Director of OMB must incorporate and apply clear standard utilization rates consistent throughout each category of space and with non-government space utilization rates. To the extent the space utilization rates of a given agency fall below the utilization rates to be applied under this subsection, the Director may recommend realignment, co-location, consolidation, or other type of action to improve space utilization.

(d) **SUBMISSION TO THE COMMISSION.**—

(1) **IN GENERAL.**—The standards, criteria, and recommendations developed pursuant to subsection (b) shall be submitted to the Commission with all supporting information, data, analyses, and documentation.

(2) **PUBLICATION.**—The standards, criteria, and recommendations shall be published in the Federal Register and transmitted to the committees designated in section 5(c) and to the Comptroller General of the United States.

(3) **ACCESS TO INFORMATION.**—The Commission shall also have access to all information pertaining to the recommendations, including supporting information, data, analyses, and documentation submitted pursuant to subsection (a). Upon request, Federal agencies shall provide, the Commission any additional information pertaining to its properties.

SEC. 12. COMMISSION DUTIES.

(a) **IDENTIFICATION OF PROPERTY REDUCTION OPPORTUNITIES.**—The Commission shall identify opportunities for the Government to reduce significantly its inventory of civilian real property and reduce costs to the Government.

(b) **IDENTIFICATION OF HIGH VALUE ASSETS.**—

(1) **IDENTIFICATION OF CERTAIN PROPERTIES.**—Not later than 180 days after Commission members are appointed pursuant to section 4, the Commission shall identify not less than 5 Federal properties that are not on the list of surplus or excess as of such date with a total fair market value of not less than \$500,000,000 and transmit the list to the President and Congress as Commission recommendations and subject to the approval process described in sections 13 and 14.

(2) **INFORMATION AND DATA.**—In order to meet the goal established under paragraph (1), Federal agencies shall provide, upon receipt, any and all information and data regarding its properties to the Commission. The Commission shall notify the committees listed under section 5(c) of any failure by any agency to comply with a request of the Commission.

(c) **ANALYSIS OF INVENTORY.**—The Commission shall perform an independent analysis of the inventory of Federal civilian real property and the recommendations submitted pursuant to section 11. The Commission shall not be bound or limited by the recommendations submitted pursuant to section 11. If, in the opinion of the Commission, an agency fails to provide needed information, data, or adequate recommendations that meet the standards and criteria, the Commission shall develop such recommendations as it con-

siders appropriate based on existing data contained in the Federal Real Property Profile or other relevant information.

(d) **RECEIPT OF INFORMATION AND PROPOSALS.**—Notwithstanding any other provision or law, the Commission may receive and consider proposals, information, and other data submitted by State and local officials and the private sector. Such information shall be made publicly available.

(e) **ACCOUNTING SYSTEM.**—Not later than 120 days after the date of enactment of this Act, the Commission shall identify or develop and implement a system of accounting to be used to independently evaluate the costs of and returns on the recommendations. Such accounting system shall be applied in developing the Commission's recommendations and determining the highest return to the taxpayer. In applying the accounting system, the Commission shall set a standard performance period.

(f) **PUBLIC HEARING.**—The Commission shall conduct public hearings. All testimony before the Commission at a public hearing under this paragraph shall be presented under oath.

(g) **REPORTING OF INFORMATION AND RECOMMENDATIONS.**—

(1) **IN GENERAL.**—Not later than 120 days after the receipt of recommendations pursuant to section 11, and annually thereafter, the Commission shall transmit to the President, and publicly post on a Federal website maintained by the Commission a report containing the Commission's findings, conclusions, and recommendations for the consolidation, exchange, co-location, reconfiguration, lease reductions, sale, and redevelopment of Federal civilian real properties and for other operational efficiencies that can be realized in the Government's operation and maintenance or such properties.

(2) **RECOMMENDATIONS FOR SALE OR DISPOSAL OF PROPERTY.**—To the extent the Commission recommendations include the sale or disposal of real property, these properties may be reported as excess, declared surplus, or determined as no longer meeting the needs of the Federal Government, excluding leasebacks or other such exchange agreements where the property continues to be used by the Federal Government.

(3) **CONSENSUS IN MAJORITY.**—The Commission shall seek to develop consensus recommendations, but if a consensus cannot be obtained, the Commission may include in its report recommendations that are supported by a majority of the Commission.

(h) **FEDERAL WEBSITE.**—The Commission shall establish and maintain a Federal website for the purposes of making relevant information publicly available.

(i) **REVIEW BY GAO.**—The Comptroller General of the United States shall transmit to the Congress and to the Commission a report containing a detailed analysis of the recommendations and selection process.

SEC. 13. REVIEW BY THE PRESIDENT.

(a) **REVIEW OF RECOMMENDATIONS.**—Upon receipt of the Commission's recommendations, the President shall conduct a review of such recommendations.

(b) **REPORT TO COMMISSION AND CONGRESS.**—Not later than 30 days after receipt of the Commission's recommendations, the President shall transmit to the Commission and Congress a report that sets forth the President's approval or disapproval of the Commission's recommendations.

(c) **APPROVAL OR DISAPPROVAL.**—If the President—

(1) approves of the Commission's recommendations, the President shall transmit a copy of the recommendations to Congress, together with a certification of such approval;

(2) disapproves of the Commission's recommendations, in whole or in part, the President shall also transmit to the Commission and Congress the reasons for such disapproval. The Commission shall then transmit to the President,

not later than 30 days following the disapproval, a revised list of recommendations;

(3) approves all of the revised recommendations of the Commission, the President shall transmit a copy or such revised recommendations to Congress, together with a certification of such approval; or

(4) does not transmit to the Congress an approval and certification described in paragraphs (1) or (3) within 30 days of receipt of the Commission's recommendations or revised recommendations, as the case may be, the process shall terminate until the following year.

SEC. 14. CONGRESSIONAL CONSIDERATION OF THE RECOMMENDATIONS.

(a) **JOINT RESOLUTION OF APPROVAL.**—If a House of Congress has not taken a vote on final passage of a joint resolution as described in subsection (c) within 45 days after the President's transmission to that House of the approved recommendations pursuant to section 13, then such vote shall be taken on the next day of session following the expiration of the 45-day period.

(b) **COMPUTATION OF TIME PERIOD.**—For the purposes of this section, the days on which either House of Congress is not in session because of adjournment of more than three days shall be excluded in the computation of the period of time.

(c) **TERMS OF THE RESOLUTION.**—For purposes of this section, the term "joint resolution" means only a joint resolution—

(1) which does not have a preamble;

(2) the matter after the resolving clause of which is as follows: "That Congress approves the recommendations of the Civilian Property Realignment Commission as submitted by the President on _____ and notwithstanding any other provision of law, the Federal agencies shall implement and carry out all of the Commission's recommendations pursuant to section 15 of the Civilian Property Realignment Act", the blank space being filled in with the appropriate date;

(3) the title of which is as follows: "Joint resolution approving the recommendations of the Civilian Property Realignment Commission"; and

(4) which is introduced pursuant to subsection (d).

(d) **INTRODUCTION.**—After a House of Congress receives the President's transmission of approved recommendations pursuant to section 13, the majority leader of that House (or a designee) shall introduce (by request, if appropriate) a joint resolution described in subsection (c)—

(1) in the case of the House of Representatives, within three legislative days; and

(2) in the case of the Senate, within three session days.

(e) **CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.**—

(1) **REFERRAL AND REPORTING.**—Any committee of the House of Representatives to which a joint resolution is referred shall report it to the House without amendment not later than the tenth legislative day after the date of its introduction. If a committee fails to report the joint resolution within that period, it shall be in order to move that the House discharge the committee from further consideration of the joint resolution. Such a motion shall be in order only at a time designated by the Speaker in the legislative schedule within three legislative days after the day on which the proponent, announces his intention to offer the motion. Notice may not be given on an anticipatory basis. Such a motion shall not be in order after the House has disposed of a motion to discharge a joint resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion except twenty minutes of debate equally divided and controlled by the proponent and an opponent. If such a motion is adopted, the House shall proceed immediately to consider the joint resolution in accordance with paragraph (3). A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(2) **PROCEEDING TO CONSIDERATION.**—After the last committee authorized to consider a joint resolution reports it to the House or has been discharged (other than by motion) from its consideration, it shall be in order to move to proceed to consider the joint resolution in the House. Such a motion shall be in order only at a time designated by the Speaker in the legislative schedule within three legislative days after the day on which the proponent announces his intention to offer the motion. Notice may not be given on an anticipatory basis. Such a motion shall not be in order after the House has disposed of a motion to proceed with respect to that transmittal of recommendations. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(3) **CONSIDERATION.**—The joint resolution shall be considered as read. All points of order against a joint resolution and against its consideration are waived. The previous question shall be considered as ordered on a joint resolution to its passage without intervening motion except five hours of debate equally divided and controlled by the proponent and an opponent and one motion to limit debate on the joint resolution. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(4) **POST SINE DIE.**—If the House has adopted a concurrent resolution providing for adjournment sine die at the end of a Congress, a motion to discharge under paragraph (1) or a motion to proceed under subparagraph (2) shall be in order as applicable.

(f) **CONSIDERATION IN THE SENATE.**—

(g) **AMENDMENTS PROHIBITED.**—No amendment to, or motion to strike a provision from, a joint resolution considered under this section shall be in order in either the Senate or the House of Representatives.

(h) **CONSIDERATION BY OTHER HOUSE.**—

(1) **IN GENERAL.**—If, before the passage by one House of a joint resolution of that House described in subsection (c), that House received from the other House a joint resolution described in subsection (e), then the following procedures shall apply:

(A) **NO COMMITTEE REFERRAL.**—The joint resolution or the other House shall not be referred to a committee and may not be considered in the House receiving it except in the case of final passage as provided in subparagraph (B).

(B) **JOINT RESOLUTION PROCEDURE.**—With respect to a joint resolution described in subsection (c) of the House receiving the joint resolution the procedure in that House shall be the same as if no joint resolution had been received from the other House, but the vote on final passage shall be on the joint resolution of the other House.

(2) **NO CONSIDERATION.**—Upon disposition of the joint resolution received from the other House, it shall no longer be in order to consider the joint resolution that originated in the receiving House.

(3) **EXCEPTION.**—This subsection shall not apply to the House of Representatives if the joint resolution received from the Senate is a revenue measure.

(i) **RULES OF THE SENATE AND HOUSE.**—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part or the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution described in this section, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 15. IMPLEMENTATION OF COMMISSION RECOMMENDATIONS.

(a) **CARRYING OUT RECOMMENDATIONS.**—Upon the enactment of a joint resolution described in section 14(c), Federal agencies shall immediately begin preparation to carry out the Commission's recommendations and shall initiate all activities no later than 2 years after the date on which the President transmits the recommendations to Congress. Federal agencies shall complete all recommended actions no later than the end of the 6-year period beginning on the date on which the President transmits the Commission's recommendations to Congress. All actions shall be economically beneficial and be cost neutral or otherwise favorable to the Government. For actions that will take longer than the 6-year period due to extenuating circumstances, each Federal agency shall notify the President and Congress as soon as the extenuating circumstance presents itself with an estimated time to complete the relevant action.

(b) **ACTIONS OF FEDERAL AGENCIES.**—In taking actions related to any Federal building or facility under this Act, Federal agencies may, pursuant to subsection (c), take all such necessary and proper actions, including—

(1) acquiring land, constructing replacement facilities, performing such other activities, and conducting advance planning and design as may be required to transfer functions from a Federal asset or property to another Federal civilian property; and

(2) reimbursing other Federal agencies for actions performed at the request of the Commission.

(c) **NECESSARY AND PROPER ACTIONS.**—When acting on a recommendation of the Commission, a Federal agency shall continue to act within their existing legal authorities, whether such authority has been delegated by the Administrator, or must work in partnership with the Administrator to carry out such actions. The Administrator may take such necessary and proper actions, including the sale, conveyance, or exchange or civilian real property, as required to implement the Commission recommendations in the time period required under subsection (a).

(d) **DISCRETION OF ADMINISTRATOR REGARDING TRANSACTIONS.**—For any transaction identified, recommended, or commenced as a result of this Act, any otherwise required legal priority given to, or requirement to enter into, a transaction to convey a Federal civilian real property for less than fair market value, for no consideration at all, or in a transaction that mandates the exclusion of other market participants, shall be at the discretion of the Administrator.

SEC. 16. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There is authorized a one-time appropriation to carry out this Act in the following amounts:

(1) \$20,000,000 for salaries and expenses of the Commission.

(2) \$62,000,000 to be deposited into the Asset Proceeds and Space Management Fund for activities related to the implementation of the Commission recommendations.

(b) **FEDERAL BUILDINGS FUND.**—There is authorized to be appropriated from the Federal Buildings Fund established under section 592 of title 40, United States Code, for construction and acquisition activities \$0 for fiscal year 2012.

SEC. 17. FUNDING.

(a) **CREATION OF SALARIES AND EXPENSES ACCOUNT.**—

(1) **ESTABLISHMENT OF ACCOUNT.**—There is hereby established on the books of the Treasury an account to be known as the "Civilian Property Realignment Commission—Salaries and Expenses" account.

(2) **NECESSARY PAYMENTS.**—There shall be deposited into the account such amounts, as are provided in appropriations Acts, for those necessary payments for salaries and expenses to accomplish the administrative needs of the Commission.

(b) CREATION OF ASSET PROCEEDS AND SPACE MANAGEMENT FUND.—There is hereby established within the Federal Buildings Fund established under section 592 of title 40, United States Code, an account to be known as the “Civilian Property Realignment Commission—Asset Proceeds and Space Management Fund” which shall be used solely for the purposes of carrying out actions pursuant to the Commission recommendations approved under section 14. Notwithstanding section 3307 of title 40, United States Code, the following amounts shall be deposited into the account and made available for obligation or expenditure only as provided in advance in appropriations Acts for the purposes specified:

(1) Such amounts as are provided in appropriations Acts, to remain available until expended, for the consolidation, co-location, exchange, redevelopment, re-configuration of space, disposal, and other actions recommended by the Commission for Federal agencies.

(2) Amounts received from the sale of any civilian real property action taken pursuant to a recommendation or the Commission under section 15. As provided in appropriations Acts, such proceeds may be made available to cover necessary costs associated with implementing the recommendations pursuant to section 15, including costs associated with—

(A) sales transactions;

(B) acquiring land, construction, constructing replacement facilities, conducting advance planning and design as may be required to transfer functions from a Federal asset or property to another Federal civilian property;

(C) co-location, redevelopment, disposal, and reconfiguration of space; and

(D) other actions recommended by the Commission for Federal agencies.

(c) ADDITIONAL REQUIREMENT FOR BUDGET CONTENTS.—The President’s budget submitted pursuant to section 1105 of title 31, United States Code, shall include an estimate of proceeds that are the result of the Commission’s recommendations and the obligations and expenditures needed to support such recommendations.

SEC. 18. DISPOSAL OF REAL PROPERTIES.

(a) ENVIRONMENTAL CONSIDERATIONS.—

(1) APPLICABILITY OF OTHER LAW.—Public Law 91-190, as amended, shall not apply to activities under section 11 of this Act.

(2) CIVIL ACTION.—A civil action for judicial review, with respect to any requirement of Public Law 91-190, as amended, to the extent such public law is applicable to the actions under section 15 of this Act, of any act or failure to act by a Federal agency during the closing, realigning, or relocating of functions under this Act, may not be brought more than 60 days after the date of such act or failure to act.

(3) TRANSFER OF REAL PROPERTY.—

(A) IN GENERAL.—When implementing the recommended actions pursuant to section 15 for properties that have been identified in the Commission’s recommendations and in compliance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including section 120(h) thereof (42 U.S.C. 9620(h)), Federal agencies may enter into an agreement to transfer by deed real property with any person.

(B) ADDITIONAL TERMS.—The head of the disposing agency may require any additional terms and conditions in connection with an agreement authorized by subparagraph (A) as the head of the disposing agency considers appropriate to protect the interests of the United States. Such additional terms and conditions shall not affect or diminish any rights or obligations of the Federal agencies under CERCLA section 120(h) (including, without limitation, the requirements CERCLA section 120(h)(3)(A) and CERCLA section 120(h)(3)(C)(iv)).

(4) INFORMATION DISCLOSURE.—As part, of an agreement pursuant to this Act, the agency

shall disclose to the person to whom the property or facilities will be transferred any information of the Federal agency regarding the environmental restoration, waste management, and environmental compliance activities described in this Act that relate to the property or facilities. The agency shall provide such information before entering into the agreement.

(b) CONSTRUCTION OF CERTAIN ACTS.—Nothing in this section shall be construed to modify, alter, or amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) or the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

SEC. 19. CONGRESSIONAL APPROVAL OF PROPOSED PROJECTS.

Section 3307(b) of title 40, United States Code is amended—

(1) by striking “and” at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting “; and”; and

(3) by adding at the end the following:

“(8) a statement of how the proposed project is consistent with section 11(b) of the Civilian Property Realignment Act.”.

SEC. 20. LIMITATION OF CERTAIN LEASING AUTHORITIES.

(a) LIMITATION OF CERTAIN LEASING AUTHORITIES.—Chapter 33 of title 40, United States Code, is amended by adding at the end the following: “§3317. Limitation on leasing authority of other agencies

“(a) IN GENERAL.—Notwithstanding any other provision of law, no executive agency may lease space for the purposes of a public building as defined under section 3301, except as provided under section 585, and the provisions in this chapter.

“(b) Public Building.—For the purposes of this section, the term ‘public building’ shall include leased space.

“(c) FURTHER EXCLUSIONS.—This section shall not apply to—

“(1) properties that are excluded for reasons of national security by the President; and

“(2) properties of the Department of Veterans Affairs.

“(d) CONSTRUCTION.—Nothing in this section shall be construed as creating new authority for executive agencies to enter into leases or limit the authority of the Administration under section 3314.”.

(b) SMALL BUSINESSES.—When using commercial leasing services, the Administrator shall adhere to the requirements of the Small Business Act (15 U.S.C. et seq.).

(c) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end: “3317. Limitation on leasing authority of other agencies.”.

SEC. 21. IMPLEMENTATION REVIEW BY GAO.

Upon transmittal of the Commission’s recommendations from the President to the Congress under section 13, the Comptroller General of the United States at least annually shall monitor, review the implementation activities of Federal agencies pursuant to section 15, and report to Congress any findings and recommendations.

The CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in House Report 112-385. Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

The Chair understands amendment No. 1 will not be offered.

AMENDMENT NO. 2 OFFERED BY MR. DENHAM

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112-385.

Mr. DENHAM. Mr. Chairman, am I to understand that the amendment before mine is not being brought up?

The CHAIR. The gentleman is correct.

Does the gentleman have an amendment at the desk?

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 28, after line 15, insert the following:

(e) MCKINNEY-VENTO HOMELESS ASSISTANCE ACT REVIEW.—Upon the enactment of a joint resolution described in section 14(c) and for not more than 90 days after such enactment, the Secretary of Housing and Urban Development shall apply section 501 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411) to the extent practicable, to any buildings identified for disposal in the approved recommendations that are not more than 25,000 square feet or valued at less than \$5,000,000.

The CHAIR. Pursuant to House Resolution 537, the gentleman from California (Mr. DENHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DENHAM. Mr. Chairman, this amendment reflects what was agreed to by the gentlewoman from the District of Columbia on the homeless issue. The amendment ensures that there is a reasonable review of properties for use by the homeless.

Under current law, the review process is covered by the McKinney-Vento Homeless Assistance Act. This amendment applies that law in a streamlined way to the civilian property realignment process created in H.R. 1734.

□ 1950

The streamlined review process would set a clear timeframe and apply to the types of properties normally used for the homeless, those less than 25,000 square feet or not more than \$5 million in value.

Over the 25 years since McKinney-Vento was enacted, 82 properties have been conveyed for homeless use. In 25 years, just 82 properties have been conveyed, and we want to continue to extend that, seeing as there may be other opportunities.

Typically, these are small properties used for shelters and similar types of assistance. The larger properties tend to be warehouses for food banks. Given this, the amendment provides two triggers, one based on size, and another on value to ensure properties that may be appropriate are considered for homeless use.

This is a reasonable compromise to this issue. I worked closely with the ranking member of our subcommittee, and on Friday we had agreed to this solution. Despite reversing her decision, I’ll move forward on the agreed-upon language.

I urge my colleagues to support this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DENHAM).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. CONNOLLY
OF VIRGINIA

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112-385.

Mr. CONNOLLY of Virginia. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 28, line 15, insert after "the Administrator." the following: "The Administrator may also exclude property from any such transaction that the Administrator has determined is suitable for assignment to the Secretary of the Interior for transfer to a State, a political subdivision or instrumentality of a State, or a municipality for use as a public park or recreation area under section 550(e) of title 40, United States Code. In making such determination, the Administrator may consider the appraised value of the property and the highest and best use."

The CHAIR. Pursuant to House Resolution 537, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Both the Transportation and Infrastructure and the Oversight and Government Reform committees have marked up legislation to save money through the disposal of Federal property. We've identified bipartisan common ground on the subject in the past. I hope we can continue to do so with this bill.

In the Oversight and Government Reform Committee, Members and the staff have worked on a bipartisan basis to report legislation expediting the disposal of real Federal property. The bill we reported unanimously included, by voice vote, my amendment to protect the ability of local governments to work with the Federal Government on real property disposal. The amendment before us today includes identical language to protect local planning prerogatives and to ensure that Federal decisions take cognizance of local circumstances. I reiterate, an amendment that had Republican support on the Oversight and Government Reform Committee.

I introduced this amendment because I have direct experience with successful real property disposal in my northern Virginia district. My predecessor, Republican Tom Davis of Virginia, worked with me and my colleagues in local government and with the GSA to sell the former Lorton prison site, which was under Federal control, to Fairfax County, Virginia.

The land transfer saved the Federal Government the cost of maintaining

over 330 structures on the property and many historic buildings. In collaboration with the community, we created a new park with cultural and recreational attractions, and the project set off a development boom in the southern part of our community.

In short, this land transfer was a win/win for the Federal Government, for the local government. Both benefited from the sale, and local residents who lacked adequate park land, and a win for the private sector which capitalized on residential and commercial redevelopment opportunities as a result.

Other communities across America ought to also be able to work with the Federal Government on mutually beneficial land disposal processes like those that turned Lorton prison into a vibrant new community in my county.

Mr. DENHAM and the T&I Committee have judiciously included stipulations that the BRAC-type commission for property disposal include individuals with historic preservation and community development expertise, and I appreciate that. However, these individuals cannot possibly know about the individual local circumstances in communities all across America.

For that expertise, we must return to the conservative principle that local people, not the Federal Government, know the most about their own local circumstances. To that end, my simple amendment would protect the ability of local governments to work with GSA to dispose of real property which would be suitable for park land.

This amendment would not interfere with the author's objective of liquidating high-value Federal buildings, nor would it compromise the BRAC-type commission. It simply would give local governments and local taxpayers a voice in the disposal of property in their back yards, if that property is suitable for park land.

As we learned in Oversight and Government Reform hearings on this topic, my amendment would save the Federal Government money because it would eliminate Federal maintenance expenses; and we know that maintenance costs represent the largest and most achievable cost-savings opportunity in real-property disposal.

In summary, this amendment is based on local success we realized working with Congress, both Tom Davis and JIM MORAN, to preserve park land and save money for the Federal Government. Similar language was adopted unanimously in the Oversight and Government Reform Committee recently when we marked up similar legislation to H.R. 1734. It would protect local governments' and local citizens' roles in the land-disposal process, based on the conservative principle the Federal Government doesn't always know best.

I appreciate the time the T&I Committee staff took to try to work with us on this amendment. I also appreciate the support for this language from Democratic and Republican mem-

bers of the Oversight and Government Reform Committee during our markup, and I urge our colleagues to support the amendment.

I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. DENHAM. Mr. Chairman, I yield myself such time as I may consume.

H.R. 1734 is drafted to ensure there is a streamlined process to sell or redevelop high-value assets.

H.R. 1734 preserves our parks and open spaces by explicitly exempting them from the process outlined in the bill. Despite this, the amendment by the gentleman from Virginia would give the General Services Administration extraordinary authority to take valuable properties off the table and set them aside. This amendment would give GSA veto authority over the President, over Congress by allowing GSA to remove properties after recommendations are approved.

The legislation includes opportunities for State and local governments to receive properties in the process, and the commission will include expertise in community development. Those considerations would be included in the recommendations submitted to the President and Congress.

I reserve the balance of my time.

Mr. CONNOLLY of Virginia. Mr. Chairman, I yield myself such time as I may consume.

I heard the eloquent cry for bipartisanship from the gentleman from California just a few minutes ago. Here's an amendment that passed unanimously, without objection on the Oversight and Government Reform Committee. It, by no means, grants the kind of authority just described to GSA. It is a simple protection for local governments to get in the process.

I regret very much that the fix is in, that we're not going to have bipartisan amendments adopted tonight to this bill, and little wonder then that your bill will have no support on this side of the aisle.

I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. CONNOLLY. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 4 OFFERED BY MS. JACKSON
LEE OF TEXAS

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112-385.

Ms. JACKSON LEE of Texas. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 35, after line 14, insert the following:
SEC. 22. SENSE OF CONGRESS AND REPORTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Civilian Property Realignment Commission, should take steps to provide assistance to small, minority, and woman-owned businesses seeking to be awarded contracts to redevelop federal property;

(2) the Civilian Property Realignment Commission and other appropriate Federal officials should conduct a public information campaign to advise small, minority, and women-owned business firms with respect to contracts for the sale or redevelopment of Federal property; and

(3) firms that are awarded contracts pertaining to the redevelopment of Federal property should, to the maximum extent practicable, seek to award subcontracts for such contracts to small, minority, and women-owned business firms.

(b) PROGRESS REPORTS.—Every 6 months, the Civilian Property Realignment Commission shall submit to the appropriate committees of Congress and the President, a report regarding contracting. Each such report shall indicate, as of the date of the submission of such report, the size of all business firms awarded contracts by the Commission and the size of all business firms awarded subcontracts under such contracts

The CHAIR. Pursuant to House Resolution 537, 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. Mr. Chairman, I yield myself such time as I may consume.

As I understand this legislation, it is to establish a commission that deals with the civilian property realignment for this Nation. Some 340 million-plus square feet, I understand, is within the jurisdiction of the General Services Administration.

I want to acknowledge the leadership of the ranking member on many issues dealing with property around the Nation. Thank her for that leadership.

My amendment is a simple amendment that expresses that the commission, or other appropriate Federal agencies, should conduct a public-information campaign to advise small, minority, women-owned businesses of the available contracts under this particular commission and report to Congress.

□ 2000

Just this morning, before I flew to Washington, I had a room full of small, minority, and women-owned businesses clamoring to understand how to interact with the Federal Government. In fact, one particular women-owned business stood up and said that they had been certified for however long and never could get any information on how to access opportunities that could be utilized by their small business to create jobs.

This amendment is a sense of Congress that provides a public awareness

campaign that would help to ensure that a broad swath of the small business community is reached. It is imperative that these businesses are aware of the existence of contracts. It is also imperative that the process for obtaining a Government contract is clear, which is why it is extremely important that the commission, along with other appropriate Federal agencies, implement an awareness campaign targeting small, minority, and women-owned businesses.

I further believe there should be accountability as to which firms are receiving these lucrative contracts, and a system of monitoring. Everyone has said on the floor of the House—bipartisan, Republicans and Democrats—we are for small businesses. So am I. I want them thriving, growing, surviving, and getting the information to do business with this huge Federal Government.

This amendment, which is a sense of Congress, I believe gives them an opportunity to play on an equal playing field.

We know what will happen with a commission: that those who have always known how to access the system will be at the front of the line. Let's give these small companies an opportunity to also achieve their dreams and aspiration for the American Dream.

I ask my colleagues to support this amendment, and I reserve the balance of my time.

Mr. Chair, I rise to debate H.R. 1734, the "Civilian Property Realignment Act." I offered an amendment to this measure which acknowledges the challenges faced by small, minority, and women-owned businesses that participate in the government contracting process. However, I have several reservations about this bill. The failure to include language that would require an environmental impact analysis of these properties does not make sense.

The original bill waived Title V of the McKinney-Vento Act, which provides for the free transfer of surplus federal properties to homeless providers, as well as, the National Environmental Policy Act (NEPA). Homeless providers have claimed less than 1 percent of the thousands of properties available to them because of the size of the properties. I was led to believe that an agreement had been reached to ensure that a provision that applied the McKinney-Vento requirements to properties of a certain size and value would be in this bill, it is unclear whether that will be the case.

In addition, the bill contains a second poisonous pill, as it waives the National Environmental Policy Act (NEPA) which requires a thorough public examination of the environmental impacts of a project or property transfer, to avoid an unintended adverse effect on a surrounding community and a harmful precedent of waiving appropriate environmental review on major infrastructure projects.

Many of these properties are decades old. These buildings may contain asbestos among other issues that may have a direct impact on those who renovate them, as well as, the surrounding communities in which they are located. Allowing those communities to express their concerns through a public comment pe-

riod is reasonable. In addition, ensuring that the federal government does all that it can to remediate its own property prior to transfer or renovation is an example to all other sectors of the importance of adhering to environmental safety standards. If these concerns can be addressed this bill serves as a reasonable vehicle to help combat the deficit. If these concerns cannot be address this bill may be fatally flawed.

Would require federal agencies to compile environmental information about all property being considered for action and provide for a limited review of property by homeless service providers.

President Obama, first proposed this bipartisan measure in his budget last year as a means to decrease unnecessary government spending and reduce the deficit. It is my hope that the issues that have been raised can be addressed before we must vote on this measure.

H.R. 1734 establishes the Civilian Property Realignment Commission (CPRC) to better manage federal buildings and facilities. This measure would give the Commission broad new authorities to consolidate, dispose of, or sell some government properties. In addition, the Commission is required to sell at least five facilities that have a combined estimated fair market value of at least \$500 million.

I believe that if this legislation passes that the newly formed Civilian Property Realignment Commission (CPRC) should take steps to educate and assist small, women, and minority-owned businesses when awarding contracts related to the sale or redevelopment of federal property. However the bill does not address concerns raised related to the impact on the homeless and it removes a provision that requires an environmental impact study before the transfer of any federal land. These studies are a tool to determine the land, air, and water quality of the property being transferred and the intended use of said property. I believe that it is not in the best interest of the government or local communities to remove this vital safety feature.

H.R. 1734 is similar to the Department of Defense Base Realignment Commission (BRAC) law, which allows the federal government to make the best use of surplus and underused properties under the jurisdiction of various federal agencies, and to dispose of properties the government does not need to help with debt reduction.

It is important to remember that the federal government owns a significant amount of property. The role of the CPRC is to present an accurate view of how that property is currently utilized and consolidate certain activities. For example, currently 30 different agencies have 30 different leasing methods; the CPRC would streamline the process by taking over leasing authority.

The General Services Administration (GSA) one of the largest real estate organizations in the world, with an inventory consisting of 8,920 assets with over 342 million square feet of rentable space across all 50 states, 6 U.S. Territories, and the District of Columbia. They serve approximately 1 million Federal employees at 59 different agencies. The GSA has a portfolio which consists primarily of office buildings, courthouses, laboratories, border stations, and warehouses.

GSA's current inventory consists of 8,932 assets totaling 387,841,174 gross square feet

(gsf) nationwide. When these assets are separated between leased and owned, the portfolio consists of 1,884 owned assets totaling 218,983,699 gsf and 7,048 leased assets representing 168,857,475 gsf. The annual operating costs for FY2005 were \$1.5 billion, \$800 million for government owned and \$650 million for leased locations. The replacement value of the owned inventory is \$37.2 billion.

They have reduced the percentage of underutilized and non-performing assets from 42 percent to 26 percent;

Reduced vacant space from 9.2 percent to 6.8 percent, significantly below the 2005 industry average rate of 12.5 percent; and,

Reported excess 204 assets and demolished 50 buildings and, as a result, eliminated 3.1 million rentable square feet of vacant space and achieved a cost avoidance of \$400 million in capital reinvestment needs.

As of October 1, 2002, federal agencies reported a total of 927 vacant and underutilized real properties—including facilities and land—located throughout the United States and Puerto Rico in 294 cities.

The Veteran's Administration (VA) reported the most properties—577;

General Service Administration (GSA) reported 236 properties, and United States Postal Service (USPS) reported 114 properties.

Most of these properties—807 of 927—were facilities that represented about 32.1 million square feet and ranged from office buildings to hospitals to post offices.

Although VA reported the highest number of facilities, GSA facilities made up more than half of this square footage. The remaining 120 properties were vacant lands reported only by VA and USPS, most of which were 10 acres or less.

One-third or 125 of GSA's underutilized and unutilized assets have been reported excess and accepted for disposal. These assets account for almost 9 million gross square feet (gsf) and \$10.9 million in operating expenses that will be eliminated upon completion of the disposal action. Another 18 underutilized assets with approximately 1 million gross square feet (gsf) and \$1.5 million in operating costs are projected for disposal in the next five years pending customer relocation.

There were 89 leased facilities that were determined to be underutilized with operating costs totaling \$6.2 million in FY2005. GSA eliminates vacant leased space by backfilling space with other customers, terminating the lease or vacant portion thereof or buying out the remaining lease term whenever possible. At the end of FY2005, GSA's leased vacancy rate was at a record low level (below 1.5%).

With an aging inventory it is imperative that we reinvest in our federal facilities to maintain a quality workplace for our federal agencies. At any given time a significant portion of our vacant space is under renovation.

As of September 30, 2005, GSA had 21 assets vacated for major renovations accounting for almost 9 million gross square feet and \$39.6 million in operating expenses. As the current projects are completed, the space will be backfilled and these assets will once again become utilized.

At the same time, new projects will begin in different assets keeping the amount of assets that are underutilized due to major renovations fairly constant.

The Civilian Property Realignment Commission (CPRC) will review all federal properties

and leases utilized for civilian use to determine an accurate number of properties that are either vacant or underutilized.

The independent Commission (CPRC), operating under the GSA, will transform how federal real estate is managed. The purpose of the Commission will be to convert real estate inefficiencies into reductions in the Federal deficit. By facilitating and expediting the sale and disposal of unneeded properties; reducing our reliance on costly leased space; and sell or redevelop high value assets that are underutilized.

I firmly believe this Commission should consider the impact of their decisions on the small business community. Specifically, small, minority, and women-owned businesses which face many challenges when trying to learn about the existence of government contracts for which they can apply, as well as, maneuvering through the complex government contracting process.

As the decisions of the Commission will impact local communities, revitalize neighborhoods, decrease government spending, and reduce the deficit. The Commission should recognize the important role that small businesses play in our economy.

My amendment simply expresses that the Commission or other appropriate federal agency should conduct a public information campaign to advise small, minority, women-owned businesses of the available contracts.

In order to ensure that a broad swath of the small business community is reached it is imperative that these businesses are aware of the existence of contracts. It is also imperative that the process for attaining a government contract is clear; which is why it is extremely important that the Commission, along with all other appropriate federal agencies, implement an awareness campaign targeting small, minority, and women-owned businesses.

The only way to ensure a diverse representation of businesses is through targeted awareness campaigns followed by a clear process, along with adequate support.

Further, I believe there should be accountability as to which firms are receiving these lucrative contracts. The Commission should report to Congress and the President every 6 months. This report should include the amount of contracts awarded to business firms. The report should also include small, minority, and women-owned businesses, as well as, sub-contracts awarded to these businesses.

Few would argue with the premise that small business is the backbone of our economy and the heartbeat of our nation. The small business owner reflects a valued principle in our nation's heritage. The belief that an individual or a group of individuals can come together to build a business from the ground up then employ their neighbors.

SMALL BUSINESS

In government contracting it is important to ensure that everyone has equal access to this valued American dream. Every small business should have a fair chance to have an equal opportunity to attain a government contract that will impact their communities.

Ninety-nine percent of all independent companies and businesses in the United States are considered small businesses.

Small businesses are the engine of our economy, creating two-thirds of the new jobs over the last 15 years. Enabling small businesses to gain access to these contracts

would result in job growth in areas that were previously underutilized by the federal government.

Small businesses have always been a source of dynamism for the American economy.

In 2009, there were 27.5 million businesses in the United States. According to the U.S. Small Business Administration (SBA) these small enterprises account for 52 percent of all U.S. workers.

Some 19.6 million Americans work for companies employing fewer than 20 workers, 18.4 million work for firms employing between 20 and 99 workers, and 14.6 million work for firms with 100 to 499 workers. By contrast, 47.7 million Americans work for firms with 500 or more employees.

MILITARY MUSEUM OF TEXAS

As a Senior Member on the House Homeland Security Committee, I have been one of the foremost proponents of finding ways to transform federal property from vacant space into property that can serve the community.

I introduced legislation that was signed into law that allowed the Military Museum of Texas to purchase land from the GSA. I realize the negative impact underutilized and vacant properties have on local communities. To be frank, if a property is not properly tended to it becomes blight upon the community and a needless expense for taxpayers.

The land upon which the Military Museum of Texas is located, 8611 Wallisville Road, Houston, Texas, was property of the General Services Administration. A bill I introduced last Congress, H.R. 6510, directed the General Services Administration (GSA) to convey at market value all right, title, and interest of the United States in and to over three acres of property located at 8611 Wallisville Road, in Houston, Texas to the Military Museum of Texas.

The conveyance was based upon an independent appraisal and any other costs associated will be paid for by the Military Museum.

The passage of H.R. 6510, allowed the Military Museum of Texas to remain at its current location in Houston, Texas and purchase the 3.6 acres from the General Services Administration that was previously vacant. In order for the GSA to sell this piece of land which was not being utilized required an Act of Congress.

With the establishment of the Civilian Realignment Commission it is my belief that more opportunities to revitalize communities, like the one afforded the Military Museum of Texas, can be found. These opportunities will benefit both businesses and the communities within which they are located.

The Military Museum of Texas was formed to create, maintain and operate an institution to honor and perpetuate the memories of all men and women who have served in the Armed Forces of the United States of America. The President of the Military Museum of Texas, Ed Farris, a former Marine sergeant, and a 22-year veteran of the Houston Police Department's motorcycle patrol and bomb squad, worked tirelessly to preserve the memories of the men and women of the armed forces.

The Military Museum is a pillar in the community, and a benefit to schools, veterans and military related groups. It provides educational programs, live reenactments from military personnel as well as interactive exhibits. Furthermore, the Military Museum provides internships in military history and preservation, and

a research database available for education and historical institutions and the public. Instead of land being left vacant it can now be used by the community.

Clearly there are many vital and important provisions in this bill; however, I still have grave reservations about the repeal of an environmental impact study before the transference of any federal land.

Mr. DENHAM. Mr. Chairman, we have no objection to the amendment.

The CHAIR. Does any Member claim time in opposition?

The Chair recognizes the gentleman from Texas.

Ms. JACKSON LEE of Texas. Mr. Chair, let me just say that the evidence of how important this language is is by way of a group in Texas that was able to secure by legislation—with the gentleness from the District of Columbia's excellent assistance—a military museum that was held by the General Services Administration. This group of veterans is making it a productive site and a productive part of our local community that evidences what we can secure with this language.

Again, I ask my colleagues to support this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

The CHAIR. The Chair understands that amendment No. 5 will not be offered.

AMENDMENT NO. 6 OFFERED BY MR. CARNAHAN

The CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112-385.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. 22. CONSIDERATION OF LIFE-CYCLE COST REQUIRED.

Section 3305 of title 40, United States Code, is amended by adding at the end the following new subsection:

“(d) CONSIDERATION OF LIFE-CYCLE COST REQUIRED.—

“(1) REQUIREMENT.—The Administrator shall ensure that the life-cycle cost of a public building is considered in the construction or lease of a public building described in paragraph (2).

“(2) FEDERAL BUILDINGS SUBJECT TO REQUIREMENT.—A public building is subject to the requirement under paragraph (1) if—

“(A) construction or lease of the building begins after the date of the enactment of the Civilian Property Realignment Act;

“(B) the estimated construction costs of the building exceed \$1,000,000;

“(C) in the case of a lease, the square footage of the property is more than 25,000 square feet; and

“(D) Federal funding comprises more than 50 percent of the funding for the estimated construction or lease costs of the building.

“(3) DEFINITIONS.—In this subsection, the following definitions apply:

“(A) LIFE-CYCLE COST.—The term ‘life-cycle cost’ means the sum of the following costs, as estimated for the lifetime of a building:

“(i) Investment costs.

“(ii) Capital costs.

“(iii) Installation costs.

“(iv) Energy costs.

“(v) Operating costs.

“(vi) Maintenance costs.

“(vii) Replacement costs.

“(B) LIFETIME OF A BUILDING.—The term ‘lifetime of a building’ means, with respect to a building, the greater of—

“(i) the period of time during which the building is projected to be utilized; or

“(ii) 50 years.”.

SEC. 23. LONG-TERM SAVINGS THROUGH LIFE-CYCLE COST ANALYSIS.

Section 3307(b) of title 40, United States Code, as amended by section 19, is further amended—

(1) in paragraph (7), by striking “and” at the end;

(2) in paragraph (8), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(9) with respect to any prospectus for the construction, alteration, or acquisition of any building or space to be leased, a statement by the Administrator describing the use of life-cycle cost analysis and any increased design, construction, or acquisition costs identified by such analysis that are offset by lower long-term costs.”.

The CHAIR. Pursuant to House Resolution 537, the gentleman from Missouri (Mr. CARNAHAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. CARNAHAN. Thank you, Mr. Chairman.

I also want to add my voice to encouraging our chairman and ranking member to continue to work together to find that common ground. I know they have worked on this, but there obviously is more work to be done, and I want to encourage that. It is the only way we are going to get things done in this House.

I want to thank the chairman and the ranking member for their work on the committee and on this bill. I also want to thank the bipartisan High-Performance Building Caucus that I've worked with over the last several years that has helped bring focus on more efficient management and technology for our built environment.

The amendment that I offer here tonight will ensure that the Federal Government makes better decisions in the construction or leasing of Federal facilities, decisions that save taxpayer dollars. The U.S. Federal Government manages a large inventory of approximately 429,000 buildings, with a total square footage of 3.34 billion worldwide.

As we know, buildings are resource intensive, accounting for 40 percent of primary energy use in the U.S., 12 percent of water consumption, and 60 percent of nonindustrial waste. Federal facilities account for 0.4 percent of the Nation's energy usage. With such a large energy footprint and related costs, it is only common sense that the Federal Government fully understand both the short- and long-term cost of the construction and lease for a facility.

My amendment ensures that future construction and leased projects reflect

the best use of Federal dollars and the greatest value for taxpayers. My amendment does this by requiring the use of life-cycle cost analysis in the design or lease of a Federal building where the project is receiving at least 50 percent Federal funding. Life-cycle cost analysis is the most accurate method for assessing the total cost of facility ownership. It takes into account all costs of acquiring, owning, and disposing of a building or building system. It is a whole picture assessment of a project instead of only looking at the immediate upfront costs.

This would provide valuable insight into the real long-term costs of a facility and encourage the construction or lease of the facilities that provide the best results for the lowest overall cost.

The process of life-cycle analysis makes for sound fiscal policy and increases transparency and accountability while allowing our building planners to account for the full long-term costs of projects.

Life-cycle budgeting ensures that we make the best decisions and get the most value when it comes to our infrastructure. We know that it can be marginally more expensive to construct an energy efficient facility, but over the long term, the same facility saves money in energy and water costs that actually make the building a better investment.

My amendment will ensure that Federal agencies have a complete picture and understand ongoing budgetary obligations when considering construction or leasing of a facility. Agencies should use this tool to consider the total cost of ownership of their buildings, including long-term operating life-cycle costs.

This amendment requires Federal agencies to use life-cycle cost analysis of the overall spending on design, construction, operation, and maintenance to reflect the best use of agency funds.

I thank my colleagues for recognizing the importance of this issue, and I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I would like to claim the time in opposition even though I'm not opposed to the amendment.

The CHAIR. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. DENHAM. Mr. Chairman, I would like to thank the gentleman from Missouri for his work on this amendment. Just as we saw the other Democratic amendment pass through on a voice vote, I assume we're going to see this one pass through on a voice vote as well, making both amendments actually language in the bill.

That could've been done a couple of other times tonight. We want to make sure we have got a bipartisan bill, that both parties can agree that we want to get rid of waste, that we want to get rid of properties we just don't need, and that we actually run a more efficient government.

But specifically on this amendment, again I'd like to thank the gentleman from Missouri for his work on this. This amendment would ensure that the General Services Administration accounts for the total cost in the design or lease of a building.

Very often GSA makes decisions that bind the taxpayer to significant financial obligations when procuring space. And unfortunately, currently GSA's analyses do not take into account the total life-cycle cost of the taxpayer investment. This amendment would correct this. I support the adoption of this amendment as I've supported other adoptions tonight.

Ms. JACKSON LEE of Texas. Will the gentleman yield?

Mr. DENHAM. I yield to the gentleman from Texas.

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

I rise in support of Mr. CARNAHAN's amendment, and he ran out of time. First of all, I see a lot of comity and collegiality on the floor tonight. I've known the gentlelady from the District of Columbia for a very long time. Mr. CARNAHAN said something that struck my conscience, and that is that we are able to master this legislative process that allows us to negotiate to the moment that we might get this on the floor, which I understand may be tomorrow.

I would encourage whatever it is possible to do, Mr. DENHAM. I've gotten to know you—whatever is possible for a bill as important as this. You mentioned the possibility of language, reconciliation. I cannot speak for the gentlelady from the District of Columbia, and I don't intend to do so. But I do know her as a person who keeps her word, who loves this Capitol, which she represents, and has a deep and abiding concern about the homeless and obviously this issue of the use of property.

□ 2010

I only entreat you to see what is possible as you have debated on the floor this evening for Mr. CARNAHAN and my amendment. I would encourage that there be further discussions if you and the gentlelady can secure that opportunity. I think both would be able to hopefully have dialogue, but I do want to have on record my high esteem and respect for her leadership on these issues. You are very kind to have yielded to me.

Mr. DENHAM. In reclaiming my time, I support the amendment, and look forward to bipartisan support on the bill tomorrow morning. This is something that taxpayers need. This is something that will help us to reduce our debt in a way in which Republicans and Democrats can come together and work on something on a bipartisan level and actually give something back to the President that he is asking for.

I yield back the balance of my time.

The CHAIR. The gentleman from Missouri has 1 minute remaining.

Mr. CARNAHAN. I want to thank the gentleman for his remarks.

The ranking member has asked to speak for the remaining time, so I would yield that 1 minute to our ranking member, the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. I thank the gentleman for yielding.

I support the Carnahan amendment, and I just want to indicate what the agreement was with the chairman.

In the base bill, we would have a bill that Democrats and Republicans would support. What we have here is a bill that somehow Republicans are divided on and that Democrats are expected to somehow carry over the finish line. If, in fact, this bill had come as a base bill, I think you would have had Democrats in larger numbers supporting this bill. Whatever Republicans wanted to do with the fact that the base bill did not always conform exactly to what they would have wanted would have been made up for on our side.

The CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. CARNAHAN).

The amendment was agreed to.

Mr. DENHAM. 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. AMODEI) having assumed the chair, Mr. WOODALL, 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. 1734) to decrease the deficit by realigning, consolidating, selling, disposing, and improving the efficiency of federal buildings and other civilian real property, and for other purposes, had come to no resolution thereon.

CONGRESSIONAL BLACK CAUCUS: VOTER PROTECTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 60 minutes as the designee of the minority leader.

Mrs. CHRISTENSEN. Thank you, Mr. Speaker.

This evening, the Congressional Black Caucus is pleased to have a few minutes of Special Order time to again come back to the issue of voter protection.

As we know, many States have either passed laws restricting voter participation in elections or are in the process of doing so. These attacks, as we said last week, have taken many forms. They've been expanding the ban that prevents felons from voting, cutting election administration budgets, curtailing early voting, and eliminating same-day registration.

Just in November, two members of the Congressional Black Caucus, KEITH ELLISON and GWEN MOORE, introduced a bill, the Voter Access Protection Act, which would protect those rights and restore same-day voter registration. The bill would reverse both the laws

that curtail early voting and that eliminate same-day registration. Some of these laws allow for the intimidation of voter registration groups. Some States are imposing strict ID requirements, creating barriers in getting the required ID and also putting up barriers to students who vote where they attend school.

Tonight, I am going to be joined by several Members, beginning with Congresswoman SHEILA JACKSON LEE from Texas, to again begin to raise the country's awareness of some of the voting restrictions that are being put in place across this country and to let the public know that the Congressional Black Caucus, just as we did last year, will go across the country to raise awareness of the need for jobs. We will have job fairs from which we have actually put people to work in several cities across this country. We've matched people who were out of work with jobs. We're still waiting for this Congress to pass jobs legislation, the American Jobs Act, and many of the other pieces of legislation that the CBC and other Members have put forth, but this time we're going to go across the country and focus on protecting the right of Americans to vote.

At this time, I would yield such time as she might consume to Congresswoman SHEILA JACKSON LEE of Texas.

Ms. JACKSON LEE of Texas. Let me thank Congresswoman CHRISTENSEN for her leadership as well as thank our chairman, EMANUEL CLEAVER. We had the opportunity to host him in Houston this past weekend, and he raised the issue of the challenges of voter protection.

I see that we are joined by our colleague from Ohio. MARCY KAPTUR has been a champion on these issues as well, and, frankly, has seen her State be in the crosshairs of trying to protect all citizens' right to vote.

I just want to follow up and say the Voting Rights Act is an act that dignifies all voters because its premise is one person, one vote. The tenets and the premise of the Voting Rights Act as passed: No matter what your background in this Nation, you have an opportunity to vote. If we keep with the integrity of the Voting Rights Act, the gist of its message is don't block individuals from voting. That's simply what its message is.

This is more than appropriate for which to rise to the floor today because this is the month of the birth of Barbara Jordan, February 21. Last year was her 75th year, and we're still commemorating it in Houston. She was, again, part mother of the Voting Rights Act by adding language minorities. By doing that, she spread the coverage of the Voting Rights Act beyond the Deep South, which was the original core group of States that was signed into law in 1965.

So I say thank you to the Honorable Barbara Jordan, one of our colleagues and a member of the Congressional Black Caucus. I stand here today to reject any undermining of the legislative

intent and the coming together of Republicans and Democrats who voted for that extension at the time she was in the United States Congress.

□ 2020

Now we've come more than 30-some years later. When we reauthorized the Voting Rights Act in 2007, there were a lot of rumors and thought that we were extinguishing the Voting Rights Act. In fact, I want to put all of our colleagues on notice that the Voting Rights Act is always, in essence, in the crosshairs or in jeopardy for people who believe wrongly about the Voting Rights Act.

The Voting Rights Act and protecting voters' rights, again, is to make sure that seniors, to make sure that the disabled, to make sure that those who face hardships—as we recall, there were enormous hardships during Hurricane Katrina, when the citizens of New Orleans were literally blocked from voting just because of the infrastructure collapse; and there were terrible conditions in Alabama and Missouri with tornadoes.

I recall the infrastructure of the 2004 election in Ohio when our dear, late colleague Stephanie Tubbs Jones, worked so hard, along with MARCY KAPTUR, to thwart the breakdown of machines. I remember it well. We came to the floor. We took issue with the election because how is it that, all of a sudden, you have a breakdown of voting machines, interestingly enough, in the minority community?

So this issue of voter protection is far-reaching. It is not necessarily as clear-cut as some would like to say, "It's for those people." It's not for "those people." In fact, it is for all Americans.

And right now, we have a dilemma. The dilemma is that we have an epidemic. Some 40 States have passed what we call voter ID. Texas happens to be one of those States. Ohio was one of those States—and I'm not going to give Ms. KAPTUR's comments, but I do want to congratulate Ohio for the work that they did. And she will tell you, it was in the crosshairs. Again, I use that frequently. It was conflicted, but it has been resolved; and she will, I'm sure, address that.

But there are other States who now are subjected to the oppressive, depressive voter ID law. In the instance of the State of Texas, might I say, that State allows you to use your gun license to vote; but a student State-issued ID cannot be used. Elderly people now have to travel miles, many of whom were born with midwives and missing birth certificates, as was my mother who held onto her voting card that she legitimately got until the end of her life. But she could not vote today because, try as we may, for Ivalita Jackson to find her birth certificate—we went halfway around the world and still were not able to secure a certified copy of her birth certificate. I knew she was born because she lived.

And then I have had seniors in my own district in wheelchairs, where they went with their family members to the site where they are to get their voter ID, waiting long hours.

Right now in the State of Texas, we don't have an election date. We don't even know what to tell our constituents about getting a voter ID because—thank goodness, if I might say—we're now presently being reviewed by the Department of Justice whether to preclear or not to preclear this voter ID law. I hope that truth will prevail that it is depressive and oppressive.

So I am very grateful that the Congressional Black Caucus will be traveling to cities in a variety of regions of this Nation, including our Southwest region, to argue vigorously for voter protections and for ensuring the protection of all people's right to vote. I hope, as we experienced in 2010, that the King Street Patriots who plagued our inner city precincts—many of whom I saw—will not intimidate our voters. I hope that when this election comes—for poll watchers and others that come into our voting areas, minority and poor areas, people who have the right to vote—that we will be there protecting everyone's right to vote.

Let me be very clear: Poor is not a respective color. It impacts all. And poor people who have difficulty in going somewhere to get a voter ID, or in some States paying \$40, a new poll tax, or can't get off from work, that's voter protection. You can imagine there are people who work who are afraid to ask their bosses for the allotted time off for them to be able to vote.

The efforts of the Congressional Black Caucus, joining with our colleagues, will stand up for each and every American. I am glad that President Lyndon Baines Johnson, a Texan—I was just marveling at him today; and his daughter, Luci Baines Johnson, joined us when we honored Barbara Jordan's 75th birthday just a few months ago. We will continue that with additional commemoration.

But the key is loving the right to vote, protecting the right to vote; and supporting the Voting Rights Act is not solely with respect to color. We welcome everyone who will accept the fact that it is our birthright, as citizens, to be able to not be thwarted and stopped and blocked from going to a poll and expressing our right to democracy.

Finally, let me say, I had the privilege of working for the Southern Christian Leadership Conference; and I might say, it wasn't that long ago. It was some years ago, but it wasn't that long ago. And my friends, let me tell you, I traveled throughout Georgia, South Carolina, North Carolina, Alabama, Mississippi, the core States, among others, that started out with Dr. King's great march and great efforts to push the Congress and the President toward recognizing how many people were left out of the right to vote. As a worker for the Southern

Christian Leadership Conference in the 1970s and beyond, I would go into places where people of African American descent were frightened to vote, were not registered to vote, were sharecroppers on plantations—and I venture to say that there are crises in communities like that even today. For us to go into those places was almost as if we were creating an overthrow of the government.

I remember very distinctly—and I will say it on this floor—going up to a leaning shanty building which was the place where these sharecroppers and others who lived in the area were supposed to be voting. The voting booth was, if you will, a ragged cloth covering an area that you allegedly were going to vote in. Sitting on the front porch of this tattered general store was a gentleman sitting with a rifle across his lap to suggest no one is welcome here. When I went up with my then rather young self, starry-eyed and trying to ask if this was the voting site, all I could hear my colleagues say is "Run; he has a gun." And the next thing I heard as we were bending down behind cars—something I had never heard that close to me—was shots ringing out. This is not a joke. This is not something we don't take seriously. I'll never forget that day for as long as I live, that someone would block anyone from coming to a sacred and somber place to cast a vote for a person of their choosing.

I want to thank the gentlelady for allowing me to participate, recognizing that this fight is a fight that we should never give up, and we should never categorize that voting rights is something about those minorities. Voting rights are American rights, and they're rights vested in the Declaration of Independence, which starts out by saying, We all are created equal, with certain unalienable rights of life, liberty, and the pursuit of happiness.

With that, I yield back to the gentlewoman, closing and saying, the right to vote is part of the pursuit of happiness.

Mr. Speaker, I rise today joined by my fellow Congressional Black Caucus Members to speak about a challenge facing millions of Americans. This challenge skews the Constitutional fabric of our American society. This fabric, woven together by liberty, justice, and equal rights, has endured tremendous odds throughout the history of this great nation.

During Black History Month, we celebrate the vast contributions of African Americans to our nation's history and identity. Throughout America's history, African American men and women have persevered through much hardship and prejudice to enrich our national life in innumerable ways.

There are new landmarks to celebrate as time marches forward. In November 2008, Americans elected the first African American to be President. In October 2011, the new Martin Luther King Jr. Memorial on the National Mall was dedicated. On February 22, there will be groundbreaking ceremony, on the National Mall near the Washington Monument, for the National Museum of African American

History and Culture, which Congress authorized in December 2003. It is expected to open in 2015.

The theme of Black History Month this year is “Black Women in American Culture and History.” This gives all Americans the opportunity to pay tribute to the role African American women have played in shaping our nation—with African American women often serving as champions of social and political reforms.

Many African American families are still bearing the brunt of the worst economic downturn since the Great Depression. In September, President Obama sent to Congress the American Jobs Act, which would strengthen the economy and is estimated to create 1.9 million jobs. Over the last several months, Republican obstruction has been blocking this bill from moving forward.

“Jobs and the economy are the number-one issue for African American families, just as they are for all American families,” commented Congresswoman SHEILA JACKSON LEE. “That is why my immediate focus is on fighting for a payroll tax cut for 20 million African American workers and to extend the lifeline of unemployment insurance for those who have lost a job through no fault of their own.

I will also continue to work for the enactment of other provisions of the President’s American Jobs Act, that create jobs by helping small businesses hire and grow, putting construction workers back on the job rebuilding America, and preventing the layoff of teachers, firefighters and police officers. These steps are critical to helping improve the lives of African American families all across the country.”

As we celebrate Black History Month let us pay tribute to the extraordinary contributions of past generations of African Americans and work to reignite the American Dream today and for the next generation. We must continue to work for an America that fully lives up to its ideals and allows all Americans to reach their full potential.

Today, Mr. Speaker, I rise to speak to this Body about the need to protect democracy, to protect the voice of the American people, and to ensure the right to vote continues to be treated as a right under the Constitution.

As we enter into Black History Month, it is important to recognize the legacy that the right to vote has placed upon our nation. Black History Month is a celebration of people who have gone before us and on whose shoulders we stand, of people who stand among us today transfixed on a goal to achieve even more. It is a time to pause and renew our commitment to realize the progress and achievements of our people and to go much further as we write our own chapter; a time to continue the legacy of African American History. Today, African Americans, as other minorities, know that we have not yet overcome the weight of not being treated as full citizens of this great nation.

During Black History Month, we recognize and celebrate the countless contributions of African American pioneers. These honorable men and women faced unimaginable hardships and refused to allow the racial inequalities and injustices of our past to inhibit their destiny. While we recognize these celebrated American heroes, it is important to understand that Black History Month was also designed to highlight the extraordinary lives of ordinary people who have helped build our great na-

tion. Let us celebrate the African Americans who made amazing sacrifices in the name of justice and equality in the past and let us recommit ourselves to continuing to work for an America that fully lives up to its ideals and ensures that every American has the tools and opportunity to pursue the American Dream. In the present era, our African American elected officials and the presidents of the various civil rights, fraternal, business and religious organizations continue to encourage our nation to keep its commitment to freedom and equality.

VOTING RIGHTS

Mr. Speaker, I am joined by my colleagues here today to call on all Americans to reject and denounce tactics and measures that have absolutely no place in this nation in 2012. We cannot turn the clock back on the progress made by African Americans, and other minorities, throughout the past century. We have made tremendous strides. Recent voter ID legislation in states has attempted to turn back the clock to disenfranchise millions of minorities in today’s America.

During this Black History Month, we recognize the value that voting has placed upon our society. In 1869, Americans voted to elect the first African American to the U.S. Senate—Hiram Revels. Also in 1870, the right to vote allowed Joseph H. Rainey to become the first black member of the U.S. House of Representatives. In 1962, Americans elected Augustus Hawkins, the first African American from California, to this great Body.

American citizens cast their ballots in 1968 to elect Shirley Chisholm as the first African American woman in Congress. In 1972, American citizens exercised their right to vote and elected the distinguished Barbara Jordan, who represented the 18th Congressional District of Texas that I am now privileged to serve. In 2008, Americans cast their ballots for Barack Obama, and elected him to become the first African American President of the United States. President Obama’s historical election has given hope to millions of African Americans across the country. In the face of great odds, the right to vote has given Americans the power to stand fast for justice and fairness, and yield to no one in the matter of defending the Constitution and upholding the most sacred principles of a democratic government.

As a Member of this body, I firmly believe that we must protect the rights of all eligible citizens to vote. Over the past decades, minorities in this country have witnessed a pattern of efforts to intimidate and harass minority voters through so-called “Voter ID” requirements. I am sad to report that as we are beginning 2012, these efforts continue.

African Americans have always believed in the principles set forth in the Declaration of Independence and the U.S. Constitution. I call on all Americans to band together to fight for these principles and against efforts to limit the right to vote for our elderly, African-Americans, Hispanic and Latino Americans, as well as Asian-American voters. Let us stand together for the voting rights that are granted to citizens of our nation by our laws and our Constitution.

I call on Americans to stand against any measures that would have the effect of preventing every eligible citizen from being able to vote. Voting ensures active participation in democracy. The most effective way to curb tactics of intimidation and harassment is to vote.

VOTING RIGHTS ACT

Never in the history of our nation, has the effect of one person, one vote, been more important. Our history has taught us that denying the right to vote based on race, gender or class is a blemish on the democratic principles that we all value. The Voting Rights Act (VRA) was a reaction to the actions of our past and a way to pave the road to a new future.

The VRA was adopted in 1965 and was extended in 1970, 1975, and 1982. This legislation is considered the most successful piece of civil rights legislation ever adopted by the United States Congress. The Act was due for reauthorization in the 2nd session of the 108th Congress. The 108th voted to continue to protect voting rights for all Americans in the future.

Under the VRA, states with a long history of voting discrimination must obtain the approval of the Justice Department or the D.C. District Court to change their voting practices. In 2006, Congress passed legislation that continued to grant all Americans the right to vote. Four states with new voter identification mandates, including my home state of Texas, South Carolina, Mississippi, and Alabama, are required under the Voting Rights Act to have these voting changes pre-cleared by either the Department of Justice (DOJ) or a panel of federal judges. Before they may be implemented, DOJ must certify that these laws do not have the purpose or effect of restricting voting by racial or language minority groups.

No right is more fundamental than the right to vote. It is protected by more constitutional amendments than any other right we enjoy as Americans. Broad political participation ensures the preservation of all our other rights and freedoms. State laws that impose new restrictions on voting, however, undermine our democracy by impeding access to the polls and reducing the number of Americans who vote and whose votes are counted.

CURRENT PRACTICES OF DISENFRANCHISEMENT

There have been several restrictive voting bills considered and approved by states in the past several years. The most commonly advanced initiatives are laws that require voters to present photo identification when voting in person. Additionally, states have proposed or passed laws to require proof of citizenship when registering to vote; to eliminate the right to register to vote and to submit a change of address within the same state on Election Day; to shorten the time allowed for early voting; to make it more difficult for third-party organizations to conduct voter registration; and even to eliminate a mandate on poll workers to direct voters who go to the wrong precinct.

A new crop of GOP governors and state legislators has passed a series of seemingly disconnected measures that could prevent millions of students, minorities, immigrants, ex-convicts and the elderly from casting ballots. Republicans have long tried to drive Democratic voters away from the polls. In a systematic campaign 38 states introduced legislation this year designed to impede voters at every step of the electoral process.

A dozen states have approved new obstacles to voting. Kansas and Alabama now require would-be voters to provide proof of citizenship before registering. Florida and Texas made it harder for groups like the League of Women Voters to register new voters. Maine repealed Election Day voter registration, which had been on the books since 1973. Florida,

Georgia, Ohio, Tennessee and West Virginia—cut short their early voting periods. Florida and Iowa barred all ex-felons from the polls, disenfranchising thousands of previously eligible voters. And 6 states controlled by Republican governors and legislatures—Alabama, Kansas, South Carolina, Tennessee, Texas and Wisconsin—will require voters to produce a government-issued ID before casting ballots.

Furthermore, 6 states have introduced legislation to impose new restrictions on voter registration drives run by groups like Rock the Vote and the League of Women Voters. The Republican-controlled legislature in Florida passed a law requiring anyone who signs up new voters to hand in registration forms to the state board of elections within 48 hours of collecting them, and to comply with a bombardment of burdensome, bureaucratic requirements. Those found to have submitted late forms would face a \$1,000 fine, as well as possible felony prosecution. As a result, the law threatens to turn civic-minded volunteers into unintentional criminals.

Florida and Ohio—which now have conservative Republican governors—have shortened the time for early voting for 2012. Early voting will be cut from 14 to 8 days in Florida and from 35 to 11 days in Ohio, with limited hours on weekends. In addition, both states banned voting on the Sunday before the election—a day when black churches historically mobilize their constituents.

The biggest change in election rules for 2012 is the number of states requiring a government-issued photo ID, the most important tactic in the Republican war on voting. In Texas, under “emergency” legislation passed by the GOP-dominated legislature and signed by Gov. Rick Perry, a concealed-weapon permit is considered an acceptable ID but a student ID is not. Republicans in Wisconsin mandated that students can only vote if their IDs include a current address, birth date, signature and two-year expiration date—requirements that no college or university ID in the state currently meets. As a result, 242,000 students in Wisconsin may lack the documentation required to vote next year.

In South Carolina, the 178,000 South Carolinians who do not have a state-issued ID must pay for a passport or a birth certificate to obtain the free state-issued ID now required to vote. Under the new law, many elderly black residents—who were born at home in the segregated South and never had a birth certificate—must now go to family court to prove their identity.

PROPOSERS

The proponents of voter identification legislation suggest that there is extensive voter fraud when Americans go to the polls. Mr. Speaker, I am here to lay that claim to rest. Laws requiring photo identification to vote are a “solution” in search of a problem. The fact is voter fraud in this United States is rare. There is no credible evidence that in-person impersonation voter fraud—the only type of fraud that photo IDs could prevent—is even a minor problem. Multiple studies have found that almost all cases of alleged in-person impersonation voter “fraud” are actually the result of a voter making an inadvertent mistake about their eligibility to vote, and that even these mistakes are extremely infrequent.

A major probe by the Justice Department between 2002 and 2007 failed to prosecute a

single person for going to the polls and impersonating an eligible voter, which the anti-fraud laws are supposedly designed to stop. Out of the 300 million votes cast in that period, federal prosecutors convicted only 86 people for voter fraud—and many of the cases involved immigrants and former felons who were simply unaware of their ineligibility.

According to Barnard political scientist Lorraine Minnite, most instances of improper voting involve registration and eligibility, such as voters filling out registration forms incorrectly or a person with felony convictions attempting to register. Neither of those issues would be prevented by a state photo ID requirement. According to George Washington University law professor Spencer Overton, a former member of the Commission on Federal Election Reform, “a photo ID requirement would prevent over 1,000 legitimate votes (perhaps over 10,000 legitimate votes) for every single improper vote prevented.”

There are people who believe that voter ID is required because perpetrators of voting fraud do not face serious legal consequences. Both federal and state laws include stiff fines and imprisonment for voter fraud. Under federal law, perpetrators face up to five years in prison and a fine of \$10,000 for each act of fraud. In Alabama, voter fraud is punishable by up to two years in prison and a \$2,000 fine. In Wisconsin, the punishment is up to 3½ years in prison and a \$10,000 fine. Missouri imposes a penalty of up to five years in prison and a \$10,000 fine. And in Texas, the maximum prison sentence is 10 years.

Mr. Speaker, proponents further suggest that requiring ID at the polls impact all voters equally. Well, Mr. Speaker, the truth is State photo ID restrictions disproportionately impact African Americans, Latinos, young voters, people over 65 and people with disabilities. The Advancement Project showed that 11 percent of eligible voters, or about 21 million people, don’t have updated, state-issued photo IDs: 25 percent of which are African Americans, 15 percent of those earning less than \$35,000, 18 percent of citizens age 65 or older and 20 percent of voters age 18 to 29.

Mr. Speaker, those who wish to restrict the right of Americans to vote believe that new voter ID laws are cheap and easy for states and citizens. Voter ID laws deny the right to vote to thousands of registered voters who do not have, and, in many instances, cannot obtain the limited identification states accept for voting. Many of these Americans cannot afford to pay for the required documents needed to secure a government issued photo ID. As such, these laws impede access to the polls and are contrary to the fundamental right to vote.

The Advancement Project’s report “What’s Wrong With This Picture?” shows that taxpayers will bear the costs of these measures—more than \$20 million in North Carolina, for example, to educate voters and provide free IDs to those without them, as the state’s law requires. For voters, even if an ID is free, getting the documents to obtain it can be expensive and difficult.

Many states require at least four original forms of identification to obtain a photo ID—documents such as a certified birth certificate, marriage or divorce record, adoption record, a Social Security card, or naturalization papers. A birth certificate in Texas costs \$22, a U.S. passport costs as much as \$145 and natu-

ralization papers can run up to \$200. People born out of state who lack transportation, work multiple jobs, have disabilities, or are homebound or poor cannot access or afford these documents.

Now that many states have reduced hours and locations of motor vehicle departments and other agencies because of budget cutbacks, getting an ID can be a battle. In Wisconsin, 25 percent of DMV offices are open one day a month or less, and fewer than half are open at least 20 hours a week. What can prospective voters who have to work or care for their children during these limited hours do but go without?

Mr. Speaker, current voter ID laws are based on partisan politics. The push for photo ID laws and other restrictions is largely championed by Republicans and conservative groups. Record rates of voter registration and turnout among young and minority voters in 2008 affected federal races across the nation, as about two-thirds of new voters registered as Democrats in the 29 states that record party affiliation. The 2010 midterms put more conservatives in office who want to combat this trend. The right-wing American Legislative Exchange Council, for example, drafted and promoted photo ID legislation that was introduced in more than 30 states.

IMPACT OF REQUIRING VOTER ID

These recent changes are on top of the disfranchisement laws in states that deprive minorities of their political voice. In total, more than 21 million Americans of voting age lack documentation that would satisfy photo ID laws and a disproportionate number of these Americans are low-income, racial and ethnic minorities, and the elderly. Minority citizens are less likely to possess government-issued photo identification. African-American citizens also disproportionately lack photo identification. Nearly 25% of African-American voting-age citizens have no current government-issued photo ID, compared to 8% of white voting-age citizens. Using 2000 census figures, this amounts to more than 5.5 million adult African-American citizens without photo identification. Further, about 16% of Hispanic voting-age citizens have no current government-issued photo ID.

It is important to focus on both expanding the franchise and ending practices which actually threaten the integrity of the elections, such as improper purges of voters, voter harassment, and distribution of false information about when and where to vote. None of these issues, however, are addressed or can be resolved with a photo ID requirement.

Furthermore, requiring voters to pay for an ID, as well as the background documents necessary to obtain an ID in order to vote is tantamount to a poll tax. Although some states issue IDs for free, the birth certificates, passports, or other documents that are required to secure a government-issued ID cost money, and many Americans simply cannot afford to pay for them. In addition, obtaining a government-issued photo ID is not an easy task for all members of the electorate.

According to the Brennan Center for Justice, citizens with comparatively low incomes are less likely to possess photo identification. Citizens earning less than \$35,000 per year are more than twice as likely to lack current government-issued photo identification as those earning more than \$35,000. At least 15 percent of voting-age American citizens earning

less than \$35,000 per year do not have a valid government-issued photo ID. Low-income individuals who lack the funds to pay for documentation, people with disabilities with limited access to transportation, and elderly citizens are less likely to possess government-issued photo identification. Nearly 18% of American citizens age 65 and above do not have current government-issued photo ID. Using 2005 census estimates, this amounts to more than 6 million senior citizens.

Americans, who never had a birth certificate and cannot obtain alternate proof of their birth in the U.S., are among those who face significant or insurmountable obstacles to getting the photo ID needed to exercise their right to vote.

In addition, women who have changed their names due to marriage or divorce often experience difficulties with identity documentation, as did Andrea, who recently moved from Massachusetts to South Carolina and who, in the span of a month, spent more than 17 hours online and in person trying without success to get a South Carolina driver's license.

Instances of voter intimidation are not long ago and far away. Just last year I sent a letter to U.S. Attorney General Eric Holder to draw his attention to several disturbing instances of voter intimidation that had taken place in Houston. In a single week there were at least 15 reports of abuse of voter rights throughout the city of Houston.

As a Senior Member of the House Judiciary Committee, I called for an immediate investigation of these instances. Many of these incidents of voter intimidation were occurring in predominately minority neighborhoods and have been directed at African-Americans and Latinos. It is unconscionable to think that anyone would deliberately employ the use of such forceful and intimidating tactics to undermine the fundamental, Constitutional right to vote. However, such conduct has regrettably occurred in Houston, and I urge you to take appropriate action to ensure that it does not recur.

A long, bitter, and bloody struggle was fought for the Voting Rights Act of 1965 so that all Americans could enjoy the right to vote, regardless of race, ethnicity, or national origin. Americans died in that fight so that others could achieve what they had been forcefully deprived of for centuries—the ability to walk freely and without fear into the polling place and cast a voting ballot.

VOTER ID

An election with integrity is one that is open to every eligible voter. Restrictive voter ID requirements degrade the integrity of our elections by systematically excluding large numbers of eligible Americans.

I do not argue with the notion that we must prevent individuals from voting who are not allowed to vote. Yet a hidden argument in this bill is that immigrants may “infiltrate” our voting system. Legal immigrants who have successfully navigated the citizenship maze are unlikely to draw the attention of the authorities by attempting to register incorrectly. Similarly, undocumented immigrants are even less likely to risk deportation just to influence an election.

If for no other reason than after a major disaster be it earth quakes, fires, floods or hurricanes, we must all understand how vulnerable our system is. Families fleeing the hurricanes and fires suffered loss of property that included lost documents. Compounding this was

the devastation of the region, which virtually shut down civil services in the area. For example, New Orleans residents after Hurricane Katrina were scattered across 44 states. These uprooted citizens had difficulty registering and voting both with absentee ballots and at satellite voting stations. As a result, those elections took place fully 8 months after the disaster, and it required the efforts of non-profits, such as the NAACP, to ensure that voters had the access they are constitutionally guaranteed.

We need to address the election fraud that we know is occurring, such as voting machine integrity and poll volunteer training and competence. After every election that occurs in this country, we have solid documented evidence of voting inconsistencies and errors. In 2004, in New Mexico, malfunctioning machines mysteriously failed to properly register a presidential vote on more than 20,000 ballots. 1 million ballots nationwide were flawed by faulty voting equipment—roughly one for every 100 cast.

Those who face the most significant barriers are not only the poor, minorities, and rural populations. 1.5 million college students, whose addresses often change, will also have difficulty providing documentation.

In fact, newly married individuals face significant barriers to completing a change in surname. For instance, it can take 6- 8 weeks to receive the marriage certificate in the mail, another two weeks (and a full day waiting in line) to get the new Social Security card, and finally three-four weeks to get the new driver's license. There is a significant possibility that this bill will also prohibit newlyweds from voting if they are married within three months of Election Day.

The right to vote is a critical and sacred constitutionally protected civil right. To challenge this is to erode our democracy, challenge justice, and mock our moral standing. I urge my colleagues to join me in dismissing this crippling legislation, and pursue effective solutions to the real problems of election fraud and error. We cannot let the rhetoric of an election year destroy a fundamental right upon which we have established liberty and freedom.

Mrs. CHRISTENSEN. I thank you for coming and for making that very strong presentation and for sharing that story with us which lets us know that, not so very long ago, people were really blocked from voting and took their lives in their hands just trying to exercise that simple right, the right to vote.

I would like to now yield to our colleague from Ohio, Congresswoman MARCY KAPTUR.

□ 2030

Ms. KAPTUR. I want to thank Dr. CHRISTENSEN for holding this very, very important Special Order as we begin Black History Month here in the United States and say how proud I am to serve with her, her path-breaking work in health care, leading us to coverage for all, to Congresswoman SHEILA JACKSON LEE. I had not heard that story, what she personally has lived and helped push America forward to a new day. It is my distinct pleasure and honor to be here with them tonight.

I wanted to participate in this Special Order because of what we are going through in Texas and Ohio and Florida, and around this country with redistricting. It is true that Ohio, because the population hasn't grown, has to lose two seats. But we have seen a redistricting like none other. I wanted to put some of this on the record because I think scholars around the country and young people studying could really take a look at what has happened in this recent redistricting that I think has a subtle and very insidious agenda that isn't immediately apparent to the eye.

I had a woman come up to me yesterday in a church in Ohio. She happened to be an African American woman. She said: I want to ask you a question, Congresswoman. Why is my voting location changed all of the time? Why is my precinct flipped all the time?

I said: You know, ma'am, I know something is going on here that isn't good. Ohio was never technically a voting rights State, but there's something strange. And I thought I would put on the record some of what's strange about what's happening in Ohio.

Individuals like herself constantly have to go to a different precinct. She never moved her house. She lives in the same place. A lot of people maybe don't realize that their precinct has been changed, and some percent of people will not go to the other precinct. It may be a small percent. It may be 0.02 percent; but you add that up around a State that votes 50/50, and you begin to see a fall off in voting.

I can tell you this, and I wish to place this on the Nation's record tonight: for every Republican Congress Member from Ohio who sits here, and they have the majority, 13 out of 18, their home county was kept whole. Every single one. But for every Democrat—there are only five of us out of 18—their home county was crashed and broken up into parts.

Every urban county, if you look around at the five of us who are here: Cuyahoga has been split into four parts in a very strange way; Lucas County is missing its western half now; you go down to Akron, you look at that county, cities like Parma, Parma, Ohio, one of the largest cities in Ohio, sliced in half. What do those places all have in common? They all happen to be urban areas. They have mixed populations. They have diversity. They like people who aren't like themselves. They like the diversity of life. Those communities have been hacked apart in Ohio.

Our colleague, Congresswoman BETTY SUTTON, 42 percent of the precincts in her new district are broken. That means booth workers can make mistakes. More than one Member of Congress is running in that precinct. Sometimes as many as three are running in the same precinct. When that goes on the ballot, do you realize how much confusion, even if everybody has an IQ of a gazillion, somebody is going to go in the booth and put the wrong

vote on the ballot because of the confusion with so many Members running in the same precinct.

Booth workers will make mistakes. And just like the woman I mentioned at the beginning whose precinct keeps changing although she hasn't moved, there is a certain percentage of error involved in that. And it's happening in the Democratic areas, not the Republican.

So I would say this: I would ask those who are listening tonight to think about really peeling apart the layers of this redistricting in places like Texas and Ohio and look at the subtle nature of the type of gerrymandering that's being done around the country. Communities are being hacked apart. Communities of interest are being hacked apart.

Doesn't Parma, Ohio, have the right to be its own city? It's hard enough to get things done across communities where needs are great. We have so many people losing their homes. There's all kinds of problems in this country with the unemployment, but we make it harder for communities to hold together. There seems to be something un-American about that. There seems to be something really ugly, something very insidious when it pulls people apart rather than holds them together.

We have one Congressman, actually a Republican from the other side of the aisle. Ohio has 88 counties. Do you know how many counties they put in his district, 20; 20 out of 88. That means 60 county commissioners. Can you imagine how many mayors? Unbelievable. This makes no sense. But it's what happened. And I am very concerned, as my colleagues are, about what happens to people who are elderly, who can't travel far, who sometimes have trouble seeing.

And as you start switching things around and you make it more difficult, even I notice the way they print the absentee ballots in Ohio—I'm glad to have them early—but you need a magnifying glass to see the letters when we know that the population in many of these urban areas are a high percentage of senior citizens.

There's something very un-American, something very unfriendly about what is going on here. It makes me think about the Voting Rights Act and maybe strengthening it and taking a particular look at urban areas that are being broken up in very, very strange ways. You can't even explain, the lines don't even make any sense where they are putting them in urban areas. It's like they are shattering communities of interest. There's something really wrong about that.

I wanted to say also to Congresswoman CHRISTENSEN, in Ohio we've had a lot of great African Americans. I've had the opportunity to serve with some of them here, and I would like to place in the RECORD tonight the names of some of them in honor of Black History Month.

One of the individuals I would like to talk about is a great writer, Toni Morrison, a woman who was born in Lorain, Ohio, now part of the Ninth Congressional District. We know how important Black History Month is because it's the time of the year to reflect and be thankful for the countless contributions of African Americans like Ms. Morrison who have made enduring contributions to American life and to world history.

This year's Black History Month theme is "Black Women in American Culture and History." And I would say this Caucasian woman is very proud to join my colleagues of color and say that I'm glad it's all women down here tonight for the moment because, really, our voices need to be magnified, and certainly Ms. Morrison did that. In honoring women, we honor her. She is exactly the type of person we should be recognizing, given this Black History Month's theme, for her work in American literature.

She is a Pulitzer Prize-winning author and became the first black woman to win the Nobel Prize in literature, making her the 90th Nobel Laureate in literature. She came from Lorain, Ohio. She didn't come from the places that are known as the cultural meccas. She came from a tough place where people work hard for a living. She was born during the Great Depression in that working-class city. Ms. Morrison showed an interest in literature at an early age. Through hard work, she received degrees from Howard University here and Cornell. She subsequently taught at Texas Southern University, Howard University, Yale, and Princeton. Her contributions to American history come from her six novels. During her Nobel Prize ceremony, the Permanent Secretary of the Academy said: "In her depictions of the world of the black people, in life as in legend, Toni Morrison has given the Afro-American people their history back, piece by piece."

Mr. Speaker let us take time to fully recognize the contributions of Toni Morrison and the many others during this year's Black History Month. While the United States is facing many challenges today, it is incumbent upon us to ensure that the work of leaders such as Toni Morrison do not go unnoticed.

I just wanted to mention, also, she penned a story about a girl from her childhood who prayed for blue eyes. I happen to have blue eyes. I never thought about that. She said this was the basis for her first novel, "The Bluest Eye," published in 1970. I have to say I admire the African American people because I always wanted curly hair, and I never really had it. So you see, we learn from one another and appreciate from one another.

In concluding tonight, let me say that I wish to place in the RECORD from the Cleveland Plain Dealer a wonderful story honoring the achievements of great African Americans who have come from our part of America. There

are a few whose names I would like to read into the RECORD: Langston Hughes, playwright, poet and writer; our dear beloved colleague, Stephanie Tubbs Jones, the first black woman to be elected to Congress from Ohio. I miss her to this day. I have her picture in my office. Halle Berry, the first black woman to win an Academy Award as best actress. Think about that.

□ 2040

Carl B. Stokes was the first black mayor—first black mayor—of a major American city, and it was Cleveland, Ohio—Cleveland, Ohio. We are so proud of that. And I was proud to serve with his bother, Louis Stokes, who was here for so many years, who preceded me on the Appropriations Committee.

I could go on, Mr. Speaker. There are others who wish to speak tonight. But I have to say, I'm proud to be an Ohioan, one of the States that was always a free State, home of the Underground Railroad as it came through, and people disembarked and escaped for their lives to places like Canada through northern Ohio, through the communities that I am privileged to represent now.

I am very proud to stand with my colleague, Dr. CHRISTENSEN, here tonight, in honoring all Americans, certainly in this Black History Month, and what they have taught us over our centuries about full representation and the decent and fair treatment of people. What a legacy they have given and continue to create for our country. I want to thank the gentlelady for yielding to me this evening.

[From Cleveland.com—The Plain Dealer, Feb. 2, 2012]

TONI MORRISON, AUTHOR, WON PULITZER, NOBEL PRIZES: BLACK HISTORY MONTH
(By Ellen Kleinerman)

As part of Black History Month, we recognize Toni Morrison, a Pulitzer Prize-winning novelist and the first black woman to win a Nobel Prize in literature.

Morrison, born Chloe Anthony Wofford in 1931, grew up during the Great Depression in a working-class neighborhood in Lorain, where European immigrants, Mexicans and Southern blacks lived. As a child, Morrison listened intently to the stories her parents, Ramah and George Wofford, told of the traditions and struggles of blacks in the South.

Morrison earned a B.A. at Howard University in 1953 and an M.A. at Cornell University in 1955 in humanities. At Howard, she met Jamaican architect Harold Morrison. They married in 1958, had two sons and divorced six years later. For a temporary escape from her unhappy marriage, Morrison joined a small writer's group, where she penned a story about a girl from her childhood who prayed for blue eyes. This was the basis for her first novel "The Bluest Eye," published in 1970.

Morrison worked for Random House publishing and taught at several universities including Yale and Princeton.

Her novel "Beloved," about a captured slave woman who tried to kill her children rather than see them live as slaves, won the Pulitzer in 1988. She won the Nobel Prize in 1993

[From Cleveland.com—[The Plain Dealer, Feb. 2, 2012]

HONORING ACHIEVEMENTS

As part of Black History Month, The Plain Dealer will recognize accomplishments of the region's black community. The newspaper will profile important people, places and events daily through February.

This is the second year that the paper has published a monthlong series of profiles for Black History Month. Go to cleveland.com/specialreports to see profiles from last year.

Last year's list included:

Langston Hughes, playwright, poet and writer

Larry Doby, the first black player in the American League

Garrett A. Morgan, inventor of the gas mask and traffic signal

St. John's Episcopal Church, one of the stops on the Underground Railroad

Stephanie Tubbs Jones, first black woman elected to Congress in Ohio

Charlie Sifford, first black golfer on the PGA Tour

Frank Robinson, first black manager of a major-league baseball team

Jesse Owens, track gold medalist

The Rev. Otis Moss, Jr., civil rights leader
Cleveland Buckeyes, Negro League Baseball team

Thomas Fleming, first black Cleveland councilman

Jim Brown, Cleveland Browns fullback and NFL Hall of Famer

Bertha Josephine Blue, taught Italian immigrants English

John Patterson Green, first black state senator from the North

Halle Berry, first black woman to win an Academy Award as best actress

Harry Edward Davis, second black in the Ohio Senate

John O. Holly, Jr., civil rights leader

Mary B. Martin, the first black woman elected to the Cleveland Board of Education

Eliza Bryant, created first facility for aging blacks

League Park, supported the Negro League during segregation

Carl B. Stokes, first black mayor of a major American city

Arsenio Hall, comedian, actor and late-night talk show host

Jane Edna Hunter, nurse, lawyer and social worker who founded the Phillis Wheatley Association

Harrison Dillard, Olympic gold medalist

President Barack Obama's 2008 rally

Phillis Wheatley Association, helped black women who migrated from the South

Central High School, allowed black students to enroll before the Civil War

Karamu House, the longest-running black arts and theater center in the country

Chester Himes, first black mystery writer

Mrs. CHRISTENSEN. Well, thank you. We appreciate your joining us and pointing out some of the inconsistencies that are occurring in Ohio and also paying tribute to Toni Morrison.

We do have one of the gentlemen of the Congressional Black Caucus joining us tonight, and that is Congressman AL GREEN of Texas, a leader in his area in the NAACP for many years, and now a leader in the Congress and all the time a leader of our country.

Thank you for joining us, Congressman AL GREEN.

Mr. AL GREEN of Texas. Thank you very much for yielding to me. I greatly appreciate it. And, of course, I want to thank all of the members of the CBC for the stellar work that has been done

in this area of publishing the history of Africans in the Americas, known as African Americans.

I'd like to, tonight, just address a very simple topic that has a lot of meaning, the whole notion that great people will always rise to the occasion. However, it also takes great people to make the occasion; and on occasions such as this, we often mention the great ones: the great Thurgood Marshall, the great litigator that he was, winning more than 29 cases, I believe, before the Supreme Court of the United States of America.

But in talking about the cases that he won, approximately 29 is what I recall, we also should remember that there were other persons who helped to make the occasion for the great Thurgood Marshall who went on to become a Justice on the Supreme Court of the United States of America. One such person would be Charles Hamilton Houston.

A great story about Charles Hamilton Houston, he was the person who produced the strategy that the Honorable Thurgood Marshall followed to help the NAACP litigate the cases that went before the Supreme Court, more specifically, the case of *Brown v. Board of Education*, which helped us to integrate society by way of desegregation.

There's a story about Thurgood that many people are not aware of. He applied to the University of Maryland Law School and he was denied access because of his color. And I'm not angry with the University of Maryland. As a matter of fact, it was because they rejected him that he went to Howard University, where he met the Honorable Charles Hamilton Houston. And it was there that their friendship blossomed such that Thurgood acquired this intelligence about the strategy to use the Constitution and litigation to bring about a more perfect Union.

The interesting story, however, is not complete unless we go on to talk about how Thurgood, who graduated at the top of his class, went on to practice law, and one of his first cases involved a person who was denied access to the University of Maryland. He won that lawsuit. So history has a way of causing persons who have been rejected to have the opportunity to make a difference in the lives of other persons who may be similarly situated.

I am so honored that Thurgood Marshall finished at Howard University and went to become chief litigator for the NAACP; but all of this was predicated upon his having a great relationship with another person who made headway, did not necessarily make the same kind of headlines, the honorable Charles Hamilton Houston.

We talk about the Honorable Rosa Parks and how she took a seat and ignited a spark that started the civil rights movement, but there was another person who took a seat before Rosa who was arrested, handcuffed, and taken to jail. She was a 15-year-old girl. Her name was Claudette Colvin.

She, too, suffered the same fate as the Honorable Rosa Parks, but she didn't make the headlines. She did make headway such that when the Honorable Rosa Parks was arrested, it became more of a story. Of course, Rosa Parks had status in the community, and that was, in no small way, a contribution to her receiving the attention that she did.

And, by the way, Rosa Parks wasn't just tired. She was tired in the sense that she was tired of injustice, and she took a stand against injustice because she was tired of injustice.

The interesting thing about this story is that the bus boycott that took place didn't end because of the boycott alone. I think that had something to do with it because it probably helped to shape public opinion. But there were three other females who filed a lawsuit that made its way to the Supreme Court of the United States of America: Browder, McDonald, and Smith. It was that lawsuit that they won, they made headway. They didn't make the lasting headlines, but they made the difference in the Montgomery bus boycott.

And, of course, we always talk about Dr. King, and we should, because he paid the ultimate price. He made the ultimate sacrifice. But we should not forget that before Dr. King marched from Selma to Montgomery, there were others who set out to march from Selma to Montgomery, and they did not make it across. Well, they made it across the Edmund Pettus Bridge, but that was where they met strong resistance from officers who had billy clubs, and they resisted the marchers. They didn't resist them; they actually took them on, and they beat them all the way back to the church where they started.

I enjoy hearing JOHN LEWIS tell the story not because of the suffering, but because he tells it in such a way as to cause me to have some degree of appreciation for what they went through on Bloody Sunday and how they paid a price. There were many people there on Bloody Sunday. The Honorable JOHN LEWIS was among them. They made headway and they made headlines, but their names have not been mentioned. And these are the people who made the occasion such that the Honorable Dr. Martin Luther King would come to Selma and proceed with the march that eventually took them from Selma to Montgomery. They made headway. They didn't always make headlines, but they made a great contribution.

And, of course, we know of the Honorable Barack Obama, the first African American President of the United States of America, who did not get there because of his color. He is President because he is capable, competent, and qualified. But before he ran, there was a woman who ran, the Honorable Shirley Chisholm. She was the first African American to run for President from a major political party. She didn't get the nomination of the party, but she did run from a major political party.

So we should remember that for every James Chaney, there were persons who were in the shadows who made a difference. JOHN LEWIS was one of them. For every Thurgood Marshall, there's a Charles Hamilton Houston who mentored, who made a difference in the life of a Thurgood Marshall such that he could go on to do the great things that he did. For every Rosa Parks, there is a person who is in the shadows, who made a difference, who helped to make the occasion such that Rosa Parks could rise to the occasion by taking a seat and igniting a spark that started the civil rights movement.

Let us remember not only the persons who made the great headlines that we continually recognize, but let's remember that there were other persons who made great headway who don't get the recognition today that they merit, but they were a part of this great movement for liberty and justice for African Americans across the length and breadth of this country.

□ 2050

At some point, I shall talk about persons who were of many hues who also participated in this great movement, because we didn't get here by ourselves. There were many persons of many colors who marched and protested. Many of them gave their lives to this movement as well—John Shillady comes to mind, who was beaten in Austin, Texas, and as a result of that beating lost his life. He was an NAACP'er, he was Anglo. Of course we know about Goodman and Chaney and Schwerner. And two of them, of course, were not African Americans, Schwerner and Goodman.

So I think that on occasions like this we should always celebrate the great and noble African Americans who made great sacrifices, remember those who were in the shadows, and also remember that there were others of many hues, of many ethnicities and many religions who were right there with us to help us arrive at this point in our history.

And I thank you so much for this time to mention some of the great ones, and some of those who were great but did not receive the acclaim that they richly deserve. And I thank you again. God bless you, and God bless America.

Mrs. CHRISTENSEN. Thank you, Congressman GREEN. And thank you for reminding us of the many, many unsung heroes and heroines on whose shoulders we also stand here today.

This is Black History Month, and on many occasions throughout February the Congressional Black Caucus will be here on the floor to talk about the ones that we know and those that we don't hear much about. There is a lot of our history that of course we're very proud of—the Long March to Freedom, the march for the right to vote, and today, where we now have 43 members of the Congressional Black Caucus. But we also have history that we're not going

back to; and SHEILA JACKSON LEE, when she was speaking earlier, reminded us of some of that history.

Going back to the other topic of our Special Order, the right to vote and protecting that right to vote, tomorrow the Congressional Black Caucus, led by our chairman, Reverend Congressman EMANUEL CLEAVER, will be submitting a House resolution condemning the passage of legislation that would unduly burden an American citizen's ability to vote, and opposing any State election law or proposed legislation that would have a disproportionate impact on vulnerable communities across this country.

When we introduce this, I think this is clearly a resolution that would signify the sense of Congress. It should be a resolution that every Member, Republican and Democrat, should support, supporting the right of every American citizen to vote freely and to have that vote counted. And we would invite all of the Members of the House to join us in that resolution, to become cosponsors, and we would ask the leadership to bring it to the floor for a vote.

Again, it condemns the passage of legislation that would unduly burden an American citizen's ability to vote and opposes any of those State election laws or proposed laws that would have a disproportionate impact, because historically we know that people of color have been barred from voting.

The passage of these restrictive voting laws, the resolution reminds us, is reminiscent of the Jim Crow-era poll taxes and literacy tests that disenfranchised thousands of African Americans. It also reminds us that these laws do more to suppress the right to vote than to protect our electoral system. There's a lot of talk about these laws being passed and proposed because of fraud in the election system, but there's no proof that there is any fraud. So these laws are really about suppressing the right to vote.

GENERAL LEAVE

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of this Special Order.

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

There was no objection.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to speak about the significance of February as Black History Month. Black History Month was first observed in 1976, and has become a successful effort to bring a greater understanding of African American history to all people in the U.S. Since the first observance of Black History Month, this country has seen increased recognition of the numerous contributions and sacrifices that African Americans have made throughout the United States.

From the pioneering inventions of Garrett A. Morgan, to the famous writings of Maya

Angelou, African Americans have been responsible for many of the successes and innovations that have defined our Nation. Since Black History Month was first conceived, we recognized these ground-breaking accomplishments and celebrated them together as a country.

However, every great triumph is not without tribulation. Much of what Black History Month is about is the recognition of the suffering that African Americans have had to endure. After slavery was abolished, Black Americans still faced racial intolerance and inequality. We need only to look to history to reflect on a period when African Americans were denied the right to vote.

Even with passage of the Fifteenth Amendment to the U.S. Constitution, many still chose to circumvent the law and disenfranchise voters. From literacy tests to poll taxes, these tactics were designed to keep U.S. citizens from exercising their right to vote, and to have a voice in a diverse democratic system. It was not until the Voting Rights Act of 1965 was ultimately enacted that these menacing policies were outlawed.

Mr. Speaker, Black History Month goes further than just the recognition of African Americans and their distinct role in shaping U.S. history. Black History Month is very much about our struggle as a Nation to uphold our democratic principles of fairness and equality for all. The struggle and triumph that is honored during this important time has come to benefit every American—regardless of their gender, race, or creed—by furthering a culture of equality, fairness, and justice. These important lessons from our past are ones that we must never forget as we move triumphantly into the future.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CLYBURN (at the request of Ms. PELOSI) for today on account of attending a funeral.

Mr. ENGEL (at the request of Ms. PELOSI) for today on account of official business.

Mr. LYNCH (at the request of Ms. PELOSI) for today.

Mr. REYES (at the request of Ms. PELOSI) for today on account of medical reasons.

Mr. VAN HOLLEN (at the request of Ms. PELOSI) for today.

Mr. POE of Texas (at the request of Mr. CANTOR) for today on account of official business.

Ms. BUERKLE (at the request of Mr. CANTOR) for today on account of official business.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on February 6, 2012 she presented to the President of the United States, for his approval, the following bill.

H.R. 588. To redesignate the Noxubee National Wildlife Refuge as the Sam D. Hamilton Noxubee National Wildlife Refuge.

ADJOURNMENT

Mrs. CHRISTENSEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, February 7, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4856. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — European Larch Canker; Expansion of Regulated Areas [Docket No.: APHIS-2011-0029] received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4857. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement; New Designated Country-Armenia (DFARS Case 2011-D057) [Docket No.: DARS-2011-0082-0002] (RIN: 0750-AH48) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4858. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement; Trade Agreements Thresholds (DFARS Case 2012-D005) (RIN: 0750-AH50) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4859. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement; Pilot Program for Acquisition of Military-Purpose Nondevelopmental Items (DFARS Case 2011-D034) received January 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4860. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4861. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Incorporation of Revised ASTM Standards that Provide Flexibility in the Use of Alternatives to Mercury-Containing Industrial Thermometers [EPA-HQ-OPPT-2010-0581; FRL-8880-4] (RIN: 2070-AJ51) received January 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4862. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Placer County Air Pollution Control District [EPA-R09-OAR-2011-0536; FRL-9618-2] received January 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4863. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Antelope Valley

Air Quality Management District and Imperial County Air Pollution Control District [EPA-R09-OAR-2011-0987; FRL-9617-4] received January 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4864. 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 (Milford, Utah) Station KCLS(FM), Pioche, Nevada; Station KPLD(FM), Kanab, Utah [MB Docket No.: 10-64] received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4865. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Policies to Promote Rural Radio Service and to Streamline Allotment and Assignment Procedures [MD Docket No.: 09-52] received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4866. A letter from the Deputy Bureau Chief, PSHSB, Federal Communications Commission, transmitting the Commission's final rule — Amending the Definition on Interconnected VoIP Service in Section 9.3 of the Commission's Rules; Wireless E911 Location Accuracy Requirements; E911 Requirements for IP-Enabled Service Providers [GN Docket No.: 11-117] [PS Docket No.: 07-114] [WC Docket No.: 05-196] received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4867. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Brand-Name Specifications [FAC 2005-55; FAR Case 2005-037; Item III; Docket 2006-0020, Sequence 26] (RIN: 9000-AK55) received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4868. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Time-and-Materials and Labor-Hour Contracts for Commercial Items [FAC 2005-55; FAR Case 2009-43; Item IV; Docket 2010-0100, Sequence 1] (RIN: 9000-AL74) received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4869. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Public Access to the Federal Awardee Performance and Integrity Information System [FAC 2005-55; FAR Case 2010-016; Item V; Docket 2010-0016, Sequence 1] (RIN: 9000-AL94) received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4870. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Updated Financial Accounting Standards Board Accounting References [FAC 2005-55; FAR Case 2010-005; Item VI; Docket 2010-0005, Sequence 1] (RIN: 9000-AM00) received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4871. A letter from the Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — General Services Administration Acquisition Regulation; Implementation of Information Technology Security Provision [GSAR Amendment 2011-03; GSAR Case 2011-G503; (Change 52) Docket 2011-0012, Sequence 1]

(RIN: 3090-AJ15) received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4872. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Technical Amendments [FAC 2005-55; Item VII; Docket 2011-0078; Sequence 4] received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4873. A letter from the Senior Program Manager, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30818; Amdt. No. 3457] received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4874. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Harmonization of Airworthiness Standards for Transport Category Airplanes — Landing Gear Retracting Mechanisms and Pilot Compartment View [Docket No.: FAA-2010-1193; Amdt. No. 25-136] (RIN: 2120-AJ80) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4875. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Chemical Mixtures Containing Listed Forms of Phosphorus and Change in Application Process [Docket No.: DEA-228F] (RIN: 1117-AA66) received December 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

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. WOODALL: Committee on Rules. House Resolution 539. Resolution providing for consideration of the bill (H.R. 3581) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to increase transparency in Federal budgeting, and for other purposes (Rept. 112-388). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. NORTON:

H.R. 3902. A bill to amend the District of Columbia Home Rule Act to revise the timing of special elections for local office in the District of Columbia; to the Committee on Oversight and Government Reform.

By Ms. BALDWIN:

H.R. 3903. A bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers; to the Committee on Ways and Means.

By Mr. REBERG:

H.R. 3904. A bill to modify the commencement date of the active force drawdown period used for the reimplementation of the temporary early retirement authority granted to the Secretary of Defense as an additional force management tool with which to effect the drawdown of military forces; to the Committee on Armed Services.

By Mr. BACA:

H.R. 3905. A bill to authorize the Secretary of Agriculture to award grants for the establishment of veterans gardens that are operated by veterans and designed to produce food that can be sold to individuals, schools, and restaurants; to the Committee on Agriculture.

By Mr. BISHOP of New York:

H.R. 3906. A bill to amend the Atlantic Striped Bass Conservation Act to allow recreational fishing for Atlantic Striped Bass in the Block Island Sound transit zone; to the Committee on Natural Resources.

By Ms. HIRONO:

H.R. 3907. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating certain lands along the northern coast of Maui, Hawaii, as a unit of the National Park System; to the Committee on Natural Resources.

By Ms. HIRONO:

H.R. 3908. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating the Ka'u Coast on the island of Hawaii as a unit of the National Park System; to the Committee on Natural Resources.

By Mr. MARINO:

H.R. 3909. A bill to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California (for himself, Mr. GARAMENDI, Ms. ZOE LOFGREN of California, Ms. ESHOO, Ms. SPEIER, and Mr. STARK):

H.R. 3910. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program, and for other purposes; to the Committee on Natural Resources.

By Mr. RIBBLE (for himself, Mr. RIGELL, and Mr. SCOTT of South Carolina):

H.J. Res. 101. A joint resolution proposing an amendment to the Constitution of the United States providing for Representatives to be chosen every four years, and limiting the number of times Senators and Representatives may be elected; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. NORTON:

H.R. 3902.

Congress has the power to enact this legislation pursuant to the following:

Clause 17 of section 8 of article I of the Constitution.

By Ms. BALDWIN:

H.R. 3903.

Congress has the power to enact this legislation pursuant to the following:

Sections 7 & 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. REHBERG:

H.R. 3904.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3, the Commerce Clause.

By Mr. BACA:

H.R. 3905.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 12, 13, 14, and 18.

By Mr. BISHOP of New York:

H.R. 3906.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. HIRONO:

H.R. 3907.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Ms. HIRONO:

H.R. 3908.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution 30

By Mr. MARINO:

H.R. 3909.

Congress has the power to enact this legislation pursuant to the following:

(1) Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States

(2) Article I, Section 9, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. GEORGE MILLER of California:

H.R. 3910.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. RIBBLE:

H.J. Res. 101.

Congress has the power to enact this legislation pursuant to the following:

The constitutional amendment authority and process set forth in Article V of the U.S. Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 32: Mr. HURT and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 104: Mr. KELLY.

H.R. 126: Mr. CRAVAACK.

H.R. 178: Ms. HAHN.

H.R. 191: Ms. HAHN.

H.R. 192: Mr. ROTHMAN of New Jersey and Mrs. MALONEY.

H.R. 284: Ms. HAHN.

H.R. 287: Ms. HAHN.

H.R. 374: Mr. WILSON of South Carolina, Mr. DESJARLAIS, Mr. MCHENRY, and Mr. WEBSTER.

H.R. 376: Mr. OWENS.

H.R. 476: Mr. BUCHANAN.

H.R. 494: Mr. DOYLE and Mr. TOWNS.

H.R. 511: Mr. HASTINGS of Florida and Ms. WILSON of Florida.

H.R. 615: Mr. YOUNG of Indiana, Mr. GIBBS, and Mr. FORBES.

H.R. 718: Mr. ELLISON.

H.R. 733: Mr. HALL and Mrs. CHRISTENSEN.

H.R. 870: Mr. KUCINICH.

H.R. 876: Ms. ZOE LOFGREN of California.

H.R. 890: Mr. GUTIERREZ.

H.R. 965: Ms. HAHN.

H.R. 1041: Mr. MEEHAN.

H.R. 1090: Mrs. LOWEY.

H.R. 1148: Mr. BARTLETT and Mr. FLEISCHMANN.

H.R. 1179: Mr. TURNER of New York, Mr. WHITFIELD, Mr. MEEHAN, Mr. POSEY, Mr. BRADY of Texas, Mrs. MILLER of Michigan, Mr. MCHENRY, Mr. ROYCE, Mr. GINGREY of Georgia, Mr. FINCHER, Mr. MICA, Mr. THOMPSON of Pennsylvania, Mr. BOUSTANY, Mr. ROGERS of Alabama, and Mr. COLE.

H.R. 1195: Ms. HAHN.

H.R. 1259: Mr. DIAZ-BALART, Mr. COLE, Mr. GOSAR, and Mr. FORBES.

H.R. 1385: Mr. FORBES.

H.R. 1402: Ms. HAHN.

H.R. 1672: Mrs. DAVIS of California and Mr. LUETKEMEYER.

H.R. 1739: Mr. LOBIONDO.

H.R. 1744: Mr. CALVERTE.

H.R. 1777: Mr. FLAKE, Mr. LAMBORN, and Mr. GOWDY.

H.R. 1873: Mr. CLEAVER.

H.R. 1980: Mr. DUNCAN of South Carolina.

H.R. 1997: Mr. MICHAUD.

H.R. 2106: Mr. BONNER, Mr. SCHOCK, and Mr. TURNER of New York.

H.R. 2131: Mr. WILSON of South Carolina.

H.R. 2206: Mr. RIGELL and Mr. RIBBLE.

H.R. 2288: Ms. JENKINS.

H.R. 2295: Mr. UPTON.

H.R. 2367: Mr. COFFMAN of Colorado.

H.R. 2376: Mr. ELLISON.

H.R. 2487: Mr. BROUN of Georgia.

H.R. 2492: Mr. FORBES.

H.R. 2499: Mr. TOWNS.

H.R. 2513: Ms. PINGREE of Maine.

H.R. 2529: Mr. ROE of Tennessee.

H.R. 2569: Mr. RIVERA.

H.R. 2595: Mr. CLAY.

H.R. 2600: Mr. CICILLINE.

H.R. 2621: Mr. HEINRICH.

H.R. 2679: Mr. DOYLE.

H.R. 2738: Ms. SCHAKOWSKY.

H.R. 2746: Mrs. CAPPAS and Mr. MORAN.

H.R. 2772: Mrs. ADAMS.

H.R. 2853: Mr. JONES, Ms. HAHN, Mr. CONYERS, Mr. GRIJALVA, Ms. LEE of California, Ms. RICHARDSON, Mr. BOSWELL, and Mr. CARSON of Indiana.

H.R. 2898: Mr. STIVERS and Mr. ROSS of Florida.

H.R. 2955: Mr. KUCINICH and Mr. COBLE.

H.R. 2969: Mr. MORAN and Mr. RIVERA.

H.R. 3053: Mr. TOWNS, Ms. RICHARDSON, Mr. RUSH, and Mr. HONDA.

H.R. 3059: Mr. BRADY of Pennsylvania.

H.R. 3074: Mr. OWENS.

H.R. 3187: Mrs. NOEM, Mr. GRIFFIN of Arkansas, Mr. WHITFIELD, and Mrs. CAPITO.

H.R. 3200: Mr. REYES.

H.R. 3264: Mr. ROSS of Florida.

H.R. 3269: Ms. HOCHUL and Mr. FORBES.

H.R. 3286: Mr. LIPINSKI.

H.R. 3313: Mr. FARR.

H.R. 3314: Ms. SCHAKOWSKY.

H.R. 3324: Mr. DOYLE.

H.R. 3336: Mr. HOLDEN.

H.R. 3364: Ms. ZOE LOFGREN of California.

H.R. 3425: Ms. SCHAKOWSKY.

H.R. 3441: Mr. WOODALL.

H.R. 3442: Mr. GRIJALVA and Mr. PASTOR of Arizona.

H.R. 3443: Mr. GINGREY of Georgia.

H.R. 3485: Mr. ROTHMAN of New Jersey.

H.R. 3489: Mr. PLATTS.

H.R. 3497: Mr. MORAN.

H.R. 3510: Mr. COBLE.

H.R. 3511: Mr. ROE of Tennessee.

H.R. 3526: Mr. GERLACH, Mr. REYES, Ms. BROWN of Florida, Ms. SPEIER, Mr. ROSS of Arkansas, Mrs. MALONEY, Ms. NORTON, Mr. OLVER, Mr. MORAN, Mr. BOSWELL, Mr. ENGEL, Mr. CLARKE of Michigan, Ms. HAHN, Ms. WATERS, Mr. CUMMINGS, Mr. MARKEY, Mr. GONZALEZ, Ms. LINDA T. SANCHEZ of California, Mr. JACKSON of Illinois, and Ms. SLAUGHTER.

- H.R. 3528: Mr. KUCINICH.
 H.R. 3548: Mrs. MILLER of Michigan, Mr. BACHUS, Mr. MARCHANT, Mr. WILSON of South Carolina, Mr. HARPER, Mr. MACK, Mr. CASIDY, Mrs. BONO MACK, Mr. CRENSHAW, Mr. CHAFFETZ, Mr. NUNES, Mr. SIMPSON, Mr. GERLACH, Mr. SENSENBRENNER, Mr. GRAVES of Missouri, Mr. GRIFFIN of Arkansas, Mr. DENHAM, Mr. CRAWFORD, Mr. AUSTIN SCOTT of Georgia, Mr. MCCAUL, Mr. LUCAS, Mr. BROOKS, Mr. HURT, Mr. JORDAN, Mr. ROKITA, Mr. MULVANEY, Mr. GOWDY and Mr. YODER.
 H.R. 3551: Mr. GRAVES of Georgia.
 H.R. 3579: Mr. WESTMORELAND.
 H.R. 3591: Mr. WELCH and Mr. FILNER.
 H.R. 3596: Mr. FARR, Mr. LIPINSKI, and Mr. SCHIFF.
 H.R. 3601: Mr. PEARCE.
 H.R. 3606: Mr. HURT, Mr. WOMACK, and Mr. ROSS of Arkansas.
 H.R. 3612: Ms. HAHN and Mr. HINCHEY.
 H.R. 3615: Mr. FARENTHOLD.
 H.R. 3627: Mr. MCGOVERN, Ms. WASSERMAN SCHULTZ, Ms. WOOLSEY, and Mr. DESJARLAIS.
 H.R. 3637: Mr. SOUTHERLAND.
 H.R. 3643: Mr. GRIFFIN of Arkansas and Mr. SOUTHERLAND.
 H.R. 3676: Mr. TIPTON and Ms. JENKINS.
 H.R. 3701: Mr. RANGEL, Ms. NORTON, Mr. COHEN, and Mr. CONYERS.
 H.R. 3702: Ms. ESHOO.
 H.R. 3704: Mrs. MCCARTHY of New York.
 H.R. 3742: Mr. DANIEL E. LUNGREN of California.
 H.R. 3767: Mr. CARTER.
 H.R. 3803: Mr. STUTZMAN, Mr. BARTLETT, Mr. KING of Iowa, Mr. RAHALL, Mr. SCHOCK, Mr. DUNCAN of South Carolina, Mr. BENISHEK, Mr. FORBES, and Mr. ALEXANDER.
 H.R. 3811: Mr. COBLE, Mr. CALVERT, Mr. LANKFORD, and Mr. BONNER.
 H.R. 3814: Mr. FORBES.
 H.R. 3821: Mr. RANGEL.
 H.R. 3827: Mr. KISSELL.
 H.R. 3828: Mr. PEARCE and Mr. FORBES.
 H.R. 3842: Mr. COBLE and Mr. FORBES.
 H.R. 3855: Mr. HULTGREN.
 H.R. 3858: Mr. PALLONE, Mr. HOLDEN, and Mr. ISRAEL.
 H.R. 3859: Mr. ROSS of Arkansas, and Mrs. EMERSON.
 H.R. 3862: Mr. GALLEGLY.
 H.R. 3867: Mr. ROKITA.
 H.R. 3877: Mr. BURTON of Indiana and Mr. RIBBLE.
 H.R. 3884: Ms. NORTON, Mr. JACKSON of Illinois, Ms. SPEIER, Mr. HINCHEY, Mr. FILNER, Mr. SARBANES, Mr. ENGEL, Mr. SMITH of Washington, Ms. WOOLSEY, Ms. SLAUGHTER, Ms. CHU, Mr. AL GREEN of Texas, Mr. GARAMENDI, Mr. TOWNS, Ms. HAHN, Mr. CONYERS, Mr. GRIJALVA, Ms. LEE of California, Ms. RICHARDSON, Mr. BOSWELL, and Mr. CARSON of Indiana.
 H.R. 3895: Mr. BILIRAKIS.
 H.J. Res. 47: Mrs. CAPPS.
 H.J. Res. 81: Mr. LANGEVIN.
 H. Con. Res. 98: Mr. ALEXANDER.
 H. Res. 111: Mr. OLSON.
 H. Res. 494: Mr. WALSH of Illinois.
 H. Res. 503: Mr. AUSTRIA.
 H. Res. 509: Mr. POSEY.
 H. Res. 523: Ms. ROYBAL-ALLARD and Mr. PETRI.
 H. Res. 532: Mrs. HARTZLER, Mr. SCHWEIKERT, and Mrs. ELLMERS.



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Senate

The Senate met at 2 p.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord, You are God. Heaven and Earth are filled with Your glory. Use our lawmakers to hasten the day when acts of justice and compassion will mark our society and people will celebrate the common bonds they share. May this bond of justice, compassion, and unity first be seen in this Chamber, providing a model for our citizens to emulate. Where there is pain, Lord, send Your healing. Where there is despair, send Your hope. Where there is darkness, send Your light. Where there is conflict, send Your peace.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 6, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. BLUMENTHAL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business until 3 p.m. today. Following morning business, the Senate will begin consideration of the conference report on the FAA Reauthorization Act. At 5:30 p.m., there will be a rollcall vote on adoption of that conference report.

MEASURE PLACED ON THE CALENDAR—S. 2064

Mr. REID. Mr. President, S. 2064 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 2064) to amend the Internal Revenue Code of 1986 to terminate certain energy tax subsidies and lower the corporate income tax rate.

Mr. REID. Mr. President, I object to further proceedings on this bill at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the matter will be placed on the calendar.

AVIATION AND PAYROLL TAX CONFERENCES

Mr. REID. Mr. President, today, I am pleased the Senate will pass the aviation jobs conference report. This measure is the first long-term reauthorization of the Federal Aviation Adminis-

tration in almost 5 years. The FAA has worked under 23 short-term extensions since 2007. In fact, the FAA was shut down last year. That is right, workers were furloughed and construction at airports terminated.

The 4-year compromise we will pass this evening doesn't give everyone everything they want, but that is the way legislation is. It will, however, finally give the FAA the ability it needs to properly maintain a world-class air travel system.

The aviation jobs bill will also create thousands of jobs—about 300,000—and it will protect airline workers and improve safety for travelers. This legislation will create badly needed jobs and it will give the FAA the ability to finally upgrade the country's air traffic control system.

Today, America relies on World War II era technology to track aircraft and to guide them to safe landings. An upgrade to modern satellite technology is long overdue. The aviation jobs bill will finally make that critical investment possible. It will invest more than \$24 billion in airports and runways across the Nation and on modern air traffic control equipment.

I am very happy that Democrats and Republicans were finally able to reach this compromise. I wish the spirit of compromise would also extend to ongoing conference committee negotiations on a year-long payroll tax cut. I was dismayed to read this morning that rank-and-file Republicans in both Chambers are on the fence over whether we should extend this break for working families. More than 160 million Americans will benefit, with an average family savings this year of \$1,000. That is taxes they won't have to pay.

Republicans are questioning whether Americans need that extra cash, and they are once again playing politics and putting our economy at risk at a crucial time when we need to work out a compromise. Democrats have offered

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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to meet them halfway—even more than halfway—but Republicans will not take yes for an answer. In exchange for extending this middle-class tax break, Republicans are insisting, among other things, that we pass an unrelated ideological piece of legislation that will make our water less safe to drink. This would allow mercury and other carcinogens to be put in our water supply.

That is a pretty stark compromise: We will give you a payroll tax cut for 160 million Americans if you will let us continue to put things such as arsenic and mercury in the water of the American people. That is not a very good deal.

Not only that but they are refusing to close tax loopholes, such as giveaways to oil companies making record profits. Instead, they insist on more handouts to millionaires and billionaires before they will do anything that will benefit the middle class.

The American people have spoken and spoken clearly. Working families need this money. They need this thousand dollars to put food on the table and gas in the car. And they won't tolerate Republicans holding their money hostage to extort a political payback.

They did this last December. In fact, I thought Republicans got the message in December when they took a beating for opposing this tax cut. I hope they won't pick this losing fight a second time. But time is running. If they do choose to fight, as we try to put more money back in the pockets of 160 million working Americans, the outcome will eventually be the same. Democrats will not give in when it comes to protecting the middle class. That is why we will prepare a fallback plan in case Republicans refuse to cooperate. Our legislation will prevent a tax hike on middle-class families, extend unemployment benefits, protect seniors on Medicare from losing their doctors, and extend expiring tax provisions. And it will be free of unrelated ideological legislation designed to please the radical right.

Stopping a \$1,000 tax increase on virtually every American family is too important to be bogged down with sweeteners for the tea party. Senate Democrats will be prepared to act with or without Republican cooperation. Republicans must make a choice. They can force a thousand dollar tax increase on American families to strengthen the tea party or they can compromise to strengthen the middle class. The choice is theirs.

Mr. President, would the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the

Senate will be in a period of morning business until 3 p.m., with Senators permitted to speak for up to 10 minutes each.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHANNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RELIGIOUS FREEDOM

Mr. JOHANNIS. Mr. President, I come to the floor today to talk about an issue of paramount importance to our country—the issue of religious freedom. Our great Nation was founded on religious freedom. This liberty is at the very core of our government. It has been a significant part of our heritage since this land was first settled, and it is a freedom that sets us apart from many countries around the globe.

The Framers of our Constitution rightfully recognized an individual's religious liberty and conscience is above any regulation, any legislation. One of the chief authors of that guiding document, James Madison, declared:

Conscience is the most sacred of all property.

Thomas Jefferson said:

No provision in our Constitution ought to be dearer to man than that which protects the rights of conscience against the enterprises of the civil authority.

These fundamental values are a part of the fabric of this great Nation. It is no coincidence it is the first freedom in the Bill of Rights. It is a core value. It is an inalienable right. So that means, as public servants, it is our utmost duty to protect this American freedom.

When I was sworn in as a Senator, I—as my colleagues did—took an oath to uphold the Constitution. We all believe strongly in that oath. I take seriously my commitment to uphold the values and the freedoms our forefathers fought to establish and that generations of heroes have died defending.

That is why today I am devastated to see this very freedom, the heart of our Constitution, being so completely ignored. The President has taken an unprecedented step in the wrong direction, grossly misusing authority to implement the new health care law. This administration has refused to exempt religious institutions that serve the public good from mandates of the law that go against their strong beliefs and their values, and the values of our Nation.

Last August, in an interim final rule, the Department of Health and Human Services announced what free preventive services all new health insurance plans would be required to provide under the law, and that those services must include contraceptives and con-

troversial drugs, such as the so-called morning-after pill.

With that mandate, the agency included a supposed religious exemption but, upon reading that, it was clear that was simply unacceptable. It is so narrow that the vast majority of religious hospitals and universities, businesses, social services, and charities are still, very clearly, required by law to comply with the mandate.

Many of these organizations have strong faith-based missions and deeply held convictions. Yet they don't fall under the exemption. In other words, their government is compelling Americans to act against their constitutionally protected moral and religious convictions.

Since that announcement, hundreds of religious organizations have raised their voices, and I have heard from countless Nebraskans. I held a roundtable back in Nebraska where this was the topic of discussion.

Twenty-six of my colleagues joined Senator HATCH and me in sending a letter to the administration condemning this sweeping mandate. We asked them to redraft the regulation so it is consistent with longstanding constitutional principles.

Despite these strong efforts, just recently we learned that our passionate concerns had been dismissed. Very disappointingly, the administration has announced that they will move forward with the August interim rule. Under the guise of compromise, they announced that religious organizations would have an additional year before the mandate was enforced; in other words, after election day.

The head of the Diocese of Lincoln, a man I have great admiration for, Bishop Fabian Bruskewitz, called the administration's extension an "act of mockery."

Americans are not fooled by this nonsensical extension. The issue is not that religious groups have time to comply. That is not the issue. It is that they are being forced to provide coverage that goes against their conscience, their religious beliefs, their moral beliefs.

Bishop Bruskewitz went on to warn "our American religious liberty is in grave jeopardy."

The bottom line is that by issuing this decision, this administration has ignored the most sacred of all American freedoms.

Just a week before this announcement, the Supreme Court unanimously affirmed the core constitutional principle of religious liberty in its *Hosanna-Tabor* decision. The court held that churches and other religious groups must be free to choose their leaders without government interference. Yet the administration has clearly come out on the other side of our Constitution.

During the health care debate, we heard something vastly different. The President repeatedly promised the opposite. He pledged that the new health

care law would not weaken long-held life and conscience protections. In his public statements about the health overhaul, he vowed "Federal conscience laws would remain in place." He even issued an Executive order where he stated that "longstanding Federal laws to protect conscience will remain intact."

Many of us—myself included—during the health care debate warned that the Executive order was just window dressing to get votes and would do nothing to protect life in matters of conscience.

While supporters of the bill echoed the President's promise, I spoke on the Senate floor—once in November and again in March—warning Americans that they should not be fooled by hollow promises, and I urged my pro-life colleagues to join me in opposing this dangerous policy.

Two years after the law's passage, the truth behind the administration's priorities has been revealed. The President has, regrettably, punted the implementation of this controversial mandate until after the election. So now many religious organizations are forced to face two options: act against their convictions or drop health care coverage altogether. This decision comes from an administration that granted over 1,700 health plans with waivers from the law's major provisions, many of those to unions. A total of 4 million people, including select businesses and unions, have benefited from the waiver process. The administration has gone out of its way to guide its friends around the onerous mandates of this flawed policy. Yet this same administration is unwilling to protect a fundamental constitutional freedom by simply crafting a reasonable exemption for religious organizations.

Would Presidents Thomas Jefferson or James Madison have forced vast swaths of society to take action against their conscience? The answer is a resounding and obvious no. This political posturing is obvious, and it is appalling. This political maneuvering comes at a heavy cost for many Americans; it is a breach of values and beliefs. It runs counter to the very core of our identity as Americans.

Never before has the Federal Government required that individuals provide a product that violates their conscience.

Many Americans are questioning what will come next. They recognize that other strongly held beliefs could also be compromised.

I am not alone in being deeply troubled by this administration's complete disregard of the liberties in our Constitution. It is these liberties that make our country great.

I am a cosponsor of the Respect for Rights of Conscience Act introduced by my colleague Senator BLUNT. This legislation would reverse the administration's massive overstep and ensure that all conscience rights are protected. I will do everything in my power to push

this to a vote. We must act to right this wrong. We must ensure that America's values are not compromised. We must protect religious liberty. We all took an oath to do so. I am confident that, with prayer and persistence, we can reverse this course.

I yield the floor and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

BOILER MACT

Mr. BOOZMAN. Mr. President, I come to the Senate floor to discuss an important action this Congress can take to protect manufacturing jobs and strengthen our economy.

Specifically, I encourage Senate conferees on the payroll tax bill to include projobs bipartisan language—such as H.R. 2250 or S. 1392—that would address the EPA's proposed rule on maximum achievable control technology standards for boilers, also known as boiler MACT.

Fixing boiler MACT is important because if the EPA gets it wrong, it will cost tens of thousands of good-paying blue-collar manufacturing jobs. These regulations will be one more unnecessary weight dragging down our economy and making life harder for low- and middle-income families.

Fixing boiler MACT is important also because Congress should provide clarity and certainty to the rulemaking process. The process has been plagued by complications, administrative stays, court orders, and numerous other stops and starts.

For example, employers spent hundreds of millions working to comply with the 2004 boiler MACT rules only to be told they must now spend billions more. The boiler MACT legislation should be included in the payroll tax relief legislation which is intended to provide some help to our sluggish economy by allowing Americans to keep a little more of the money they earn. By addressing boiler MACT on this bill, we can further protect jobs—especially manufacturing jobs—and prevent our country from having to absorb one more sudden regulatory punch in the gut.

Fixing boiler MACT is important because our economy is weak and families are struggling. Last week, the non-partisan Congressional Budget Office predicted a weak and perilous economic situation for the next couple years. We see continued high unemployment, including estimates that the unemployment rate will tick up to 8.9 percent this year and 9.2 percent next year. We see projections of \$1.2 trillion deficits. On top of all this, we have

learned that the GDP growth slowed to just 1.7 percent last year.

I hope these troubling projections are wrong, but given what we know, we should be focused on encouraging job growth and opportunity. American families are counting on us. We should not stifle businesses that want to expand and create jobs. One way to help is to provide some regulatory certainty and to allow employers the time they need to adjust to new, burdensome regulations.

The boiler MACT fix would provide the EPA an additional 15 months to prepare appropriate, justified, and achievable regulations for industrial boilers. Without this time, EPA will be forced to rush the rules out the door only a few weeks after they will receive hundreds of substantive comments and new data on boiler performance.

The boiler MACT fix would also give employers a little extra time to comply with the rules once they are finalized. This is vital because it will minimize job losses that would occur if employers had to rush to implement the new rules. The rules are very expensive and spreading the cost out over a couple extra years will make it less likely that employers will have to lay off employees.

In Arkansas alone, boiler MACT will cost over \$230 million and put 3,600 jobs at risk. These are real jobs and real people. I shake their hands and I hear their serious concerns when I visit communities such as Pine Bluff, AR, or Howard County, AR. In our State, the proposed boiler MACT rules will especially harm the employers with units that burn solid fuels such as biomass. The boiler MACT would help by stating that materials such as renewable biomass that have been used for fuel for decades should remain classified as fuel and not reclassified as solid waste.

We should be encouraging the use of renewable biomass, not discouraging it. Sending biomass to a landfill makes absolutely no sense when we can use it to power our industries and create jobs. The potential harm to renewable, carbon-neutral biomass is very bad for Arkansas. But it is not just our rural States with significant biomass that will be harmed; boiler MACT will hit all States, large and small, rural and urban.

For example, in Pennsylvania it will cost over \$751 million and put over 12,000 jobs at risk. In Montana it will cost \$32 million and put over 500 jobs at risk. In Maryland it will cost over \$195 million and put over 3,100 jobs at risk. In Rhode Island it will cost over \$19 million and put hundreds of jobs at risk. In Wyoming it will cost over \$155 million and put over 2,400 jobs at risk.

Some of the hardest hit States include North Carolina, Ohio, Michigan, Indiana, Pennsylvania, Louisiana, Wisconsin, Virginia, Illinois, and Minnesota. Several States will see more than 12,000 jobs put at risk. In Arkansas, the expense and uncertainty created by these rules will force some employers to scale back. Other employers

may be able to keep existing jobs but decide that it does not make sense to hire new employees while they face these mounting regulatory costs. Given these serious concerns, the boiler MACT fix will provide clarity and give businesses a reasonable timeframe to comply. The boiler MACT legislation passed the other body with bipartisan support from 275 Congressmen. In the Senate this legislation has the support of a strong bipartisan majority.

Over the last four decades our country has cleaned our air by reducing emissions that cause serious threats—threats to human health and to the environment. I strongly support appropriate, science-based protection for clean air, and we must continue to protect the environment.

The public will continue to support appropriate protections for clean air, especially if this Congress takes a reasonable approach and gives the EPA the time it needs to develop rules that are achievable and that can be implemented in a timeline that will protect important manufacturing jobs throughout our country. For these reasons I urge the Senate conferees on the payroll tax bill to include the boiler MACT fix. I also ask my colleagues to let the conferees know how important this issue is. Together, we can help create opportunities and protect these important, high-paying manufacturing and other blue collar jobs.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KYL. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE ECONOMY

Mr. KYL. Mr. President, the Bureau of Labor Statistics released a new employment report last week for the month of January with some good news: more jobs created in the private sector than had been projected and unemployment dropped to 8.3 percent. President Obama has been taking a victory lap and touted the jobs report as a sign that his economic policies are working. But it reminds me of the two fleas on the back of the chariot in Stephen Leacock's famous fable. They look behind them and say: My, what a fine cloud of dust we've kicked up.

It could be in the 2½ years since the great recession technically ended and the 3 years since the passage of the stimulus bill that the President promised would keep unemployment below 8 percent, that whatever recovery we have had is not necessarily the result of the President's policies. Why has unemployment remained above 8 percent for the last 35 months? Why are there more unemployed today than when

President Obama took office? Is it more likely that some people are finding work in spite of and not because of President Obama's policies?

Today I would like to speak about that for a few minutes and try to put these numbers into perspective. The obvious point, of course, is that we still have a long way to go before anyone can claim that we have an economic success story.

Let's start with the recovery itself. The fact is, this has been the weakest recovery since the Great Depression. Consider this comparison: 31 months after the recession ended in June of 2009, payroll employment has increased by only 1.5 percent. During the Reagan Presidency 31 months after the end of the 1981–1982 recession, payroll employment had increased by 9.8 percent. So 1.5 under President Obama, 9.8 percent comparable timeframe with President Reagan.

At a comparable point in time during the Reagan recovery, payroll employment was 6.2 million jobs or 6.8 percent higher than the prerecession level. In contrast, today we have about 5 million fewer jobs since peak employment of 2007—not more but fewer—and more than 1.1 million jobs have been lost since President Obama took office.

How can that be? It takes a certain number of jobs just to keep up with the new entrants into the labor market. In fact, economists believe we need on average about 130,000 to 150,000 jobs per month just to hold even. So even though we have created more jobs—and the President's supporters say we have been creating now more jobs for the last 23 months. That is fine, but if it does not keep up with the number we need just to keep up with new entrants into the workforce; namely, 130,000 to 150,000, we are not making progress. In fact, we are regressing. If this recovery we are currently experiencing had duplicated the path of recovery from the 1981–1982 recession, there would be 14.9 million more payroll jobs than we have today—in other words, almost 15 million more jobs. That is a better measure of the success—or lack of it—in coming out of this recession.

Now, to make matters worse, much of the recent decline in the unemployment rate can be attributed to a decline in labor force participation—in other words, people who are still looking for work. Labor force participation dropped to 63.7 percent in January, meaning that many have simply stopped looking for jobs. This is the lowest labor force participation rate in nearly three decades. Labor force participation stood at 66 percent at the beginning of the recent recession. If the rate had remained at the prerecession level, the unemployment rate today would be approximately 11.4 percent. In other words, 3 percentage points more than it is today is accounted for by the fact that that many people have simply stopped looking for work. According to many economists, this is a better measure of the true employment situation in the country.

A commentator on one of the news shows that I heard yesterday gave this analogy: If we heard that fewer elderly people in America were sick, at least initially we would think that was really good news. But if the reason there were fewer sick people is that more of them had died, we wouldn't think that was a cause for celebration. And that is the problem here—too many people have just decided it is not possible for them to get a job and they are going to stop looking.

Finally, there is the underemployment and long-term unemployed situation. The plight of the folks who have been unemployed for a long period of time or those who are underemployed—they have a job but could be getting something that pays more—has really not changed. These are the Americans who want good jobs. In the latest report, the number of those who have been unemployed for 27 weeks or more has hardly changed at 5.52 million people, accounting for almost 43 percent of the unemployed population. Those are the folks who are really hurting. The underemployment rate, which includes part-time workers who would like to have full-time work and those who want to work but have given up looking, has remained largely unchanged, dropping to 15.1 percent from 15.2 percent.

I say all of this not to pile on President Obama and certainly not to denigrate the fact that we finally have a little bit of good news coming out of the economic picture but, rather, to make the point that the employment numbers from 1 month—last month—hardly tell the whole story. We have to have better progrowth policies if we are really going to have a stronger economy, if we are going to create more jobs and, over the long term, improve the employment opportunities for all Americans who want work.

It was very disappointing for the President to have rejected the Keystone Pipeline. That is a project which would have created as many as 343,000 private sector jobs, according to the Congressional Research Service, and all of that without having cost the taxpayers a dime.

We also need to consider how the policies of the last 3 years, which include the exploding debt and the massive new taxes and regulations that are contained in ObamaCare and the so-called financial reform bill, have put a drag on the economy. It has increased uncertainty for job creators, and it has actually weakened the economic recovery. If President Obama wants to continue any jobs momentum, I believe he ought to reconsider his position on the tax hikes coming at the end of this year. They are automatic. If we don't do anything, taxes will go up on everyone next January 1st, the largest tax increase in the history of our country, over \$3.5 trillion. Will businesses want to expand and hire new workers in the face of a tax increase that size over the next 10 years? Will they want to create

jobs if they are faced with an avalanche of new regulations? Will they be able to invest in growth if the government keeps crowding out private investment with massive borrowing and spending?

The bottom line is that there is a recipe for turning the economy around in a very strong way and providing the jobs people are going to need in order to get the work they can do and need in order to support their families. What the President has done has impeded and slowed down that growth. Of course, one can argue that he didn't create the problem, he inherited the problem, but that his policies have made it worse, not better; that we would have a stronger recovery had we not wasted that money on the stimulus program and had we not passed some of the highly regulatory and depressing legislation such as ObamaCare.

With the opportunity before us to support progrowth policies, I am convinced the private sector of this country is strong enough to rebound. We are beginning to see that in these employment numbers. If we work with businesses, understanding that they create the jobs, not the government—all we can do is to provide the best foundation for job creation—if we do that, then this eventually can be a strong economic recovery, and then we really will have something to brag about. It is my hope that in the remaining months of this year, before politics completely consumes Washington, DC, Republicans and Democrats, the House and the Senate, can work together with the President to create that kind of climate in which all Americans who want to can find economic opportunity and work.

I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

FAA MODERNIZATION AND REFORM ACT OF 2012—CONFERENCE REPORT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of the conference report to accompany H.R. 658, which the clerk will report.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 658), to amend title 49, United States Code,

to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes, having met, have agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment and the Senate agree to the same. Signed by a majority of the conferees on the part of both Houses.

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be up to 2½ hours of debate on the conference report equally divided and controlled between the two leaders or their designees.

The Senator from West Virginia.

Mr. ROCKEFELLER. I thank the Chair.

The problem we face here is that most people are in the air coming in this direction. Most will land around 5 o'clock. So Senator HUTCHISON and myself don't feel any particular pressure. We can talk for long periods of time and talk about other issues.

Today we are considering the FAA conference report which has been the subject of negotiations—I shudder when I say that—between the House and the Senate for much of the past year, and actually we have been working on it for much longer than that. We have been through 23 extensions. We are now looking at the possibility of a bill that will, in fact, last for 4 years, which will be the best news that the airline industry ever had, that the people who work for the airline industry ever had, that the people who work to improve the safety of the airline people ever had, including those who are doing a new traffic control system. So I am very happy that, as we call it, the FAA Modernization Reform Act of 2012 will extend the authorities through 2015. As the Presiding Officer is aware, we have done this for 2 months, 3 months—time after time after time—and it makes it impossible to negotiate and it is terribly destabilizing for the aviation industry as well as the Federal Aviation Administration.

This agreement is going to provide a lot of stability to the FAA—they will be happy about that—and it will make certain there is adequate funding to support the agency's mission.

The bill takes concrete steps to modernize our air traffic control system. I am excited beyond words to be able to say that sentence because it will take us into a new era that will bring much more efficiency, more planes will be able to take off and land and, in so doing, do it much more safely, being watched from space rather than from radar, which is what we do now.

This bill is going to make the air transportation system safer than ever before and make certain that small communities have access to critical air service. I will speak more about that.

It will also make sure that the U.S. aviation industry remains competitive and remains strong. We are that way in

the world. We do lead in exports on aviation and the Federal aviation industry continues to be the gold standard for safety. That is not to say we have not had problems, but we have been solving those problems.

This has been a long and sometimes arduous process. I think my colleague Senator HUTCHISON would agree with that. Many compromises were made to get us here. Compromises in the present atmosphere are not easy. Conversations are not easy. Compromises are very difficult. While no one got everything they wanted, the bill will permit us—I believe Senator HUTCHISON would agree—to achieve our shared goals.

The agreement will allow us to pass a comprehensive, again, 4-year FAA reauthorization. The legislation we have before us now will move our aviation system forward. It will not be in neutral. People who run the system, the folks who take care of airplanes and who run the companies, will be absolutely thrilled if this bill passes, which I expect it to do.

In this era of very scarce resources, we still have managed to produce a bill that provides the FAA the money it needs to carry out its mission. Without going into too much detail, we had to make a compromise on that. But, frankly, that was a compromise that was agreed to and, I believed, was reasonable in terms of the other way of looking at things. So it is stability.

The funding authorized for the Airport Improvement Program, which is very important, and the facilities and equipment accounts, which are just gobbledygook to most people, will give much needed support to aviation infrastructure projects and planning across our Nation. It is a blueprint.

Over \$3 billion a year is provided through the Airport Improvement Program to provide airport grants that will make a real difference in the Nation's airspace system and the people who use it every day. We will create and we will sustain jobs in every State, and we will continue to make substantial investments in our Nation's airports. Based on Department of Transportation estimates, the Airport Improvement Program alone supports over 100,000 jobs annually. I will say later on in these remarks that there are about 10 million people who work because of something called aviation in this country—10 million people.

For communities in West Virginia, having up-to-date airports is absolutely critical to our future. The investments we make through the Airport Improvement Program will help the country greatly—not just West Virginia but the entire country.

With this bill, as I said, nearly \$3 billion will also be provided each year for the facilities and equipment account which basically funds the new air traffic control system. I have said this 10 times from this floor: Mongolia has that; we do not. They have globally positioned—very accurate reading—not

only for weather but for aircraft on the ground and also in the air, so the spacing vertically and horizontally is extremely accurate and, therefore, much safer and much more efficient and uses much less fuel.

This effort on the air traffic control system is embarrassing, it is so needed. We are working on radar right now. We are working on radar. That is compared to a satellite-based aircraft surveillance system. I have spent, frankly, much of the last decade working to make sure the FAA has the resources and the ability to implement NextGen, the so-called new air traffic control system, the modernized, digitalized air traffic control system. It is so essential. It is so embarrassing we do not have it as a nation. It is such a burden on the air traffic control people themselves, trying to see through the fog, so to speak, of the world of radar.

This bill will move forward key aspects of the NextGen effort and make sure that modernization will proceed on schedule with clear timelines and a lot of oversight and requirements.

We push for near-term modernization benefits by requiring that precision navigation be implemented first—and this makes sense—in the 35 largest airports in the country—that does make sense—by the year 2015 and then in all airports by the year 2016. This will significantly improve airspace capacity and, by the way, the environment.

The bill also establishes a chief NextGen officer—not a bureaucracy but a person—to lead the modernization effort. It is very specific; it is a very calculated and precise instrument that has to be done correctly—and takes steps to improve coordination among relevant Federal agencies. One has to say that. It is sort of a boring statement, but it is kind of a necessary one if it happens to be true, which in this case I believe it is.

While modernization will provide the greatest safety benefits, the bill also requires the FAA to move forward on other imperative safety measures. The bill mandates stricter oversight of airlines and their compliance with airworthiness directives. It requires regular inspections of foreign repair stations—subject to controversy—and the implementation of drug and alcohol programs at those facilities—a subject, frankly, lacking in controversy.

Specific measures in the bill also focus on the safety of our air ambulance operations—that is a lot of activity in our country—and take steps to improve airport runway surveillance; that is, we have a problem now with literally airplanes running into each other on the tarmac because of fog or because of poor coordination or whatever—the kind of things that a NextGen modernized system would tend to make much less prevalent.

This bill will make significant strides for the airline industry through modernization. They crave it. They need it. Commercial aviation helps drive \$1.3 trillion in U.S. economic ac-

tivity and, as I said before, more than 10 million U.S. jobs. So I think those who would consider not voting for this would have to at least start out on that rather alarming fact.

The aviation sector is critical to our place in the global marketplace. It contributes \$75 billion to our trade balance and represents roughly 6 percent of the gross domestic product of the country. It is huge.

We must make certain all Americans reap the benefits of our national aviation system. To that end, this bill preserves and strengthens the Essential Air Service Program. I have to say that had been completely eliminated by the House—completely eliminated. That is life or death for West Virginia and for a lot of rural places. In general, almost all large States also have rural aspects, and they need this kind of help.

We provide vital access to the aviation system for small and rural communities. That gives access to the global marketplace. It means people come. CEOs do not tend to want to drive to Montana or to West Virginia to look over possible sites for building plants. It is very important for economic development.

It is interesting—and I am sure Senator HUTCHISON would agree with me—that communities thrive, particularly smaller communities, on how well their small airports are doing. They may have good runway space but not a lot of enplanements because it is not a hugely populated area. But we put very strict confinements on that in the essential air service. We disciplined it. We said there can be no new ones other than the ones currently existing.

We put other restrictions on it to make it palatable to the other body. We said, for example, communities that have per-passenger subsidies over \$1,000 are eliminated forthwith from the program. That makes sense. That much money going for a couple of passengers is just ridiculous. Communities that have fewer than 10 passengers per day—and there are in my State some very strong communities that have that situation. They just cannot work it out that they get people onto their airplanes or air service, and, as a result, obviously, the service begins to disappear. There is no reason the essential air service should allow any of that to proceed. So we say if they have fewer than 10 passengers per day—if you are an airport of that sort—and are within 175 miles of a large or medium-sized hub airport, you are to be eliminated immediately from this program. That is harsh for some. But it is what brought us a compromise for the majority of us—all of us.

The program also caps future eligibility, as I have indicated, to those communities that are currently in this program.

Now, I am sure everyone has heard me say the essential air service is the lifeblood for so many communities. I believe this bill strikes a careful bal-

ance between the need to cut government spending, which this does, and preserving small community access to our national aviation system by making some of these prudent reforms.

It is important for me to take a moment to emphasize the consequences of not passing this bill. Aside from not achieving all the benefits this bill provides, we will find ourselves in a nasty fight with the House when the current FAA extension runs out in less than 2 weeks.

This is not just a bill that is floating around. This is a bill that is on a timetable, and the extension—the 23rd extension—of this bill we made runs out in several weeks. So, then, everything goes back to zero, and you remember we laid off a lot of people earlier.

The House has no patience left for short-term extensions—I cannot disagree with that—and they have shown this past August they are perfectly willing to send over an extension with policy riders, policy riders which they full well know are totally impossible for this body to accept or for the majority of this body to accept.

They also have shown their resolve in all of this. Not too long ago they shut down the FAA. It was not a question of what this is going to do to people's lives. They just shut it down for the principle of sticking by their guns, and they furloughed 4,000 government employees and did not seem to care that hundreds of millions in aviation trust fund revenues were lost forever. If we do not pass the FAA conference report, you can be sure the House will send over an FAA extension that is just as troublesome.

We have reached a compromise position under the magnificent watchful eye of Senator KAY BAILEY HUTCHISON. Again, nobody got everything they wanted, and there are some provisions that people have great difficulty accepting. I understand that. All of this has to be seen within the context of the greater bill, which is a huge piece of legislation, a magnificent piece of legislation, and very much a job-creating piece of legislation. But this is, in my judgment, a very good deal. It is a fair deal. If we do not pass it, I think we will all certainly regret it. I strongly encourage all of my fellow Members to support this bill.

Now, finally, before I conclude my remarks I want to thank my colleagues for all of their diligent work on this bill.

Let me be clear, we would not be here today were it not for the efforts of Senate majority leader HARRY REID and for his guidance and for his leadership. He and his team negotiated the most sensitive part of the bill. I personally want to thank Senator REID for his stalwart support throughout this process.

Right after him comes Senator KAY BAILEY HUTCHISON. Over the past 4 years, she has done more than anybody to get this bill passed into law—hopefully passed into law. Although she was fully engaged in every part of the development, most notably, her work on

securing a slots agreement removed one of the biggest hurdles in getting this legislation through the Senate. In fact, it was the biggest hurdle when we got this through the Senate. It was Senator KAY BAILEY HUTCHISON who worked out those compromises and deals in a harrowingly magnificent fashion.

Her deep aviation expertise and negotiating skills are truly remarkable, and this bill is another significant part of her already very substantial legacy.

Finally, I thank Senator MARIA CANTWELL. A year ago, she assumed the chairmanship of the Aviation Subcommittee. She made substantial contributions to the entire bill but most notably on NextGen—the new air traffic control system, the modernized one, the GPS one, the digitalized one. She effectively balances very difficult issues and at the same time is incredibly committed to the interests of Washington State.

We should be proud of this compromise agreement that will enable our aviation system to move forward to meet the challenges of continuously improving safety, air traffic control modernization, airport development, and small community air service.

I thank the Acting President pro tempore.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I wish to thank the distinguished chairman of the Commerce Committee for all that he said. I really appreciate working with him. Clearly, because of 23 extensions, you know this was a hard bill to pass.

Since 2007, we have been trying to reauthorize the FAA and particularly increase aviation safety and put our NextGen air traffic control system in place. That has been the primary moving force. But, as is often the case, it is other issues that have come to the forefront and caused the delay after delay after delay process in passing this bill. We did pass it through the Senate and now have come out with a conference report between the House and Senate.

So I really first have to say thank you for the leadership of Senator ROCKEFELLER, which has been quiet and effective and letting the different Members with different interests, of which there were many on this bill, have their say—and he was very calm throughout the process—because in the end we all know that none of us are dictators, none of us are the sole arbiters of what comes out of the Senate. We are a body of 100. We have colleagues on the other side who are 435. So obviously some people are going to have to give in certain areas. But what is good about the bill before us today is that the major principles have been addressed and the people who were most affected by those have been able to see the big picture that we needed to address in this bill, that we give our airports the ability to grow, expand, and

repair with the aviation trust fund, which the passage of this bill will do. It will be in a stable environment because we have 4 years after this bill is passed.

I thank the chairman and all who have worked on this bill. As everyone knows, the repeated use of short-term extensions does not allow for the long-term planning that is needed on the big projects, such as NextGen, the air traffic control system that will be based on satellites or the airport improvements that are so important for our smooth aviation system to function.

So what we are doing today is asking the Senate to pass the conference report the House has already passed. When we pass it, which is my hope today, it will go to the President for signature, and it will provide that clear, stable way forward for our airports and the FAA to operate and make the sound fiscal investments in ensuring that we have a good and seamless system.

First, the bill does improve aviation safety, including the development of a plan to reduce runway incursions and operational errors, along with significant safety improvements for helicopter emergency medical service operators and their patients.

The bill modernizes our antiquated air traffic control system and moves us one step closer to a more efficient and effective use of our national air space. Specifically, it focuses on advancing the next-generation air transportation system that we call NextGen, and it improves the management practices and oversight of the agency in the modernization effort.

When fully implemented, NextGen will fundamentally transform air traffic control from a ground-based radar system to a satellite-based system that uses global positioning navigation and surveillance digital communications and more accurate weather services. It is our belief that most of the other countries in the world have NextGen already, but America has the biggest aviation transportation system in the world, and therefore, when we come up to speed, it will make the seamless air traffic control system globally better.

Some people will say: Well, NextGen—what does it mean? Well, it is going to open more airspace for our airplanes' use, both scheduled and general aviation. It will reduce delays because we are going to have better scheduling. We are going to have more accurate capabilities to schedule, and therefore it will open more airspace for use by our general aviation as well as our scheduled carriers. As we know, our scheduled carriers will be growing in the future. They are restructuring and trying to accommodate us. But more and more people and bigger populations are going to produce more need for aviation traffic.

Special attention is given to the acceleration certification planning and implementation of critical NextGen technologies. We have established in the bill clear deadlines for the adoption

of technology and navigational procedures which will allow for a more precise and fuel-efficient use of our national airspace.

This conference report also moves forward initiatives associated with the integration of the unmanned aircraft system—the UAS—into the national airspace. We are seeing now more and more applications of unmanned aircraft, and it is going to increase.

We are looking at border security using UAV research, law enforcement, firefighting, just to name a few. There are going to be more and more uses for unmanned aerial vehicles to be able to do the surveillance and photographing that have taken helicopter pilots and small general aviation and even large aircraft to do in the past. So our bill begins to have a process for our air traffic control system to accommodate these UAVs.

Finally, the bill finds compromise in several difficult areas. Chairman ROCKEFELLER has mentioned several of those. The Ronald Reagan Washington National Perimeter Rule, the air carriage of lithium batteries, and small community air service are among the compromises that were reached in this bill.

It is time that we finally create some stability in the aviation sector. This bill will do that. I encourage my colleagues to support its passage.

I would like to go ahead, since we do have time—actually, I do see someone waiting to speak. Since we will be on the floor until the vote, I will yield the floor at this time and finish the rest of my statement later.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Mr. BEGICH. Mr. President, I am down here to speak in favor of the FAA reauthorization conference report that the Senate will vote on shortly. I thank Chairman ROCKEFELLER and Senator HUTCHISON for their great work on this piece of legislation—a long time coming. It has not been reauthorized since 2007, so it has been a long time coming. So I am very excited about this opportunity.

I think it is maybe a new trend for the year. Last week we passed the STOCK Act, and today hopefully we will pass the FAA bill. There has been a lot of work, a lot of compromise on these two pieces of legislation and this one particularly today.

The last time Congress actually passed a comprehensive FAA bill was in 2003. The bill expired in 2007. Since then, the FAA has been operating on 23 short-term extensions. These temporary extensions have been detrimental. They have prevented progress on modernizing our air traffic control. I speak as someone who just literally flew in a couple of hours ago overnight from Alaska. We clearly understand air traffic. They did not give airports funding certainty for planning, runway, and safety improvements, and they resulted in a brief shutdown in which

4,000 FAA employees were furloughed for almost 2 weeks last summer. It is far past time that Congress pass a comprehensive FAA reauthorization bill.

While this bill is significant for the entire country, it is particularly important for my residents, the residents of aviation in Alaska, and residents overall. It is truly a lifeblood. When you think of aviation, it is our highway in the sky. Alaska has 6 times more pilots and 16 times more aircraft per capita than the rest of the United States. More than 80 percent of our communities are not on the road system. So aviation is the only reliable year-round means of transportation.

This conference report invests over \$13 billion in our airport infrastructure over the next 4 years. Let me underline that—\$13 billion in the next 4 years. This is about jobs. It is about improving airport safety. In an economy that is slowly recovering and on the right track, this will add to the needed jobs in the construction industry but also make sure that we put them to work in areas such as aviation which are critically needed. It will improve our runways, create more safety projects in our airports and our runway areas, yet safely accommodate the higher traffic levels while putting tens of thousands of Americans to work.

This bill invests in and accelerates the deployment of the NextGen modernization of our air traffic control system, as you have heard described already. We have been using a World War II-era radar technology for our air traffic control. Transition to more accurate satellite-based tracking will allow for more direct routes between destinations, reducing fuel use and saving airlines money.

The backbone of this technology, called ADS-B, was proven in Alaska as part of the capstone project. So we are excited that we were the incubator for such an important element of our aviation, and now to see it accelerated and moved throughout the whole industry will be a huge benefit to the consumer.

For Alaskans, it contains an amendment which I offered and was cosponsored by Senator MURKOWSKI, providing relief for a one-size-fits-all rulemaking. That rule inadvertently prevented the shipment of compressed oxygen needed for medical and construction purposes in rural Alaska.

This legislation also contains a special provision that Senator COBURN from Oklahoma and I sponsored called the orphan earmarks provision. It repeals earmarks for aviation projects if less than 10 percent of the earmark has not been used after 9 years. It saves millions of dollars on stalled projects so that we can direct those limited resources where they can have the greatest bang for the dollar.

This conference report makes significant investments in the Essential Air Service Program—otherwise known as EAS—which serves rural and isolated areas. Forty-four communities in Alaska will continue to receive a minimal

level of scheduled passenger service. There are sensible reforms that will exclude communities in the lower 48 with fewer than 10 passengers per day.

The House FAA bill proposed to make truly Draconian cuts to the EAS Program. I wish to thank Chair ROCKEFELLER particularly for his effort to make sure that rural communities throughout America and Alaska continue to receive the access they need to airspace and travel from their small communities. For the general aviation community, this bill contains no new user fees. Let me repeat that—no new user fees for general aviation.

There is aviation community funding for research into an unleaded fuel substitute which one day may replace avgas. There are incentives for ADS-B equipment.

I will continue to work with my partner on the general aviation caucus, Senator JOHANNIS, to make sure that aviation policies are mindful of the significant role general aviation plays not only in my State of Alaska but throughout this country.

For our airline passengers, this conference report includes a passengers' bill of rights championed by Senators BOXER and SNOWE. It codifies common-sense approaches and changes, such as making sure passengers have adequate food and water and lavatory access if delayed on the tarmac and options to deplane if the flight has been excessively delayed.

It is not a perfect bill. I was disappointed that the conference report contains language pertaining to the National Mediation Board and the rules governing union organizing. It is not relevant to the underlying bill. It was not included in the bill the Senate passed last year. We understand this was a necessary compromise for the House leadership to allow this long-stalled bill to move forward. Again, it is not an appropriate element to this bill, but recognizing that the overall bill is critical to the long-term health of our aviation industry and the passengers of this country, we can take comfort from the fact that we added over 30 provisions in this conference report that will improve conditions for aviation workers.

I firmly believe the controversial NMB language has no place in this bill. I also recognize it is time to move forward.

I wish to recognize again the leadership of Senator ROCKEFELLER and Senator HUTCHISON of the Senate Commerce Committee and their tireless work. They never gave up. Their staffs continued to work and to push forward, to push everyone when it looked as if the differences between the House and Senate were impossible to resolve. The conference report before us is a testament to their tenacity and their bipartisanship.

This bill is a shining example of what Congress can accomplish when we put our differences aside and sit down to do the daily work of legislating. This is a

very strong bill, a bipartisan bill. It is just unfortunate it has taken this long to get here.

I urge my colleagues to vote yes on this monumental conference report which will put Americans back to work, enhance our airport infrastructure, and will make the safest aviation system in the world even safer.

I yield the remainder of my time, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, we will be voting in an hour and a half, but I would like to take this opportunity to thank so many of the people who brought this bill together, which we hope will come to a good conclusion in about an hour and a half.

Obviously, I have talked about Chairman ROCKEFELLER. This has been a long process, clearly—23 extensions and it has been since 2007 that we had the last authorization. I think the fact we are now going to have a 4-year authorization is one of the more important elements. Now our airports are going to be able to start their building projects. They are going to be able to increase their runway space or do repairs or whatever the priorities are that are decided by the FAA are the most important priorities for our Nation because the funding source from the highway trust fund will now be known for 4 years. I think that is a very important step in the right direction.

I wish to thank the House managers of this bill as well, the House Transportation and Infrastructure Chairman MICA and Ranking Member RAHALL and the respective Aviation Subcommittee chairs in the House, Representatives PETRI and COSTELLO. Their work and input on their bill was certainly critical, and the ability to come to conference and hammer it out was critical as well.

In the Senate, I wish to thank all our conferees, Senators HATCH, ISAKSON, and DEMINT on our side and, additionally, Senators CANTWELL and THUNE, the respective chair and ranking member of the Commerce Committee's Aviation Subcommittee, for their work on the bill.

The staff, of course, are the ones who work long hours, and though we never see them, they are there. Senator ROCKEFELLER and I were having telephone calls at 10 o'clock at night, then we would call our staffs and then call back to determine what was happening and what needed to be happening. So I think the person who runs the Commerce Committee on the majority side, Ellen Doneski, who is wonderful to work with, James Reid, Gael Sullivan,

Rich Swayze, and Adam Duffy, who worked on this bill and the negotiations for all these years that we have been trying to pass this; on Representative MICA's staff, Jim Coon, Holly Woodruff Lyons, Bailey Edwards, and Simone Perez; on Representative RAHALL's staff, Jim Zoia, Ward McCarragher, Giles Giovinazzi, and Alex Burkett; and on my staff, the Commerce Committee minority side, Todd Bertson, Richard Russell, and Jarrod Thompson.

I wish to especially mention Jarrod Thompson, who is the one I know the best, because he is the Aviation Subcommittee ranking member's staff leader. He knows the history of the aviation bills. He knows the subject matter. There was never a time when I would ask a specific or technical question that Jarrod didn't know the answer, and I so appreciate his being on our staff and helping us through this very important time.

With that, I yield the floor, and I thank all my colleagues and our House colleagues and staff for their work on this bill that I hope we will be able to pass when the vote comes at 5:30 this afternoon.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I am in the happy position of mimicking a lot of what my colleague Senator HUTCHISON has said but for a very good reason. Until one goes through an experience such as the one Senator HUTCHISON and I have been through for the last year, plus, plus, one has no understanding of how hard staff works.

That staff routinely work over the weekends is just a given. They work through the night. They will stay up all night frequently. They have to reach out in so many directions. There are not that many of them as compared to those who have requests of them, and so their work never stops.

Let me start, obviously, with Senator HUTCHISON. She did mention Todd Bertson and Richard Russell, then Jarrod Thompson, the lead negotiator. That is a tough position. It is a very tough position because people and interest groups figure out whom to go to and whom to pester and whom to follow up with. I have that same situation, and Ellen Doneski is incredible. I called her at 11 last night and she was fine and well and then she got sick and now she is already back at work. Does that mean she is not sick any longer? I don't know. But they are driven to excel. They are driven to drive the product home in ways that are expiring.

To my left sits James Reid, who is the No. 2 person on that committee who, as far as I can tell, knows everything about everything and certainly about any discussion that comes up in terms of the Commerce Committee. He is tireless. He has young children with the tension that creates, not in principle but just the idea that you have to

occasionally show up at home and be a good father.

Gael Sullivan is our lead negotiator, and that is a very special position on a bill such as this. Rich Swayze and Adam Duffy; Rich Swayze and Gael worked so many things together, and Gael Sullivan and Adam Duffy.

Let me go to Representative JOE RAHALL. Obviously, he is a colleague of mine. I think he has been in the House for 36 years, and he represents the coal fields, in many ways the most volatile part of our State as its economics change rapidly. His chief negotiator is Giles Giovinazzi, and to him goes the same praise. House Members and the subcommittees and committees have so many fewer staff than in the Senate, so we have to praise them very much. Jim Zoia, who is his chief of staff—and has been, I swear, for all 36 years. If it is not the case, it doesn't matter—is a remarkable person; Ward McGarragher and Alex Burkett.

With JOHN MICA, I need to mention Jim Coon, Holly Woodruff Lyons, who was his lead negotiator, and Bailey Edwards and Simone Perez.

Let me end simply by saying Senator REID and his people were so heavily involved, particularly in this one aspect of the bill. But he has been driving this bill in our caucuses, as the Presiding Officer well knows, for over a year: Where is my FAA bill? Where is my FAA bill? He has been driving, pushing, pushing, pushing, pushing. His chief of staff is David Krone, who so many people don't know and it is their loss; Darrel Thompson, Bob Herbert, Bill Dauster, who keeps in touch with everybody and everything.

To the floor staff of the majority and the minority leaders, just simply to be grateful to them and to make sure we say that to them personally, we say it publicly, and we say it frequently.

I ask unanimous consent that, from this point forward, any time spent in quorum calls be equally divided.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ROCKEFELLER. I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Delaware.

Mr. COONS. Mr. President, I rise and ask unanimous consent to speak as if in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

STARTUP AMERICA LEGISLATIVE AGENDA

Mr. COONS. Last week, President Obama unveiled his Startup America Legislative Agenda.

It marked the 1-year anniversary of his Startup America initiative, an ambitious, impressive, national energetic effort led by, among others, legendary innovator and entrepreneur Steve Case, the founder of AOL. It was a strategy that focused on how the Federal Government can best help young companies and, in particular, entrepreneurs all over this country get into the game

of starting and growing businesses. It is smart and it is important.

Entrepreneurs are driving our economic recovery and will drive our economic recovery into the future. They are taking the risk personally to turn their ideas into startup companies in fields from biotech and clean energy to manufacturing. Among these innovators could be the next American giant, a General Electric or DuPont. But in order for these startup companies to grow, we have to support them in their critical early stages. Today, I take that as our challenge.

Whenever I visit a factory in Delaware or meet with the young owner of a company that he or she has just started, I ask the same question: How can we best help you to grow?

Small business, it is often said, is the engine of job creation in this country. In the 1990s and the early 2000s, small firms created more than 65 percent of the new jobs in this country. But I want us to particularly focus on those small businesses that have enormous potential, so-called gazelle startups, those that grow not from 5 to 10 or 5 to 20 employees but from 5 to 50 to 500 to 5,000, whether it is Facebook or other startups that have gone from literally bench top or dorm room to being employers of thousands or tens of thousands.

Our economy has grown dramatically because of these rapidly growing innovative startups. Typically, they are startups that focus on a disruptive technology or product, something that fundamentally changes a whole sector of our marketplace, and they have the most promising potential for job creation.

Between 1980 and 2005, most of the net new jobs in America were created by firms that were 5 years old or less. That is about 40 million jobs over those 25 years.

This summer, I hosted in Delaware a series of roundtables with business owners. The focus of these conversations was on how we can help their businesses to grow and grow quickly. A lot of these businesses were young and innovative companies. They have a great idea and a good start on their research. But I often found, particularly in this economy, they are struggling to capitalize on their innovations.

Innovation is the spark that drives and sustains entrepreneurship, particularly entrepreneurship in disruptive technologies. But it is research and development that drives that innovation, and government only has so many tools we can use to help promote innovation. Today, I wish to talk about a piece of the Tax Code that is one of the most powerful tools in our toolbox.

Thirty years ago, Congress created the Research and Development Tax Credit, the R&D Tax Credit, to help incentivize companies to invest in innovation, to invest in the people who are doing the research and the development that drives innovation. In fact, 70 percent of R&D-qualified expenses

today are for wages. In many ways, it is an innovative jobs credit. It has helped tens of thousands of companies and has been extremely successful at getting companies to invest in innovation. But it has one key weakness: It expires. It expires all too often. It has, in fact, expired 8 times and been extended 13 times and it has most recently expired in December of last year.

The first bill I introduced as a Senator last April was entitled the "Job Creation Through Innovation Act." It did two things. First, and most important, it made the R&D tax credit permanent—important, in my view, to sustain and extend this successful program. But there is another issue we still need to address to make the tax credit relevant to these early stage, innovative, high-growth companies. Right now, the tax benefits of the R&D tax credit are available only to more established companies that are already turning a profit. We have to have a tax liability on their profits for that credit to be of any value to them. That is a roadblock in the way of success for startups and small businesses in Delaware and around the country and a place where I think we can and should come together across the aisle to address this gap in the R&D tax credit program because, in my view, it is the small early startups that most need a cash infusion to support their confidence, their stability, and their innovation. We can, and should, take this tax credit and retool it in a way that makes it more relevant and more effective. If entrepreneurs are the ones taking risks in this economy and creating jobs, they should be the ones we support in this tough economy through our Tax Code. As I said before, history shows it is those young companies that are creating the most jobs the most quickly and that have the best return on tax expenditures.

Here is what I have been working on. As I have met with innovative young businesses in Delaware, one of the ideas that has come to me more than once is to change the R&D tax credit so it is accessible not just by being permanent to big and profitable companies but by being tradable so smaller or startup companies that have no tax liability can take advantage of it.

How would that work? It allows startups to sell their tax credit to a larger company, giving them a much needed infusion of cash. Let me give an example.

Elcriton is a small but high promise, high potential Delaware company. It has patented strains of bacteria that are designed to consume duckweed—also called pond scum—and produce biobutanol, a promising drop-in alternative fuel. It has tremendous potential. Elcriton today is run by two Ph.D.s who have put together all the money they can raise, from family and friends and angel investors and early funds into research and development. But for them to grow, and grow quick-

ly, they need access to more capital to fund more innovation.

Evozym Biologics also is a 2-year-old Delaware company trying to bring to market cutting-edge innovations in computing and in the development of proteins from the University of Delaware and the Desert Research Institute. They are doing incredible things there.

Both these companies need more funding to invest in R&D and to capitalize on their potential to grow rapidly and grow high-quality jobs. If they were already bigger, well-established, successful companies, they might well qualify for the existing R&D tax credit. But because they are so small and just getting started, our current tax credit doesn't help them at all.

Fortunately, Delaware is also home to a few great well-established companies. Since those companies turn a profit and pay taxes, they could actually utilize a tax credit. In this case, Elcriton or Evozym would sell their innovation credit to one of the larger established companies. The bigger company gets the tax credit. The newer company gets the infusion of cash it needs to sustain its innovation. It would be a win-win.

This is just one idea of a number that I have introduced, that I have proposed, and that I have discussed with Senator BAUCUS and others on Finance. I hope that in discussing it today, some of my colleagues on both sides of the aisle and leaders in the business and innovation communities will work with me to further refine it, focus it, and make it part of our greater conversation about tax reform and the economic recovery.

We can and should put our heads together to find commonsense solutions to the problems, challenges, and opportunities of innovation and competitiveness. We have to give American business the support they need to compete in an increasingly competitive global economy because, in my view, we are falling behind in the race for innovation.

In the 1980s, the United States was routinely ranked as having the best R&D tax incentives and overall support for innovation in the world, but today some studies have us ranked 17th in the world in supporting and sustaining innovation. I refuse to let American companies, American inventors, and American workers fall behind. With the right resources, American ingenuity will continue to outcompete any country on Earth every time. I know it is possible. I have seen it week in and week out as I have visited small and medium startup companies in Delaware.

Just a few weeks ago in Bridgeville, DE, a town many from here have traveled as they have gone to the Delaware beaches, I stopped to visit a small company, Miller Metal, that is proving day in and day out that with investment, with innovation, with continuous improvement, they can go head to head

with Chinese metal fabricators and win: manufactured in Delaware, competitive in the global marketplace.

Although we need a full overhaul of our corporate tax structure, making this one small tweak to the R&D tax credit to make it accessible to early stage innovative companies will, in my view, give us a running start into the headwinds of the global economy, and I think we have no more time to waste. It is small businesses and innovative strategies that will create the jobs we need to put our neighbors back to work and turn this economy around more quickly. Let's work together, let's help them, and let's make progress on this most important proposal to change the R&D tax credit, make it permanent, and make it accessible for early stage companies.

I am eager to hear what people think about this idea, and I hope they will connect with me and my office and let me know how to improve on it, how to execute on it, and how to deliver this as a new tool in the toolkit of American innovation.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ROBERTS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

Mr. ROBERTS. Mr. President, I rise today, as many of my colleagues have done, to speak in favor of the final passage of the conference report to accompany the FAA Air Transportation Modernization and Improvement Act. I don't know what the acronym to that is. It is a long name but it is a very comprehensive bill, and a very good bill.

I especially want to thank Senator HUTCHISON and my good friend from West Virginia Senator ROCKEFELLER and their dedicated staff for the countless hours they have dedicated over the past 5 years to produce legislation that will provide the Federal Aviation Administration with the tools necessary to begin finally to support the 21st century national airspace system. It is not often you have a staff and two Members dedicated for 5 years to finally come up with a good bill. It has been tough sledding, but they have gotten it done.

The aviation industry remains one of the most important economic sectors in my home State of Kansas. Passage of this 4-year reauthorization is absolutely necessary for giving aviation companies necessary funding and the regulatory certainty to move forward with a number of important initiatives. It is not very often in today's world you talk about regulatory certainty. This bill will do that.

Specifically, the FAA Air Transportation Modernization and Safety Improvement Act includes provisions to

implement a state-of-the-art satellite-based navigation system to provide operators and users of our national airspace the ability to seamlessly guide and locate traffic throughout our Nation and around the world.

It also authorizes critical funding for the Essential Air Service Program which provides Kansas and other rural States the ability to provide air service to smaller communities and the citizens and businesses whose livelihoods rely on the ability to travel longer distances in a short amount of time.

As a Member of the House—as a matter of fact, even prior to that as a staffer to a Member of the House—I was part of the effort that established the first Essential Air Service, so I have a long-time interest in this. I again thank Senators for doing their very best to preserve this program.

More important, this legislation reflects a bipartisan effort to ensure the continued health of the general aviation industry. This industry contributes over \$150 billion to the national economy each year. It has created over 1.3 million jobs—if anybody wants to hear about job creation, this is the outfit that does it—across a broad range of disciplines, and allows companies the ability to access facilities all across the globe.

This is where I want to particularly thank Chairman ROCKEFELLER and Senator HUTCHISON as well as my colleagues on the Finance Committee who were tasked with finding the necessary funding streams to pay for the annual \$15.9 billion tag this legislation does authorize.

Notably, this legislation does not include language imposing disproportionate and onerous user fees on the general aviation industry. This is contrary to what has happened in the past. This has been a general agreement now. Rather, this legislation preserves the current fuel tax levels, an efficient and effective funding mechanism that accurately reflects general aviation's use of the system.

If anybody down at 1600 Pennsylvania Avenue is listening, I hope they would adopt the same attitude as we have been able to reach in a bipartisan way, and not pick on any particular industry—or use their name or acronym for their name about six or seven times in three paragraphs of recent speeches.

Last, this legislation would not undermine steps taken at the Department of Transportation to protect private citizens from having their movements tracked by anyone with easily accessible flight tracking technology.

I look forward to joining my colleagues later this afternoon in passing this important measure, a great, comprehensive bill that will support more than a million jobs and help spur further economic growth and development in our Nation's aviation sector.

I yield the floor.

Mr. ISAKSON. Mr. President, I rise for a moment to echo, first of all, the words of the distinguished Senator

from Kansas. He was right on target in every point he made. But I also rise to pay tribute to the chairman, Senator ROCKEFELLER, and ranking member KAY BAILEY HUTCHISON, Mr. Ray LaHood, and Chairman MICA in the House, all of whom did an outstanding job bringing this together.

I was thinking in the airplane coming up here—it was an appropriate place to think about it; we are all on airplanes quite a lot—I was thinking about the many bills I have been involved in here in my 13, almost 14 years in the Congress of the United States. I don't know if I ever remember a conference committee that was so far apart and so divided that finally came together in the best interests of the American people than this one. I want to pay tribute to Majority Leader HARRY REID, who played an instrumental role in finding common ground and coming to agreement. Speaker BOEHNER in the House of Representatives did the same. This was a team effort. The National Mediation Board decisions that were made in the final agreements were good and they were fair. As Senator ROBERTS has said, the treatment of general aviation and commercial aviation is fair and equitable. We now have a 4-year plan for the next generation. Everything that happened, happened for the best and it happened because of good leadership on the part of Chairman ROCKEFELLER and Congressman MICA and Speaker BOEHNER, the Speaker of the House, and Senator REID. I thank all for the work they did, and I am very proud to have been a part of the solution that led to the reauthorization of the Federal Aviation Administration.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROCKEFELLER. Mr. President, I thank Senator ROBERTS from Kansas and Senator ISAKSON from the State of Georgia—State of Atlanta—for their very kind remarks. I really mean that. These are two good people with a lot of business experience, with aviation—is Hartsfield still the world's busiest airport?

Mr. ISAKSON. Busiest in the world.

Mr. ROCKEFELLER. And tremendous general aviation industry the Senator has in his State. That they come down and praise this bill means a lot to this Senator and I thank both of them.

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.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. 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. HARKIN. Mr. President, I rise today to express my concern about provisions of this bill that amend an unrelated labor law statute—the Railway Labor Act. As the chairman of the Committee on Health, Education, Labor, and Pensions, which has jurisdiction over this law and the agency that enforces it, the National Mediation Board, I am troubled by the inclusion of this language and the implication that it creates; namely, that this independent Federal agency and the hard-working Americans it protects are being punished for recent regulatory changes that protect workers' rights.

The National Mediation Board—or NMB as it is known—established in 1934, is an independent agency that administers labor relations in the air and rail industries. In 2009 this small, 51-person agency went through a careful process to change the voting rules governing the elections that it administers. Under the old antiquated election system, all nonvoters were automatically and arbitrarily treated as a “no” vote, or a vote against the union, regardless of whether they actually opposed forming a union. These rules were contrary to the election rules used in National Labor Relations Board-supervised elections and different from the rules governing elections held throughout the entire United States, from school boards to U.S. Senators. Think about it—if you don't vote, you are counted as a “no” vote. What kind of sense does that make? It made no sense. Just as it would be unfair to arbitrarily assign an individual American a position, let's say, in the Presidential race because he or she chose not to vote, it was unjust to capriciously impose a position on rail and aviation workers who, for one reason or another, didn't vote in a representation election. That is why the National Mediation Board adopted the commonsense rule, the same rule that applies to industries all over America that are governed by the National Labor Relations Board. The rule was that in the future elections, a voter's decision not to vote would have no impact on the election's outcome. Only those voters who actually participate will determine the outcome of the election. A majority of those who vote determines who wins.

This basic system, as I said, of conducting elections works for school boards and for Congress. It works for all the businesses in America that are governed by the National Labor Relations Act, and it will work and has worked for rail and aviation workers. The only entity this new system apparently doesn't work for is the management of a few powerful airlines. These powerful companies don't want workers to have representation. They don't want to engage in collective bargaining with their workers. I guess they are deeply concerned about the remote

chance that at some point in the future they just might have to put a few additional dollars into middle-class workers' pockets, so they waged an unprecedented attack campaign to kill this rule, the rule that says: If you don't vote, your vote is not counted as yes or no. The only votes that count are those that vote yes and those that vote no. In the past, if you didn't vote, it was counted automatically as a "no" vote. Finally, people said: This doesn't make sense. No other business in America has any kind of rule like that governed by the National Labor Relations Board.

These few powerful airlines waged an unprecedented attack campaign to kill the rule. First they found some friends in Congress and tried challenging the rule under the Congressional Review Act, a law that allows Congress to overturn a rule through a resolution of disapproval. They lost that fight on the Senate floor. Next, they went to court to challenge the legality of the rule-making. They lost that fight in the district court, and then they appealed to the court of appeals and they lost there too. So then they waged a last-ditch effort to kill the rule on this FAA reauthorization bill, which has nothing to do with it. Again, it was not in the Senate bill. The House put it on a totally unrelated provision dealing with the National Mediation Board that isn't even a part of the FAA and which isn't in the jurisdiction of the Senate Commerce committee.

The FAA reauthorization has historically been a bipartisan bill that is essential to the operation of our aviation system. As a pilot myself—I have been all my life—I can see why this bill was needed, believe me. The current bill not only extends a wide variety of provisions impacting aviation, it helps to create tens of thousands of jobs and to bring our aviation system into the 21st century. This important legislation has absolutely nothing to do with the National Mediation Board, whose sole job is to oversee labor relations. But last year House Republicans tried to turn this FAA reauthorization bill into a vehicle to attack workers' rights.

They added a provision to their bill repealing the National Mediation Board's election rule—the rule which said if a person does not vote, it is not counted. It is not counted as a "no" vote or "yes" vote; it is just not counted—a commonsense rule. Then, when the House and Senate bills were in conference last year, they refused to pass a clean extension of the FAA laws as had been done on more than 20 occasions prior. Since they didn't do that, they stopped the conference negotiations. Instead, the House forced a partial shutdown of the FAA.

That shutdown last summer left 4,000 FAA workers furloughed. It put many thousands more people out of work in airport construction. It cut off FAA reimbursement payments to small businesses across the country. It cost the government about \$25 million in tax revenues every single day just because

the House was attacking workers' rights and they wanted to add this onerous provision to the FAA bill.

While frustrating, it has long been the norm here to keep agencies operating with short-term extensions while bills whose terms have not been worked out are negotiated. The House action was a rare break from that norm, and it caused real damage to thousands of real people.

Fortunately, there was a substantial public backlash against the House Republicans, and they had to back down. They let a short-term FAA extension pass, then they backed off on their demand to kill the rule. But the powerful corporations behind this effort still couldn't let the issue go. Despite the fact that the new rule had been in place for more than a year and has had absolutely no negative impact on any carrier—the union success rate in elections has remained roughly the same before and after the rule's implementation—these corporations were still bound and determined to attack the National Mediation Board and to attack America's rail and airline workers to punish them for having the audacity to stand up for what is fair and to have the audacity to stand up and say a vote that is not taken shouldn't be counted as a "no" vote or a "yes" vote; it shouldn't be counted at all, which I think most Americans would think makes sense.

So these corporations got their friends in the House Republican leadership to demand the addition of burdensome new changes to the Railway Labor Act in this unrelated FAA bill. The dramatic changes they initially demanded to this statute were absurd and would have been irresponsible to slip into a nonamendable conference report without any consideration by the committee of jurisdiction which happens to be the jurisdiction of the committee I chair in the Senate.

Fortunately, Senator ROCKEFELLER, the chairman of the Commerce Committee, and Senator REID, through months of negotiations, were able to stave off the worst of the House Republican proposals and ultimately settle on a package of less detrimental changes. Under this new language, the agency retains discretion to determine when a union should be properly certified as a bargaining representative, and we have no intention of changing that process. I also think we have left a lot of room for the agency to make rules that govern special situations such as mergers.

But to be clear, I don't think any of us on this side of the aisle wanted to make these changes at all. We were forced to do this by a few powerful people who were willing to hold many thousands of American jobs hostage and hold hostage improvements to our airway system just to get this.

Some people might call this process a compromise, but I call it an abuse of our legislative process, and we shouldn't let it happen. To be clear, as

I have indicated, there is progress in this bill for the people of my State and the people of this great Nation. It will create jobs. It will move our country's aviation system into the 21st century. It shifts our air traffic control system to a GPS system where planes can fly far more efficiently, saving fuel and time. It provides a compromise that continues the Essential Air Service Program.

So, again, I thank Chairman ROCKEFELLER for his diligence and his hard work for over 4 years trying to lead the House and others into moving our air transportation system, both for general aviation and for air transport and for the airlines, to be more efficient and to use less fuel so it is more benign to our environment. Believe me, there is a lot in here that is going to help general aviation also. So I thank Senator ROCKEFELLER for his diligence and his hard work.

So my "no" vote today on this bill is not to suggest that there aren't many good things in this bill. Instead, my vote is to stand up against the notion that a Federal agency and the American workers it is charged to protect should be punished for doing what is right and what is fair, what is in their jurisdiction, and to stand up against a process that allows the few and the powerful to hijack this body and change the rules of the game in their favor. The American people deserve better than that.

RAILWAY LABOR ACT

Mr. HARKIN. Mr. President, I would like to ask a few questions of my friend the majority Leader and my friend Senator ROCKEFELLER, Chairman of the Senate Commerce, Science, Transportation about the changes to the Railway Labor Act in the this bill. Because my committee has jurisdiction over this important act, I want to make sure that I fully understand the scope and impact of these changes.

Mr. ROCKEFELLER. I think a little context is helpful to understand the situation we were in. Republicans sought to use the FAA reauthorization bill to overturn a recent administrative rule by the National Mediation Board granting certification if a union won a majority of actual voters in a representation election. The Senate correctly rejected that provision of the House bill. The rule was fair and reasonable and I strongly support it.

Mr. REID. I agree, and reaffirm our strong support for National Mediation Board's decision in this matter. The Senate bill would, however, modify the Railway Labor Act in a few minor ways. One of these changes would modify the agency rules governing the showing of interest that is a precursor to a representation election for either a new certification or a change in certification. We modified that standard to require a 50 percent showing of interest for all elections. This percent was chosen to recognize the long-standing primary statutory goal of the Railway Labor Act, which is stability

in labor relations through peaceful collective bargaining. A 50 percent showing of interest will ensure that elections only occur when there is a sufficient and substantial indication of employee support.

Mr. HARKIN. My understanding is that there has been longstanding deference to the National Mediation Board regarding the findings it makes in the representation context. As the Supreme Court stated in *Switchmen's Union v. NMB*, after a NMB's decision on whether a showing of interest has been made "the dispute [is] to reach its last terminal point when the administrative finding [is] made. There [is] to be no dragging out the controversy into other tribunals of law." Would these changes alter that longstanding deference in any way?

Mr. REID. Absolutely not. In considering the amendments, we relied on and had no intention of disrupting the Supreme Court's decision in the *Switchmen* case. Codifying the standard in statute was not intended to alter the longstanding deference that must be accorded to the National Mediation Board as it makes factual findings in the representation context. In fact, the language was included in a new section of the Act, rather than incorporated into the existing Section 9, based on a consensus among all parties involved in the conference negotiations that the new showing of interest should not enable an employer to manipulate the election process by demanding court review of the showing of interest.

Mr. HARKIN. I would ask my friend, Senator ROCKEFELLER, if this was his understanding as well?

Mr. ROCKEFELLER. Certainly. We had no intention of changing the level of deference that is accorded to the agency in representation matters. The NMB's certification authority remains conclusive.

Mr. HARKIN. I thank my colleagues and am reassured by their response. I can think of a number of dangers that would arise if the sufficiency of a showing of interest were litigated in court. The sad reality is that employees are regularly retaliated against for supporting unionization—in ways that are legal and illegal. It would be very dangerous if employers could gain access to union authorization cards through litigation discovery. It is reassuring to hear that the sponsor of this bill does not intend that result by codifying the showing of interest.

Mr. REID. The purpose of the amendments was very limited. It was not intended to alter judicial review; in fact, there was agreement among Democrats and Republicans negotiating the agreement that there would be no expansion of judicial review. And I would also like to explain that it is not intended to apply to the unique situation in mergers. The text of the amendments apply to all applications for representation elections, but not to the entirely different circumstance where a labor organization or employees peti-

tion the National Mediation Board for a determination as to whether a merger or other transaction has altered an existing representational structure as a result of a creation of a single transportation system. In those cases, it is our intent that the National Mediation Board's existing merger procedures, as modified from time to time by the National Mediation Board, shall determine the percent of the craft or class to establish a showing of interest. Otherwise, employees could lose their representation simply by merging with a slightly larger unit without even having the opportunity to vote, which is unacceptable.

Mr. HARKIN. I thank the majority leader for that helpful clarification. I would like to raise two additional questions if I may, both related to whether usual rules of statutory interpretation are intended to apply here. First, am I correct that the showing of interest requirement set forth in this legislation should only apply prospectively and should not apply to any application for representation pending at the time of the effective date of the legislation?

Mr. ROCKEFELLER. Yes.

Mr. HARKIN. I thank the Senator. And second, in the amendments, Congress directed the Government Accountability Office to review certain NMB activities periodically, and in conducting these reviews, to consider whether the agency's actions are consistent with Congressional intent. I would presume that the relevant question for the GAO to consider is whether the agency's actions are consistent with the intent of the Congress that passed the provisions of the Act in question, the joint labor-management agreements which led to its adoption, and the subsequent judicial interpretation thereof?

Mr. ROCKEFELLER. That is correct, yes.

Mr. HARKIN. I thank my colleagues for joining me in this conversation.

Mr. LEVIN. Mr. President, I will vote in support of the conference report to accompany the FAA Reauthorization and Reform Act, H.R. 658. The last reauthorization bill expired at the end of fiscal year 2007 and since then we have passed 23 short-term extensions. We are long overdue to enact a long-term reauthorization of FAA's programs in order to provide important funding and program improvements that will enhance the safety and efficiency of our Nation's aviation system. I am pleased we are finally doing that today and in so doing we make key investments in our Nation's aviation infrastructure as well as create good jobs in the process.

One of the main issues holding up the bill for so long was a provision contained in the House bill, but not the Senate bill, to repeal the National Mediation Board—NMB—rule that ensures that only those votes cast in a union election are counted. I am glad to see that controversial provision has been removed, although I am disappointed language has been added to change

Railway Labor Act rules and regulations governing union elections by raising the showing of interest threshold for holding an election from 35 percent to 50 percent of the employees in the craft or class. I do not believe the FAA reauthorization bill is the appropriate vehicle for this sort of change and I do not support its inclusion in this bill.

Providing a long-term 4-year reauthorization of our aviation programs is vitally important. Our global economy depends on the smooth and efficient movement of goods, services and people from city to city and across international borders. A safe and efficient aviation system goes hand in hand with a strong economy. We are fortunate to have one of the best aviation systems in the world and I am pleased that under this bill we continue to make the necessary investments and upgrades to retain that high standard. This FAA reauthorization bill addresses problems of capacity, congestion and delays to help ensure our aviation system can handle the projected growth in airlines passengers.

The FAA reauthorization bill will also create much needed jobs by providing the funding and directives for safety improvements at our airports and in the aviation industry. In Michigan alone the FAA is building two new air traffic control towers, at Kalamazoo and Traverse City. The FAA is also repaving numerous runways and taxiways, including at Detroit Metropolitan Wayne County Airport, Alpena County Regional Airport, Bishop International Airport, Sawyer International Airport and at other airports around the state. The FAA is also constructing new terminal buildings at Kalamazoo/Battle Creek International Airport and at MBS International Airport in Freeport, MI. And FAA funds are paying for the design of a new building for aircraft rescue and firefighting and snow removal equipment at Pellston Regional Airport in Emmet County. These are important upgrades to Michigan airports and funding of many more needed improvements will make flying into and around Michigan safer and easier.

H.R. 658 will move us closer toward modernizing our air traffic control system by building the Next Generation Air Transportation System—NextGen—of satellite-based navigation. The NextGen system will be more accurate and more efficient than the current radar-based air traffic control system. It will also result in significant fuel efficiencies and time savings by allowing aircraft to fly more direct routes. This is good for the environment, good for air carriers and good for the flying public.

I am very pleased the conference report adopted the Senate approach to the Essential Air Service Program—EAS—and preserves this important program rather than terminate it as the House bill would have done. The EAS provides rural communities with

access to the national air transportation system and is very important to Michigan. We have 8 communities that rely on EAS subsidies to help provide them with daily commercial air service. This conference report maintains the EAS program at current funding levels with some minor modifications. I very strongly opposed attempts to deprive Michiganians living in the less populated areas of our State of commercial air service. For businesses in the affected communities, this service is an economic lifeline that connects them to the web of both national and international commerce. At a time when we are doing everything we can to compete globally and to increase the number of jobs, cutting off that access makes no sense and I am glad this conference report recognizes this.

Mr. LEAHY. Today, nearly a year after the Senate passed the FAA Modernization and Reform Act, the Senate is being asked to adopt the conference report to accompany it.

I am pleased that the conference report does retain bipartisan language that I worked on to protect the public's right to know under the Freedom of Information Act. The Freedom of Information Act is one of our Nation's premier open government laws. The language included is intended to allow the Government to protect sensitive aviation information while still ensuring that the American public has access to aviation-related health and safety information.

I am very disappointed that the conference report does not contain the amendment that Senator INHOFE and I worked hard to pass when the bill was considered and passed by the Senate. Following passage of our amendment in the Senate, which contained important improvements to the Public Safety Officers Benefits Act—PSOB—and the Volunteer Protection Act, I worked with House Judiciary Committee Chairman LAMAR SMITH to revise the Senate language into a bipartisan set of PSOB reforms.

Among these reforms, and the basis of my Senate amendment, was the Dale Long Emergency Medical Service Providers Protection Act. This measure was prompted by the tragic death of Dale Long, a decorated emergency medical technician from Bennington, VT, who spent his career helping his fellow Vermonters. Following Mr. Long's death, I became aware of a gap in PSOB coverage for emergency medical responders, and this amendment was designed to close that gap so that Mr. Long, and others who serve as medical responders for private, non-profit ambulance services, have the protection of the PSOB program.

In addition to the Dale Long measure, the agreement that Chairman SMITH and I drafted included provisions to improve the administration and efficiency of the PSOB program. These reforms would have made the claims process faster, easier, and fairer for those disabled in the line of duty, and

for the surviving family members of those who lose their lives during service. I regret very much that the Conference Committee decided to remove these improvements from the final version of the bill.

Mr. President, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROCKEFELLER. 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. ROCKEFELLER. Mr. President, I note that the time is just before 5 o'clock. My distinguished Republican colleague, Senator HUTCHISON, is not on the floor at the moment, but I do not know of nor have I heard of any other Members wanting to speak. I don't know that we need to do much except go ahead and vote. I don't have the power to command that. I see a whole lot of people up here who do, but I would just say if there is anybody at the last moment who wants to speak, that is fine.

We have set up the vote for 5:30. I think there are a lot of our colleagues who aren't going to get here until 5:30 because they are on airplanes that land at 5:00. So we have to take that into consideration.

So I stand here to say that I think this is a very good bill, and I think, as has been mentioned often, it is a 4-year product with hard work and with an unbelievable consultation with all of the stakeholders, which includes all of the Members of the Senate and their staffs and all of the people out in the world of aviation. We have spent endless hours with them, and rightly so and happily so.

I think there is general support in the aviation community for this bill. I could read a list of all of the people who do support it, the associations that support it, but it would take me a long time. I hope very much my colleagues will vote for this bill.

As I indicated, nobody got all they wanted, but that is the nature of compromise. Compromise in and of itself was particularly difficult in this negotiation, but we have done what we have done. It is well regarded. I urge my colleagues, when they do come, to vote for the bill.

I thank the Presiding Officer, and 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.

Mr. CARPER. 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. CARPER. Mr. President, the Presiding Officer, my colleague from Delaware, has heard me say more than a

few times that when I meet people who have been married a long time, I like to ask them: What is the secret to being married 50 or 60 or 70 years or more? I get some funny answers. I also get some very poignant answers. Sometimes I get very instructive answers. One of the best answers I have ever heard—in fact, I have heard it more than a few times over the years—is the key to a long marriage, a successful marriage is the two Cs—not COONS and CARPER, not COONS and CARNEY, not COONS and CASTLE but communicate and compromise.

The folks from Delaware who elect us—and people from the other 49 States—are wondering: why don't we do the two Cs more here? Because those two qualities—communicating and compromising—are actually not only needed for a successful marriage but also for democracy to succeed.

Today, as we prepare to vote on the conference report—a compromise—it is a product of a whole lot of communication from people all over the country: from businesses, from air traffic controllers, from labor unions, from people who use airlines, to folks who are involved in sometimes direct or indirect ways with this legislation, but they have been communicating with us what they think we should do.

As we work to bring our air traffic control system into the 21st century and as we seek to fund the modernization of our airports and our airways, we have had to raise some money. I was privileged to serve on the Commerce Committee for a while with our chairman Senator ROCKEFELLER, and forever we were trying to work out a compromise between the airlines and the general aviation community on how do we pay for this tab so we do not run the deficit up even more. I take my hat off to the chairman and the others who worked on this with the key stakeholders to say: They are going to raise some revenues, they are actually going to pay some additional tax moneys to come up with the money we need to provide for better airports and, frankly, better air traffic control systems—safer air traffic control systems, more efficient air traffic control systems. Better results? Maybe not for less money but better results for a little bit more money. But it has been an ongoing communication for several years and an ongoing dialog that has actually led us today to a very good compromise.

We are often told in these jobs we talk with consultants who talk to us about messaging and how do we message or talk about certain things? One of the things they tell us is never use the word "infrastructure." Do not use it. Don't tell your constituents we are working on infrastructure. They do not know what you mean. Instead, we should talk about roads, highways, and bridges. We should talk about railroads. We should talk about canals or ports. We should talk about water or wastewater treatment systems. We

should talk in our State about the dune system that protects our coastal beaches. We should talk about dredging a channel in a place such as the Delaware Bay or the Delaware River in an environmentally safe way. We should talk about levees. We should talk about the deployment of broadband across our country. That is all infrastructure.

Do you know what else is infrastructure? Our airports, the airways, the air traffic control system that is used to dispatch planes and make sure they go where they are supposed to go and land where they are supposed to land and fly safely throughout the day and throughout the night.

In the State of Delaware, I say to the chairman—as our Presiding Officer knows—we have three counties. The largest county in Delaware is called Sussex County. It is the third largest county in America. The county seat of Sussex County is a place called Georgetown. Just on the outskirts of Georgetown—a town of several thousand people—we have an airport, an air park as we call it. There is an effort to try to expand the length of one of the runways. One of the runways is about 3,000 feet. The other is about 5,000 feet. The county, which sort of manages the air park in Georgetown, would like to expand the longest runway from 5,000 to 5,500 feet or 6,000 feet.

Why? Because by doing that, we provide a nurturing environment by improving that infrastructure—in this case, the length of the runway—and the navigational system, the lighting system that is associated with the airport. We make it an easier place, a safer place to fly in and out of, and we increase the likelihood it is going to be used.

By whom? It is going to be used by, among other things, not just 737 aircraft but 757s. There is a company there called PATS that works on airplanes, some very expensive executive jets, 737s and cargo planes and passenger planes. They help make sure they have larger fuel tanks so they can fly further safer. In some cases, they work on the insides of these very exclusive executive jets and tony them up and make some money doing that, and they fly all over the country, all over the world. That takes place right in Sussex County, DE, at the Georgetown Air Park.

They need to increase the length of the runways. This legislation will help make that possible over about a two-stage period over the next maybe 18 months or so. They need, at Georgetown, to be able to take out some hindrances to the safe travel of airplanes, including maybe trees in some parts of the runway—the approach or the take-off, departure side of the runway. They need to be able to put in some better navigational systems, better lighting to make sure the big planes can get in and out safely. If more work can be done by PATS, they can hire more people.

There is a guy from West Virginia whom the chairman knows well. We are both from West Virginia. I am a native West Virginian, and he has lived there and governed there and served as their Senator for a lot longer than I lived there as a kid. But there is a guy there named John Chambers, whom Senator ROCKEFELLER knows well, whose parents are, I think, still there. I think they taught maybe college, so I do not know if they taught at West Virginia Wesleyan when the Senator was their president. But John Chambers' parents, I think, both have been teachers, maybe professors.

John Chambers runs Cisco. He started Cisco, a big technology company. John Chambers is fond of saying the jobs in the 21st century are going to go to the States or the nations that do two things well: No. 1, create a world-class productive workforce. People can come to work, do a job, and do it in an efficient way using technology. The second thing he says is, the jobs of the 21st century will go to places where the infrastructure is world class.

With this legislation, we are going to make sure the Nation that started all this aviation with the Wright Brothers and actually got us not off on the right foot but off on the right wing all those years ago, that we are going to be in a position to reclaim that mantle and to again show the rest of the world how to do it right: to strengthen our infrastructure, bring our infrastructure into the 21st century, be able to fly planes safer out of airports that are better configured, better constructed, more wisely invested in communications, in navigational systems, in the right length and width of our runways, and to make sure the folks who are controlling our aircraft are doing a better job, using all the tools in the toolbox.

I had a chance to fly as a naval flight officer for about 23 years—5 years in a hot war and another 18 years in a cold war, until the end of the Cold War with the Soviets—and I have flown in and out of a lot of airports, naval bases, and other military bases with my crews on Active Duty and Reserve Duty, and I spent a little bit of time, as the chairman did, as Governor of my State and as the commander and chief of the Delaware National Guard. So these are issues I have actually thought about a whole lot, as somebody who has been in airplanes, a whole lot of airplanes, over the years.

I feel better about the men and women who are flying airplanes in uniform, in flight suits going forward. I feel better with this investment in this legislation about the folks who will be flying in commercial airlines, whether they are from the United States or some other country because of this legislation, this compromise, and I feel better about people flying in what I call those “teeny-weenies,” whether they happen to be little Pipers or Cherokees or whatever or whether they happen to be some of these real exclusive executive jets we see zipping

around West Virginia and Delaware and other places.

So it will be a safer way to travel, and it is going to be an investment that is going to help create jobs, including in Georgetown, DE, including in West Virginia.

To everybody who has been a big part of bringing us to this point, to our friends over in the House who were able to communicate and compromise with us, to the chairman of the committee, and to our ranking Republican on the committee who is not on the floor right now, I take my hat off to you for getting us to this day. This is a good day. This is a happy day for us in this body. I think this is a happy day for the United States of America. We have shown we can actually get something done that has a good and positive impact on our States and on our Nation.

With that, I yield the floor. I do not know if there is anybody else who seeks recognition. If not, 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. ISAKSON. 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. ISAKSON. On behalf of the minority side, I yield back the remainder of our time.

The PRESIDING OFFICER. All time has expired.

Under the previous order, the question is on agreeing to the conference report to accompany H.R. 658.

Mr. ROCKEFELLER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Dakota (Mr. CONRAD), is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. HATCH), the Senator from Wyoming (Mr. BARRASSO), the Senator from Illinois (Mr. KIRK), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted “nay.”

The PRESIDING OFFICER (Mrs. HAGAN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 75, nays 20, as follows:

[Rollcall Vote No. 15 Leg.]

YEAS—75

Alexander	Boozman	Coats
Ayotte	Boxer	Coburn
Baucus	Brown (MA)	Cochran
Begich	Burr	Collins
Bennet	Cantwell	Coons
Bingaman	Carper	Corker
Blunt	Chambliss	Cornyn

Durbin	Landrieu	Roberts
Enzi	Lautenberg	Rockefeller
Feinstein	Levin	Rubio
Graham	Lieberman	Schumer
Grassley	Lugar	Sessions
Hagan	Manchin	Shaheen
Heller	McCain	Shelby
Hoeven	McConnell	Snowe
Hutchison	Menendez	Tester
Inhofe	Moran	Thune
Inouye	Murkowski	Toomey
Isakson	Murray	Udall (CO)
Johanns	Nelson (NE)	Udall (NM)
Johnson (SD)	Nelson (FL)	Warner
Johnson (WI)	Portman	Webb
Kerry	Pryor	Whitehouse
Kohl	Reed	Wicker
Kyl	Reid	Wyden

NAYS—20

Akaka	Franken	Merkley
Blumenthal	Gillibrand	Mikulski
Brown (OH)	Harkin	Paul
Cardin	Klobuchar	Risch
Casey	Leahy	Sanders
Crapo	Lee	Stabenow
DeMint	McCaskill	

NOT VOTING—5

Barrasso	Hatch	Vitter
Conrad	Kirk	

The conference report was agreed to. The PRESIDING OFFICER. The majority leader is recognized.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that we now proceed to a period for morning business, with Senators permitted to speak therein for up to 10 minutes each. There will be no more votes tonight.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Ohio.

COMMEMORATING JOHN GLENN'S "FRIENDSHIP 7" SPACE FLIGHT

Mr. PORTMAN. Madam President, I would like to take the opportunity today to recognize the remarkable achievements of a former Senator from Ohio. The State of Ohio is known as the birthplace of aviation, it is the home of the Wright Brothers and the home to 24 astronauts. I have the privilege of calling two of these astronauts, Neil Armstrong and John Glenn, my friends. Today, I would like to take a few minutes to commemorate the tremendous achievement of one of these heroes by celebrating the upcoming 50th anniversary of the historic 1962 flight of NASA's Mercury Spacecraft, nicknamed *Friendship 7*.

Fifty years ago on February 20, 1962, *Friendship 7*, piloted by John Glenn, performed 3 successful orbits of the Earth at 17,400 miles per hour, and made John Glenn the first American to orbit the earth. While in orbit, John Glenn performed a series of breakthrough experiments to test human ability to function in the weightlessness of space. He then successfully piloted the spacecraft manually after a malfunction in the automatic flight controls, overcoming severe oscillation and a dwindling fuel supply during reentry, and completing the mission by landing the spacecraft safely in the Atlantic Ocean 4 hours, 55

minutes and 23 seconds after initial launch. He returned a national hero.

His historic flight inspired scientific curiosity and national enthusiasm for further space exploration, paving the way for America's continued dominance in space operations.

In 1998 Senator Glenn again demonstrated his tremendous courage and reentered space at the age of 77, aboard the Space Shuttle *Discovery*, to examine the effect of space flight on the elderly.

Space exploration is not, however, Senator Glenn's only remarkable achievement. He set the transcontinental speed record in 1957 for the first flight to average supersonic speed, flying at an average speed of 723 miles per hour, from Los Angeles to New York. Then in 1996 Senator Glenn set a new record, along with co-pilot Phillip Woodruff, of an average speed of 229 miles per hour in a 367-mile flight from Dayton, Ohio to Washington, DC.

In addition to these contributions to scientific exploration and NASA, John Glenn gave 23 years of service to the U.S. Marine Corps; is a veteran of two foreign wars; flew 149 combat missions; was awarded the Distinguished Flying Cross five times; and retired a colonel in 1965.

Ten years later he began a career in the U.S. Senate, contributing 24 years of service as a U.S. Senator from the State of Ohio from 1975 to 1999.

In 1998 the John Glenn Institute for Public Service and Public Policy at The Ohio State University was created and Senator Glenn became an adjunct professor in OSU's School of Public Policy and Management in the Department of Political Science.

Then, in 2006 the John Glenn Institute for Public Service and Public Policy merged with the School of Public Policy and Management to form the John Glenn School of Public Affairs at The Ohio State University, which prepares future generations of public servants. I myself have had the privilege of co-teaching four classes at the Glenn School and have the honor of serving on its board of advisors along with Senator Glenn and his incredible wife Annie. She has been a tremendous partner for Senator Glenn through all of these experiments we have been talking about tonight.

Senator Glenn's tremendous achievements have paved the way for future generations to follow in his footsteps by continuing to make the United States a global leader in science, technology, education, military service and public service. I once again commend Senator John Glenn on the success of his historic 1962 flight aboard NASA Spacecraft *Friendship 7*.

Madam President, I yield the floor.

REMEMBERING KENNY BAKER

Mr. MCCONNELL. Madam President, today I rise to mourn the loss of a great American veteran and a musical legend in Kentucky's own signature genre, bluegrass.

Mr. Kenny Baker of Letcher County passed away in July of 2011. He was 85 years old. Although Mr. Baker is no longer with us, his monumental contribution to the musical world will remain for many years to come.

Mr. Baker was most widely known for his innovative style of fiddle playing that many have referred to as "long bow fiddling." He would use every inch of the bow, from tip to tip, to produce a sound unlike any other in the world of bluegrass music. Mr. Baker picked up the fiddle at the young age of 5 years old and went on to write an astonishing 92 musical numbers throughout his lifetime.

He enlisted in the U.S. Navy during World War II and was assigned to a destroyer escort ship in the Pacific theater. But once the Navy learned of his musical ability, he was quickly transferred from his station to entertain troops in the South Pacific. After honorable service to his country in the Armed Forces, Mr. Baker returned to Letcher County and found work in the coal industry of eastern Kentucky but his musical journey was far from over.

Kenny Baker started playing the fiddle professionally in 1953 and played in the company of musical greats such as Don Gibson, Bobby Osborne, Josh Graves, and famous bluegrass innovator Bill Monroe. After taking a few years to get acquainted with the world of the music industry, he finally settled down and found a permanent home in the band Monroe's Blue Grass Boys.

On Mr. Baker's extensive musical journey, he regularly played at the Grand Ole Opry, recorded hit albums, played numerous concerts, and even had the distinct honor to play the fiddle for President Jimmy Carter at the White House. However, his greatest achievement came when he was named to the International Bluegrass Music Hall of Honor in 1999.

Mr. Baker spent his final years teaching children the value and importance of music in their lives. His generosity and love for music and music education will be greatly missed, not only by his wife Audrey Baker; his sons, Johnny Lee and Kenneth Junior; and many other beloved family members and friends, but also by generations of fans and fans to come of bluegrass music, as well as the residents of the great Commonwealth of Kentucky.

So, Mr. President, I would like to ask that my Senate colleagues join me in honoring Mr. Kenny Baker not only for his service to our country but also for his great contributions to the creative field of music. The Lexington Herald-Leader recently published an article recognizing Mr. Baker's incredible life. I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Lexington Herald-Leader, July 12, 2011]

KENNY BAKER

(By Jennifer Hewlett)

When Kenny Baker played the fiddle, the notes flowed out like honey pours from a jar—smooth, thick and wide, according to his friends.

"All your great fiddle players in Nashville, when they heard Kenny, they knew there was a lot more to be had with a fiddle, a lot more to learn," said Ronnie Eldridge, a close friend.

"He was the best at hoedowns. Nobody could touch him on the waltz. He was a singer's dream," Eldridge said.

Mr. Baker, 85, a Letcher County native who spent many years performing with legendary bluegrass musician Bill Monroe, penned 92 instrumentals and tutored many others in his "long bow" fiddling style, died Friday, just a few days after his last jam session. Mr. Baker, who lived near Gallatin, Tenn., died of complications from a stroke.

Mr. Baker first picked up a fiddle when he was 5, according to his son, Kenneth Baker Jr. of Columbus, Ohio. Mr. Baker's father had been an old-time fiddle player.

Mr. Baker later turned to the guitar, but he eventually went back to the fiddle. He grew up inspired by jazz, his son said.

After joining the Navy during World War II, Mr. Baker was soon transferred off a destroyer escort ship to entertain troops in the South Pacific. After military service, he returned home to Letcher County, got married, worked in coal mines and played at barn dances on weekends.

He started playing the fiddle professionally with country musician Don Gibson. In 1953, Mr. Baker went from playing Western swing and dance-band tunes to bluegrass music, performing with Monroe, who is known as the father of bluegrass music, beginning in 1957. After a few years, he went back to the coal mines in eastern Kentucky. He returned to Monroe's Blue Grass Boys band in 1968 and left again in 1984, but he was reunited with the band in 1994 at Monroe's Bean Blossom bluegrass festival.

Monroe's well-known "Uncle Pen" album features Mr. Baker on the fiddle.

"He was just absolutely the backbone of that band," Eldridge said.

"They were at the White House one time. Bill Monroe's group was invited by Jimmy Carter and Rosalynn Carter," Kenneth Baker Jr. said. "He liked to say when Rosalynn had a request, she came to Dad."

Many people went to bluegrass music festivals to hear Kenny Baker play the fiddle as much as they went to hear Bill Monroe sing, bluegrass music great Bobby Osborne said.

Many great fiddlers, past and present, are indebted to Baker, said Osborne, who performed with Mr. Baker and shared a dressing room with him at the Grand Ole Opry.

"I couldn't single him out as the top player of all time, but a lot of people would," Osborne said.

Mr. Baker's son said technique and a great memory made his father stand out.

"Dad would use the bow from tip to tip. That made his fiddling so smooth, and that was something different in the bluegrass world," Kenneth Baker Jr. said. "It was all by ear, and he had a tremendous ability to recall just about any song that people asked for—hundreds of songs."

Mr. Baker was particularly proud of the songs he wrote and recorded, his son said.

"At any of the major fiddle contests, probably a third of the tunes played will be Bill Baker tunes," Eldridge said.

Said Osborne: "The tunes that he wrote, they were so down to earth. The melodies that he put to his tunes were so easy to learn."

After 1984, Mr. Baker performed in many shows with dobro great Josh Graves.

In 1993, Mr. Baker received a National Heritage Fellowship from the National Endowment for the Arts. In 1999, he was named to the International Bluegrass Music Hall of Honor in Owensboro.

In addition to his son, Mr. Baker is survived by his wife, Audrey Baker; another son, Johnny Lee Baker of Nashville; two sisters; a brother; four grandchildren; and several great- and great-great-grandchildren.

Services will be at 2 p.m. Tuesday at Burdine Freewill Baptist Church in Letcher County. Carty Funeral Homes in Jenkins is handling arrangements.

BLACK HISTORY MONTH

Mr. UDALL of Colorado. Madam President, I rise to join my fellow Coloradans, my colleagues in the U.S. Congress and others across the Nation to celebrate Black History Month. I am honored to recognize the contributions of the African-American community in the United States and especially in my home State of Colorado.

I am particularly proud to reflect on the legacy of community involvement exemplified by Colorado's Black community, from Colorado's earliest days as a western territory to the present. There have been many community leaders, public officials, and entrepreneurs who have contributed immensely over the years to make our great State what it is today, from our historic and cultural institutions, to the farms and small businesses of our rural communities.

One gentleman named James Beckwourth, whom I have recognized in previous years as a true frontiersman, exemplifies the entrepreneurial spirit that led to the building of the economic foundations that supported the formation of our great State. He led expeditions into Colorado's Rocky Mountains in the 1820s and returned in the 1830s to serve at Fort Vasquez near Denver. In the 1840s, he co-founded a trading post and settlement named Fort Pueblo to serve as a trading hub for the Native Americans, Mexican settlers and other American frontiersmen along the Santa Fe Trail. This settlement eventually became the City of Pueblo and still serves as a commercial hub for Southeast Colorado.

Mr. Beckwourth exemplifies the entrepreneurship that continues to thrive in all of Colorado's African-American communities. Today, I would like to specifically recognize the importance of the continuation of the entrepreneurial spirit in Black communities throughout Colorado and share how much it has strengthened Colorado's economy and will continue to help lead our country on the path to economic recovery.

The increase in the number of minority-owned businesses has been a bright spot in our economy. According to the Minority Business Development Agency (MBDA), operated by the Department of Commerce, minority-owned businesses contributed \$1 trillion to the economy last year and created 5.8

million jobs. Specifically, the total number of African-American owned businesses grew to 1.9 million firms between 2002 and 2007, an increase of 61 percent. This figure is particularly impressive when compared to the employment growth in the rest of the country during that same time period, which was less than 1 percent.

In Colorado, the total number of minority-owned firms increased by 19 percent between 1997 and 2002. By 2007, this figure had increased even further as there were over 59,000 firms, employing over 74,000 workers, and the numbers continue to grow. African-American-owned businesses are an important part of this driving force in our State's economy. Along with all other minority-owned businesses, the increase in African-American owned businesses in Colorado has helped sustain our economy and stimulate job growth. The most recent data show there are more than 9,000 African-American-owned businesses in Colorado. These businesses are especially valued in Colorado because they not only provide jobs to Coloradans, they also provide essential services that meet the needs of both African-American and non-African-American communities. And as we know, successful businesses have a positive economic ripple effect throughout our communities.

In spite of the rising number of minority-owned businesses in Colorado, barriers to success still exist, and in some cases the challenges facing minority-owned businesses can be particularly difficult. This is why I was proud to welcome the creation of the Denver Minority Business Center last summer. The Denver Minority Business Center is an extension of the Minority Business Development Agency, and will further supplement our State's commitment to supporting minority owned businesses by providing the resources to develop technical skills and to access capital and contracting opportunities. Within the last 3 years alone the MBDA has helped create 11,000 new jobs nationally and helped save thousands of existing jobs at minority-owned firms by helping secure \$7 billion in contracts.

As we celebrate the diverse and profound contributions of African-Americans to our State, I hope we will remember to appreciate the positive and sustaining impact of African-American owned businesses, and I hope we will continue to support the creation of new minority owned businesses in all corners of our State. I encourage all Coloradans to join me in reflecting on the invaluable contributions of African Americans to our State and throughout our great Nation—not only during Black History Month, but every month of the year.

Mr. BEGICH. Madam President, I wish to recognize February as Black History Month. Each February our Nation focuses on the contributions African Americans have made in shaping our Nation. This year, the Association

for the Study of African American Life and History has declared the theme for 2012: "Black Women In American Culture and History."

Each year since 1976, the President issues an executive proclamation naming February as African American History Month. More than a half dozen Federal agencies, including the Library of Congress, conduct celebrations, programs, and activities relating to this rich history.

I join them in recognizing the importance of remembering the contributions made by such memorable figures as Rosa Parks, Shirley Chisholm, Sojourner Truth and Maya Angelou just to name a few, and our country's initial African-American First Lady, Michelle Obama.

Just as importantly, countless unsung African-American women have made a mark in their communities by caring for their families, teaching our youth, running successful businesses, serving their churches, and getting elected to public office.

Many African Americans spent their entire lives without getting the credit they deserved. By focusing on Black history in February, we can give overdue acknowledgement and perhaps inspire our young African Americans to continue to achieve greatness.

In Alaska, African Americans have worked to build our communities with their many contributions.

I urge all Alaskans and other Americans to examine and contemplate the significance of the contributions that African-American men and women have made in determining the course of these United States of America.

RECOGNIZING KING ARTHUR FLOUR

Mr. LEAHY. Madam President, I would like to bring to the Senate's attention the recent accomplishments of King Arthur Flour of Norwich, VT.

Established in 1790, King Arthur Flour has stood the test of time as the oldest flour company in the United States. Over the years King Arthur Flour has continued to raise the bar as an outstanding Vermont company. Most recently the company redesigned its website to allow for easier mobile phone and tablet use, placing it in the Hot 100 feature of Internet Retailer magazine. This continued focus on technology is propelling King Arthur Flour into the future as a cutting-edge company to watch.

As the company has continued to grow and succeed, it has managed to stay true to its Vermont roots. King Arthur Flour has flourished as an employee stock ownership company (ESOP), a model of business stewardship that highlights a strong commitment to the company's workforce and the local community. I also appreciate that King Arthur Flour has been a long-time participant in the annual Taste of Vermont event in Washington, where we bring the finest Vermont products to the Nation's capital.

I wish King Arthur Flour the best of luck as it continues to grow both its web presence with new technology and its physical presence with a major expansion project set to open this summer. I ask unanimous consent that a December 22, 2011, Burlington Free Press article highlighting the company's achievements be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press, Dec. 22, 2011]

A (WEB) RECIPE FOR SUCCESS (By Stephen Mills)

NORWICH.—King Arthur Flour is America's oldest flour company, established 1790, a year into George Washington's presidency.

So how does a company that makes flour and bread—an ancient art—win national awards and acclaim for its business practices in the 21st century?

Quite simply, the company has become the toast of the town among the technocraats of e-commerce.

With the economy flagging, many companies turned to enhanced e-retailing to capture more sales, offering free shipping and additional savings for shopping online. King Arthur Flour is no different, relying heavily on its website, kingarthurfour.com, to sell its products and services that can also be found at its "Norwich, Vermont bakery, school and store"—a sponsorship refrain often heard on Vermont Public Radio, which also calls it "home" for its company-sponsored studio there.

But to maximize online sales, King Arthur Flour redesigned its website to allow its offerings to be displayed on any-size screen, including phone, tablet or desktop. And it did so without having to write exotic or expensive software programs for each device.

Company online services director Halley Silver explains: "Our previous site used a template that was 780 pixels wide. We have moved to a template that adapts its layout from 320 pixels wide to 992 pixels wide. This is called a responsive website design. It's not a mobile application, but rather a mobile-friendly website."

"We have built a new website that works well across mobile devices and tablet computers, as well as desktops and laptops," Silver added. "We have seen strong growth in mobile and tablet traffic to our site, and also realize that having a usable site while shoppers use their phones in the supermarket and tablets in the kitchen is critical to our success online."

The result has been explosive mobile sales growth for the company by shoppers using hand-held smartphones and tablets, up 14 percent in September compared with just 2 percent for the comparable month last year. The sales spike was 5 percent from tablets such as iPads, and 9 percent from mobile phones.

The company's success compares favorably with online sales figures just out for all retailers showing a 15 percent increase over Thanksgiving, the nation's busiest shopping period, compared with last year, and even better than those for mobile devices, which increased 7.4 percent, according to data from IBM Benchmark.

Company CEO Steve Voigt said: "I have long been a big supporter of online efforts and it is very encouraging to see all the success which our customers and we enjoy by our efforts to-date. . . . Baking seems custom-made for the online community; a little online chat, then a little offline baking."

NET ROYALTY

Voigt is demur about the company's financial success, noting figures for the private company are "confidential." But according to the Internet Retailer Top 500 Guide, King Arthur Flour reported online sales of \$15.15 million in 2010. Voigt did say the company has \$96 million in annual revenues for the most recent fiscal year.

Internet Retailer magazine, a leading tracker of e-commerce, picked the company for its Hot 100 feature in the December issue. The Hot 100 are not ranked but represent the nation's the most interesting innovations in online retailing this year.

Under the article heading, "Mobile Drives Design," the publication notes: "Founded in 1790, baking ingredient and bakeware retailer King Arthur Flour is both the oldest brand in this year's Internet Retailer Hot 100 and one of the most forward-looking."

The article added, "King Arthur's 'mobile first' approach to Web design exemplifies an elegant solution to Web merchants' growing challenge of designing for multiple access devices."

Internet Retailer also has asked Silver to be a featured speaker at its annual Internet Retailer Web Design and Usability Conference 2012 in Orlando, Fla., in February. It refers to her as King Arthur's "secret ingredient" who "mixes common sense with tech know-how."

As Silver said she will explain in the session she'll call, "The Mobile-First Approach to Web Multi-Platform Design," one key element in the redesigned site is the use of a Web design language called CSS3 (cascading style sheets) that presents images and product information differently depending on the visitor's device and browser.

"For a small company, King Arthur Flour is a very innovative retailer," magazine editor Don Davis said in a phone interview. Of Silver, he said, "She is someone who is as innovative as anyone at Amazon for the cool stuff they're doing."

"One of the things that's so impressive is that she's extremely knowledgeable about the intricacies of e-commerce and Web technology, an area that's constantly changing, while at the same time has a grasp of her company's business goals," Davis said. "It's not that often you find someone fluent in the language of bits and bytes who also understands the overarching importance of the bottom line."

How does Silver feel about all the attention she's receiving?

"I still am somewhat amazed that a company selling flour and ingredients online can be seen as an inspiration and used as an example to other online retailers," she said.

BUILDING VISIBILITY

Other online innovations Silver has brought to the company include: two website redesigns.

a 55 percent increase in completed checkout sales after adding items to the cart by streamlining the process and offering further discounts for additional items.

tools that help website designers face the difficult challenge of displaying multiple fonts while sticking with a site's branded look.

the launch of the Bakers' Banter Blog.

This year, 32 videos were also posted to the website to help customers better appreciate the "farm-to-plate" relationship with mostly Midwestern farmers who supply much of the grain for King Arthur's flours.

Born in Cleveland and raised in New York City, London and San Francisco and eventually Vermont, Silver was a math major at Wesleyan University. She moved through a number of posts centered on Web technology, including the former Internet shopping

search portal Excite@Home, and Internet security firm VeriSign. She also built and launched Hoofpicks.com, a free, Web-based, equestrian-event management service.

She joined King Arthur Flour in 2007 because of her passion for baking. "Cooking and baking have been a hobby of mine since a very early age," she said. "To be able to combine that passion with building for the Web has been a wonderful experience."

What else is in the offing for the company online?

"We hope to expand our presence in the mobile and tablet space, and continue to improve all of our offerings online," she said.

One new development is a Google ad about the company, filmed in October that began airing Nov. 27. A longer version of the ad is available only on YouTube at: http://www.youtube.com/watch?v=nzjCA2aWILo&feature=channel_video_title.

Collectively, Silver and the 255 workers at the employee-owned business have won a host of awards that include: the 2011 Vermont Governor's Award for Outstanding Workplace Safety in the Large Business category; the 2011 Magnus Opus Awards for its bi-monthly newsletter, The Baking Sheet; the 2007 Business Innovator of the Year Award from the Hanover Area Chamber of Commerce; the 2006 Outstanding Vermont Business Award; the 2006 Best Place to Work Award; and the 2006 Better Business Bureau Local Torch Award for Excellence.

The company is also one of the nation's few to attain B-Corporation status because of its beneficial balance between "people, planet and profit."

Some of the many ways it does so is through donating to local food shelves within a 100-mile radius; the Life Skills Bread Baking Program for 155,000-plus students nationwide, teaching them to bake bread themselves and for the hungry; a corporate volunteer program that provides paid time-off for employees as volunteers in the community (in 2010, 123 employees volunteered 1,075 hours); annual employee participation in Green Up Vermont Day; Winterbake, when employees bake bread for donation to local food pantries annually on the Martin Luther King, Jr. day of service; a food-diversion program that donates old baking products to local farmers for animal feed or composting; the use of eco-friendly certified cleaners in all company facilities and available to employees for home use at \$1 per bottle; and participation in the Bike/Walk to Work Day program.

LIVING HISTORY

The company has come a long way from its origins. King Arthur Flour began in 1790 as the Sands Taylor & Wood Co., a retailer of specialty flours and cookbooks and baked goods, based in Boston.

Founded by Henry Wood, primarily an importer and distributor of English-milled flour, the business grew quickly. A partner, Benjamin Franklin Sands, took over the company in 1870, and in 1886, the firm introduced a premium brand of flour.

At that time, a partner attended a performance of the musical "King Arthur and the Knights of the Round Table" that inspired the name of the new product, King Arthur Flour (and its current logo). The brand was introduced at the Boston Food Fair on Sept. 10, 1896, to great fanfare.

Subsequently, during ownership changes, retail flour sales declined, and the company expanded into commercial baking equipment in the 1960s, and other retail products, including a line of coffee and prepared pie fillings. In 1978, the company sold its other interests and returned to a core flour business, and moved to Norwich in 1984.

Today, new things are cooking at the company.

The Norwich site is undergoing massive changes, with the expansion of the bakery (to 3,400 square feet), baking education center (3,400 square feet), store (4,700 square feet), and cafe (2,200 square feet with seating for 75). The offsite administration offices and recipe-testing center will also be housed under the same roof, and continue to be affectionately known as Camelot. Also offsite nearby is the manufacturing center, known as Avalon. Begun in June, the work will be completed in July. Artist renderings of the new digs, work progress and historic detail about the company can be found at www.kingarthurfLOUR.com/ourstore/renovations.html.

The company could certainly use the space, officials said. Business was booming one day a few weeks ago, with shoppers packed into the store all day long, looking for seasonal comestibles, while the cafe did a brisk trade in fresh pastries and coffee. "This is our peak season, with Thanksgiving, Hanukkah and Christmas," public relations coordinator Terri Rosenstock said.

Across the courtyard, bakers were busy making bread, pizza and croissants, and the baking school was fully booked for a pastry class.

"We have a lot of people with pie-crust and yeast anxiety right now," quipped the instructor.

ADDITIONAL STATEMENTS

TRIBUTE TO DR. PAUL TAYLOR

• Mr. BEGICH. Madam President, I would like to speak for a moment on the courageous and heroic actions of a fellow Alaskan. Dr. Paul Taylor of Fairbanks, AK, while serving as a member of the United States Army Special Forces in the Republic of Vietnam, risked his life on January 17, 1967, to save a wounded soldier and prevent the further demise of American forces.

While under heavy attack, Staff Sergeant Taylor and a fellow soldier led a direct charge on the enemy position and both sustained serious injuries. After dragging his wounded comrade to safety, Staff Sergeant Taylor continued to lead the attack on the enemy until the platoon could retreat to a secure helicopter landing zone.

Staff Sergeant Taylor's decorations from his service in Vietnam include a Bronze Star with "V" device, Silver Star, three Purple Hearts, and the Army Commendation medal.

It is with great honor and humility that I, along with the United States Army, on February 4, 2012 will recognize Dr. Taylor with the presentation of a Silver Star with a Single Bronze Oak Leaf Cluster for this action. Although this recognition is 45 years after the fact, Dr. Taylor's actions and sacrifice shall not be forgotten by Alaskans and all Americans as the memory is still alive with him.●

RECOGNIZING COLEMAN DAIRY

• Mr. BOOZMAN. Madam President, it takes hard work, dedication, and great service for a business to thrive. In our changing world, companies are forced to adapt and modernize to compete for

customers and maintain their success while continuing to grow.

In order for a company to withstand the test of time, it must achieve a commitment to quality products, customer satisfaction, and efficiency. Coleman Dairy is an excellent example of a homegrown business that continues its service and commitment to providing the best quality products that are just as important as the excellent people employed by the company.

Small businesses are the building blocks of our economy. They provide important services, products, and employment opportunities while sharing an identity with the community and the values of its employees. There is no better company that exemplifies being a leader on this front than Coleman Dairy.

Coleman Dairy has grown since Eleithet Coleman began the business in 1862. Through the generations the family has continued his vision, where hard work, honesty and customer service remain top priorities.

This year Coleman Dairy is celebrating 150 years of providing dairy products to Americans. As one of the 100 oldest family-run businesses in America, Coleman Dairy has a track record of success and I am confident will continue to provide high-quality products for customers who deserve the very best.

Thank you for providing us a quality product all these years. Congratulations on 150 years and best of luck on the next 150.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS DECLARED IN EXECUTIVE ORDER 13396 ON FEBRUARY 7, 2006, WITH RESPECT TO THE SITUATION IN OR IN RELATION TO CÔTE D'IVOIRE—PM 38

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides

for the automatic termination of a national emergency, unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13396 of February 7, 2006, with respect to the situation in or in relation to Côte d'Ivoire is to continue in effect beyond February 7, 2012.

The situation in or in relation to Côte d'Ivoire, which has been addressed by the United Nations Security Council in Resolution 1572 of November 15, 2004, and subsequent resolutions, has resulted in the massacre of large numbers of civilians, widespread human rights abuses, significant political violence and unrest, and fatal attacks against international peacekeeping forces. Since the inauguration of President Alassane Ouattara in May 2011, the Government of Côte d'Ivoire and its people have made significant advances in the promotion of democratic, social, and economic development. Although considerable progress has been made, the situation in or in relation to Côte d'Ivoire continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency and related measures under Executive Order 13396 of February 7, 2006, Blocking Property of Certain Persons Contributing to the Conflict in Côte d'Ivoire.

BARACK OBAMA.

THE WHITE HOUSE, February 3, 2012.

**REPORT RELATIVE TO THE
ISSUANCE OF AN EXECUTIVE
ORDER TO TAKE ADDITIONAL
STEPS WITH RESPECT TO THE
NATIONAL EMERGENCY ORIGINAL-
LY DECLARED ON MARCH 15,
1995 IN EXECUTIVE ORDER 12957
WITH RESPECT TO IRAN—PM 39**

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), I hereby report that I have issued an Executive Order (the "order") that takes additional steps with respect to the national emergency declared in Executive Order 12957 of March 15, 1995.

In Executive Order 12957, the President found that the actions and policies of the Government of Iran threaten the national security, foreign pol-

icy, and economy of the United States. To deal with that threat, the President in Executive Order 12957 declared a national emergency and imposed prohibitions on certain transactions with respect to the development of Iranian petroleum resources. To further respond to that threat, Executive Order 12959 of May 6, 1995, imposed comprehensive trade and financial sanctions on Iran. Executive Order 13059 of August 19, 1997, consolidated and clarified the previous orders. To take additional steps with respect to the national emergency declared in Executive Order 12957 and to implement section 105(a) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195) (22 U.S.C. 8501 *et seq.*) (CISADA), I issued Executive Order 13553 on September 28, 2010, to impose sanctions on officials of the Government of Iran and other persons acting on behalf of the Government of Iran determined to be responsible for or complicit in certain serious human rights abuses. To take further additional steps with respect to the threat posed by Iran and to provide implementing authority for a number of the sanctions set forth in the Iran Sanctions Act of 1996 (Public Law 104-172) (50 U.S.C. 1701 note) (ISA), as amended by CISADA, I issued Executive Order 13574 on May 23, 2011, to authorize the Secretary of the Treasury to implement certain sanctions imposed by the Secretary of State pursuant to ISA, as amended by CISADA. Finally, to take additional steps with respect to the threat posed by Iran, I issued Executive Order 13590 on November 20, 2011, to authorize the Secretary of State to impose sanctions on persons providing certain goods, services, technology, information, or support that contribute either to Iran's development of petroleum resources or to Iran's production of petrochemicals, and to authorize the Secretary of the Treasury to implement some of those sanctions.

I have determined that additional sanctions are warranted, particularly in light of the deceptive practices of the Central Bank of Iran and other Iranian banks to conceal transactions of sanctioned parties, the deficiencies in Iran's anti-money laundering regime and the weaknesses in its implementation, and the continuing and unacceptable risk posed to the international financial system by Iran's activities.

The order also implements section 1245(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) (NDAA) by blocking the property and interests in property of Iranian financial institutions pursuant to IEEPA.

The order blocks the property and interests in property of the following:

The Government of Iran, including the Central Bank of Iran;

Any Iranian financial institution, including the Central Bank of Iran; and

Persons determined by the Secretary of the Treasury, in consultation with the Secretary of State, to be owned or

controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the order.

The prohibitions of the order do not apply to property and interests in property of the Government of Iran that were blocked pursuant to Executive Order 12170 of November 14, 1979, and thereafter made subject to the transfer directives set forth in Executive Order 12281 of January 19, 1981, and implementing regulations thereunder. In addition, nothing in the order prohibits transactions for the conduct of the official business of the Federal Government by employees, grantees, or contractors thereof.

I have delegated to the Secretary of the Treasury the authority, in consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the blocking-related purposes of the order. All agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the order.

I have also delegated certain functions and authorities conferred by section 1245 of the NDAA to the Secretary of the Treasury and the Secretary of State in consultation with other appropriate agencies as specified in the order.

I am enclosing a copy of the Executive Order I have issued.

BARACK OBAMA.

THE WHITE HOUSE, February 5, 2012.

MESSAGE FROM THE HOUSE

At 2:03 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 bills, in which it requests the concurrence of the Senate:

H.R. 3578. An act to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reform the budget baseline.

H.R. 3582. An act to amend the Congressional Budget Act of 1974 to provide for macroeconomic analysis of the impact of legislation.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 658) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3578. An act to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reform the budget baseline; to the Committee on the Budget.

H.R. 3582. An act to amend the Congressional Budget Act of 1974 to provide for macroeconomic analysis of the impact of legislation; to the Committee on the Budget.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2064. A bill to amend the Internal Revenue Code of 1986 to terminate certain energy tax subsidies and lower the corporate income tax rate.

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-4906. A communication from the Assistant Secretary of the Navy (Research, Development and Acquisition), transmitting, pursuant to law, a report relative to all repairs and maintenance performed on any covered Navy vessel in any shipyard outside the United States or Guam during the preceding fiscal year; to the Committee on Armed Services.

EC-4907. A communication from the Under Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, a semi-annual report relative to Reserve Component equipment delivery; to the Committee on Armed Services.

EC-4908. A communication from the Director of the Policy Issuances Division, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Changes to the Schedule of Operations Regulations" (RIN0583-AD35) received in the Office of the President of the Senate on February 1, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4909. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Federal Housing Administration (FHA) Single Family Lender Insurance Process: Eligibility, Indemnification, and Termination" (RIN2502-AI58) received in the Office of the President of the Senate on February 1, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-4910. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13441 with respect to Lebanon; to the Committee on Banking, Housing, and Urban Affairs.

EC-4911. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report relative to operation of the Exchange Stabilization Fund (ESF) for fiscal year 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-4912. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Patent Compensation Board Regulations" (RIN1990-AA33) received in the Office of the President of the Senate on February 1, 2012; to the Committee on Energy and Natural Resources.

EC-4913. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "DOE Patent Licensing Regulations" (RIN1990-AA41) received in the Office of the President of the Senate on February 1, 2012; to the Committee on Energy and Natural Resources.

EC-4914. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Storage Reporting Requirements of Interstate and Intrastate Natural Gas Companies" (RIN1902-AE25) received in the Office of the President of the Senate on February 1, 2012; to the Committee on Energy and Natural Resources.

EC-4915. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "NRC Procedures for Placement and Monitoring of Work with the U.S. Department of Energy (DOE)" (NRC Management Directive 11.7) received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2012; to the Committee on Energy and Natural Resources.

EC-4916. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the Uniform Resource Locator (URL) for a report entitled "OSRE: Special Accounts and Settlements with PRPs"; to the Committee on Environment and Public Works.

EC-4917. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, National Wildlife Refuge System, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Change of Addresses for Regional Offices, Addition of One New Address, and Correction of Names of House and Senate Committees We Must Notify" (RIN1018-AU89) received in the Office of the President of the Senate on February 1, 2012; to the Committee on Environment and Public Works.

EC-4918. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended for the six months ending June 30, 2011"; to the Committee on the Judiciary.

EC-4919. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, National Cemetery Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Parents Eligible for Burial" (RIN2900-AO12) received in the Office of the President of the Senate on February 1, 2012; to the Committee on Veterans' Affairs.

EC-4920. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Medical Foster Homes" (RIN2900-AN80) received in the Office of the President of the Senate on February 1, 2012; to the Committee on Veterans' Affairs.

EC-4921. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Uninformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Fourth Quarter of Fiscal Year 2011"; to the Committee on Veterans' Affairs.

EC-4922. A communication from the Secretary of the Commission, Bureau of Competition, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Revised Jurisdictional Thresholds for Section 7A of the Clayton Act" received in the Office of the President of the Senate on February 1, 2012; to the Committee on Commerce, Science, and Transportation.

EC-4923. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species: Designation of Critical Habitat for Cook Inlet Beluga Whale" (RIN0648-AX50) received in the Office of the President of the Senate on February 1, 2012; to the Committee on Commerce, Science, and Transportation.

EC-4924. A communication from the Assistant Administrator for Fisheries, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species: Final Rule to Revise the Critical Habitat Designation for the Endangered Leatherback Sea Turtle" (RIN0648-AX06) received in the Office of the President of the Senate on February 1, 2012; to the Committee on Commerce, Science, and Transportation.

EC-4925. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Closed Captioning of Internet Protocol-Delivered Video Programming: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010" (MB Docket No. 11-154, FCC-12-9) received in the Office of the President of the Senate on February 2, 2012; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-0964. A joint memorial adopted by the Legislature of the State of Washington requesting the adoption of federal legislation relative to sellers, regardless of nexus, collecting states' sales tax; to the Committee on Finance.

SUBSTITUTE SENATE JOINT MEMORIAL No. 8009

To the Honorable Barack Obama, President of the United States, and to the President of the Senate and the Speaker of the House of Representatives, and to the Senate and House of Representatives of the United States, in Congress assembled:

We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

Whereas, The 1967 *Bellas Hess* and the 1992 *Quill* United States Supreme Court decisions denied states the authority to require the collection of sales and use taxes by out-of-state sellers that have no physical presence in the taxing state; and

Whereas, This puts local, in-state sellers, whether electronic or brick and mortar, at a competitive disadvantage in making sales, because they must collect the sales tax and most remote sellers do not collect sales tax; and

Whereas, The combined weight of the inability to collect sales and use taxes on remote sales through traditional carriers and the tax erosion due to electronic commerce threatens the future viability of the sales

tax as a stable revenue source for state and local governments; and

Whereas, The following federal legislation has been introduced in the United States Congress to grant states the authority to require all sellers, regardless of nexus, to collect those states' sales and use taxes:

(1) The Main Street Fairness Act of 2011 (S. 1452 sponsored by Senators Richard Durbin, Daniel Akaka, Daniel Inouye, Tim Johnson, Jack Reed, and Sheldon Whitehouse; and H.R. 2701 sponsored by Representatives John Conyers, Jr., Michael Capuano, Jesse Jackson, Henry C. "Hank" Johnson, Jr., Heath Shuler, Adam Smith, and Peter Welch);

(2) The Marketplace Fairness Act of 2011 (S. 1832 sponsored by Senators Michael Enzi, Lamar Alexander, Roy Blunt, John Boozman, Bob Corker, Richard Durbin, Tim Johnson, Mark Pryor, Jack Reed, and Sheldon Whitehouse); and

(3) The Marketplace Equity Act of 2011 (H.R. 3179 sponsored by Steve Womack, Michael Capuano, Judy Chu, Eric A. "Rick" Crawford, Theodore E. Deutch, Mario Diaz-Balart, John J. Duncan Jr., Renee L. Ellmers, Gene Green, Carolyn B. Maloney, Betty McCollum, Brad Miller, Kristi L. Noem, Ted Poe, Dennis Ross, Heath Shuler, Jackie Speier, and Peter Welch); and

Whereas, It is estimated that Washington would realize up to \$170.3 million in state and local taxes in the 2011–2013 biennium, and \$483.0 million in state and local taxes in the 2013–2015 biennium, if it had the ability to require remote sellers to collect our state's sales and use taxes; and

Whereas, Since 1999, state legislators, governors, local elected officials, state tax administrators, and representatives of the private sector have worked to develop a Streamlined Sales and Use Tax Collection System for the 21st century; and

Whereas, On November 12, 2002, state delegates unanimously ratified the Streamlined Sales and Use Tax Agreement, which substantially simplifies state and local sales tax systems, removes the burdens to interstate commerce that were of concern to the Supreme Court, protects state sovereignty, and is consistent with the introduced federal legislation; and

Whereas, The Streamlined Sales and Use Tax Agreement provides the states with a blueprint to create a simplified and more uniform sales and use tax collection system that when implemented, allows justification for Congress to overturn the *Bellas Hess* and *Quill* decisions; and

Whereas, Washington State enacted legislation in 2007 to bring this state's sales and use tax statutes into compliance with the Streamlined Sales and Use Tax Agreement; and

Whereas, By November 30, 2011, 24 states: Arkansas, Georgia, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Nebraska, Nevada, New Jersey, North Carolina, North Dakota, Ohio, Oklahoma, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Washington, West Virginia, Wisconsin, and Wyoming, representing over 40 percent of the total population of the United States enacted legislation to bring their state's sales and use tax statutes into compliance with the Agreement; and

Whereas, Over 1,700 businesses have voluntarily registered under the Streamlined Sales and Use Tax Agreement to collect and remit sales and use taxes; and

Whereas, The legislature of Washington and our colleagues in the other states have shown the resolve to acknowledge the complexities of the current sales and use tax collection system, have worked with the business community to formulate a truly simplified and streamlined collection system, and have shown the political will to enact

the necessary changes to make the streamlined collection system the law; and

Whereas, Until Congress and the President enact federal legislation, participation by remote sellers is only voluntary and thus states are unlikely to close the revenue gap between what is owed on remote transactions and what is collected; and

Whereas, Governors and state legislatures have made the difficult choices to reduce spending and where necessary to raise revenue during the recent "great" recession to close the \$417 billion cumulative budget gaps; and

Whereas, After closing \$417 billion in budget gaps for fiscal years 2009–2011, the estimated budget shortfall for states in fiscal year 2012 will be \$82 billion and for fiscal year 2013 will be \$67 billion; and

Whereas, Federal legislation would provide fiscal relief for the states by enabling collections of taxes that are already due;

Now, therefore, Your Memorialists respectfully pray that: The members of our congressional delegation join as cosponsors of the introduced federal legislation and support the Act's swift adoption by the Congress of the United States; and that President Barack Obama sign the legislation, upon its passage by Congress. Be it

Resolved, That copies of this Memorial be immediately transmitted to the Honorable Barack Obama, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1408. A bill to require Federal agencies, and persons engaged in interstate commerce, in possession of data containing sensitive personally identifiable information, to disclose any breach of such information.

By Mrs. BOXER, from the Committee on Environment and Public Works, with amendments:

S. 1813. A bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

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. CASEY:

S. 2070. A bill to promote the domestic development and deployment of natural gas and clean energy technologies; to the Committee on Finance.

By Mr. WICKER (for himself and Mr. PRYOR):

S. 2071. A bill to grant the Secretary of the Interior permanent authority to authorize States to issue electronic duck stamps, and for other purposes; to the Committee on Environment and Public Works.

By Mr. FRANKEN (for himself and Mr. BLUMENTHAL):

S. 2072. A bill to discourage disincentives to the housing missions of government sponsored enterprises and require consistent putback risks at the enterprises to assist homeowners; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 2073. A bill to prohibit the permanent relocation of F-16 aircraft assigned to Eielson Air Force Base; to the Committee on Armed Services.

By Mr. CARDIN (for himself and Ms. SNOWE):

S. 2074. A bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. NELSON of Florida (for himself, Mr. RUBIO, Mr. KERRY, Mrs. GILLIBRAND, Mr. COONS, Mr. LEVIN, Mr. LAUTENBERG, Ms. LANDRIEU, Mr. AKAKA, Mr. CARDIN, Mr. CORKER, Mrs. FEINSTEIN, Mr. DURBIN, Mr. LUGAR, and Mr. NELSON of Nebraska):

S. Res. 368. A resolution recognizing the anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives in that earthquake, and expressing continued solidarity with the people of Haiti; considered and agreed to.

ADDITIONAL COSPONSORS

S. 165

At the request of Mr. VITTER, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 165, a bill to amend the Public Health Services Act to prohibit certain abortion-related discrimination in governmental activities.

S. 402

At the request of Ms. SNOWE, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 402, a bill to amend title 10, United States Code, to provide for the award of a military service medal to members of the Armed Forces who served honorably during the Cold War, and for other purposes.

S. 412

At the request of Mr. LEVIN, the names of the Senator from Virginia (Mr. WARNER) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 412, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 807

At the request of Mr. ENZI, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 807, a bill to authorize the Department of Labor's voluntary protection program and to expand the program to include more small businesses.

S. 973

At the request of Mr. WHITEHOUSE, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 973, a bill to create the National Endowment for the Oceans to promote the protection and conservation of the United States

ocean, coastal, and Great Lakes ecosystems, and for other purposes.

S. 1039

At the request of Mr. CARDIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1039, a bill to impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, for the conspiracy to defraud the Russian Federation of taxes on corporate profits through fraudulent transactions and lawsuits against Hermitage, and for other gross violations of human rights in the Russian Federation, and for other purposes.

S. 1099

At the request of Mr. BLUNT, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1099, a bill to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

S. 1265

At the request of Mr. BINGAMAN, the name of the Senator from New Jersey (Mr. MENENDEZ) 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. 1316

At the request of Mr. ENZI, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Nebraska (Mr. JOHANNIS) were added as cosponsors of S. 1316, a bill to prevent a fiscal crisis by enacting legislation to balance the Federal budget through reductions of discretionary and mandatory spending.

S. 1335

At the request of Mr. INHOFE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1335, a bill to amend title 49, United States Code, to provide rights for pilots, and for other purposes.

S. 1629

At the request of Mrs. GILLIBRAND, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 1629, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 1881

At the request of Mr. WHITEHOUSE, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1881, a bill to establish an integrated Federal program to respond to ongoing and expected impacts of climate variability and change by protecting, restoring, and con-

serving the natural resources of the United States and to maximize government efficiency and reduce costs, in cooperation with State, local, and tribal governments and other entities.

S. 1882

At the request of Mr. BINGAMAN, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 1882, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that valid generic drugs may enter the market.

S. 1925

At the request of Mr. LEAHY, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 1925, a bill to reauthorize the Violence Against Women Act of 1994.

S. 1947

At the request of Mr. BLUMENTHAL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1947, a bill to prohibit attendance of an animal fighting venture, and for other purposes.

S. 1984

At the request of Mr. KERRY, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1984, a bill to establish a commission to develop a national strategy and recommendations for reducing fatalities resulting from child abuse and neglect.

S. 2043

At the request of Mr. RUBIO, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 2043, a bill to amend title XXVII of the Public Health Service Act to provide religious conscience protections for individuals and organizations.

S. 2059

At the request of Mr. WHITEHOUSE, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 2059, a bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers.

S.J. RES. 21

At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S.J. Res. 21, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S. RES. 99

At the request of Mr. DEMINT, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. Res. 99, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and chil-

dren is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

AMENDMENT NO. 1470

At the request of Mr. REID, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of amendment No. 1470 proposed to S. 2038, an original bill to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 368—RECOGNIZING THE ANNIVERSARY OF THE TRAGIC EARTHQUAKE IN HAITI ON JANUARY 12, 2010, HONORING THOSE WHO LOST THEIR LIVES IN THAT EARTHQUAKE, AND EXPRESSING CONTINUED SOLIDARITY WITH THE PEOPLE OF HAITI

Mr. NELSON of Florida (for himself, Mr. RUBIO, Mr. KERRY, Mrs. GILLIBRAND, Mr. COONS, Mr. LEVIN, Mr. LAUTENBERG, Ms. LANDRIEU, Mr. AKAKA, Mr. CARDIN, Mr. CORKER, Mrs. FEINSTEIN, Mr. DURBIN, Mr. LUGAR, and Mr. NELSON of Nebraska) submitted the following resolution; which was considered and agreed to:

S. RES. 368

Whereas, on January 12, 2010, an earthquake measuring 7.0 on the Richter scale struck the country of Haiti;

Whereas, according to the United States Geological Survey, the epicenter of the earthquake was located approximately 15 miles southwest of Port-au-Prince, the capital of Haiti;

Whereas, according to the Government of Haiti, more than 220,000 people died as a result of the earthquake, and more than 300,000 people were injured;

Whereas, according to the United Nations and the International Organization for Migration an estimated 3,000,000 people, or nearly 1/3 of the population of Haiti were directly affected by the disaster, and an estimated 1,500,000 people were displaced from their homes;

Whereas a Post Disaster Needs Assessment conducted by the Government of Haiti, the United Nations, the World Bank, the Inter-American Development Bank, and other experts, estimated that damage and economic losses totaled \$7,800,000,000, which amounted to approximately 120 percent of the gross domestic product of Haiti in 2009;

Whereas the response of the United States Government, led by the United States Agency for International Development and United States Southern Command, was swift and resolute;

Whereas individuals, businesses, and philanthropic organizations throughout the United States and the international community responded to the crisis by supporting Haiti and its people through innovative

ways, such as fundraising through text messaging;

Whereas the Haitian diaspora in the United States was integral to emergency relief efforts and continues to make significant financial contributions to Haiti and seeks opportunities to participate in the rebuilding of Haiti;

Whereas the International Organization for Migration estimates that approximately 550,000 people remain in spontaneous and organized camps in Haiti;

Whereas, at the time of the January 2010 earthquake, Haiti was the poorest, least developed country in the Western Hemisphere, and more than 70 percent of the population in Haiti lived on less than \$2 per day;

Whereas, before the earthquake, Haiti was making encouraging improvement in recovering from a catastrophic series of hurricanes and tropical storms, food shortages, rising commodity prices, and political instability;

Whereas, in January 21, 2010, the Senate adopted by unanimous consent Senate Resolution 392 (111th Congress), expressing its profound sympathy and unwavering support for the people of Haiti and urging all nations to commit to assisting the people of Haiti with their long-term needs;

Whereas, on October 19, 2010, an outbreak of cholera was detected in the lower Artibonite region of Haiti, which according to the Haitian Ministry of Public Health and Population had affected more than 500,000

people and caused the death of more than 6,700 people nationwide by November 30, 2011;

Whereas, as of December 2011, the United States Government had provided technical assistance and contributed more than \$73,000,000 in purified drinking water, soap, and oral rehydration salts to combat the spread of cholera in Haiti; and

Whereas, since the January 12, 2010, earthquake, the people of Haiti have demonstrated unwavering resilience, dignity, and courage: Now, therefore, be it

Resolved, That the Senate—

(1) mourns the loss of lives as a result of the tragic earthquake in Haiti on January 12, 2010;

(2) honors the service of United States personnel in the United States Embassy in Port-au-Prince, the United States Coast Guard, United States Armed Forces, and other United States Government agencies, and all members of international organizations who have persevered through adverse local conditions and continue to serve Haiti and the Haitian people;

(3) reaffirms its solidarity with the people of Haiti as they work to rebuild their country and livelihoods;

(4) reaffirms its commitment to support the people of Haiti, in partnership with the Government of Haiti and in coordination with other donors, in long-term reconstruction;

(5) urges the United States Government, international donors, and non-governmental

organizations in Haiti to work in full partnership with authorities, civil society, and the private sector in Haiti and to prioritize sustainable projects with greater opportunity for capacity building; and

(6) encourages the United States Government, the Government of Haiti, and international donors—

(A) to give priority to policies that would enhance the ability of the Government of Haiti to attract private sector investment and meaningful diaspora participation, including judicial reform, civil registry, enterprise fund, and land tenure reform;

(B) to develop, improve, and scale-up communications and participatory mechanisms to more substantially involve civil society in Haiti at all stages of the cholera and post-earthquake responses; and

(C) to give priority to programs that protect and involve vulnerable populations, including internally displaced persons, children, and persons with disabilities.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Nora Goebelbecker, a member of my staff, be granted floor privileges for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN TRAVEL FINANCIAL REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following reports for standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Teri Spoutz:									
United Kingdom	Pound		1,433.42						1,433.42
United States	Dollar				10,980.20				10,980.20
Erik Raven:									
United Kingdom	Pound		1,433.42						1,433.42
United States	Dollar				10,980.20				10,980.20
Brian Potts:									
Lebanon	Pound		394.00						394.00
Tunisia	Dinar		693.00						693.00
United States	Dollar				11,011.20				11,011.20
Gary Reese:									
Tunisia	Dinar		693.00						693.00
Lebanon	Pound		394.00						394.00
United States	Dollar				11,011.20				11,011.20
Total			5,040.84		43,982.80				49,023.64

DANIEL INOUIE,
Chairman, Committee on Appropriations, Jan. 17, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John McCain:									
United States	Dollar				10,308.30				10,308.30
Jordan	Dollar		96.00						96.00
Qatar	Dollar		37.50						37.50
United Arab Emirates	Dollar		143.00						143.00
Senator Jack Reed:									
United States	Dollar				11,891.90				11,891.90
Pakistan	Dollar		13.00						13.00
Carolyn Chuhita:									
United States	Dollar				11,856.90				11,856.90
Afghanistan	Dollar		5.00						5.00
Pakistan	Dollar		15.00						15.00
Paul C. Hutton IV:									
United States	Dollar				12,489.60				12,489.60
Belgium	Euro		149.82						149.82

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Spain	Euro		480.84						480.84
Italy	Euro		420.84						420.84
United Kingdom	Pound		497.85						497.85
Daniel A. Lerner:									
United States	Dollar				9,295.20				9,295.20
Belgium	Dollar		556.05						556.05
Germany	Dollar		530.00						530.00
William K. Sutey:									
United States	Dollar				12,375.10				12,375.10
Belgium	Euro		625.32						625.32
Spain	Euro		128.18						128.18
Italy	Euro		136.03						136.03
England	Pound		878.60						878.60
Jason W. Maroney:									
United States	Dollar				12,375.10				12,375.10
Belgium	Dollar		558.54						558.54
Spain	Dollar		175.18						175.18
Italy	Dollar		155.48						155.48
England	Dollar		871.60						871.60
Senator Mark Udall:									
United States	Dollar				11,891.00				11,891.00
Christopher R. Howard:									
United States	Dollar				11,891.00				11,891.00
Adam J. Barker:									
United States	Dollar				9,235.80				9,235.80
Saudi Arabia	Dollar		1,237.00						1,237.00
Yemen	Dollar		147.00						147.00
Bahrain	Dollar		736.00						736.00
Michael J. Kuiken:									
United States	Dollar				9,406.00				9,406.00
Saudi Arabia	Rial		1,141.00						1,141.00
Yemen	Rial		174.00						174.00
Bahrain	Dinar		619.00						619.00
Michael J. Nobilet:									
United States	Dollar		40.00		11,381.00				11,421.00
Yemen	Rial		87.00						87.00
Bahrain	Dinar		557.00						557.00
Senator Jeanne Shaheen:									
Canada	Dollar		95.76						95.76
United States	Dollar		1,402.08						1,402.08
Chad Kreikemeier:									
Canada	Dollar		114.37						114.37
Senator James Inhofe:									
Senegal	Franc		61.43						61.43
Ethiopia	Birr		39.44						39.44
United Arab Emirates	Dirham		62.48						62.48
United Kingdom	Pound		122.92						122.92
Mark Powers:									
Senegal	Franc		61.43						61.43
Ethiopia	Birr		16.86						16.86
United Arab Emirates	Dirham		151.94						151.94
United Kingdom	Pound		49.46						49.46
Anthony Lazarski:									
Senegal	Franc		61.43						61.43
Ethiopia	Birr		84.37						84.37
United Arab Emirates	Dirham		118.23						118.23
United Kingdom	Pound		86.13						86.13
Senator Mark Udall:									
Canada	Dollar		340.00						340.00
Christopher R. Howard:									
Canada	Dollar		340.00						340.00
Richard W. Fieldhouse:									
United States	Dollar				9,405.00				9,405.00
Belgium	Euro		162.00			360.00			522.00
Germany	Euro		193.00			410.00			603.00
William G.P. Monahan:									
United States	Dollar				12,496.10				12,496.10
Belgium	Dollar		549.64						549.64
Spain	Dollar		125.18						125.18
Italy	Dollar		115.48						115.48
England	Dollar		885.93						885.93
Christian D. Brose:									
United States	Dollar		12,268.30						12,268.30
Jordan	Dollar		149.00						149.00
Qatar	Dollar		133.00						133.00
United Arab Emirates	Dollar		177.00						177.00
Canada	Dollar		340.00						340.00
Senator John McCain:									
Canada	Dollar		152.80						152.80
Total			28,269.41		157,700.08	770.00			186,739.49

CARL LEVIN,
Chairman, Committee on Armed Services, Dec. 22, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Boozman:									
Senegal	Franc		40.00						40.00
Ethiopia	Birr		25.00						25.00
United Arab Emirates	Dirham		26.88						26.88
United Kingdom	Pound		162.07						162.07
Total			253.95						253.95

JOHN D. ROCKEFELLER IV,
Chairman, Committee on Commerce, Science, and Transportation,
Jan. 24, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON ENERGY AND NATURAL RESOURCES FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Tara Billingsley:									
United States	Dollar				1,902.60				1,902.60
Belgium	Euro		1,439.29						1,439.29
Kevin Rennert:									
United States	Dollar				5,170.40				5,170.40
South Africa	Rand		770.14						770.14
Total			2,209.43		7,073.00				9,282.43

JEFF BINGAMAN,
Chairman, Committee on Energy & Natural Resources, Jan. 30, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Paul Ordal:									
United States	Dollar				8,473.40				8,473.40
South Africa	Rand		576.00						576.00
Total			576.00		8,473.40				9,049.40

BARBARA BOXER,
Chairman, Committee on Environment & Public Works, Jan. 25, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Bruce Hirsh:									
Switzerland	Franc		2,329.97						2,329.97
United States	Dollar				1,852.15				1,852.15
Gregory Kalbaugh:									
Switzerland	Franc		2,315.98						2,315.98
United States	Dollar				1,868.40				1,868.40
Chelsea Thomas:									
Switzerland	Franc		1,800.06						1,800.06
United States	Dollar				1,951.30				1,951.30
Rebecca Nasca:									
Switzerland	Franc		1,811.79						1,811.79
United States	Dollar				1,932.30				1,932.30
Delegation Expenses: ¹									
United States	Dollar					3,963.32			3,963.32
Total			8,257.80		7,604.15		3,963.32		19,825.27

¹ Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

MAX BAUCUS,
Chairman, Committee on Finance, Jan. 20, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Barrasso:									
Germany	Dollar		336.69						336.69
United States	Dollar				11,028.80				11,028.80
Senator John Kerry:									
Egypt	Pound		395.75		15.00				410.75
United States	Dollar				12,673.30				12,673.30
Perry Cammack:									
Egypt	Dollar		450.78		15.00				465.78
United States	Dollar				13,904.10				13,904.10
William Danvers:									
Egypt	Dollar		374.80		15.00				389.80
United States	Dollar				10,441.40				10,441.40
Patrick Garvey:									
Jordan	Dollar		152.00						152.00
United States	Dollar				12,218.90				12,218.90
Andrew Imbrie:									
Tajikistan	Somoni		1,369.37						1,369.37
Kazakhstan	Tenge		345.00						345.00
Uzbekistan	Som		288.00						288.00
Kyrgyzstan	Som		60.00						60.00
United States	Dollar				12,384.30				12,384.30
Robin Lerner:									
Egypt	Pound		1,335.00						1,335.00
United States	Dollar				4,330.10				4,330.10
Thomas Moore:									
United Kingdom	Pound		2,088.44						2,088.44
United States	Dollar				1,381.10				1,381.10
Turkey	Lira		708.00						708.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Romania	Lei		403.00						403.00
Poland	Zloty		920.90						920.90
Belgium	Euro		1,488.00						1,488.00
United States	Dollar				11,742.60				11,742.60
Melanie Nakagawa:									
South Africa	Rand		1,862.00						1,862.00
United States	Dollar				5,308.90				5,308.90
Panama	Dollar		965.00						965.00
United States	Dollar				795.10				795.10
Marik String:									
Turkey	Lira		708.00						708.00
Romania	Lei		403.00						403.00
Poland	Zloty		735.40						735.40
Belgium	Euro		1,610.00						1,610.00
United States	Dollar				10,398.40				10,398.40
Fatema Sumar:									
Tajikistan	Somoni		1,192.00						1,192.00
Kazakhstan	Tenge		335.00						335.00
Uzbekistan	Som		225.00						225.00
Kyrgyzstan	Som		314.00						314.00
United States	Dollar				12,384.30				12,384.30
Anthony Wier:									
Egypt	Dollar		214.00						214.00
United States	Dollar				8,302.10				8,302.10
Charles Ziegler:									
Germany	Euro		314.69						314.69
United States	Dollar				9,191.80				9,191.80
Total			19,593.82		136,530.20		0.00		156,124.02

JOHN KERRY,
Chairman, Committee on Foreign Relations, Jan. 25, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Randall Bookout			2,506.00						2,506.00
Paul Matulic	Dollar				8,977.80				8,977.80
Jennifer Barrett	Dollar		2,471.00		8,977.80				2,471.00
Senator Saxby Chambliss			45.00						45.00
Senator Richard Burr	Dollar		143.00		14,493.70				143.00
Martha Scott Poindexter	Dollar		143.00		14,493.70				143.00
Tyler Stephens	Dollar		429.00		13,459.70				429.00
James Smythers	Dollar		429.00		13,459.70				429.00
Jennifer Barrett	Dollar		374.00		13,459.70				374.00
Richard Girven	Dollar		617.00		20,221.70				617.00
Christian Cook	Dollar		693.00		20,221.70				693.00
Michael Pevzner	Dollar		713.00		20,186.70				713.00
Jamal Ware	Dollar		697.00		11,088.60				697.00
Ryan Tully	Dollar		757.00		11,123.60				757.00
Tyler Stephens	Dollar		787.00		11,123.60				787.00
Brian Miller	Dollar		743.00		14,026.40				743.00
Neal Higgins	Dollar		863.00		14,026.40				863.00
Jennifer Barrett	Dollar		613.00		14,016.40				613.00
Paul Matulic	Dollar		128.95		14,016.40				128.95
Total			429.00		13,459.70				429.00
Total			13,580.95		236,816.90				250,397.85

DIANNE FEINSTEIN,
Chairman, Committee on Intelligence, Jan. 3, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON HOMELAND SECURITY & GOVERNMENTAL AFFAIRS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Susan M. Collins:									
United States	Dollar				14,615.40				14,615.40
Jordan			595.95						595.95
Ryan Kaldahl:									
United States	Dollar				14,892.40				14,892.40
Jordan			677.00						677.00
Delegation Expenses: ¹									
Jordan						544.75			544.75

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON HOMELAND SECURITY & GOVERNMENTAL AFFAIRS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Total			1,272.95		29,507.80		544.75		32,278.20

¹ Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

JOSEPH I. LIEBERMAN,
Chairman, Committee on Homeland Security & Governmental Affairs,
Feb. 2, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
David Johns:									
Austria	Euro		1,705.54		99.46				1,805.00
United States	Dollar				1,567.50				1,567.50
Senator Tom Harkin:									
Ghana	Cedi		1,047.00						1,047.00
United States	Dollar				7,873.10				7,873.10
Thomas Buttry:									
Ghana	Cedi		977.68						977.68
United States	Dollar				7,873.10				7,873.10
Delegation Expenses: ¹									
Ghana	Cedi				473.00		1,626.00		2,099.00
Total			3,730.22		17,886.16		1,626.00		23,242.38

¹ Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

TOM HARKIN,
Chairman, Committee on Health, Education, Labor, and Pensions,
Jan. 25, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Mary L. Landrieu:									
Israel	Dollar		1,402.00						1,402.00
United States	Dollar				7,971.95				7,971.95
David Gillers:									
Israel	Dollar		2,364.00						2,364.00
United States	Dollar				4,077.25				4,077.25
T. Bradley Keith:									
Israel	Dollar		2,175.00						2,175.00
United States	Dollar				9,219.95				9,219.95
Delegation Expenses: ¹									
Israel	Dollar						10,337.13		10,337.13
Total			5,941.00		21,269.15		10,337.13		37,547.28

¹ Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

MARY LANDRIEU,
Chairman, Committee on Small Business and Entrepreneurship,
Feb. 2, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE—ADDENDUM TO 3RD QUARTER 2011 FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Roy Blunt	Dollar		616.00		4,326.05				4,942.05
Total			616.00		4,326.05		0.00		4,942.05

DIANNE FEINSTEIN,
Chairman, Committee on Intelligence, Jan. 3, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Fred Turner:									
Croatia	Kuna		1,043.00						1,043.00
United States	Dollar				8,053.50				8,053.50

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95—384—22
U.S.C. 1754(b), COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Lithuania	Litas		515.00						515.00
United States	Dollar				2,478.90				2,478.90
Total			1,558.00		10,532.40				12,090.40

BENJAMIN CARDIN,
Chairman, Commission on Security and Cooperation in Europe,
Jan. 23, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95—384—22
U.S.C. 1754(b), MAJORITY LEADER FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Thomas Ross:									
United States	Dollar				9,201.00				9,201.00
Saudi Arabia	Riyal		933.00						933.00
Yemen	Rial		239.00						239.00
Bahrain	Dinar		578.40						578.40
Christopher Miller:									
United States	Dollar						35.00		35.00
South Africa	Rand		418.67						418.67
Total			2,169.07		9,201.00		35.00		11,405.07

HARRY REID,
Chairman, Majority Leader, Jan. 25, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95—384—22
U.S.C. 1754(b), REPUBLICAN LEADER FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Thomas Hawkins:									
United States	Dollar				13,459.70				13,459.70
United Arab Emirates	Dirham		437.06						437.06
Total			437.06		13,459.70				13,896.76

MITCH MCCONNELL,
Chairman, Republican Leader, Dec. 21, 2011.

THE CALENDAR

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to the following items en bloc: Calendar No. 234, S. 1794, and Calendar No. 235, H.R. 347.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Madam President, I ask unanimous consent that the committee-reported amendments to each bill be agreed to en bloc; that both bills, as amended, be read a third time and passed en bloc; that the motions to reconsider be laid upon the table, with no intervening action or debate; and that any statements related to the bills be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL RESTRICTED BUILDINGS AND GROUNDS IMPROVEMENT ACT OF 2011

The Senate proceeded to consider the bill (S. 1794) to correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code, which had been reported from the Committee on the

Judiciary, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

S. 1794

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Restricted Buildings and Grounds Improvement Act of 2011”.

SEC. 2. RESTRICTED BUILDING OR GROUNDS.

Section 1752 of title 18, United States Code, is amended to read as follows:

“§ 1752. Restricted building or grounds

“(a) Whoever—

“(1) knowingly enters or remains in any restricted building or grounds without lawful authority to do so;

“(2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engages in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions;

“(3) knowingly, and with the intent to impede or disrupt the orderly conduct of Government business or official functions, ob-

structs or impedes ingress or egress to or from any restricted building or grounds; or

“(4) knowingly engages in any act of physical violence against any person or property in any restricted building or grounds;

or attempts or conspires to do so, shall be punished as provided in subsection (b).

“(b) The punishment for a violation of subsection (a) is—

“(1) a fine under this title or imprisonment for not more than 10 years, or both, if—

“(A) [any] the person, during and in relation to the offense, uses or carries a deadly or dangerous weapon or firearm; or

“(B) the offense results in significant bodily injury as defined by section 2118(e)(3); and

“(2) a fine under this title or imprisonment for not more than one year, or both, in any other case.

“(c) In this section—

“(1) the term ‘restricted buildings or grounds’ means any posted, cordoned off, or otherwise restricted area—

“(A) of the White House or its grounds, or the Vice President’s official residence or its grounds;

“(B) of a building or grounds where the President or other person protected by the Secret Service is or will be temporarily visiting; or

“(C) of a building or grounds so restricted in conjunction with an event designated as a special event of national significance; and

“(2) the term ‘other person protected by the Secret Service’ means any person whom

the United States Secret Service is authorized to protect under section 3056 of this title when such person has not declined such protection.”.]

“(2) the term ‘other person protected by the Secret Service’ means any person whom the United States Secret Service is authorized to protect under section 3056 of this title or by Presidential memorandum, when such person has not declined such protection.”.

The committee-reported amendments were agreed to.

The bill (S. 1794), as amended, was engrossed for a third reading, was read the third time, and passed, as follows:

FEDERAL RESTRICTED BUILDINGS AND GROUNDS IMPROVEMENT ACT OF 2011

The Senate proceeded to consider the bill (H.R. 347) to correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Restricted Buildings and Grounds Improvement Act of 2011”.

SEC. 2. RESTRICTED BUILDING OR GROUNDS.

Section 1752 of title 18, United States Code, is amended to read as follows:

“§ 1752. Restricted building or grounds

“(a) Whoever—

“(1) knowingly enters or remains in any restricted building or grounds without lawful authority to do so;

“(2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engages in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions;

“(3) knowingly, and with the intent to impede or disrupt the orderly conduct of Government business or official functions, obstructs or impedes ingress or egress to or from any restricted building or grounds; or

“(4) knowingly engages in any act of physical violence against any person or property in any restricted building or grounds; or attempts or conspires to do so, shall be punished as provided in subsection (b).

“(b) The punishment for a violation of subsection (a) is—

“(1) a fine under this title or imprisonment for not more than 10 years, or both, if—

“(A) the person, during and in relation to the offense, uses or carries a deadly or dangerous weapon or firearm; or

“(B) the offense results in significant bodily injury as defined by section 2118(e)(3); and

“(2) a fine under this title or imprisonment for not more than one year, or both, in any other case.

“(c) In this section—

“(1) the term ‘restricted buildings or grounds’ means any posted, cordoned off, or otherwise restricted area—

“(A) of the White House or its grounds, or the Vice President’s official residence or its grounds;

“(B) of a building or grounds where the President or other person protected by the Secret Service is or will be temporarily visiting; or

“(C) of a building or grounds so restricted in conjunction with an event designated as a special event of national significance; and

“(2) the term ‘other person protected by the Secret Service’ means any person whom the United States Secret Service is authorized to protect under section 3056 of this title or by Presidential memorandum, when such person has not declined such protection.”.

The committee amendment in the nature of a substitute was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 347) was read the third time and passed.

ANNIVERSARY OF THE TRAGIC EARTHQUAKE IN HAITI

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to S. Res. 368, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 368) recognizing the anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives in the earthquake, and expressing continued solidarity with the people of Haiti.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table; that there be no intervening action or debate; and that any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 368) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 368

Whereas, on January 12, 2010, an earthquake measuring 7.0 on the Richter scale struck the country of Haiti;

Whereas, according to the United States Geological Survey, the epicenter of the earthquake was located approximately 15 miles southwest of Port-au-Prince, the capital of Haiti;

Whereas, according to the Government of Haiti, more than 220,000 people died as a result of the earthquake, and more than 300,000 people were injured;

Whereas, according to the United Nations and the International Organization for Migration an estimated 3,000,000 people, or nearly 1/3 of the population of Haiti were directly affected by the disaster, and an estimated 1,500,000 people were displaced from their homes;

Whereas a Post Disaster Needs Assessment conducted by the Government of Haiti, the United Nations, the World Bank, the Inter-American Development Bank, and other experts, estimated that damage and economic losses totaled \$7,800,000,000, which amounted to approximately 120 percent of the gross domestic product of Haiti in 2009;

Whereas the response of the United States Government, led by the United States Agency for International Development and United States Southern Command, was swift and resolute;

Whereas individuals, businesses, and philanthropic organizations throughout the

United States and the international community responded to the crisis by supporting Haiti and its people through innovative ways, such as fundraising through text messaging;

Whereas the Haitian diaspora in the United States was integral to emergency relief efforts and continues to make significant financial contributions to Haiti and seeks opportunities to participate in the rebuilding of Haiti;

Whereas the International Organization for Migration estimates that approximately 550,000 people remain in spontaneous and organized camps in Haiti;

Whereas, at the time of the January 2010 earthquake, Haiti was the poorest, least developed country in the Western Hemisphere, and more than 70 percent of the population in Haiti lived on less than \$2 per day;

Whereas, before the earthquake, Haiti was making encouraging improvement in recovering from a catastrophic series of hurricanes and tropical storms, food shortages, rising commodity prices, and political instability;

Whereas, in January 21, 2010, the Senate adopted by unanimous consent Senate Resolution 392 (111th Congress), expressing its profound sympathy and unwavering support for the people of Haiti and urging all nations to commit to assisting the people of Haiti with their long-term needs;

Whereas, on October 19, 2010, an outbreak of cholera was detected in the lower Artibonite region of Haiti, which according to the Haitian Ministry of Public Health and Population had affected more than 500,000 people and caused the death of more than 6,700 people nationwide by November 30, 2011;

Whereas, as of December 2011, the United States Government had provided technical assistance and contributed more than \$73,000,000 in purified drinking water, soap, and oral rehydration salts to combat the spread of cholera in Haiti; and

Whereas, since the January 12, 2010, earthquake, the people of Haiti have demonstrated unwavering resilience, dignity, and courage: Now, therefore, be it

Resolved, That the Senate—

(1) mourns the loss of lives as a result of the tragic earthquake in Haiti on January 12, 2010;

(2) honors the service of United States personnel in the United States Embassy in Port-au-Prince, the United States Coast Guard, United States Armed Forces, and other United States Government agencies, and all members of international organizations who have persevered through adverse local conditions and continue to serve Haiti and the Haitian people;

(3) reaffirms its solidarity with the people of Haiti as they work to rebuild their country and livelihoods;

(4) reaffirms its commitment to support the people of Haiti, in partnership with the Government of Haiti and in coordination with other donors, in long-term reconstruction;

(5) urges the United States Government, international donors, and non-governmental organizations in Haiti to work in full partnership with authorities, civil society, and the private sector in Haiti and to prioritize sustainable projects with greater opportunity for capacity building; and

(6) encourages the United States Government, the Government of Haiti, and international donors—

(A) to give priority to policies that would enhance the ability of the Government of Haiti to attract private sector investment and meaningful diaspora participation, including judicial reform, civil registry, enterprise fund, and land tenure reform;

(B) to develop, improve, and scale-up communications and participatory mechanisms to more substantially involve civil society in Haiti at all stages of the cholera and post-earthquake responses; and

(C) to give priority to programs that protect and involve vulnerable populations, including internally displaced persons, children, and persons with disabilities.

ORDERS FOR TUESDAY, FEBRUARY 7, 2012

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate adjourn until 10 a.m. on Tuesday, February 7, 2012; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks the Senate be in a period of morning business until 12:30 p.m., 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 30 minutes and the majority controlling the second 30 minutes; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DURBIN. Madam President, we hope to begin consideration of the surface transportation bill tomorrow.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DURBIN. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate at 6:29 p.m., adjourned until Tuesday, February 7, 2012, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

FEDERAL DEPOSIT INSURANCE CORPORATION

JEREMIAH O'HEAR NORTON, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION FOR THE REMAINDER OF THE TERM EXPIRING JULY 15, 2013, VICE SHEILA C. BAIR, RESIGNED.

FEDERAL ENERGY REGULATORY COMMISSION

JOHN ROBERT NORRIS, OF IOWA, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE TERM EXPIRING JUNE 30, 2017. (REAPPOINTMENT)

DEPARTMENT OF THE INTERIOR

MARCILYNN A. BURKE, OF NORTH CAROLINA, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR, VICE WILMA A. LEWIS, RESIGNED.

EXECUTIVE OFFICE OF THE PRESIDENT

JOSEPH G. JORDAN, OF MASSACHUSETTS, TO BE ADMINISTRATOR FOR FEDERAL PROCUREMENT POLICY, VICE DANIEL I. GORDON.

DEPARTMENT OF JUSTICE

WILLIAM JOSEPH BAER, OF MARYLAND, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE CHRISTINE ANNE VARNEY.

DEPARTMENT OF DEFENSE

HEIDI SHYU, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF THE ARMY, VICE MALCOLM ROSS O'NEILL, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. JANET C. WOLFENBARGER

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

BRIG. GEN. CRAIG A. BUGNO

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. TIMOTHY A. REISCH

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. GREGORY A. LUSK

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. JOHN DINAPOLI

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COLONEL PATRICIA M. ANSLOW

COLONEL JOSE R. ATENCIO III
COLONEL WILLIAM E. BARTHELD
COLONEL JEFFREY M. BREOR
COLONEL MICHAEL R. BRESNAHAN
COLONEL JOHN A. BYRD
COLONEL SYLVESTER CANNON
COLONEL WILLIAM J. COFFIN
COLONEL BENJAMIN J. CORELL
COLONEL KURT S. CRYTZER
COLONEL RONALD J. CZMOWSKI
COLONEL REX E. DUNCAN
COLONEL GERALD L. DUNLAP
COLONEL JOHN M. EPPERLY
COLONEL JAMES C. ERNST
COLONEL JOHN A. GOODALE
COLONEL TIMOTHY E. GOWEN
COLONEL PAUL C. HASTINGS
COLONEL PERCY G. HURTADO II
COLONEL JON A. JENSEN
COLONEL CRAIG D. JOHNSON
COLONEL MARIA E. KELLY
COLONEL ERIC D. KERSKA
COLONEL KENNETH A. KOON
COLONEL WILLIAM J. LIEDER
COLONEL ROY V. MCCARTY
COLONEL FRANKLIN C. MCCAULEY, JR.
COLONEL DARLENE A. MCCURDY
COLONEL DAVID J. MEDEIROS
COLONEL WALTER L. MERCER
COLONEL ALLEN L. MEYER
COLONEL MARK J. MICHIE
COLONEL RICHARD G. MILLER
COLONEL ROBERT A. MOORE
COLONEL JOHN R. MOSHER
COLONEL DAVID W. OSBORN
COLONEL PHILLIP M. OWENS
COLONEL GREGORY C. PORTER
COLONEL VON C. PRESNELL
COLONEL PHILIP T. PUGLIESE
COLONEL JESSIE R. ROBINSON
COLONEL PAUL F. RUSSELL
COLONEL TRACY L. SETTLE
COLONEL DAVID P. SHERIDAN
COLONEL HOPPER T. SMITH
COLONEL MICHAEL D. TURELLO
COLONEL DANIEL VAZQUEZ-ROSA
COLONEL TIMOTHY J. WOJTECKI
COLONEL MICHAEL R. ZERBONIA

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIGADIER GENERAL ROBBIE L. ASHER
BRIGADIER GENERAL GLENN A. BRAMHALL
BRIGADIER GENERAL SCOTT E. CHAMBERS
BRIGADIER GENERAL ALAN S. DOHRMANN
BRIGADIER GENERAL STEVEN W. DUFF
BRIGADIER GENERAL WILLIAM L. GLASGOW
BRIGADIER GENERAL WILTON S. GORSKE

BRIGADIER GENERAL LAWRENCE A. HASKINS
BRIGADIER GENERAL PETER C. HINZ
BRIGADIER GENERAL DAVID F. IRWIN
BRIGADIER GENERAL THEODORE D. JOHNSON
BRIGADIER GENERAL HARRY E. MILLER, JR.
BRIGADIER GENERAL RENWICK L. PAYNE
BRIGADIER GENERAL JOSEPH M. RICHIE
BRIGADIER GENERAL JAMES M. ROBINSON
BRIGADIER GENERAL STEPHEN G. SANDERS
BRIGADIER GENERAL MICHAEL C. SWEZEY
BRIGADIER GENERAL SCOTT L. THOELE
BRIGADIER GENERAL JAMES H. TROGDON III
BRIGADIER GENERAL CHARLES W. WHITTINGTON, JR.

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COLONEL JOHN C. HARRIS, JR.
COLONEL GREGORY D. MASON
COLONEL DANA L. MCDANIEL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

KEITH J. ANDREWS
MATTHEW D. ATKINS
JEFFREY P. BARTELS
MARK E. BEALS
DONALD C. BICKEL
CARL E. BOWMAN JAMISON, JR.
JAMES P. BRECKENRIDGE
STEVEN D. BRYANT
TERRELL L. BYRD
MATTHEW A. CASSADY
SIMON J. CHANG
GREGORY J. CHENEY
MARTIN S. CHO
TIMOTHY G. CROSS
RANDALL P. CURRY
STEPHEN L. DICKS
TIMOTHY E. FARY
JAMES F. FISHER, JR.
JOSHUA J. GILLIAM
CHRISTIAN L. GOZA
PAUL A. HALLADAY
LEE G. HARMS
KENNETH D. HARRIS
RUSTON L. HILL
CRAIG P. HONBARGER
JOHN D. HUBBS
DANIEL D. KANG
JAMES N. KLINE
FELIX K. KUMAI
ERIC W. LEETCH
JASON R. LORENZEN
HERMES G. LOSBANES
CRAIG R. LUDWIG
JEFFERY MASENGALE
MIJIKAI MASON
BRANDON R. MOORE
CLIFFORD F. NEUMAN
ANDREW J. NIX
KURT A. O'DONNELL
GEORGE L. OKOTH
ISAAC M. OPARA
CARL W. OTIS
JAY S. OUTEN
SOHHWAN PARK
WILLIAM D. PAYTON
CARL M. PHILLIPS
JENNIFER J. ROGERS COOPER
JOHN M. SEDWICK
THOMAS R. STRONG
KYLE A. TAYLOR
BRIAN M. TUNG
CHRISTOPHER W. WALLACE
DOUGLAS W. WEAVER

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

WALLACE S. BONDS
DAVID P. CHASE
KEVIN M. EDWARDS
JAMES H. TREECE

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

DANIEL P. BORDELON
BRADLEY J. COX
RHODA K. DANIEL
JOHN M. PISHBURN
BRENT A. JOHNSON
MICHELLE M. ROSE

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JAMES GILFORD III

EXTENSIONS OF REMARKS

FISCAL RESPONSIBILITY AND RETIREMENT SECURITY ACT OF 2011

SPEECH OF

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2012

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 1173) to repeal the CLASS programs:

Ms. RICHARDSON. Madam Chair, I rise in strong opposition to H.R. 1173, a bill that would repeal the Community Living Assistance Services and Supports program (CLASS). Instead of repealing the CLASS Act and leaving millions of Americans in need of long-term care with the status quo, Congress should be working together to improve the program.

Madam Chair, the CLASS program was designed to provide Americans with a voluntary long-term care insurance program that would make long-term care more affordable and accessible. Statistics show that there are currently over 10 million Americans in need of long-term care; by 2020, that number is expected to grow to 15 million. We have an obligation to ensure that those in need of long-term care have affordable options available to them.

The United States is facing a long-term care crisis. With the Nation's baby boomers nearing retirement, we can expect to see the number of seniors in need of long-term care to rise in the coming years. Due to the high costs of obtaining long-term support services, it is estimated that there are 52 million unpaid caregivers—mostly relatives of those in need—providing long-term care in the home.

In my district, there are over 115,000 seniors and 12,557 residents collecting Social Security disability insurance—most of whom will most likely need long-term care services at some point in their lifetime. In addition, there are 85,444 of my constituents who are nearing retirement age and would benefit from the peace of mind of having insurance coverage for long-term care.

Each year, families pay more than \$50 billion out-of-pocket to provide long-term support services to loved ones. Many of these families are already hard-pressed financially, but do not have any other options available to them. Working to fix the CLASS program will provide working adults a national, voluntary, and premium-financed insurance program for the purchase of long-term care services and supports. Instead of working to fix the CLASS Act, the Republican majority is trying to repeal this important program in its entirety.

Madam Chair, it is estimated that about 70 percent of people over 65 will require long-term care services at some point during their lifetime. Medicare covers only minimal long-term care services such as short-term skilled nursing care and limited home health services.

Medicaid now accounts for nearly 50 percent of all long-term care spending nationwide.

Unfortunately, Americans wishing to utilize Medicaid for long-term care services must impoverish themselves in order to qualify. In many cases, families are left with no choice but Medicaid after they are forced to spend down their income and assets to pay for costly long-term care services.

Insurance policies in the private market which cover long-term care services are often too expensive for most Americans, and currently pay for only about 7 percent of spending on long-term care. Approximately only nine percent of Americans aged 50 or older have private insurance policies that cover long-term care services. The CLASS Act seeks to address the lack of available coverage by making long-term care services more accessible and affordable for working families.

The CLASS Act provides a framework with which to build a viable long-term care program. Repealing this much needed program brings us back to square one in our effort to provide working families with a national insurance program that enables them to plan for their long-term care needs.

Madam Chair, this is just another GOP attempt to dismantle the Affordable Care Act one piece at a time. The American people deserve better and Congress needs to work together to ensure that Americans of all income levels have access to long-term care services in the event that they become necessary.

Madam Chair, I urge my colleagues to vote against passage of this misguided legislation that simply ignores the need to address our Nation's long-term care crisis.

AMBASSADOR SULEYMANOV OF THE REPUBLIC OF AZERBAIJAN

HON. DAN BOREN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 2012

Mr. BOREN. Mr. Speaker, I rise today to congratulate and welcome to Washington, DC Ambassador Elin Suleymanov of the Republic of Azerbaijan. On January 18 Ambassador Suleymanov presented his credentials to President Obama.

Ambassador Suleymanov has a distinguished diplomatic career. Prior to his appointment as Ambassador, Mr. Suleymanov served as Azerbaijan's first Consul General in Los Angeles.

While Azerbaijan has a new Ambassador to the United States, I bring to my colleague's attention that once again Azerbaijan lacks an Ambassador from the United States. After over a year of vacancy, President Obama nominated Matthew Bryza as Ambassador. After a stalled confirmation process President Obama appointed Matthew Bryza to the position in 2010. Unfortunately he was not given the opportunity for a confirmation vote in the Senate and has recently returned to the U.S.

Azerbaijan is a key strategic partner to the U.S. by providing an important transportation

route for supplies to our troops in Afghanistan and transit of Caspian oil and gas to the Mediterranean via the BTC pipeline. The relationship between the U.S. and Azerbaijan is too important not to have an Ambassador in place. As one of our few predominantly Muslim allies we must do what is right.

I encourage my colleagues to urge the Administration to nominate a new Ambassador to Azerbaijan and ask the Senate to act in the best interest of our national security and have an expeditious confirmation vote.

A TRIBUTE TO NIALL O'SHEA AND THE UNI-CAPITOL WASHINGTON INTERNSHIP PROGRAM

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 2012

Mr. COURTNEY. Mr. Speaker, for decades the United States has worked closely with Australia on issues of great importance to our two nations. Australia has stood out among the international community as a friend of the United States and remains one of our closest allies today. Thirteen years ago, a program was launched to place Australian students in offices in our Nation's Capital. Since that time, the Uni-Capitol Washington Internship Program has delivered to the United States some of Australia's best and brightest to serve as interns in a variety of federal agencies, congressional offices and committees.

When the opportunity arose again to participate in the Uni-Capitol Washington Internship Program, I immediately agreed to welcome another Australian "ambassador." This is my third time hosting an intern from the program, and once again my office and I have been pleased with the positive contributions of Niall O'Shea, who was placed in our office. He has attended meetings and briefings, assisted my staff with various research initiatives, and helped serve my constituents of the Second District of Connecticut. His impeccable and clipped Australian accent is a real treat for visitors and callers from Connecticut whom he has interacted with. Niall's participation in this program has provided him with new opportunities and experiences that only the Uni-Capitol Washington Internship Program could provide. While in the program Niall has attended events at the Australian Embassy and listened to speakers from the State Department. A well-rounded college student, Niall will be receiving a dual Bachelor degree in law and art when he graduates from the University of Western Australia.

Many of my colleagues have also been privileged to welcome students like Niall to their offices. This year, 12 students from all across Australia are serving in offices in Washington, helping foster a new generation of understanding and shared experiences between our two nations. Launched by former Congressional staffer Eric Federing, The Uni-Capitol

• 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.

Washington Internship program has now delivered 130 Australian student interns over the past 13 years.

Mr. Speaker, I would encourage all of my colleagues to open their doors to students from around the world so that they can share in our great democracy. Similarly, I would encourage American university students to seek established and creative ways to connect with their counterparts around the globe. I ask my colleagues to join with me in recognizing the contributions of the Uni-Capitol Internship Program and to once more thank Niall O'Shea for his dedication and hard work.

HONORING JOSH UNDERWOOD

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 2012

Mr. ADERHOLT. Mr. Speaker, it is my privilege to honor Mr. Josh Underwood, one of the twelve interns from the Uni-Capitol Washington Program, UCWIP who is currently interning in my office. The Uni-Capitol Washington Program has paired some of the brightest Australian students with various congressional offices for more than a decade and I am happy to have been a host.

Josh comes from University of Queensland and is studying law and philosophy. Over the past month, I have found him to be outstanding in his duties and going above and beyond our expectations. When complimenting Josh to Mr. Federing, the director agreed saying "Josh has been a standout among standouts in everything I've organized" and I agree wholeheartedly. He has attended committee hearings, drafted constituent correspondence, and assisted me as well as my staff with research. His Australian accent has garnered the attention of many of my constituents on tours and over the phone. Josh's commitment, hard work, and presence have been an asset to the office and he will be sorely missed by all.

The program has been in force for 13 years thanks to the vision of Eric Federing, its director and founder. The students who are selected come from a variety of academic disciplines, but all have a common interest: promoting the U.S.-Australia relationship. These student placements are enhanced by the formation of genuine friendships and the exchange of views and ideas between the Australian interns and their respective offices. We are grateful for these friendships and it is our hope that they strengthen the diplomatic ties of our great countries.

I would thank Eric Federing for the opportunity to host Josh over the past several weeks. To date, 130 interns have come through his program representing 8 different universities over the programs lifetime. It enhances opportunities for the individuals who come and enlighten those who they come to. After the internship, many receive jobs on the Hill or go to work with Federal or various State Parliaments in Australia. Other interns have gone onto work in the Australian Embassy or The World Bank. Simply put, this program selects incredibly talented individuals that are a pleasure to host and work with. It was an honor to have Josh in our office and would wish him the very best, but I sincerely doubt

he needs it. Josh, thank you again for your hard work and dedication.

CONFERENCE REPORT ON H.R. 658,
FAA REAUTHORIZATION AND RE-
FORM ACT OF 2012

SPEECH OF

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 3, 2012

Ms. RICHARDSON. Mr. Speaker, I rise to discuss the Conference Report for H.R. 658, the FAA Air Transportation Modernization and Safety Improvement Act. I want to thank Chairman MICA, Ranking Member RAHALL, the other conferees, and the leadership for finally bringing an FAA Reauthorization bill to the floor.

Nearly five years has passed since the last FAA Reauthorization Act passed by the Congress and signed into law by the President expired. Instead of passing a new clean reauthorization bill five years ago, the reauthorization process was subverted by the desire of some members across the aisle to hijack the FAA reauthorization process as a to advance narrow ideological interests. This politicization of what had previously been a nonpartisan approach to developing aviation legislation was a great disservice to our nation, particularly in the economically challenged conditions of the past several years.

Every day thousands of men and women give their best to ensure that the American civil aviation industry remains the best in the world. And no group of persons suffered more from Congress' failure to pass a short-term clean FAA extension last August than the airline pilots, air traffic controllers, flight attendants, baggage handlers, mechanics, technicians, customer service representatives, security personnel, and others whose livelihood depends upon a functioning civil aviation sector.

This past August, House Republican leadership, giving in to the demands of its extremist Tea Party faction and ignoring the long-standing Congressional tradition of passing clean extensions of the FAA reauthorization bill, broke precedent and attached to the bill several controversial ideologically extreme policy riders to weaken unions and kill jobs, knowing full well it would never be approved by the Senate. Then it adjourned and left town for the August recess.

This abdication of responsibility resulted in the furlough of more than 4,000 FAA non-partisan career civil servants who in many cases had spent more than two decades working to provide the public with safe, modern and efficient air travel. This Republican-initiated FAA shutdown resulted in work stoppages on 217 construction projects worth more \$11 billion that had been undertaken to upgrade the nation's air traffic control and safety infrastructure.

This House majority's irresponsible action' more than 86,000 construction jobs at risks around the country and unconscionably jeopardized the ability of nearly 90,000 household to pay their rent or mortgages, educate their children, and put food on the table.

In addition to the havoc wreaked on the families of the employees involved, the Republicans' forced shutdown of the FAA cost

the American taxpayer \$300 million in lost airport fees. To make matters worse, instead of passing the savings resulting from the lapsed airline ticket tax on to air travelers, almost every one of the airlines raised their ticket prices and pocketed the money.

By any measure the House Republicans political gambit was a colossal blunder and the resulting public backlash led the chastened majority to drop the odious anti-labor provisions and pass a clean FAA extension thereby providing time for the parties to reconcile their differences and reach agreement on the long-term reauthorization measure before us today.

Turning to the merits of the bill before us, there is much in it that I approve and support.

First, the conference report maintains funding at current levels, authorizing a \$63.4 billion investment in our Nation's aviation system for fiscal years, FY, 2012–15. Of this amount, approximately \$13.4 billion is allocated for the Airport Improvement Program, AIP, \$38.3 billion for FAA Operations, \$672 million for Research, Engineering & Development, and \$10.9 billion for FAA's Facilities & Equipment.

Second, the bill provides about \$1 billion in funding authority for FAA's Next Generation, NextGen, air traffic modernization program, approximately the same as the past two years. When fully implemented, NextGen will complete the transformation of an antiquated air traffic control system based on World War II-era technology to one based on 21st Century GPS technology. Additionally, the bill accelerates the development of a NextGen satellite-based navigation system to provide pilots with more accurate information to track aircraft and weather. And to strengthen accountability for the progress on the NextGen program, the Conference Report sets a schedule for FAA and creates the new position of Chief NextGen Officer to oversee the effort.

Third, stripped from the Conference Report is the controversial House Republican provision that would have increased the percentage of employees who must vote in favor of a union before the National Mediation Board could certify the union as their representative. Had this provision not been dropped, it would have unfairly tilted the playing field against employees because a union could be certified only if it won the votes of a majority of all employees in a particular group, not just those who actually voted. It is clearly unfair to consider a vote not cast as a vote against. To put it another way: there is a gigantic difference between not voting and voting No! I am pleased that this anti-democratic provision has been dropped from the bill.

Fourth, the bill establishes a process for mediation and binding arbitration of impasses between the FAA and the collective-bargaining representatives of employees to help ensure that disputes are resolved fairly and efficiently without any disruption to the aviation system.

Fifth, the bill requires the FAA and OSHA to move forward with long-stalled rules to extend OSHA protections to flight attendants.

Sixth, the bill will help relieve congestion at many of the nation's interior hub airports by authorizing eight new round-trip flights between Reagan National Airport and airports located more than 1,250 miles away.

Finally, I am also pleased that H.R. 658 includes protections for passengers. For example, air travelers have greater assurance they will be treated fairly while traveling. Tarmac delays are something we have all experienced

at some point while traveling and can become frustrating to passengers who have no information as to when they will begin their travel. Now, airlines and airports would be required to have emergency contingency plans to take care of passengers who are involved in long uncomfortable tarmac delays. Passengers will no longer have to sit and wait on the tarmac wondering if they will ever move or be fed.

Mr. Speaker, as a member of the Transportation & Infrastructure Committee, and having served on its Aviation Subcommittee, I have worked tirelessly with my colleagues to secure passage of a clean FAA reauthorization bill. But I cannot support a reauthorization bill containing anti-labor provisions that undermine the rights of workers to bargain collectively over the terms and conditions of their employment. Regrettably, this bill does.

The bill contains statutory amendments to the Railway Labor Act which undermines 75 years of experience by the National Mediation Board's, NMB, in conducting representation elections in the air and rail industries. By removing the NMB's explicit statutory discretion in determining whether an election is mandated, this provision imposes new roadblocks for employees seeking union representation.

Another provision undermining the ability of employees to secure union representation is a proposed change in the way union run-off elections are handled. Under the proposed language, if Union A receives 40 percent of the votes and Union B receives 25 percent of the votes and the remaining 35 percent of the employees vote "no union," then the run-off will be between Union A and no union. This is true even though 65 percent of the employees indicated they wanted a union and soundly defeated the "no union" option.

Most problematic, however, is the provision in the bill relating to "showing of interest," requiring 50 percent of employees to sign up just to have an election. That is the same percentage of employees that would warrant union certification were the Employee Free Choice Act enacted into law.

This is the first time in history that Congress is legislating a showing of interest requirement in any federal labor law. Were this "showing of interest" provision to be applied in a merger setting, a larger employer that merges with a somewhat smaller airline will virtually guarantee there will be no unions on the merged property because where large numbers of employees are furloughed, it is virtually impossible for unions to meet the 50 percent threshold.

Taken together, these provisions constitute impose an intolerable burden on the ability of working men and women to bargain collectively over the terms and conditions of employment. I cannot support a legislative proposal that includes such provisions.

As one who born and raised in the House of Labor, educated in the School of Business, and who spent 14 years working in the corporate world, I stand ready to continue working with my colleagues, the Administration, industry and labor to develop and pass legislation that is beneficial and in the best interests of management, labor, government, and the public.

I urge my colleagues to vote "no" on this bill and once again urge this House to come forth with a clean long-term FAA reauthorization that will not impede workers rights.

HONORING LIN BREHMER

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 2012

Mr. QUIGLEY. Mr. Speaker, on January 24, 2012, longtime radio host Lin Brehmer received honors recognizing his 20th anniversary on Chicago's 93.1 WXRT FM, as the station also celebrated its 40th anniversary on the air.

Chicago is a city of many treasures.

From the architecture to the museums and cultural institutions, from the sports teams to our food, there are many, many reasons to celebrate The Windy City.

But with so much to do, see, and eat, some of our city's finest features do not make it onto most tourists' To Do Lists. But if you want to share with a visitor some of the true heart and soul of Chicago, drive down Lake Shore Drive with the Lake on one side, our beautiful skyline on the other, and 93 WXRT on the radio.

I have tried to explain to my children about the vast wasteland that was music radio in Chicago before XRT. Forty years ago, all you had was the same ten songs on AM radio. Then came XRT, with a rich, diverse playlist. With a passion and integrity unmatched even today.

No coincidence it became a 24 hour station in 1976, demonstrating our city's unique commitment to independent thinking, and an unbridled celebration of art and music.

Like many others, XRT linked me to a new world.

XRT encouraged me to leave my sterile environment and travel to the Earl of Old Town to listen to Steve Goodman—and my first concert at The Aragon Ball Room to see Mott the Hoople, the New York Dolls. Not to mention other famous haunts that played host to greats like Iggy Pop, David Bowie, Muddy Waters, Frank Zappa, Roxy Music, and the like.

Thank you XRT, for 40 great years. You made me a better person.

So tell your kids to turn their FM radio dial to 93.1, WXRT; they will find Lin Brehmer, "Your best friend in the whole wide world."

Lin has been the morning voice on XRT for the last 20 years, and is a Chicago institution unto himself. For 20 years, Lin has been there with us to celebrate all things Chicago; from commiserating another Cubs loss, to suggesting the perfect restaurant for a post-concert dinner.

He shares with us the best of the city and makes sure we better understand the world, with "Lin's Bin." He helps us discover new sounds, rediscover old favorites, and provides an unparalleled soundtrack to our days.

A celebrated fixture in radio, Lin has received a variety of honors throughout his illustrious career. In 1990 he was also honored as "Music Director of the Decade" by Hard Report.

Lin's musical sensibilities are nicely summed up by his motto, borrowed from the writing of Gerard Manley Hopkins, "Flesh fade and mortal trash fall to the residuary worm, you and I might as well Rock and Roll."

Dubbed the "Reverend of Rock and Roll" early in his radio career, Lin sought to put together a radio program unlike any other. Now, more than 35 years since he first hosted a radio show in Albany, New York, Lin has succeeded in doing that, and so much more.

Radio isn't Lin's only passion; he is also quite the accomplished Foodie, never going anywhere without a Zagat guide in his car and his self-described "eating pants," an outfit with enough "give" to accommodate another Chicago meal at the Weiner's Circle.

His favorite restaurants in Chicago include a wide variety of cuisine, for an even broader array of occasions. His recommendations have included "Best Upscale Mexican For When You Want To Leave The Kids At Home" or the very specific "Best Late Night Steak Burrito."

I'm sure he also enjoys splitting a cinnamon roll with our friend and his colleague Teri Hemmert, another Chicago jewel, at her favorite table at Ann Sather's Restaurant on the northside.

Lin Brehmer is a man who helps us to discover the best about Chicago, and in doing so, has become a Chicago treasure himself.

We appreciate and applaud his career as one of our city's finest radio personalities and most recognizable voices, and look forward to the music, experiences, and food he will help us discover in his next twenty years.

Thank you, Lin, for always reminding us why "It's great to be alive."

CELEBRATING DAVID MARVIN BLUMBERG'S 60TH BIRTHDAY

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 2012

Mr. BRADY of Texas. Mr. Speaker, I rise today to honor the celebration of David Marvin Blumberg's 60th birthday.

David was born on December 26, 1951 in Jacksonville, Florida. He is the fourth of five children born to Marvin Bernard and Mary Louise Blumberg. David obtained his Masters Degree of Public Administration in 1994 from the University of North Florida.

He was honorably discharged from his service in the USAF in 1974 after having worked as an instrument mechanic on the Minute Man 1, 2, and 3 missiles at Vandenberg AFB, CA.

David worked alongside his father at Marvin Blumberg and Sons from 1974–1982. He was certified as an FAA Air Traffic Controller and worked in that capacity from 1982–2006.

Presently he is serving as an Air Traffic Safety Risk Management Facilitator and Instructor nationwide.

David is the proud father of Lauren, Will, Olivia, Nathan and Natalie. He has one grandchild, Walker Brooks Haas.

David plays the drums in a band comprised of other Air Traffic Controllers who raise money for charities and to date they have raised over \$650,000 for local and national charities.

David will be moving to Fort Worth, Texas to supplement the Federal Aviation Administration's Safety Risk Management staff.

His band Aire Traffic will be playing future benefit concerts to raise money for the Juvenile Diabetes Foundation and for the Joseph Sam's School for Special Needs Children in Fayetteville, GA.

Please join me in wishing David Blumberg a very happy 60th birthday.

IN RECOGNITION OF MR. MICHAEL
RYAN

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 2012

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Mr. Michael Ryan of East Keansburg, New Jersey. Mr. Ryan will be honored as the 2012 Hibernian of the Year by the Ancient Order of Hibernians Volunteer Patrick Torphy Division 2 of Monmouth County. This prestigious honor is well-deserved in light of his tremendous contributions to the Irish American community. Mr. Ryan is known to his AOH brothers as someone who will always be there to support his community and those who are in need, and his charitable actions are undoubtedly worthy of this body's recognition.

Mr. Mike Ryan was born in Newark, New Jersey to Dick and Nancy Ryan. Together, the Ryan family moved to East Keansburg, New Jersey in 1955 and have continued to serve the residents of the Monmouth County community. Mr. Ryan joined the Ancient Order of Hibernians Volunteer Patrick Torphy Division 2 of Monmouth County in 1998, where he serves as the Division Marshall. Mr. Ryan serves as a core member of the organizing committee for the annual Irish Festival at the Jersey Shore. In upholding the AOH motto of friendship, unity, and Christian charity, Mr. Ryan tirelessly assists in raising funds for a multitude of causes, including Catholic school education, local food pantries and shelters, and the Wounded Warrior Program.

Mr. Ryan is also a proud member of the Knights of Columbus Council #2858. He is a graduate of Saint Catherine's School and a member of the Middletown High School class of 1974. Mr. Ryan is a 25-year employee of the United States Postal Service and currently resides in East Keansburg, New Jersey with his wife, Christina, and their three sons, Sean, Danny and Matthew.

Mr. Speaker, once again, please join me in congratulating Mr. Michael Ryan upon receiving the 2012 Hibernian of the Year award and thanking him for his service to the Irish American community.

TRIBUTE TO MAJOR GREG DASH

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 2012

Mr. VAN HOLLEN. Mr. Speaker, I rise today to pay tribute to my constituent, Major Greg Dash, for his distinguished service to our country as a member of the United States Air Force.

Major Dash, known to his fellow airmen as "Fez," was raised in Gaithersburg, Maryland. After graduating from Wootton High School, he received an appointment to the United States Air Force Academy, where he earned a degree in Electrical Engineering and graduated on the Commandant's List. He was commissioned in May 1998. After having served his country for 18 years, Major Dash will be medically retired this month.

Throughout his service in the Air Force, Dash excelled in both his tactical judgment

and outstanding leadership capabilities. As an Air Battle Manager, he qualified in three separate weapons systems and was selected for graduation from the distinguished United States Weapons School. Major Dash earned a number of awards and decorations, including the 2012 Air Traffic Control Association Earl F. Ward Medallion.

Over the course of his career, Major Dash had several combat deployments. During his last deployment in Afghanistan, he collapsed and was medically evacuated from the country. Later, he was diagnosed with a rare and highly lethal form of cancer. But he was undeterred.

After a 1½-year-long battle with cancer, Major Dash has heroically defeated the disease with the same spirit and determination he brought to his years of military service. Although his cancer has cut short his Air Force career, his talents, personal qualities, record and achievements bode well for great accomplishments in the future. I know that he will continue to make our Nation proud.

Our country owes Major Dash a debt of gratitude for his service, impeccable character and model of selfless leadership. I urge my colleagues to join me in recognizing him and in thanking him for his service and sacrifice.

RECOGNIZING THE UCI PARA-CYCLING TRACK WORLD CHAMPIONSHIPS AT THE HOME DEPOT CENTER IN CARSON, CALIFORNIA

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to discuss a particularly exciting event that will be held this weekend in my district. On February 10th–12th, The UCI Para-cycling Track World Championships will take place at the Home Depot Center Velodrome in Carson, California. The competition will welcome 230 athletes from 30 countries, including United States athletes: Allison Jones, Greta Neimanas, Clark Rachfal, Jennifer Schuble, Aaron Trent and California's very own, Anthony Zahn.

The UCI Para-cycling Track World Championships are the world championships for track cycling and is open to male and female athletes with physical disabilities such as amputation, visual impairment, spinal cord injury, wheelchair-users and cerebral palsy.

The UCI Para-cycling Track World Championships serves as the final qualifying event for U.S. athletes to be nominated to the 2012 U.S. Paralympic Cycling Team which will compete at the 2012 Paralympic Games in London this summer.

Mr. Speaker, the Paralympics are a major international multi-sport event, similar to the Olympics, for athletes with physical disabilities. Over 4,000 athletes from 146 countries compete in the games, which run in parallel with the Winter and Summer Olympic Games. The goal of the Paralympics is to empower persons with disabilities through sport.

Since its creation, the Paralympic games have been inspiring those with physical handicaps to realize their potential and strive to achieve their dreams. The Paralympics are making a difference in the lives of thousands

of physically disabled people every day by focusing on participants' athletic achievements and ability rather than their limitations.

Mr. Speaker, I have always been a big supporter of the Paralympics and their goals and that is why I am pleased that this year, the UCI Para-cycling Track World Championships will be held at the Home Depot Center in the 37th Congressional District. This marks the first time that the Home Depot Center will host a Paralympic event in its facility's history and just the second time ever, that the UCI Para-cycling Track World Championships will be held in the United States.

The Home Depot Center, home of Major League Soccer's Los Angeles Galaxy and Chivas USA, is designated as an "Official U.S. Olympic Training Site," and is the first and only permanent indoor track of international standard in North America. It is a state-of-the-art facility that has brought much attention and prestige to my district.

In March 2011, I was able to join U.S. Secretary of Homeland Security Janet Napolitano in support of the "See Something, Say Something" campaign, which has since expanded to include The Home Depot Center. The campaign raises public awareness of indicators of terrorism and violent crime and encourages average citizens to identify and report indicators of terrorism, crime and other threats to the proper transportation and law enforcement authorities.

Mr. Speaker, I am proud that my district is able to host such an extraordinary event that continues to empower people with disabilities and in the process, inspire people around the world. I am sure that the people of California will embrace the spirit of the Games and will cheer on the athletes as they compete for the Paralympic games this summer.

OUR UNCONSCIONABLE NATIONAL
DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, our 40th president, Ronald Wilson Reagan, was born on this date in 1911, making him 101 years old today. On President Reagan's 98th birthday, 17 days after President Obama took office, the national debt was \$10,717,280,371,345.89.

Today, it is \$15,335,108,283,338.57. We've added \$4,617,827,911,992.68 to our debt in 3 years. This is \$4.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

A TRIBUTE TO ANNE MARQUESS
GARROTT

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 2012

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor Mrs. Anne Marquess Garrott and the Southwest Belmont Community Association.

The Southwest Belmont Community Association, SWBCA, was a result of the Colored

Women's Christian Association which was organized in 1870 by Black women in South Philadelphia. The mission of the Colored Women's Christian Association was to provide residential living in a Christian environment for young, newly freed Black women coming from the rural south and seeking jobs in Philadelphia. In 1912, after more than 40 years of petitioning, it was accepted as a branch of the Philadelphia Young Women's Christian Association, YWCA.

The SWBCA was a hub of community activity and offered a variety of programs including poetry, music and dance. It housed an Olympic-sized swimming pool, a gymnasium and meeting rooms available for use by civic groups.

Ultimately the branch became an independent, non-profit organization. The SWBCA is well respected for its leadership in support of the advancement of Black women long before the desegregation of national women's organizations.

Mrs. Garrott was involved with the YWCA movement from an early age. As a child she took part in the many programs at the SVVBCA and as a teenager she taught swimming and tennis. She was later named Director of the Health and Physical Education Department. Throughout her decades long career, she served in many administrative capacities, not only at the SWBCA but also at YWCA's across the Nation. Today she is a revered matriarch who is nationally and internationally recognized for her contributions in support of the mission and goals of the YWCA and her beloved community.

Mr. Speaker, I ask that you, and my other distinguished colleagues join me in recognizing Mrs. Anne Marquess Garrott and the members of the Southwest Belmont Community Association for their many years of service.

RECOGNIZING JON TRAUB'S
PUBLIC SERVICE

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 2012

Mr. STARK. Mr. Speaker, I rise to compliment a staff member for years of service to the U.S. Congress.

Last week, Jon Traub ended his service as the Staff Director for the Majority Staff of the Committee on Ways and Means. He'd spent five years in this role working for both Chairman CAMP in the majority and Ranking Member McCrery in the good old days when Democrats controlled the House of Representatives.

Whether Democrat or Republican, I hope all Members of Congress recognize the important contributions our staffs make. In general, they work longer hours than we do, they get more into the details of policy-making, and we count on them to make us look good.

In his time at Ways and Means, I always found Jon to be a straight shooter. We didn't often agree on policy, but I always knew he'd give me a straight answer when I asked him a question and I always knew he had the confidence of the Chairman so I could count on his answer being correct.

I wish Jon the best in his future endeavors. I'm always sad to see good people leave Cap-

itol Hill, but with a young child, I can certainly understand the desire to lead a more normal life. Again, I thank Jon for his service, wish him the best in his future, and hope to see him in public service again.

TO EXTEND THE PAY LIMITATION
FOR MEMBERS OF CONGRESS
AND FEDERAL EMPLOYEES

SPEECH OF

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2012

Ms. MCCOLLUM. Madam Speaker, I rise in opposition to H.R. 3835, a bill that represents more of a political stunt by Republicans than an honest way to address the shared sacrifice needed across the Federal Government in these difficult fiscal times. Members were not allowed to consider a bill offered by Representative CHRIS VAN HOLLEN, H.R. 3858, that would have prevented members of Congress from receiving an automatic pay raise in 2013. I would have voted in favor of that bill. With so many Americans still looking for work and struggling to pay their bills, it is only fair and right that members of Congress put their needs first. However, Republicans chose to tie our salary freeze with those of Federal employees. Previously, they had not been linked. I regret that House Republicans thought it was more important to score political points than showing the American people that Members of Congress on a bipartisan basis support the existing Congressional pay freeze. Such actions only serve to deepen the cynicism of Americans who have grown increasingly fed up with the polarization of Congress.

HONORING MRS. LAVERDA O.
ALLEN

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 2012

Ms. LEE of California. Mr. Speaker, I rise today to congratulate and honor Mrs. LaVerda O. Allen as she turns 80 years old. On behalf of our diverse Bay Area community, I would like to personally wish Mrs. Allen a very happy birthday surrounded by family, friends, colleagues and community leaders. Her efforts to advance equal education and work opportunities for women and people of color have spanned over 6 decades. Mrs. Allen is truly an icon in the African American community, and the broad reach of her influence continues to touch communities, both near and far.

A long-time Oakland and East Bay resident, Mrs. Allen moved to Oakland with her family in 1943. After graduating early, with honors, from Oakland Technical High School, she attended the University of California, Berkeley and San Francisco State University, where she received a B.A. in Social Work and an M.A. in Education Administration. During her early career as an educator, Mrs. Allen helped to develop curriculum throughout the Berkeley Unified School District and Peralta Community College District. She also assisted in developing the first financial aid program for state

community colleges. Together with her husband and business partner, she ran Bay Cities Beauty Supplies, an entrepreneurial enterprise focused on hair care products for African Americans. Furthermore, her trailblazing experience as a woman and minority business owner led her to a path of advocacy that would pave the way for countless others to follow.

For more than 20 years, Mrs. Allen has been Owner and Principal of The Allen Group, LLC, (TAG) a project and construction management firm committed to advocating on behalf of minority businesses in the engineering-construction industry. She is a stalwart leader in the development of minority, woman-owned and disadvantaged business enterprise programs, and has been a consultant developing agendas to empower architects, engineers and construction contractors in this field since 1971. She and TAG have held management roles in large-scale, complex projects that have been critical to the future of sound Bay Area infrastructure.

Among her many accolades, LaVerda Allen has received an Honorary Doctorate Degree from the Graduate Theological Union in Berkeley. She is an active and prominent member of myriad organizations advocating for the rights of children and the mentally ill. She co-authored the Nation's first Affirmative Action program that called for minority participation by craft, has served on the San Francisco Human Rights Advisory Committee, and was instrumental in the passage of the San Francisco Minority and Woman Owned Business ordinance in 1988. She was a cofounder of the National Association of Minority Contractors, served as the chair of the Berkeley chapter of the National Association for the Advancement of Colored People Education and Labor Committee during the civil rights movement, and was a board member of the Berkeley Chapter of the American Civil Liberties Union.

Therefore, on behalf of California's 9th Congressional District, Mrs. LaVerda O. Allen, I salute you for your amazing achievements and on this remarkable milestone. Thank you for your many continued contributions to equality, prosperity and justice in our communities. I wish you much more success, happiness and well-being in the coming years. And, once again, Happy Birthday.

PERSONAL EXPLANATION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 2012

Mr. CONYERS. Mr. Speaker, on December 17, 2010, I regret that I was not present to vote on H.R. 306, H.R. 1162, and H.R. 2606.

Had I been present, I would have voted "yea" on all bills.

IN HONOR OF ROSA PARKS

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to pay tribute to the late Rosa Parks,

whose extraordinary deeds and achievements performed with great moral and physical courage and quiet determination, make her one of the most consequential persons of the 20th Century.

Rosa Parks, who was born 99 years ago today in Tuskegee, Alabama, ignited the modern civil rights movement in the United States in Montgomery, Alabama on December 1, 1955, when she refused to give up her seat on a bus to a white man. Rosa Parks stood up for justice and equality by this simple act of sitting down. And her quiet courage and dedication to the cause of justice and equality led her to join Dr. Martin Luther King, Jr. and others in launching the Montgomery Bus Boycott, an act of civil disobedience that changed America, and forever coined Ms. Parks as the first lady of civil rights.

Ms. Parks' act of quiet civil disobedience inspired similar protests, demonstrations, sit-ins, marches, and other non-violent direct action across the segregated south, including the "Little Rock Nine" in Little Rock, Arkansas in September 1957, where nine black students were blocked from entering the formerly all-white Central High School leading to government intervention; the famous "Greensboro sit-in" on February 1, 1960 where four black students refused to leave a Greensboro, North Carolina Woolworth's lunch counter after being refused service; the Freedom Rides during the Spring and Summer of 1961 in which young black and white students, referred to as "freedom riders," began taking bus trips through the South to challenge Jim Crow practices banning integration in interstate transportation; and the 1965 "March from Selma to Montgomery" for voting rights, during which occurred "Bloody Sunday," the event that shocked and horrified the Nation and led directly to the passage of the landmark Voting Rights Act of 1965.

As a leading activist for civil rights and equality, Ms. Parks actively advocated for the passage of the Civil Rights Act of 1964 and was present at the signing into law of the Voting Rights Act of 1965 by President Johnson.

Ms. Parks continued her work for civil equality and rights and served on the staff of U.S. Representative JOHN CONYERS. Her strong belief in the constitutional principles of equality and freedom led her to establish the Rosa and Raymond Parks Institute for Self-Development in 1977. The institute strives to teach children throughout the U.S. about the history of their country and of the civil rights movement. Her efforts in the fight for civil rights earned her the Spingarn Medal from the NAACP, the Presidential Medal of Freedom in 1996, and the Congressional Gold Medal in 1999.

Upon her death in 2005, Rosa Parks was the first woman and second non-U.S. government official granted the posthumous honor of lying in honor at the Capitol Rotunda. Hundreds of thousands of mourners came to pay their final respects to the "First Lady of the Civil Rights Movement."

Now, a year before the anniversary of her 100th birthday, her work lives on as we continue to fight for justice and equality in this Nation. As Ms. Parks once said, "As long as there is unemployment, war, crime and all things that go to the infliction of man's inhumanity to man, regardless—there is much to be done, and people need to work together."

Mr. Speaker, I am proud to stand here in honor and remembrance of Rosa Parks, a

heroine of courage and a pioneer for civil rights in the history of this Nation. I ask my colleagues to join me for a moment of silence in memory of the great Rosa Parks.

TRIBUTE TO MARY ALAMAR
YOUNG OF SAN ANTONIO, TEXAS

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 2012

Mr. GONZALEZ. Mr. Speaker, I ask my colleagues to join me in honoring someone who has given 50 years of exceptional service to our country, Ms. Mary Alamar Young.

Ms. Young was born and raised in Devine, Texas just South of San Antonio, and she began her federal civil service career with the Air Force in 1960 as a clerk typist. Over the years, she rose to various positions of prominence due to her exemplary work ethic and her willingness to fight for the opportunities of others. As Program Operations Manager for the Air Force Affirmative Employment Program, her work expanded the opportunities for the minority community to contribute to and excel in our nation's armed forces.

Mary Alamar Young recently retired on December 31, 2011 after 50 consecutive years as a Federal civilian employee. Her expertise and consistently high level of performance contributed immeasurably to the successful accomplishment of the United States Air Force mission. Throughout her career, Ms. Young set the standard by which our nation's military operates today. This is evidenced by the many awards she has received over the years, including the Air Force Distinguished EEO Award and the Texas Governor's Yellow Rose of Texas Award. Additionally through her advocacy, Ms. Young has been critical to empowering students in the Latino community and working to provide increased opportunities for the young leaders of tomorrow.

It is my proud honor to represent constituents like Ms. Mary Alamar Young in our nation's capitol. Once again, I ask all of my colleagues to join with me in recognizing a true public servant.

HONORING CHANCELLOR DAVID J.
PRIOR

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 2012

Mr. GRIFFITH of Virginia. Mr. Speaker, I submit these remarks in memory of Chancellor David J. Prior, a devoted educator and gifted leader from Southwest Virginia. Chancellor Prior left us suddenly on February 2, 2012. At the time of his passing, Chancellor Prior was serving as the seventh chancellor of the University of Virginia's College at Wise.

Chancellor Prior was born in Anniston, Ala. on December 13, 1943. He earned a number of degrees, including an A.B. in biology from Olivet College in Michigan, a master's in animal physiology and biochemistry from Central Michigan University, and a Ph.D. in neurophysiology from the University of Virginia in 1972. He was also a post-doctoral fellow in

neurobiology at Princeton University from 1972 to 1973.

He began his career in education at the University of Kentucky in 1973, where he eventually held dual full professorships in biological sciences and physiology and biophysics. In 1987, Chancellor Prior became chairman of the Department of Biology at Northern Arizona University and was later named dean of the College of Arts and Sciences in 1992. He also served as dean of the graduate school of Northern Michigan University and as a provost in the University of Wisconsin system. He came to the College at Wise in 2005, and was inaugurated on April 11, 2006, as its seventh chancellor. Chancellor Prior was also a prolific researcher having been published numerous times. He is survived by his wife, Merry Lu; daughter, Andrea and her husband, Tom Martin; and son, Christopher and his wife, Sarah.

During his time at the College at Wise, Chancellor Prior worked tirelessly to focus on the importance of education throughout Southwest Virginia. He also encouraged economic development in the region by promoting the College and a STEM initiative to encourage students to enter the science, technology, engineering and mathematics fields. While chancellor, he oversaw the construction of the Convocation Center and several buildings on campus, conducted a successful fundraising campaign, and increased student enrollment. He enjoyed interacting with students and impacted countless lives through his work as an educator and administrator.

Chancellor Prior was a dreamer who allowed the College to achieve beyond what it could have imagined. The growth and successes of the University of Virginia's College at Wise in recent years will long serve as a reminder of his legacy. I am honored to pay tribute to this great man's many contributions. Chancellor Prior will be missed, but never forgotten.

IN RECOGNITION OF THELMA
POND

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 2012

Mr. McGOVERN. Mr. Speaker, I rise today to ask the House of Representatives to join me in congratulating Thelma Pond of Holliston, MA on her 100th birthday. Thelma has lived in Holliston since she was 4 years old. She attended Holliston High School and Framingham Normal School. After graduation, Thelma began her teaching career in Holliston at her beloved Wilder School. Thelma's passion for teaching continued long after retirement. She continued her service at Wilder School on a one-on-one basis volunteering for about twenty years—giving the students an extra boost with their reading.

Thelma has impacted the lives of countless families in Holliston. Her fondest memories growing up in Holliston include seeing a horse pulling the plow to clear sidewalks on snowy days, and the young man who would arrive at her house in his wagon to collect her mother's grocery list and would deliver them later that day. Thelma also proudly participated in the annual Maypole Dance each year.

Mr. Speaker, I rise to thank Thelma for her wonderful contributions to her community. Her

commitment to education and passion for empowering young people is truly inspiring. I ask the House of Representatives to join me in celebrating the lifetime of contributions of Thelma Pond on her 100th birthday.

CONFERENCE REPORT ON H.R. 658,
FAA REAUTHORIZATION AND RE-
FORM ACT OF 2012

SPEECH OF

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 3, 2012

Ms. SCHAKOWSKY. Mr. Speaker, I am pleased that H.R. 658, the FAA Air Transportation Modernization and Safety Improvement Act, will fully fund the FAA through FY2015, particularly because it will include the NextGen Air Traffic Control Modernization Program. That program is important to my constituents who travel through O'Hare Airport. The program will ensure that air traffic congestion is lessened, noise and pollution mitigation efforts are continued, and air traffic control is improved according to best practices.

However, it is unconscionable that anti-labor provisions regarding the National Mediation Board were allowed to find their way into this bill. Organized labor has protected the rights and livelihood of American workers for decades. H.R. 658 changes the rules for holding elections, making it harder even to give workers the opportunity to have union representation. The bill makes it easier to strip union rights in the case of mergers between airlines or railways. It also allows election results to be challenged in person by employers, opening up union elections to voter intimidation. Those and other provisions will only undermine the ability of American laborers to be represented in their places of employment. They do not belong in the bill, and they will hurt rather than help workers and our national transportation system as a whole.

I agree that the FAA, and the NextGen program should be fully funded. I voted against H.R. 658 because it injected anti-labor provisions into a reauthorization that should have been devoid of partisan political stunts.

CONDEMNING CHINESE AND RUS-
SIAN SUPPORT FOR THE SYRIAN
REGIME

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 2012

Mr. PETERS. Mr. Speaker, I rise today to condemn the Chinese and Russian actions on Saturday, February 4, 2012, that blocked the United Nations Security Council from endorsing the Arab League's plan for a cessation of violence and political transition in Syria.

The United States joined with people of many faiths from countries around the world to ask the Security Council to hold Syria accountable for the bloodshed it has already committed, and continues to commit, against its own people.

Unfortunately, the Chinese and Russian governments appear to place more value on

weapons sales to President al-Assad's bloody regime than the lives and freedoms of the people of Syria, and together they vetoed a resolution that would have committed the international community to putting an end to the violence.

Since the beginning of the uprising, I have called on President Obama and Secretary Clinton to hold the al-Assad regime accountable for its despicable actions and to speak up for the rights of the Syrian people who are dying for expressing their own independent political voice.

It is not too late for President Bashar al-Assad to do the right thing—step down—for his sake and the sake of the Syrian people.

INTRODUCTION OF THE DISTRICT
OF COLUMBIA SPECIAL ELEC-
TION REFORM ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 2012

Ms. NORTON. Mr. Speaker, I rise to introduce the District of Columbia Special Election Reform Act. I introduced similar legislation last Congress, which passed without objection by the House Committee on Oversight and Government Reform and the full House. Final enactment of the bill was prevented, however, by an anonymous hold in the Senate, which is no longer allowed in that Chamber. This bill is of great importance to the District of Columbia, particularly now as the District of Columbia Council is faced with the sort of vacancy that this bill is meant to address. The District has to hold a special election just one month after the primary election, which will cost the city an estimated \$318,000. Although this bill will not take effect before the upcoming special election, the bill will provide the District with the flexibility in the future to conduct fair elections without such redundancies and unnecessary costs. The District of Columbia Special Election Reform Act is of little concern to Congress, but the D.C. Council cannot amend the Home Rule Charter. All of the provisions in the bill have been passed or approved by the District of Columbia.

The District of Columbia Special Election Reform Act makes minor changes to the District's Home Rule Charter to provide the city greater flexibility to conduct special elections for vacancies in the office of mayor, attorney general, Council chairman and other members of the District of Columbia Council. Current law requires that a special election be held on the first Tuesday occurring more than 114 days after a vacancy. The bill would establish a range during which a special election may be conducted, between 70 and 174 days, to reduce the gap in local representation, while also allowing the Board of Elections to take into account important factors when scheduling a special election, such as maximizing voter participation and avoiding conflicts with religious and culture observances.

I very much appreciate the opportunity to work closely with the House Committee on Oversight and Government Reform Chairman DARRELL ISSA to develop this bill, and look forward to the bill being signed into law.

TRIBUTE TO MS. LOYOLA ROSE
TRUJILLO OF SAN ANTONIO,
TEXAS

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 2012

Mr. GONZALEZ. Mr. Speaker, I ask my colleagues to join me in honoring a true asset to our country's armed forces, Ms. Loyola Rose Trujillo.

Ms. Trujillo is currently the Director of the Civilian Hispanic and American Indian/Alaska Native Programs for the Department of Defense's Office of Diversity Management and Equal Opportunity. Prior to this esteemed position, she has served in various posts within the Department of Defense and has worked in budget and contracting, civilian personnel, strategic planning and manpower. Throughout her career, Ms. Trujillo has been a model for public service and government effectiveness, and her dedicated efforts have ensured that our nation's military is an employer that operates at the highest level of civil rights compliance and protections for its employees. Additionally, her work to promote diversity has greatly increased opportunities for members of minority communities to serve proudly and exceptionally in our nation's armed forces.

She is the daughter of Elisa Dominguez and Antonio Simone Trujillo, who was the first Mexican-American policeman on the Kansas City, Missouri Police Department. She is married to LTC Randall Miller USMC (ret), and she considers her greatest accomplishments to be the raising of her wonderful family, including two daughters and seven outstanding grandchildren.

It is my proud honor to represent constituents like Ms. Loyola Rose Trujillo in our nation's capitol. Once again, I ask all of my colleagues to join with me in recognizing a true public servant.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, February 7, 2012 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 8	FEBRUARY 15	MARCH 6
11:30 a.m. Commission on Security and Cooperation in Europe To hold hearings to examine Ireland's leadership of the Organization for Security and Cooperation in Europe (OSCE), focusing on its future year-long leadership of the 56-nation OSCE, based in Vienna, Austria, and its work in promoting democracy, human rights and the rule of law. B318, Rayburn Building	Time to be announced Agriculture, Nutrition, and Forestry To hold hearings to examine energy and economic growth for rural America. Room to be announced	9:30 a.m. Armed Services To hold hearings to examine U.S. Central Command and U.S. Special Operations Command in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.
FEBRUARY 9	FEBRUARY 16	MARCH 7
9:30 a.m. Armed Services To hold hearings to examine the nominations of Admiral Samuel J. Locklear III, USN, for reappointment to the grade of admiral and to be Commander, United States Pacific Command, and Lieutenant General Thomas P. Bostick, USA, for reappointment to the grade of lieutenant general and to be Chief of Engineers, and Commanding General, United States Army Corps of Engineers, both of the Department of Defense. SD-G50	10 a.m. Budget To hold hearings to examine the President's proposed budget request for fiscal year 2013 for the Department of Transportation. SD-608	10 a.m. Veterans' Affairs To hold joint hearings to examine a legislative presentation from the Veterans of Foreign Wars (VFW). SD-G50
Energy and Natural Resources To hold hearings to examine H.R. 1904, to facilitate the efficient extraction of mineral resources in southeast Arizona by authorizing and directing an exchange of Federal and non-Federal land, and the Southeast Arizona Land Exchange and Conservation Act of 2009. SD-366	9:30 a.m. Armed Services To hold hearings to examine the current and future worldwide threats to the national security of the United States; with the possibility of a closed session in SVC-217 following the open session. SD-G50	MARCH 8
10 a.m. Banking, Housing, and Urban Affairs To hold hearings to examine the state of the housing market, focusing on removing barriers to economic recovery. SD-538	2:15 p.m. Indian Affairs To hold an oversight hearing to examine energy development in Indian country. SD-628	9:30 a.m. Armed Services To hold hearings to examine the Department of the Army in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program. SD-106
Budget To hold hearings to examine assessing inequality, mobility, and opportunity. SD-608	FEBRUARY 28	MARCH 13
Judiciary Business meeting to consider S. 1945, to permit the televising of Supreme Court proceedings, and the nominations of John Z. Lee, and John J. Tharp, Jr., both to be a United States District Judge for the Northern District of Illinois, George Levi Russell, III, to be United States District Judge for the District of Maryland, and Kristine Gerhard Baker, to be United States District Judge for the Eastern District of Arkansas. SD-226	9:30 a.m. Armed Services To hold hearings to examine U.S. Pacific Command and U.S. Transportation Command in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session. SD-106	9:30 a.m. Armed Services To hold hearings to examine U.S. Southern Command and U.S. Northern Command in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session. SD-G50
2:15 p.m. Indian Affairs To hold an oversight hearing to examine the Department of Justice's opinion on internet gaming, focusing on what's at stake for tribes. SD-628	10 a.m. Energy and Natural Resources To hold hearings to examine the President's proposed budget request for fiscal year 2013 for the Department of the Interior. SD-366	MARCH 14
2:30 p.m. Intelligence To hold closed hearings to examine certain intelligence matters. SH-219	2:30 p.m. Veterans' Affairs To hold joint hearings to examine a legislative presentation from the Disabled American Veterans (DAV). 345, Cannon Building	Time to be announced Agriculture, Nutrition, and Forestry To hold hearings to examine healthy food initiatives, local production, and nutrition. Room to be announced
FEBRUARY 14	FEBRUARY 29	MARCH 15
9:30 a.m. Armed Services To hold hearings to examine the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program. SD-G50	Time to be announced Agriculture, Nutrition, and Forestry To hold hearings to examine strengthening conservation through the 2012 farm bill. Room to be announced	9:30 a.m. Armed Services To hold hearings to examine the Department of the Navy in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session. SD-G50
FEBRUARY 14	MARCH 1	MARCH 20
9:30 a.m. Armed Services To hold hearings to examine the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program. SD-G50	9:30 a.m. Armed Services To hold hearings to examine U.S. European Command, U.S. Africa Command, and U.S. Transportation Command in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session. SH-216	9:30 a.m. Armed Services To hold hearings to examine the Department of the Air Force in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session. SD-G50

MARCH 21

Time to be announced

Agriculture, Nutrition, and Forestry

To hold hearings to examine risk management and commodities in the 2012 farm bill.

Room to be announced

10 a.m.

Veterans' Affairs

To hold joint hearings to examine the legislative presentations of the Military Order of the Purple Heart, Iraq and Afghanistan Veterans of America (IAVA), Non Commissioned Officers Association, American Ex-Prisoners of War, Vietnam Veterans of America,

Wounded Warrior Project, National Association of State Directors of Veterans Affairs, and The Retired Enlisted Association.

SD-G50

MARCH 22

10 a.m.

Veterans' Affairs

To hold joint hearings to examine the legislative presentations of the Paralyzed Veterans of America, Air Force Sergeants Association, Blinded Veterans Association, American Veterans (AMVETS), Gold Star Wives, Fleet Reserve Association, Military Officers As-

sociation of America, and the Jewish War Veterans.

345, Cannon Building

MARCH 28

10 a.m.

Veterans' Affairs

To hold hearings to examine the nominations of Margaret Bartley, of Maryland, and Coral Wong Pietsch, of Hawaii, both to be a Judge of the United States Court of Appeals for Veterans Claims.

SR-418

Daily Digest

HIGHLIGHTS

Senate agreed to the Conference Report to accompany H.R. 658, FAA Reauthorization and Reform Act.

Senate

Chamber Action

Routine Proceedings, pages S329–S359

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 2070–2074, and S. Res. 368. **Page S350**

Measures Reported:

S. 1408, to require Federal agencies, and persons engaged in interstate commerce, in possession of data containing sensitive personally identifiable information, to disclose any breach of such information, with an amendment in the nature of a substitute.

S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, with amendments. **Page S350**

Measures Passed:

Federal Restricted Buildings and Grounds Improvement Act: Senate passed S. 1794, to correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code, after agreeing to the committee amendments. **Pages S357–58**

Federal Restricted Buildings and Grounds Improvement Act: Senate passed H.R. 347, to correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code, after agreeing to the committee amendment in the nature of a substitute. **Page S358**

Earthquake in Haiti Anniversary: Senate agreed to S. Res. 368, recognizing the anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives in that earthquake, and expressing continued solidarity with the people of Haiti. **Pages S358–59**

Conference Reports:

FAA Reauthorization and Reform Act Conference Report: By 75 yeas to 20 nays (Vote No. 15), Senate agreed to the conference report to accom-

pany H.R. 658, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, by the order of the Senate of Thursday, February 2, 2012, 60 Senators having voted in the affirmative. **Pages S333–44**

Messages from the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency that was declared in Executive Order 13396 on February 7, 2006, with respect to the situation in or in relation to Cote d'Ivoire; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–38) **Pages S347–48**

Transmitting, pursuant to law, a report relative to the issuance of an Executive Order to take additional steps with respect to the national emergency originally declared on March 15, 1995 in Executive Order 12957 with respect to Iran; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–39) **Page S348**

Nominations Received: Senate received the following nominations:

Jeremiah O'Hear Norton, of Virginia, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation for the remainder of the term expiring July 15, 2013.

John Robert Norris, of Iowa, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2017.

Marcilynn A. Burke, of North Carolina, to be an Assistant Secretary of the Interior.

Joseph G. Jordan, of Massachusetts, to be Administrator for Federal Procurement Policy.

William Joseph Baer, of Maryland, to be an Assistant Attorney General.

Heidi Shyu, of California, to be an Assistant Secretary of the Army.

1 Air Force nomination in the rank of general.

76 Army nominations in the rank of general.

Routine lists in the Army, and Navy. **Page S359**

Messages from the House: **Page S348**

Measures Referred: **Pages S348–49**

Measures Placed on the Calendar: **Pages S329, S349**

Executive Communications: **Page S349**

Petitions and Memorials: **Pages S349–50**

Additional Cosponsors: **Pages S350–51**

Statements on Introduced Bills/Resolutions:
Pages S351–52

Additional Statements: **Page S347**

Privileges of the Floor: **Page S352**

Record Votes: One record vote was taken today. (Total—15) **Pages S343–44**

Adjournment: Senate convened at 2 p.m. and adjourned at 6:29 p.m., until 10 a.m. on Tuesday, February 7, 2012. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S359.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 9 public bills, H.R. 3902–3910; and 1 resolution, H.J. Res. 101 were introduced. **Pages H511–12**

Additional Cosponsors: **Pages H512–13**

Report Filed: A report was filed today as follows:

H. Res. 539, providing for consideration of the bill (H.R. 3581) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to increase transparency in Federal budgeting, and for other purposes (H. Rept. 112–388). **Page H511**

Speaker: Read a letter from the Speaker wherein he appointed Representative Denham to act as Speaker pro tempore for today. **Page H477**

Recess: The House recessed at 12:08 p.m. and reconvened at 2 p.m. **Page H478**

Recess: The House recessed at 2:15 p.m. and reconvened at 4:34 p.m. **Page H480**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Corolla Wild Horses Protection Act: H.R. 306, amended, to direct the Secretary of the Interior to enter into an agreement to provide for management of the free-roaming wild horses in and around the Currituck National Wildlife Refuge and

Pages H480–81

Providing the Quileute Indian Tribe Tsunami and Flood Protection: H.R. 1162, amended, to pro-

vide the Quileute Indian Tribe Tsunami and Flood Protection, by a $\frac{2}{3}$ yeas-and-nays vote of 381 yeas to 7 nays, Roll No. 35. **Pages H483–85, H489–90**

Recess: The House recessed at 5:03 p.m. and reconvened at 5:16 p.m. **Page H485**

Recess: The House recessed at 5:38 p.m. and reconvened at 6:30 p.m. **Page H488**

Civilian Property Realignment Act: The House began consideration of H.R. 1734, to decrease the deficit by realigning, consolidating, selling, disposing, and improving the efficiency of federal buildings and other civilian real property. Further proceedings were postponed. **Pages H485–89, H490–H503**

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of the Rules Committee Print 112–11 shall be considered as adopted in the House and in the Committee of the Whole, in lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. **Page H495**

Agreed to:

Denham amendment (No. 2 printed in H. Rept. 112–385) that provides for a review of properties for use for the homeless; **Pages H498–99**

Jackson Lee (TX) amendment (No. 4 printed in H. Rept. 112–385) that adds a sense of Congress that the Civilian Property Realignment Commission

should take steps to provide assistance to small and minority-owned businesses seeking to be awarded contracts and requires the Commission to report to Congress and the President every 6 months regarding contracting and the size of the entities awarded contracts; and

Pages H499–H502

Carnahan amendment (No. 6 printed in H. Rept. 112–385) that requires the use of life-cycle cost analysis in the design or lease of Federal buildings receiving at least 50% Federal funding and which construction cost is over \$1,000,000 or the space to be leased is over 25,000 square feet. Requires future prospectuses submitted to Congress for the construction, alteration or acquisition of a building or space to be leased by the Administrator of General Services to describe the use of life-cycle cost analysis and how its use has impacted long-term costs.

Pages H502–03

Proceedings Postponed:

Connolly (VA) amendment (No. 3 printed in H. Rept. 112–385) that seeks to protect the ability of Federal agencies to work with local governments to preserve appropriate excess Federal property as open space, eliminating Federal maintenance expenses while preserving public benefits.

Page H499

H. Res. 537, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 233 yeas to 155 nays, Roll No. 34, after the previous question was ordered without objection.

Pages H488–89

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

New York City Natural Gas Supply Enhancement Act: H.R. 2606, amended, to authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the Gateway National Recreation Area.

Pages H481–83

Presidential Message: Read a message from the President wherein he submitted to the Congress an Executive Order he has issued that takes additional steps with respect to the national emergency declared in Executive Order 12957 of March 15, 1995, relating to the actions and policies of the Government of Iran—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 112–85).

Page H479

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today and a message received from the Senate today appear on pages H479 and H489.

Senate Referral: S. 2038 was held at the desk.

Page H479

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appears

on pages H488–89 and H489–90. There were no quorum calls.

Adjournment: The House met at 12 noon and adjourned at 8:55 p.m.

Committee Meetings

DOING BUSINESS WITH DOD: CONTRACTING AND REGULATORY ISSUES

Committee on Armed Services: Panel on Business Challenges within the Defense Industry held a hearing on Doing Business with DOD: Contracting and Regulatory Issues. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Full Committee began markup of H.R. 3548, the “North American Energy Access Act”.

BUDGET AND ACCOUNTING TRANSPARENCY ACT OF 2011

Committee on Rules: Full Committee held a hearing on H.R. 3581, the “Budget and Accounting Transparency Act of 2011”. The Committee granted, by a record vote of 6 to 3, a structured rule providing one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on the Budget. The rule waives all points of order against consideration of the bill. The rule makes in order as original text for the purpose of amendment the amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–13, and provides that it shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute made in order as original text. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the Rules Committee report. Finally, the rule provides one motion to recommit with or without instructions. Testimony on H.R. 3581 was heard from Chairman Ryan of Wisconsin.

EXPEDITED LINE-ITEM VETO AND RESCISSIONS ACT OF 2011

Committee on Rules: Full Committee held a hearing on H.R. 3521, the “Expedited Line-Item Veto and Rescissions Act of 2011”. Action was deferred. Testimony was heard from Chairman Ryan of Wisconsin, Representatives McCollum and Cole.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, FEBRUARY 7, 2012

(Committee meetings are open unless otherwise indicated)

Senate

Committee on the Budget: to hold hearings to examine the outlook for United States monetary and fiscal policy, 10 a.m., SD-608.

Committee on Finance: business meeting to consider an original bill entitled, “The Highway Investment, Job Creation and Economic Growth Act of 2012”, 3 p.m., SD-215.

Committee on Foreign Relations: to hold hearings to examine the nominations of Larry Leon Palmer, of Georgia, to be Ambassador to Barbados, and to serve concurrently and without additional compensation as Ambassador to St. Kitts and Nevis, Saint Lucia, Antigua and Barbuda, the Commonwealth of Dominica, Grenada, and Saint Vincent and the Grenadines, Phyllis Marie Powers, of Virginia, to be Ambassador to Republic of Nicaragua, Jonathan Don Farrar, of California, to be Ambassador to the Republic of Panama, and Julissa Reynoso, of New York, to be Ambassador to the Oriental Republic of Uruguay, all of the Department of State, 10 a.m., SD-419.

Full Committee, to hold hearings to examine the nomination of Nancy J. Powell, of Iowa, to be Ambassador to India, Department of State, 2:30 p.m., SD-419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine accessible technology, focusing on challenges and opportunities, 2:30 p.m., SD-G50.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

Joint Meetings

Joint Economic Committee: to hold hearings to examine bolstering the economy, focusing on helping American families by reauthorizing the payroll tax cut and unemployment insurance (UI) benefits, 2:30 p.m., SH-216.

Conference: meeting of conferees on H.R. 3630, to extend the payroll tax holiday, unemployment compensation, Medicare physician payment, provide for the consideration of the Keystone XL pipeline, 10 a.m., HVC-201.

CONGRESSIONAL PROGRAM AHEAD

Week of February 7 through February 10, 2012

Senate Chamber

On *Tuesday*, Senate will be in a period of morning business until 12:30 p.m.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Armed Services: February 9, to hold hearings to examine the nominations of Admiral Samuel J. Locklear III, USN, for reappointment to the grade of admiral and to be Commander, United States Pacific Command, and Lieutenant General Thomas P. Bostick, USA, for reappointment to the grade of lieutenant general and to be Chief of Engineers, and Commanding General, United States Army Corps of Engineers, both of the Department of Defense, 9:30 a.m., SD-G50.

Committee on Banking, Housing, and Urban Affairs: February 9, to hold hearings to examine the state of the housing market, focusing on removing barriers to economic recovery, 10 a.m., SD-538.

Committee on the Budget: February 7, to hold hearings to examine the outlook for United States monetary and fiscal policy, 10 a.m., SD-608.

February 9, Full Committee, to hold hearings to examine assessing inequality, mobility, and opportunity, 10 a.m., SD-608.

Committee on Energy and Natural Resources: February 9, to hold hearings to examine H.R. 1904, to facilitate the efficient extraction of mineral resources in southeast Arizona by authorizing and directing an exchange of Federal and non-Federal land, and the Southeast Arizona Land Exchange and Conservation Act of 2009, 9:30 a.m., SD-366.

Committee on Finance: February 7, business meeting to consider an original bill entitled, “The Highway Investment, Job Creation and Economic Growth Act of 2012”, 3 p.m., SD-215.

Committee on Foreign Relations: February 7, to hold hearings to examine the nominations of Larry Leon Palmer, of Georgia, to be Ambassador to Barbados, and to serve concurrently and without additional compensation as Ambassador to St. Kitts and Nevis, Saint Lucia, Antigua and Barbuda, the Commonwealth of Dominica, Grenada, and Saint Vincent and the Grenadines, Phyllis Marie Powers, of Virginia, to be Ambassador to Republic of Nicaragua, Jonathan Don Farrar, of California, to be Ambassador to the Republic of Panama, and Julissa Reynoso, of New York, to be Ambassador to the Oriental Republic of Uruguay, all of the Department of State, 10 a.m., SD-419.

February 7, Full Committee, to hold hearings to examine the nomination of Nancy J. Powell, of Iowa, to be Ambassador to India, Department of State, 2:30 p.m., SD-419.

Committee on Health, Education, Labor, and Pensions: February 7, to hold hearings to examine accessible technology, focusing on challenges and opportunities, 2:30 p.m., SD-G50.

Committee on Indian Affairs: February 9, to hold an oversight hearing to examine the Department of Justice's opinion on internet gaming, focusing on what's at stake for tribes, 2:15 p.m., SD-628.

Committee on the Judiciary: February 9, business meeting to consider S. 1945, to permit the televising of Supreme Court proceedings, and the nominations of John Z. Lee, and John J. Tharp, Jr., both to be a United States District Judge for the Northern District of Illinois, George Levi Russell III, to be United States District Judge for the District of Maryland, and Kristine Gerhard Baker, to be United States District Judge for the Eastern District of Arkansas, 10 a.m., SD-226.

Select Committee on Intelligence: February 7, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

February 9, Full Committee, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

House Committees

Committee on Appropriations: February 7, Subcommittee on Legislative Branch, hearing on the FY 2013 budget request of the Library of Congress, Government Accountability Office, Government Printing Office, and Congressional Budget Office, 9:30 a.m., HT-2 Capitol.

February 8, Subcommittee on Defense, hearing on Military Health Systems Governance—Army, Navy and Air Force Surgeons General, 10 a.m., 2359 Rayburn.

February 8, Subcommittee on Legislative Branch, hearing on the U.S. Capitol Police FY 2013 budget request, 10 a.m., HT-2 Capitol.

February 9, Subcommittee on Legislative Branch, hearing on the Architect of the Capitol FY 2013 budget request, 10 a.m., HT-2 Capitol.

Committee on Education and the Workforce: February 7, full Committee, hearing entitled "The NLRB Recess Appointments: Implications for America's Workers and Employers", 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce: February 7, full Committee, continue markup of H.R. 3548, the "North American Energy Access Act", 9 a.m., 2123 Rayburn.

February 8, Subcommittee on Communications and Technology, hearing entitled "Cybersecurity: Threats to Communications Networks and Private-Sector Responses", 9:30 a.m., 2322 Rayburn.

February 8, Subcommittee on Energy and Power hearing on "The American Energy Initiative: What EPA's Utility MACT Rule Will Cost U.S. Consumers", 10 a.m., 2123 Rayburn.

February 9, Subcommittee on Health, hearing entitled "Review of the Proposed Generic Drug and Biosimilars, User Fees and Further Examination of Drug Shortages", 10 a.m., 2123 Rayburn.

Committee on Financial Services: February 7, Subcommittee on Insurance, Housing and Community Opportunity, markup of the following: the "Affordable Housing and Self-Sufficiency Improvement Act of 2012";

the "FHA Emergency Fiscal Solvency Act of 2012"; and H.R. 32, the "Homeless Children and Youth Act of 2011", 10 a.m., 2128 Rayburn.

February 8, Subcommittee on Financial Institutions and Consumer Credit, hearing entitled "Legislative Proposals to Promote Accountability and Transparency at the Consumer Financial Protection Bureau", 10 a.m., 2128 Rayburn.

February 8, Subcommittee on Capital Markets and Government Sponsored Enterprises, hearing entitled "Limiting the Extraterritorial Impact of Title VII of the Dodd-Frank Act", 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs: February 7, full Committee, hearing entitled "Export Controls, Arms Sales, and Reform: Balancing U.S. Interests, Part II", 10 a.m., 2172 Rayburn.

February 7, Subcommittee on Terrorism, Nonproliferation, and Trade hearing entitled "The U.S.-Philippines Alliance: Deepening the Security and Trade Partnership", 2 p.m., 2172 Rayburn.

February 8, Subcommittee on Africa, Global Health, and Human Rights, markup of the following: H.R. 1410, the "Vietnam Human Rights Act of 2011" and H. Res. 361, concerning efforts to provide humanitarian relief to mitigate the effects of drought and avert famine in the Horn of Africa, particularly Somalia, Ethiopia, Djibouti, and Kenya, 2 p.m., 2172 Rayburn.

February 8, Subcommittee on Oversight and Investigations, hearing on Baluchistan, 2:30 p.m., 2200 Rayburn.

February 9, Subcommittee on Europe and Eurasia, hearing entitled "Creating Jobs: Economic Opportunities in Europe and Eurasia", 1 p.m., 2172 Rayburn.

Committee on Homeland Security: February 7, Subcommittee on Border and Maritime Security, hearing entitled "Balancing Maritime Security and Trade Facilitation: Protecting our Ports, Increasing Commerce and Securing the Supply Chain—Part I", 10 a.m., 311 Cannon.

February 7, Subcommittee on Transportation Security, hearing entitled "Screening Partnership Program: Why is a Job-Creating, Public-Private Partnership Meeting Resistance at TSA?", 2 p.m., 311 Cannon.

Committee on the Judiciary: February 7, full Committee, markup of H.R. 3541, the "Susan B. Anthony and Frederick Douglass Prenatal Nondiscrimination Act of 2011", 1:45 p.m., 2141 Rayburn.

February 8, Subcommittee on Crime, Terrorism, and Homeland Security, hearing entitled "Combating Transnational Organized Crime: International Money Laundering as a Threat to our Financial Systems", 10 a.m., 2141 Rayburn.

February 9, Subcommittee on Immigration Policy and Enforcement, hearing entitled "Regional Perspectives on Agricultural Guestworker Programs", 10 a.m., 2141 Rayburn.

Committee on Natural Resources: February 7, Subcommittee on Water and Power, hearing entitled "Water for Our Future and Job Creation: Examining Regulatory and Bureaucratic Barriers to New Surface Storage Infrastructure", 10 a.m., 1324 Longworth.

February 7, Subcommittee on Indian and Alaska Native Affairs, hearing on H.R. 3532, to empower federally

recognized Indian tribes to accept restricted fee tribal lands, and for other purposes, 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform: February 7, Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform, hearing entitled “Jobs for Wounded Warriors: Increasing Access to Contracts for Service Disabled Veterans”, 10 a.m., 2154 Rayburn.

February 7, Subcommittee on Government Organization, Efficiency and Financial Management, hearing entitled “Solutions Needed: Improper Payments Total \$115 Billion in Federal Misspending”, 10 a.m., 2247 Rayburn.

February 7, full Committee, business meeting, 1:30 p.m., 2154 Rayburn.

February 8, full Committee, hearing entitled “The Right to Choose: Protecting Union Workers from Forced Political Contributions”, 10 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology: February 7, full Committee, markup of the following: H.R. 3834, the “Advancing America’s Networking and Information Technology Research and Development Act of 2012”; and H.R. 3199, to Provide a Comprehensive Assessment of the Scientific and Technical Research on the Implications of the Use of Mid-Level Ethanol Blends, and for other purposes, 10 a.m., 2318 Rayburn.

February 8, full Committee, hearing entitled “Assessing America’s Nuclear Future—A Review of the Blue Ribbon Commission’s Report to the Secretary of Energy”, 10 a.m., 2318 Rayburn.

Committee on Small Business: February 8, full Committee, hearing entitled “Placing Federal Tax Dollars at Risk: How the Small Business Administration Mismanages the Modernization of its Information Technology”, 1 p.m., 2360 Rayburn.

February 9, full Committee, hearing entitled “Construction Contracting: Barriers to Small Business Participation”, 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure: February 8, Subcommittee on Aviation, hearing entitled “A Review of Issues Associated with Protecting and Improving our Nation’s Aviation Satellite-based Global Positioning System Infrastructure”, 11 a.m., 2167 Rayburn.

Committee on Veterans’ Affairs: February 9, Subcommittee on Oversight and Investigations, hearing on Reforming VA’s Flawed Fiduciary System, 10 a.m., 334 Cannon.

Committee on Ways and Means: February 7, Subcommittee on Health, hearing on “Programs that Reward Physicians Who Deliver High Quality and Efficient Care”, 10 a.m., 1100 Longworth.

February 8, full Committee, hearing on how accounting rules affect how businesses evaluate tax policy, 9 a.m., 1100 Longworth.

House Permanent Select Committee on Intelligence: February 9, full Committee, hearing on ongoing intelligence activities, 9 a.m., HVC-304. This is a closed hearing.

Joint Meetings

Commission on Security and Cooperation in Europe: February 8, to hold hearings to examine Ireland’s leadership of the Organization for Security and Cooperation in Europe (OSCE), focusing on its future year-long leadership of the 56-nation OSCE, based in Vienna, Austria, and its work in promoting democracy, human rights and the rule of law, 11:30 a.m., B318, Rayburn Building.

Joint Economic Committee: February 7, to hold hearings to examine bolstering the economy, focusing on helping American families by reauthorizing the payroll tax cut and unemployment insurance (UI) benefits, 2:30 p.m., SH-216.

Conference: February 7, meeting of conferees on H.R. 3630, to extend the payroll tax holiday, unemployment compensation, Medicare physician payment, provide for the consideration of the Keystone XL pipeline, 10 a.m., HVC-201.

Next Meeting of the SENATE

10 a.m., Tuesday, February 7

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Tuesday, February 7

Senate Chamber

Program for Tuesday: Senate will be in a period of morning business until 12:30 p.m.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

House Chamber

Program for Tuesday: Consideration of H.R. 3521—Expedited Legislative Line-Item Veto and Rescissions Act (Subject to a Rule). Complete consideration of H.R. 1734—Civilian Property Realignment Act.

Extensions of Remarks, as inserted in this issue

HOUSE

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Boren, Dan, Okla., E141
Brady, Kevin, Tex., E143
Brady, Robert A., Pa., E144
Coffman, Mike, Colo., E144
Conyers, John, Jr., Mich., E145

Courtney, Joe, Conn., E141
Gonzalez, Charles A., Tex., E146, E147
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Congressional Record

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