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No. 35

## House of Representatives

The House met at 12 p.m. 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,  
March 5, 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.

### PRESIDENT PUTIN

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

Mr. DREIER. Mr. Speaker, I rise to extend congratulations to Vladimir Putin for his election to become President of Russia. We saw the reports yesterday. There were nearly 100,000 Web cams that followed the voting stations all across Russia, and even though there have been reports from the Organization For Security and Cooperation in Europe of voting violations, we are where we are. Vladimir Putin is going to be the next President of Russia.

I believe that, in light of that fact, it's important for President Putin to recognize that, contrary to what he said in his acceptance speech last night, we do not want to destroy Russia. I believe that it is very important that we take every step that we can to encourage a strong, vibrant, growing, independent, democratic Russia. I'm not going to, as President Putin said last night, dictate from the West what he should do, but I do think that those of us, like the United States of America, a country that has had a 223-year history of democracy, could provide a little bit of advice to a country that is just now beginning to enter its third decade of democracy and obviously has had more than a few challenges.

Now, Mr. Speaker, I think that if we look at some of the recommendations, the economists last week pointed to some very positive steps that could allow President Putin to, rather than repressing the opposition that he faces, embrace it. Now, what could he do?

First, he could announce that this 6-year term will be his last term, that he will not run again as President of Russia.

Second, it would be very important in light of all of the controversy that took place following last December's parliamentary elections for him to call new parliamentary elections so we could have a greater degree of transparency and accountability.

Third, as we look at the prospect of provincial elections, what are tantamount to governorships, having those elections being free and fair would be a very positive thing.

Additionally, I was very glad to hear the news this morning from current President Dmitry Medvedev about the prospect of releasing my friend who sat with me on numerous occasions here in the Capitol, Mikhail Khodorkovsky, who was the head of Yukos Oil, one of the great energy companies in the world, and was a great philanthropist

in the country, and was guilty of one thing and one thing only, that being opposing Vladimir Putin. The prospect of his release would be a very welcome sign.

I also think, Mr. Speaker, that as we look at the prospect of the appointment of a new prime minister, there are names that have been thrown out there. Alexei Kudrin, who formerly served as finance minister, would be someone who would be very welcome in light of the fact that he has actually engaged the protesters.

So, Mr. Speaker, I throw these proposals out simply because I believe that we need to have a strong, vibrant, growing Russia. We need to recognize that those countries that are formerly part of the Soviet Union should also have an opportunity to be strong, vibrant, democratic, and independent without facing repression.

I do also believe, Mr. Speaker, that as we look at the debate that we're going to face here, that bringing Russia into a rules-based trading system by seeing them join the World Trade Organization would be a very positive thing as we pursue our shared goals.

So, again, as we look forward to the important relationship between Russia and the United States of America, I wish President-elect Putin hearty congratulations.

### 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 9 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.

□ 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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H1137

## PRAYER

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

Dear Lord, we give You thanks for giving us another day.

At the beginning of a new workweek, we use this moment to be reminded of Your presence and to tap the resources needed by the Members of this people's House to do their work as well as it can be done.

May they be led by Your Spirit in the decisions they make. May they possess Your power as they steady themselves amid the pressures of persistent problems. May their faith in You deliver them from tensions that tear the House apart and from worries that might wear them out.

All this day and through the week, may they do their best to find solutions to pressing issues facing our Nation. Please hasten the day when justice and love shall dwell in the hearts of all peoples and rule the affairs of the nations of Earth.

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 South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina 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.

## EXCITEMENT ABOUT SMALL MODULAR REACTORS AT THE SAVANNAH RIVER SITE

(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 Department of Energy announced its decision to bring small modular nuclear reactor technology to the Savannah River Site in Aiken and Barnwell, South Carolina. SRS plays a vital role not only in the Aiken-Barnwell community, but also on a national level, as it enables the United States to honor its international nuclear nonproliferation commitments.

At a time when gas prices are at an all-time high and American families are increasingly facing tough choices, commonsense measures such as using existing government facilities and

technical expertise for developing SMRs are welcome.

I would like to congratulate Dwayne Wilson at the Savannah River Nuclear Solutions and Dr. Terry Michalske at the Savannah River National Laboratory. I'm also very proud of Dr. Dave Moody's efforts in creating such a fitting environment to host this technological advancement at no new cost to the taxpayer. Congratulations to Chief Engineer Gordon Simmons and Dr. Benjamin Cross for their article on Ameresco Biomass and small modular reactors in this month's *The Military Engineer* magazine.

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

## ADVERTISERS PLAY A ROLE IN POLITICS

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

Mr. COHEN. Mr. Speaker, last night, I rested very well on my Sleep Number bed knowing that the company had pulled its ads from Rush Limbaugh's show.

In light of Limbaugh's recent misogynistic attack on Georgetown student Sandra Fluke's fight to obtain affordable, legal birth control for women, I have been drawn to the important part that advertisers play in politics.

The use of airwaves to spread hatred of women is wrong. Those advertisers who support broadcasters who do so are nothing less than accessories to the crime. Advertisers' money keeps these vitriolic and hateful shows and hosts on the air.

Talk radio has gone too far, and it's long past time that advertisers take the initiative and recognize that shows they support often spread lies and hateful speech. I commend those advertisers who pulled their ads from this show, and I await those who follow. Companies like Sleep Number will keep my business, and my next order of flowers will come from ProFlowers.

But this isn't just about Mr. Limbaugh's recent, as he called it, "insulting word choices" as his substandard apology stated; it's about every advertiser who chooses to endorse the spread of hateful words and misinformation on America's airwaves.

## INTERCONNECTED: THE INDIVIDUAL MANDATE AND INSURANCE REFORMS

(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, health care continues to be an important topic in this country. A lot of people ask me, What keeps you awake at night? I'll tell you.

Right now, the Supreme Court is going to hear this law. They could find

the individual mandate is unconstitutional, and I hope they do. But what if they leave the rest of the law intact? Then we will have a real problem, and this House needs to be prepared to deal with that problem and lead on this issue.

In recent filings by the administration, it's apparent that they even acknowledge the difficulties inherent in throwing out the individual mandate but keeping things like guarantee issue and community rating; and, in fact, they asked that these two codependent policies be severed under the law.

States' attempts in the past to constitute guarantee issue and community rating have resulted in insurance costs becoming inexorably higher, the number of people who purchase insurance irrevocably lower, and, as a consequence, the entire system is at risk of completely imploding.

Mr. Speaker, we need to be prepared for this. The Supreme Court is going to hear the case next month. They'll rule by the end of June, and this House needs to be ready to lead.

## COMMENDING PRESIDENT OBAMA'S PROPOSALS REGARDING HIGHER EDUCATION

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

Mr. FALEOMAVAEGA. Mr. Speaker, President Obama stated recently that "no issue will have a bigger impact on the future performance of our economy than education." I commend President Obama for backing up this statement with key proposals that will make higher education more affordable for college students throughout our great Nation.

President Obama's proposal would increase Federal investment in the Perkins loan program from \$1 billion to \$8 billion, while rewarding colleges and universities that lower tuition costs and provide value to especially low-income students. President Obama also wants to increase the Pell Grant program for millions of college students.

President Obama has also proposed a "Pay As You Earn" plan to allow students to put a cap on their monthly payments and allow debt forgiveness balances after 20 years of payments.

Like the GI education bill that helped provide college education for millions of our veterans after World War II, these programs are critical to giving our young generation of college students a greater chance to complete their college education. As a Vietnam veteran, even I would not have completed my education if it had not been for the GI Bill.

Mr. Speaker, I commend President Obama for his leadership and initiative to provide good quality education for all our young generation of Americans.

□ 1410

STAND BY ISRAEL

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

Mr. GOHMERT. Mr. Speaker, we're glad that the President took time out of his schedule from apologizing to people who apparently want others to pay for their contraceptives so that he could see Prime Minister Netanyahu today. He reiterated again what he said last May at AIPAC when he said—in the middle of a lot of other comments—that Israel must be able to defend itself by itself. He reiterated that again yesterday and today. The problem is for Israel to defend itself means they're defending us. We've been described as the Great Satan, the United States, and Israel the Little Satan.

It's time for this President to quit trying to suppress our friend Israel and stand with Israel; but if this President will not stand with Israel, then don't make threats to them about what we're going to do if they defend themselves without our okay. They've already been given the okay by the President, saying they must defend themselves by themselves. I hope and pray we will stand by Israel as they defend themselves—and us.

AIR CAPITAL AMBUCS

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

Mr. POMPEO. Mr. Speaker, today I rise to commend the Air Capital Chapter of AMBUCS.

AMBUCS provides mobility and transportation for people with disabilities. They provide therapeutic tricycles and bicycles to children and veterans with disabilities, and they give along with that the sense of freedom and hope that comes with being able to be transported.

Last year, my local chapter—appropriately named the Air Capital Chapter of AMBUCS—provided Marine Sergeant Jonathan Blank of Augusta with an AmTryke bike. It allowed him to regain some of his mobility. Sergeant Blank, having lost both legs in an explosion last year in Afghanistan, has been in physical therapy to learn to use his prosthetic legs. The AMBUCS-provided bike has allowed him to get exercise and stay healthy—strengthening his body and helping him walk with prosthetics sooner.

Air Capital AMBUCS has now provided over 30 specialty bikes since they were first chartered just 1½ years ago and are now one of the top five organizations all across the country—quite an impressive accomplishment. I would like to thank the Air Capital AMBUCS all-volunteer staff for the amazing work they do and their dedication to this very noble cause.

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, March 2, 2012.

Hon. JOHN A. BOEHNER,  
*The Speaker, U.S. Capitol, 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 March 2, 2012 at 10:18 a.m.:

That the Senate agreed to S. Con. Res. 35.  
That the Senate agreed to S. Con. Res. 36.  
With best wishes, I am

Sincerely,

KAREN L. HAAS,  
*Clerk of the House.*

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, March 2, 2012.

Hon. JOHN A. BOEHNER,  
*The Speaker, The Capitol, 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, I have the honor to transmit a sealed envelope received from the White House on March 2, 2012, at 11:23 a.m., and said to contain a message from the President whereby he notifies the Congress he has extended the national emergency with respect to Zimbabwe.

With best wishes, I am  
Sincerely,

KAREN L. HAAS,  
*Clerk of the House.*

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE SITUATION IN ZIMBABWE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-92)

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

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the na-

tional emergency with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions is to continue in effect beyond March 6, 2012.

The crisis constituted by the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions has not been resolved. These actions and policies continue to pose an unusual and extraordinary threat to the foreign policy of the United States. For these reasons, I have determined that it is necessary to continue this national emergency and to maintain in force the sanctions to respond to this threat.

The United States welcomes the opportunity to modify the targeted sanctions regime when blocked persons demonstrate a clear commitment to respect the rule of law, democracy, and human rights. The United States has committed to continue its review of the targeted sanctions list for Zimbabwe to ensure it remains current and addresses the concerns for which it was created. We hope that events on the ground will allow us to take additional action to recognize progress in Zimbabwe in the future. The goal of a peaceful, democratic Zimbabwe remains foremost in our consideration of any action.

BARACK OBAMA,  
THE WHITE HOUSE, March 2, 2012.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 16 minutes p.m.), the House stood in recess.

□ 1700

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BROOKS) at 5 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.

ROY SCHALLERN ROOD POST OFFICE BUILDING

Mr. FARENTHOLD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3637) to designate the facility

of the United States Postal Service located at 401 Old Dixie Highway in Jupiter, Florida, as the "Roy Schallern Rood Post Office Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3637

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

**SECTION 1. ROY SCHALLERN ROOD POST OFFICE BUILDING.**

(a) DESIGNATION.—The facility of the United States Postal Service located at 401 Old Dixie Highway in Jupiter, Florida, shall be known and designated as the "Roy Schallern Rood Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Roy Schallern Rood Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. FARENTHOLD) and the gentleman from New York (Mr. CROWLEY) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

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

I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. FARENTHOLD. H.R. 3637, introduced by the gentleman from Florida (Mr. ROONEY), would designate the facility of the United States Postal Service located at 401 Old Dixie Highway in Jupiter, Florida, as the Roy Schallern Rood Post Office Building.

The bill was favorably reported by the committee on Oversight and Government Reform on February 7 of this year.

Mr. Speaker, it is altogether fitting and proper that we name this post office in Jupiter, Florida, for Roy Rood, a servant to his local community and a veteran who served in World War II.

Recently, Mr. Speaker, I had the tremendous honor of awarding a World War II veteran in my own district that I represent, Sergeant Arthur Nowakowski, his Silver Star for heroics he displayed over 60 years ago.

To Sergeant Nowakowski and Roy Rood and all of those who risked their lives and fought for the freedoms we hold dear today, thank you. Whether we present commendation medals or name post offices to honor our courageous veterans, these are small thanks and the very least that we can do for those who have sacrificed so much for our Nation.

I would now like to yield as much time as he may consume to the gentleman from Florida (Mr. ROONEY).

Mr. ROONEY. Mr. Speaker, today I rise in support of the legislation designating the United States Postal Service located in my district at 401 Old Dixie Highway in Jupiter, Florida, as the Roy Rood Post Office Building.

ing the United States Postal Service located in my district at 401 Old Dixie Highway in Jupiter, Florida, as the Roy Rood Post Office Building.

Roy was a longtime resident and a founding father of my hometown of Tequesta, Florida. Roy was born in 1918 on a farm in Jupiter, Florida, one of 11 children. Roy's childhood was spent working on his family's dairy farm where he learned the value of a hard day's work and fostered his love of the outdoors. The Rood farm was also home to Tequesta's first post office.

Rood joined the U.S. Navy in 1941, following the attack on Pearl Harbor. He served with dignity and honor as a trained instructor and aviation mechanic throughout World War II. Rood was stationed on the USS *Hollandia C-97*, a jeep aircraft carrier that was part of the fleet that participated in the Battle of Guam. By the end of the war, Roy had risen to the rank of aviation mate first class and was an acting chief petty officer.

Following the war, Roy returned home to Florida where he started a landscaping business that continues today. Before his death in October of last year, Roy Rood helped found American Legion Post 271, of which I'm a member; the local Kiwanis Club; the First Bank of Jupiter; and Jupiter Christian School.

Tequesta has seen many changes over the last 60 years and has grown due to the hard work and dedicated lives of people like Roy Rood. He was a fixture in my own hometown of Tequesta and in the many philanthropic organizations along the Treasure Coast, and they are directly attributed to his efforts. The residents of Tequesta are lucky to call Roy Rood our town's founding father. It would be a fitting tribute to Roy Rood's legacy and service to name the post office in Jupiter in his honor.

Mr. Speaker, over the last several years, I got to know Mr. Rood and his wife personally. I can honestly say there is no better, gentler, and kinder man than Mr. Rood. He will truly be missed.

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

On behalf of the minority of the Committee on Oversight and Government Reform, I rise in support of the consideration of H.R. 3637, a bill to designate the facility of the United States Postal Service located at 401 Old Dixie Highway in Jupiter, Florida, as the Roy Schallern Rood Post Office Building.

The measure before us was introduced by my good friend, Representative TOM ROONEY, on December 12 of last year in accordance with committee requirements. H.R. 3637 is co-sponsored by all Members of the Florida delegation and was favorably reported out of the Oversight and Government Reform Committee by unanimous consent on February 7, 2012.

H.R. 3637 honors the life and legacy of Roy Rood, a Navy chief petty officer and business pioneer from Tequesta, Florida.

Shortly after the attack on Pearl Harbor, Mr. Rood elected to join the fight for freedom by enlisting in the U.S. Navy in 1941. During his tour of duty with the U.S. Navy in World War II, Mr. Rood served with dignity and honor as a trained instructor and aviation mechanic. Mr. Rood was stationed on the USS *Hollandia C-97*, which was part of the fleet that participated in the Second Battle of Guam in 1944.

After his service in World War II, Mr. Rood returned to his home in south Florida where he started a successful landscaping business that actually continues to operate and thrive to this day. As the founder of the town of Tequesta, Florida, Mr. Rood has been a philanthropic and valuable member of that community.

That said, Mr. Speaker, let us honor the service and life of this fine American citizen by renaming the Old Dixie Highway Post Office in Jupiter, Florida, as the Roy Schallern Rood Post Office Building.

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

Mr. FARENTHOLD. Mr. Speaker, we can never do enough for our veterans, men like Roy Rood who have sacrificed and risked it all in the name of freedom.

While it has been over 60 years since World War II, we must never forget the sacrifices made by these people and so many others during that time. To those who have fought and served, to those who protect and defend our great country each and every day, thank you. Remember, Mr. Speaker, freedom is not free.

I urge all Members to join me in strong support of this bill, H.R. 3637, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. FARENTHOLD) that the House suspend the rules and pass the bill, H.R. 3637.

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. FARENTHOLD. 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.

PRIVATE ISAAC T. CORTES POST OFFICE

Mr. FARENTHOLD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3413) to designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the "Private Isaac T. Cortes Post Office".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3413

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

## SECTION 1. PRIVATE ISAAC T. CORTES POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, shall be known and designated as the “Private Isaac T. Cortes Post Office”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Private Isaac T. Cortes Post Office”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. FARENTHOLD) and the gentleman from New York (Mr. CROWLEY) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

□ 1710

## GENERAL LEAVE

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

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

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

There was no objection.

Mr. FARENTHOLD. Mr. Speaker, H.R. 3413, introduced by the gentleman from New York (Mr. CROWLEY), would designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the Private Isaac T. Cortes Post Office. H.R. 3413 was reported favorably by the Committee on Oversight and Government Reform on February 7 of this year.

Mr. Speaker, Private Isaac T. Cortes was born and raised in the Bronx and joined the Army in November of 2006. While at one time Private Cortes had aspirations of becoming a police officer with the New York City Police Department, his desire to serve and protect his country as a soldier soon won out. According to his brother, Private Cortes was “proud doing what he did.” He wanted to continue serving in the Army and serve to fight against terrorism.

In September of 2007, Private Cortes deployed to Iraq to support Operation Iraqi Freedom and served as an infantry squad leader in the 10th Mountain Division based out of Fort Drum, New York.

Sadly, Mr. Speaker, less than 3 months later, on November 27, 2007, Private Cortes died when the vehicle that he was riding in was struck by an improvised explosive device. He was just 26 years old.

For his bravery and courage, Mr. Speaker, Private Cortes was awarded the Purple Heart and the Bronze Star.

Mr. Speaker, it is altogether fitting and proper that we name this post office in honor of Private Cortes. This man made the ultimate sacrifice fighting to protect the country that he

loved. He put his own life in harm’s way so that we can remain the land of the free.

For that, Mr. Speaker, I’m truly grateful. The least we can do, Mr. Speaker, is to honor him and his brave service to our Nation by naming this post office after him. I urge all Members to join me in support of this bill.

I reserve the balance of my time.

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

Mr. Speaker, my colleagues, I rise in strong support of H.R. 3413, a bill I authored to rename the United States Postal Service facility at 1449 West Avenue in the Bronx, New York, in honor of Private Isaac T. Cortes, who tragically lost his life outside Amerli, Iraq, on November 27, 2007.

Private Cortes lived his life by a simple motto, “Go big or go home,” which can also be used to describe Isaac’s decision to join the Army. Certainly there can be no more fitting instance of following the words he lived by than his decision to serve his country at a time when our country was fighting, not one, but two wars.

Isaac joined the Army in part because he felt that it would help him achieve his dream of one day becoming a member of the New York City Police Department, but quickly discovered that the Army was his true calling. Private Cortes loved the Army and loved the feeling of pride for country and community he felt when he wore the U.S. Army uniform, a pride so strong that Private Cortes intended to make a career in the Army, a career in the service of his country. Unfortunately, that dream was cut short on November 27, 2007, when Private Cortes, his Humvee, was hit by an IED, killing him instantly.

While Private Cortes did not get the chance to come home, his memory and spirit lives on through the love of his family, friends, country, and community.

The Army has recognized Private Cortes’ exceptional service by awarding him the Purple Heart, the Bronze Star, the National Defense Service Medal, the Iraq Campaign Medal, the Global War on Terrorism Service Medal, and the Army Service Ribbon.

Known for a big heart and his loving ways, his family honors his memory by hosting blood, clothing, food, and toy drives. And today, we have the opportunity to do our part to contribute to his legacy by passing this legislation, which will ensure his courage, integrity, and sacrifice will live on to inspire future generations to live up to his example.

There is nothing the government can do that will ever live up to Isaac’s “go big” moment or erase the burden felt by his family, especially his mother, Emily Toro, who I know is watching the proceedings now; but, by passing this bill, at least this Congress can do something to help ensure that his memory survives.

I think it only appropriate that prior to passing this bill we honor the serv-

ice of a World War II veteran, really showing the link between that great war to preserve democracy and freedom throughout the world and the sacrifices that have been made and continue to be made in a part of the world in the Middle East, in Iraq and Afghanistan, to preserve those same freedoms that we hold dear, that Private Cortes held dear, and as the people of the Bronx hold dear.

Just a note, Mr. Speaker, my colleague was talking about Bronx, New York. There are only three parts of the world that begin with “the”: the Vatican, The Hague, and the Bronx, sometimes said “da” Bronx.

But the Bronx is very proud of its sons and daughters, many of whom have paid the ultimate sacrifice in wartime; and this wartime is not unlike any other, continues to sacrifice, as do the sons and daughters of New York City and New York itself.

So, Mr. Speaker, in recognition of Private Isaac T. Cortes’ commitment to the Bronx, to New York City, to New York State, and to his beloved country, I ask my colleagues to join me in commemorating the life of this brave soldier by supporting the passage of H.R. 3413.

With that, Mr. Speaker, I yield back the balance of my time and once again wish Emily Toro and the entire Cortes family our regards.

Mr. FARENTHOLD. Mr. Speaker, I urge all Members to support the passage of H.R. 3413, honoring the service in memory of Private Isaac Cortes and the sacrifices of his family, including Mrs. Toro, his service to this country and to the Bronx, by naming this post office in his honor.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. FARENTHOLD) that the House suspend the rules and pass the bill, H.R. 3413.

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

A motion to reconsider was laid on the table.

□ 1720

## JAMES M. FITZGERALD UNITED STATES COURTHOUSE

Mr. DENHAM. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1710) to designate the United States courthouse located at 222 West 7th Avenue, Anchorage, Alaska, as the James M. Fitzgerald United States Courthouse.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1710

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

**SECTION 1. JAMES M. FITZGERALD UNITED STATES COURTHOUSE.**

(a) DESIGNATION.—The United States courthouse located at 222 West 7th Avenue, Anchorage, Alaska, shall be known and designated as the “James M. Fitzgerald United States Courthouse”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the “James M. Fitzgerald United States Courthouse”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DENHAM) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from California.

**GENERAL LEAVE**

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 S. 1710.

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

There was no objection.

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

Senate bill 1710 would designate the United States courthouse located at 222 West Seventh Avenue, Anchorage, Alaska, as the James M. Fitzgerald United States Courthouse.

Just last week, the Subcommittee on Economic Development, Public Buildings and Emergency Management, which I chair, marked up the House companion bill introduced by Congressman DON YOUNG of Alaska, and I want to thank him for his leadership on this issue.

Judge James M. Fitzgerald had 47 years of experience as a judge, both in the State of Alaska and on the Federal bench. He was one of the first judges appointed to the Superior Court in Alaska when Alaska became a State in 1959 and was later appointed to the Alaska Supreme Court in 1972.

In 1974, President Ford appointed Judge Fitzgerald to the U.S. District Court for the District of Alaska, where he remained until his retirement in 2006. I think it is more than fitting that a Federal courthouse in Anchorage bear his name. I support passage of this legislation and urge my colleagues to do the same.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of S. 1710 and am pleased to speak in support of the bill that names the United States courthouse located at 222 West Seventh Avenue in Anchorage, Alaska, as the James M. Fitzgerald United States Courthouse.

Judge James Martin Fitzgerald is considered one of the founding fathers of law in the State of Alaska. He dedicated his life to public service and was well respected throughout the Alaskan

legal community. Judge Fitzgerald was a World War II veteran, serving in both the U.S. Army and the U.S. Marines. He was awarded the Distinguished Flying Cross and an Air Medal for his military service and was honorably discharged in December 1946.

After his military service, Judge Fitzgerald earned his LL.B. and B.A. simultaneously from Willamette University and graduated in 1951. Soon after graduation, Judge Fitzgerald was appointed as an Assistant U.S. Attorney in Ketchikan, Alaska, and Anchorage, Alaska, earning a reputation as a prosecutor willing to take on corruption in law enforcement. In 1959, he was appointed by the governor of Alaska as the legal counsel for the State, and shortly thereafter was appointed as the State's first commissioner of public safety. Judge Fitzgerald was later appointed as a Superior Court judge in 1959 and in 1972 to the Alaska Supreme Court.

In 1975, President Gerald Ford appointed Judge Fitzgerald as the first district judge for the District of Alaska. Nine years later, Judge Fitzgerald was appointed chief judge for the District of Alaska, where he served until he assumed senior status in 1989. Judge Fitzgerald continued to serve as a judge in Alaska and on the Ninth Circuit until his death on April 3, 2011. In total, Judge Fitzgerald spent 53 years on the bench. Because Judge Fitzgerald took on his first judicial appointment the same year as Alaska achieved statehood, he had a unique role in shaping all Alaskan jurisprudence.

Because of Judge Fitzgerald's service as a member of the U.S. military and his contribution to the Alaskan and the U.S. legal community, it is appropriate to designate the United States courthouse located in Anchorage, Alaska, as the James M. Fitzgerald United States Courthouse. I commend my colleague from Alaska who sponsored this bill for his recognition of the judge, and I urge my colleagues to join me in supporting this legislation.

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

Mr. DENHAM. Mr. Speaker, I yield 2 minutes to the gentleman from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, I do thank the gentleman for yielding.

S. 1710, this legislation, as has been mentioned by both speakers, will name the Federal courthouse in Anchorage after the late Judge James Martin Fitzgerald. James Fitzgerald served Alaska from 1959 to 2006 on the first Alaska Superior Court bench, on the Alaska Supreme Court, and on the U.S. District Court for the District of Alaska.

Judge Fitzgerald was an honorable man and represents the best of Alaska in its earliest years as a State. As was mentioned, from his service to his country in the South Pacific during

World War II to the time he served on the State of Alaska's highest court, Judge Fitzgerald always put his country and State first. From 1959 until his retirement in 2006, he served with distinction as a State and Federal judge unanimously praised for his brilliance, his modest nature, and his sense of justice.

In addition to serving as a judge, Judge Fitzgerald was a decorated World War II Marine veteran, a prosecutor, Alaska's first commissioner of public safety, and the initiator of what would become the Alaska State Troopers and the Alaska Village Public Safety Officer Program.

I am proud to have helped championed this legislation to designate the United States courthouse in Anchorage as the James M. Fitzgerald United States Courthouse. He was a great man, and this will ensure his life and accomplishments are properly memorialized in my State. Again, I urge all of my colleagues to support this legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DENHAM) that the House suspend the rules and pass the bill, S. 1710.

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

A motion to reconsider was laid on the table.

**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 29 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. DENHAM) at 6 o'clock and 30 minutes p.m.

**REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2842, BUREAU OF RECLAMATION SMALL CONDUIT HYDROPOWER DEVELOPMENT AND RURAL JOBS ACT OF 2011**

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 112-408) on the resolution (H. Res. 570) providing for consideration of the bill (H.R. 2842) to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ROY SCHALLERN ROOD POST OFFICE BUILDING

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3637) to designate the facility of the United States Postal Service located at 401 Old Dixie Highway in Jupiter, Florida, as the “Roy Schallern Rood Post Office Building,” on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. FARENTHOLD) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 362, nays 2, not voting 69, as follows:

[Roll No. 95]  
YEAS—362

|              |               |                 |
|--------------|---------------|-----------------|
| Ackerman     | Clyburn       | Griffith (VA)   |
| Adams        | Coble         | Grimm           |
| Aderholt     | Coffman (CO)  | Guinta          |
| Akin         | Cohen         | Guthrie         |
| Alexander    | Cole          | Hahn            |
| Altmire      | Conaway       | Hall            |
| Amash        | Connolly (VA) | Hanabusa        |
| Amodi        | Conyers       | Hanna           |
| Andrews      | Cooper        | Harper          |
| Austria      | Costa         | Harris          |
| Baca         | Costello      | Hartzler        |
| Bachmann     | Courtney      | Hastings (FL)   |
| Bachus       | Crawford      | Hastings (WA)   |
| Baldwin      | Crenshaw      | Hayworth        |
| Barletta     | Critz         | Heck            |
| Barrow       | Crowley       | Heinrich        |
| Bartlett     | Cuellar       | Hensarling      |
| Barton (TX)  | Culberson     | Herger          |
| Bass (CA)    | Cummings      | Herrera Beutler |
| Bass (NH)    | Davis (CA)    | Higgins         |
| Becerra      | Davis (KY)    | Himes           |
| Benishek     | DeFazio       | Hinchey         |
| Berg         | DeGette       | Hochul          |
| Berkley      | DeLauro       | Holden          |
| Berman       | Denham        | Holt            |
| Biggert      | Dent          | Honda           |
| Bilbray      | DesJarlais    | Hoyer           |
| Billirakis   | Diaz-Balart   | Huelskamp       |
| Bishop (GA)  | Dingell       | Huizenga (MI)   |
| Bishop (UT)  | Dold          | Hultgren        |
| Black        | Dreier        | Hunter          |
| Blackburn    | Duffy         | Hurt            |
| Blumenauer   | Duncan (SC)   | Israel          |
| Bonamici     | Duncan (TN)   | Issa            |
| Bono Mack    | Edwards       | Jackson (IL)    |
| Boren        | Ellison       | Jackson Lee     |
| Boswell      | Ellmers       | (TX)            |
| Boustany     | Eshoo         | Jenkins         |
| Brady (PA)   | Farenthold    | Johnson (OH)    |
| Brady (TX)   | Farr          | Johnson, E. B.  |
| Bralley (IA) | Fattah        | Johnson, Sam    |
| Brooks       | Filner        | Jones           |
| Brown (GA)   | Fincher       | Keating         |
| Buchanan     | Fitzpatrick   | Kelly           |
| Bucshon      | Flake         | Kildee          |
| Buerkle      | Fleming       | King (IA)       |
| Burgess      | Flores        | King (NY)       |
| Butterfield  | Fortenberry   | Kingston        |
| Calvert      | Fox           | Kinzinger (IL)  |
| Camp         | Frank (MA)    | Kissell         |
| Canseco      | Frelinghuysen | Kline           |
| Cantor       | Gallely       | Lamborn         |
| Capito       | Garamendi     | Lance           |
| Capps        | Gardner       | Landry          |
| Capuano      | Garrett       | Langevin        |
| Carnahan     | Gerlach       | Lankford        |
| Carney       | Gibbs         | Larsen (WA)     |
| Carson (IN)  | Gibson        | Larsen (CT)     |
| Carter       | Cassidy       | Latham          |
| Cassidy      | Gingrey (GA)  | Latham          |
| Castor (FL)  | Gonzalez      | LaTourette      |
| Chabot       | Goodlatte     | Latta           |
| Chaffetz     | Gowdy         | Lee (CA)        |
| Chandler     | Granger       | Levin           |
| Chu          | Graves (GA)   | Lewis (CA)      |
| Cicilline    | Graves (MO)   | Lipinski        |
| Clarke (MI)  | Green, Al     | LoBiondo        |
| Clay         | Green, Gene   | Loehsack        |
| Cleaver      | Griffin (AR)  | Lofgren, Zoe    |

|                 |                |
|-----------------|----------------|
| Long            | Pelosi         |
| Lucas           | Pence          |
| Luetkemeyer     | Peters         |
| Lujan           | Peterson       |
| Lummis          | Petri          |
| Lungren, Daniel | Pitts          |
| E.              | Platts         |
| Mack            | Poe (TX)       |
| Maloney         | Sires          |
| Marchant        | Polis          |
| Marino          | Pompeo         |
| Markey          | Posey          |
| Matheson        | Price (GA)     |
| Matsui          | Price (NC)     |
| McCarthy (CA)   | Quayle         |
| McCarthy (NY)   | Quigley        |
| McCaul          | Reed           |
| McClintock      | Rehberg        |
| McCollum        | Reichert       |
| McDermott       | Renacci        |
| McGovern        | Ribble         |
| McHenry         | Richardson     |
| McIntyre        | Rivera         |
| McKeon          | Roby           |
| McKinley        | Roe (TN)       |
| McMorris        | Rogers (AL)    |
| Rodgers         | Rogers (KY)    |
| McNerney        | Rogers (MI)    |
| Meehan          | Rohrabacher    |
| Meeks           | Rokita         |
| Mica            | Rooney         |
| Michaud         | Ros-Lehtinen   |
| Miller (MI)     | Roskam         |
| Miller (NC)     | Ross (FL)      |
| Miller, Gary    | Rothman (NJ)   |
| Mulvaney        | Roybal-Allard  |
| Murphy (PA)     | Ryunyan        |
| Myrick          | Rush           |
| Napolitano      | Ryan (OH)      |
| Neal            | Ryan (WI)      |
| Neugebauer      | Sanchez, Linda |
| Noem            | T.             |
| Nugent          | Sarbanes       |
| Nunes           | Scalise        |
| Nunnelee        | Schakowsky     |
| Olson           | Schiff         |
| Oliver          | Schilling      |
| Owens           | Schmidt        |
| Palazzo         | Schock         |
| Pallone         | Schrader       |
| Pascarell       | Schwartz       |
| Pastor (AZ)     | Schweikert     |
| Paulsen         | Scott (SC)     |
| Pearce          | Scott (VA)     |
|                 | Scott, Austin  |

NAYS—2

Cravaack

Rigell  
NOT VOTING—69

|               |                |
|---------------|----------------|
| Bishop (NY)   | Hirono         |
| Bonner        | Inslee         |
| Brown (FL)    | Johnson (GA)   |
| Burton (IN)   | Johnson (IL)   |
| Campbell      | Jordan         |
| Cardoza       | Kaptur         |
| Clarke (NY)   | Kucinich       |
| Davis (IL)    | Labrador       |
| Deutch        | Lewis (GA)     |
| Dicks         | Lowe           |
| Doggett       | Lynch          |
| Donnelly (IN) | Manzullo       |
| Doyle         | McCotter       |
| Engel         | Miller (FL)    |
| Fleischmann   | Miller, George |
| Forbes        | Moore          |
| Franks (AZ)   | Moran          |
| Flake         | Murphy (CT)    |
| Fudge         | Nadler         |
| Gohmert       | Nadler         |
| Gosar         | Paul           |
| Grijalva      | Payne          |
| Gutierrez     | Perlmutter     |
| Hinojosa      | Pingree (ME)   |

□ 1857

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MILLER of Florida. Mr. Speaker, due to a family emergency, I missed the following rollcall vote: No. 95 on March 5, 2012.

|               |
|---------------|
| Scott, David  |
| Sensenbrenner |
| Serrano       |
| Sessions      |
| Sewell        |
| Shimkus       |
| Shuler        |
| Sires         |
| Slaughter     |
| Smith (NE)    |
| Smith (NJ)    |
| Smith (TX)    |
| Smith (WA)    |
| Southerland   |
| Stark         |
| Stearns       |
| Stivers       |
| Stutzman      |
| Sullivan      |
| Sutton        |
| Terry         |
| Thompson (CA) |
| Thompson (MS) |
| Thompson (PA) |
| Thornberry    |

|             |
|-------------|
| Tiberi      |
| Tierney     |
| Tipton      |
| Tonko       |
| Turner (NY) |
| Upton       |
| Van Hollen  |
| Walberg     |
| Walden      |
| Walsh (IL)  |
| Walz (MN)   |
| Wasserman   |
| Schultz     |
| Watt        |
| Webster     |
| Welch       |
| West        |
| Whitfield   |
| Wilson (FL) |
| Wilson (SC) |
| Wolf        |
| Womack      |
| Woodall     |
| Yarmuth     |
| Yoder       |
| Young (AK)  |
| Young (IN)  |

If present, I would have voted: rollcall vote No. 95—H.R. 3637—To designate the “Roy Schallern Rood Post Office Building” in Jupiter, Florida, “yea.”

Ms. CLARKE of New York. Mr. Speaker, I was unavoidably detained in my district and missed the vote on Monday, March 5, 2012. Had I been present, I would have voted “yea” on rollcall No. 95, H.R. 3637, the “Roy Schallern Rood Post Office Building.”

Mr. JOHNSON of Illinois. Mr. Speaker, on Monday, March 5, 2012, I had a previously scheduled meeting with constituents in Champaign, Illinois. As a result, I am unable to attend votes this evening. Had I been present, I would have voted “aye,” on H.R. 3637, to designate the facility of the United States Postal Service located at 401 Old Dixie Highway in Jupiter, Florida, as the “Roy Schallern Rood Post Office Building.”

ESTABLISHING JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (S. Con. Res. 35) to establish the Joint Congressional Committee on Inaugural Ceremonies for the inauguration of the President-elect and Vice President-elect of the United States on January 21, 2013, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

S. CON. RES. 35

*Resolved by the Senate (the House of Representatives concurring),*

SECTION 1. ESTABLISHMENT OF JOINT COMMITTEE.

There is established a Joint Congressional Committee on Inaugural Ceremonies (in this resolution referred to as the “joint committee”) consisting of 3 Senators and 3 Members of the House of Representatives, to be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively. The joint committee is authorized to make the necessary arrangements for the inauguration of the President-elect and Vice President-elect of the United States on January 21, 2013.

SEC. 2. SUPPORT OF THE JOINT COMMITTEE.

The joint committee—

(1) is authorized to utilize appropriate equipment and the services of appropriate personnel of departments and agencies of the Federal Government, under arrangements between the joint committee and the heads of those departments and agencies, in connection with the inaugural proceedings and ceremonies; and

(2) may accept gifts and donations of goods and services to carry out its responsibilities.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.



**AUTHORIZING USE OF ROTUNDA AND EMANCIPATION HALL BY JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES**

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (S. Con. Res. 36) to authorize the use of the rotunda and Emancipation Hall of the Capitol by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

S. CON. RES. 36

*Resolved by the Senate (the House of Representatives concurring),*

**SECTION 1. USE OF THE ROTUNDA AND EMANCIPATION HALL OF THE CAPITOL.**

The rotunda and Emancipation Hall of the United States Capitol are authorized to be used on January 21, 2013, by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

**BORDER SHOOTOUT**

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

Mr. POE of Texas. Mr. Speaker, last week, border protectors were patrolling near Roma, Texas, when they spotted drug smugglers trying to move narcotics into the United States. The agents found themselves under attack from the Mexican side when narco-terrorists unleashed gunfire from the other side of the Rio Grande River. The agents returned fire in self-defense. This sounds like a scene out of a western movie, but unfortunately this is real life on the Texas border.

The legal ports of entry may seem safe, but in the hinterlands it's the Wild West. Law enforcement is outmanned, outgunned, and outfinanced. We have troops protecting the borders of other countries; why don't they protect ours? But Texas is defending itself. It has to.

On Thursday, Texas DPS unveiled the second in its fleet of six gunboats that will now patrol the Rio Grande. Why does Texas have to send its own navy to defend the border of the United States? Because the Federal Govern-

ment refuses to do its job, and someone has to protect the homeland.

And that's just the way it is.

□ 1900

**THE SLAUGHTER CONTINUES IN SYRIA**

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

Ms. JACKSON LEE of Texas. The slaughter continues in Syria.

Mr. Speaker, last week I visited the head of Mission at the Syrian Embassy and delivered letters that indicated that Mr. Assad, President Assad must go and that there must be an establishment of safe houses or safe places for women and children and that, at that time, the bodies of those deceased journalists should come out and, as well, that the Red Cross and International Red Cross should be allowed in.

Then there was a protesting and suggesting it was the rebels that weren't allowing the Red Cross in. But we've now heard from a journalist that was able to get out that those journalists were actually murdered. And now, today, we're reading that the Syrian authorities Friday blocked an officially sanctioned Red Cross convoy laden with food and medical supplies from entering a devastated neighborhood in Homs 1 day after the Army overwhelmed the rebel stronghold here after a months-long siege. No rebels, just a Syrian despot, the people who want to kill their own people.

Mr. Assad needs to go. We need to get women and children safe. We need to be able to get justice for the dead journalists, and now the world needs to rise up. I look forward to the Syrian resolution passing, but something must be done.

Mr. Assad, you have to go.

**CONGRATULATING THE EDEN PRAIRIE BOYS SWIMMING AND DIVING TEAM**

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

Mr. PAULSEN. Mr. Speaker, I want to rise today to congratulate the Eden Prairie boys Eagles swimming team and diving team on winning the Minnesota State Championship recently. The Eden Prairie Eagles earned more than 100 points over their two closest competitors that tied for second place.

A key relay team of Aaron Greenberg, Maverick Hovey, Mike Solfelt and Bryce Boston also set a new State record in the 200-yard freestyle relay, and they also took home first place in the 400-yard freestyle relay.

Mr. Speaker, these student athletes have absolutely seen that teamwork builds character, confidence, and self-worth. It also teaches our young people the importance of working together to

find common ground. Lessons such as playing competitively while also having respect for your opponent are lifelong and will make for absolutely strong, successful adults and future strong leaders.

Mr. Speaker, congratulations to the Eden Prairie boys swimming and diving team.

**A CALL FOR COMPREHENSIVE IMMIGRATION REFORM**

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

Mr. POLIS. I rise today to urge this body, the United States Congress, to join my constituents' call and meet my constituents' call for comprehensive immigration reform.

My constituents across the ideological spectrum, from those on the right, who decry the rule of law, the undermining of the state of law and the affront to our sovereignty, to those on the left, who decry the tearing apart of families and the injustices of the inhumane treatment of people in our immigration system, we are calling out to fix our broken immigration system and replace it with one that works.

There are upwards of 10 to 15 million people residing in this country illegally. We owe it to the citizens of our country, conservative, liberal, and everywhere in between, to make sure that there are close to zero people living in this country illegally and pass comprehensive immigration reform, as both President Bush and President Obama have called for on a bipartisan basis.

My constituents demand action now. I call upon Congress to pass comprehensive immigration reform.

**CELEBRATING THE LIFE OF DANIEL J. MABIN**

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

Mr. FITZPATRICK. Mr. Speaker, Daniel J. Mabin, World War II veteran, Korean War-era veteran, passed away this afternoon in Pennsylvania. Dan was a father, grandfather, great-grandfather, and he was the loving husband of his wife, Sheelagh. He was preceded in death by his beloved son Sean.

Dan was a member of what has been called "the Greatest Generation any society has ever produced," and he certainly earned that distinction by defending this country through two conflicts.

Sheelagh was his English war bride, whom he brought to America and settled in Levittown, Pennsylvania. When he left the service, Dan worked hard to support his growing family, often working several jobs.

Dan was someone who loved his country and cared deeply about its future. During his life, he served his community and worked to better the lives of



those around him. He imparted these values to his children, who have gone on to contribute greatly to their communities as well.

I had the honor and the pleasure of knowing Dan. He's left a lasting impression on those he touched. May his soul rest in peace.

IN MEMORIAM OF WILLIAM J.  
"BILL" RAGGIO

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

Mr. AMODEI. Mr. Speaker, today, in Nevada, a funeral service is being held for William J. "Bill" Raggio.

When you think of Nevada public service in the modern era, Bill Raggio's name tops all lists. When you think of legislative leadership in the Silver State, Bill Raggio's name tops all lists. When you think of self-made individuals in Nevada, Bill Raggio's name, once again, tops all lists.

It is with sincere sorrow that I rise on the floor of the United States House of Representatives on this day to memorialize a native son of the State of Nevada, a husband, a dad, a community and statewide leader, a role model, and a friend with whom I had the honor and privilege of serving the people of Nevada for many years.

My condolences to Bill's daughters, Leslie and Tracy, and to his wife, Dale. God bless you, Bill.

WE WILL BE THERE TO DEFEND  
ISRAEL

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

Mr. CULBERSON. Mr. Speaker, America has no better friend on the face of the Earth than the people of Israel. Israel is the only nation on Earth that can say they've stood by America 100 percent of the time for 100 percent of their existence. And it's so important today that America, that our President, that this Congress, stand behind the people of Israel at this moment of supreme peril.

When the Iranians are building a nuclear weapon as fast as they can, that the Iranians have said they're going to use it, America must stand by Israel. There should be no doubt in the mind of every Israeli, of every friend of Israel around the world that America will stand behind her best friend 100 percent of the time, just as they have stood beside us 100 percent of the time.

We will be there for Israel to defend her safety, her security, and her prosperity against any enemy, any time, anywhere.

CONFLICT BETWEEN IRAN AND  
ISRAEL

The SPEAKER pro tempore (Mr. GRIFFIN of Arkansas). Under the

Speaker's announced policy of January 5, 2011, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, it is my privilege and honor to address you here on the floor of the United States House of Representatives in this world's great deliberative body. And taking it from the top, as I listened to the statements that were made tonight in the 1-minute, I think of the gentlelady from Texas and her statement about Syria.

Now I'm not here, Mr. Speaker, to defend President Assad and Syria. In fact, I think he needs to go. And I believe that all people of the world have a right to a self-determination, and they should not live under tyranny and they should not live under despotism.

I just think back to when some of us objected that the former Speaker of the House, Mr. Speaker, and that was NANCY PELOSI, as she took over the big gavel, she set up a diplomatic tour and mission, and one of those places was Syria. And I remember the President of the United States, whom, according to the Constitution, is in control of—and I'll say according to the interpretation of the Constitution, he's Commander-in-Chief but also controls the foreign policy. It's implicit, and it's more than a two-century practice that you have to have the President of the United States as conducting foreign policy.

The President of the United States was George W. Bush who asked the then-Speaker of the House, please, do not go to Syria. Do not seek to negotiate with President Assad. Do not upset the diplomacy that's taking place between the United States and Syria, or the lack of that diplomacy.

And I think about that time when NANCY PELOSI, as Speaker, crossed that line, even though it was requested by the President of the United States, the Commander-in-Chief of our Armed Forces, and the individual who was in command of all of our foreign policy, had asked her not to go.

Now we see what's going on in Syria. And I listened to the comments, and I just think that if the gentlelady from Texas had spoken up at that time when I did, it might be a little bit easier to hear tonight than this particularly was.

□ 1910

Mr. Speaker, there are many things in front of us in this Congress. Among them, of course, are economics and national defense, and our national security.

Right now, as I listened to the gentleman from Texas talk about the Israelis, and there's an event going on tonight that brings together about 12,000 people that are some Israelis, many people of Jewish origin here in the United States, and all who will be sitting there at the AIPAC dinner will be strongly supporting an independent Israel that is in control of defending themselves, the sovereignty of Israel.

I'm a strong supporter of Israel. I look at the country of Israel surrounded by its enemies, formed in 1948, and for most of my life, I've watched Israel develop and defend herself, and I've watched how they are the most stable and reliable democracy in the Middle East, and for a long time they were the only democracy in the Middle East. It would be the only place for a long time where an Arab could get a fair trial out of all of the Middle East.

Today, we're seeing the dialogue take place from Iran, not with Iran, and Israel is the stated target of Ahmadinejad. They've been working in Iran, as you know, Mr. Speaker, urgently and feverishly to develop a nuclear weapon and a means to deliver it.

When I came into this Congress and was sworn in in 2003, I sat down then with the ambassadors to the United States from Germany, France, and Great Britain, who were seeking to convince us here in the Congress that we should encourage our President to open up dialogue with the Iranians and perhaps be able to talk them out of their nuclear endeavor.

Now, that was in September of 2003 that that meeting took place over in the Rayburn building, Mr. Speaker. As I sat in on that meeting and weighed in on that meeting, I kept hearing the message come back about "open up dialogue." They wanted to open up dialogue.

So when it came around to the opportunity where I had the floor, I asked those three ambassadors from each nation, the United Kingdom, France, and Germany, What is your long-term agenda here? What do you propose to do? They said, We want to open up dialogue. My answer was, If we open up dialogue with Iran, what is the next step? They said, We're only here to talk about opening up dialogue.

But if you open up dialogue with Iran, there are other steps along the way. If we just talk with them, and they refuse then to shut down their nuclear development within Iran, what are you prepared to do?"

I watched these diplomats start to get nervous. When you talk to diplomats about action, they start to get nervous. So what are you prepared to do? What do you mean? We all, I think, knew what was coming.

Well, are you prepared to go to the United Nations with us and ask for a resolution rejecting Iran's nuclear endeavor? Are you prepared to bring about sanctions? If the sanctions don't work, are you prepared to bring about a blockade? If the blockade doesn't work and there's a line in the sand that says if you violate the blockade, and if you continue on your nuclear endeavor, are you prepared then to go to the desert and enforce the very things that are being started in this dialogue here?

Of course they weren't prepared to do that. They weren't even prepared to talk about that.

Mr. Speaker, when you start down the path of diplomacy and you think

that the only tool you have is diplomacy, there is nobody out here operating as a sovereign nation in the world that's just kind of dumb or duped that doesn't understand that there has to be a force, there has to be some kind of threat, there has to be a consequence and an "or what," or otherwise we would go to the Iranians with our hat in our hand and say, Why don't you be some nice guys for a change and shut down your nuclear development, your nuclear endeavor? What kind of luck will we have with that?

If they believe, as they seem to, that they're called upon by the entity that they worship to annihilate Israel, the miniature Satan, and then turn around and annihilate the Great Satan, the United States of America, that's their stated purpose, Mr. Speaker. And their stated purpose is target one, Tel Aviv, because it's the city that was created after the origins of Israel, and its predominantly of Jewish population. So they would target Tel Aviv.

Now, any nation that would take that position, we would think that somehow we would say to them, Even though your goals are to annihilate Israel and to annihilate the Great Satan, the United States, would you just please be a nice guy and stop developing your nuclear weapons? I mean, how naive could we be to go to Ahmadinejad and make that kind of a request under the guise of dialogue and think somehow that that's going to get the job done?

We should have known then—I'll tell you, Mr. Speaker, I knew then—that dialogue was not going to solve the problem. You never win on dialogue alone. You always have to have a leverage point, so they will look at that, they'll look you in the eye and decide, they mean what they say. It isn't worth it any longer. The juice is not worth the squeeze. I'm going to back off and stop developing the nuclear. But of course that didn't happen. The three countries that were here asking us to engage in dialogue, good people and good friends, very respectable ambassadors each. I have personal admiration and respect for them. But when you start down the path of dialogue, you must also understand there has to be a consequence at the other end. That consequence, in sequence, was to go to the United Nations for a resolution of rejection and disapproval, make it clear in the international world that the Iranians were violating the nuclear nonproliferation agreements that were established, make it clear that there would be sanctions, and if that's the case, there would be then an embargo and there would be a blockade, and on the other side of that, that there would be action to take out their nuclear capability.

Now, our current President has said that he takes nothing off the table. But when you say you take nothing off the table, that doesn't mean that everything is on the table. It's a little bit of that language that we've learned we

have to look at pretty carefully and understand that there's a loophole in that. If you didn't put it on the table in the first place and you take nothing off the table, he may have already in his own mind taken military action off the table, and we don't know.

Mr. Speaker, I was watching the news on Friday morning, and on "Fox and Friends," I heard Gretchen Carlson release the story that Israel and the United States, and that would be President Obama and President Netanyahu, had reached an agreement that Israel would not strike Iran's nuclear capability before the election.

Now, I'm a little amazed that that isn't all over the newspapers and all over the floor of Congress, Mr. Speaker. I'm a little amazed that that story has not been picked up and pasted throughout the blogs and Americans up in arms, Israelis up in arms. I'm a little amazed that that's not going to be the central discussion taking place in the AIPAC dinner with 12,000 people there tonight, and I'm amazed that the President of the United States can give his address to AIPAC, as he did last night, to such a great applause and support, as was reported in the news. I'm amazed.

First of all, was the Fox story true? My experience has been you don't see news come out of there that's unbased or unfounded. It's based on something. It's founded upon something. I haven't chased it down to look at the original sources that are there, but I know what I heard. It disappeared from the media.

But if the President of the United States is even thinking in terms that he would play nuclear showdown with Iran by calculating an election date as part of that equation, it is an appalling concept to think that it could even be reported in the news as fact that the President of the United States would conduct his negotiations and manipulate his foreign policy, especially when it comes down to an Armageddon-type of a policy based upon an election date for his reelection.

I can understand the motive, Mr. Speaker. But to think in terms of if something bad happens between Israel and Iran that might risk the President's reelection, that at least it's reported in the news that he would have had the incentive to negotiate with Israel to say, Do not mount a military strike to knock out Iran's nuclear capability before the election.

I will tell you, Mr. Speaker, I don't believe we have that much time. I think we count this time in weeks, perhaps 2 or 3 months. But I don't think we count this time until after the November election.

□ 1920

Furthermore, when you get to the point where you have these kinds of crises coming forward and when we have the President, who has announced that the Iraq war is going to be finished on such and such a date and that the Afghanistan war is going to be fin-

ished in 2014 and that by the way, oh, time out, Iran, on your nuclear endeavor here until after my reelection because then it will be a lot more comfortable time to deal with this crisis as I take nothing off the table, I don't remember the President saying he has put military strikes on the table. I just remember him saying, I take nothing off the table.

So here is what needs to be done, and I don't know that the credibility exists at this point in the White House for this to be done; but a President who was a credible individual could look at the camera and look across the ocean into the eyes, through video, of Ahmadinejad and the mullahs and say:

I have put an X on the calendar, and that marks the date beyond which you will not be allowed to continue your nuclear endeavor. I know that date, but you do not. I will work with you so that you can save face in Iran, Mr. Ahmadinejad and the mullahs. I'll work with you to accelerate the demolition of your nuclear capability to the satisfaction of American inspectors, and we'll do all of that so you look as good as you can and can save as much face as possible, but you will never know what that date is on the calendar unless you push it too far.

By the way, if you're one day from having it all demolished and you're not done, sorry. The date is the date. You'll not be able to develop your nuclear endeavor beyond that date on the calendar, which you don't know and I do.

That's how you negotiate with terrorists, with cold-eyed people who believe that the United States is the Great Satan; that they're somehow called by the entity they worship to annihilate Israel, to annihilate the United States and to negotiate with them—to think that you can open up dialogue and go through all of the resolutions and sanctions and embargoes and knock the blockade and let some of the rest of the world violate those agreements, by the way, and profit from it.

We saw it happen in Iraq. It didn't work. We're watching it happen in Iran. It's not working. Now we're dangerously walking very close to that line of Iran having the capability of having developed a nuclear weapon and a means to deliver it.

By the way, when I say "a means to deliver it," Mr. Speaker, it isn't just a nuclear-tipped missile that can strike Tel Aviv from Iran at 750-or-so miles from the sovereign territory of Iran to Tel Aviv, itself. It is the ability to put that anywhere in a suitcase. It could be delivered aboard ship; it could be delivered aboard a little boat; it could come about any way over land. Once they have that capability and it's proliferated, there is no stopping the proliferation. We must end their capability before they have that capability—not after. After is too late. That nuclear horse is out of the barn as soon as they are able to produce that

weapon; and when it is, they will terrorize the world. We don't know where it is.

So, Mr. Speaker, I urge the support of the American people in the United States Congress for the autonomy, the sovereignty, and the self-protection of Israel. Should Israel decide that they need to take out Iran's nuclear capability tonight, tomorrow, at any moment, I stand prepared to stand with Israel. Even though this administration might send the message that military support and global political support would no longer be forthcoming from this administration, I believe we have a new administration around the corner.

If we can tell the Iranians to wait with their nuclear development and if we can tell the Israelis to wait with a military strike to take out the nuclear capability that's growing now in Iran, then I can say that the American people look forward to an administration that will treat Israel right, an administration that will support and encourage that Israel defend herself, and a United States of America that will step up and protect and defend Israel as we are pledged to do both philosophically and spiritually and by the obligation that we have from history.

That is just what comes to mind, Mr. Speaker.

Then, as I listened to the speakers here tonight, Syria is a very dangerous place. I am for a regime change, and I don't think that we should have negotiated with nor sent a delegation to President Assad. He is slaughtering and murdering his own people. So to that extent, I agree with the gentlelady from Texas.

But I came here tonight, Mr. Speaker, to address a number of subject matters. On this subject matter, I'm looking out at tomorrow as Super Tuesday, Super Tuesday with 10 States having primary elections. Perhaps out of that comes a direction, the likelihood that there will be one Presidential candidate who will emerge and become the likely nominee, the apparent nominee. I think the odds are a little less than even that that can happen, but it's close.

What we have is a longer, drawn-out nomination process than was anticipated, which started back in Iowa more than a year ago as we worked with the Presidential candidates through that time. Some of them were just putting their toes in the water. They were looking. They came to Iowa and decided they didn't really want to do it, and they stepped back out again. Others hadn't quite emerged. Rick Perry came on a little bit later in August of last year and made a credible run. For a while, he was at the top of the polls. In piece after piece of this race, we've watched as some candidates took a look and stepped out while other candidates stepped in and stepped out.

Now we're at this point where there are four Republican candidates for President who are in the race, and

we're watching as the polls are starting to separate. I don't want to make this prediction, Mr. Speaker, but I'll say this: if I look across the platforms of the Republican likely nominees, potential nominees for the Presidency, I begin to say: we don't have a Republican agenda that's a national agenda. We don't have a consensus on that national agenda.

This Congress has been moving pieces of legislation, almost all of them tied to jobs, jobs, jobs. It seems to me I can think back about 4 years, and I can hear our current Speaker ask the previous Speaker: Madam Speaker, where are the jobs? Jobs, jobs, jobs. Well, I've heard "jobs, jobs, jobs" for a long time. It's nice that we're about jobs. I haven't heard a lot about profit, profit, profit, which is required to pay for the payroll to create jobs, jobs, jobs. Yet profit isn't something that comes from a government job, Mr. Speaker. That would be something I hope the President would have overheard. Profit is not something that comes from a government job. Government jobs consume the profits of the private sector.

There are two sectors in the economy here, the public and the private. The public sector is the regulatory sector, but not exclusively. When the public sector provides law enforcement, for example, that gives us security so that the private sector can operate—so you can open up your shop and do business, so you can open up your factory and do business. You have to have some security. You have to be able to have a judicial branch of government, more limited than the one we have, I might say, so that you can enforce the laws. You need some functions of government. You need people to build the roads, and you need people to sometimes reach out and do for the people that which they cannot do for themselves. Leave us otherwise alone, I would say, Mr. Speaker.

But the drain on the private sector, on the productive sector of the economy, comes from the public sector. The public sector generally consumes the energy and the resources and the product of the private sector. The private sector invests capital; it produces goods and services that have a marketable value both here and abroad; and the economy dynamically grows. The Federal Government reaches in and takes out 22, 23, 24 percent of the gross domestic product, most of which needs to be on the private sector side because they're the only ones generating wealth; they're the only ones taking capital and reinvesting capital.

Historically, for the last 40 to 50 years, the Federal Government has consumed about 18 percent of GDP. Now that has grown up, roughly, to the neighborhood of 23 percent of our gross domestic product; but it saps the vitality of an economy to have a government that grows and consumes more, and it saps the vitality to tax and spend it on the government entity side. The endeavor of the President's eco-

nomie plan should be to roll people out of public employment and into the private sector because the private sector is producing goods and services with a marketable value both here and abroad.

I don't see that coming out of this White House today. I pray it comes out of the White House in less than a year from now when a new President, Mr. Speaker, is elected who understands the principles of free market economics. I can go deeply into that, but I'm hopeful that I can express to you tonight the need for this Congress to move on a series of issues that are very important to the American people.

□ 1930

It is unclear who the apparent nominee, and in the end the nominee, for President is. So, therefore, we can't go to that individual and say will you please write up for me the platform that you are going to run on when you are nominated as President of the United States. That's unclear.

To me what is clear is there are a series of issues that are universal across the contending Presidential candidates. These are the issues that we should move through this Congress, planks in the platform of the next President of the United States. We are in a perfect opportunity to do this.

We are here with a not particularly intense legislative agenda. It's kind of hard to have a lot of things to do when you send them down there and stack them up like cord wood on the desk of HARRY REID. Let's send some things down there that the American people can see are the planks in the platform of the next President.

We know what this President will do. He gave us ObamaCare. He tried to give us cap-and-tax. He gave us Dodd-Frank. Those are the big egregious pieces. He gave us TARP; he gave us the economic stimulus plan, all of that out of President Obama. He blocked the Keystone XL pipeline because apparently he had concluded that it wasn't a national security issue and he needed a little more time to study. I'll come back to that in a little bit, Mr. Speaker. That's the agenda of the current President of the United States.

The next President of the United States needs to have a clear platform to run for office on. They have been articulating that, but the American people don't know what it is because they don't know who the apparent nominee will be.

Well, I can help out with that, Mr. Speaker, because I have sorted through the platforms of each of the viable Presidential candidates and come down with a list of those issues that would be universal across the campaigns of the likely or potential nominees of the Republican Party for President of the United States. And I would suggest, Mr. Speaker, that the leadership in this Congress move the legislation that's universal to any of the potential nominees so that we can lay out that

platform for the next President. The planks are there. If it's something that's popular with the American people, and it's in the agenda of each of the Presidential candidates, bring it to the floor of this Congress.

Bring it through committee first. Let's go through regular order. Let's mark it up in committee, bring it to the floor, and let's have a debate and a vote on it and send it over to HARRY REID and see how well he does rejecting the agenda that the American people support.

Let me start off the list, and this is off of a bit of a research list that I put together about 2 weeks ago. It comes this way: every Presidential candidate that is a viable candidate and with a reasonable potential to be nominated for President of the United States on a Republican ticket supports a fence.

I have stood on this floor over and over again and said go down to the southern border, those 2,000 miles, build a fence, a wall, and a fence. We can't just think that four strands of barbed wire is good enough or that a vehicle barrier is good enough or that a single fence, where the other day they showed a video of the panels in the fence where they went in with a post jack, is what I call it, and jacked the panel up. Then the drug smugglers and the illegals poured underneath that, and then they dropped the panel back down again and walked away with their jack kind of laughing or whatever the south of the border version is for high fives was taking place.

Now, we need to build a fence, a wall, and a fence, Mr. Speaker. I have stood here on this floor and demonstrated how you do that. We need to go down to the border and build first the barrier fence that defines our border, and that says don't come across this, it's U.S. territory, you can only come here legally.

Next, we need to come north of there, a reasonable span, 40 to 50 feet, perhaps, and put in another fence. I would make that out of concrete, precast panels with a slip form trench foundation in it, and I would drop those panels in and affix that in such a way that it would be a strong barrier so that humanity is not pouring through across the border.

I would come again further up another 50 feet or so and build another fence. That can be steel, that can be chain link, it needs to be tall so that you end up with a fence, a wall, and a fence, two zones of no-man's land that it can be enforced. Yes, we need to use all the virtual that we can, all of the cameras and the sensory devices that technology will provide, so that we know to deploy our Border Patrol to the place where there has been a breach or a violation in that fence and enforce that 100 percent.

We can't just let people come into the United States, shrug our shoulders and say, well, we'll catch somebody later on or somebody tomorrow. We have to ensure that if you're going to

sneak into America, we're going to catch you, and we're going to enforce the law. In the end, if you violate that law, we are going to need to punish you and put you back into the condition you were in before you broke the law.

Now, I don't understand why that somehow seems to be cruel and unusual punishment to encounter someone who is unlawfully in the United States, who has violated our laws if they crept into the United States across the border and entered into the United States illegally. That is a crime, Mr. Speaker. It's not a civil violation. It's not. It is a crime. That makes the people who sneak into the United States illegally, people who commit crimes, by definition, are criminals.

I suggest that we build a fence, a wall, and a fence. Some will say we can't build 2,000 miles. My answer is, have you ever seen the Great Wall of China? The Great Wall of China is 5,500 miles long and armies marched on top of that.

The first emperor of China, Qin Shi Huang, back in 245 BC connected the existing sections of the Great Wall of China so that it is one continuous 5,500-mile long wall. They did that, not with huge machines and excavators and cement plants; they did it with stoop labor, putting it together piece by piece by piece. If the Chinese could build a 5,500-mile long great wall, and it's one of the wonders of the world, it would be a wonder to me why we have such difficulty building something that approaches 2,000 miles in length, a simple solution to a complex problem.

Our little old construction company could get tooled up to build a mile a day. I'm not suggesting that our people go do that; but if our little company has that capabilities, think what the big companies have for a capability.

By the way, I'm not suggesting that we build 2,000 miles of fence. I just say this, build it according to the Secure Fence Act. That's the law we passed. That's what Duncan Hunter was for; that's what I was for. Let's just build a fence, a wall, and a fence, and just build it till they stop going around the end. It doesn't have to be 2,000 miles long if they stop going around the end sooner than that. They leave tracks, by the way.

You go out there and you take a look. Well, okay, they went around the end of this fence. Well, let's add another 20 miles, and now I'll see how that works, and we'll just keep building fence until they either quit crossing the line or we have 2,000 miles of it.

The math on that, Mr. Speaker, is not that hard to figure out, although the question doesn't get asked often enough. So we did the math on this a little while back, and I have got to adjust it by a mental calculation to get it into contemporary, and now it's probably even a year old.

We're spending about \$12 billion enforcing our southern border, \$12 billion a year. Now if I take 12 billion, divide it by 2,000, that's \$6 million a mile. If

you are spending \$6 million a mile to defend the border, the Border Patrol comes before the Judiciary Committee, the immigration committee, under oath and testifies we think we interdict about 25 percent of those who attempt to cross the border.

I go down to the border and I ask those enforcing it, so you're stopping about one in four? They laugh at me. Oh, no, we're not stopping one in four, maybe 10 percent. Some say 2 to 3 percent, but the most consistent answer I get from the enforcers on the border is 10 percent. But I'm willing to go back to the 25 percent number and use that, even though I think it's probably high.

I do the calculation. I think, let me see, if Janet Napolitano, Secretary of Homeland Security, came to me and said, Congressman, I want to hire you to guard the west mile from your house across rural Iowa, that mile gravel road for that mile. For that mile I'm going to pay you the same amount that we're paying to protect our southern border, \$6 million a year—oh, and by the way, if that's not enough incentive, it's a 10-year contract. She would lay, in theory under this formula, \$60 million on my kitchen table, and my job is to guard that mile of road and see to it that no more than 75 percent of those that try get across?

□ 1940

I'm going to snap that up, Mr. Speaker. And I'll tell you, I'm not going to go out there and hire myself a multitude of people that are boots on the ground. I'm going to hire some, but I'm going to be very well aware that you have a benefits package that goes along with it, health insurance, retirement benefits and all of the pieces that have to do with supporting an officer, including a vehicle for him to drive, multiple vehicles in some cases. I'm going to recognize that. And I'm going to look at the capital investment for the long term all of the way through retirement of hiring boots on the ground. And, yes, we need them; and those that are there do a good job, and they want to do a good job.

But I'm going to look at it and think: I could invest some of this \$60 million in this contract a little more effectively. I think I'll just build a fence, a wall, and a fence. Then I'll have myself a few Border Patrol officers there to rotate the shifts and monitor the sensors and watch the cameras, and maybe man a guard tower here and there. And we'd make sure that no one would get across that.

And, by the way, as I brought up Israel a little bit earlier, they built a fence. They designed that fence so that it would be as reliable and as tight as possible. It has some wire there. It has got towers and they monitor it, and it has been 99-point-something percent effective. So we can learn something from the Israelis. Why do they build fences if fences don't work?

We look at the Mexicans. They have barriers down there between Mexico and Guatemala.

There's a fence that was being built between Saudi Arabia and Iraq so they could interdict the refugees that they anticipated would be coming into Saudi Arabia, to keep them out.

There is a fence that's being built right now in that bankrupt country of Greece, between Greece and Turkey, to keep the illegals that are pouring into Greece from Turkey out of Greece. Even though the Greeks can't afford it, they are building the fence to keep the illegal Turks from pouring into Greece.

Now, some will say there is something inherently immoral about a fence—a fence, a wall, and a fence, in my case, Mr. Speaker—and I would argue there's a difference between that, those who would say, Haven't you ever heard the Berlin Wall? Well, of course I have heard of the Berlin Wall. I've walked almost every foot of the Berlin Wall. I have a piece of the Berlin Wall in my office over at 1131 Longworth, and it's framed. It is framed with a wood frame and it has a red cloth behind it and a piece of the Berlin Wall about that big. It was chopped out on September 12, 1990. It represents the single-most significant historical event in my lifetime, the end of the Cold War when the Iron Curtain, the Berlin Wall itself, literally the Iron Curtain came crashing down.

But the Berlin Wall was designed to do something entirely different than all of the fences that I've described, Mr. Speaker, and that is it was designed to keep people in, not out. And that's the difference. A wall that's designed to keep people in because you don't want them to achieve and access freedom and liberty and our God-given liberty rights, that's what the Berlin Wall did. It trapped people; it fenced them in.

The other fences that I've talked about are designed to keep people out who are trying to come into the United States, and other places, in violation of existing law.

And others will say—and some are clergy that will say: Well, you were a stranger. You were an alien in a foreign land, and I took care of you.

There are a lot of quotes in the Bible that remind people that we should reach out to the less fortunate among us. But I happen to have stood on Mars Hill in Athens where St. Paul gave his famous speech, his famous sermon in Act 17, when he said: And the Lord made all nations on Earth, and he decided when and where each nation would be.

That was St. Paul's statement on Mars Hill in his famous sermon in Act 17. Each nation has its sovereignty. The Lord decided each nation on Earth and when and where those nations would be, and we should not shrink from that responsibility, that sovereign responsibility, to protect our borders and to protect the rule of law.

And the borders of the United States are what define the sovereignty of the United States. If we should accept the idea that there aren't borders, that

people have always migrated and somehow it is immoral for us to define those borders or tell people you can't come across, then I would ask those who advocate a policy like that, and I believe it is an illogical policy, but those who advocate for such a policy, I would say to them, then: How many people do you believe should be allowed to live in the United States? What should the population of the United States of America be? Six billion people on the planet. We're the third largest population country on the planet, 300-plus million of us. How many should live here?

If you asked the rest of the world: Would you like to live in the United States of America and we'll buy you a plane ticket to go and we'll give you an unlimited supply—well, how about the current access of welfare benefits that are there? Seventy-two different means-tested Federal welfare programs; and, by the way, refundable tax credits for illegals working in America under an employer ID number, a 42-dash number instead of a Social Security number.

I congratulate Congressman SAM JOHNSON of Texas for bringing his legislation that prohibits any tax credits from going to, any refunds from going to those who are filing their taxes without a Social Security number.

But they could tap into all of these benefits, 72 different means-tested welfare programs and the refundable tax credits that are there, and we'd say to them: You can live by an implied guarantee in the United States of America at a middle-income level, middle class without working, and we're going to see to it that it's all available to you. Come to America and we'll give that to you. I would predict, Mr. Speaker, that more than half of the 6 billion people on the planet would opt to come to the United States.

So how many people do those who advocate for open borders, what do they think the population of the United States should be? Should it be 3 billion? Am I right on that? Should it be 2 billion? Should it be 4 billion? I'll suggest it would surpass 3 billion under that kind of an offer, except many of those on the tail end of that great transshipment of humanity would realize that our system here would collapse long before you could ever load 3 billion people into America, or 2 billion, or maybe even 1 billion.

So what is the number? What is it that those who advocate for open borders and suspending the rule of law, what is it that they believe should be the future population of the United States of America? How many would they let in?

And I constantly hear the lamentation that it takes too long to come into the United States legally. It takes too long. Well, I suppose if we just opened it up and we accelerated the process and everybody that was in line, if we let them in right away, inside of a year, maybe that's not too long. I'm

constantly hearing candidates, Presidential candidates even, some in the past, not so much now, argue that we need to speed up our immigration process and that those who are here in the United States illegally need to get right with the law and that they need to go to the back of the line.

So if they need to go to the back of the line, do they really understand that the lines don't start in the United States? The lines for legal immigration into the United States start in foreign countries where people have an aspiration to come here, and they apply for a visa and eventually a green card to come here; and that line, those lines, when you add up all of the lines of the various visas that are out there—H-1Bs, H-2Bs, the visa lottery program, the list goes on and on—you add up all of that, the lines to get in, waiting to come into the United States legally are 50 million long—50 million. Fifty million people are waiting in foreign countries to come to the United States legally, and I hear constantly the wait's too long. We need to accelerate coming into the United States.

So we bring 1.2 million people into this country legally, kind of on average each year, 1.2 million. We're the most generous country on Earth by far. And some data shows that we bring more people legally into the United States than all other countries combined. I can't anchor that in a data point, so I want to put that caveat in the RECORD, Mr. Speaker. But it's in that category, someplace pretty close, 1.2 million legals coming into America, drawing from a pool of about 50 million that are waiting in line. And in all of that, we only have about 7 to 11 percent of those legal immigrants that we even score their ability to contribute to the United States. The rest of it is all about how they can benefit from the taxpayers and the workers here, how they can benefit.

□ 1950

No nation other than the United States would allow for the, what should I call it, the evolution of an immigration policy that just simply grants this to people because they want to be here and gives them the authority to accelerate the legal immigration of the family reunification plan so that beyond that first individual they can start bringing in people outside that extended family tree.

We sat down and did a spreadsheet calculation and wondered how many people could one individual bring in to the United States under family reunification. We built it on a spreadsheet. We got out to 357 individuals brought in by one single individual, and then we ran out of room on the spreadsheet and realized you really can't calculate it. But you can calculate the visas, the means by which we are legalizing people in America.

It depends on whether you look at one study or another. There are competing studies, and that is between 89

and 93 percent of the legal immigration into the United States is not based on merit whatsoever. There's no merit quality there whatsoever. And then the balance of that, between 7 and 11 percent, does come from some measures of merit such as H-1Bs, having a skill.

I'm suggesting this, Mr. Speaker, that we develop an immigration policy here in the United States Congress, with the cooperation of our next President, that's designed to enhance the economic, the social and the cultural well-being of the United States of America. Any country worth its salt is going to have an immigration policy designed to benefit the country itself. We're not in the business of trying to alleviate—well, we'd like to, but we cannot be in the business of trying to alleviate all world poverty, all world hunger, and all world lack of liberty and freedom. It isn't just enough to bring people in here and let them understand and be inspired by American liberty—God-given American liberty; but we need to promote and inspire it in other countries in the world instead of going there to bow before foreign leaders and apologize for being Americans.

I'm astonished, Mr. Speaker, that we had a Secretary of State, Madeleine Albright, who told the world that she wouldn't wear a lapel pin with an American flag in foreign countries because she was afraid it offended people. My attitude about that is, go find a country that's offended that's not accepting foreign aid. And what are they offended about? American liberty? The way we've led in the world? Congressman LOUIE GOHMERT of Texas has so well and famously said with regard to foreign aid that goes out to people who set themselves up as our enemies and that vote against us consistently in the United Nations, he says, You don't have to pay people to hate you. They'll hate you for free.

So I want to configure immigration policy that's designed to enhance the economic, social, and cultural well-being of the United States. We should be scoring the applicants for legal immigration into the United States. We should be scoring them by their ability to contribute to this society, this economy, this culture, and this civilization. And one of the ways that we can do that is we can look to our English-speaking allies for some guidance. Canada, United Kingdom, and Australia come to mind.

Each of them either has a policy or has been developing a policy to set up a point system, a scoring system, so that they can evaluate the applicants for immigration into their countries. And here are some of the criteria: education, job skills, earning capacity, and age—you want young people to come in so they can pay taxes long enough so that you can justify paying for their retirement—and English-speaking abilities, because the ability to speak, write and understand English is the strongest indicator we have of the abil-

ity to assimilate into the broader overall culture.

So there is nothing discriminatory about this other than if we're going to have a policy that's good for America, we have to do some discrimination in favor of those who can do the most to help our country. I'd like to bring in and continue to bring in bright, energetic people, especially young people. And if they are preeducated by the taxpayers of a foreign country, that's fine. I'm happy with that. Come on in here and help America's economy grow and raise your family, but embrace our American traditions, our American culture, and our American civilization. After all, that's why you came. And to the extent that you bring some of your culture along with you and there are certain traditions that you follow, that adds to the flavor and it adds to the zest of life here in America.

But, Mr. Speaker, when they come and reject American liberty and the American way of life, and they try to recreate in an enclave the life that they left instead of embrace the life that's offered to them here in America, I would ask, why are you here? Why would you come to America if you're going to reject Americanism and seek to recreate the place you left? Why didn't you just stay there? And that's some of the foundation of the immigration concept that we have, Mr. Speaker.

By the way, as I get to item number two on this long list of universal items that I think all Presidential candidates should embrace and this Congress should pass, I would add that we've got E-Verify legislation before this Congress, and I am not satisfied that it is written in a way that it will work in the way it's intended. I am very concerned, Mr. Speaker, about the preemption that's written into it that prohibits the political subdivisions from supporting and enforcing immigration laws that mirror those of the Federal Government.

Aside from that, I have proposed an offer that actually solves this problem without having to go there and preempt the States and the political subdivisions, and it is called the New IDEA Act. New IDEA stands for the new and the acronym is the New Illegal Deduction Elimination Act. The Illegal Deduction Elimination Act clarifies that wages and benefits paid to illegals are not tax deductible, and we know that. But the practice is to write off wages and benefits paid to illegals because they know that nobody is going to come along and enforce. And this has been a practice since the Amnesty Act of 1986.

Under the New IDEA Act, then, the IRS, coming in to do a normal audit of an employer's company, would run the Social Security number and other pertinent data through E-Verify. So let's just say I have 100 employees. The IRS would come in, the Internal Revenue Service would come in to do an audit of my company. They would look at my

receipts and my expenditures; they would look for anomalies in that calculation that might indicate that there would be money that was scooped out that tax wasn't paid on, or a tax avoidance. And in the process of doing that, they would run those Social Security numbers of the employees through E-Verify, the Internet-based system that can verify whether the data identifies someone who can legally work in the United States.

As they run those 100 Social Security numbers through E-Verify, then E-Verify would either come back and affirm that they could lawfully work in America; or if there's no answer, there's no response, then it's implied that they can't work legally in the United States. So therefore the IRS could deny that business deduction of the wages and benefits paid to that illegal.

And they would give a period of time for the employer and the employee to cure any data that is there and give the employer safe harbor if he uses E-Verify so that for another means of lack of verification, they can't come in and enforce against him for hiring illegals. Safe harbor for using E-Verify, not a mandate that they use E-Verify, the IRS would make the determination by using E-Verify and that result is this: if out of those 100 employees, let's just say I had 10 that were illegal, the IRS would say, I'm sorry, but you paid \$50,000 a year to each one of these employees, and that's no longer a business expense because they were unlawfully working in the United States and you had the tool to verify.

And so that \$50,000 times 10 is \$500,000. That \$500,000 that you wrote off of the gross receipts number—just say I grossed \$10 million and that 500,000 would be one of my expenses that's there—they would deny the expense of \$500,000, \$50,000 paid to 10 illegals, and that \$500,000 then goes out of my expense column on Schedule C, goes over into the gross receipts side and shows up down on the bottom line as net income, taxable net income. That means that your \$10-an-hour illegal, by the time you pay the interest, the penalty and the tax liability, becomes about a \$16-an-hour illegal.

So the employer can draw a choice. Does he really want to take a chance on being audited every year and seeing his expenses of his illegals move from \$10 an hour up to \$16 an hour, or would he maybe go offer an American a job at \$13 or \$14 an hour? I think that's what happens, Mr. Speaker. And it provides an incentive so an employer doesn't have to switch it all overnight. They can calculate the risk, and they can clean up their workforce incrementally if that's what it takes.

□ 2000

Furthermore, in my bill, the New IDEA Act, it requires that there be a cooperative team put together between the IRS, the Social Security Administration, and the Department of Homeland Security so the right hand, the



left hand, and the middle hand know what each other are doing. We get Social Security No-Match Letters that used to come out—they stopped sending them out a while back because nobody was doing anything with them. They would just send them out saying: We did our job; these Social Security numbers didn't match that you're sending in. A letter would go out; nobody shows up; that's the end of it.

You've got Homeland Security that is operating at the direction of the White House, that has decided they're going to provide administrative amnesty. Three hundred thousand illegals in the United States already adjudicated for deportation, and the President and Janet Napolitano and Eric Holder set up a policy—primarily Janet Napolitano—set up a policy to take staff time and scour through the 300,000 already adjudicated for deportation illegals that are there and see if they can find a means and a way to justify allowing them to stay in the United States. Administrative amnesty.

My bill, New IDEA, puts the three of them together so the IRS sends the information to Homeland Security and to the Social Security Administration; No-Match Letters from Social Security Administration go to the IRS and to Homeland Security, and it says: Put your heads together; figure out how to enforce America's immigration law.

That's what we need to be doing, Mr. Speaker.

By the way, the President of the United States, who has disrespected the rule of law, has a couple of family members who have received some type of administrative amnesty asylum—Auntie Onyango, whom I hope I don't have to spell that. But in any case, she has been in the United States for a long time illegally, since the 1990s—President Obama's aunt—living in public housing, reportedly, was finally adjudicated again for deportation. And the Obama administration declared her to be at too much of a risk if now, after all these years since the nineties, if she were sent back to Kenya. Because his aunt is now too high a profile public figure to be sent to Kenya, someone might kidnap her and hold her for ransom, and so it's a great risk; therefore, we should give her asylum in the United States where surely no one would kidnap her living in public housing and hold her for a ransom here. They just would do it in Kenya.

So, Homeland Security—I presume the State Department may have had a voice in this—granted, according to news reports, asylum for Barack Obama's aunt.

Now, if you can get asylum for the President's aunt, and you think in terms of the rule of law as applied the same to everyone, then who would it not apply to? Well, the rule of law surely didn't apply to Barack Obama's drunken Uncle Omar, who had also been processed and adjudicated for deportation and also didn't honor the court order to be deported. So drunken

Uncle Omar nearly ran into a police car, found himself afoul with the law with a blood alcohol content of nearly twice the legal limit—it was 1.4—nearly twice the legal limit, and drunken Uncle Omar disappeared from the scene. And I'm confident that he went the way of Barack Obama's aunt, an administrative amnesty manufactured by the administration, not deported, not shipped off back to Kenya.

So if we won't deport the President's aunt, if we won't deport the President's uncle no matter what his blood alcohol content, and we've got 300,000 that are in the United States illegally who have already been adjudicated for deportation, and even though we're short-handed and we're having trouble processing all of this and the President has said—well, at least Janet Napolitano has said that we don't have the resources to enforce all of the laws, why are we using our staff resources to go try to give people an exemption from the law that's already been enforced? That's administrative amnesty. So they've been scouring the books to give people a pass on a rule of law.

I raised the issue, and I asked dozens of people across the spectrum in my district and around the country: What's the most important component of immigration law? Mr. Speaker, what I hear is the rule of law. The rule of law. Not the idea that some people are needy and it hurts our hearts to enforce a law—it does. But in the end, if we don't respect the rule of law, if we don't refurbish the rule of law, we have then desecrated one of the essential pillars of American exceptionalism.

We cannot be a great country if we don't have the rule of law. We must be a country, a sovereign nation. Sovereign nations must have borders. Borders must be defended. Those borders must be controlled in a way where we decide who comes in and decide when people go out, if they don't decide on their own. And we must preserve and protect and refurbish and enhance the rule of law.

That's what the New IDEA Act does. It has the support of all Presidential candidates—formally, not attested to yet by Governor Romney, but I believe philosophically he would tell you that he sees the logic in it. If we passed this off of the floor of the House of Representatives, I believe that Governor Mitt Romney would be supportive of such an initiative.

Then, if you go on down the line of the planks and the platforms that are universal among the Presidential candidates, you would see the desire to repeal Dodd-Frank there universally among Republicans. Dodd-Frank, that's set up such that the government would decide which lending institutions were too big to be allowed to fail. Then, once declared too big to fail, the three entities in the Federal Government would decide whether they were going bankrupt, and if they went into receivership, who and what entity would receive them.

It's a horrible scenario to think that the Federal Government will decide winners and losers by a statute written by the very people that contributed so much to the financial problem that we had, Chris Dodd and BARNEY FRANK, so I'm for a full 100 percent repeal of Dodd-Frank. If it has a couple of redeeming qualities—and I believe it does—let's restate them back into the law. Let's not make exceptions and leave pieces there.

Dodd-Frank needs to be repealed. We need to pass the repeal of Dodd-Frank here on the floor of the House. MICHELE BACHMANN of Minnesota has been the lead on that. She drafted the legislation to repeal Dodd-Frank. She's been a strong and vocal advocate for repealing Dodd-Frank. So have all the other Presidential candidates. We should do this for the American people, for the next President, and we should do it to honor the effort of MICHELE BACHMANN, Mr. Speaker.

Next piece is official English. Almost every country in the world has an official language, at least one official language. It's been so recognized throughout the ages that the single most powerful unifying force known throughout all history and humanity is having a common language. If we can talk to each other, we have an instantaneous bond with each other. Here in America, we're so fortunate that English is that language, and yet there seems to be an open effort to try to encourage language enclaves in America where the second and even third generations of Americans don't learn English; they just live within the enclave. They're trapped in that economic and that cultural cycle of the enclave, the silo of an ethnic minority instead of assimilating into the broader society.

We need to establish English as the official language of government, not to disparage another language, but to unify the American people and hold us together as a people and strengthen our unity. The government does not need to be spending that kind of money on language.

Then repeal ObamaCare and a number of other things.

I appreciate your attention to this matter this evening, Mr. Speaker, and I would yield back the balance of my time.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BISHOP of New York (at the request of Ms. PELOSI) for today on account of travel delays due to weather.

Mr. DAVIS of Illinois (at the request of Ms. PELOSI) for today and March 8.

Ms. MOORE (at the request of Ms. PELOSI) for today and March 6 on account of a family medical emergency.

Mr. REYES (at the request of Ms. PELOSI) for today on account of official business in the district.



## SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1134. An Act to authorize the St. Croix River Crossing Project with appropriate mitigation measures to promote river values.

## BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on March 1, 2012 she presented to the President of the United States, for his approval, the following bills.

H.R. 347. To correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code.

## ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 7 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, March 6, 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:

5166. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Establishment of User Fees for Filovirus Testing of Nonhuman Primate Liver Samples (RIN: 0920-AA47) [Docket No.: CDC-2012-0003] received February 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5167. A letter from the Director, Bureau of Economic Affairs, Department of Commerce, transmitting the Department's final rule — International Services Surveys: Amendments to the BE-120, Benchmark Survey of Transactions in Selected Services and Intangible Assets With Foreign Persons [Docket No.: 110112021-1680-03] (RIN: 0691-AA76) received February 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5168. A letter from the Assistant Director for Policy, Department of the Treasury, transmitting the Department's final rule — Cote d'Ivoire Sanctions Regulations; Darfur Sanctions Regulations; Democratic Republic of the Congo Sanctions Regulations received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5169. A letter from the Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — General Services Administration Acquisition Regulation; Reinstatement of Coverage Pertaining to Final Payment Under Construction and Building Service Contracts [GSAR Amendment 2012-01; GSAR Case 2010-G509 (Change 53) Docket 2011-0009; Sequence 1] (RIN: 3090-AJ13) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5170. A letter from the Chief Operating Officer/President, Resolution Funding Corpora-

tion, transmitting the Corporation's Statement on the System of Internal Controls and the 2011 Audited Financial Statements; to the Committee on Oversight and Government Reform.

5171. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Texas Regulatory Program [SATS Nos. TX-061-FOR; TX-062-FOR; TX-063-FOR; Docket No. OSM-2011-0007] received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5172. A letter from the Chief of Staff, National Indian Gaming Commission, transmitting the Commission's final rule — Review and Approval of Existing Ordinances or Resolutions; Repeal (RIN: 3141-AA45) received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5173. A letter from the Comptroller, National Indian Gaming Commission, transmitting the Commission's final rule — Fees received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5174. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2012 Bering Sea and Aleutian Islands Atka Mackerel Total Allowable Catch Amount [Docket No.: 101126521-0640-02] (RIN: 0648-XA901) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5175. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska; Final 2011 and 2012 Harvest Specifications for Groundfish [Docket No.: 111220788-1785-02] (RIN: 0648-XA855) received February 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5176. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Generic Annual Catch Limits/Accountability Measures Amendment for the Gulf of Mexico [Docket No.: 100217097-1757-02] (RIN: 0648-AY22) received February 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5177. A letter from the Director, Administrative Office of the United States Courts, transmitting a report on compliance within the time limitations established for deciding habeas corpus death penalty petitions under Title I of the Antiterrorism and Effective Death Penalty Act of 1996; to the Committee on the Judiciary.

5178. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the Administration's statement of actions with respect to the Government Accountability Office report entitled, "National Aeronautics and Space Administration: Acquisition Approach for Commercial Crew Transportation Includes Good Practices, but Faces Significant Challenges" (GAO-12-282), dated December 15, 2011; to the Committee on Science, Space, and Technology.

5179. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the Administration's statement of actions with respect to the Government Accountability Office (GAO) report entitled, "International Space Station:

Approaches for Ensuring Utilization Through 2020 Are Reasonable But Should Be Revisited as NASA Gains More Knowledge of On-Orbit Performance" (GAO-12-162), dated December 15, 2011; to the Committee on Science, Space, and Technology.

5180. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Definition of a Taxpayer [TD 9576] (RIN: 1545-BF73) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BACHUS: Committee on Financial Services. H.R. 940. A bill to establish standards for covered bond programs and a covered bond regulatory oversight program, and for other purposes; with an amendment (Rept. 112-407, Pt. 1). Ordered to be printed.

Mr. BISHOP of Utah: Committee on Rules. House Resolution 570. Resolution providing for consideration of the bill (H.R. 2842) to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes (Rept. 112-408). Referred to the House Calendar.

## TIME LIMITATION OF REFERRED BILLS

Pursuant to clause 2 of rule XII the following actions were taken by the Speaker:

[Omitted from the Record of March 1, 2012]

H.R. 901. Referral to the Committee on Energy and Commerce extended for a period ending not later than March 9, 2012.

H.R. 2309. Referral to the Committee on Rules extended for a period ending not later than March 30, 2012.

[The following action occurred on March 5, 2012]

H.R. 940. Referral to the Committee on Ways and Means extended for a period ending not later than March 30, 2012.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. STEARNS (for himself and Mr. TOWNS):

H.R. 4132. A bill to amend section 506 of the Federal Food, Drug, and Cosmetic Act to expedite approval of drugs for serious or life-threatening diseases or conditions; to the Committee on Energy and Commerce.

By Mr. CANTOR (for himself, Mr. HOYER, Ms. ROS-LEHTINEN, and Mr. BERMAN):

H.R. 4133. A bill to express the sense of Congress regarding the United States-Israel strategic relationship, to direct the President to submit to Congress reports on United States actions to enhance this relationship and to assist in the defense of Israel, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. BLACK:

H.R. 4134. A bill to amend the Internal Revenue Code of 1986 to clarify that any person who, for a commercial purpose, makes available for consumer use a machine capable of

producing tobacco products, is a manufacturer of tobacco products; to the Committee on Ways and Means.

By Mr. FLAKE:

H.R. 4135. A bill to permit United States companies to participate in the exploration for and the extraction of hydrocarbon resources from any portion of a foreign maritime exclusive economic zone that is contiguous to the exclusive economic zone of the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GARDNER (for himself, Mrs. BLACKBURN, Mr. BUCSHON, Mrs. MCMORRIS RODGERS, Mr. JOHNSON of Ohio, Mr. CANSECO, Mr. TERRY, Mr. SULLIVAN, Mrs. MYRICK, Mr. COFFMAN of Colorado, and Mr. GRIFFITH of Virginia):

H.R. 4136. A bill to provide for the development of a plan to increase oil and gas production under oil and gas leases of Federal lands under the jurisdiction of the Secretary of Agriculture, the Secretary of Energy, the Secretary of the Interior, and the Secretary of Defense in conjunction with a drawdown of petroleum reserves from the Strategic Petroleum Reserve; to the Committee on Energy and Commerce.

By Mr. SAM JOHNSON of Texas (for himself and Mr. NEAL):

H.R. 4137. A bill to make permanent the exclusion from gross income for employer-provided educational assistance; to the Committee on Ways and Means.

By Ms. LEE of California:

H.R. 4138. A bill to amend the Public Health Service Act to create a National Neuromyelitis Optica Consortium to provide grants and coordinate research with respect to the causes of, and risk factors associated with, neuromyelitis optica, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DANIEL E. LUNGREN of California:

H.R. 4139. A bill to amend the Internal Revenue Code of 1986 to extend permanently the 100 percent exclusion of gain from the sale or exchange of qualified small business stock; to the Committee on Ways and Means.

By Mr. MURPHY of Connecticut:

H.R. 4140. A bill to amend title 38, United States Code, to eliminate the time limitation for use of eligibility and entitlement to educational assistance under the Montgomery GI Bill; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAYNE (for himself, Mr. BERMAN, Mr. MCGOVERN, Ms. WOOLSEY, Mr. COHEN, and Ms. BASS of California):

H.R. 4141. A bill to direct the Administrator of the United States Agency for International Development to take appropriate actions to improve the nutritional quality, quality control, and cost effectiveness of United States food assistance, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Agriculture, 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. RUNYAN:

H.R. 4142. A bill to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for sur-

vivors of certain service-connected disabled veterans; to the Committee on Veterans' Affairs.

By Mr. TIBERI (for himself and Mr. PASCRELL):

H.R. 4143. A bill to amend the Internal Revenue Code of 1986 to extend the period during which transfers of excess pension assets may be made to retiree health accounts and to provide for the transfer of such assets to retiree group term life insurance accounts; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. STEARNS:

H.R. 4132.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, the power to regulate interstate activity.

By Mr. CANTOR:

H.R. 4133.

Congress has the power to enact this legislation pursuant to the following:

Congress has the authority to enact this legislation pursuant to Article I, Section 8, clause 3 of the U.S. Constitution, the power to "regulate Commerce with foreign Nations" and pursuant to Article I, Section 8, clause 1, the power to "provide for the common Defence."

By Mrs. BLACK:

H.R. 4134.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution; whereby 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.

Furthermore, this bill makes specific changes to existing law, in accordance with Article I, Section 8, Clause 3 of the United States Constitution; whereby the Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. FLAKE:

H.R. 4135.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, which gives Congress the power "to regulate commerce with foreign nations," and Clause 18, "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers."

By Mr. GARDNER:

H.R. 4136.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, clause 2.

By Mr. SAM JOHNSON of Texas:

H.R. 4137.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Ms. LEE of California:

H.R. 4138.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. DANIEL E. LUNGREN of California:

H.R. 4139.

Congress has the power to enact this legislation pursuant to the following:

The amendment to the Internal Revenue Code to extend permanently the 100 percent exclusion of gain from the sale or exchange of qualified small business stock is authorized by Article I Section 8 to Lay and collect taxes.

By Mr. MURPHY of Connecticut:

H.R. 4140.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. PAYNE:

H.R. 4141.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause, Article I Section 8 Clause 3 of the Constitution of the United States, grants Congress the power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes".

By Mr. RUNYAN:

H.R. 4142.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. TIBERI:

H.R. 4143.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 7 of the United States Constitution which provides that "All bills for raising Revenue shall originate in the House of Representatives."

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 12: Mrs. MALONEY.

H.R. 85: Mr. CLARKE of Michigan.

H.R. 178: Ms. BONAMICI.

H.R. 303: Mr. JOHNSON of Ohio and Mr. CARNAHAN.

H.R. 409: Mr. LATHAM, Mr. PIERLUISI, Mr. SCHRADER, and Mr. TERRY.

H.R. 436: Mr. GALLEGLY.

H.R. 451: Mr. KISSELL.

H.R. 452: Mr. ROSS of Arkansas, Mr. CRENSHAW, and Mr. CARNAHAN.

H.R. 512: Mr. HINOJOSA.

H.R. 546: Mr. SCHILLING.

H.R. 605: Mr. MARINO and Mr. SCHWEIKERT.

H.R. 664: Mr. LATHAM.

H.R. 708: Mr. YODER.

H.R. 733: Mr. BROUN of Georgia.

H.R. 750: Mr. QUAYLE.

H.R. 854: Mr. KIND.

H.R. 860: Mr. BOREN.

H.R. 890: Mr. MCCAUL, Mr. FATTAH, and Mr. FALCOMA VAEGA.

H.R. 931: Mr. FARENTHOLD and Mr. HALL.

H.R. 972: Mr. JONES.

H.R. 978: Mr. FORTENBERRY.

H.R. 979: Ms. WOOLSEY, Mr. FILNER, and Mr. JONES.

H.R. 998: Ms. VELÁZQUEZ.

H.R. 1057: Mr. HINOJOSA.

H.R. 1093: Mr. MANZULLO.  
 H.R. 1106: Mr. HINOJOSA.  
 H.R. 1164: Mr. FRANKS of Arizona.  
 H.R. 1332: Mr. HOLT and Mr. RUSH.  
 H.R. 1370: Mr. QUAYLE.  
 H.R. 1397: Ms. VELÁZQUEZ.  
 H.R. 1404: Mr. OWENS.  
 H.R. 1483: Ms. LEE of California.  
 H.R. 1488: Mr. FATTAH.  
 H.R. 1521: Mr. CONYERS, Mr. CUMMINGS, Ms. JACKSON LEE of Texas, Mr. PAYNE, Mr. RANGEL, Mr. WATT, and Mr. SCOTT of Virginia.  
 H.R. 1547: Mr. ALTMIRE.  
 H.R. 1549: Mr. TIBERI, Mr. HANNA, Mr. STIVERS, and Mrs. BLACKBURN.  
 H.R. 1558: Mr. MANZULLO.  
 H.R. 1561: Mrs. NAPOLITANO and Mr. CLEAVER.  
 H.R. 1581: Mr. LATTA.  
 H.R. 1639: Mr. MCINTYRE.  
 H.R. 1653: Mr. FRELINGHUYSEN and Mr. JORDAN.  
 H.R. 1681: Mr. HINOJOSA.  
 H.R. 1687: Mr. SHERMAN.  
 H.R. 1700: Mrs. BLACK and Mr. CHABOT.  
 H.R. 1744: Mr. SIMPSON and Mr. SESSIONS.  
 H.R. 1755: Mr. WELCH.  
 H.R. 1789: Mr. GENE GREEN of Texas, Mr. QUIGLEY, and Mr. GUTIERREZ.  
 H.R. 1811: Mr. RAHALL.  
 H.R. 1842: Mr. PAYNE.  
 H.R. 1873: Mr. HINOJOSA.  
 H.R. 1878: Mr. ROTHMAN of New Jersey.  
 H.R. 1880: Mr. SMITH of Washington.  
 H.R. 1895: Mr. CARNAHAN.  
 H.R. 1909: Mr. BARTLETT.  
 H.R. 1997: Mr. MANZULLO.  
 H.R. 2020: Mr. PIERLUISI.  
 H.R. 2069: Mr. CARNAHAN.  
 H.R. 2071: Mr. STARK.  
 H.R. 2077: Mr. GRAVES of Georgia, Mr. CHABOT, Mr. WALBERG, and Mr. HENSARLING.  
 H.R. 2088: Mr. FATTAH, Mr. ACKERMAN, Mr. DOYLE, Mrs. MALONEY, Ms. BONAMICI, Mr. COURTNEY, Mr. ELLISON, Mr. FILNER, and Mr. GRIJALVA.  
 H.R. 2179: Mrs. ELLMERS and Mr. WILSON of South Carolina.  
 H.R. 2182: Mr. LATHAM.  
 H.R. 2206: Mr. ROSS of Florida.  
 H.R. 2288: Ms. DELAUNO.  
 H.R. 2325: Mr. TONKO.  
 H.R. 2505: Mr. BRADY of Texas and Mr. ROGERS of Alabama.  
 H.R. 2529: Mr. BARROW.  
 H.R. 2569: Mr. DAVID SCOTT of Georgia.  
 H.R. 2834: Mr. WESTMORELAND and Mr. MANZULLO.  
 H.R. 2866: Mr. BROUN of Georgia.  
 H.R. 2896: Mr. LOBIONDO and Mr. SMITH of New Jersey.  
 H.R. 2906: Mr. HINOJOSA.  
 H.R. 2950: Mr. HONDA.  
 H.R. 2952: Mr. GUTHRIE.  
 H.R. 3036: Mr. CLAY.  
 H.R. 3059: Mr. HURT and Mr. SCOTT of South Carolina.  
 H.R. 3142: Mr. MILLER of Florida.  
 H.R. 3187: Mr. SESSIONS.  
 H.R. 3216: Mr. SCHRADER and Mr. KISSELL.  
 H.R. 3251: Mr. CARNAHAN.  
 H.R. 3307: Mr. FILNER, Mrs. MCCARTHY of New York, Mr. KIND, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HINCHEY, and Mr. RANGEL.  
 H.R. 3315: Mr. HONDA.  
 H.R. 3381: Mr. ROGERS of Michigan.  
 H.R. 3389: Mr. CLAY.  
 H.R. 3393: Mr. BUCHANAN.  
 H.R. 3399: Mr. SHULER.  
 H.R. 3405: Mr. CONNOLLY of Virginia.  
 H.R. 3409: Mr. GOSAR.  
 H.R. 3417: Mr. BARLETTA.  
 H.R. 3496: Mr. PASCRELL.  
 H.R. 3506: Mr. ALTMIRE and Mr. MICHAUD.  
 H.R. 3523: Mr. HULTGREN, Mrs. BLACKBURN, Mr. HASTINGS of Florida, and Mr. HURT.

H.R. 3528: Mr. BLUMENAUER, Ms. WILSON of Florida, and Ms. RICHARDSON.  
 H.R. 3542: Ms. NORTON and Ms. BROWN of Florida.  
 H.R. 3572: Mr. CHABOT and Mr. OLVER.  
 H.R. 3608: Mr. GRAVES of Missouri.  
 H.R. 3612: Mr. LOBIONDO and Mr. BARLETTA.  
 H.R. 3625: Mr. LEVIN.  
 H.R. 3627: Mr. LUETKEMEYER, Ms. ESHOO, Mr. GENE GREEN of Texas, and Mr. LUJÁN.  
 H.R. 3643: Mr. SULLIVAN.  
 H.R. 3676: Mr. QUAYLE.  
 H.R. 3704: Mr. ROTHMAN of New Jersey.  
 H.R. 3720: Mr. STEARNS.  
 H.R. 3767: Mr. PLATTS, Mr. RUNYAN, and Mr. AUSTRIA.  
 H.R. 3806: Mr. PAUL.  
 H.R. 3814: Mr. MANZULLO.  
 H.R. 3842: Mr. BUSHON.  
 H.R. 3849: Mr. DOLD.  
 H.R. 3850: Mr. WEST and Mr. HANNA.  
 H.R. 3851: Mr. WEST and Mr. HANNA.  
 H.R. 3855: Ms. NORTON and Mr. JOHNSON of Ohio.  
 H.R. 3856: Mr. POSEY.  
 H.R. 3893: Mr. WEST.  
 H.R. 3895: Mr. FLEISCHMANN and Mr. FORBES.  
 H.R. 3900: Ms. BERKLEY.  
 H.R. 3911: Mr. FITZPATRICK.  
 H.R. 3974: Ms. CHU and Ms. SPEIER.  
 H.R. 3980: Mr. WEST and Mr. HANNA.  
 H.R. 3981: Mr. BUCHANAN, Mr. NUNNELEE, and Mr. WESTMORELAND.  
 H.R. 3991: Mr. NUNNELEE and Mr. GINGREY of Georgia.  
 H.R. 4010: Mr. LIPINSKI, Mr. INSLEE, Ms. BROWN of Florida, Mr. HIMES, Mr. CARDOZA, and Ms. WILSON of Florida.  
 H.R. 4023: Mr. HANNA.  
 H.R. 4030: Mr. JOHNSON of Illinois.  
 H.R. 4038: Mr. PETERS and Mr. KUCINICH.  
 H.R. 4040: Mr. ANDREWS, Mr. BARLETTA, Mr. BERMAN, Mrs. BLACK, Mr. BRADY of Texas, Mr. BRADY of Pennsylvania, Mr. BURTON of Indiana, Mr. CARDOZA, Mr. CARSON of Indiana, Mr. COBLE, Mr. COHEN, Mr. CONYERS, Mr. CRAVAACK, Mr. DAVIS of Illinois, Mr. CRITZ, Mr. DAVIS of Kentucky, Mr. DENHAM, Mr. DENT, Mr. DIAZ-BALART, Mr. DONNELLY of Indiana, Mr. DOYLE, Mr. DUNCAN of Tennessee, Mrs. ELLMERS, Mr. FARR, Mr. FITZPATRICK, Mr. FLEISCHMANN, Mr. FORTENBERRY, Mr. FRANK of Massachusetts, Mr. FRANKS of Arizona, Mr. GERLACH, Mr. GONZALEZ, Mr. HECK, Mr. HOLDEN, Mr. HOYER, Mr. ISRAEL, Mr. ISSA, Mr. JACKSON of Illinois, Mr. JORDAN, Mr. KELLY, Mr. KISSELL, Mr. LAMBORN, Mr. LARSON of Connecticut, Mr. LOBIONDO, Mr. LUCAS, Mr. DANIEL E. LUNGREN of California, Mr. MARKEY, Ms. MATSUI, Mrs. McMORRIS RODGERS, Mr. MILLER of Florida, Mr. MURPHY of Pennsylvania, Mr. NEAL, Mr. NUNES, Mr. OLSON, Mr. PASCRELL, Mr. PEARCE, Mr. PRICE of Georgia, Mr. ROHRABACHER, Mr. ROSKAM, Mr. ROTHMAN of New Jersey, Mr. RUNYAN, Mr. RYAN of Ohio, Mrs. SCHMIDT, Mr. SCOTT of South Carolina, Mr. SESSIONS, Mr. SHUSTER, Mr. THOMPSON of Mississippi, Mr. TURNER of Ohio, Ms. WATERS, Mr. WEST, Mr. WILSON of South Carolina, Mr. YODER, and Mr. YOUNG of Indiana.  
 H.R. 4046: Mr. FORBES.  
 H.R. 4070: Mr. BRALEY of Iowa.  
 H.R. 4078: Mr. FORBES and Mr. SCHWEIKERT.  
 H.R. 4080: Ms. LEE of California.  
 H.R. 4081: Mr. HANNA.  
 H.R. 4082: Mr. ANDREWS.  
 H.R. 4083: Mr. GENE GREEN of Texas.  
 H.R. 4089: Mr. TIPTON, Mr. ALTMIRE, Mr. MANZULLO, and Mr. FARENTHOLD.  
 H.R. 4105: Mr. BARLETTA, Ms. SEWELL, Mr. BROOKS, Mr. BONNER, Mr. NUGENT, Mr. MEEHAN, Mr. ROHRABACHER, Mr. FITZPATRICK, Mr. KINZINGER of Illinois, Mr. LANDRY, Mr. MURPHY of Connecticut, Mr. DANIEL E. LUNGREN

of California, Mr. TIERNEY, Mr. FORTENBERRY, Mr. LUETKEMEYER, and Mrs. BONO MACK.  
 H.R. 4118: Ms. CHU, Mr. RICHMOND, Mr. PETERS, and Ms. CLARKE of New York.  
 H.R. 4124: Ms. CHU, Mr. WEST, Ms. SPEIER, Ms. RICHARDSON, and Mr. SMITH of Washington.  
 H.R. 4128: Mr. HULTGREN and Mrs. ELLMERS.  
 H.R. 4131: Mr. SERRANO.  
 H.J. Res. 86: Mr. MURPHY of Connecticut.  
 H.J. Res. 103: Mr. GRAVES of Missouri.  
 H. Con. Res. 87: Ms. RICHARDSON, Mr. COFFMAN of Colorado, and Mr. BACA.  
 H. Res. 111: Mr. HIMES, Mr. AKIN, Mr. BILBRAY, and Mr. ROHRABACHER.  
 H. Res. 130: Mr. HINOJOSA.  
 H. Res. 177: Mr. SIRES.  
 H. Res. 271: Mr. SESSIONS and Mr. SOUTHERLAND.  
 H. Res. 282: Mr. STARK.  
 H. Res. 351: Mrs. CHRISTENSEN.  
 H. Res. 454: Ms. HIRONO.  
 H. Res. 460: Mr. CICILLINE, Mr. CLAY, Mr. HIMES, Mr. PAYNE, Mr. KIND, and Mr. SCOTT of Virginia.  
 H. Res. 484: Mr. FILNER, Mrs. DAVIS of California, and Mr. MCGOVERN.  
 H. Res. 490: Mr. HUIZENGA of Michigan, Mr. MURPHY of Pennsylvania, Mr. CONAWAY, Mr. GARDNER, and Mr. OLSON.  
 H. Res. 506: Ms. ROS-LEHTINEN, Mr. MCGOVERN, Mr. JACKSON of Illinois, Mr. FRANKS of Arizona, Mr. CAPUANO, and Mr. BERMAN.  
 H. Res. 526: Mr. SIRES and Mr. LAMBORN.  
 H. Res. 555: Mr. PALLONE.  
 H. Res. 568: Mr. DOLD.

#### CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative TIPTON, or a designee, to H.R. 2842, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2011, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

#### AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2842

OFFERED BY: Mrs. NAPOLITANO

Amendment No. 1: Page 4, strike lines 12 through 15.

H.R. 2842

OFFERED BY: Mr. TIPTON

Amendment No. 2: In section 1, strike "2011" and insert "2012".

H.R. 2842

OFFERED BY: Mr. ELLISON

Amendment No. 3: At the end of the bill, add the following:

#### SEC. 3. NO NET LOSS OF JOBS.

Section 2 and the amendments made by section 2 shall not take effect unless the Secretary finds that such section and amendments, if in effect, shall not result in a net loss of jobs.



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# Congressional Record

PROCEEDINGS AND DEBATES OF THE 112<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 158

WASHINGTON, MONDAY, MARCH 5, 2012

No. 35

## Senate

The Senate met at 2 p.m. and was called to order by the Hon. RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Immortal, invisible God only wise, You are worthy to receive our adoration. Lord, establish the works of Your hands on Capitol Hill, strengthening our Senators and their staffs as they seek to honor You by serving others. Give them the wisdom to be agents of healing and hope, enabling our citizens to live in greater justice and peace. Make them eager to reverently submit to Your guidance and to obey Your precepts. 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, March 5, 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. The filing deadline for first-degree amendments to the surface transportation bill is 4 o'clock today. There will be no votes today. The first vote of the week will be noon tomorrow, a motion to invoke cloture on the surface transportation bill.

### APPLYING THE COUNTERVAILING DUTY PROVISIONS OF THE TARIFF ACT OF 1930 TO NONMARKET ECONOMY COUNTRIES

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. 2153.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the bill by title. The legislative clerk read as follows:

A bill (S. 2153) to apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent the bill be read three times and passed; that when the Senate receives H.R. 4105 and, if it is identical to the text of S. 2153, the Senate proceed to the immediate consideration of H.R. 4105, the bill be read a third time and passed, with no amendment in order prior to passage; that the motion

to reconsider be laid on the table, with no intervening action or debate, and any statements be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (S. 2153) was ordered to be engrossed for a third reading, was read the third time and passed, as follows:

S. 2153

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

### SECTION 1. APPLICATION OF COUNTERVAILING DUTY PROVISIONS TO NONMARKET ECONOMY COUNTRIES.

(a) IN GENERAL.—Section 701 of the Tariff Act of 1930 (19 U.S.C. 1671) is amended by adding at the end the following:

“(f) APPLICABILITY TO PROCEEDINGS INVOLVING NONMARKET ECONOMY COUNTRIES.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the merchandise on which countervailing duties shall be imposed under subsection (a) includes a class or kind of merchandise imported, or sold (or likely to be sold) for importation, into the United States from a nonmarket economy country.

“(2) EXCEPTION.—A countervailing duty is not required to be imposed under subsection (a) on a class or kind of merchandise imported, or sold (or likely to be sold) for importation, into the United States from a nonmarket economy country if the administering authority is unable to identify and measure subsidies provided by the government of the nonmarket economy country or a public entity within the territory of the nonmarket economy country because the economy of that country is essentially comprised of a single entity.”.

(b) EFFECTIVE DATE.—Subsection (f) of section 701 of the Tariff Act of 1930, as added by subsection (a) of this section, applies to—

(1) all proceedings initiated under subtitle A of title VII of that Act (19 U.S.C. 1671 et seq.) on or after November 20, 2006;

(2) all resulting actions by U.S. Customs and Border Protection; and

(3) all civil actions, criminal proceedings, and other proceedings before a Federal court relating to proceedings referred to in paragraph (1) or actions referred to in paragraph (2).

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S1375

**SEC. 2. ADJUSTMENT OF ANTIDUMPING DUTY IN CERTAIN PROCEEDINGS RELATING TO IMPORTS FROM NONMARKET ECONOMY COUNTRIES.**

(a) IN GENERAL.—Section 777A of the Tariff Act of 1930 (19 U.S.C. 1677f-1) is amended by adding at the end the following:

“(f) ADJUSTMENT OF ANTIDUMPING DUTY IN CERTAIN PROCEEDINGS RELATING TO IMPORTS FROM NONMARKET ECONOMY COUNTRIES.—

“(1) IN GENERAL.—If the administering authority determines, with respect to a class or kind of merchandise from a nonmarket economy country for which an antidumping duty is determined using normal value pursuant to section 773(c), that—

“(A) pursuant to section 701(a)(1), a countervailable subsidy (other than an export subsidy referred to in section 772(c)(1)(C)) has been provided with respect to the class or kind of merchandise,

“(B) such countervailable subsidy has been demonstrated to have reduced the average price of imports of the class or kind of merchandise during the relevant period, and

“(C) the administering authority can reasonably estimate the extent to which the countervailable subsidy referred to in subparagraph (B), in combination with the use of normal value determined pursuant to section 773(c), has increased the weighted average dumping margin for the class or kind of merchandise,

the administering authority shall, except as provided in paragraph (2), reduce the antidumping duty by the amount of the increase in the weighted average dumping margin estimated by the administering authority under subparagraph (C).

“(2) MAXIMUM REDUCTION IN ANTIDUMPING DUTY.—The administering authority may not reduce the antidumping duty applicable to a class or kind of merchandise from a nonmarket economy country under this subsection by more than the portion of the countervailing duty rate attributable to a countervailable subsidy that is provided with respect to the class or kind of merchandise and that meets the conditions described in subparagraphs (A), (B), and (C) of paragraph (1).”

(b) EFFECTIVE DATE.—Subsection (f) of section 777A of the Tariff Act of 1930, as added by subsection (a) of this section, applies to—

(1) all investigations and reviews initiated pursuant to title VII of that Act (19 U.S.C. 1671 et seq.) on or after the date of the enactment of this Act; and

(2) subject to subsection (c) of section 129 of the Uruguay Round Agreements Act (19 U.S.C. 3538), all determinations issued under subsection (b)(2) of that section on or after the date of the enactment of this Act.

Mr. REID. Mr. President, this is an extremely important piece of legislation we just adopted. It has had bipartisan support and we were able to do it quickly. We had hoped the House—and I am confident they will—would follow our example in passing this bill quickly.

**MEASURE PLACED ON THE CALENDAR—H.R. 1837**

Mr. REID. Mr. President, H.R. 1837 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1837) to address certain water-related concerns on the San Joaquin River, and for other purposes.

Mr. REID. I object to any further proceedings on the legislation at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

**SURFACE TRANSPORTATION ACT**

Mr. REID. Mr. President, 56 years ago it took President Eisenhower a year to convince Congress and the country to make an unprecedented investment in America's highway system. After all, building 47,000 miles of interstate highways across the Nation would require an unparalleled effort and unprecedented investment. The project required enough concrete to build six sidewalks to the Moon at a cost of \$50 billion or the equivalent of almost \$½ trillion today.

The project was hugely successful. It created jobs, it connected farms and factories, tiny towns and towering cities, and allowed manufacturers and merchants to ship goods across our country for the first time in our Nation's history. Looking back on this effort to pass the first highway bill, President Eisenhower considered it the crowning accomplishment of his Presidency.

“More than any single action by the government since the end of the war, this one would change the face of America,” President Eisenhower wrote in his memoir. “Its impact on the American economy—the jobs it would produce in manufacturing and construction, the rural areas it would open up—was beyond calculation.”

Fifty-six years after his initial work, Congress once again is considering transportation legislation, an investment in this country's crumbling roads, bridges, and train tracks. But we have the benefit of history on our side. We know from 56 years of experience that investing in America's highways and railways will create and sustain jobs, and we have no doubt that building a world-class transportation system will help us rebuild our world-class economy.

That is why the senior Senator from Oklahoma, Mr. INHOPE, and one of the most liberal Members of the Senate, the junior Senator from California, Mrs. BOXER, have joined hands to advance this bipartisan Transportation bill before this body. The bill is comprised of four measures reported out of the Environment and Public Works Committee and the Banking, Commerce and Finance Committees—all with bipartisan support. Both sides agreed to a package of 37 amendments in addition to this that is now part of the measure that is before the Senate.

This is the legislation, as I have indicated, that is in the Senate now. If the filibuster ended and we passed the bill before us, it would be a huge step forward. Pass what we have now, vote on it, and we could call it a good day for America, a real good day. But in today's political climate, bipartisan sup-

port is not enough to keep good legislation alive. In today's political climate, 85 votes to begin debate on a measure is not enough to guarantee the measure will become law.

The Transportation legislation under consideration is truly bipartisan. It will create or sustain 3 million badly needed construction jobs. Yet Republican leaders have wasted almost a month of the Senate's time obstructing this valuable measure—for political reasons, obviously.

Unfortunately, Democrats cannot keep construction crews working to repair 70,000 collapsing bridges across the country without Republican cooperation. Without Republican cooperation we cannot expand the Nation's mass transit system to accommodate tens of thousands of new riders every year. Without Republican cooperation we cannot create and save 3 million jobs repairing crumbling pavement and building safer sidewalks. It will take bipartisan effort to advance this bipartisan legislation.

Frank Turner, a former Federal Highway Administrator, said work on this country's transportation system “will never be finished because America will never be finished.” Although the work is never finished, it is up to Congress to sustain the effort to move it forward. Unless Congress acts this month work on highways, bridges, and train tracks will come to a grinding halt. Unless Congress acts, the American economy will pay the price for partisan bickering.

What we have before the body now is the measure reported out of the four committees I talked about plus 37 bipartisan amendments. We should pass that. We should invoke cloture on it and just pass that and wait for the House to pass whatever they do and go to conference. That would be a tremendous step forward for us.

I am hopeful my Republican colleagues will join Democrats to put American jobs ahead of these procedural games we are having so much trouble with and help us advance this vital transportation legislation.

**RECOGNITION OF THE MINORITY LEADER**

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

**FRIDAY'S TORNADOES**

Mr. MCCONNELL. Mr. President, last Friday evening tornadoes hit several counties across Kentucky, including Magoffin, Menifee, Morgan, Laurel, Martin, Johnson, and Trimble. I might say these were not just tornadoes, these were very severe tornadoes all over the southern and midwestern part of our country leaving an incredible trail of devastation across many of our States.

In my State the storm caused at least 20 fatalities and more than 300

people in Kentucky were injured. Forty-eight Kentucky counties suffered damage from the storms and tornadoes Friday evening. I am told that about 19,000 people were without power yesterday. This morning my colleague Senator PAUL and I sent a letter to the President urging him to approve Gov. Steven Beshear's request for Federal assistance.

Yesterday I had a chance to visit arguably the hardest hit of our communities, West Liberty, KY. It was a scene of total devastation. The whole community has either been evacuated or is in the process of being evacuated. The county judge—in our State the county judge is like the county executive in a number of States—Tim Conley, and Mayor Rupe, the mayor of West Liberty, and I toured, frankly, what little is left of the community. I ran into the county attorney there. Not only had her home been wiped out, her office had been wiped out.

The most poignant story of the day was when one of the local residents came up to one of my assistants and said: Here, I found \$70. It doesn't belong to me. I want you to take it and see to it that it is used for the community.

My assistant said: No one knows where the \$70 came from or who it belongs to and you are wiped out. Why don't you keep it?

This citizen of West Liberty, KY, said: "I just wouldn't feel right about it."

"I just wouldn't feel right about it." Those are the kind of people who are in West Liberty, KY. Those are the kind of people today who are homeless, who have lost friends and relatives. Of course, in a town that is devastated there are no jobs. Where do people go to work when their place of business has been wiped out?

FEMA is on the ground, and we will do everything we can to try to help these good folks rebuild their lives. Similar stories are the case in a number of other Kentucky counties, but West Liberty I singled out because it was probably the most devastated of any of our communities.

I applaud the work of the first responders. There were people from all over my State who immediately came to the site, some of them with some official responsibility—they were with the Red Cross or they were with the National Guard. In fact, there were 400 National Guard troops mobilized across the State in these severely hit areas. But many of the people I ran into in West Liberty, KY, were simply people who got in their cars, loaded them up with bottled water and whatever food they could come up with, and went there to be helpful.

There was one restaurant in another town that sent in a very large number of barbecue sandwiches just to try to feed the people who were there trying to help get started. I went to the command center. Of course, one of the biggest questions in a situation such as

that is, what do you do first? Obviously, the first effort to get the power back on. The AEP, the power company, was there trying to get the power up and running. Then they had a priority chart: What do you do second? What do you do third?

I want to express to them and say again on the Senate floor today, we are going to be there for these good folks not only in West Liberty but in the other counties that were hit in our State. That is why FEMA exists. They do a good job. Hopefully, it will not require any additional funding for us to have to appropriate. Hopefully, they will have enough funds in their budget to take care of this, but if there is a shortfall we will be there to be helpful.

I wanted to share with my colleagues today the devastation to which we were subjected last weekend. It is reminiscent of a tornado that hit Kentucky in the 1970s. I remember it went into my mother and father's neighborhood. The house next door to them was obliterated. The houses across the street were obliterated. Amazingly enough, my mothers and father's house seemed largely untouched. There were very few homes in West Liberty, KY, yesterday or Friday night that were untouched. It came through there with a stunning force.

I heard one story I will also relate. The county judge was in a building and literally grabbed somebody by the leg and pulled him inside the building as the storm was attempting to suck him out into the street. He was able to save that person. So the incredible force of these massive tornadoes is truly destructive, and we will help local residents get their lives back together as soon as we possibly can.

I yield the floor.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved. Under the previous order, there will now be a period of morning business, with Senators permitted to speak therein up to 10 minutes each.

Mr. MCCONNELL. 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.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded and that I be allowed to speak in morning business for as much time as I may consume.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### SYRIA

Mr. MCCAIN. Mr. President, after a year of bloodshed, the crisis in Syria

has reached a decisive moment. It is estimated that more than 7,500 lives have been lost. The United Nations has declared that Syrian security forces are guilty of crimes against humanity, including the indiscriminate shelling of civilians, the execution of defectors, and the widespread torture of prisoners.

Bashar al-Asad is now doing to Homs what his father did to Hama. Aerial photographs procured by Human Rights Watch show a city that has been laid to waste by Asad's tanks and artillery. A British photographer who was wounded and evacuated from the city described it as "a medieval siege and slaughter." The kinds of mass atrocities that NATO intervened in Libya to prevent in Benghazi are now a reality in Homs. Indeed, Syria today is the scene of some of the worst state-sponsored violence since Milosevic's war crimes in the Balkans or Russia's annihilation of the Chechen city of Grozny.

What is all the more astonishing is that Asad's killing spree has continued despite severe and escalating international pressure against him. His regime is almost completely isolated. It has been expelled from the Arab League, rebuked by the United Nations General Assembly, excoriated by the U.N. Human Rights Council, and abandoned by nearly every country that once maintained diplomatic relations with it. At the same time, Asad's regime is facing a punishing array of economic sanctions by the United States, the European Union, the Arab League, and others—measures that have targeted the assets of Asad and his henchman, cut off the Central Bank and other financial institutions, grounded Syria's cargo flights, and restricted the regime's ability to sell oil.

This has been an impressive international effort, and the administration deserves a lot of credit for helping to orchestrate it.

The problem is the bloodletting continues. Despite a year's worth of diplomacy backed by sanctions, Asad and his top lieutenants show no signs of giving up and taking the path into foreign exile. To the contrary, they appear to be accelerating their fight to the finish and they are doing so with the shameless support of foreign governments, especially in Russia, China, and Iran. A steady supply of weapons, ammunition, and other assistance is flowing to Asad from Moscow and Tehran. As the Washington Post reported yesterday, Iranian military and intelligence operatives are likely active in Syria, helping to direct and sharpen the regime's brutality. The Security Council is totally shut down as an avenue for increased pressure, and the recently convened Friends of Syria contact group, while a good step in principle, produced mostly rhetoric but precious little action when it met last month in Tunisia. Unfortunately, with each passing day, the international response to Asad's atrocities is being overtaken by events on the ground in Syria.

Some countries are finally beginning to acknowledge this reality as well as its implications. Saudi Arabia and Qatar are calling for arming opposition forces in Syria. The newly elected Kuwaiti Parliament has called on their government to do the same. Last week, the Supreme Allied Commander of NATO, ADM James Stavridis, testified to the Senate Armed Services Committee that providing arms to opposition forces in Syria could help them shift the balance of power against Asad. Most importantly, Syrians themselves are increasingly calling for international military involvement. The Opposition Syrian National Council recently announced that it is establishing a military bureau to channel weapons and other assistance to the Free Syrian Army and armed groups inside the country. Other members of the Council are demanding a more robust intervention.

To be sure, there are legitimate questions about the efficacy of military operations in Syria and equally legitimate concerns about their risks and uncertainties. It is understandable that the administration is reluctant to move beyond diplomacy and sanctions. Unfortunately, this policy is increasingly disconnected from the dire conditions on the ground in Syria, which has become a full-blown state of armed conflict. In the face of this new reality, the administration's approach to Syria is starting to look more like a hope than a strategy. So, too, does their continued insistence that Asad's fall is "inevitable." Tell that to the people of Homs. Tell that to the people of Idlib or Hama or the other cities that Asad's forces are now moving against. Nothing in this world is predetermined, and claims about the inevitability of events can often be a convenient way to abdicate responsibility.

But even if we do assume that Asad will ultimately fall, that may still take a long time. In recent testimony in the Armed Services Committee, the Director of National Intelligence James Clapper said if the status quo persists, Asad could hang on for months, probably longer. And that was before Homs fell. So to be clear, even under the best-case scenario for the current policy, the cost of success will likely be months of continued bloodshed and thousands of additional lives lost. Is this morally acceptable to us? I believe it should not be.

In addition to the moral and humanitarian interests at stake in Syria, what is just as compelling, if not more so, are the strategic and geopolitical interests. Put simply, the United States has a clear national security interest in stopping the violence in Syria and forcing Asad to leave power. In this way, Syria is very different than Libya. The stakes are far higher, both for America and some of our closest allies.

This regime in Syria serves as a main forward operating base of the Iranian regime in the heart of the Arab world.

It has supported Palestinian terrorist groups and funneled arms of all kinds, including tens of thousands of rockets, to Hezbollah in Lebanon. It remains a committed enemy of Israel. It has large stockpiles of chemical weapons and materials and has sought to develop a nuclear weapons capability. It was the primary gateway for the countless foreign fighters who infiltrated Iraq and killed American troops. Asad and his lieutenants have the blood of hundreds of Americans on their hands. Many in Washington fear that what comes after Asad might be worse. How could it be any worse than this?

The end of the Asad regime would sever Hezbollah's lifeline to Iran, eliminate a longstanding threat to Israel, bolster Lebanon's sovereignty and independence, and inflict a strategic defeat on the Iranian regime. It would be a geopolitical success of the first order. More than all of the compelling moral and humanitarian reasons, this is why Asad cannot be allowed to succeed and remain in power. We have a clear national security interest in his defeat, and that alone should incline us to tolerate a large degree of risk in order to see that this goal is achieved.

Increasingly, the question for U.S. policy is not whether foreign forces will intervene militarily in Syria. We can be confident that Syria's neighbors will do so eventually if they have not already. Some kind of intervention will happen with or without us. So the real question for U.S. policy is whether we will participate in this next phase of the conflict in Syria and thereby increase our ability to shape an outcome that is beneficial to the Syrian people and to us. I believe we must.

The President has characterized the prevention of mass atrocities as "a core national security interest." He has made it the objective of the United States that the killing in Syria must stop, that Asad must go. He has committed the prestige and credibility of our Nation to that goal, and it is the right goal. However, it is not clear that the present policy can succeed. If Asad manages to cling to power—or even if he manages to sustain the slaughter for months to come—with all the human and geopolitical costs that entails, it would be a strategic and moral defeat for the United States. We cannot—we must not—allow this to happen.

For this reason, the time has come for a new policy. As we continue to isolate Asad diplomatically and economically, we should work with our closest friends and allies to support opposition groups inside Syria, both political and military, to help them organize themselves into a more cohesive and effective force that can put an end to the bloodshed and force Asad and his loyalists to leave power. Rather than closing off the prospects for some kind of negotiated transition that is acceptable to the Syrian opposition, foreign military intervention is now the nec-

essary factor to reinforce this option. Asad needs to know that he will not win.

What opposition groups in Syria need most urgently is relief from Asad's tank and artillery sieges in the many cities that are still contested. Homs is lost for now, but Idlib and Hama and Qusayr and Deraa and other cities in Syria could still be saved. But time is running out. Asad's forces are on the march. Providing military assistance to the Free Syrian Army and other opposition groups is necessary, but at this late hour that alone will not be sufficient to stop the slaughter and save innocent lives. The only realistic way to do so is with foreign air power.

Therefore, at the request of the Syrian National Council, the Free Syrian Army, and local coordinating committees inside the country, the United States should lead an international effort to protect key population centers in Syria, especially in the north, through air strikes on Asad's forces. To be clear, this will require the United States to suppress enemy air defenses in at least part of the country. The ultimate goal of air strikes should be to establish and defend safe havens in Syria, especially in the north, in which opposition forces can organize and plan their political and military activities against Asad. These safe havens could serve as platforms for the delivery of humanitarian and military assistance, including weapons and ammunition, body armor, and other personal protective equipment, tactical intelligence, secure communications equipment, food and water, and medical supplies. These safe havens could also help the Free Syrian Army and other armed groups in Syria train and organize themselves into more cohesive and effective military forces, likely with the assistance of foreign partners.

The benefit for the United States in helping to lead this effort directly is that it would allow us to better empower those Syrian groups that share our interests—those groups that reject al-Qaida and the Iranian regime and commit to the goal of an inclusive democratic transition as called for by the Syrian National Council. If we stand on the sidelines, others will pick winners, and this will not always be to our liking or in our interest. This does not mean the United States should go it alone. I repeat: This does not mean that the United States should go it alone. We should not. We should seek the active involvement of key Arab partners such as Saudi Arabia, United Arab Emirates, Jordan, and Qatar, and willing allies in the EU and NATO, the most important of which in this case is Turkey.

There will be no U.N. Security Council mandate for such an operation. Russia and China took that option off the table long ago. But let's not forget: NATO took military action to save Kosovo in 1999 without formal U.N. authorization. There is no reason why the



Arab League or NATO or a leading coalition within the Friends of Syria contact group, or all of them speaking in unison, could not provide a similar international mandate for military measures to save Syria today.

Could such a mandate be gotten? I believe it could. Foreign capitals across the world are looking to the United States to lead, especially now that the situation in Syria has become an armed conflict. But what they see is an administration still hedging its bets—on the one hand insisting that Asad's fall is inevitable but, on the other, unwilling even to threaten more assertive actions that could make it so.

The rhetoric out of NATO has been much more self-defeating. Far from making it clear to Asad that all options are on the table, key alliance leaders are going out of their way to publicly take options off the table. Last week, NATO Secretary General Rasmussen said that the alliance has not even discussed the possibility of NATO action in Syria, saying: "I don't envision such a role for the alliance." The following day, the Supreme Allied Commander, ADM James Stavridis, testified in the Senate Armed Services Committee that NATO has done no contingency planning—none—for potential military operations in Syria.

That is not how NATO approached Bosnia or Kosovo or Libya. Is it now the policy of NATO—or the United States, for that matter—to tell the perpetrators of mass atrocities in Syria or elsewhere that they can go on killing innocent civilians by the hundreds of thousands and the greatest alliance in history will not even bother to conduct any planning about how we might stop them? Is that NATO's policy now? Is that our policy? Because that is the practical effect of this kind of rhetoric. It gives Asad and his foreign allies a green light for greater brutality.

Not surprisingly, many countries, especially Syria's neighbors, are also hedging their bets on the outcome in Syria. They think Asad will go, but they are not yet prepared to put all their chips on that bet—even less so now that Asad's forces have broken Homs and seem to be gaining momentum.

There is only one nation—there is only one nation—that can alter this dynamic, and that is the United States of America. The President must state unequivocally that under no circumstances will Asad be allowed to finish what he has started; that there is no future in which Asad and his lieutenants will remain in control of Syria; and that the United States is prepared to use the full weight of our air power to make it so. It is only when we have clearly and completely committed ourselves that we can expect other nations to do the same. Only then would we see what is really possible in winning international support to stop the killing in Syria.

Are there dangers and risks and uncertainties in this approach? Absolu-

tely. There are no ideal options in Syria. All of them contain significant risk. Many people will be quick to raise concerns about the course of action I am proposing. Many of these concerns have merit but none so much that they should keep us from acting.

For example, we continue to hear it said that we should not assist the opposition in Syria militarily because we do not know who these people are. Secretary of State Hillary Clinton repeated this argument just last week, adding that we could end up helping al-Qaida or Hamas. It is possible that the administration does not know much about the armed opposition in Syria, but how much effort have they really made to find out, to meet and engage these people directly? Not much, it appears. Instead, much of the best information we have about the armed resistance in Syria is thanks to courageous journalists, some of whom have given their lives to tell the story of the Syrian people.

One of those journalists is a reporter working for Al-Jazeera named Nir Rosen, who spent months in the country, including much time with the armed opposition. Here is how he described them recently:

The regime and its supporters describe the opposition, especially the armed opposition, as Salafis, Jihadists, Muslim Brotherhood supporters, al-Qaeda and terrorists. This is not true, but it's worth noting that all the fighters I met . . . were Sunni Muslims, and most were pious. They fight for a multitude of reasons: for their friends, for their neighborhoods, for their villages, for their province, for revenge, for self-defense, for dignity, for their brethren in other parts of the country who are also fighting. They do not read religious literature or listen to sermons. Their views on Islam are consistent with the general attitudes of Syrian Sunni society, which is conservative and religious.

Because there are many small groups in the armed opposition, it is difficult to describe their ideology in general terms. The Salafi and Muslim Brotherhood ideologies are not important in Syria and do not play a significant role in the revolution. But most Syrian Sunnis taking part in the uprising are themselves devout.

He could just as well have been describing average citizens in Egypt or Libya or Tunisia or other nations in the region. So we should be a little more careful before we embrace the Asad regime's propaganda about the opposition in Syria. We certainly should not let these misconceptions cause us to keep the armed resistance in Syria at arm's length because that is just self-defeating. And I can assure you that al-Qaida is not pursuing the same policy. They are eager to try to hijack the Syrian revolution, just as they have tried to hijack the Arab spring movements in Egypt and Tunisia and Libya and elsewhere. They are trying, but so far they are failing. The people of these countries are broadly rejecting everything al-Qaida stands for. They are not eager to trade secular tyranny for theocratic tyranny.

The other reason al-Qaida is failing in Tunisia and Egypt and Libya is be-

cause the community of nations—especially the United States—has supported them. We are giving them a better alternative. The surest way for al-Qaida to gain a foothold in Syria is for us to turn our backs on these brave Syrians who are fighting to defend themselves. After all, Sunni Iraqis were willing to ally with al-Qaida when they felt desperate enough, but when America gave them a better alternative, they turned their guns on al-Qaida. Why should it be different in Syria?

Another objection to providing military assistance to the Syrian opposition is that the conflict has become a sectarian civil war and our intervention would enable the Sunni majority to take a bloody and indiscriminate revenge against the Alawite minority. This is a serious and legitimate concern, and it is only growing worse the longer the conflict goes on. As we saw in Iraq or Lebanon before it, time favors the hard-liners in a conflict such as this. The suffering of Sunnis at the hands of Asad only stokes the temptation for revenge, which in turn only deepens fears among the Alawites and strengthens their incentive to keep fighting. For this reason alone, it is all the more compelling to find a way to end the bloodshed as soon as possible.

Furthermore, the risks of sectarian conflict will exist in Syria whether or not we get more involved. And we will at least have some ability to try to mitigate these risks if we work to assist the armed opposition now. That will at least help us to know them better and to establish some trust and exercise some influence with them, because we took their side when they needed it most. We should not overstate the potential influence we could gain with opposition groups inside Syria, but it will only diminish the longer we wait to offer them meaningful support. And what we can say for certain is we will have no influence whatsoever with these people if they feel we abandoned them. This is a real moral dilemma, but we cannot allow the opposition in Syria to be crushed at present while we worry about the future.

We also hear it said, including by the administration, that we should not contribute to the militarization of the conflict. If only Russia and Iran shared that sentiment. Instead, they are shamelessly fueling Asad's killing machine. We need to deal with reality as it is, not as we wish it to be. And the reality in Syria today is largely a one-sided fight where the aggressors are not lacking for military means and zeal. Indeed, Asad appears to be fully committed to crushing the opposition at all costs. Iran and Russia appear to be fully committed to helping him do it.

The many Syrians who have taken up arms to defend themselves and their communities appear to be fully committed to acquiring the necessary weapons to resist Asad, and leading

Arab States appear increasingly committed to providing those weapons. The only ones who seem overly concerned about a militarization of the conflict is the United States and some of its allies. The time has come to ask a different question: Whom do we want to win in Syria—our friends or our enemies?

There are always plenty of reasons not to do something, and we can list them clearly in the case of Syria. We know the opposition is divided. We know the armed resistance inside the country lacks cohesion or command and control. We know some elements of the opposition may sympathize with violent extremist ideologies or harbor dark thoughts of sectarian revenge. We know many of Syria's immediate neighbors remain cautious about taking overly provocative actions that could undermine Assad. And we know the American people are weary of conflict—justifiably so—and we would rather focus on domestic problems.

These are realities. But while we are compelled to acknowledge them, we are not condemned to accept them forever. With resolve, principled leadership, and wise policy, we can shape better realities. That is what the Syrian people have done.

By no rational calculation should this uprising against Assad still be going on. The Syrian people are outmatched. They are outgunned. They are lacking for food and water and other basic needs. They are confronting a regime with limitless disregard for human dignity and capacity for sheer savagery. For an entire year, the Syrian people have faced death and those unspeakable things worse than death, and they still have not given up. Still they take to the streets to protest peacefully for justice, still they carry on their fight, and they do so on behalf of many of the same universal values we share and many of the same interests as well. These people are our allies. They want many of the same things we do. They have expanded the boundaries of what everyone thought was possible in Syria. They have earned our respect, and now they need our support to finish what they started. The Syrian people deserve to succeed, and shame on us if we fail to help them.

Mr. President, I yield the floor.

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.

The PRESIDING OFFICER (Mr. COONS). The Senator from Illinois.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask to speak in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TORNADO DAMAGE

Mr. DURBIN. Mr. President, there are life experiences that come along with growing up depending on one's family and where they grew up. In my part of the world, part of the Midwest, there was a rite of passage that seemed so commonplace that we never questioned it. It was the air raid siren going off in the middle of the night and your dad would come into your room and say: We have to go down to the basement; there is a tornado warning.

That was part of my life. I didn't think twice about it. It happened every year—sometimes not in the middle of the night, sometimes in the middle of the day, but we became accustomed to it because that is what happened where we lived.

When I was elected to Congress and then to the Senate, I spent my time visiting locations all over my State where tornadoes had struck. So I have seen my fair share of tornado damage in the Midwest, but I have to tell you what I saw on Saturday was extraordinary. I went to southern Illinois to two towns, Harrisburg and Ridgway. They were hit the previous Wednesday by what is known as a stage 4 tornado. A stage 4 tornado is a tornado with winds up to 175 miles per hour. That is a tornado so violent that the winds, from what I am told, were even greater than those of Hurricane Katrina. It hit this tiny little town in southern Illinois, and I looked at the devastation afterward. We expect obvious casualties in a tornado. We expect to see the trees blown down and the siding off the house and the shingles torn off the roof and occasionally a window blown in. One looked at the poor mobile homes, which don't have a chance in a tornado, and they are usually ripped and thrown. But in this tornado, houses that were built on a slab were lifted off and tossed in the air.

I met a lady who was driving away from the devastation of her home—incidentally, these photos are fairly indicative of what we saw in the devastation—and I asked her about her experience. It turned out she was very lucky because she had set the alarm for quarter of 5 to go to work that morning. She said she got up and started getting ready and heard the sirens outside. She said: I went to the bathroom, got down face first on the floor, and grabbed the sink to hang on to it. She said seconds passed before the ceiling caved in on top of her. Luckily, she said it didn't reach her; it pinned her underneath. She said she waited and waited and 15, 20 minutes later somebody started hollering: Is anybody in there? She said she hollered back and they told her: Keep talking. We are going to get you out of there. She escaped with a few scratches and bruises. She was one of the lucky ones. Two of the homes across the street had been blown on top of hers. It turned out across the street a 22-year-old nurse at the local hospital had been killed by the same tornado.

I have never seen this kind of tornado and this kind of damage in my

life. I am told it happened one time before in the history of our State. I also have to tell you the response of the people there makes me proud to be from that State and to be a part of this great Nation. From the very minute this devastation took place, people started coming toward the devastation to try to help. There were some amazing stories such as the volunteers who helped this lady out of the debris of her home. At the nearby coal mine, they have a rescue team that is sent in when there is danger of a mine disaster. They have hard hats and breathing equipment and all the right extraction devices and tools. They came rushing to the scene, coal dust all over their faces, digging right into the wreckage pulling people out. That story was repeated over and over.

The heroism and voluntarism didn't end that day. It continued all through the time I was there and even to this day. Special kudos to the American Red Cross, always the first on the scene, always performing a valuable and important job as they did in southern Illinois.

I went over to Ridgway, which is a town 24 miles away, and for some reason this God-awful tornado skipped from Harrisburg to Ridgway and did little damage in between. But it came down in Ridgway and ripped through that town. Roughly 400 homes were damaged in Harrisburg and over 100 in Ridgway. There is a Catholic Church there over 100 years old. It was the sturdiest structure in town by far. Had people been given enough notice—this happened early in the morning at about 5 a.m.—they might have said the safest place to go is the church. The church is gone. There are two things left, the doorway for the church and the altar. Everything else has been obliterated. There have been a lot of pictures taken of that altar still standing in the rubble, an inspiration to many. Perhaps a message there will be certain things spared even in the worst disasters.

In that town, the fire department met with the mayor and all the volunteers. The one thing about being a volunteer after a disaster in Illinois, I guarantee you will not lose weight. Everybody brought in food, all kinds of food from every direction—pies, cakes, chili, and hot dogs. A fellow came by there and had his barbecue operation set up. It was a huge operation, and he was just cooking like crazy. It was an indication that everybody wanted to pitch in to help. So I wish to thank all those engaged in the rescue and clean-up work at every level.

John Monken, director of the Illinois Emergency Management Agency under Pat Quinn—the Governor has been down there twice—accompanied me on this trip, local units of the government, the sheriff's office, the local disaster agency people, all the volunteers, the Red Cross, a group called Operation Blessing, which showed up—I had never heard of them before. I bet they have

been around. They knew just what to do. They said: Every religious group or volunteer group that wants to help, come check with us. We will send you to a place where you might be needed. As I walked through the wreckage, there were volunteers of every age, from little kids to elderly folks, with rakes in their hands picking up trash and getting it off to the side and trying to put people's lives together again. The scores of people made me proud to represent that great State and the people living in it.

There are several things we need to talk about as a result of that disaster that cannot go unsaid.

I think it is not considered politically correct now to talk about the state of climate in America, but I am going to because, as I stand here today, we have had 274 tornadoes already recorded in America this year—274. At this time last year we had 50. This tornado that hit my home State and, I might say, that tornado that hit Joplin, MO, last year were extraordinary events when it came to tornadoes. The weather patterns are changing. The weather events are more frequent and more severe. That is a fact. Are we ready? Are we prepared for it? Are we doing everything we can? The simple and honest answer is no.

First, we need to acknowledge the obvious. I know I am walking on dangerous ground, but the climate is changing. We have gone from a situation last year where we had the worst recorded blizzard in the history of Chicago, followed 4 months later by the most rainfall ever recorded in 1 hour, to this situation with 274 tornadoes so far this year and literally scores of people killed—six in Harrisburg, many in Kentucky and Tennessee and other places. It is an indication the weather is changing, the severity is changing, and we need to be honest about it. We have to get beyond the political argument into the world of reality.

I sincerely believe there are things we are doing that are affecting the world we live in—affecting the melting of the glaciers, affecting the disappearance of species, affecting the change of weather patterns all around. As long as we continue to take the politically convenient route of ignoring that, future generations can point a finger of blame at us for failing to acknowledge the obvious when we might have had a chance to make some difference in future lives. That is a fact.

Secondly, I held a hearing and I brought in not government experts but experts from the private sector. Do my colleagues know who knows more about weather and damage events than anyone in America? The insurance industry. I brought them in, property and casualty insurance companies, and I asked them the same question: Is weather changing? They said it is obvious. Why do we think some companies are taking their business out of certain places in America? We cannot set up a reserve for the possibility of damage

that is on the horizon; we are trying to cover ourselves. We are profitmaking people; if we can't see a way to set up a reserve for potential weather disasters, we start backing off of coverage. It has been done. Many insurance companies have walked away from places such as Florida because of hurricanes and because of violent storms.

Then I asked them the question about whether the U.S. Government was adequately prepared to shoulder the burden that comes with these disasters—and the burden does come, particularly for those uninsured. We end up as a government helping them. I don't begrudge people that. I am going to ask for my State, and I am sure the Presiding Officer would do the same. Every Senator would.

Here is the bottom line: When the Bowles-Simpson Commission sat down to try to determine how much we should budget each year for disasters, they came up with what these people in the private sector said was a totally unreasonable formula. It basically averaged 10 years and put an additional cost-of-living adjustment on it. They said that isn't the future. The future is a geometric progression in cost as property becomes more expensive, as the storms become more violent.

We are not thinking about this, and we are not thinking about what we should do to deal with it. We also need to think about ways to warn people about these disasters before they strike. We live in a new world. In the old world we lived in—going back how far I can't say, maybe a century—we would turn on a siren outside. That is still of some value. It warns people and they respond to it. But in this day and age there has to be a better way. Let me suggest a few.

In some counties in my State, the disaster agency has on record all of the telephone numbers of all of the residents. If something is coming, their phone is going to ring too, not just the siren outside that maybe they don't hear because they are sleeping or because the television is too loud but the telephone is going to ring too. That is something we need to make standard across this country so there is a way to reach everyone.

I don't know this because I am a liberal arts lawyer. What do I know about these things? It seems to me that we ought to be able to deal with some mechanism that allows people to receive a notice when there is a warning going out of something disastrous on the way. I think that ought to be doable. I am working with people in FEMA and others to talk about that possibility.

The point I wish to make is this: I think we have an obligation to reopen a conversation which we have walked away from. There is not a chance that we are going to pass significant legislation on this floor this year when it comes to climate change and what we need to do about it. There is little or no chance that we will even get a ma-

majority—perhaps a majority; maybe not 60—to acknowledge this is a problem we could do anything about. But for us to ignore this is to ignore the obvious. Things are getting worse. Future generations will see even more challenges than we do today, and those of us with the responsibility to serve and lead need to at least stand and engage the conversation, engage the dialogue with the American people about this issue.

I urge my colleagues all across the political spectrum to take a look at the reality and to stop turning their head and looking away. What is happening out there with our weather patterns is something that needs to be acknowledged and something we need to respond to.

#### GAS PRICES

Mr. President, one other thing I wish to say is that as I went home, the tornado was the first item of discussion, but the second was gasoline prices. I went through the suburbs of Chicago Friday night and saw a gasoline station with gas at \$4.09 a gallon. It got a little more reasonable as I went through deep southern Illinois, but it was still very expensive.

We have seen a significant increase, but those of us who have been around know that isn't the first time. I could dust off my springtime press release that I put out every year expressing outrage with the oil companies for gasoline price increases. It happens every spring before Easter. Usually, after all of the politicians get red in the face and sputter and run out of things to say cursing the oil companies it kind of moderates in May or June and then, get ready, it is coming again during the summer vacation season.

We are not helpless but we are certainly at the mercy of oil companies which, even when investigated by major government agencies, can't be found to have engaged in any conspiracy or collusion, though it seems passing strange that the same gas stations in town after town watch their prices go up in lockstep day after day and week after week.

There are those who think they have a good, quick, easy answer and can't understand why the rest of the world isn't cheering them on. They want to drill their way out of this situation. They believe if we find enough oil in America, gasoline prices will come down and we are going to find ourselves oil independent. By last measure, the United States has about 3 percent of the world's reserve of petroleum. We consume each year 25 percent. Drilling our way out of this is physically impossible. Yet that doesn't mean we shouldn't look for new, environmentally responsible and safe sources for oil.

Here is the record: Domestic oil production is at the highest level in 8 years. We would never believe it, hearing speeches from the other side of the aisle. In 2011, U.S. crude oil production reached its highest level since 2003, and we are now drilling more than ever before. The number of oil drilling rigs in

the United States is at a record high—quadrupling over the past 3 years of the Obama administration.

Between oil and gas drilling rigs, the United States now has more rigs at work than the rest of the world combined. Let me repeat that: Between oil and gas drilling rigs, the United States now has more rigs at work than the rest of the world combined. Those who are saying there is lack of effort don't know the obvious. We keep adding more. The administration has announced a new offshore oil and gas development program—they want to do it carefully after the BP spill of 2 years ago—which will open more than 75 percent of our potential offshore oil and gas resources.

Last year, Americans relied less on foreign oil than at any time in the past 16 years. Even the American Petroleum Institute agrees that American producers and refiners are producing more oil and reducing our reliance on imports. The American Petroleum Institute has said without these two factors, today's prices might be even higher.

We simply cannot drill our way to lower gasoline prices. The President has proposed an approach that is balanced, and it is an approach with vision. It gets beyond the press release of the moment or Presidential campaign rhetoric.

The President recently announced new fuel efficiency standards for cars and light-duty trucks that will save Americans \$1.7 trillion and reduce oil consumption by 2.2 million barrels per day by 2025. My wife and I drive a Ford Fusion hybrid. I looked at Consumer Reports, and it is still rated very highly. We get over 30 miles a gallon. Prius does even better—over 40 miles a gallon. Toyota Camry is somewhere in the upper thirties. There are ways to reduce the use of gasoline with more fuel-efficient vehicles. I can tell my colleagues I don't believe our family makes any sacrifice when it comes to comfort and safety while driving this Ford.

The administration has also finalized the first ever national future efficiency standards for heavy-duty trucks, vans, and buses. These standards will reduce oil consumption by over 500 million barrels, saving the owners more than \$50 billion in fuel costs.

The Department of Energy will make \$30 million available for a new research competition to find ways to harness our abundant supplies of domestic natural gas for vehicles.

There is no magic bullet that can bring Americans lower gas prices—not drill baby, drill, and not the Keystone Pipeline in and of itself. Senator HUTCHISON stated that the Keystone XL Pipeline would transport 830,000 barrels of crude oil from Canada to refineries in Texas and that oil would provide Americans with 34 million gallons of gas a day.

Unfortunately, Senator HUTCHISON's statement doesn't quite match up with

the testimony of the oil companies. Canada's oil production ships less than half of its current pipeline capacity to the United States. There is plenty of room for Canada to ship more right now without a new pipeline.

Existing pipeline capacity would offer 4.2 million barrels per day of crude oil to be transported from Canada to the United States. However, in 2010, Canada exported less than half of it—1.9 billion barrels a day—with existing pipelines. Even doubling Canada's current production levels would not fill the Keystone XL Pipeline or bring an additional 830,000 barrels a day to gulf refineries in the Texas region. So 830,000 barrels of crude oil simply can't produce 34 million gallons of gasoline. Even the best refiners could produce only about half that amount of gasoline.

I might also add that one of the things that is troubling to some of us is when the TransCanada Company was asked in a hearing in the House by Congressman ED MARKEY of Massachusetts whether the oil coming down from Canada through the Keystone XL Pipeline would be used for domestic consumption in the United States, he said he couldn't make that promise. So this argument that the Keystone XL Pipeline is going to reduce gas prices, first, that pipeline is in the future; second, there is existing pipeline capacity that is unused; and, third, the company that is transporting it will make no promise that it will be used in the United States. It may not have any impact on our gasoline prices whatsoever.

We just can't drill our way or "pipeline" our way out of this problem. One pipeline isn't going to solve the problem. Drilling in pristine areas such as the Arctic National Wildlife Refuge is not going to solve the problem. We need a coordinated, balanced approach. We need to walk away from the heightened campaign rhetoric into a rational discussion about an energy policy for America: a balanced policy and one that is respectful of our environment, provides the energy we need for economic growth, as well as looks to innovation and green energy approaches that will create new businesses and new jobs for the 21st century in America.

Mr. President, I yield the floor.

#### ADDITIONAL STATEMENTS

##### REMEMBERING NICK BACON

• Mr. BOOZMAN. Mr. President, today I wish to honor a true American hero who always had our veterans at heart—Nick Bacon.

Bacon served in the U.S. Army from 1963–1984 serving two deployments to Vietnam. As a staff sergeant during his second tour, Nick solidified his legacy as a hero.

On August 26, 1968, while commanding a squad of the first platoon of Company B, 4th Battalion, in an oper-

ation west of Tam Ky in Vietnam, Bacon destroyed several enemy positions with hand grenades. When his platoon leader was wounded, Bacon led the platoon to destroy remaining enemy positions. Bacon also took command of a second platoon, 3rd Platoon, Bravo Company, when its leader was killed and rallied both platoons against the enemy. Providing cover for evacuation of wounded, Bacon climbed a tank to fire at the enemy, a move that exposed himself to enemy fire. He was credited with killing at least four enemy soldiers and destroying an anti-tank gun.

President Nixon awarded Nick the Medal of Honor for his bravery, heroics and valiant actions during this battle.

Nick's heroics extended well beyond the battlefield. He exemplified what it means to be a Medal of Honor recipient in the way he lived his daily life through his service to others.

After retiring from the military, Nick continued his commitment to his fellow soldiers by fulfilling the needs of our veterans. He is considered by many in Arkansas as the Father of Veterans Affairs in the Natural State. Under his guidance as the director of Arkansas Department of Veterans Affairs, State veterans saw the completion of the Fayetteville VA Long-term Care Facility, the development of the Arkansas State Veterans Cemetery and the creation of the Arkansas Veterans' Coalition.

Nick's leadership in the department helped countless veterans in Arkansas receive the benefits they deserve. His actions throughout his life have inspired selfless service and sacrifice. Nick's legacy will live on as we remember his consistent passion for veterans and his tireless advocacy on behalf of the men and women who wore our Nation's uniform.●

#### RECOGNIZING PHELPS MEMORIAL HEALTH CENTER

• Mr. JOHANNIS. Mr. President, today I wish to applaud the spirit of community betterment that led to a beautiful new wing of the Phelps Memorial Health Center in Holdrege, NE. As often occurs across our great State, citizens in the area saw a need and rose to meet it. They joined forces with officials at the hospital and set a determined course, without holding out their hands for taxpayer dollars to make it happen. They recognized that high quality medical care is part of the lifeblood of the community and knew the hospital would benefit from renovation and expansion. So, they rolled up their sleeves and came together to create the vision, raise the money and turn the dirt.

Some doubted the community would accomplish a multimillion dollar expansion during a recession in a rural area without taxpayer dollars. Those doubters underestimated the motivation of Nebraskans who love their community. Citizens in the area have proven that there is no limit to what can be

accomplished when people come together. The new, state-of-the-art wing is truly impressive.

I was honored to see it firsthand when I attended the ribbon-cutting ceremony and applauded the many people who poured their hearts into the project. The nearly 50,000 additional square feet; four cutting-edge operating suites; and patient rooms with maximum comfort and connectivity are remarkable, to say the least.

The heart and soul of healthcare in Nebraska is a hospital like the Phelps Memorial Health Center, providing high-quality and compassionate care close to home. Today I celebrate their success in turning an aging institution into a state-of-the-art facility and highlight it as a shining example of what can be accomplished with determination and commitment.●

#### TRIBUTE TO COAST GUARD HEROES

● Ms. LANDRIEU. Mr. President, it is with great sadness that I mourn the loss of one of our brave Coast Guard airmen who gave his life in the line of duty when a Coast Guard MH-65C helicopter crashed during a training flight in the vicinity of Mobile Bay, AL, on Tuesday evening with four crewmembers aboard. Three other crewmembers remain missing, and the Coast Guard is continuing to search for them in cooperation with State and local authorities from Alabama and Florida.

The cause of the incident is still under investigation, but it serves as a tragic reminder of the heroic sacrifices that the men and women of the U.S. Coast Guard make on a regular basis to protect the people of this country from terrorist threats, natural disasters, environmental hazards, and criminal activity. Our thoughts and prayers go out to the families of the airmen onboard the Coast Guard helo that went down Tuesday night, and I would like to take this opportunity to honor their service, and the exploits of many Coastguardsmen before them, who demonstrated extreme valor in the face of danger and epitomized the virtues of bravery and sacrifice in service of their country.

Scores of grateful Americans will gather this evening at the National World War II Museum in New Orleans to honor 14 extraordinary Coast Guard heroes, and their family members will be in attendance to commemorate their legacy. Tomorrow morning, Bollinger Shipyards in Lockport, LA, will dedicate its fleet of fast response cutters and deliver the very first in class to the U.S. Coast Guard, the Bernard C. Webber. This will be the first class of ships in the history of the U.S. military that bears the names of enlisted personnel, as opposed to U.S. Presidents and flag officers. I would like to take a few minutes to share some of their stories.

PO Bernie Webber led a crew of four volunteers from Chatham Station in

Massachusetts in February 1952 to respond to the tanker Pendleton, which was in distress. They braved 60-foot seas, hurricane-force winds, and blizzard conditions on a cold and rainy night off the coast of New England. Wind and waves smashed their windshield and compass along the way, but they managed to save the lives of 33 men in what many historians consider the most difficult small boat rescue in Coast Guard history. To this day, cadets at the Coast Guard Academy in New London, CT, have never been able to fit so many men into a boat the size that Webber commanded.

William Ray Flores was 19 years old and less than 1 year out of boot camp when he gave his life to save his fellow shipmates. On January 28, 1980, the 180-foot Coast Guard buoy tender Blackthorn collided with a 605-foot oil tanker near the entrance to Tampa Bay. The Coast Guard vessel quickly began to capsize after impact, and crewmembers leapt from the deck to escape the sinking ship. Flores, however, decided to strap himself to the lifejacket locker door so he could float lifejackets up to the surface as the ship went down. Twenty-two of Flores's shipmates tragically perished that day, but 27 others survived thanks to his heroic sacrifice. SA Billy Flores was posthumously awarded the Coast Guard Medal for his actions that day, the service's highest award for heroism during peacetime.

Margaret Norvell served for 41 years in the U.S. Lighthouse Service, beginning her career watching over the southern entrance to the Mississippi River at the Head of Passes and later taking over as keeper of the Port Pontchartrain Light and West End Light on Lake Pontchartrain in New Orleans. In 1903, a storm destroyed every building in her small Louisiana community of Buras except Norvell's lighthouse. She immediately responded by taking in the entire community and providing shelter and comfort to more than 200 of her fellow citizens who had been rendered homeless. Later in her career in the year 1926, Norvell received a report that a naval airplane had crashed into Lake Pontchartrain. She immediately set out in her small rowboat and battled a merciless squall for 2 hours before she finally arrived at the scene of the crash, rescued the downed aviator, and brought him safely back to shore.

Stewards-Mate First Class Charles Walter David was a cook aboard the Coast Guard cutter Comanche when the Army transport ship Dorchester was attacked by a German U-Boat off the coast of Greenland on the night of February 3, 1942. David dove into the frigid seas of the North Atlantic and helped to save the lives of 93 soldiers and many of his own crew including the ship's executive officer, who had accidentally fallen overboard. David did not return to his ship until every last soul had been rescued from the water. He contracted pneumonia several days later and died as a result of

his efforts that night, for which he was posthumously awarded the Navy and Marine Corps Medal for bravery.

Others, such as Isaac Mayo and Joseph Napier, returned to shore multiple times to reembark on new boats after previous attempts caused them to capsize and several of their fellow crewmen to perish in the punishing waves. Both men eventually completed their rescue missions successfully.

These are just a handful of the 58 Coast Guardians who will serve as namesakes for the service's newest class of patrol boats, and their extraordinary acts of valor will continue to inspire future generations of heroes for centuries to come. We salute these brave Americans who risked and gave their lives to save others. We commend the Coast Guard for honoring their memory through the dedication of the fast response cutter fleet, and we thank the dedicated Cajun shipbuilders of Bollinger Shipyards in south Louisiana for providing the Coast Guard with the fastest, most durable patrol boats available to carry out its military, law enforcement, and maritime safety missions.

Our Nation will continue to pray for the airmen onboard the Coast Guard helicopter that went down in Mobile Bay earlier this week, as well as their loved ones. We owe them all a debt of extreme gratitude for their service to this country.●

#### TRIBUTE TO MELVA E. RADCLIFFE

● Mr. LAUTENBERG. Mr. President, today I wish to congratulate Melva E. Radcliffe on her 111th birthday this past Saturday, March 3. A lifelong native of New Jersey, Mrs. Radcliffe is the oldest recorded resident of my State. Her father, the late Wilmer A. Cadmus, served as mayor of my hometown of Paterson. Mrs. Radcliffe attended the Paterson Normal School, now William Paterson University, and taught art and music to elementary school students in Paterson until 1968. Her family tells us she has proudly voted in every election since 1921, and greatly enjoyed traveling after she retired. I wish Mrs. Radcliffe all the best, and congratulate her on this amazing milestone in her life.●

#### 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.)

### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 1837. An act to address certain water-related concerns on the San Joaquin River, 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. BAUCUS (for himself, Mr. THUNE, Mr. BROWN of Ohio, Mr. MCCONNELL, Ms. STABENOW, Mr. COBURN, Mr. ROCKEFELLER, Ms. COLLINS, Mr. CASEY, Mr. PORTMAN, Mr. CARPER, Mr. SESSIONS, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. NELSON of Florida, Mr. MERKLEY, Mr. GRAHAM, Mr. ROBERTS, Mr. LEVIN, Ms. SNOWE, Mr. BURR, Mrs. MCCASKILL, and Mr. HELLER):

S. 2153. A bill to apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, and for other purposes; considered and passed.

By Mr. BEGICH:

S. 2154. A bill to provide for research, monitoring, and observation of the Arctic Ocean and for other purposes; to the Committee on Finance.

By Ms. STABENOW (for herself, Mr. BROWN of Ohio, Ms. KLOBUCHAR, Mr. COONS, Mr. CONRAD, Mr. CASEY, Mr. TESTER, Mr. CARPER, Mr. HARKIN, and Mr. NELSON of Nebraska):

S. 2155. A bill to amend the Farm Security and Rural Investment Act of 2002 to promote biobased manufacturing; to the Committee on Agriculture, Nutrition, and Forestry.

### ADDITIONAL COSPONSORS

S. 344

At the request of Mr. REID, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 344, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 998

At the request of Mr. AKAKA, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 998, a bill to amend title IV of the Employee Retirement Income Security Act of 1974 to require the Pension Benefit Guaranty Corporation, in the case of airline pilots who are required by regulation to retire at age 60, to compute the actuarial value of monthly benefits in the form of a life annuity commencing at age 60.

S. 1048

At the request of Mr. MENENDEZ, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1048, a bill to expand sanctions imposed

with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1301

At the request of Mr. LEAHY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1301, a bill to authorize appropriations for fiscal years 2012 through 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

S. 1350

At the request of Mr. COONS, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1350, a bill to expand the research, prevention, and awareness activities of the Centers for Disease Control and Prevention and the National Institutes of Health with respect to pulmonary fibrosis, and for other purposes.

S. 1461

At the request of Mr. NELSON of Florida, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1461, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars.

S. 1497

At the request of Ms. KLOBUCHAR, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1497, a bill to amend title XVIII of the Social Security Act to extend for 3 years reasonable cost contracts under Medicare.

S. 1591

At the request of Mrs. GILLIBRAND, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1845

At the request of Mr. WYDEN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1845, a bill to amend the Internal Revenue Code of 1986 to provide for an energy investment credit for energy storage property connected to the grid, and for other purposes.

S. 1884

At the request of Mr. DURBIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1884, a bill to provide States with incentives to require elementary schools and secondary schools to maintain, and permit school personnel to administer, epinephrine at schools.

S. 1900

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1900, a bill to amend title

XVIII of the Social Security Act to preserve access to urban Medicare-dependent hospitals.

S. 1925

At the request of Mr. LEAHY, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 1925, a bill to reauthorize the Violence Against Women Act of 1994.

S. 1933

At the request of Mr. SCHUMER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1933, a bill to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies.

S. 1990

At the request of Mr. LIEBERMAN, the names of the Senator from Colorado (Mr. UDALL) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 1990, a bill to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

S. 2041

At the request of Mr. HOEVEN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2041, a bill to approve the Keystone XL pipeline project and provide for environmental protection and government oversight.

S. 2075

At the request of Mr. LEVIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2075, a bill to close unjustified corporate tax loopholes, and for other purposes.

S. 2134

At the request of Mr. BLUMENTHAL, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2134, a bill to amend title 10, United States Code, to provide for certain requirements relating to the retirement, adoption, care, and recognition of military working dogs, and for other purposes.

S. RES. 380

At the request of Mr. GRAHAM, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. Res. 380, a resolution to express the sense of the Senate regarding the importance of preventing the Government of Iran from acquiring nuclear weapons capability.

AMENDMENT NO. 1537

At the request of Mr. HOEVEN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of amendment No. 1537 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1724

At the request of Mr. BEGICH, the name of the Senator from Nebraska



(Mr. NELSON) was added as a cosponsor of amendment No. 1724 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1771. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table.

SA 1772. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1773. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1774. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1775. Mr. CONRAD (for himself and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1776. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1777. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1778. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1779. Mr. ALEXANDER (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1780. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1781. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1782. Mr. MENENDEZ (for himself, Mr. BURR, and Mr. REID) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1783. Mr. CARPER (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1784. Mr. HARKIN (for himself, Mr. MORAN, Mr. LEVIN, and Mr. NELSON of Nebraska) submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1785. Mr. CORKER (for himself, Mr. TOOMEY, and Ms. AYOTTE) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1786. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1787. Mr. BROWN of Ohio submitted an amendment intended to be proposed to

amendment SA 1761 proposed by Mr. REID to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1788. Mr. BROWN of Ohio submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1789. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1790. Mr. BENNET (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1791. Mr. BENNET (for himself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1792. Mrs. SHAHEEN (for herself, Ms. MURKOWSKI, Ms. COLLINS, Mr. LEVIN, Ms. KLOBUCHAR, Mr. SANDERS, Mr. BEGICH, Mr. LEAHY, Mr. MERKLEY, Ms. LANDRIEU, and Ms. STABENOW) submitted an amendment intended to be proposed by her to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1793. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1794. Mr. ISAKSON (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1795. Mr. ISAKSON (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1796. Mr. BROWN of Ohio (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1797. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1798. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1799. Ms. CANTWELL (for herself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 1771.** Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

##### SEC. \_\_\_\_ . CONSTRUCTION EQUIPMENT AND VEHICLES.

(a) IN GENERAL.—Chapter 53 of title 49, United States Code, as amended by this Act, is amended by adding at the end the following:

##### “§ 5341. Construction equipment and vehicles

“(a) IN GENERAL.—In accordance with the obligation process established pursuant to section 149(j)(4) of title 23, a State shall ex-

pend amounts required to be obligated for this section to install diesel emission control technology on covered equipment, with an engine that does not meet current model year new engine standards for particulate matter for the applicable engine power group issued by the Environmental Protection Agency, on a covered public transportation construction project within a PM<sub>2.5</sub> non-attainment or maintenance area. Covered equipment repowered or retrofitted with diesel exhaust control technology installed during the 6-year period ending on the date on which the prime contract was awarded for the covered public transportation construction project and equipment that meets the Environmental Protection Agency Tier 4 emission standards may be exempt from the requirements of this section.

“(b) DEFINITIONS.—In this section, the following definitions apply:

“(1) COVERED EQUIPMENT.—The term ‘covered equipment’ means any nonroad diesel equipment or on-road diesel equipment that is operated on a covered public transportation construction project for not less than 80 hours over the life of the project.

“(2) COVERED PUBLIC TRANSPORTATION CONSTRUCTION PROJECT.—

“(A) IN GENERAL.—The term ‘covered public transportation construction project’ means a public transportation construction project carried out under this chapter or any other Federal law which is funded in whole or in part with Federal funds.

“(B) EXCLUSIONS.—Any project with a total budgeted cost not to exceed \$5,000,000 may be excluded from the requirements of this section by an applicable State or metropolitan planning organization.

“(3) DIESEL EMISSION CONTROL TECHNOLOGY.—The term ‘diesel emission control technology’ means a technology that—

“(A) is—

“(i) a diesel exhaust control technology;

“(ii) a diesel engine upgrade;

“(iii) a diesel engine repower;

“(iv) an idle reduction control technology;

or

“(v) any combination of the technologies listed in clauses (i) through (iv);

“(B) reduces particulate matter emission from covered equipment by—

“(i) not less than 85 percent control of any emission of particulate matter; or

“(ii) the maximum achievable reduction of any emission of particulate matter, taking cost and safety into account; and

“(C) is installed on and operated with the covered equipment while the equipment is operated on a covered public transportation construction project and that remains operational on the covered equipment for the useful life of the control technology or equipment.

“(4) ELIGIBLE ENTITY.—The term ‘eligible entity’ means an entity (including a subcontractor of the entity) that has entered into a prime contract or agreement with a State to carry out a covered public transportation construction project.

“(5) NONROAD DIESEL EQUIPMENT.—

“(A) IN GENERAL.—The term ‘nonroad diesel equipment’ means a vehicle, including covered equipment, that is—

“(i) powered by a nonroad diesel engine of not less than 50 horsepower; and

“(ii) not intended for highway use.

“(B) INCLUSIONS.—The term ‘nonroad diesel equipment’ includes a backhoe, bulldozer, compressor, crane, excavator, generator, and similar equipment.

“(C) EXCLUSIONS.—The term ‘nonroad diesel equipment’ does not include a locomotive or marine vessel.

“(6) ON-ROAD DIESEL EQUIPMENT.—The term ‘on-road diesel equipment’ means any self-propelled vehicle that—



“(A) operates on diesel fuel;

“(B) is designed to transport persons or property on a street or highway; and

“(C) has a gross vehicle weight rating of at least 14,000 pounds.

“(7) **PM<sub>2.5</sub> NONATTAINMENT OR MAINTENANCE AREA.**—The term ‘PM<sub>2.5</sub> nonattainment or maintenance area’ means a nonattainment or maintenance area designated under section 107(d)(6) of the Clean Air Act (42 U.S.C. 7407(d)(6)).

“(c) **CRITERIA ELIGIBLE ACTIVITIES.**—For purposes of subsection (b)(3)(A):

“(1) **DIESEL EXHAUST CONTROL TECHNOLOGY.**—For a diesel exhaust control technology, the technology shall be—

“(A) installed on a diesel engine or vehicle;

“(B) a verified technology (as defined in section 791 of the Energy Policy Act of 2005 (42 U.S.C. 16131)), for nonroad vehicles and nonroad engines (as defined in section 216 of the Clean Air Act (42 U.S.C. 7550)); and

“(C) certified by the installer as having been installed in accordance with the specifications included on the list published pursuant to section 149(f)(2) of title 23, as in effect on the day before the date of enactment of the MAP-21, for achieving a reduction in particulate matter.

“(2) **DIESEL ENGINE UPGRADE.**—For a diesel engine upgrade, the upgrade shall be performed on an engine that is—

“(A) rebuilt using new or manufactured components that collectively qualify as verified technologies (as defined in section 791 of the Energy Policy Act of 2005 (42 U.S.C. 16131)), for nonroad vehicles and nonroad engines (as defined in section 216 of the Clean Air Act (42 U.S.C. 7550)); and

“(B) certified by the installer to have been installed in accordance with the specifications included on the list published pursuant to section 149(f)(2) of title 23, as in effect on the day before the date of enactment of the MAP-21, for achieving a reduction in particulate matter.

“(3) **DIESEL ENGINE REPOWER.**—For a diesel engine repower, the repower shall be conducted using a new or remanufactured diesel engine that is—

“(A) installed as a replacement for an engine used in the existing equipment, subject to the condition that the replaced engine is returned to the supplier for remanufacturing to a more stringent set of engine emissions standards or for use as scrap; and

“(B) meeting a more stringent engine particulate matter emission standard for the applicable engine power group established by the Environmental Protection Agency than the engine particulate matter emission standard applicable to the replaced engine.

“(4) **IDLE REDUCTION CONTROL TECHNOLOGY.**—For an idle reduction control technology, the technology shall be—

“(A) installed on a diesel engine or vehicle;

“(B) a verified technology (as defined in section 791 of the Energy Policy Act of 2005 (42 U.S.C. 16131)), for nonroad vehicles and nonroad engines (as defined in section 216 of the Clean Air Act (42 U.S.C. 7550)); and

“(C) certified by the installer as having been installed in accordance with the specifications included on the list published pursuant to section 149(f)(2) of title 23, as in effect on the day before the date of enactment of the MAP-21, for achieving a reduction in particulate matter.

“(d) **ELIGIBILITY FOR CREDITS.**—

“(1) **IN GENERAL.**—A State may take credit in a State implementation plan for national ambient air quality standards for any emission reductions that result from the implementation of this section.

“(2) **CREDITING.**—An emission reduction described in paragraph (1) may be credited toward demonstrating conformity of State im-

plementation plans and transportation plans.”.

(b) **SAVINGS CLAUSE.**—Nothing in this section modifies or otherwise affects any authority or restrictions established under the Clean Air Act (42 U.S.C. 7401 et seq.).

(c) **REPORT TO CONGRESS.**—

(1) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works and the Committee on Banking, Housing, and Urban Affairs of the Senate a report that describes the manners in which section 5341 of title 49, United States Code (as added by subsection (a)) has been implemented, including the quantity of covered equipment serviced under those sections and the costs associated with servicing the covered equipment.

(2) **INFORMATION FROM STATES.**—The Secretary shall require States and recipients, as a condition of receiving amounts under this Act or under the provisions of any amendments made by this Act, to submit to the Secretary any information that the Secretary determines necessary to complete the report under paragraph (1).

(d) **FUNDING.**—Section 149(j)(4) of title 23, United States Code, as amended by section 1113 of this Act, is amended—

(1) in subparagraph (B), by inserting before the period at the end the following: “of this title and section 5341 of title 49”; and

(2) in subparagraph (C)(i), in the matter preceding subclause (I)—

(A) by inserting after “section 330” the following: “of this title and section 5341 of title 49”; and

(B) by striking “such section” and inserting “section 330 of this title and section 5341 of title 49”; and

(C) by striking “that section” and inserting “those sections”.

(e) **TECHNICAL AMENDMENT.**—The analysis for chapter 53 of title 49, United States Code, as amended by this Act, is amended by adding at the end the following:

“5341. Construction equipment and vehicles.”.

**SA 1772.** Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division D, add the following:

**SEC. \_\_\_\_ SOCIAL SECURITY LEVEL-INCOME OPTIONS.**

(a) **ERISA AMENDMENT.**—Section 206(g)(3)(E) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1056(g)(3)(E)) is amended by adding at the end the following new sentence: “For purposes of applying clause (i) in the case of payments the annuity starting date for which occurs on or before December 31, 2014, payments under a social security leveling option shall be treated as not in excess of the monthly amount paid under a single life annuity (plus an amount not in excess of a social security supplement described in the last sentence of section 204(b)(1)(G)).”.

(b) **IRC AMENDMENT.**—Section 436(d)(5) of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: “For purposes of applying subparagraph (A) in the case of payments the annuity starting date for which occurs on or before December 31, 2014, payments under a social security leveling option shall be treated as not in excess of the monthly amount paid

under a single life annuity (plus an amount not in excess of a social security supplement described in the last sentence of section 411(a)(9)).”.

(c) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—The amendments made by this section shall apply to annuity payments the annuity starting date for which occurs on or after January 1, 2013.

(2) **PERMITTED APPLICATION.**—A plan shall not be treated as failing to meet the requirements of section 206(g) of the Employee Retirement Income Security Act of 1974 (as amended by this section) and section 436(d) of the Internal Revenue Code of 1986 (as so amended) merely because the plan sponsor elects to apply the amendments made by this section to payments the annuity starting date for which occurs before January 1, 2013.

**SA 1773.** Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title I of division A, add the following:

**SEC. 15 \_\_\_\_ QUADRENNIAL ENERGY REVIEW.**

(a) **FINDINGS.**—Congress finds that—

(1) the President’s Council of Advisors on Science and Technology recommends that the United States develop a Government wide Federal energy policy and update the policy regularly with strategic Quadrennial Energy Reviews similar to the reviews conducted by the Department of Defense;

(2) as the lead agency in support of energy science and technology innovation, the Department of Energy has conducted a Quadrennial Technology Review of the energy technology policies and programs of the Department;

(3) the Quadrennial Technology Review of the Department of Energy serves as the basis for coordination with other agencies and on other programs for which the Department has a key role;

(4) a Quadrennial Energy Review would—

(A) establish integrated, Government wide national energy objectives in the context of economic, environmental, and security priorities;

(B) coordinate actions across Federal agencies;

(C) identify the resources needed for the invention, adoption, and diffusion of energy technologies; and

(D) provide a strong analytical base for Federal energy policy decisions;

(5) the development of an energy policy resulting from a Quadrennial Energy Review would—

(A) enhance the energy security of the United States;

(B) create jobs; and

(C) mitigate environmental harm; and

(6) while a Quadrennial Energy Review will be a product of the executive branch, the review will have substantial input from—

(A) Congress;

(B) the energy industry;

(C) academia;

(D) nongovernmental organizations; and

(E) the public.

(b) **QUADRENNIAL ENERGY REVIEW.**—Section 801 of the Department of Energy Organization Act (42 U.S.C. 7321) is amended to read as follows:

**“SEC. 801. QUADRENNIAL ENERGY REVIEW.**

“(a) **DEFINITIONS.**—In this section:

“(1) **DIRECTOR.**—The term ‘Director’ means the Director of the Office of Science and Technology Policy within the Executive Office of the President.

“(2) FEDERAL LABORATORY.—  
“(A) IN GENERAL.—The term ‘Federal Laboratory’ has the meaning given the term ‘laboratory’ in section 12(d) of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)).

“(B) INCLUSION.—The term ‘Federal Laboratory’ includes a federally funded research and development center sponsored by a Federal agency.

“(3) INTERAGENCY ENERGY COORDINATION COUNCIL.—The term ‘interagency energy coordination council’ means a council established under subsection (b)(1).

“(4) QUADRENNIAL ENERGY REVIEW.—The term ‘Quadrennial Energy Review’ means a comprehensive multiyear review, coordinated across the Federal agencies, that—

“(A) covers all energy programs and technologies of the Federal Government;

“(B) establishes energy objectives across the Federal Government; and

“(C) covers each of the areas described in subsection (d)(2).

“(b) INTERAGENCY ENERGY COORDINATION COUNCIL.—

“(1) ESTABLISHMENT.—Beginning on February 1, 2013, and every 4 years thereafter, the President shall establish an interagency energy coordination council to coordinate the Quadrennial Energy Review.

“(2) CO-CHAIRPERSONS.—The Secretary and the Director shall be co-chairpersons of the interagency energy coordination council.

“(3) MEMBERSHIP.—The interagency energy coordination council shall be comprised of representatives at level I or II of the Executive Schedule of—

“(A) the Department of Commerce;

“(B) the Department of Defense;

“(C) the Department of State;

“(D) the Department of the Interior;

“(E) the Department of Agriculture;

“(F) the Department of the Treasury;

“(G) the Department of Transportation;

“(H) the Office of Management and Budget;

“(I) the National Science Foundation;

“(J) the Environmental Protection Agency; and

“(K) such other Federal organizations, departments, and agencies that the President considers to be appropriate.

“(c) CONDUCT OF REVIEW.—Each Quadrennial Energy Review shall be conducted to provide an integrated view of national energy objectives and Federal energy policy, including (to the maximum extent practicable) alignment of research programs, incentives, regulations, and partnerships.

“(d) SUBMISSION OF QUADRENNIAL ENERGY REVIEW TO CONGRESS.—

“(1) IN GENERAL.—Not later than February 1, 2015, and every 4 years thereafter, the Secretary, in cooperation with the Director, shall publish and submit to Congress a report on the Quadrennial Energy Review.

“(2) INCLUSIONS.—The report described in paragraph (1) shall include, at a minimum—

“(A) an integrated view of short-, intermediate-, and long-term objectives for Federal energy policy in the context of economic, environmental, and security priorities;

“(B) anticipated Federal actions (including programmatic, regulatory, and fiscal actions) and resource requirements—

“(i) to achieve the objectives described in subparagraph (A); and

“(ii) to be coordinated across multiple agencies;

“(C) an analysis of the prospective roles of parties (including academia, industry, consumers, the public, and Federal agencies) in achieving the objectives described in subparagraph (A), including—

“(i) an analysis, by energy use sector, including—

“(I) commercial and residential buildings;

“(II) the industrial sector;

“(III) transportation; and

“(IV) electric power;

“(ii) requirements for invention, adoption, development, and diffusion of energy technologies that are mapped onto each of the energy use sectors; and

“(iii) other research that inform strategies to incentivize desired actions;

“(D) an assessment of policy options to increase domestic energy supplies;

“(E) an evaluation of energy storage, transmission, and distribution requirements, including requirements for renewable energy;

“(F) an integrated plan for the involvement of the Federal Laboratories in energy programs;

“(G) portfolio assessments that describe the optimal deployment of resources, including prioritizing financial resources for energy programs;

“(H) a mapping of the linkages among basic research and applied programs, demonstration programs, and other innovation mechanisms across the Federal agencies;

“(I) an identification of, and projections for, demonstration projects, including timeframes, milestones, sources of funding, and management;

“(J) an identification of public and private funding needs for various energy technologies, systems, and infrastructure, including consideration of public-private partnerships, loans, and loan guarantees;

“(K) an assessment of global competitors and an identification of programs that can be enhanced with international cooperation;

“(L) an identification of policy gaps that need to be filled to accelerate the adoption and diffusion of energy technologies, including consideration of—

“(i) Federal tax policies; and

“(ii) the role of Federal agencies as early adopters and purchasers of new energy technologies;

“(M) an analysis of—

“(i) points of maximum leverage for policy intervention to achieve outcomes; and

“(ii) areas of energy policy that can be most effective in meeting national goals for the energy sector; and

“(N) recommendations for executive branch organization changes to facilitate the development and implementation of Federal energy policies.

“(e) EXECUTIVE SECRETARIAT.—

“(1) IN GENERAL.—The Secretary shall provide the Executive Secretariat with the necessary analytical, financial, and administrative support for the conduct of each Quadrennial Energy Review required under this section.

“(2) COOPERATION.—The heads of applicable Federal agencies shall cooperate with the Secretary and provide such assistance, information, and resources as the Secretary may require to assist in carrying out this section.”

(c) ADMINISTRATION.—Nothing in this section or an amendment made by this section supersedes, modifies, amends, or repeals any provision of Federal law not expressly superseded, modified, amended, or repealed by this section.

**SA 1774.** Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1406.

**SA 1775.** Mr. CONRAD (for himself and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 125 of title 23, United States Code (as amended by section 1107), add the following:

“(g) PROTECTING PUBLIC SAFETY AND MAINTAINING ROADWAYS.—The Secretary may use amounts from the emergency fund authorized by this section to carry out projects that the Secretary determines are necessary to protect public safety or to maintain or protect roadways that have been included within the scope of a prior emergency declaration in order to maintain the continuation of roadway services on roads that are threatened by continuous or frequent flooding.”

**SA 1776.** Ms. CANTWELL submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division C, insert the following:

**SEC. 3. OFFICE OF FREIGHT PLANNING AND DEVELOPMENT.**

(a) IN GENERAL.—Section 102 of title 49, United States Code, is amended—

(1) by redesignating subsection (h) as subsection (i); and

(2) by inserting after subsection (g) the following:

“(h) OFFICE OF FREIGHT PLANNING AND DEVELOPMENT.—

“(1) ESTABLISHMENT.—There is established within the Office of the Secretary an Office of Freight Planning and Development, which shall—

“(A) coordinate investment of Federal funding to improve the efficiency of the national transportation system to move freight consistent with the policy and objectives set forth in chapter 313;

“(B) facilitate communication among government, public, and private freight transportation stakeholders;

“(C) support the Secretary in the development of the National Freight Transportation Strategic Plan; and

“(D) carry out other duties, as prescribed by the Secretary.

“(2) ORGANIZATION.—The head of the Office shall be the Assistant Secretary of Freight Planning and Development.”

(b) CONFORMING AMENDMENTS.—

(1) ASSISTANT SECRETARIES.—Section 102(e) of title 49, United States Code, is amended by striking “4” and inserting “5”.

(2) EXECUTIVE SCHEDULE.—Section 5315 of title 5, United States Code, is amended by striking “(4)” in the item relating to Assistant Secretaries of Transportation and inserting “(5)”.

**SA 1777.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**TITLE \_\_\_\_\_—PUBLIC SAFETY OFFICERS  
AND VOLUNTEERS**

**Subtitle A—Public Safety Officers Benefits  
SEC. 21. SHORT TITLE.**

This subtitle may be cited as the “Dale Long Public Safety Officers’ Benefits Improvements Act of 2012”.

**SEC. 22. BENEFITS FOR CERTAIN NONPROFIT  
EMERGENCY MEDICAL SERVICE  
PROVIDERS AND CERTAIN TRAIN-  
EES; MISCELLANEOUS AMEND-  
MENTS.**

(a) IN GENERAL.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 901(a) (42 U.S.C. 3791(a))—

(A) in paragraph (26), by striking “and” at the end;

(B) in paragraph (27), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(28) the term ‘hearing examiner’ includes any medical or claims examiner.”;

(2) in section 1201 (42 U.S.C. 3796)—

(A) in subsection (a), by striking “follows:” and all that follows and inserting the following: “follows (if the payee indicated is living on the date on which the determination is made)—

“(1) if there is no child who survived the public safety officer, to the surviving spouse of the public safety officer;

“(2) if there is at least 1 child who survived the public safety officer and a surviving spouse of the public safety officer, 50 percent to the surviving child (or children, in equal shares) and 50 percent to the surviving spouse;

“(3) if there is no surviving spouse of the public safety officer, to the surviving child (or children, in equal shares);

“(4) if there is no surviving spouse of the public safety officer and no surviving child—

“(A) to the surviving individual (or individuals, in shares per the designation, or otherwise, in equal shares) designated by the public safety officer to receive benefits under this subsection in the most recently executed designation of beneficiary of the public safety officer on file at the time of death with the public safety agency, organization, or unit; or

“(B) if there is no individual qualifying under subparagraph (A), to the surviving individual (or individuals, in equal shares) designated by the public safety officer to receive benefits under the most recently executed life insurance policy of the public safety officer on file at the time of death with the public safety agency, organization, or unit;

“(5) if there is no individual qualifying under paragraph (1), (2), (3), or (4), to the surviving parent (or parents, in equal shares) of the public safety officer; or

“(6) if there is no individual qualifying under paragraph (1), (2), (3), (4), or (5), to the surviving individual (or individuals, in equal shares) who would qualify under the definition of the term ‘child’ under section 1204 but for age.”;

(B) in subsection (b)—

(i) by striking “direct result of a catastrophic” and inserting “direct and proximate result of a personal”;

(ii) by striking “pay,” and all that follows through “the same” and inserting “pay the same”;

(iii) by striking “in any year” and inserting “to the public safety officer (if living on the date on which the determination is made)”;

(iv) by striking “in such year, adjusted” and inserting “with respect to the date on which the catastrophic injury occurred, as adjusted”;

(v) by striking “, to such officer”;

(vi) by striking “the total” and all that follows through “For” and inserting “for”; and

(vii) by striking “That these” and all that follows through the period, and inserting “That the amount payable under this subsection shall be the amount payable as of the date of catastrophic injury of such public safety officer.”;

(C) in subsection (f)—

(i) in paragraph (1), by striking “, as amended (D.C. Code, sec. 4-622); or” and inserting a semicolon;

(ii) in paragraph (2)—

(I) by striking “. Such beneficiaries shall only receive benefits under such section 8191 that” and inserting “, such that beneficiaries shall receive only such benefits under such section 8191 as”; and

(II) by striking the period at the end and inserting “; or”; and

(iii) by adding at the end the following:

“(3) payments under the September 11th Victim Compensation Fund of 2001 (49 U.S.C. 40101 note; Public Law 107-42).”;

(D) by amending subsection (k) to read as follows:

“(k) As determined by the Bureau, a heart attack, stroke, or vascular rupture suffered by a public safety officer shall be presumed to constitute a personal injury within the meaning of subsection (a), sustained in the line of duty by the officer and directly and proximately resulting in death, if—

“(1) the public safety officer, while on duty—

“(A) engages in a situation involving non-routine stressful or strenuous physical law enforcement, fire suppression, rescue, hazardous material response, emergency medical services, prison security, disaster relief, or other emergency response activity; or

“(B) participates in a training exercise involving nonroutine stressful or strenuous physical activity;

“(2) the heart attack, stroke, or vascular rupture commences—

“(A) while the officer is engaged or participating as described in paragraph (1);

“(B) while the officer remains on that duty after being engaged or participating as described in paragraph (1); or

“(C) not later than 24 hours after the officer is engaged or participating as described in paragraph (1); and

“(3) the heart attack, stroke, or vascular rupture directly and proximately results in the death of the public safety officer,

unless competent medical evidence establishes that the heart attack, stroke, or vascular rupture was unrelated to the engagement or participation or was directly and proximately caused by something other than the mere presence of cardiovascular-disease risk factors.”; and

(E) by adding at the end the following:

“(n) The public safety agency, organization, or unit responsible for maintaining on file an executed designation of beneficiary or executed life insurance policy for purposes of subsection (a)(4) shall maintain the confidentiality of the designation or policy in the same manner as the agency, organization, or unit maintains personnel or other similar records of the public safety officer.”;

(3) in section 1202 (42 U.S.C. 3796a)—

(A) by striking “death”, each place it appears except the second place it appears, and inserting “fatal”; and

(B) in paragraph (1), by striking “or catastrophic injury” the second place it appears and inserting “, disability, or injury”;

(4) in section 1203 (42 U.S.C. 3796a-1)—

(A) in the section heading, by striking “**WHO HAVE DIED IN THE LINE OF DUTY**” and inserting “**WHO HAVE SUSTAINED FATAL OR CATASTROPHIC INJURY IN THE LINE OF DUTY**”; and

(B) by striking “who have died in the line of duty” and inserting “who have sustained fatal or catastrophic injury in the line of duty”;

(5) in section 1204 (42 U.S.C. 3796b)—

(A) in paragraph (1), by striking “consequences of an injury that” and inserting “an injury, the direct and proximate consequences of which”;

(B) in paragraph (3)—

(i) in the matter preceding clause (i)—

(I) by inserting “or permanently and totally disabled” after “deceased”; and

(II) by striking “death” and inserting “fatal or catastrophic injury”; and

(ii) by redesignating clauses (i), (ii), and (iii) as subparagraphs (A), (B), and (C), respectively;

(C) in paragraph (5)—

(i) by striking “post-mortem” each place it appears and inserting “post-injury”;

(ii) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively; and

(iii) in subparagraph (B), as so redesignated, by striking “death” and inserting “fatal or catastrophic injury”;

(D) in paragraph (7), by striking “public employee member of a rescue squad or ambulance crew;” and inserting “employee or volunteer member of a rescue squad or ambulance crew (including a ground or air ambulance service) that—

“(A) is a public agency; or

“(B) is (or is a part of) a nonprofit entity serving the public that—

“(i) is officially authorized or licensed to engage in rescue activity or to provide emergency medical services; and

“(ii) is officially designated as a prehospital emergency medical response agency.”; and

(E) in paragraph (9)—

(i) in subparagraph (A), by striking “as a chaplain, or as a member of a rescue squad or ambulance crew;” and inserting “or as a chaplain;”;

(ii) in subparagraph (B)(ii), by striking “or” after the semicolon;

(iii) in subparagraph (C)(ii), by striking the period and inserting “; and”; and

(iv) by adding at the end the following:

“(D) a member of a rescue squad or ambulance crew who, as authorized or licensed by law and by the applicable agency or entity (and as designated by such agency or entity), is engaging in rescue activity or in the provision of emergency medical services.”;

(6) in section 1205 (42 U.S.C. 3796c), by adding at the end the following:

“(d) Unless expressly provided otherwise, any reference in this part to any provision of law not in this part shall be understood to constitute a general reference under the doctrine of incorporation by reference, and thus to include any subsequent amendments to the provision.”;

(7) in each of subsections (a) and (b) of section 1212 (42 U.S.C. 3796d-1), sections 1213 and 1214 (42 U.S.C. 3796d-2 and 3796d-3), and subsections (b) and (c) of section 1216 (42 U.S.C. 3796d-5), by striking “dependent” each place it appears and inserting “person”;

(8) in section 1212 (42 U.S.C. 3796d-1)—

(A) in subsection (a)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking “Subject” and all that follows through “, the” and inserting “The”; and

(ii) in paragraph (3), by striking “reduced by” and all that follows through “(B) the amount” and inserting “reduced by the amount”;

(B) in subsection (c)—

(i) in the subsection heading, by striking “DEPENDENT”; and

(ii) by striking “dependent”;

(9) in section 1213(b)(2) (42 U.S.C. 3796d-2(b)(2)), by striking “dependent’s” each place it appears and inserting “person’s”;

(10) in section 1216 (42 U.S.C. 3796d-5)—

(A) in subsection (a), by striking “each dependent” each place it appears and inserting “a spouse or child”; and

(B) by striking “dependents” each place it appears and inserting “a person”; and

(11) in section 1217(3)(A) (42 U.S.C. 3796d-6(3)(A)), by striking “described in” and all that follows and inserting “an institution of higher education, as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); and”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 402(1)(4)(C) of the Internal Revenue Code of 1986 is amended—

(1) by striking “section 1204(9)(A)” and inserting “section 1204(10)(A)”; and

(2) by striking “42 U.S.C. 3796b(9)(A)” and inserting “42 U.S.C. 3796b(10)(A)”.

**SEC. 23. AUTHORIZATION OF APPROPRIATIONS; DETERMINATIONS; APPEALS.**

The matter under the heading “PUBLIC SAFETY OFFICERS BENEFITS” under the heading “OFFICE OF JUSTICE PROGRAMS” under title II of division B of the Consolidated Appropriations Act, 2008 (Public Law 110-161; 121 Stat. 1912; 42 U.S.C. 3796c-2) is amended—

(1) by striking “decisions” and inserting “determinations”;

(2) by striking “(including those, and any related matters, pending)”; and

(3) by striking the period at the end and inserting the following: “: *Provided further*, That, on and after the date of enactment of the Dale Long Public Safety Officers’ Benefits Improvements Act of 2012, as to each such statute—

“(1) the provisions of section 1001(a)(4) of such title I (42 U.S.C. 3793(a)(4)) shall apply;

“(2) payment shall be made only upon a determination by the Bureau that the facts legally warrant the payment;

“(3) any reference to section 1202 of such title I shall be deemed to be a reference to paragraphs (2) and (3) of such section 1202; and

“(4) a certification submitted under any such statute may be accepted by the Bureau as prima facie evidence of the facts asserted in the certification:

*Provided further*, That, on and after the date of enactment of the Dale Long Public Safety Officers’ Benefits Improvements Act of 2012, no appeal shall bring any final determination of the Bureau before any court for review unless notice of appeal is filed (within the time specified herein and in the manner prescribed for appeal to United States courts of appeals from United States district courts) not later than 90 days after the date on which the Bureau serves notice of the final determination: *Provided further*, That any regulations promulgated by the Bureau under such part (or any such statute) before, on, or after the date of enactment of the Dale Long Public Safety Officers’ Benefits Improvements Act of 2012 shall apply to any matter pending on, or filed or accruing after, the effective date specified in the regulations, except as the Bureau may indicate otherwise.”.

**SEC. 24. EFFECTIVE DATE.**

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this subtitle shall—

(1) take effect on the date of enactment of this Act; and

(2) apply to any matter pending, before the Bureau of Justice Assistance or otherwise, on the date of enactment of this Act, or filed or accruing after that date.

(b) EXCEPTIONS.—

(1) RESCUE SQUADS AND AMBULANCE CREWS.—For a member of a rescue squad or

ambulance crew (as defined in section 1204(8) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by this subtitle), the amendments made by this subtitle shall apply to injuries sustained on or after June 1, 2009.

(2) HEART ATTACKS, STROKES, AND VASCULAR RUPTURES.—Section 1201(k) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by this subtitle, shall apply to heart attacks, strokes, and vascular ruptures sustained on or after December 15, 2003.

**Subtitle B—Liability Protection for Volunteer Pilots That Fly for Public Benefit**

**SEC. 41. SHORT TITLE.**

This subtitle may be cited as the “Volunteer Pilot Protection Act of 2012”.

**SEC. 42. FINDINGS AND PURPOSE.**

(a) FINDINGS.—Congress finds the following:

(1) Many volunteer pilots fly for public benefit and provide valuable services to communities and individuals.

(2) In 2006, volunteer pilots provided long-distance, no-cost transportation for more than 58,000 people during times of special need.

(b) PURPOSE.—The purpose of this subtitle is to promote the activities of volunteer pilots who fly for public benefit and to sustain the availability of the services that such volunteers provide, including the following:

(1) Transportation at no cost to financially needy medical patients for medical treatment, evaluation, and diagnosis.

(2) Flights for humanitarian and charitable purposes.

(3) Other flights of compassion.

**SEC. 43. LIABILITY PROTECTION FOR VOLUNTEER PILOTS THAT FLY FOR PUBLIC BENEFIT.**

Section 4(a)(4) of the Volunteer Protection Act of 1997 (42 U.S.C. 14503(a)(4)) is amended by striking “craft, or vessel” and all that follows and inserting the following: “craft, or vessel to possess an operator’s license or maintain insurance, except that this paragraph does not apply to a volunteer who—

“(A) was operating an aircraft in furtherance of the purpose of a volunteer pilot nonprofit organization that flies for public benefit; and

“(B) was properly licensed and insured for the operation of the aircraft.”.

**SA 1778.** Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 601(a)(11) of title 23, United States Code (as amended by section 3002), strike subparagraph (C) and all that follows through “(D) a project that—” and insert the following:

“(C) a project for intercity passenger bus or rail facilities and vehicles, including facilities and vehicles owned by the National Railroad Passenger Corporation and components of magnetic levitation transportation systems;

“(D) a project for the acquisition of plant and wildlife habitat pursuant to a conservation plan that—

(i) has been approved by the Secretary of the Interior pursuant to section 10 of the Endangered Species Act of 1973 (16 U.S.C. 1539); and

(ii) in the judgment of the Secretary, would mitigate the environmental impacts of transportation infrastructure projects otherwise eligible for assistance under this chapter; and

“(E) a project that—

**SA 1779.** Mr. ALEXANDER (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**DIVISION AIR TRANSPORTATION**

**SEC. . . . TECHNICAL CORRECTIONS RELATING TO OVERFLIGHTS OF NATIONAL PARKS.**

(a) IN GENERAL.—Section 40128 of title 49, United States Code, is amended to read as follows:

**“§ 40128. Overflights of national parks**

“(a) IN GENERAL.—

“(1) GENERAL DELINEATION OF RESPONSIBILITIES.—

“(A) AUTHORITY OF DIRECTOR.—The Director has the authority to establish air tour management plans, issue air tour permits for commercial air tour operations conducted in accordance with an air tour management plan, enter into a voluntary agreement with a commercial air tour operator, and issue interim operating permits under subsection (c).

“(B) AUTHORITY OF ADMINISTRATOR.—The Administrator has the authority to ensure that any action taken under this section does not adversely affect aviation safety or the management of the national airspace system.

“(2) GENERAL REQUIREMENTS.—A commercial air tour operator may not conduct commercial air tour operations over a national park or tribal lands, as defined by this section, except—

“(A) in accordance with this section;

“(B) in accordance with conditions and limitations prescribed for that operator; and

“(C) in accordance with any applicable air tour management plan or voluntary agreement developed under subsection (b) for the park or tribal lands.

“(3) APPLICATION FOR OPERATING AUTHORITY.—

“(A) APPLICATION REQUIRED.—Before commencing commercial air tour operations over a national park or tribal lands, a commercial air tour operator shall apply to the Director for authority to conduct the operations over the park or tribal lands.

“(B) NUMBER OF OPERATIONS AUTHORIZED.—In determining the number of authorizations to issue to provide commercial air tour operations over a national park, the Director shall take into consideration the provisions of the air tour management plan, the number of existing commercial air tour operators and current level of service and equipment provided by any such operators, and the financial viability of each commercial air tour operation.

“(C) CONSULTATION WITH FAA.—Before granting an application under this paragraph, the Director, in consultation with the Administrator, shall develop an air tour management plan in accordance with subsection (b) and implement such plan.

“(D) TIME LIMIT ON RESPONSE TO ATMP APPLICATIONS.—The Director shall make every effort to act on any application under this paragraph and issue a decision on the application not later than 24 months after it is received or amended.

“(E) PRIORITY.—In acting on applications under this paragraph to provide commercial air tour operations over a national park, the Director shall give priority to an application under this paragraph in any case in which a new entrant commercial air tour operator is

seeking operating authority with respect to that national park.

“(4) EXCEPTION.—Notwithstanding paragraph (2), commercial air tour operators may conduct commercial air tour operations over a national park under part 91 of the title 14, Code of Federal Regulations, if—

“(A) such activity is permitted under part 119 of such title;

“(B) the total number of operations under this exception is limited to not more than five flights in any 30-day period over a particular park; and

“(C) the operator complies with the conditions under which the operations will be conducted as established by the Director, in consultation with the Administrator.

“(5) SPECIAL RULE FOR SAFETY REQUIREMENTS.—Before receiving a permit issued under this section, a commercial air tour operator shall have obtained the appropriate operating authority as required by the Administrator under part 119, 121, or 135 of title 14, Code of Federal Regulations, to conduct operations under this section.

“(6) EXEMPTION FOR NATIONAL PARKS WITH 50 OR FEWER FLIGHTS EACH YEAR.—

“(A) IN GENERAL.—A national park that has 50 or fewer commercial air tour operations over the park each year shall be exempt from the requirements of this section, except as provided in subparagraph (B).

“(B) WITHDRAWAL OF EXEMPTION.—If the Director determines that an air tour management plan or voluntary agreement is necessary to protect park resources and values or park visitor use and enjoyment, the Director shall withdraw the exemption of a park under subparagraph (A).

“(C) LIST OF PARKS.—The Director shall maintain a list each year of national parks that are covered by the exemption provided under this paragraph.

“(b) AIR TOUR MANAGEMENT PLANS.—

“(1) ESTABLISHMENT.—

“(A) IN GENERAL.—The Director, in consultation with the Administrator, shall establish an air tour management plan for any national park or tribal land for which such a plan is not in effect whenever a person applies for authority to conduct a commercial air tour operation over the park. The air tour management plan shall be developed by means of a public process in accordance with paragraph (4).

“(B) OBJECTIVE.—The objective of any air tour management plan shall be to develop acceptable and effective measures to mitigate or prevent the significant adverse impacts, if any, of commercial air tour operations upon the natural and cultural resources, visitor experiences, and tribal lands.

“(C) EXCEPTION.—An application to begin commercial air tour operations at Crater Lake National Park may be denied without the establishment of an air tour management plan by the Director of the National Park Service if the Director determines that such operations would adversely affect park resources or visitor experiences.

“(2) ENVIRONMENTAL DETERMINATION.—In establishing an air tour management plan and issuing a permit for a commercial air tour operator under this section, the Director shall comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). Any environmental thresholds, analyses, impact determinations, and conditions prepared or used by the Director to establish an air tour management plan or issue a permit under this section shall have no broader application or be given deference beyond this section.

“(3) CONTENTS.—An air tour management plan for a national park—

“(A) may prohibit commercial air tour operations over a national park in whole or in part;

“(B) may establish conditions for the conduct of commercial air tour operations over a national park, including commercial air tour routes, maximum or minimum altitudes, time-of-day restrictions, restrictions for particular events, maximum number of flights per unit of time, intrusions on privacy on tribal lands, and mitigation of noise, visual, or other impacts;

“(C) shall apply to all commercial air tour operations over a national park that are also within ½ mile outside the boundary of a national park;

“(D) shall include incentives (such as preferred commercial air tour routes and altitudes, relief from caps and curfews) for the adoption of quiet aircraft technology by commercial air tour operators conducting commercial air tour operations over a national park when practicable;

“(E) shall provide for the initial allocation of opportunities to conduct commercial air tour operations over a national park if the plan includes a limitation on the number of commercial air tour operations for any time period;

“(F) may not have been found to have adverse effects on aviation safety or the management of the national airspace system by the Administrator; and

“(G) shall justify and document the need for measures taken pursuant to subparagraphs (A) through (F).

“(4) PROCEDURE.—In establishing an air tour management plan for a national park or tribal lands, the Director shall—

“(A) hold at least one public meeting with interested parties to develop the air tour management plan;

“(B) publish a notice of availability of the proposed plan in the Federal Register for notice and comment and make copies of the proposed plan available to the public;

“(C) comply with the regulations set forth in parts 1500 through 1508 of title 40, Code of Federal Regulations;

“(D) solicit the participation of any Indian tribe whose tribal lands are, or may be, overflowed by aircraft involved in a commercial air tour operation over the park or tribal lands to which the plan applies, as a cooperating agency under the regulations referred to in subparagraph (C); and

“(E) consult with the Administrator with respect to effects on aviation safety and the management of the national airspace system.

“(5) JUDICIAL REVIEW.—An air tour management plan developed under this subsection shall be subject to judicial review pursuant to chapter 7 of title 5, United States Code.

“(6) AMENDMENTS AND REVOCATIONS.—The Director may make amendments to an air tour management plan and any permits issued pursuant to an air tour management plan, and may revoke permits. The Director shall consult with the Administrator to ensure that any such amendments or revocations will not adversely affect aviation safety or the management of the national airspace system. Any such amendments and revocations shall be published in the Federal Register for notice and comment. A request for amendment of an air tour management plan or permit shall be made in such form and manner as the Director may prescribe.

“(7) VOLUNTARY AGREEMENTS.—

“(A) IN GENERAL.—As an alternative to an air tour management plan, the Director may enter into a voluntary agreement with a commercial air tour operator (including a new entrant commercial air tour operator and an operator that has an interim operating permit) that has applied to conduct commercial air tour operations over a national park to manage commercial air tour operations over such national park.

“(B) PARK PROTECTION.—A voluntary agreement entered into under subparagraph (A) shall protect the national park resources, values, and visitor experience without compromising aviation safety or the management of the national airspace system and may—

“(i) include provisions such as those included in the content of an air tour management plan;

“(ii) include provisions to ensure the stability of, and compliance with, the voluntary agreement; and

“(iii) provide for fees for such operations.

“(C) PUBLIC REVIEW.—The Director shall provide an opportunity for public review of a proposed voluntary agreement under this paragraph and shall consult with any Indian tribe whose tribal lands are, or may be, flown over by a commercial air tour operator under a voluntary agreement under this paragraph. After such opportunity for public review and consultation, the voluntary agreement may be implemented without further administrative or environmental process beyond that described in this subsection.

“(D) TERMINATION.—

“(i) IN GENERAL.—A voluntary agreement under this paragraph may be terminated at any time at the discretion of—

“(I) the Director, if the Director determines that the agreement is not adequately protecting park resources or visitor experiences; or

“(II) the Administrator, if the Administrator determines that the agreement is adversely affecting aviation safety or the national airspace system.

“(ii) EFFECT OF TERMINATION.—If a voluntary agreement with respect to a national park is terminated under this subparagraph, the operators shall conform to the requirements for an interim operating permit under subsection (c) until an air tour management plan for the park is in effect.

“(c) INTERIM OPERATING AUTHORITY.—

“(1) IN GENERAL.—Interim operating authority granted by the Administrator under this subsection, as in effect on the day before the date of the enactment of the Moving Ahead for Progress in the 21st Century Act, shall, on and after such date of enactment, be known as an interim operating permit and be administered by the Director in accordance with the conditions of this subsection.

“(2) REQUIREMENTS AND LIMITATIONS.—An interim operating permit—

“(A) shall maintain the same annual authorizations as provided for interim operating authority under this subsection, as in effect on the day before the date of the enactment of the Moving Ahead for Progress in the 21st Century Act; and

“(B) may not provide for an increase in the number of commercial air tour operations over a national park conducted during any time period by the commercial air tour operator above the number that the air tour operator was granted unless such an increase is approved by the Director in consultation with the Administrator;

“(C) may be revoked by the Director for cause;

“(D) shall terminate 180 days after the date on which an air tour management plan is established for the park or tribal lands;

“(E) shall promote protection of national park resources, visitor experiences, and tribal lands;

“(F) shall promote safe commercial air tour operations;

“(G) shall promote the adoption of quiet technology, as appropriate; and

“(H) may allow for modifications of the interim operating permit without further environmental review beyond that described in this subsection, if—

“(i) adequate information regarding the existing and proposed operations of the operator under the interim operating permit is provided to the Director;

“(ii) the Director agrees with the modification, based on the professional expertise of the Director regarding the protection of the resources, values, and visitor use and enjoyment of the park; and

“(iii) the Director receives advice in writing from the Administrator that there would be no adverse impact on aviation safety or the national airspace system.

“(3) MODIFICATIONS AND REVOCATIONS.—Any modification or revocation of an interim operating permit shall be published in the Federal Register to provide notice and opportunity for comment.

“(4) NEW ENTRANT AIR TOUR OPERATORS.—

“(A) IN GENERAL.—The Director, in consultation with the Administrator, may grant an interim operating permit under this paragraph to an air tour operator for a national park or tribal lands for which that operator is a new entrant air tour operator without further environmental process beyond that described in this paragraph, if—

“(i) adequate information on the proposed operations of the operator is provided to the Director by the operator making the request;

“(ii) the Director agrees, based on the Director's professional expertise regarding the protection of park resources and values and visitor use and enjoyment; and

“(iii) the Director receives advice in writing from the Administrator that there would be no adverse impact on aviation safety or the national airspace system.

“(B) SAFETY LIMITATION.—The Director may not grant an interim operating permit under subparagraph (A) if the Administrator determines that it would create a safety problem at the park or on the tribal lands, or the Director determines that it would create a noise problem at the park or on the tribal lands.

“(d) COMMERCIAL AIR TOUR OPERATOR REPORTS.—

“(1) REPORT.—Each commercial air tour operator conducting a commercial air tour operation over a national park under an interim operating permit granted under subsection (c) or in accordance with an air tour management plan or voluntary agreement under subsection (b) shall submit to the Director a report regarding the number of commercial air tour operations over each national park that are conducted by the operator and such other information as the Director may request in order to facilitate administering the provisions of this section.

“(2) REPORT SUBMISSION.—The Director shall issue a request for reports under this subsection. The reports shall be submitted to the Director with a frequency and in a format prescribed by the Director.

“(e) COLLECTION OF FEES FROM AIR TOUR OPERATIONS.—

“(1) IN GENERAL.—The Director shall determine and assess a fee under paragraph (2) on a commercial air tour operator conducting commercial air tour operations over a national park, including the Grand Canyon National Park.

“(2) AMOUNT OF FEE.—In determining the amount of the fee assessed under paragraph (1), the Director shall collect sufficient revenue, in the aggregate, to pay for the expenses incurred by the Federal Government to develop and enforce air tour management plans for national parks.

“(3) EFFECT OF FAILURE TO PAY FEE.—The Director may assess a civil penalty against or revoke the interim operating permit or air tour permit, whichever is applicable, of a commercial air tour operator conducting commercial air tour operations over any national park, including the Grand Canyon Na-

tional Park, that has not paid the fee assessed by the Director under paragraph (1) by the date that is 180 days after the date on which the Director determines the fee shall be paid.

“(4) FUNDING FOR AIR TOUR MANAGEMENT PLANS.—The Director shall use the amounts collected to develop and enforce air tour management plans for the national parks the Director determines would most benefit from such a plan.

“(f) CIVIL PENALTIES.—

“(1) IN GENERAL.—Any person who violates any provision of this section or any regulation or permit issued under this section may be assessed a civil penalty by the Director of not more than \$25,000 for each such violation.

“(2) KNOWING VIOLATIONS.—Any person who knowingly violates any provision of this section or any regulation or permit issued under this section may be assessed a civil penalty by the Director of not more than \$50,000 for each violation.

“(3) PROCEDURES.—A penalty may not be assessed under this subsection on a person unless the person is given notice and opportunity for a hearing with respect to the violation for which the penalty is assessed. Each violation of this section or a regulation or permit issued under this section shall be a separate offense. Any civil penalty assessed under this subsection may be remitted or mitigated by the Director. Upon any failure by a person to pay a penalty assessed under this subsection, the Director may request the Attorney General to institute a civil action in a district court of the United States for any district in which the person is found, resides, or transacts business to collect the penalty and such court shall have jurisdiction to hear and decide any such action. The court shall hear such action on the record made before the Director and shall sustain his action if it is supported by substantial evidence on the record considered as a whole.

“(4) ADMINISTRATIVE PROCEEDINGS.—Hearings held during proceedings for the assessment of civil penalties under this subsection shall be conducted in accordance with section 554 of title 5, United States Code. The Director may issue subpoenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents, and administer oaths. Witnesses summoned shall be paid the same fees and mileage that are paid to witnesses in the courts of the United States. In case of contumacy or refusal to obey a subpoena served upon any person pursuant to this paragraph, the district court of the United States for any district in which such person is found or resides or transacts business, upon application by the United States and after notice to the person, shall have jurisdiction to issue an order requiring the person to appear and give testimony before the Director or to appear and produce documents before the Director, or both, and any failure to obey the order of the court may be punished by such court as a contempt thereof.

“(g) ENFORCEMENT.—The provisions of this section and any regulations or permits issued under this section may be enforced by the Director or the Administrator, as appropriate. The Director may utilize by agreement, with or without reimbursement, the personnel, services, and facilities of any other Federal agency or any State agency for purposes of enforcing this section. The decisions of the Director under this subsection shall not have broader application or be given deference beyond this section. The Administrator shall retain enforcement authority over matters involving the safety and efficiency of the national airspace system.

“(h) EXEMPTIONS.—This section shall not apply to—

“(1) the Grand Canyon National Park; or

“(2) tribal lands within or abutting the Grand Canyon National Park.

“(i) LAKE MEAD.—This section shall not apply to any air tour operator while flying over or near the Lake Mead National Recreation Area, solely as a transportation route, to conduct an air tour over the Grand Canyon National Park. For purposes of this subsection, an air tour operator flying over the Hoover Dam in the Lake Mead National Recreation Area en route to the Grand Canyon National Park shall be deemed to be flying solely as a transportation route.

“(j) SEVERABLE SERVICES CONTRACTS FOR PERIODS CROSSING FISCAL YEARS.—

“(1) IN GENERAL.—For purposes of this section, the Director may enter into a contract for procurement of severable services for a period that begins during one fiscal year and ends in the next fiscal year if (without regard to any option to extend the period of the contract) the period of the contract does not exceed 1 year.

“(2) OBLIGATION OF FUNDS.—Funds made available for a fiscal year may be obligated for the total amount of a contract entered into under the authority of paragraph (1).

“(k) RESPONSIBILITIES AND AUTHORITIES OF ADMINISTRATOR.—

“(1) IN GENERAL.—The Administrator shall advise the Director in writing of any adverse effects on aviation safety and or management of the national airspace system for any proposed action taken under this section.

“(2) AMENDMENTS TO AUTHORIZATION FOR COMMERCIAL AIR TOUR OPERATORS.—The Administrator, in consultation with the Director, may amend any authorization for a commercial air tour operator to include conditions set forth in any permit issued under this section or to address any adverse effect on aviation safety.

“(3) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit or abrogate the Administrator's authority to ensure the safety and efficiency of the national airspace system.

“(l) DEFINITIONS.—In this section, the following definitions apply:

“(1) COMMERCIAL AIR TOUR OPERATOR.—The term ‘commercial air tour operator’ means any person who conducts a commercial air tour operation over a national park.

“(2) EXISTING COMMERCIAL AIR TOUR OPERATOR.—The term ‘existing commercial air tour operator’ means a commercial air tour operator that was actively engaged in the business of providing commercial air tour operations over a national park at any time during the 12-month period ending on the date of the enactment of this section.

“(3) NEW ENTRANT COMMERCIAL AIR TOUR OPERATOR.—The term ‘new entrant commercial air tour operator’ means a commercial air tour operator that—

“(A) applies for an interim operating permit or air tour permit as a commercial air tour operator for a national park or tribal lands; and

“(B) has not engaged in the business of providing commercial air tour operations over the national park or tribal lands in the 12-month period preceding the application.

“(4) COMMERCIAL AIR TOUR OPERATION OVER A NATIONAL PARK.—

“(A) IN GENERAL.—The term ‘commercial air tour operation over a national park’ means any flight, conducted for compensation or hire in a powered aircraft where a purpose of the flight is sightseeing over a national park, within ½ mile outside the boundary of any national park (except the Grand Canyon National Park), or over tribal lands (except those within or abutting the Grand Canyon National Park), during which the aircraft flies—



“(i) below a minimum altitude, determined by the Administrator in cooperation with the Director, above ground level (except solely for purposes of takeoff or landing, or necessary for safe operation of an aircraft as determined under the rules and regulations of the Federal Aviation Administration requiring the pilot-in-command to take action to ensure the safe operation of the aircraft); or

“(ii) less than 1 mile laterally from any geographic feature within the park (unless more than ½ mile outside the boundary).

“(B) FACTORS TO CONSIDER.—In making a determination of whether a flight is a commercial air tour operation over a national park for purposes of this section, the Administrator may consider—

“(i) whether there was a holding out to the public of willingness to conduct a sightseeing flight for compensation or hire;

“(ii) whether a narrative that referred to areas or points of interest on the surface below the route of the flight was provided by the person offering the flight;

“(iii) the area of operation;

“(iv) the frequency of flights conducted by the person offering the flight;

“(v) the route of flight;

“(vi) the inclusion of sightseeing flights as part of any travel arrangement package offered by the person offering the flight;

“(vii) whether the flight would have been canceled based on poor visibility of the surface below the route of the flight; and

“(viii) any other factors that the Administrator and the Director consider appropriate.

“(5) NATIONAL PARK.—The term ‘national park’ means any unit of the National Park System.

“(6) TRIBAL LANDS.—

“(A) IN GENERAL.—The term ‘tribal lands’ means Indian country (as that term is defined in section 1151 of title 18) that is within or abutting a national park.

“(B) ABUTTING.—For purposes of subparagraph (A), the term ‘abutting’ means lands within ½ mile outside the boundary of a national park.

“(7) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Federal Aviation Administration.

“(8) DIRECTOR.—The term ‘Director’ means the Director of the National Park Service.

“(9) AIR TOUR PERMIT.—The term ‘air tour permit’ means a permit issued by the Director, in accordance with this section, to a commercial operator to conduct commercial air tour operations over a national park or tribal lands.”

(b) AMENDMENTS TO NATIONAL PARKS AIR TOUR MANAGEMENT ACT OF 2000.—

(1) ADVISORY GROUP.—Section 805 of the National Parks Air Tour Management Act of 2000 (49 U.S.C. 40128 note) is amended—

(A) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—The Director of the National Park Service may retain the advisory group established pursuant to this section, as in effect on the day before the date of the enactment of the Moving Ahead for Progress in the 21st Century Act, to provide continuing advice and counsel with respect to commercial air tour operations over and near national parks.”;

(B) in subsection (b)—

(i) in paragraph (1)(A)(iv), by inserting “or Native Hawaiians” after “Indian tribes”; and

(ii) by striking paragraph (3) and inserting the following:

“(3) CHAIRPERSON.—The representative of the National Park Service shall serve as chairperson of the advisory group.”; and

(C) in subsection (d)(2), by striking “The Federal Aviation Administration and the National Park Service shall jointly” and inserting “The National Park Service shall”.

(2) REPORTS.—Section 807 of the National Parks Air Tour Management Act of 2000 (49 U.S.C. 40128 note) is repealed.

(3) METHODOLOGIES USED TO ASSESS AIR TOUR NOISE.—Section 808 of the National Parks Air Tour Management Act of 2000 (49 U.S.C. 40128 note) is amended by striking “a Federal agency” and inserting “the Director of the National Park Service”.

**SA 1780.** Mr. REID submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. . EFFECTIVE DATE.**

This Act shall be effective 1 day after enactment.

**SA 1781.** Mr. REID submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. . EFFECTIVE DATE.**

This Act shall be effective 2 days after enactment.

**SA 1782.** Mr. MENENDEZ (for himself, Mr. BURR, and Mr. REID) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division D, insert the following:

**TITLE IV—NEW ALTERNATIVE TRANSPORTATION TO GIVE AMERICANS SOLUTIONS ACT**

**SEC. . SHORT TITLE, ETC.**

(a) SHORT TITLE.—This title may be cited as the “New Alternative Transportation to Give Americans Solutions Act of 2012”.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

**Subtitle A—Promote the Purchase and Use of NGVs With an Emphasis on Heavy-Duty Vehicles and Fleet Vehicles**

**SEC. . EXTENSION AND MODIFICATION OF NEW QUALIFIED ALTERNATIVE FUEL MOTOR VEHICLE CREDIT.**

(a) IN GENERAL.—Paragraph (4) of section 30B(k) is amended by inserting “(December 31, 2016, in the case of a vehicle powered by compressed or liquefied natural gas)” before the period at the end.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to property placed in service after the date of the enactment of this Act.

**SEC. . ALLOWANCE OF VEHICLE AND INFRASTRUCTURE CREDITS AGAINST REGULAR AND MINIMUM TAX AND TRANSFERABILITY OF CREDITS.**

(a) BUSINESS CREDITS.—Subparagraph (B) of section 38(c)(4) is amended by striking “and” at the end of clause (viii), by striking the period at the end of clause (ix) and inserting a comma, and by inserting after clause (ix) the following new clauses:

“(x) the portion of the credit determined under section 30B which is attributable to the application of subsection (e)(3) thereof with respect to new qualified alternative fuel motor vehicles which are capable of being powered by compressed or liquefied natural gas, and

“(xi) the portion of the credit determined under section 30C which is attributable to the application of subsection (b) thereof with respect to refueling property which is used to store and or dispense compressed or liquefied natural gas.”.

(b) PERSONAL CREDITS.—

(1) NEW QUALIFIED ALTERNATIVE FUEL MOTOR VEHICLES.—Subsection (g) of section 30B is amended by adding at the end the following new paragraph:

“(3) SPECIAL RULE RELATING TO CERTAIN NEW QUALIFIED ALTERNATIVE FUEL MOTOR VEHICLES.—In the case of the portion of the credit determined under subsection (a) which is attributable to the application of subsection (e)(3) with respect to new qualified alternative fuel motor vehicles which are capable of being powered by compressed or liquefied natural gas—

“(A) paragraph (2) shall (after the application of paragraph (1)) be applied separately with respect to such portion, and

“(B) in lieu of the limitation determined under paragraph (2), such limitation shall not exceed the excess (if any) of—

“(i) the sum of the regular tax liability (as defined in section 26(b)) plus the tentative minimum tax for the taxable year, reduced by

“(ii) the sum of the credits allowable under subpart A and sections 27 and 30.”.

(2) ALTERNATIVE FUEL VEHICLE REFUELING PROPERTIES.—Subsection (d) of section 30C is amended by adding at the end the following new paragraph:

“(3) SPECIAL RULE RELATING TO CERTAIN ALTERNATIVE FUEL VEHICLE REFUELING PROPERTIES.—In the case of the portion of the credit determined under subsection (a) with respect to refueling property which is used to store and or dispense compressed or liquefied natural gas and which is attributable to the application of subsection (b)—

“(A) paragraph (2) shall (after the application of paragraph (1)) be applied separately with respect to such portion, and

“(B) in lieu of the limitation determined under paragraph (2), such limitation shall not exceed the excess (if any) of—

“(i) the sum of the regular tax liability (as defined in section 26(b)) plus the tentative minimum tax for the taxable year, reduced by

“(ii) the sum of the credits allowable under subpart A and sections 27, 30, and the portion of the credit determined under section 30B which is attributable to the application of subsection (e)(3) thereof.”.

(c) CREDITS MAY BE TRANSFERRED.—

(1) VEHICLE CREDITS.—Subsection (h) of section 30B is amended by adding at the end the following new paragraph:

“(11) TRANSFERABILITY OF CREDIT.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), a taxpayer who places in service any new qualified alternative fuel motor vehicle which is capable of being powered by compressed or liquefied natural gas may transfer the credit allowed under this section by reason of subsection (e) with respect to such vehicle through an assignment to the manufacturer, seller or lessee of such vehicle. Such transfer may be revoked only with the consent of the Secretary.

“(B) REGULATIONS.—The Secretary shall prescribe such regulations as necessary to ensure that any credit transferred under subparagraph (A) is claimed once and not reassigned by such other person.”.



(2) INFRASTRUCTURE CREDIT.—Subsection (e) of section 30C is amended by adding at the end the following new paragraph:

“(7) TRANSFERABILITY OF CREDIT.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), a taxpayer who places in service any qualified alternative fuel vehicle refueling property relating to compressed or liquefied natural gas may transfer the credit allowed under this section with respect to such property through an assignment to the manufacturer, seller or lessee of such property. Such transfer may be revoked only with the consent of the Secretary.

“(B) REGULATIONS.—The Secretary shall prescribe such regulations as necessary to ensure that any credit transferred under subparagraph (A) is claimed once and not reassigned by such other person.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to property placed in service after the date of the enactment of this Act.

**SEC. \_\_\_\_\_ . MODIFICATION OF CREDIT FOR PURCHASE OF VEHICLES FUELED BY COMPRESSED NATURAL GAS OR LIQUEFIED NATURAL GAS.**

(a) INCREASE IN CREDIT.—Paragraph (2) of section 30B(e) is amended to read as follows:

“(2) APPLICABLE PERCENTAGE.—For purposes of paragraph (1), the applicable percentage with respect to any new qualified alternative fuel motor vehicle is—

“(A) except as provided in subparagraphs (B) and (C)—

“(i) 50 percent, plus

“(ii) 30 percent, if such vehicle—

“(I) has received a certificate of conformity under the Clean Air Act and meets or exceeds the most stringent standard available for certification under the Clean Air Act for that make and model year vehicle (other than a zero emission standard), or

“(II) has received an order certifying the vehicle as meeting the same requirements as vehicles which may be sold or leased in California and meets or exceeds the most stringent standard available for certification under the State laws of California (enacted in accordance with a waiver granted under section 209(b) of the Clean Air Act) for that make and model year vehicle (other than a zero emission standard),

“(B) 80 percent, in the case of dedicated vehicles that are only capable of operating on compressed or liquefied natural gas, dual-fuel vehicles that are only capable of operating on a mixture of no less than 90 percent compressed or liquefied natural gas, and a bi-fuel vehicle that is capable of operating a minimum of 85 percent of its total range on compressed or liquefied natural gas, and

“(C) 50 percent, in the case of vehicles described subclause (II) or (III) of subsection (e)(4)(A)(i) and which are not otherwise described in subparagraph (B).

For purposes of the preceding sentence, in the case of any new qualified alternative fuel motor vehicle which weighs more than 14,000 pounds gross vehicle weight rating, the most stringent standard available shall be such standard available for certification on the date of the enactment of the Energy Tax Incentives Act of 2005.”.

(b) INCREASED INCENTIVE FOR NATURAL GAS VEHICLES.—Subsection (e) of section 30B is amended by adding at the end the following new paragraph:

“(6) CREDIT VALUES FOR NATURAL GAS VEHICLES.—In the case of new qualified alternative fuel motor vehicles with respect to vehicles powered by compressed or liquefied natural gas, the maximum tax credit value shall be—

“(A) \$7,500 if such vehicle has a gross vehicle weight rating of not more than 8,500 pounds,

“(B) \$16,000 if such vehicle has a gross vehicle weight rating of more than 8,500 pounds but not more than 14,000 pounds,

“(C) \$40,000 if such vehicle has a gross vehicle weight rating of more than 14,000 pounds but not more than 26,000 pounds, and

“(D) \$64,000 if such vehicle has a gross vehicle weight rating of more than 26,000 pounds.”.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after the date of the enactment of this Act.

**SEC. \_\_\_\_\_ . MODIFICATION OF DEFINITION OF NEW QUALIFIED ALTERNATIVE FUEL MOTOR VEHICLE.**

(a) IN GENERAL.—Clause (i) of section 30B(e)(4)(A) is amended to read as follows:

“(i) which—

“(I) is a dedicated vehicle that is only capable of operating on an alternative fuel,

“(II) is a bi-fuel vehicle that is capable of operating on compressed or liquefied natural gas and gasoline or diesel fuel, or

“(III) is a dual-fuel vehicle that is capable of operating on a mixture of compressed or liquefied natural gas and gasoline or diesel fuel.”.

(b) CONVERSIONS AND REPOWERS.—Paragraph (4) of section 30B(e) is amended by adding at the end the following new subparagraph:

“(C) CONVERSIONS AND REPOWERS.—

“(i) IN GENERAL.—The term ‘new qualified alternative fuel motor vehicle’ includes the conversion or repower of a new or used vehicle so that it is capable of operating on an alternative fuel as it was not previously capable of operating on an alternative fuel.

“(ii) TREATMENT AS NEW.—A vehicle which has been converted to operate on an alternative fuel shall be treated as new on the date of such conversion for purposes of this section.

“(iii) RULE OF CONSTRUCTION.—In the case of a used vehicle which is converted or repowered, nothing in this section shall be construed to require that the motor vehicle be acquired in the year the credit is claimed under this section with respect to such vehicle.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

**SEC. \_\_\_\_\_ . PROVIDING FOR THE TREATMENT OF PROPERTY PURCHASED BY INDIAN TRIBAL GOVERNMENTS.**

(a) IN GENERAL.—Paragraph (6) of section 30B(h) and paragraph (2) of section 30C(e) are both amended by inserting “, or an Indian Tribal Government” after “section 50(b)”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

**Subtitle B—Promote Production of NGVs by Original Equipment Manufacturers**

**SEC. \_\_\_\_\_ . CREDIT FOR PRODUCING VEHICLES FUELED BY NATURAL GAS OR LIQUEFIED NATURAL GAS.**

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 is amended by inserting after section 45R the following new section:

**“SEC. 45S. PRODUCTION OF VEHICLES FUELED BY NATURAL GAS OR LIQUEFIED NATURAL GAS.**

“(a) IN GENERAL.—For purposes of section 38, in the case of a taxpayer who is an original manufacturer of natural gas vehicles, the natural gas vehicle credit determined under this section for any taxable year with respect to each eligible natural gas vehicle produced by the taxpayer during such year is an amount equal to the lesser of—

“(1) 10 percent of the manufacturer’s basis in such vehicle, or

“(2) \$4,000.

“(b) AGGREGATE CREDIT ALLOWED.—The aggregate amount of credit allowed under subsection (a) with respect to a taxpayer for any taxable year shall not exceed \$200,000,000 reduced by the amount of the credit allowed under subsection (a) to the taxpayer (or any predecessor) for all prior taxable years.

“(c) DEFINITIONS.—For the purposes of this section—

“(1) ELIGIBLE NATURAL GAS VEHICLE.—The term ‘eligible natural gas vehicle’ means a motor vehicle (as defined in section 30B(h)(1)) that is capable of operating on natural gas and is described in 30B(e)(4)(A).

“(2) MANUFACTURER.—The term ‘manufacturer’ has the meaning given such term in regulations prescribed by the Administrator of the Environmental Protection Agency for purposes of title II of the Clean Air Act (42 U.S.C. 7521 et seq.).

“(d) SPECIAL RULES.—For purposes of this section—

“(1) IN GENERAL.—Rules similar to the rules of subsections (c), (d), and (e) of section 52 shall apply.

“(2) CONTROLLED GROUPS.—

“(A) IN GENERAL.—All persons treated as a single employer under subsection (a) or (b) of section 52 or subsection (m) or (o) of section 414 shall be treated as a single producer.

“(B) INCLUSION OF FOREIGN CORPORATIONS.—For purposes of subparagraph (A), in applying subsections (a) and (b) of section 52 to this section, section 1563 shall be applied without regard to subsection (b)(2)(C) thereof.

“(C) VERIFICATION.—No amount shall be allowed as a credit under subsection (a) with respect to which the taxpayer has not submitted such information or certification as the Secretary, in consultation with the Secretary of Energy, determines necessary.

“(e) TERMINATION.—This section shall not apply to any vehicle produced after December 31, 2016.”.

(b) CREDIT TO BE PART OF BUSINESS CREDIT.—Section 38(b) is amended by striking “plus” at the end of paragraph (35), by striking the period at the end of paragraph (36) and inserting “, plus”, and by adding at the end the following:

“(37) the natural gas vehicle credit determined under section 45S(a).”.

(c) CONFORMING AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 is amended by inserting after the item relating to section 45R the following new item:

“Sec. 45S. Production of vehicles fueled by natural gas or liquefied natural gas.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to vehicles produced after December 31, 2011.

**SEC. \_\_\_\_\_ . ADDITIONAL VEHICLES QUALIFYING FOR THE ADVANCED TECHNOLOGY VEHICLES MANUFACTURING INCENTIVE PROGRAM.**

(a) IN GENERAL.—Notwithstanding any other provision of law, a covered vehicle (as defined in subsection (b)) shall be considered an advanced technology vehicle for purposes of the advanced technology vehicle incentive program established under section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013), and manufacturers and component suppliers of such covered vehicles shall be eligible for an award under such section.

(b) DEFINITIONS.—As used in this section—

(1) the term “covered vehicle” means a light-duty vehicle or a medium-duty or heavy-duty truck or bus that is only capable of operating on compressed or liquefied natural gas, a bi-fueled motor vehicle that is capable of achieving a minimum of 85 percent of its total range with compressed or liquefied natural gas, or a dual-fuel vehicle that

operates on a mixture of natural gas and gasoline or diesel fuel but is not capable of operating on a mixture of less than 75 percent natural gas;

(2) the term "bi-fuel vehicle" means a vehicle that is capable of operating on compressed or liquefied natural gas and gasoline or diesel fuel; and

(3) the term "dual-fuel vehicle" means a vehicle that is capable of operating on a mixture of compressed or liquefied natural gas and gasoline or diesel fuel.

**Subtitle C—Incentivize the Installation of Natural Gas Fuel Pumps**

**SEC. \_\_\_\_\_ . EXTENSION AND MODIFICATION OF ALTERNATIVE FUEL VEHICLE REFUELING PROPERTY CREDIT.**

(a) IN GENERAL.—Subsection (g) of section 30C is amended by striking "and" at the end of paragraph (1), by redesignating paragraph (2) as paragraph (3), and by inserting after paragraph (1) the following new paragraph:

"(2) in the case of property relating to compressed or liquefied natural gas, after December 31, 2016, and".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to property placed in service after the date of the enactment of this Act.

**SEC. \_\_\_\_\_ . INCREASE IN CREDIT FOR CERTAIN ALTERNATIVE FUEL VEHICLE REFUELING PROPERTIES.**

(a) IN GENERAL.—Subsection (b) of section 30C is amended to read as follows:

"(b) LIMITATION.—The credit allowed under subsection (a) with respect to all qualified alternative fuel vehicle refueling property placed in service by the taxpayer during the taxable year at a location shall not exceed—

"(1) except as provided in paragraph (2), \$30,000 in the case of a property of a character subject to an allowance for depreciation,

"(2) in the case of compressed natural gas property and liquefied natural gas property which is of a character subject to an allowance for depreciation, the lesser of—

"(A) 50 percent of such cost, or

"(B) \$100,000, and

"(3) \$2,000 in any other case.".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service in taxable years beginning after December 31, 2011.

**Subtitle D—Natural Gas Vehicles**

**SEC. \_\_\_\_\_ . GRANTS FOR NATURAL GAS VEHICLES RESEARCH AND DEVELOPMENT.**

(a) RESEARCH, DEVELOPMENT AND DEMONSTRATION PROGRAMS.—The Secretary shall provide funding to improve the performance and efficiency and integration of natural gas powered motor vehicles and heavy-duty on-road vehicles as part of any programs funded pursuant to section 911 of the Energy Policy Act of 2005 (42 U.S.C. 16191) and also with respect to funding for heavy-duty engines pursuant to section 754 of the Energy Policy Act of 2005 (42 U.S.C. 16102).

(b) IN GENERAL.—The Secretary of Energy may make grants to original equipment manufacturers of light-duty and heavy-duty natural gas vehicles for the development of engines that reduce emissions, improve performance and efficiency, and lower cost.

**SEC. \_\_\_\_\_ . SENSE OF THE CONGRESS REGARDING EPA CERTIFICATION OF NGV RETROFIT KITS.**

It is the sense of the Congress that the Environmental Protection Agency should further streamline the process for certification of natural gas vehicle retrofit kits to promote energy security while still fulfilling the mission of the Clean Air Act.

**SEC. \_\_\_\_\_ . AMENDMENT TO SECTION 508 OF THE ENERGY POLICY ACT OF 1992.**

(a) REPOWER OR CONVERTED ALTERNATIVE FUELED VEHICLES DEFINED.—Subsection (a)

of section 508 of the Energy Policy Act of 1992 (42 U.S.C. 13258) is amended by adding at the end the following new paragraph:

"(6) REPOWERED OR CONVERTED.—The term 'repowered or converted' means modified with a certified or approved engine or aftermarket system so that the vehicle is capable of operating on an alternative fuel.".

(b) ALLOCATION OF CREDITS.—Subsection (b) of section 508 of the Energy Policy Act of 1992 (42 U.S.C. 13258) is amended by adding at the end the following new paragraph:

"(3) REPOWERED OR CONVERTED VEHICLES.—Not later than January 1, 2012, the Secretary shall allocate credits to fleets or covered persons that repower or convert an existing vehicle so that it is capable of operating on an alternative fuel. In the case of any medium-duty or heavy-duty vehicle that is repowered or converted, the Secretary shall allocate additional credits for such vehicles if the Secretary determines that such vehicles displace more petroleum than light-duty alternative fueled vehicles. The Secretary shall include a requirement that such vehicles remain in the fleet for a period of no less than 2 years in order to continue to qualify for credit. The Secretary also shall extend the flexibility afforded in this section to Federal fleets subject to the purchase provisions contained in section 303 of this Act.".

**Subtitle E—Transit Systems**

**SEC. \_\_\_\_\_ . FEDERAL SHARE OF COSTS FOR EQUIPMENT FOR COMPLIANCE WITH CLEAN AIR ACT.**

Section 5323(i) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) in the paragraph heading, by striking "AND CLEAN AIR ACT";

(B) in the first sentence, by striking "or vehicle-related" and all that follows through "Clean Air Act"; and

(C) by striking "those Acts" each place it appears and inserting "the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.)";

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

"(2) EQUIPMENT FOR COMPLIANCE WITH CLEAN AIR ACT.—

"(A) IN GENERAL.—A grant for a project to be assisted under this chapter that involves acquiring vehicle-related equipment or facilities (including clean fuel or alternative fuel vehicle-related equipment or facilities) for purposes of complying with or maintaining compliance with the Clean Air Act (42 U.S.C. 7401 et seq.) shall be made for—

"(i) 100 percent of the net project cost of the equipment or facilities attributable to compliance with that Act for any amounts of not more than \$75,000; and

"(ii) 90 percent of the net project cost of the equipment or facilities attributable to compliance with that Act for any amounts of more than \$75,000.

"(B) COSTS.—The Secretary shall have discretion to determine, through practicable administrative procedures, the costs of equipment or facilities attributable to compliance with the Clean Air Act (42 U.S.C. 7401 et seq.)".

**SEC. \_\_\_\_\_ . NATURAL GAS TRANSIT INFRASTRUCTURE INVESTMENT.**

(a) ESTABLISHMENT.—The Secretary of Transportation shall establish and administer a program to encourage the development of natural gas fueling infrastructure to be used by transit agencies.

(b) USE.—Funding provided under the program may be used for the purpose of building new or expanded fueling facilities, if the expansion is for the purposes of fueling additional buses with natural gas.

(c) COMPETITIVE GRANTS.—The Secretary shall—

(1) administer the funding providing under the program on a competitive basis; and

(2) award funding after an evaluation of project proposals that includes—

(A) the overall quantity of petroleum to be displaced over the life of the proposed project;

(B) the amount of private funding or local funding that is available to offset the cost of the project; and

(C) the technical and economical feasibility of the project.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$100,000,000, to remain available until expended.

**Subtitle F—User Fees**

**SEC. \_\_\_\_\_ . USER FEES.**

(a) LIQUEFIED NATURAL GAS.—Clause (ii) of section 4041(a)(2)(B) is amended by striking "24.3 cents per gallon" and inserting "the sum of the Highway Trust Fund financing rate and the Natural Gas Transportation Incentives financing rate".

(b) COMPRESSED NATURAL GAS.—The second sentence of subparagraph (A) of section 4041(a)(3) is amended by striking "18.3 cents per energy equivalent of a gallon of gasoline" and inserting "the sum of the Highway Trust Fund financing rate and the Natural Gas Transportation Incentives financing rate".

(c) HIGHWAY TRUST FUND FINANCING RATE AND NATURAL GAS TRANSPORTATION INCENTIVES FINANCING RATE.—Subsection (a) of section 4041 is amended by adding at the end the following new paragraph:

"(4) HIGHWAY TRUST FUND FINANCING RATE AND NATURAL GAS TRANSPORTATION INCENTIVES FINANCING RATE.—For purposes of this title—

"(A) HIGHWAY TRUST FUND FINANCING RATE.—The term 'Highway Trust Fund financing rate' means—

"(i) with respect to liquefied natural gas, 24.3 cents per gallon, and

"(ii) with respect to compressed natural gas, 18.3 cents per energy equivalent of a gallon of gasoline.

"(B) NATURAL GAS TRANSPORTATION INCENTIVES FINANCING RATE.—

"(i) IN GENERAL.—The term 'Natural Gas Transportation Incentives financing rate' means—

"(I) with respect to liquefied natural gas, the applicable amount per gallon, and

"(II) with respect to compressed natural gas, the applicable amount per energy equivalent of a gallon of gasoline.

"(ii) APPLICABLE AMOUNT.—For purposes of clause (i), the applicable amount shall be determined in accordance with the following table:

| Calendar year       | Applicable amount |
|---------------------|-------------------|
| 2014                | 2.5 cents         |
| 2015                | 2.5 cents         |
| 2016                | 5 cents           |
| 2017                | 5 cents           |
| 2018                | 10 cents          |
| 2019                | 10 cents          |
| 2020                | 12.5 cents        |
| 2021                | 12.5 cents        |
| 2022 and thereafter | zero.             |

"(iii) EXEMPTION FOR FUEL DISPENSED FROM CERTAIN PROPERTY.—In the case of liquefied natural gas or compressed natural gas dispensed from property for which a credit under section 30C(b)(3) would be allowable, the applicable amount for any calendar year is zero.".

(d) NATURAL GAS TRANSPORTATION INCENTIVES FINANCING RATE DEPOSITED IN GENERAL

FUND.—Paragraph (4) of section 9503(b) is amended by striking “or” at the end of subparagraph (C), by striking the period at the end of subparagraph (D)(iii) and inserting “or”, and by adding at the end the following new subparagraph:

“(E) section 4041 to the extent attributable to the Natural Gas Transportation Incentives financing rate.”.

**SA 1783.** Mr. CARPER (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 336, strike lines 9 through 12, and insert the following:

“(iv) safety plans developed by providers of public transportation;

“(v) a congestion mitigation and air quality performance plan developed under section 149(k) by a tier I metropolitan planning organization (as defined in section 134) representing a nonattainment or maintenance area; and

“(vi) the national freight strategic plan.

**SA 1784.** Mr. HARKIN (for himself, Mr. MORAN, Mr. LEVIN, and Mr. NELSON of Nebraska) submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division B, add the following:

**SEC. \_\_\_\_ . INCREASING THE PRIORITY OF BUSES AND IMPROVING FLEXIBILITY FOR PUBLIC TRANSPORTATION FUNDING.**

(a) **APPLICABILITY.**—Section 5337(e) of title 49, United States Code, as amended by this Act, shall apply only with respect to fiscal year 2012.

(b) **FUNDING.**—Notwithstanding section 5338 of title 49, United States Code, as amended by this Act—

(1) of amounts made available under subsection (a)(1) of such section 5338 for fiscal year 2013—

(A) \$5,039,661,500 shall be allocated in accordance with section 5336 of such title 49 to provide financial assistance for urbanized areas under section 5307;

(B) \$720,190,000 shall be available to provide financial assistance for other than urbanized areas under section 5311 of such title 49, of which not less than \$30,000,000 shall be available to carry out section 5311(c)(1) and \$20,000,000 shall be available to carry out section 5311(c)(2); and

(C) \$1,574,763,500 shall be available to carry out subsection (c) of section 5337 of such title 49; and

(2) no amounts made available under subsection (a)(1) of such section 5338 for fiscal year 2013 may be used to carry out section 5337(e) of title 49, United States Code, as amended by this Act.

(c) **HIGH INTENSITY FIXED GUIDEWAY STATE OF GOOD REPAIR.**—Notwithstanding section 5337(c)(1) of title 49, United States Code, as amended by this Act, for fiscal year 2013, \$1,574,763,500 shall be apportioned to recipients in accordance with section 5337(c) of title 49, United States Code.

**SA 1785.** Mr. CORKER (for himself, Mr. TOOMEY, and Ms. AYOTTE) sub-

mitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division D, add the following:

**SEC. \_\_\_\_ . DISCRETIONARY SPENDING CAP ADJUSTMENT FOR FISCAL YEAR 2013.**

Paragraph (2)(A)(ii) of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) is amended by striking “\$501,000,000,000” and inserting “\$481,000,000,000”.

**SA 1786.** Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title I of division A, add the following:

**SEC. \_\_\_\_ . LIMITATION ON EXPENDITURES.**

Notwithstanding any other provision of law, if the Secretary determines for any fiscal year that the estimated receipts required to carry out transportation programs and projects under this Act and amendments made by this Act (as projected by the Secretary of the Treasury) does not produce a positive balance in the Highway Trust Fund available for those programs and projects for the fiscal year, each amount made available for such a program or project shall be reduced by the pro rata percentage required to reduce the aggregate amount required to carry out those programs and projects to an amount equal to that available for those programs and projects in the Highway Trust Fund for the fiscal year.

**SA 1787.** Mr. BROWN of Ohio submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division C, insert the following:

**SEC. 33007. MAKE IT IN AMERICA INITIATIVE.**

(a) **MEMORANDUM OF AGREEMENT.**—The term “Memorandum of Agreement” means the August 2011 Memorandum of Agreement between the Department of Transportation and the Department of Commerce entitled “Development of a Domestic Supply Base for Intermodal Transportation in the U.S.”.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that collaboration between the Department of Transportation and the Department of Commerce can significantly improve the scope and depth of the domestic supply base for transportation infrastructure, particularly for small businesses in the United States.

(c) **IMPLEMENTATION.**—The Secretary of Transportation and the Secretary of Commerce shall—

(1) prioritize the implementation of the Memorandum of Agreement; and

(2) allocate such Department resources and personnel as necessary for such implementation.

**SA 1788.** Mr. BROWN of Ohio submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, to reauthorize Federal-aid highway and

highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1510 and insert the following:

**SEC. 1510. HOV FACILITIES.**

(a) **IN GENERAL.**—Section 166 of title 23, United States Code, is amended to read as follows:

**“§ 166. HOV facilities**

“(a) **DEFINITIONS.**—In this section, the following definitions apply:

“(1) **ALTERNATIVE FUEL VEHICLE.**—The term ‘alternative fuel vehicle’ means a dedicated vehicle that is operating solely on—

“(A) methanol, denatured ethanol, or other alcohols;

“(B) a mixture containing at least 85 percent of methanol, denatured ethanol, and other alcohols by volume with gasoline or other fuels;

“(C) natural gas;

“(D) liquefied petroleum gas;

“(E) hydrogen;

“(F) fuels (except alcohol) derived from biological materials;

“(G) electricity (including electricity from solar energy); or

“(H) any other fuel that the Secretary prescribes by regulation that is not substantially petroleum and that would yield substantial energy security and environmental benefits, including fuels regulated under section 490 of title 10, Code of Federal Regulations (or successor regulations).

“(2) **HOV FACILITY.**—The term ‘HOV facility’ means a high occupancy vehicle facility.

“(3) **PUBLIC TRANSPORTATION VEHICLE.**—The term ‘public transportation vehicle’ means a vehicle that—

“(A) provides designated public transportation (as defined in section 221 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12141)) or provides public school transportation (to and from public or private primary, secondary, or tertiary schools); and

“(B)(i) is owned or operated by a public entity;

“(ii) is operated under a contract with a public entity; or

“(iii) is operated pursuant to a license by the Secretary or a State agency to provide motorbus or school vehicle transportation services to the public.

“(4) **STATE AGENCY.**—

“(A) **IN GENERAL.**—The term ‘State agency’, as used with respect to a HOV facility, means an agency of a State or local government having jurisdiction over the operation of the facility.

“(B) **INCLUSION.**—The term ‘State agency’ includes a State transportation department.

“(b) **STATE REQUIREMENTS.**—

“(1) **AUTHORITY OF STATE AGENCIES.**—A State agency that has jurisdiction over the operation of a HOV facility shall establish the occupancy requirements of vehicles operating on the facility.

“(2) **OCCUPANCY REQUIREMENT.**—Except as otherwise provided by this section, no fewer than 2 occupants per vehicle may be required for use of a HOV facility.

“(c) **EXCEPTIONS.**—

“(1) **IN GENERAL.**—Notwithstanding the occupancy requirement of subsection (b)(2), the exceptions in paragraphs (2) through (5) shall apply with respect to a State agency operating a HOV facility.

“(2) **MOTORCYCLES AND BICYCLES.**—

“(A) **IN GENERAL.**—Subject to subparagraph (B), the State agency shall allow motorcycles and bicycles to use the HOV facility.

“(B) **SAFETY EXCEPTION.**—

“(i) **IN GENERAL.**—A State agency may restrict use of the HOV facility by motorcycles or bicycles (or both) if the agency certifies

to the Secretary that such use would create a safety hazard and the Secretary accepts the certification.

“(ii) ACCEPTANCE OF CERTIFICATION.—The Secretary may accept a certification under this subparagraph only after the Secretary publishes notice of the certification in the Federal Register and provides an opportunity for public comment.

“(3) PUBLIC TRANSPORTATION VEHICLES.—The State agency may allow public transportation vehicles to use the HOV facility if the agency establishes—

“(A) requirements for clearly identifying the vehicles; and

“(B) procedures for enforcing the restrictions on the use of the facility by the vehicles.

“(4) HIGH OCCUPANCY TOLL VEHICLES.—The State agency may allow vehicles not otherwise exempt pursuant to this subsection to use the HOV facility if the operators of the vehicles pay a toll charged by the agency for use of the facility and the agency—

“(A) establishes a program that addresses how motorists can enroll and participate in the toll program;

“(B) develops, manages, and maintains a system that will automatically collect the toll; and

“(C) establishes policies and procedures—

“(i) to manage the demand to use the facility by varying the toll amount that is charged; and

“(ii) to enforce violations of use of the facility.

“(5) ALTERNATIVE FUEL VEHICLES AND NEW QUALIFIED PLUG-IN ELECTRIC DRIVE MOTOR VEHICLES.—

“(A) USE OF HOV FACILITIES.—For a period beginning not later than 1 year after the date of enactment of this section and ending on September 30, 2017, the State agency—

“(i) may allow alternative fuel vehicles and new qualified plug-in electric drive motor vehicles (as defined in section 30D(d)(1) of the Internal Revenue Code of 1986), to use HOV facilities in the State; and

“(ii) shall establish procedures for use in enforcing the restrictions on that use of HOV facilities by those vehicles.

“(B) EXISTING PROGRAMS AND PROCEDURES.—The State agency shall—

“(i) not later than 1 year after the date of enactment of this section, develop and publish in the Federal Register a plan for use in—

“(I) revising the HOV facility programs and procedures of the State agency to ensure that those programs and procedures are in compliance with this section; and

“(II) notifying the public of any upcoming changes in vehicle eligibility for HOV facility usage; and

“(ii) not later than 3 years after the date of enactment of this section, update HOV facility programs and procedures in accordance with the plan described in clause (i).

“(d) REQUIREMENTS APPLICABLE TO TOLLS.—

“(1) IN GENERAL.—Notwithstanding sections 129 and 301, and except as provided in paragraph (2), tolls may be charged under subsection (c)(4).

“(2) EXCESS TOLL REVENUES.—If a State agency makes a certification under section 129(a)(3) with respect to toll revenues collected under subsection (c)(4), the State, in the use of toll revenues under subsection (c)(4), shall give priority consideration to projects for developing alternatives to single occupancy vehicle travel and projects for improving highway safety.

“(e) HOV FACILITY MANAGEMENT, OPERATION, MONITORING, AND ENFORCEMENT.—

“(1) IN GENERAL.—A State agency that allows vehicles to use a HOV facility under paragraph (4) or (5) of subsection (c) shall

submit to the Secretary a report demonstrating that the facility is not already degraded, and that the presence of the vehicles will not cause the facility to become degraded, and certify that the agency will carry out the following responsibilities with respect to the facility:

“(A) Establishing, managing, and supporting a performance monitoring, evaluation, and reporting program for the HOV facility that provides for continuous monitoring, assessment, and reporting on the impacts that the vehicles may have on the operation of the facility and adjacent highways and submitting to the Secretary annual reports of those impacts.

“(B) Establishing, managing, and supporting an enforcement program that ensures that the HOV facility is being operated in accordance with this section.

“(C) Limiting or discontinuing the use of the HOV facility by the vehicles, whenever the operation of the facility is degraded, that requires such a limitation or discontinuation of use to apply first to vehicles using the HOV facility under subsection (c)(4) before applying to vehicles using the HOV facility under subsection (c)(5).

“(D) MAINTENANCE OF OPERATING PERFORMANCE.—A facility that has become degraded shall be brought back into compliance with the minimum average operating speed performance standard by not later than 180 days after the date on which the degradation is identified through changes to operation, including the following:

“(i) Increase the occupancy requirement for HOVs.

“(ii) Increase the toll charged for vehicles allowed under subsection (b) to reduce demand.

“(iii) Charge tolls to any class of vehicle allowed under subsection (b) that is not already subject to a toll.

“(iv) Limit or discontinue allowing vehicles under subsection (b).

“(v) Increase the available capacity of the HOV facility.

“(E) COMPLIANCE.—If the State fails to bring a facility into compliance under subparagraph (D), the Secretary shall subject the State to appropriate program sanctions under section 1.36 of title 23, Code of Federal Regulations (or successor regulations), until the performance is no longer degraded.

“(2) DEGRADED FACILITY.—

“(A) DEFINITION OF MINIMUM AVERAGE OPERATING SPEED.—In this paragraph, the term ‘minimum average operating speed’ means less than 65 percent of the HOV facility rated speed limit.

“(B) STANDARD FOR DETERMINING DEGRADED FACILITY.—For purposes of paragraph (1), the operation of a HOV facility shall be considered to be degraded if vehicles operating on the HOV facility are failing to maintain a minimum average operating speed 65 percent of the time over a consecutive 180-day period during morning or evening weekday peak hour periods (or both).”

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary and the States should provide additional incentives (including the use of high occupancy vehicle lanes on State highways and routes on the Interstate System) for the purchase and use of advanced technology and dedicated alternative fuel vehicles, which have been proven to minimize air emissions and decrease consumption of fossil fuels.

**SA 1789.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for

other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_ . REGULATIONS REGARDING POOLS.**

(a) DEFINITIONS.—

(1) COVERED REGULATION.—The term “covered regulation” means—

(A) the portions of part 35 of title 28, Code of Federal Regulations, that were added under the final rule issued by the Attorney General entitled “Nondiscrimination on the Basis of Disability in State and Local Government Services”, 75 Fed. Reg. 56164 (September 15, 2010); and

(B) the portions of part 36 of title 28, Code of Federal Regulations, that were added under the final rule issued by the Attorney General entitled “Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities”, 75 Fed. Reg. 56236 (September 15, 2010).

(2) POOL.—The term “pool” means a swimming pool, wading pool, sauna, steam room, spa, wave pool, lazy river, sand bottom pool, or other water amusement, within the meaning of part 36 of title 28, Code of Federal Regulations.

(3) PRIVATE ENTITY; PUBLIC ACCOMMODATION.—The terms “private entity” and “public accommodation” have the meanings given the terms in section 301 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181).

(4) PUBLIC ENTITY.—The term “public entity” has the meaning given the term in section 201 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131).

(b) COMPLIANCE THROUGH ACQUISITION AND USE OF PORTABLE LIFTS.—A public entity that provides a pool that is covered by title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.) shall not be considered to commit a discriminatory act under that title because the entity facilitates use of the pool by acquiring and using 1 portable pool lift rather than installing 1 or more permanent pool lifts. A private entity that provides a public accommodation with a pool covered by title III of such Act (42 U.S.C. 12181 et seq.) shall not be considered to commit a discriminatory act under that title because the entity facilitates use of the pool by acquiring and using 1 portable pool lift for the pool rather than installing 1 or more permanent pool lifts.

**SA 1790.** Mr. BENNET (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

In division D, on page 1489, after line 25, add the following:

**SEC. \_\_\_\_\_ . EXTENSION OF WIND ENERGY CREDIT.**

Paragraph (1) of section 45(d) of the Internal Revenue Code of 1986 is amended by striking “January 1, 2013” and inserting “January 1, 2014”.

**SEC. \_\_\_\_\_ . COST OFFSET FOR EXTENSION OF WIND ENERGY CREDIT, AND DEFICIT REDUCTION, RESULTING FROM DELAY IN APPLICATION OF WORLDWIDE ALLOCATION OF INTEREST.**

(a) IN GENERAL.—Paragraphs (5)(D) and (6) of section 864(f) of the Internal Revenue Code of 1986 are each amended by striking “December 31, 2020” and inserting “December 31, 2022”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

**SA 1791.** Mr. BENNET (for himself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 615, strike line 19 and all that follows through page 622, line 16 and insert the following:

“netic levitation transportation systems;

“(D) a project that—

“(i) is a project—

“(I) for a public freight rail facility or a private facility providing public benefit for highway users by way of direct freight interchange between highway and rail carriers;

“(II) for an intermodal freight transfer facility;

“(III) for a means of access to a facility described in subclause (I) or (II);

“(IV) for a service improvement for a facility described in subclause (I) or (II) (including a capital investment for an intelligent transportation system); or

“(V) that comprises a series of projects described in subclauses (I) through (IV) with the common objective of improving the flow of goods;

“(ii) may involve the combining of private and public sector funds, including investment of public funds in private sector facility improvements;

“(iii) if located within the boundaries of a port terminal, includes only such surface transportation infrastructure modifications as are necessary to facilitate direct intermodal interchange, transfer, and access into and out of the port; and

“(iv) is composed of related highway, surface transportation, transit, rail, or intermodal capital improvement projects eligible for assistance under this subsection in order to meet the eligible project cost threshold under section 602, by grouping related projects together for that purpose, on the condition that the credit assistance for the projects is secured by a common pledge; and

“(E) a project to improve or construct public infrastructure that is located within ½ mile of—

“(i) a fixed guideway transit facility;

“(ii) a passenger rail station;

“(iii) an intercity or intermodal facility;

or

“(iv) in an area with a population of less than 200,000 individuals, a transit center, including—

“(I) improvements to mobility;

“(II) rehabilitation or construction of streets, transit stations, structured parking, walkways, and bikeways; or

“(III) any other activity listed under section 5302(3)(G)(v) of title 49.

“(12) **PROJECT OBLIGATION.**—The term ‘project obligation’ means any note, bond, debenture, or other debt obligation issued by an obligor in connection with the financing of a project, other than a Federal credit instrument.

“(13) **RATING AGENCY.**—The term ‘rating agency’ means a credit rating agency registered with the Securities and Exchange Commission as a nationally recognized statistical rating organization (as that term is defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))).

“(14) **RURAL INFRASTRUCTURE PROJECT.**—The term ‘rural infrastructure project’ means a surface transportation infrastructure project either—

“(A) located in any area other than an urbanized area that has a population of greater than 250,000 inhabitants; or

“(B) connects a rural area to a city with a population of less than 250,000 inhabitants within the city limits.

“(15) **SECURED LOAN.**—The term ‘secured loan’ means a direct loan or other debt obligation issued by an obligor and funded by the Secretary in connection with the financing of a project under section 603.

“(16) **STATE.**—The term ‘State’ has the meaning given the term in section 101.

“(17) **SUBSIDY AMOUNT.**—The term ‘subsidy amount’ means the amount of budget authority sufficient to cover the estimated long-term cost to the Federal Government of a Federal credit instrument, calculated on a net present value basis, excluding administrative costs and any incidental effects on governmental receipts or outlays in accordance with the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

“(18) **SUBSTANTIAL COMPLETION.**—The term ‘substantial completion’ means—

“(A) the opening of a project to vehicular or passenger traffic; or

“(B) a comparable event, as determined by the Secretary and specified in the credit agreement.

“(19) **TIFIA PROGRAM.**—The term ‘TIFIA program’ means the transportation infrastructure finance and innovation program of the Department.

“(20) **CONTINGENT COMMITMENT.**—The term ‘contingent commitment’ means a commitment to obligate an amount from future available budget authority that is—

“(A) contingent upon those funds being made available in law at a future date; and

“(B) not an obligation of the Federal Government.

“(b) **TREATMENT OF CHAPTER.**—For purposes of this title, this chapter shall be treated as being part of chapter 1.

**“§ 602. Determination of eligibility and project selection**

“(a) **ELIGIBILITY.**—A project shall be eligible to receive credit assistance under this chapter if the entity proposing to carry out the project submits a letter of interest prior to submission of a formal application for the project, and the project meets the following criteria:

“(1) **CREDITWORTHINESS.**—

“(A) **IN GENERAL.**—The project shall satisfy applicable creditworthiness standards, which, at a minimum, includes—

“(i) a rate covenant, if applicable;

“(ii) adequate coverage requirements to ensure repayment;

“(iii) an investment grade rating from at least 2 rating agencies on debt senior to the Federal credit instrument; and

“(iv) a rating from at least 2 rating agencies on the Federal credit instrument, subject to clause (iii), if the senior debt and Federal credit instrument is for an amount less than \$75,000,000 or for a rural infrastructure project or intelligent transportation systems project, 1 rating agency opinion for each of the senior debt and Federal credit instrument shall be sufficient.

“(B) **SENIOR DEBT.**—Notwithstanding subparagraph (A), in a case in which the Federal credit instrument is the senior debt, the Federal credit instrument shall be required to receive an investment grade rating from at least 2 rating agencies, unless the credit instrument is for a rural infrastructure project or intelligent transportation systems project, in which case 1 rating agency opinion shall be sufficient.

“(2) **INCLUSION IN TRANSPORTATION PLANS AND PROGRAMS.**—The project shall satisfy the applicable planning and programming requirements of sections 134 and 135 at such time as an agreement to make available a Federal credit instrument is entered into under this chapter.

“(3) **APPLICATION.**—A State, local government, public authority, public-private partnership, or any other legal entity undertaking the project and authorized by the Secretary, shall submit a project application acceptable to the Secretary.

“(4) **ELIGIBLE PROJECT COSTS.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), to be eligible for assistance under this chapter, a project shall have eligible project costs that are reasonably anticipated to equal or exceed the lesser of—

“(i)(I) \$50,000,000; or

“(II) in the case of a rural infrastructure project, \$25,000,000; or

“(ii) 33½ percent of the amount of Federal highway assistance funds apportioned for the most recently completed fiscal year to the State in which the project is located.

“(B) **INTELLIGENT TRANSPORTATION SYSTEM PROJECTS.**—In the case of a project principally involving the installation of an intelligent transportation system, eligible project costs shall be reasonably anticipated to equal or exceed \$15,000,000.

“(C) **OTHER PROJECTS.**—In the case of a project that is eligible under section 601(a)(11)(E), eligible project costs shall be reasonably anticipated to equal or exceed \$15,000,000.

**SA 1792.** Mrs. SHAHEEN (for herself, Ms. MURKOWSKI, Ms. COLLINS, Mr. LEVIN, Ms. KLOBUCHER, Mr. SANDERS, Mr. BEGICH, Mr. LEAHY, Mr. MERKLEY, Ms. LANDRIEU, and Ms. STABENOW) submitted an amendment intended to be proposed by her to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 264, strike line 23 and all that follows through page 267, line 9, and insert the following:

“(5) **SPECIAL RULES FOR SMALL METROPOLITAN PLANNING ORGANIZATIONS.**—

“(A) **IN GENERAL.**—Subject to subparagraph (B), a metropolitan planning organization subject to this section and chapter 53 of title 49 (as in effect on the day before the date of enactment of the MAP-21) shall continue to be designated as a metropolitan planning organization subject to this section (as amended by that Act) if the metropolitan planning organization—

“(i) serves an urbanized area; and

“(ii) the population of the urbanized area is more than 50,000 individuals and less than 200,000 individuals.

“(B) **EXCEPTION.**—Subparagraph (A) shall not apply if the Governor and units of general purpose local government—

“(i) agree to terminate the designation described in subparagraph (A); and

“(ii) together represent at least 75 percent of the population described in subparagraph (A)(ii), based on the latest available decennial census conducted under section 141(a) of title 13, United States Code.

“(C) **TREATMENT.**—A metropolitan planning organization described in subparagraph (A) shall be treated, for purposes of this section and chapter 53 of title 49 as a metropolitan planning organization that is subject to this section (as amended by the MAP-21).

**SA 1793.** Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 387, strike lines 4 through 6 and insert the following:

(i) in subparagraph (B)—  
(I) in clause (i), by striking “but”; and  
(II) by striking clause (ii) and inserting the following:

“(ii) at the request of a State, the Secretary may assign the State, and the State may assume, the responsibilities of the Secretary with respect to 1 or more transit, railroad, or multimodal projects within the State under the National Environmental Policy Act of 1969 (42 U.S.C. 13 4321 et seq.); and

“(iii) the Secretary may not assign—

**SA 1794.** Mr. ISAKSON (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title I of division A, add the following:

**SEC. 15 . SAVANNAH HARBOR EXPANSION, GEORGIA.**

The project for harbor deepening, Savannah Harbor Expansion, Georgia, authorized by section 101(b)(9) of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 279), is modified to authorize the Secretary of the Army to construct the project at a total cost of \$659,652,977, with an estimated Federal cost of \$401,178,855 and an estimated non-Federal cost of \$258,474,122, pending a record of decision for the project.

**SA 1795.** Mr. ISAKSON (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 490, between lines 3 and 4, insert the following:

**SEC. 15 . SAVANNAH HARBOR EXPANSION, GEORGIA.**

The project for harbor deepening, Savannah Harbor Expansion, Georgia, authorized by section 101(b)(9) of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 279), is modified to authorize the Secretary of the Army to construct the project at a total cost of \$659,652,977, with an estimated Federal cost of \$401,178,855 and an estimated non-Federal cost of \$258,474,122, pending a record of decision for the project.

**SA 1796.** Mr. BROWN of Ohio (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 888, line 18, strike “Section” and insert the following:

(a) IN GENERAL.—Section

Beginning on page 896, strike line 22 and all that follows through page 897, line 22, and insert the following:

“(3) BUY AMERICA WAIVER REQUIREMENTS.—

“(A) NOTICE AND COMMENT OPPORTUNITIES.—

“(i) IN GENERAL.—If the Secretary receives a request for a waiver under section 313(b) of title 23, United States Code, section 5323(j)(2)

of title 49, United States Code, or section 24305(f)(4), or 24405(a)(2), of such title, the Secretary shall provide notice of, and an opportunity for public comment on, the request not later than 15 days before making a finding based on such request.

“(ii) NOTICE REQUIREMENTS.—Each notice provided under clause (i)—

“(I) shall include the information available to the Secretary concerning the request, including the requestor’s justification for such request; and

“(II) shall be provided electronically, including on the official public Internet website of the Department.

“(B) PUBLICATION OF DETAILED JUSTIFICATION.—If the Secretary issues a waiver pursuant to the authority granted under a provision referenced in subparagraph (A)(i), the Secretary shall publish, in the Federal Register, a detailed justification for the waiver that—

“(i) addresses the public comments received under subparagraph (A)(i); and

“(ii) is published before the waiver takes effect.

“(C) BUY AMERICA REPORTING.—Not later than February 1, 2013, and annually thereafter, the Secretary shall submit a report to Congress that—

“(i) specifies each highway, public transportation, or railroad project for which the Secretary issued a waiver from a Buy America requirement pursuant to the authority granted under a provision referenced in subparagraph (A)(i) during the preceding calendar year;

“(ii) identifies the country of origin and product specifications for the steel, iron, or manufactured goods acquired pursuant to each of the waivers specified under clause (i); and

“(iii) summarizes the monetary value of contracts awarded pursuant to each such waiver.

“(D) CONSISTENCY WITH INTERNATIONAL AGREEMENTS.—This paragraph shall be applied in a manner that is consistent with United States obligations under relevant international agreements.

“(E) REVIEW OF NATIONWIDE WAIVERS.—Not later than 1 year after the date of the enactment of the Moving Ahead for Progress in the 21st Century Act, and at least once every 5 years thereafter, the Secretary shall review each standing nationwide waiver issued pursuant to the authority granted under any of the provisions referenced in subparagraph (A)(i) to determine whether continuing such waiver is necessary.

On page 900, between lines 9 and 10, insert the following:

“(10) APPLICATION TO TRANSIT PROGRAMS.—The requirements under this subsection shall apply to all contracts eligible for Federal funding for a project carried out within the scope of the applicable finding, determination, or decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), regardless of the funding source of such contracts, if at least 1 contract for the project is funded with amounts made available to carry out this chapter.

On page 904, between lines 6 and 7, insert the following:

(b) BUY AMERICA PROVISIONS.—

(1) SURFACE TRANSPORTATION.—Section 313 of title 23, United States Code, is amended by adding at the end the following:

“(g) APPLICATION TO HIGHWAY PROGRAMS.—The requirements under this section shall apply to all contracts eligible for Federal funding for a project carried out within the scope of the applicable finding, determination, or decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), regardless of the funding source of such

contracts, if at least 1 contract for the project is funded with amounts made available to carry out this title.”.

(2) AMTRAK.—Section 24305(f) of title 49, United States Code, is amended by adding at the end the following:

“(5) The requirements under this subsection shall apply to all contracts eligible for Federal funding for a project carried out within the scope of the applicable finding, determination, or decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), regardless of the funding source of such contracts, if at least 1 contract for the project is funded with amounts made available to carry out this chapter.”.

(3) APPLICATION TO INTERCITY PASSENGER RAIL SERVICE CORRIDORS.—Section 24405(a) of title 49, United States Code, is amended—

(A) by striking paragraph (4);

(B) by redesignating paragraphs (5) through (11) as paragraphs (4) through (10), respectively; and

(C) by adding at the end the following:

“(11) The requirements under this subsection shall apply to all contracts eligible for Federal funding for a project carried out within the scope of the applicable finding, determination, or decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), regardless of the funding source of such contracts, if at least 1 contract for the project is funded with amounts made available to carry out this title.

“(12) If a project receives funding under chapter 243 and under the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110-432), the Buy America requirements set forth in the Passenger Rail Investment and Improvement Act of 2008 shall apply to all contracts in the project within the scope of the applicable finding, determination, or decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).”.

(4) CONSISTENCY WITH INTERNATIONAL AGREEMENTS.—The amendments made by this subsection shall be applied in a manner that is consistent with United States obligations under relevant international agreements.

**SA 1797.** Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 44, line 15, strike “2009” and insert “2011”.

**SA 1798.** Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title I of division A, add the following:

**SEC. 15 . ENGINEERING AND DESIGN SERVICES.**

(a) DEFINITION OF STATE TRANSPORTATION DEPARTMENT.—In this section, the term “State transportation department” has the meaning given the term in section 101 of title 23, United States Code.

(b) DELIVERY OF SERVICES.—For projects carried out under title 23, United States Code, a State transportation department shall use, to the maximum extent practicable, commercial enterprises for the delivery of engineering and design services.



(c) CONSIDERATIONS.—In carrying out subsection (b), a State transportation department should consider with respect to the use of commercial enterprises for the delivery of engineering and design services, among other factors—

(1) the long-term value to the taxpayer; and

(2) the need to maintain a competent engineering workforce to provide program management and oversight.

(d) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, each State transportation department shall submit to the Secretary a report documenting the extent to which the State uses commercial enterprises for the delivery of engineering and design services for projects carried out under title 23, United States Code, including, at a minimum, a description of—

(1) the number and types of engineering and design activities for which commercial enterprises were used during the year covered by the report; and

(2) the policies or procedures used by the State transportation department to increase the number of engineering and design services for which commercial enterprises were used.

**SA 1799.** Ms. CANTWELL (for herself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division D, add the following:

**SEC. \_\_\_\_ . EXTENSION OF DEDUCTION OF STATE AND LOCAL SALES TAXES.**

(a) IN GENERAL.—Subparagraph (I) of section 164(b)(5) is amended by striking “January 1, 2012” and inserting “January 1, 2013”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2011.

**CALLING FOR FREE AND FAIR ELECTIONS IN IRAN**

Mr. DURBIN. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged and the Senate now proceed to consideration of S. Res. 386.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 386) calling for free and fair elections in Iran, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I know of no further debate on the resolution, and I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 386) was agreed to.

Mr. DURBIN. I ask unanimous consent that the preamble be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

**S. RES. 386**

Whereas democracy, human rights, and civil liberties are universal values and fundamental principles of United States foreign policy;

Whereas an essential element of democratic self-government is for leaders to be chosen and regularly held accountable through elections that are organized and conducted in a manner that is free, fair, inclusive, and consistent with international standards;

Whereas governments whose power does not derive from free and fair elections lack democratic legitimacy;

Whereas the Government of the Islamic Republic of Iran is a signatory to the United Nations International Covenant on Civil and Political Rights, adopted December 16, 1966 (ICCPR), which states that every citizen has the right to vote “at genuine periodic elections” that reflect “the free expression of the will of the electors”;

Whereas the Government of the Islamic Republic of Iran regularly violates its obligations under the ICCPR, holding elections that are neither free nor fair nor consistent with international standards;

Whereas elections in Iran are marred by the disqualification of candidates based on their political views; the absence of credible international observers; severe restrictions on freedom of expression, assembly, and association, including censorship, surveillance, and disruptions in telecommunications, and the absence of a free media; widespread intimidation and repression of candidates, political parties, and citizens; and systemic electoral fraud and manipulation;

Whereas the last nationwide election held in Iran, on June 12, 2009, was widely condemned inside Iran and throughout the world as neither free nor fair and provoked large-scale peaceful protests throughout Iran;

Whereas, following the June 12, 2009, election, the Government of the Islamic Republic of Iran responded to peaceful protests with a large-scale campaign of politically motivated violence, intimidation, and repression, including acts of torture, cruel and degrading treatment in detention, rape, executions, extrajudicial killings, and indefinite detention;

Whereas, on December 26, 2011, the United Nations General Assembly passed a resolution denouncing the serious human rights abuses occurring in the Islamic Republic of Iran;

Whereas authorities in Iran continue to hold several candidates from the 2009 election in indefinite detention;

Whereas authorities in Iran have announced that nationwide parliamentary elections will be held on March 2, 2012;

Whereas the Government of the Islamic Republic of Iran has banned more than 2,200 candidates from participating in the March 2, 2012, elections, including current members of parliament;

Whereas no domestic or international election observers are scheduled to oversee the March 2, 2012, elections;

Whereas the Government of the Islamic Republic of Iran continues to hold leading opposition figures under house arrest;

Whereas the Government of the Islamic Republic of Iran seeks to prevent the people of Iran from accessing news and information by incarcerating more journalists than any other country in the world, according to a 2011 report from the Committee to Protect Journalists; disrupting access to the Inter-

net, including blocking e-mail and social networking sites and limiting access to foreign news and websites, developing a national Internet that will facilitate government censorship of news and information, and jamming international broadcasts such as the Voice of America’s Persian News Network and Radio Free Europe/Radio Liberty’s Radio Farda; and

Whereas opposition groups in Iran have announced they will boycott the March 2, 2012, election because they believe it will be neither free nor fair nor consistent with international standards: Now, therefore, be it

*Resolved*, That the Senate—

(1) reaffirms the commitment of the United States to democracy, human rights, civil liberties, and rule of law, including the universal rights of freedom of assembly, freedom of speech, and freedom of association;

(2) expresses support for freedom, human rights, civil liberties, and rule of law in Iran, and for elections that are free, fair, and meet international standards, including granting independent international and domestic electoral observers unrestricted access to polling and counting stations;

(3) expresses strong support for the people of Iran in their peaceful calls for a representative and responsive democratic government that respects human rights, civil liberties, and the rule of law;

(4) reminds the Government of the Islamic Republic of Iran of its obligations under the international covenants to which it is a signatory to hold elections that are free and fair;

(5) condemns the Government of the Islamic Republic of Iran’s widespread human rights violations;

(6) calls on the Government of the Islamic Republic of Iran to respect freedom of expression and association in Iran by—

(A) ending arbitrary detention, torture, and other forms of harassment against media professionals, human rights defenders and activists, and opposition figures, and releasing all individuals detained for exercising universally recognized human rights;

(B) lifting legislative restrictions on freedoms of assembly, association, and expression; and

(C) allowing the Internet to remain free and open and allowing domestic and international media to operate freely;

(7) further calls on the Government of the Islamic Republic of Iran to allow international election monitors to be present for the March 2, 2012, elections; and

(8) urges the President, the Secretary of State, and other world leaders—

(A) to express support for the universal rights and freedoms of the people of Iran, including to democratic self-government;

(B) to broaden engagement with the people of Iran and support efforts in the country to help promote human rights and democratic reform, including by providing appropriate funding to civil society organizations for democracy and governance activities; and

(C) to condemn elections that are not free and fair and that do not meet international standards.

**APPOINTMENTS**

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to the provisions of S. Con. Res. 35 (112th Congress), appoints the following Senators to the Joint Congressional Committee on Inaugural Ceremonies: the Senator from Nevada, Mr. REID; the Senator from New York, Mr. SCHUMER, and the Senator from Tennessee, Mr. ALEXANDER.

ORDERS FOR TUESDAY, MARCH 6,  
2012

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until Tuesday, March 6, at 10 a.m.; 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 proceed to a period of morning business for up to 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; following morning business, the Senate resume consideration of S. 1813, the surface transportation bill; further, that the time prior to the cloture vote be equally divided and controlled between the two sides, with the final 10 minutes controlled between the two leaders or their designees, with the majority leader controlling the final 5 minutes; and that at 12:30 p.m., the Senate recess until 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. DURBIN. The filing deadline for second-degree amendments to the Reid

amendment No. 1761 is 11:30 a.m. Tuesday.

The first vote of the week will be at noon on the motion to invoke cloture on the Reid amendment.

Additionally, there will be two votes on confirmation of the Phillips and Rice nominations at 2:15 p.m. tomorrow.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DURBIN. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 5:32 p.m., adjourned until Tuesday, March 6, 2012, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### DEPARTMENT OF STATE

EDWARD M. ALFORD, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE GAMBIA.

PETER WILLIAM BODDE, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL DEMOCRATIC REPUBLIC OF NEPAL.

PIPER ANNE WIND CAMPBELL, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO MONGOLIA.

##### IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE

OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

##### *To be brigadier general*

COL. DOUGLAS D. DELOZIER

##### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

##### *To be rear admiral*

REAR ADM. (LH) CLINTON F. FAISON III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

##### *To be rear admiral*

REAR ADM. (LH) JONATHAN A. YUEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

##### *To be rear admiral*

REAR ADM. (LH) KATHERINE L. GREGORY  
REAR ADM. (LH) KEVIN R. SLATES

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### *To be rear admiral*

REAR ADM. (LH) SANDY L. DANIELS  
REAR ADM. (LH) JOHN E. JOLLIFFE  
REAR ADM. (LH) CHRISTOPHER J. PAUL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### *To be rear admiral*

REAR ADM. (LH) BRUCE A. DOLL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### *To be rear admiral*

REAR ADM. (LH) BRYAN P. CUTCHEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### *To be rear admiral*

REAR ADM. (LH) DAVID G. RUSSELL

## EXTENSIONS OF REMARKS

HONORING THE LIFE AND  
ACHIEVEMENTS OF FRANK  
MARMADUKE NORFLEET

**HON. STEVE COHEN**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Mr. COHEN. Mr. Speaker, I rise today to pay tribute to the life and legacy of Frank Marmaduke Norfleet. Mr. Norfleet was born in Memphis, TN on November 27, 1918 and became a philanthropist as well as an outstanding civil and business leader.

In 1941, Mr. Norfleet joined the Army, serving as a cavalryman and tank officer in World War II. A decorated veteran, Mr. Norfleet was awarded the Bronze Star with Oak Leaf Cluster, the French Croix de Guerre for fighting in The Battle of the Bulge and the Silver Star for Valor. After leaving the military, he returned to Memphis in 1946 and began working at Parts, Inc., an automotive "aftermarket" company and eventually led it to significant growth as its Chairman and CEO. In 1959 he cofounded and became the president and director of the Automotive Warehouse Distributors Association. In 1969 he assumed the same role with the Automotive Information Council of New York, another company that he cofounded. In addition to this, he served as a director of First Tennessee Bank for 18 years and at CSX Corp.

In 1978, Mr. Norfleet founded Forum for a Better Memphis, a short-lived organization that encouraged and supported political candidates who sought to effect positive changes for the city. That year, I ran for County Commissioner and became the forum's first beneficiary of their support. It was at that time that I had the good fortune of meeting and developing a friendship with Mr. Norfleet.

Mr. Norfleet worked closely with Memphis health organizations and in 1980, the University of Tennessee Health Science Center named its annual healthcare forum in his honor. When he was inducted into the Memphis Society of Entrepreneurs in 1997, Mr. Norfleet commented, "Being an entrepreneur not only offers opportunities for personal financial success but of equal importance is the entrepreneur's ability to give others employment and, in many cases, opportunities to make charitable gifts to those in need and less fortunate." Furthermore, in 1999, Mr. Norfleet was honored by the State of Tennessee for his long history of giving back and working to improve Memphis and Shelby County.

Mr. Norfleet's list of civic involvements is just as extensive. In addition to serving as an elder at Second Presbyterian Church, he was a founding member of both the Community Foundation of Greater Memphis and the Economics Club of Memphis. He also served two six-year terms as Justice of the Peace for the Shelby County Quarterly Court. Mr. Norfleet's other involvements included raising money for Rhodes College, the University of Tennessee, Memphis University School, and Presbyterian

Day School. He also enjoyed his work with the Memphis Zoological Society, Elmwood Cemetery and the Memphis Opera Theater where he served as the director.

Friends and family remember Mr. Norfleet as a man of great intelligence and enthusiasm. According to his son-in-law and former colleague, Alex Thompson, his success stemmed "not from ambition, but the way he was wired and the gifts God gave him." Others describe him as a mentor who was willing to share his knowledge and experience. Pearson Crutcher, the executive director of the Memphis Entrepreneurial Society said that Mr. Norfleet "was one of those people who made your life better because you knew him."

Mr. Norfleet passed away surrounded by his family at his home on February 17, 2012 at 93 years of age. He is survived by his loving wife of 69 years, Jean Flanigan Norfleet, three daughters, Janet Sheahan, Jean Laughlin, and Frances Thompson, 7 grandchildren, and 9 great-grandchildren.

HONORING THE CONTRIBUTIONS  
TO OUR LOCAL COMMUNITIES  
MADE BY JOHN OLIVER

**HON. JOE DONNELLY**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Mr. DONNELLY of Indiana. Mr. Speaker, today I rise to pay tribute to John Oliver, an outstanding American citizen who has shown commitment and service to the Plymouth, Indiana community.

A native of Newcastle in the United Kingdom, John immigrated to the United States on March 16, 1962 when he was 19 years old, and in 1975, he was officially recognized as a United States citizen.

John began his journey in the manufacturing industry as a laborer for a small research and development firm. He moved to Plymouth to work for that company's manufacturing subsidiary, ultimately becoming its president in 1977. Nine years later, John purchased the company and renamed it U.S. Granules Corporation, which today produces fifty percent of the world's granulated aluminum. With his leadership, U.S. Granules remains a leader in technology and quality, producing particle products from aluminum recovered from industrial waste. Today, U.S. Granules has established customers on five continents.

But what truly reflects John's commendable spirit is his service to his local community. He has been a pillar of support for the children of Plymouth. Quietly and without recognition, John endowed a fund to benefit the Plymouth High School Speech Team, a state leader in debate competition. To further advance the strength of local schools, John has made many financial donations to help with the purchase of books for school libraries, leadership seminars for students, and the expansion of scholarship and other award programs. In ad-

dition, John maintains an intern program at U.S. Granules that provides work experience and scholarship assistance.

John has also been a supporter of youth baseball programs. He has been a longtime patron of the American Legion Post 27 baseball club, the Diamond Spyderys, and helped organize its first sports program in the Plymouth area. John's support extends to the Indiana Baseball Hall of Fame, and with his assistance, it dedicated the Bill Nixon Plymouth Baseball Wing in October 2007. When inducted in to the Indiana Baseball Hall of Fame himself in 2009, John humbly reminded us that his contributions were dedicated to his community's youth and their future, not for personal gain.

Moreover, John has been an active board member of the St. Joseph Regional Medical Center since 2004, where he has worked extensively on the hospital's committees related to finance, executive leadership, governance, and strategic planning. He is a former director of the Indiana Manufacturing Association, the Marshall County Industrial Association, the Plymouth Industrial Development Company, and the Marshall County Solid Waste Management District Citizens Board. In addition, he was chairman of the audit committee for the Marshall County Community Foundations. He served as fundraising drive chairman for the Marshall County United Way and the Plymouth Emergency Vehicle Fund.

Through his extensive participation in his community including his service in the U.S. Army Reserves, he serves as the model of a civic-minded American. On behalf of the citizens of Indiana's Second District, I would like to salute his character, his personal achievements, and his contributions to our community.

IN RECOGNITION OF DR. CURTIS  
RAMSEY

**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Mr. BURGESS. Mr. Speaker, I rise today to honor an acclaimed educator, Dr. Curtis Ramsey. Dr. Ramsey has over 60 years of experience in education and has served as a member of the Denton Independent School District (ISD) Board of Trustees for 18 years. He has taught internationally as a public classroom teacher, college professor, dean, and educational consultant.

Dr. Ramsey has not only dedicated his life to the teaching of others but was equally as passionate about learning himself. Dr. Ramsey received his bachelor's and master's degrees from North Texas State University, now the University of North Texas. He received his doctorate from Vanderbilt University, where he was a professor of teacher education, and completed his post-doctoral work at Teachers College at Columbia University.

Dr. Ramsey has served professionally at local, state, national and international levels.

• 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.

Previously, he held positions as dean of the College of Education at the University of Bridgeport, Connecticut, Professor of teacher education at Vanderbilt University's George Peabody College, Chair of Elementary Education at Kent State University, and as Distinguished Visiting Professor at Bir Zeit University near Ramallah in the West Bank of Palestine.

He has been recognized for his contributions to the field of education and has been a member for 10 years on the Legislative Advisory Committee to the Texas Association of School Boards. In addition, he was a member of the North Texas Area Association of School Boards' executive committee for six years. In 2010, he received an award of distinguished service at the TASB and TASA state conference, and in 1996 he achieved the Master Trustee status from TASB.

Dr. Ramsey has shared his expertise as an educational consultant and witness before the Texas Legislature. He dedicated hundreds of hours to visit and speak to legislators about many proposed bills that could have a direct impact on education, Texas students, and the country. His dedication and public service on behalf of Texas students and teachers has never wavered.

Earlier this month, Dr. Ramsey announced that he will be retiring from the Denton ISD Board of Trustees in May. His valuable contributions to education and the Denton community have been unparalleled and his departure will leave an outstanding legacy of service. I am pleased to recognize Dr. Curtis Ramsey and am privileged to represent Denton ISD in the U.S. House of Representatives.

A TRIBUTE TO NATIONAL PEACE  
CORPS WEEK

**HON. EDOLPHUS TOWNS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Mr. TOWNS. Mr. Speaker, I rise today in support of National Peace Corps Week, in honor of the 51st Anniversary of the Peace Corps on March 1, 2012.

Since the inception of the Peace Corps in 1961, more than 200,000 Peace Corps Volunteers have served their country in 139 developing nations around the globe. They range from recent college graduates to retirees with several decades of work experience, and represent the tremendous diversity of the American people. The issues they address cover agriculture, business development, information technology, education, health and HIV/AIDS, youth development, and the environment.

The work of Peace Corps Volunteers around the globe exemplifies a legacy of service that has become a significant part of America's history and positive image abroad. Their desire to make a difference has improved the lives of millions of people around the world as well as here in the United States. Their enduring efforts for the cause of peace are commendable and have made a lasting impact on the communities in which they have lived and worked.

Four individuals from my Congressional District in Brooklyn are presently serving as Peace Corps volunteers. Melinda Blaise has been serving in the Eastern Caribbean since

October 2010; Ethan A. Glasser-Camp has been serving in Cameroon since August 2010; Evelyn Minaya has been serving in Romania since August 2010; and Rosemarie B. Philip has been serving in Costa Rica since December 2010. Their tireless efforts for the greater cause of peace will profoundly affect these communities. I would like to applaud and commend these outstanding volunteers from Brooklyn for committing themselves to such a worthwhile cause. They are role models for us all.

HONORING THE HEROES OF  
SELMA, ALABAMA

**HON. DAVID N. CICILLINE**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Mr. CICILLINE. Mr. Speaker, 47 years ago this month, nearly 8,000 men and women from every walk of life took to the streets in Selma, Alabama in three successive marches to demand full and equal rights for every American.

These ordinary heroes were brutally beaten by Alabama State Troopers as they crossed the Edmund Pettus Bridge in Selma on Sunday, March 7, 1965. The horrifying images of Bloody Sunday, as it would become known, were captured on film and broadcast around the world—ultimately helping to galvanize national support for civil rights.

Undeterred, the marchers returned twice more, walking the streets and highways of Alabama in an unflinching show of support for equality. Among them were Dr. Martin Luther King, Jr., Ralph Abernathy, and our colleague Congressman JOHN LEWIS. I had the great honor last year of marking this important civil rights moment by traveling to Selma with Congressman LEWIS and participating in a reenactment of this march. It was, without question, one of the most extraordinary moments of my life.

I would also like to take a moment to recognize the extraordinary achievement of my colleague, Congresswoman TERRI SEWELL, a member of this year's freshman class, who grew up in and now represents Selma, Alabama. Congresswoman SEWELL was born in Alabama the same year as the Selma marches, and as the first African-American woman elected to Congress from Alabama and a Rhodes Scholar, I believe that her success is a testament to the lasting legacy of the brave men and women who risked their lives for equality almost a half century ago.

I join my colleagues in saluting the heroes of Selma, Alabama today.

HONORING THE SERVICE AND SACRIFICE OF LT COL JOHN DARIN LOFTIS, USAF

**HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Mr. MILLER of Florida. Mr. Speaker, it is with deep sympathy and solemn gratitude that I rise to pay tribute to a fallen American hero. Air Force Lieutenant Colonel John Darin Loftis, of Paducah, Kentucky, was killed on

February 25 in Kabul, Afghanistan, while working at the Afghanistan Ministry of the Interior in support of Operation Enduring Freedom. J.D. or Darin, as his family and friends knew him, was assigned to Air Force Special Operations Command.

Lt Col Loftis first entered the Air Force in 1996 as a Space and Missile Officer after receiving his commission through Officer Training School. In 2008, he became a Regional Affairs Strategist; and in 2009, he deployed to Afghanistan with a Provincial Reconstruction Team with a mission to help Afghanistan rebuild its infrastructure and secure the rule of law within the country. It was during that deployment that his fluency in the Pashto language made it possible for him and his team to engage directly with local Afghans. This helped both sides establish a mutual trust and provided a means to exchange viewpoints and learn about each other's culture. In fact, he was so successful that the local Afghans gave him the Pashto name: Esan, meaning the quality of being generous. During his last deployment, Lt Col Loftis was once again working to help U.S. service members bridge the cultural divide that separates them from their Afghan and Pakistani counterparts.

His mission was a noble one and of his dedication to duty, courage of heart, and commitment to our great nation, there can be no doubt. To Lt Col Loftis' loving wife Holly and his two precious daughters, Alison and Camille, my wife Vicki joins me in offering our most sincere condolences. We have heard many times and know in our hearts the truth that Freedom often demands of us a heavy and at times unbearable price. Your husband and father was a living example of the Airman's Creed, "I am an American Airman, guardian of freedom and justice, my nation's sword and shield, its sentry and avenger. I defend my Country with my life." He was a brave man and paid the ultimate price in defense of our nation's freedom. For that and for everything he stood for, we owe you our eternal gratitude.

Mr. Speaker, on behalf of a grateful United States Congress, I stand here today to honor Lt Col John Darin Loftis, his service and sacrifice, and all of the heroes we have lost. May God continue to bless the Loftis family and friends, the AFSOC community, and the United States Armed Forces.

DIRECTING OFFICE OF HISTORIAN  
TO COMPILE ORAL HISTORIES  
FROM MEMBERS INVOLVED IN  
ALABAMA CIVIL RIGHTS  
MARCHES

SPEECH OF

**HON. MARCIA L. FUDGE**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 1, 2012*

Ms. FUDGE. Mr. Speaker, forty-seven years ago, 600 civil rights protesters en route from Selma to Montgomery were stopped at the Edmund Pettus Bridge where state and local policemen attacked them with billy clubs and tear gas, driving them back to Selma. I was honored to vote for a resolution on March 1, 2012, calling on Congress to collect oral histories from current and former members of the House who lived through that chilling day

known as Bloody Sunday. We must not forget the courage of my esteemed colleague, Congressman JOHN LEWIS, and others during the march from Selma to Montgomery, Alabama in March 1965. Non-violent marchers led by LEWIS and Hosea Williams were brutally beaten, opening the eyes of the Nation to the struggle of African Americans to win the right to vote. Let us resolve to protect the voting rights for which participants of that march suffered such brutality, and honor them for their commitment to non-violence. They are an inspiration for all Americans.

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PERSONAL EXPLANATION

**HON. ADAM SMITH**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Mr. SMITH of Washington. Mr. Speaker, on Monday, February 27, 2012, I was unable to be present for recorded votes. Had I been present, I would have voted "yes" on rollcall vote No. 73 (on the motion to concur in the Senate amendment to H.R. 347).

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HONORING NORMAN L. HENRY

**HON. EDDIE BERNICE JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor the work of Mr. Norman L. Henry, President and Executive Director of Builders of Hope CDC. Builders of Hope CDC is a Community Housing Development Corporation in Dallas that has demonstrated its commitment to revitalizing communities through the construction of energy-efficient, environmentally-friendly homes that are also accessible to low and moderate-income families.

Under Mr. Henry's leadership, Builders of Hope CDC has led the way in quality affordable housing in the Dallas area. Since accepting the position as President in 2000, Mr. Henry has overseen a fourfold increase in the output of affordable homes across several neighborhoods throughout West and South Dallas. Utilizing over 21 years of experience in the non-profit management and affordable housing field, Mr. Henry has built, remodeled, and sold over 224 affordable homes.

With the housing market collapse in 2008, countless Americans have either lost their homes entirely or now find the value of their homes to be less than the amounts they owe on a mortgage. Norman Henry, through the work that he has done with Builders of Hope CDC, has contributed to keeping the American Dream alive through the construction of these homes. Quality and affordable housing should not be out of reach for any American with the desire to purchase a home, and Mr. Henry has helped to bring the pride of home ownership to even more Americans.

Mr. Speaker, Norman Henry has helped to breathe new life into many West and South Dallas communities through his revitalization

efforts. His vision to revive otherwise decrepit areas across Dallas will benefit countless people through expanded access to housing and improved quality of life. It is with great pleasure that I honor the work of Mr. Norman Henry for his contributions.

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COMMEMORATION OF MARIA D. FERNANDES

**HON. FRANK PALLONE, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Mr. PALLONE. Mr. Speaker, I rise today to commemorate the life and legacy of Maria D. Fernandes of Sea Bright, New Jersey. Mayor Fernandes served the constituents of Sea Bright for 16 years and retired in January 2012. She passed away on Sunday, February 26, 2012 at the age of 59. Throughout her illustrious career, the Mayor continued to preserve and enhance the quality of life for Sea Bright residents. Her service is truly worthy of this body's recognition.

Maria Fernandes served as Sea Bright Borough Mayor from 2008 until 2011. She was proud to be the first Portuguese-American female Mayor in the state of New Jersey and the third in the United States. Before becoming Mayor, Ms. Fernandes was elected to the Sea Bright Borough Council in 1997 and served in this capacity through 2007. She was appointed Sea Bright Council President from 2003 through 2005 and was an active participant and member of the Sea Bright Planning and Zoning Board from 1996 through 2011. As a member of the Borough Council, she implemented a program to add the North and South Beach areas to the monthly street cleaning schedule. Sea Bright now has regularly scheduled street cleaning services once a month as a result of Mayor Fernandes' initiatives. Her leadership abilities also led to her appointment as Chair of the Sea Bright Public Works Committee in which she assisted in consolidating services and improving the accessibility and cleanliness of the local beaches. As Public Works Committee Chair, she also managed the Sea Bright Downtown Infrastructure Improvement Project (DIIP), addressing the flooding in downtown Sea Bright. Other projects during Mayor Fernandes' tenure on the Borough Council have included the implementation of the free parking system and the negotiation of multiple shared services contracts with neighboring towns.

Mayor Fernandes is predeceased by her Father Ernest Fernandes and her Maternal Grandmother, Jesuina Diaz. Surviving is her Mother, Adelina Fernandes of Sea Bright.

Mr. Speaker, Mayor Maria Fernandes dedicated her life to serving the people and the town of Sea Bright New Jersey. Her actions touched the hearts and minds of countless men, women and children throughout Sea Bright and Monmouth County. Her legacy has served as an inspiration to us all and she will truly be missed.

HONORING LONG-TIME MONTEREY PARK RESIDENT AND COMMUNITY ACTIVIST: MRS. RUTH WILLNER

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**HON. JUDY CHU**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Ms. CHU. Mr. Speaker, I rise today to recognize a great loss to our community, Mrs. Ruth Willner, who passed away on February 28, 2012, after a lengthy and valiant battle with cancer. My heart goes out to her two children, Paul and Julia; her granddaughter, Eryn; and her many friends and family members.

Ruth was an extraordinary citizen, an advocate for her community, and a good friend and loyal supporter. I first got to know Ruth's strength and passion in the 1980s, when she was the Chairperson of the Committee for Harmony in Monterey Park, which was formed to defeat a proposed English-only and anti-immigrant ordinance in our hometown. Thanks to Ruth's tireless efforts we succeeded in defeating that ordinance.

A native of East Los Angeles, Ruth attended Roosevelt High School and earned degrees from Los Angeles Community College and TIC Berkeley. A widower, she was married to her husband Irv for 56 years and lived in Monterey Park for 52 years.

Ruth truly loved her community. She was involved in too many community groups, commissions and organizations to name here, including the city's Blue Ribbon Budget Committee, the School District Formation Committee, Friends of the Library, Concerned Citizens, and the anti-casino and anti-billboard committees, to name a few.

As a 35-year member of the Pasadena League of Women Voters, Ruth played an integral role in educating and informing our local electorate. As program chair she shed light on issues as varied as NAFTA, Environmental Justice, Immigration and Welfare Reform, and as a member of the Speakers' Bureau for 25 years she presented pro and con forums on countless ballot issues and moderated scores of candidate forums.

A true believer in the political process, Ruth was a member of the Monterey Park Democratic Club since 1967, where she served as past president and ran the club's newsletter for 20 years. She also was an elected member of the L.A. County Democratic Party for 12 years and served as corresponding secretary for the party.

She was a tireless campaigner, walking precincts and phone banking for George Brown for Assembly, serving as the San Gabriel Valley Coordinator to End the War in Vietnam, and volunteering for Hubert Humphrey and George McGovern, among many others.

I urge my House colleagues to join me in honoring Mrs. Ruth Willner for her record of civic activism, her indomitable spirit and her remarkable service and contributions to her community and to our nation.

## HONORING CLARA SIMS

## HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation.

Whereas, one hundred years ago a virtuous woman of God, Clara Bryant was born in Oxford, Georgia on March 1, 1912 to Charlie and Lula Bryant; and

Whereas, she was raised up in Rockdale County, Georgia and she married Mr. J.C Sims and she has one daughter, Ms. Lula P. Goodson, three grandchildren, ten great-grandchildren and twelve great-great grandchildren; and

Whereas, this phenomenal Proverbs 31 woman has shared her time and talents as a Wife, Mother and Motivator, becoming a Georgia citizen of great worth, a fearless leader and a servant to all by always advancing the lives of others; and

Whereas, Ms. Sims has been blessed with a long, happy life, devoted to God and credits it all to the Will of God; and

Whereas, Ms. Sims along with her family and friends are celebrating this day a remarkable milestone, her 100th Birthday, we pause to acknowledge a woman who is a cornerstone in Decatur, DeKalb County, Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Ms. Sims on her birthday and to wish her well and recognize her for an exemplary life which is an inspiration to all;

Now therefore, I, HENRY C. "HANK" JOHNSON, Jr. do hereby proclaim March 1, 2012 as Ms. Clara Sims Day in the 4th Congressional District of Georgia.

Proclaimed, this 1st day of March, 2012.

## HONORING GENERAL CASIMIR PULASKI DAY

## HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Mr. QUIGLEY. Mr. Speaker, today, Chicago remembers the great Polish General Casimir Pulaski in annual celebrations surrounding General Casimir Pulaski Day.

Chicago is home to one of the largest populations of Poles in the world outside of Warsaw, so today marks a special day for many of my constituents who observe this holiday and remember General Pulaski's enduring and lasting contributions to our nation.

Born in Poland in 1745, Pulaski joined the fight for Polish liberation from Russian influences and later fought for American independence from Britain.

After meeting Pulaski in France, Benjamin Franklin wrote to George Washington that Pulaski was "an officer renowned throughout Europe for the courage and bravery he displayed in defense of his country's freedom."

Arriving in America in 1777, Pulaski assisted Washington's Continental Army in the Revolutionary War, at the behest of Franklin.

Pulaski distinguished himself as a gifted military tactician and became known as the

"Father of the American Cavalry," often using his own finances to provide his forces with the finest equipment when allocations from Congress were limited.

He valiantly gave his life in 1779, fighting for the freedom he so believed in, and has been remembered since that day by both Americans and Poles for his dedication to liberty and justice for all.

My recent trip to Poland reminded me how important it is for the United States and Poland to continue nurturing and celebrating our long-standing relationship as friends and allies.

To this end, I will continue pushing for Poland's inclusion in the Visa Waiver Program.

I hope that by making it easier for Polish citizens to visit their loved ones here in America, even more Polish families in my district will be able to celebrate next year's Casimir Pulaski Day together.

## HONORING MARLENE GREENEBAUM

## HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Mr. RUPPERSBERGER. Mr. Speaker, I rise before you today to recognize Mrs. Marlene Greenebaum, who will be honored at the Centennial Celebration of Hadassah for her many contributions to medical, communal and Jewish causes in Baltimore and beyond American borders.

Mrs. Greenebaum is one of Baltimore's most well-known and well-respected philanthropic leaders. Her civic endeavors include serving as president of the Oheb Shalom Sisterhood as well as president of Miriam Lodge. In addition, since her diagnosis with breast cancer more than 20 years ago, Mrs. Greenebaum has dedicated each and every day to helping treat and research life-threatening disease so that others can enjoy the gift of good health.

In 1994, Mrs. Greenebaum and her husband, Stewart, created a scholarship program for University of Maryland School of Medicine students who are residents of Maryland. They are also the founding donors of the Children's House at Johns Hopkins, helping to build an 18-bedroom facility that provides lodging for families of children being treated for life-threatening illnesses. The couple was recently recognized for donating more than \$1 million to the American Cancer Society since 2007.

Mrs. Greenebaum has served on the University of Maryland Medical System's Cancer Center Board of Advisors since its inception in 1993. Along with her husband, she donated \$10 million to the School of Medicine, the largest private contribution in its history. In recognition, the couple is the namesake of the University of Maryland Marlene and Stewart Greenebaum Cancer Center, where new life-saving drugs and groundbreaking clinical trials have attracted national and international recognition. In fact, its lab and clinical research facility are ranked among the Nation's top 25 cancer centers by U.S. News and World Report.

Mrs. Greenebaum was also the driving force behind the creation of the Multidisciplinary Breast Center at the Hadassah University

Medical Center in Jerusalem that bears her name. Her gift is ensuring that Israeli women can benefit from the best diagnostics, treatment and research possible.

Mr. Speaker, I ask that you join with me today to honor Mrs. Marlene Greenebaum. Her dedication to quality healthcare for all people is an inspiration. Her strength and courage now give hope to countless other women. It is with great admiration and appreciation that I congratulate Mrs. Geenebaum on her well-deserved recognition and wish her many more years of good health and happiness.

## CELEBRATING THE LIFE OF RAUL SOLIS

## HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Ms. WOOLSEY. Mr. Speaker, I rise today to celebrate the life of a man who truly embodied the American Dream, who came here with nothing and built something, whose ethic of sacrifice and responsibility represents a life to be emulated.

Raul Solis of La Puente, California died last Wednesday at the age of 88. He was born on February 27, 1924 in Tucson, Arizona, but he spent most of his youth in Veracruz, Mexico. He returned to the United States as a teenager, as a part of the Bracero program to address labor shortages caused by World War II.

Mr. Solis worked in both the fields and the factory—as a farmworker, on the railroads, in a battery recycling plant and eventually as a Teamster shop steward. He was a proud union man. He eventually settled in southern California, where he met Juana in an American citizenship class. She survives him after 58 years of marriage. Together, they had seven children—Irma, Raul Jr., Hilda (our former House colleague and current U.S. Secretary of Labor), Victor, Beatriz, Anna and Leticia. Their family would grow to include 10 grandchildren and 15 great-grandchildren.

The Solises lived modestly but happily. Their riches came in the form of love, family and faith; humility, self-respect and hard work. Raul Solis cared about politics, the law and social justice. He was a Teamsters shop steward at a battery recycling plant. Secretary Solis tells of her father coming home from work and pulling scraps of paper with Spanish writing out of his pocket. He wanted her to translate these notes from his co-workers, outlining concerns about safety conditions at the plant. And now his firsthand experience informs the wisdom and the decision-making of his daughter, as she meets her mandate to improve the lives of workers around the country.

Mr. Solis was also an outdoorsman who passed along to his children important lessons about the beauty of the natural world and the imperative of environmental justice. Secretary Solis' career and priorities in public service have been driven by the experience of living around polluted landfills while nearby affluent communities experienced little environmental degradation.

It was my pleasure to meet this extraordinary man and to see the quiet strength of his character. Raul Solis, laid to rest today,



leaves behind an impressive legacy of honesty and dignity. Please join me in extending my condolences to his entire family.

RECOGNIZING THE OUTSTANDING SERVICE OF MR. STEWART A. RESNICK

**HON. JIM COSTA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Mr. COSTA. Mr. Speaker, I rise today to recognize Mr. Stewart A. Resnick as he is honored by the Ag One Foundation at California State University, Fresno. Hosted by the Jordan College of Agricultural Sciences and Technology at Fresno State, the Ag One Foundation was established in 1979 to “benefit, promote, and support the college and its programs.” The Ag One Foundation hosts an annual Community Salute where distinguished individuals are recognized for their commitment to the success of Fresno State students and California agriculture. This year, the Ag One Foundation is recognizing Mr. Resnick, not only for his impressive business ventures, but also for his admirable commitment to the growth of California’s San Joaquin Valley and innovative agricultural practices.

Mr. Resnick grew up in New Jersey and headed to California with his family in the 1950s. Mr. Resnick holds a Bachelor of Science degree in business administration, as well as a law degree from the University of California, Los Angeles (UCLA). While a student, Mr. Resnick demonstrated his entrepreneurial spirit by starting his first business, a janitorial services company. Since then, he and his wife Lynda have worked tirelessly to cultivate a number of thriving companies.

Mr. Resnick and his wife own and manage Roll International and its companies, including: Teleflora, FIJI Water, POM Wonderful, Paramount Citrus, Paramount Farms and Farming, Suterra, JUSTIN Vineyards and Winery, and Landmark Vineyards. He is a longtime supporter of the arts, education, and health care. Mr. Resnick and his wife have been loyal advocates for California’s San Joaquin Valley. They have been generous in their support of Children’s Hospital Central California—in 2006, Paramount Farms made a gift of \$4 million to the hospital. In addition, they founded the Paramount Bard Academy, in the southern San Joaquin Valley city of Delano. The school opened its doors in August 2009 and serves students in grades 6–12.

Further demonstrating their commitment to education, the children of their employees are afforded scholarship opportunities to support their scholastic endeavors and encourage academic excellence. The program has awarded more than \$2.2 million in scholarships to 450 students. In late 2011, Paramount Farms completed the renovation of a 7-acre park in Lost Hills, a small city in Kern County, California. Renovation of this park led to a revitalization of community resolve and togetherness. Time and time again, Mr. and Mrs. Resnick have proven to be formidable allies for the communities in which their employees live and work.

Mr. Resnick’s commitment to philanthropy is truly telling of his character—reliable, generous, and compassionate. He has truly been a champion for the San Joaquin Valley and its

residents. His contributions to California’s heartland and our nation truly reflect the best of what America has to offer.

Mr. Speaker, I ask my colleagues to join me in recognizing Stewart A. Resnick for his impressive business acumen and his deep commitment to improving the San Joaquin Valley. His pioneering work and dedication to making meaningful contributions to the Central Valley make him a role model and source of pride for all Americans.

TRIBUTE TO ALFRED “AL” CORNETT

**HON. HAROLD ROGERS**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to a true Kentucky artisan, small businessman, veteran, teacher, and community leader, Alfred Cornett, for his many years of service and dedication to the Harlan County community.

As a native son of the Commonwealth and a World War II veteran, Alfred has been a valuable member and admired citizen of the Cumberland, Kentucky community for many years. Upon his high school graduation, Alfred honorably served his country as a member of the United States Army, where he rose to the rank of sergeant and was a member of the famed “Phantom Army.” His unit was involved in several key battles that were crucial to the success of the Allied Forces, including the Battle of Britain and the Battle of the Bulge.

Upon his return from the war, Alfred began his career working for Chrysler and General Motors in Dayton, Ohio while attending classes at an industrial electrical school in Chicago. Eventually Alfred moved to Harlan County, where he operated Cornett’s Home Supply Company and Al’s Radio and TV for many years.

In his time living in Kentucky, Alfred has become well-known for his craftsmanship of exquisite Appalachian dulcimers. Using wood native to the Appalachian region, Alfred has fashioned over 1,000 stringed instruments, highly sought after by musicians and collectors throughout the country. As the head craftsman at Southeast Community and Technical College, he has generously shared his extraordinary talents with the community through teaching numerous dulcimer-making classes and inspiring a new generation of craftsmen.

Alfred is an active member of his community, and has devoted his time and talents to many charitable projects through his participation in the Lion’s Club. He is also involved in his church, Cumberland Missionary Baptist Church, where he has been a member since 1959. Alfred currently lives in Harlan County with his beloved wife of 56 years, Geneva.

Mr. Speaker, I ask my colleagues to join me in honoring Alfred Cornett for dedicating years of service to Harlan County and for sharing his extraordinary talents as a woodworker and dulcimer craftsman.

OUR UNCONSCIONABLE NATIONAL DEBT

**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$15,489,873,651,597.46. We’ve added \$4,862,996,602,684.38 to our debt in 3 years. This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING THE GIRL SCOUTS OF NORTHERN NEW JERSEY ON THEIR 100TH ANNIVERSARY

**HON. STEVEN R. ROTHMAN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Mr. ROTHMAN of New Jersey. Mr. Speaker, I rise today to congratulate the Girl Scouts of Northern New Jersey on 100 years of developing girls of courage, confidence, and character. Since its founding in 1912, the Girl Scouts of Northern New Jersey have both served our community and molded the next generation of women leaders. I join with the Girl Scouts in recognizing their Centennial Celebration—Women of Achievement honorees. These women are exceptional within their professional field and community service to our communities.

Lourdes Cortez, President and CEO of North Jersey Federal Credit Union, is the first Hispanic woman to be President of a Federal Credit Union in New Jersey. Tammie A. Horsfield, President of the Sussex Chamber of Commerce, is the first full time woman President of the Sussex Chamber of Commerce. Norma Tempel, President of Etched In Stone Waterjet Fabrications, Inc., is the founding member of the New Jersey chapter of Professional Women in Construction. Honorable Camelia M. Valdes, Passaic County Prosecutor, is the first Latina county prosecutor in the State of New Jersey, the first woman prosecutor in Passaic County, and the first lead prosecutor of Dominican ancestry in the United States. Toni Zimmer, President of the League of Women Voters of New Jersey, is the first African American woman to run for state assembly in Sussex County in Northwest New Jersey. She was also elected the first African American President of the League of Women Voters in New Jersey. Finally, the late Mrs. Frederick Frelinghuysen will be presented with the Mitzi Golbek Spirit of Girl Scouting Award for her early patronage of the Girl Scouts in 1917. After a century of service to Northern New Jersey, I join the Girl Scouts in honoring these outstanding leaders who are paving the way for tomorrow’s women.

Mr. Speaker, today I would like to celebrate the Girl Scouts of Northern New Jersey’s 100th anniversary and honor all of its volunteers and participants for their role in keeping this wonderful tradition going for so many years. I know I join with all of my constituents in wishing the Girl Scouts continued success

as they proudly serve the communities of Northern New Jersey.

IN MEMORIAM OF ANDREW  
BREITBART

**HON. LAMAR SMITH**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Mr. SMITH of Texas. Mr. Speaker, last week we lost a true patriot for the conservative cause, Andrew Breitbart. Mr. Breitbart was a pioneer in conservative activist media and dedicated much of his life to exposing media bias and keeping the media honest.

Mr. Breitbart started his own news aggregation site, Breitbart.com, and five other websites, including Big Journalism.

In February 2010, Mr. Breitbart received the Reed Irvine Accuracy in Media Award.

Andrew Breitbart recently wrote a new conclusion to his book, Righteous Indignation:

I love my job. I love fighting for what I believe in. I love having fun while doing it. I love reporting stories that the Complex refuses to report. . . .

Three years ago, I was mostly a behind-the-scenes guy who linked to stuff on a very popular website. I always wondered what it would be like to enter the public realm to fight for what I believe in. I've lost friends, perhaps dozens. But I've gained hundreds, thousands—who knows?—of allies. At the end of the day, I can look at myself in the mirror, and I sleep very well at night.

He was a tireless patriot and will truly be missed by many.

RECOGNIZING WPX ENERGY

**HON. JOHN SULLIVAN**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Mr. SULLIVAN. Mr. Speaker, I rise to recognize and congratulate a new independent exploration & production company in my Congressional District that specializes in natural gas, oil and natural gas liquids from shale and other unconventional resources.

WPX Energy, based in Tulsa, Oklahoma, was launched on January 1, 2012. This new multi-billion dollar company is headquartered in Tulsa, Oklahoma, with 1200 employees around the country: Colorado, Wyoming, New Mexico, Texas, North Dakota, and Pennsylvania. This is a new venture that will produce U.S.-based fuels and U.S.-based jobs.

I know many of their employees personally. They are enthusiastic to get started and proud to work in the U.S. oil & gas industry, a very competitive and technologically-advanced sector of our economy. Although the company is only weeks old, they have decades of experience leading a top-ten U.S. producer of natural gas. Previously, WPX Energy was a wholly owned subsidiary of Williams, the renowned pipeline company. With the growing success of its exploration & production, WPX spun-off to become a separate, stand-alone company at the end of 2011.

Like many new companies, the WPX management team is energetic and innovative, but they are also seasoned by decades of man-

aging a top ten U.S. energy producer. Additionally, WPX has received more than two dozen national, State, local and industry awards for responsible energy development.

Our economy is still going through hard times and our Nation faces an unemployment rate of more than 8 percent. Many industries and companies in our country have been downsizing and struggling for a variety of reasons. It is critical that we highlight successful companies that are growing and making contributions to our economy and energy security. WPX is one of these success stories and I am proud that they chose to call Tulsa, Oklahoma home.

DIRECTING OFFICE OF HISTORIAN  
TO COMPILE ORAL HISTORIES  
FROM MEMBERS INVOLVED IN  
ALABAMA CIVIL RIGHTS  
MARCHES

SPEECH OF

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 1, 2012*

Mrs. MALONEY. Mr. Speaker, I rise, with so many others today, to note the upcoming anniversary of the infamous “Bloody Sunday” on March 7, 1965—the civil rights march in Selma, Alabama, where over 500 demonstrators were met with violence—billyclubs, tear gas, and horses—by the local sheriff deputies and state troopers at the Edmund Pettus Bridge.

Speaking from this distance, 47 years later, it's hard to imagine the day-to-day reality of Selma, the seat of Dallas County, Alabama, where the 1960 census showed that the population was 57% black, over 80% of them living in poverty. With 15,000 voting-age blacks in the County, only 130 were registered to vote.

Against that backdrop, civil rights organizers—including our own beloved colleague JOHN LEWIS—had been attempting to register more blacks to vote.

On July 2, 1964, President Lyndon Johnson signed the Civil Rights act of 1964 declaring segregation illegal.

On July 6, 1964, JOHN LEWIS led 50 black residents to the Dallas County Courthouse—on one of the two days per month that registration was allowed. The county sheriff arrested those fifty people rather than allow them to register.

And on July 9, 1964, a local judge issued an injunction which forbid any gathering of three or more people under the sponsorship of civil rights organizations, and made it illegal to even talk to more than two people at a time about civil rights or voter registration in Selma.

On January 2, 1965, the Rev. Dr. Martin Luther King defied that injunction, speaking to a mass meeting in the Brown Chapel, launching the Selma Voting Rights Movement.

Mr. Speaker, the Selma Marches—“Bloody Sunday” was the first of three—shifted American public opinion on the Civil Rights Movement.

President Johnson presented what would become the Voting Rights Act in this chamber in March, 1965, speaking to a Joint Session of Congress. And after the Voting Rights Act was passed and signed into law that August, more than 7,000 blacks were added to the voter

rolls in Selma—and millions more across the United States in the decades since.

So it is only right that we mark this anniversary today. I will be in Selma this weekend to help commemorate the brave men and women who took a stand against bigotry then, and am especially proud to serve in this body today.

HONORING THE MEMORY OF  
WILLIAM EVANS

**HON. JERRY MCNERNEY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Mr. MCNERNEY. Mr. Speaker, today I ask my friends and colleagues to join me in honoring William Evans, who passed away on February 25, 2012 at the age of 75.

Public service was an important part of Bill's life. He served in the U.S. Air Force as a navigator in B-47s and C-141s. In his service with Strategic Air Command, he stood guard against the Soviet threat so his fellow Americans could be secure. When assigned to the Military Airlift Command, he flew regular missions into Vietnam, delivering the supplies necessary to support our troops and bringing home those who had fallen. Bill was a graduate of the Air War College, received recognition for his contributions to the Skylab project, and was awarded the Air Force Meritorious Service Medal.

In his civilian career, Bill continued his work safeguarding America by bringing his technical expertise to the guidance of our reconnaissance satellites and interpreting the data they sent back. After retirement, Bill served as a volunteer English teacher in Poland and was a Eucharistic minister for his church. He even learned to be a brakeman as a volunteer with the Niles Canyon Railway.

Bill was an active member of the Tri-Valley community who cared deeply about his fellow citizens. He served his community and his fellow veterans as a member of the Veterans of Foreign Wars Post 6298 in Pleasanton, California.

Bill was also a highly valued and respected member of my Air Force Academy nomination committee. Bill took a keen interest in helping patriotic young people succeed in their aspirations to serve our nation. Bill was an excellent judge of character, and because of his efforts, the 11th District of California produced more than its share of Air Force Academy cadets.

Bill had a tremendous intellect and exemplary character. He was a gentleman in the truest sense of the word. He will be dearly missed by his friends and by the members our community. I ask you to join me in honoring his life and his service to our great nation.

HONORING NANCY KAY JUDKINS

**HON. CORY GARDNER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Mr. GARDNER. Mr. Speaker, Nancy Kay Judkins was born in Amarillo, Texas, to Burnell Campbell and James Roy Judkins on October 18, 1946. When she was four, her sister Peggy arrived, and there began a

sweet, abiding, lifelong bond. Then, only 8 years into her childhood, she contracted polio. At this early age, an inner strength and fortitude arose in her which was to define Nancy throughout her life.

Throughout her upbringing, Nancy was an honor student and was recognized for academic excellence. She earned her Bachelor's Degree in Medical Technology at North Texas State University and went on to work at Baylor Hospital and Dallas/Fort Worth Medical Center for many years before moving to Salt Lake City where she worked for Asarco as a Laboratory Supervisor. Almost four years ago, she and Peggy moved to Colorado to be closer to family living there.

Among many of Nancy's passions were the arts—especially the theater. She worked backstage for many theatrical productions and loved musical theater above all else. Some of her favorite shows included "The Fantasticks," "Brigadoon," "Annie Get Your Gun," "Showboat," "Kiss Me Kate," and "Yankee Doodle Dandy." She collected a variety of music including classical, ragtime, show tunes, and jazz, and learned to play the piano herself as a young adult.

Her love of words was reflected in her large book collection—from Austen to Whitman, Shakespeare to Safire, Twain to Thurber. She delighted in the Harry Potter stories, as well as stories of murder and intrigue. There was hardly a time in Nancy's life when she was without a feline friend or two, and she adored her sweet Maggie dog. She had a fascination with Germany; and after studying the language, she traveled there several times. Italy, London, and a cruise to the Caribbean were also on her list of travels.

Her love and connection to her family were never so strong as when she began an interest in genealogy and became the family historian. She spent countless hours tracing the family's ancestors' lives and traveled to many of the places they lived and died.

Nancy loved red hats, anything chocolate, irises in the spring, puzzles, popcorn, and the color purple. She loved Chaplin, Egyptology, Monet and O'Keefe. She loved so much and so many and was so loved in return. Her gentle strength and quiet courage inspired so many. She lived a difficult and challenging life with grace and dignity.

We honor her today for all the gifts she gave and all the wonderful ways she expressed her beautiful soul.

Nancy passed on January 28, 2012, in Fort Collins, Colorado.

PERSONAL EXPLANATION

**HON. BOB GOODLATTE**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 2012

Mr. GOODLATTE. Mr. Speaker, on rollcall Nos. 92, 93, 94, I was unavoidably detained.

Had I been present, I would have voted "aye."

IN RECOGNITION OF THE 65TH WEDDING ANNIVERSARY OF DOUGLAS AND KATIE JO MEDDERS

**HON. MIKE ROGERS**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 2012

Mr. ROGERS of Alabama. Mr. Speaker, I would like to pay tribute to a very special occasion today—the 65th wedding anniversary of Douglas and Katie Jo Medders. This event will take place on March 15th, but family and friends are celebrating the event on March 17, 2012.

Douglas and Katie Jo were married in Anniston in 1947 and had three children, Douglas Wayne, Danny and Pamela. The Medders have lived in Anniston all their lives.

Although now retired, Douglas worked at Lee Brass for 43 years retiring in 1990 and Katie Jo owned KaPam Beauty Shop for 28 years until her retirement. They are the proud grandparents of eight grandchildren and ten great-grandchildren.

I salute this lovely couple on the 65th year of their life together and join their friends and family in honoring them on this special occasion.

200TH ANNIVERSARY OF RALEIGH'S FIRST BAPTIST CHURCH

**HON. DAVID E. PRICE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 2012

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to honor Raleigh's First Baptist Church on the occasion of its bicentennial celebration.

First Baptist is a pillar of the Raleigh community, with a history of prophetic witness and community service. For 200 years, it has been a spiritual home to successive generations in Raleigh and beyond, a place of learning and teaching, a place of faith and sustenance, and a place of commitment to a just society.

The church was founded in 1812 by a congregation of 23 members—14 black and 9 white—who had come to the State Capitol to hear Rev. Robert Daniel. At that time, the city of Raleigh had about 1,000 residents but not a single church building. The new congregation was dubbed Raleigh Baptist Church. At first, members met at the State Capitol, but church facilities were soon built, and, for the next 56 years, Raleigh Baptist Church was a unique multiracial assembly that reached more than 400 members.

Following the Civil War, the church's black membership, about half the congregation at the time, asked for and received permission to establish a new congregation, which was initially organized as First Colored Baptist Church. It was under these auspices that the church settled in its current location on South Wilmington Street, completing the church building early in the 20th century and ultimately becoming First Baptist. The remaining members of Raleigh Baptist Church retained the sanctuary on South Salisbury Street, just a few blocks away, and also became known as First Baptist.

The Rev. William Warwick, a Philadelphia native, was the first African-American pastor at First Baptist, leading the flock from 1867 to 1874 and establishing the Miles School, whose students were later absorbed into the public schools. The seventh pastor was Dr. Oscar S. Bullock, who, through the purchase of a bus in 1925, pioneered a program of church-provided transportation to ensure children and adults could attend Sunday school. Dr. Charles Ward led the church for a long period in the mid-20th century, from 1959 through 1988. He was a prominent leader in the NAACP and oversaw the construction of a housing development for low-income members of the community. He was nearing the end of his ministry when I first ran for Congress in 1986, and I will always be grateful for his counsel and encouragement.

In addition to Dr. Ward, I've been honored to work with several of First Baptist's other pastors during my time representing the Triangle. The Rev. Nathaniel O. Boykin and Dr. Isaac B. Horton led the church in interim capacities after the death of Dr. Ward in 1988. Since 1996, Dr. Dumas Alexander Harshaw, Jr. has led the church into a new era with his powerful preaching and teaching and a strong record of service to the broader community. Under Dr. Harshaw's guidance, the church has added an early Sunday service, purchased additional property and built an adjacent Family Life Center. Giving by the approximately 800 members recently surpassed the \$1 million mark. From daycare and after-school programs to weekly meals for the homeless, job workshops for the unemployed, and substance abuse counseling, First Baptist continues to strengthen the community.

This week the successor congregations of Raleigh Baptist Church will celebrate their bicentennial with a joint party at the place of their birth, the State Capitol. While they remain distinct these churches share the honor of being the first religious community of any denomination in Raleigh.

Mr. Speaker, the two hundredth anniversary of the founding of Raleigh Baptist Church and the continued witness of these congregations merits recognition by this body. In particular, I look forward to celebrating this milestone on Saturday night with Dr. Harshaw and his flock, to whom I will bring the good wishes of my colleagues.

HONORING HONOR FLIGHT CHICAGO

**HON. MIKE QUIGLEY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 2012

Mr. QUIGLEY. Mr. Speaker, I rise today to recognize Honor Flight Chicago's commitment to serving our nation's World War II veterans.

Honor Flight Chicago began in 2008 when Mary Pettinato, Jeanmarie Kapp, Nancy Kapp, and Suzanne Stanits decided to make an important difference in the lives of World War II veterans. While our country has honored the sacrifices of our veterans by building memorials in Washington, D.C., many of these veterans are not able to make the trip to see the monuments dedicated to their service.

These four extraordinary women seized the opportunity to expand the Honor Flight Network's national mission to the Chicago area.

Along with hundreds of volunteers, Honor Flight Chicago recognizes World War II Veterans with a day of gratitude, remembrance, and celebration. Because of their tireless dedication, veterans throughout northeast Illinois and northwest Indiana travel cost-free to see these memorials in Washington and return to a boisterous and heartwarming Chicago homecoming with family and friends that you have to see to believe.

As our nation loses approximately 900 World War II veterans every day, Honor Flight works hard to ensure these heroes have an opportunity to fulfill their dreams and receive the thanks they deserve before it's too late.

Since February 2008, Honor Flight Chicago has flown more than 2,000 veterans to their war memorial at no cost to them. More than 700 guardians and volunteers work day-in and day-out to raise the funds necessary to accomplish this mission and reach as many of the 25,000 World War II veterans living in the Chicago area as possible.

Mr. Speaker, I ask my colleagues to join me in commending the work of Honor Flight Chicago and in honoring our nation's veterans.

RECOGNITION OF MR. ROBERTO FERRAGINA

**HON. FRANK PALLONE, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Mr. Roberto Ferragina of Long Branch, New Jersey. Mr. Ferragina is the recipient of the 2012 Amerigo Vespucci Society's "Man of the Year" Award and will be recognized for his unyielding community service. Mr. Ferragina is a valuable member of my Congressional district and is deserving of this body's recognition.

Roberto Ferragina was born in Long Branch, New Jersey to Salvatore and Barbara Maria Ferragina. Mr. Ferragina attended Red Bank Catholic High School and graduated with a Bachelor of Arts Degree in History and a Minor in Political Science from Kean State College. He also completed a Master of Arts and Master of Administrative Science from Monmouth University and Fairleigh Dickinson University, respectively. Mr. Ferragina is an accomplished athlete and was a member of the Cross Country and Track teams in High School and College. As a result of his superior performance, he was named Captain of the Red Bank Catholic High School's Men's Cross Country Team and Indoor and Outdoor Track Team. He remains an active runner in the local community. Mr. Ferragina is currently employed as the Northeast Regional Sales Manager for Mohawk, North America's largest privately held premium substrate manufacturer. He is happily married to his wife Marianne.

Mr. Ferragina developed a strong connection to his Italian heritage and culture at an early age. As an active member of the Amerigo Vespucci Society, Mr. Ferragina was elected to serve as the organization's President. He also served as the Secretary of Archives. Mr. Ferragina is dedicated to assisting with the organization of numerous events hosted by the Amerigo Vespucci Society, including the Wine Tasting Gala, in which he

served as Chairman. In addition to his involvement with the Amerigo Vespucci Society, Mr. Ferragina is a National Council Member of the National Italian American Foundation and member of the National Order Sons of Italy in America, William Marconi Italian Society, and the Garibaldi-Meucci Museum. Mr. Ferragina also volunteers his time each summer with the Ray Licata Memorial Swim hosted annually in Long Branch. He is also involved with the organization of the Long Branch Columbus Day Parade.

Mr. Speaker, once again, please join me in congratulating Mr. Roberto Ferragina upon receiving the Amerigo Vespucci Society's "Man of the Year" award and thanking him for his service to the Italian American community.

SACRAMENTO-SAN JOAQUIN VALLEY WATER RELIABILITY ACT

SPEECH OF

**HON. KEN CALVERT**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 29, 2012*

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 1837) to address certain water-related concerns on the San Joaquin River, and for other purposes:

Mr. CALVERT. Mr. Chair, as the author of the 2004's Water Supply, Reliability and Environmental Improvement Act, also known as CALFED, I strongly supported H.R. 1837, the Sacramento-San Joaquin Valley Water Reliability Act. This bill is an important step in preventing onerous regulations from creating another manmade drought like the one that devastated farms and families in California's San Joaquin Valley in 2009 and 2010. As a result of this man-made drought, many farmers lost their livelihoods and many communities saw unemployment rates top 50 percent as jobs dried up with their water.

With California once again faced with record low precipitation this year, we cannot wait to act. Among other things, H.R. 1837 would restore water deliveries to communities by codifying the Bay-Delta Accord and protects and secures private property and senior water rights. This bill will ensure communities will no longer have their water cut off and diverted due to heavy-handed environmental regulation and litigation that attempts to place fish before farmers and families.

This bill protects over 30,000 jobs and strikes a common sense balance between environmental regulations and environmental realities to ensure that California's Central Valley will never again be plunged into man-made drought. I commend my colleague Representative DEVIN NUNES of California for his leadership in crafting this important piece of legislation.

TRIBUTE TO JANET E. CLEGHORN

**HON. KEN CALVERT**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to a dear friend of mine,

Janet Cleghorn. Jan passed away on Thursday, February 16, 2012. Jan was a devoted wife, mother, grandmother, and great-grandmother and she will be deeply missed.

Jan was born July 20, 1936 in Los Angeles, California. She was the daughter of Howard B. Everett and Florence Mae Hunt. On February 3, 1956, Jan married her high school sweetheart John Cleghorn. John would later serve as Corona's Chief of Police. Jan cherished her role as wife, mother and homemaker for 56 years.

Jan loved family, friends, crafting, RV traveling, decorating her home and more recently "Facebook social networking." She was a member of the Philanthropic Educational Organization Chapter SI, Corona-Riverside U.S. Navy League, Corona Heritage Foundation (Museum Docent Heritage Park), TrilogY RVers and Friday Night-Dinner Group.

Jan is survived by her husband, John Cleghorn, father, Howard B. Everett, son, David Cleghorn, daughter, Nancy (Tim) O'Gorman, daughter, Karen (Roger, Sr.) Minnick, grandchildren, Roger (Angela) Minnick, Jr., Elijah Minnick, Jonah Minnick, Melissa O'Gorman, Joseph O'Gorman, great-grandchildren, Berkleigh Minnick and Max Minnick. Memorial Services to celebrate Jan's life were held at TrilogY Lodge Ballroom, Tuesday, February 28, 2012.

Jan will always be remembered for her devotion to family, caring nature and selfless giving. Her dedication to those she loved is a testament to a life lived well and a legacy that will continue. I extend my condolences to Jan's family and friends; although Jan may be gone, the light and goodness she brought to the world remain and will never be forgotten.

TRIBUTE TO FRANK EDWARD EMERSON

**HON. KEN CALVERT**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 5, 2012*

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to a dear friend of mine, Frank Emerson. Frank passed away peacefully at Corona Regional Medical Center on Saturday, February 25, 2012 with his wife, Belvia and son, Bob at his side. Frank was a pillar of the community in Corona, California and he will be deeply missed.

As a young man, Frank attended the University of Redlands on a basketball scholarship and after college decided to join the Army. Frank then decided to go into the family business and ran Emerson's Men's Wear successfully for many years. Frank took on a partner, long time employee Jim Pauly, to help with Emerson's Men's Wear. Frank was a successful businessman and dedicated community servant. Frank served on many civic groups through the years, including the Corona Planning Commission. His life was a testament to his family who had settled in Corona in the early 1900s.

Frank leaves behind his wife of 53 years Belvia, Daughter, Elizabeth Jenkins of Texas; son, Robert "Bob" Emerson of Corona and their respective families. He was preceded in death by his son Donald. He also has five grandchildren and many other family and friends who will miss Frank's big heart and quick smile.

On Friday, March 9, 2012, a memorial service celebrating Frank's extraordinary life will be held. Frank will always be remembered for his incredible work ethic, generosity, contributions to the community and love of family. His dedication to his work, family and community are a testament to a life lived well and a legacy that will continue. I extend my condolences to Frank's family and friends; although Frank may be gone, the light and goodness he brought to the world remain and will never be forgotten.

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, March 6, 2012 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED  
MARCH 7

- 9 a.m.  
Armed Services  
To hold hearings to examine the situation in Syria; with the possibility of a closed session in SVC-217 following the open session. SD-106
- 9:30 a.m.  
Agriculture, Nutrition, and Forestry  
To hold hearings to examine healthy food initiatives, local production, and nutrition. SH-216
- 10 a.m.  
Commerce, Science, and Transportation  
To hold hearings to examine priorities, plans, and progress of the nation's space program. SR-253
- Finance  
To hold hearings to examine the President's 2012 trade agenda. SD-215
- Judiciary  
To hold hearings to examine lending discrimination practices and foreclosure abuses. SD-226
- Appropriations  
Departments of Labor, Health and Human Services, and Education, and Related Agencies Subcommittee  
To hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of Health and Human Services. SD-124

- Veterans' Affairs  
To hold joint hearings to examine a legislative presentation from the Veterans of Foreign Wars (VFW). SD-G50

- 10:30 a.m.  
Appropriations  
Department of Defense Subcommittee  
To hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of the Navy. SD-192

- 2 p.m.  
Aging  
To hold hearings to examine opportunities for savings, focusing on removing obstacles for small business. SD-562

- 2:30 p.m.  
Commerce, Science, and Transportation  
Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee  
To hold hearings to examine the President's proposed budget request for fiscal year 2013 for the Coast Guard and the National Oceanic and Atmospheric Administration. SR-253

- Energy and Natural Resources  
National Parks Subcommittee  
To hold hearings to examine S. 29, to establish the Sacramento-San Joaquin Delta National Heritage Area, S. 1150, to establish the Susquehanna Gateway National Heritage Area in the State of Pennsylvania, S. 1191, to direct the Secretary of the Interior to carry out a study regarding the suitability and feasibility of establishing the Naugatuck River Valley National Heritage Area in Connecticut, S. 1198, to reauthorize the Essex National Heritage Area, S. 1215, to provide for the exchange of land located in the Lowell National Historical Park, S. 1589, to extend the authorization for the Coastal Heritage Trail in the State of New Jersey, S. 1708, to establish the John H. Chafee Blackstone River Valley National Historical Park, H.R. 1141, to authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System, 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, S. 2131, to reauthorize the Rivers of Steel National Heritage Area, the Lackawanna Valley National Heritage Area, and the Delaware and Lehigh National Heritage Corridor, and S. 2133, to reauthorize the America's Agricultural Heritage Partnership in the State of Iowa. SD-366

MARCH 8

- 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
- 10 a.m.  
Banking, Housing, and Urban Affairs  
To hold hearings to examine addressing the housing crisis in Indian country, focusing on leveraging resources and coordinating efforts. SD-538

- Appropriations  
Commerce, Justice, Science, and Related Agencies Subcommittee  
To examine proposed budget estimates for fiscal year 2013 for the Department of Justice. SD-124

- Health, Education, Labor, and Pensions  
To hold hearings to examine the key to America's global competitiveness, focusing on a quality education. SD-430

- Appropriations  
Department of Homeland Security Subcommittee  
To hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of Homeland Security. SD-192

- Judiciary  
Business meeting to consider S. 1002, to prohibit theft of medical products, and the nominations of Patty Shwartz, of New Jersey, to be United States Circuit Judge for the Third Circuit, Jeffrey J. Helmick, to be United States District Judge for the Northern District of Ohio, Mary Geiger Lewis, to be United States District Judge for the District of South Carolina, Timothy S. Hillman, to be United States District Judge for the District of Massachusetts, and Thomas M. Harrigan, of New York, to be Deputy Administrator of Drug Enforcement, Department of Justice. SD-226

- Appropriations  
Transportation and Housing and Urban Development, and Related Agencies Subcommittee  
To hold hearings to examine an overview of the Federal Housing Administration. SD-138

- 2:15 p.m.  
Indian Affairs  
To hold hearings to examine the President's proposed budget request for fiscal year 2013 for Native Programs. SD-628

- 2:30 p.m.  
Homeland Security and Governmental Affairs  
To hold hearings to examine the President's proposed budget request for fiscal year 2013 for the Department of Homeland Security. SD-342

- Intelligence  
To hold closed hearings to examine certain intelligence matters. SH-219

MARCH 13

- 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
- 10 a.m.  
Energy and Natural Resources  
To hold hearings to examine the report of the Independent Consultant's Review with Respect to the Department of Energy Loan and Loan Guarantee Portfolio. SD-366
- Foreign Relations  
To hold hearings to examine the nominations of Frederick D. Barton, of Maine, to be an Assistant Secretary of State (Conflict and Stabilization Operations),

- and to be Coordinator for Reconstruction and Stabilization, and William E. Todd, of Virginia, to be Ambassador to the Kingdom of Cambodia, both of the Department of State, and Sara Margalit Aviel, of California, to be United States Alternate Executive Director of the International Bank for Reconstruction and Development.  
SD-419
- 10:30 a.m.  
Homeland Security and Governmental Affairs  
Contracting Oversight Subcommittee  
To hold hearings to examine contractors, focusing on how much they are costing the government.  
SD-342
- Judiciary  
To hold hearings to examine the Freedom of Information Act, focusing on safeguarding critical infrastructure information and the public's right to know.  
SD-226
- MARCH 14
- 10 a.m.  
Agriculture, Nutrition, and Forestry  
To hold hearings to examine risk management and commodities in the 2012 farm bill.  
SH-216
- Veterans' Affairs  
To hold hearings to examine ending homelessness among veterans, focusing on Veterans' Affairs progress on its five year plan.  
SR-418
- 2 p.m.  
Armed Services  
Personnel Subcommittee  
To hold hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.  
SR-232A
- 2:30 p.m.  
Energy and Natural Resources  
To hold hearings to examine the nominations of Adam E. Sieminski, of Pennsylvania, to be Administrator of the Energy Information Administration, Department of Energy, Marcilynn A. Burke, of North Carolina, to be an Assistant Secretary of the Interior, and Anthony T. Clark, of North Dakota, and John Robert Norris, of Iowa, both to be a Member of the Federal Energy Regulatory Commission.  
SD-366
- Foreign Relations  
To hold hearings to examine the nominations of Pamela A. White, of Maine, to be Ambassador to the Republic of Haiti, Linda Thomas-Greenfield, of Louisiana, to be Director General of the Foreign Service, and Gina K. Abercrombie-Winstanley, of Ohio, to be Ambassador to the Republic of Malta, all of the Department of State.  
SD-419
- MARCH 15
- 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
- 2:15 p.m.  
Indian Affairs  
To hold an oversight hearing to examine Indian water rights, focusing on promoting the negotiation and implementation of water settlements in Indian country.  
SD-628
- MARCH 20
- 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
- 10 a.m.  
Homeland Security and Governmental Affairs  
To hold hearings to examine retooling government for the 21st century, focusing on the President's reorganization plan and reducing duplication.  
SD-342
- 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
- 2 p.m.  
Judiciary  
Antitrust, Competition Policy and Consumer Rights Subcommittee  
To hold hearings to examine Verizon and cable deals.  
SD-226
- 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 Association of America, and the Jewish War Veterans.  
345, Cannon Building
- 2:30 p.m.  
Energy and Natural Resources  
Public Lands and Forests Subcommittee  
To hold hearings to examine S. 303, to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, S. 1129, to amend the Federal Land Policy and Management Act of 1976 to improve the management of grazing leases and permits, S. 1473, to amend Public Law 99-548 to provide for the implementation of the multispecies habitat conservation plan for the Virgin River, Nevada, and to extend the authority to purchase certain parcels of public land, S. 1492, to provide for the conveyance of certain Federal land in Clark County, Nevada, for the environmental remediation and reclamation of the Three Kids Mine Project Site, S. 1559, to establish the San Juan Islands National Conservation Area in the San Juan Islands, Washington, S. 1635, to designate certain lands in San Miguel, Ouray, and San Juan Counties, Colorado, as wilderness, S. 1687, to adjust the boundary of Carson National Forest, New Mexico, S. 1774, to establish the Rocky Mountain Front Conservation Management Area, to designate certain Federal land as wilderness, and to improve the management of noxious weeds in the Lewis and Clark National Forest, S. 1788, to designate the Pine Forest Range Wilderness area in Humboldt County, Nevada, S. 1906, to modify the Forest Service Recreation Residence Program as the program applies to units of the National Forest System derived from the public domain by implementing a simple, equitable, and predictable procedure for determining cabin user fees, S. 2001, to expand the Wild Rogue Wilderness Area in the State of Oregon, to make additional wild and scenic river designations in the Rogue River area, to provide additional protections for Rogue River tributaries, S. 2015, to require the Secretary of the Interior to convey certain Federal land to the Powell Recreation District in the State of Wyoming, and S. 2056, to authorize the Secretary of the Interior to convey certain interests in Federal land acquired for the Scofield Project in Carbon County, Utah.  
SD-366
- MARCH 27
- 2:30 p.m.  
Armed Services  
Airland Subcommittee  
To hold a hearing to examine Army modernization in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.  
SR-222
- 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
- 2 p.m.  
Armed Services  
Personnel Subcommittee  
To resume hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.  
SR-232A



# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S1375–S1400*

**Measures Introduced:** Three bills were introduced, as follows: S. 2153–2155. **Page S1384**

**Measures Passed:**

*Nonmarket Economy Countries:* Senate passed S. 2153, to apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries. **Pages S1375–76**

A unanimous-consent agreement was reached providing that when Senate receives H.R. 4105, to apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, and if it is identical text as S. 2153, Senate proceed to the immediate consideration of H.R. 4105, the bill be passed, with no amendments in order prior to passage, and with no intervening action or debate. **Page S1375**

*Fair Elections in Iran:* Committee on Foreign Relations was discharged from further consideration of S. Res. 386, calling for free and fair elections in Iran, and the resolution was then agreed to. **Page S1399**

**Appointments:**

*Joint Congressional Committee on Inaugural Ceremonies:* The Chair, on behalf of the Vice President, pursuant to the provisions of S. Con. Res. 35 (112th Congress), appointed the following Senators to the Joint Congressional Committee on Inaugural Ceremonies: Senators Reid, Schumer, and Alexander. **Page S1399**

**Moving Ahead for Progress in the 21st Century—Agreement:** A unanimous-consent-time agreement was reached providing at approximately

11 a.m., on Tuesday, March 6, 2012, Senate resume consideration of S. 1813, to reauthorize Federal-aid highway and highway safety construction programs; provided further, that the time prior to the cloture vote be equally divided and controlled between the two sides, with the final 10 minutes controlled between the two Leaders or their designees with the Majority Leader controlling the final five minutes. **Page S1400**

**Nominations Received:** Senate received the following nominations:

Edward M. Alford, of Virginia, to be Ambassador to the Republic of The Gambia.

Peter William Bodde, of Maryland, to be Ambassador to the Federal Democratic Republic of Nepal.

Piper Anne Wind Campbell, of the District of Columbia, to be Ambassador to Mongolia.

1 Air Force nomination in the rank of general.

10 Navy nominations in the rank of admiral. **Page S1400**

**Measures Placed on the Calendar:**

**Pages S1376, S1384**

**Additional Cosponsors:** **Pages S1384–85**

**Additional Statements:** **Pages S1382–83**

**Amendments Submitted:** **Pages S1385–99**

**Adjournment:** Senate convened at 2 p.m. and adjourned at 5:32 p.m., until 10 a.m. on Tuesday, March 6, 2012. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1400.)

### Committee Meetings

*(Committees not listed did not meet)*

No committee meetings were held.

# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 12 public bills, H.R. 4132–4143 were introduced.

Pages H1152–53

**Additional Cosponsors:**

Pages H1153–54

**Reports Filed:** Reports were filed today as follows:

H.R. 940, to establish standards for covered bond programs and a covered bond regulatory oversight program, and for other purposes, with an amendment (H. Rept. 112–407, Pt. 1) and H. Res. 570, providing for consideration of the bill (H.R. 2842) to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes (H. Rept. 112–408).

Page H1152

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Denham to act as Speaker pro tempore for today.

Page H1137

**Recess:** The House recessed at 12:09 p.m. and reconvened at 2 p.m.

Page H1137

**Recess:** The House recessed at 2:16 p.m. and reconvened at 5 p.m.

Page H1139

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

**Roy Schallern Rood Post Office Building Designation Act:** H.R. 3637, to designate the facility of the United States Postal Service located at 401 Old Dixie Highway in Jupiter, Florida, as the “Roy Schallern Rood Post Office Building”, by a  $\frac{2}{3}$  yeas-and-nay vote of 362 yeas to 2 nays, Roll No. 95;

Pages H1139–40, H1143

**Private Isaac T. Cortes Post Office Designation Act:** H.R. 3413, to designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the “Private Isaac T. Cortes Post Office”; and

Pages H1140–41

**James M. Fitzgerald United States Courthouse Designation Act:** S. 1710, to designate the United States courthouse located at 222 West 7th Avenue, Anchorage, Alaska, as the James M. Fitzgerald United States Courthouse.

Pages H1141–42

**Recess:** The House recessed at 5:29 p.m. and reconvened at 6:30 p.m.

Page H1142

**Establishing the Joint Congressional Committee on Inaugural Ceremonies:** The House agreed to take from the Speaker’s table and agree to S. Con. Res. 35, to establish the Joint Congressional Committee on Inaugural Ceremonies for the inauguration

of the President-elect and Vice President-elect of the United States on January 21, 2013.

Page H1143

**Authorizing the use of the rotunda and Emancipation Hall of the Capitol by the Joint Congressional Committee on Inaugural Ceremonies:** The House agreed to take from the Speaker’s table and agree to S. Con. Res. 36, to authorize the use of the rotunda and Emancipation Hall of the Capitol by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States.

Page H1144

**Presidential Message:** Read a message from the President wherein he notified Congress of the continuation beyond March 6, 2012 of the national emergency declared with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe’s democratic processes or institutions—referred to the Committee on Foreign Affairs and ordered to be printed (H. Rept. 112–92).

Page H1139

**Senate Message:** Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H1139.

**Senate Referrals:** S. Con. Res. 35 and S. Con. Res. 36 were held at the desk.

Page H1139

**Amendments:** Amendments ordered printed pursuant to the rule appear on page H1154.

**Quorum Calls—Votes:** One yeas-and-nay vote developed during the proceedings of today and appears on page H1143. There were no quorum calls.

**Adjournment:** The House met at 12 noon and adjourned at 8:07 p.m.

## Committee Meetings

### APPROPRIATIONS—FEDERAL TRADE COMMISSION

**Committee on Appropriations:** Subcommittee on Financial Services and General Government held a hearing on FY 2013 Budget for the Federal Trade Commission. Testimony was heard from Jon Leibowitz, Chairman, FTC; and J. Thomas Rosch, Commissioner FTC.

### MISCELLANEOUS MEASURES

**Committee on Energy and Commerce:** Full Committee began markup of the following: H.R. 452, the “Medicare Decisions Accountability Act of 2011”;

H.R. 3309, the “Federal Communications Commission Process Reform Act”; and H.R. 3310, the “Federal Communications Commission Consolidated Reporting Act”.

#### SECURITY IN BONDING ACT OF 2011

*Committee on the Judiciary:* Subcommittee on Courts, Commercial and Administrative Law held a hearing on H. R. 3534, the “Security In Bonding Act of 2011”. Testimony was heard from public witnesses.

#### BUREAU OF RECLAMATION SMALL CONDUIT HYDROPOWER DEVELOPMENT AND RURAL JOBS ACT OF 2011

*Committee on Rules:* Full Committee held a hearing on H.R. 2842, the “Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2011”. The Committee granted, by voice vote, a modified open rule. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. The rule waives all points of order against consideration of the bill. The rule makes in order the amendment in the nature of a substitute recommended by the Committee on Natural Resources as original text for purpose of amendment, and provides that each section shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute. The rule makes in order only those amendments that are submitted for printing in the Congressional Record dated at least one day before the day of consideration of the amendment and pro forma amendments for the purpose of debate. Each amendment submitted for printing in the Congressional Record may be offered only by the Member who submitted it for printing or the Member’s designee and shall be considered as read if printed. The rule provides one motion to recommit with or without instructions. Finally, the rule provides that the chair of the Committee on Financial Services may file a supplemental report to accompany H.R. 3606. Testimony was heard from Chairman Hasting, WA and Representatives Tipton and Napolitano.

#### ONGOING INTELLIGENCE ACTIVITIES

*House Permanent Select Committee on Intelligence:* Full Committee held a hearing on ongoing intelligence activities.

### *Joint Meetings*

No joint committee meetings were held.

## COMMITTEE MEETINGS FOR TUESDAY, MARCH 6, 2012

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on 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, 9:30 a.m., SH–216.

*Committee on Banking, Housing, and Urban Affairs:* to hold hearings to examine spurring job growth through capital formation while protecting investors, part II, 10 a.m., SD–538.

*Committee on the Budget:* to hold hearings to examine perspectives on the President’s proposed budget request for fiscal year 2013 for the Department of Defense, 10 a.m., SD–608.

*Committee on Commerce, Science, and Transportation:* Subcommittee on Science and Space, to hold hearings to examine keeping America competitive through investments in research and development, 2:45 p.m., SR–253.

*Committee on Energy and Natural Resources:* to hold hearings to examine the President’s proposed budget request for fiscal year 2013 for the Forest Service, 10 a.m., SD–366.

*Committee on Finance:* to hold hearings to examine tax reform options, focusing on incentives for capital investment and manufacturing, 10 a.m., SD–215.

*Committee on Foreign Relations:* to hold hearings to examine the President’s proposed budget request for fiscal year 2013 for international development priorities, 2:30 p.m., SD–419.

*Committee on Homeland Security and Governmental Affairs:* to hold hearings to examine the nomination of Tony Hammond, of Missouri, to be a Commissioner of the Postal Regulatory Commission, 10:30 a.m., SD–342.

Full Committee, to hold hearings to examine the nominations of Mark A. Robbins, of California, to be a Member of the Merit Systems Protection Board, and Roy Wallace McLeese III, to be an Associate Judge of the District of Columbia Court of Appeals, 2:30 p.m., SD–342.

*Select Committee on Intelligence:* to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

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## CONGRESSIONAL PROGRAM AHEAD

Week of March 6 through March 9, 2012

### Senate Chamber

On *Tuesday*, at approximately 11 a.m., Senate will resume consideration of S. 1813, Moving Ahead for Progress in the 21st Century, and vote on the motion to invoke cloture on Reid Amendment No. 1761 at 12 p.m.

On *Tuesday*, at 2:15 p.m., Senate will begin consideration of the nominations of Mary Elizabeth Phillips, of Missouri, to be United States District

Judge for the Western District of Missouri, and Thomas Owen Rice, of Washington, to be United States District Judge for the Eastern District of Washington, and vote on confirmation of the nominations.

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 Agriculture, Nutrition, and Forestry:* March 7, to hold hearings to examine healthy food initiatives, local production, and nutrition, 9:30 a.m., SH-216.

*Committee on Appropriations:* March 7, Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of Health and Human Services, 10 a.m., SD-124.

March 7, Subcommittee on Department of Defense, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of the Navy, 10:30 a.m., SD-192.

March 8, Subcommittee on Commerce, Justice, Science, and Related Agencies, to examine proposed budget estimates for fiscal year 2013 for the Department of Justice, 10 a.m., SD-124.

March 8, Subcommittee on Transportation and Housing and Urban Development, and Related Agencies, to hold hearings to examine an overview of the Federal Housing Administration, 10 a.m., SD-138.

March 8, Subcommittee on Department of Homeland Security, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of Homeland Security, 10 a.m., SD-192.

*Committee on Armed Services:* March 6, 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, 9:30 a.m., SH-216.

March 7, Full Committee, to hold hearings to examine the situation in Syria; with the possibility of a closed session in SVC-217 following the open session, 9 a.m., SD-106.

March 8, Full Committee, 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, 9:30 a.m., SD-106.

*Committee on Banking, Housing, and Urban Affairs:* March 6, to hold hearings to examine spurring job growth through capital formation while protecting investors, part II, 10 a.m., SD-538.

March 8, Full Committee, to hold hearings to examine addressing the housing crisis in Indian country, focusing on leveraging resources and coordinating efforts, 10 a.m., SD-538.

*Committee on the Budget:* March 6, to hold hearings to examine perspectives on the President's proposed budget

request for fiscal year 2013 for the Department of Defense, 10 a.m., SD-608.

*Committee on Commerce, Science, and Transportation:* March 6, Subcommittee on Science and Space, to hold hearings to examine keeping America competitive through investments in research and development, 2:45 p.m., SR-253.

March 7, Full Committee, to hold hearings to examine priorities, plans, and progress of the nation's space program, 10 a.m., SR-253.

March 7, Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, to hold hearings to examine the President's proposed budget request for fiscal year 2013 for the Coast Guard and the National Oceanic and Atmospheric Administration, 2:30 p.m., SR-253.

*Committee on Energy and Natural Resources:* March 6, to hold hearings to examine the President's proposed budget request for fiscal year 2013 for the Forest Service, 10 a.m., SD-366.

March 7, Subcommittee on National Parks, to hold hearings to examine S. 29, to establish the Sacramento-San Joaquin Delta National Heritage Area, S. 1150, to establish the Susquehanna Gateway National Heritage Area in the State of Pennsylvania, S. 1191, to direct the Secretary of the Interior to carry out a study regarding the suitability and feasibility of establishing the Naugatuck River Valley National Heritage Area in Connecticut, S. 1198, to reauthorize the Essex National Heritage Area, S. 1215, to provide for the exchange of land located in the Lowell National Historical Park, S. 1589, to extend the authorization for the Coastal Heritage Trail in the State of New Jersey, S. 1708, to establish the John H. Chafee Blackstone River Valley National Historical Park, H.R. 1141, to authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System, 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, S. 2131, to reauthorize the Rivers of Steel National Heritage Area, the Lackawanna Valley National Heritage Area, and the Delaware and Lehigh National Heritage Corridor, and S. 2133, to reauthorize the America's Agricultural Heritage Partnership in the State of Iowa, 2:30 p.m., SD-366.

*Committee on Finance:* March 6, to hold hearings to examine tax reform options, focusing on incentives for capital investment and manufacturing, 10 a.m., SD-215.

March 7, Full Committee, to hold hearings to examine the President's 2012 trade agenda, 10 a.m., SD-215.

*Committee on Foreign Relations:* March 6, to hold hearings to examine the President's proposed budget request for fiscal year 2013 for international development priorities, 2:30 p.m., SD-419.

*Committee on Health, Education, Labor, and Pensions:* March 8, to hold hearings to examine the key to America's global competitiveness, focusing on a quality education, 10 a.m., SD-430.

*Committee on Homeland Security and Governmental Affairs:* March 6, to hold hearings to examine the nomination of

Tony Hammond, of Missouri, to be a Commissioner of the Postal Regulatory Commission, 10:30 a.m., SD-342.

March 6, Full Committee, to hold hearings to examine the nominations of Mark A. Robbins, of California, to be a Member of the Merit Systems Protection Board, and Roy Wallace McLeese III, to be an Associate Judge of the District of Columbia Court of Appeals, 2:30 p.m., SD-342.

March 8, Full Committee, to hold hearings to examine the President's proposed budget request for fiscal year 2013 for the Department of Homeland Security, 2:30 p.m., SD-342.

*Committee on Indian Affairs:* March 8, to hold hearings to examine the President's proposed budget request for fiscal year 2013 for Native Programs, 2:15 p.m., SD-628.

*Committee on the Judiciary:* March 7, to hold hearings to examine lending discrimination practices and foreclosure abuses, 10 a.m., SD-226.

March 8, Full Committee, business meeting to consider S. 1002, to prohibit theft of medical products, and the nominations of Patty Shwartz, of New Jersey, to be United States Circuit Judge for the Third Circuit, Jeffrey J. Helmick, to be United States District Judge for the Northern District of Ohio, Mary Geiger Lewis, to be United States District Judge for the District of South Carolina, Timothy S. Hillman, to be United States District Judge for the District of Massachusetts, and Thomas M. Harrigan, of New York, to be Deputy Administrator of Drug Enforcement, Department of Justice, 10 a.m., SD-226.

*Committee on Veterans' Affairs:* March 7, to hold joint hearings to examine a legislative presentation from the Veterans of Foreign Wars (VFW), 10 a.m., SD-G50.

*Select Committee on Intelligence:* March 6, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

March 8, Full Committee, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

*Special Committee on Aging:* March 7, to hold hearings to examine opportunities for savings, focusing on removing obstacles for small business, 2 p.m., SD-562.

### House Committees

*Committee on Agriculture,* March 7, full Committee, hearing on budget views and estimates letter of the Committee on Agriculture for the agencies and programs under jurisdiction of the Committee for FY 2013, 10 a.m., 1300 Longworth.

*Committee on Appropriations,* March 6, Subcommittee on State Foreign Operations, and Related Programs, hearing on FY 2013 Budget Request for the U.S. Agency for International Development, 9 a.m., B-2358 Rayburn.

March 6, Subcommittee on Interior, Environment, and Related Agencies, hearing on FY 2013 Budget for Bureau of Land Management, 9:30 a.m., B-308 Rayburn.

March 6, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, hearing on FY 2013 Budget Request for the Department of Agriculture, 10 a.m., 2362-A Rayburn.

March 6, Subcommittee on Defense, hearing on FY 2013 Budget Request for the U.S. Air Force, 10 a.m., H-140, Capitol.

March 6, Subcommittee on Commerce, Justice, Science, and Related Agencies, hearing on FY 2013 Budget Request for the National Science Foundation, 10 a.m., H-309, Capitol.

March 6, Subcommittee on Homeland Security, hearing on FY 2013 Budget Request for the U.S. Coast Guard, 10 a.m., B-318 Rayburn.

March 6, Committee on Financial Services, hearing on FY 2013 Budget Request for the Securities and Exchange Commission, 10 a.m., 2359 Rayburn.

March 6, Subcommittee on Energy and Water Development, and Related Agencies, hearing on FY 2013 Budget Request for Nuclear Nonproliferation and Naval Reactors and National Nuclear Security Administration, 10 a.m., 2362-B Rayburn.

March 6, Subcommittee on Interior, Environment, and Related Agencies, hearing on FY 2013 Budget Request for the U.S. Geological Survey, 1 p.m., 2358-C Rayburn.

March 6, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, hearing on FY 2013 Budget Request for Health and Human Services, 2 p.m. 2358-C Rayburn.

March 6, Commerce, Justice, Science, and Related Agencies, hearing on FY 2013 Budget request for the Bureau of Prisons, 2 p.m., H-309 Capitol.

March 7, Subcommittee on Commerce, Justice, Science, and Related Agencies, hearing on FY 2013 Budget Request for the Federal Bureau of Investigations, 9 a.m., 2359 Rayburn.

March 7, Subcommittee on Defense, hearing on FY 2013 Budget Request for the Army, 10 a.m., H-140, Capitol.

March 7, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, hearing on FY 2013 Budget Request for the Department of Agriculture, 10 a.m., 2362-A Rayburn.

March 7, Subcommittee on Homeland Security, hearing on FY 2013 Budget Request for Federal Emergency Management Agency, 10 a.m., 2358-A Rayburn.

March 7, Subcommittee on Energy and Water Development, and Related Agencies, hearing on FY 2013 Budget Request for Nuclear Energy and Nuclear Regulatory Commission, 10 a.m., 2362-B Rayburn.

March 7, Subcommittee on Interior, Environment, and Related Agencies, hearing on FY 2013 Budget Request for the Bureau of Ocean Energy Management/Bureau of Safety and Environmental Enforcement Budget, 1 p.m., B-308 Rayburn.

March 7, Subcommittee on Military Construction, Veterans Affairs, hearing on Installation, Environment, and BRAC, 2 p.m., H-140, Capitol.

March 7, Subcommittee on Energy and Water Development, and Related Agencies, hearing on FY 2013 Budget Request for the U.S. Army Corps of Engineers, 2 p.m. 2362-B Rayburn.

March 7, Subcommittee on Financial Services and General Government, hearing on Fiscal Year 2013 Budget

Request for the Treasury Inspector General, 2 p.m., 2359 Rayburn.

March 8, Subcommittee on Interior, Environment, and Related Agencies, hearing on Fiscal Year 2013 Budget Request for the National Park Service, 9:30 a.m., B-308 Rayburn.

March 8, Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, hearing on Fiscal Year 2013 Budget Request for the Department of Transportation, 9:30 a.m., 2358-A Rayburn.

March 8, Subcommittee on Defense, hearing on Fiscal Year 2013 Budget Request for the Defense Health Program, 10 a.m., 2359 Rayburn.

March 8, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, hearing on Fiscal Year 2013 Budget Request for Department of Agriculture, 10:30 a.m., 2362-A Rayburn.

March 8, Subcommittee on Homeland Security, hearing on Fiscal Year 2013 Budget Request Immigration and Customs Enforcement, 1 p.m., 2359 Rayburn.

*Committee on Armed Services*, March 6, full Committee, Fiscal Year 2013 National Defense Authorization Budget Requests from U.S. Southern Command and U.S. Northern Command, 10 a.m., 2118 Rayburn.

March 6, Subcommittee on Military Personnel, hearing on military personnel budget overview—service personnel chiefs' perspectives, 1:30 p.m., 2212 Rayburn.

March 6, Subcommittee on Strategic Forces, hearing on the Fiscal Year 2013 National Defense Authorization Budget Request for Missile Defense, 3 p.m., 2118 Rayburn.

March 7, full Committee, hearing on the Fiscal Year 2013 National Defense Authorization Budget Requests from U.S. Central Command, U.S. Special Operations Command and U.S. Transportation Command, 10 a.m. 2118 Rayburn.

March 7, Subcommittee on Seapower and Projection Forces, hearing on assessing mobility airlift capabilities and operational risks under the revised 2012 defense strategy, 3:30 p.m. 2118 Rayburn.

March 8, Subcommittee on Tactical Air and Land Forces, hearing on Army and Marine Corps ground system modernization programs, 10 a.m., 2212 Rayburn.

March 8, Subcommittee on Readiness, hearing on request for authorization of another BRAC round and additional reductions in overseas bases, 11:30 a.m., 2118 Rayburn.

March 8, Subcommittee on Strategic Forces, hearing on Fiscal Year 2013 National Defense Authorization Budget Request for national security space activities, 1 p.m., 2212 Rayburn.

*Committee on the Budget*, March 8, full Committee, hearing entitled "Members' Day", 10 a.m., 210 Cannon.

*Committee on Education and the Workforce*, March 7, Subcommittee on Workforce Protections, hearing entitled "Ensuring Regulations Protect Access to Affordable and Quality Companion Care", 10 a.m., 2175 Rayburn.

*Committee on Energy and Commerce*, March 6, full Committee, continue markup of the following: H.R. 452, the "Medicare Decisions Accountability Act of 2011"; H.R.

3309, the "Federal Communications Commission Process Reform Act"; and H.R. 3310, the "Federal Communications Commission Consolidated Reporting Act", 10 a.m., 2123 Rayburn.

March 7, Subcommittee on Communications and Technology, hearing entitled "Cybersecurity: The Pivotal Role of Communications Networks", 10 a.m., 2123 Rayburn.

March 7, Subcommittee on Energy and Power, hearing entitled "The American Energy Initiative: Rising Gasoline Prices", 10:30 a.m., 2322 Rayburn.

March 8, Subcommittee on Energy and Power, hearing entitled "The FY 2013 DOE Budget", 10 a.m., 2123 Rayburn.

March 8, Subcommittee on Health, hearing entitled "FDA User Fees 2012: Hearing on Issues Related to Accelerated Approval, Medical Gas, Antibiotic Development and Downstream Pharmaceutical Supply Chain", 10:15 a.m., 2322 Rayburn.

*Committee on Financial Services*, March 6, full Committee, markup of "Approval of Views and Estimates of the Committee on Financial Services on matter to be set forth in the Concurrent Resolution on the Budget for Fiscal Year 2013", 2 p.m. 2128 Rayburn.

March 7, Subcommittee on Capitol Markets and Government Sponsored Enterprises, hearing entitled "The Securities Investor Protection Corporation: Past, Present, and Future" 9:30 a.m., 2128 Rayburn.

*Committee on Foreign Affairs*, March 7, full Committee, markup of the following: H.R. 2106, the "Syria Freedom Support Act"; H.R. 890, the "Holocaust Insurance Accountability Act of 2011"; H.R. 1410 the "Vietnam Human Rights Act of 2011"; H.R. 3783, the "Countering Iran in the Western Hemisphere Act of 2012"; H.R. 4041, the "Export Promotion Reform Act"; and S. Con. Res. 17, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO), 10 a.m., 2172 Rayburn.

March 7, Subcommittee on Terrorism, Nonproliferation, and Trade, hearing entitled "The State Department's Reward Programs: Performance and Potential", 2 p.m. 2127 Rayburn.

*Committee on Homeland Security*, March 6, Subcommittee on Border and Maritime Security, hearing entitled "From the 9/11 Hijackers to Amine el-Khalifi: Terrorists and the Visa Overstay Problem", 10 a.m., 311 Cannon.

March 6, Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies, hearing entitled "The Chemical Facilities Anti-Terrorism Standards Program: Addressing Its Challenges and Finding a Way Forward", 2:30 p.m., 311 Cannon.

March 8, Subcommittee on Oversight, Investigations, and Management, hearing entitled "Eliminating Waste, Fraud, Abuse, and Duplication in the Department of Homeland Security", 10 a.m., 311 Cannon.

*Committee on the Judiciary*, March 6, full Committee, markup of H.R. 4119, the "Board Tunnel Prevention Act of 2012", 10:15 a.m., 2141 Rayburn.

March 7, Subcommittee on Crime, Terrorism, and Homeland Security, hearing entitled "The Prescription Drug Epidemic in America", 10 a.m. 2141 Rayburn.



March 7, Subcommittee on Immigration Policy and Enforcement, hearing on H.R. 3808, the “Scott Gardner Act”, 1:30 p.m., 2141 Rayburn.

March 8, Subcommittee on the Constitution, hearing on H.R. 2299, the “Child Interstate Abortion Notification Act”, 9:30 a.m., 2141 Rayburn.

*Committee on Natural Resources*, March 6, Subcommittee on Energy and Mineral Resources, hearing entitled “Effect of the President’s FY2013 Budget and Legislative Proposals for the Office of Surface Mining on Private Sector Job Creation, Domestic Energy Production, State Programs and Deficit Reduction”, 10 a.m., 1324 Longworth.

March 6, Subcommittee on Fisheries, Wildlife, Oceans, and Insular Affairs, hearing entitled “Spending for the National Oceanic and Atmospheric Administration, the Office of Insular Affairs, the U.S. Fish and Wildlife Service and the President’s Fiscal Year 2013 Budget Request for these Agencies”, 10 a.m., 1334 Longworth.

March 6, Subcommittee on Indian and Alaska Native Affairs, hearing entitled “2013 Budget Request of the Indian Health Service and of the Office of Special Trustee for American Indians”, 2 p.m., 1334 Longworth.

March 7, full Committee, hearing entitled “The Council on Environmental Quality’s Fiscal Year 2013 Funding Request and the Effects on NEPA, National Ocean Policy and Other Federal Environmental Policy Initiatives”, 10 a.m., 1324 Longworth.

March 8, Subcommittee on National Parks, Forest and Public Lands, hearing entitled H.R. 752, the “Molalla River Wild and Scenic Rivers Act”; H.R. 1415, the “Chetco River Protection Act of 2011”; H.R. 3377, the “Pine Forest Range Recreation Enhancement Act of 2011”; and H.R. 3436, to expand the Wild Rogue Wilderness Area in the State of Oregon, to make additional wild and scenic river designations in the Rogue River area, and to provide additional protections for Rogue River tributaries, and for other purposes, 10 a.m., 1324 Longworth.

*Committee on Oversight and Government Reform*, March 6, Subcommittee on Health Care, District of Columbia, Census and the National Archives, hearing entitled “The Pros and Cons of Making the Census Bureau’s American Community Survey Voluntary”, 9:30 a.m., 2154 Rayburn.

March 8, full Committee, hearing entitled “Food Stamp Fraud as a Business Model: USDA’s Struggle to Police Store Owners”, 9:30 a.m. 2154 Rayburn.

*Committee on Rules*, March 6, full Committee, hearing on H.R. 3606, the “Reopening American Capital Markets to Emerging Growth Companies Act of 2011”, 3 p.m., H-313 Capitol.

*Committee on Science, Space, and Technology*, March 6, Subcommittee on Technology and Innovation, hearing entitled “An Overview of the National Institute of Standards and Technology Budget for Fiscal Year 2012”, 11 a.m. 2318 Rayburn.

March 6, Subcommittee on Energy and Environment, hearing entitled “An Overview of the National Oceanic and Atmospheric Administration and the Environmental Protection Agency Budgets for Fiscal Year 2013”, 2 p.m., 2318 Rayburn.

March 7, full Committee, hearing entitled “An Overview of the National Aeronautics and Space Administration Budget for Fiscal Year 2013”, 2 p.m., 2318 Rayburn.

March 8, Subcommittee on Research and Science Education, hearing entitled “NSF Major Research Equipment and Facilities Management: Ensuring Fiscal Responsibility Accountability”, 10 a.m., 2318 Rayburn.

*Committee on Small Business*, March 7, full Committee, markup of the following: Views and Estimates on the Small Business Administration’s FY 2013 budget request; H.R. 3850, the “Government Efficiency through Small Business Contracting Act of 2012”; H.R. 3851, the “Small Business Advocate Act of 2012”; H.R. 3893, the “Subcontracting Transparency and Reliability Act of 2012”; H.R. 3980, the “Small Business Opportunity Act of 2012”; H.R. 4118, the “Small Business Procurement Improvement Act of 2012”; and H.R. 4121, the “Early Stage Small Business Contracting Act of 2012”, 1 p.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure*, March 7, Subcommittee on Coast Guard and Maritime Transportation, hearing entitled “Protecting Maritime Jobs and Enhancing Marine Safety in the Post-Budget Control Act Fiscal Environment: A Review of the Administration’s Fiscal Year 2013 Coast Guard and Maritime Transportation Budget Request”, 10 a.m., 2167 Rayburn.

March 8, full Committee, markup on the following: H.R. 2903, the “FEMA Reauthorization Act of 2011”; H.R. 4097, the “John F. Kennedy Center Reauthorization Act of 2012”; H.R. 3182 to designate the United States courthouse located at 222 West 7th Avenue in Anchorage, Alaska, as the “James M. Fitzgerald United States Courthouse”; and H.R. 3556 to designate the new United States courthouse in Buffalo, New York, as the “Robert H. Jackson United States Courthouse”, 10 a.m., 2167 Rayburn.

*Committee on Veterans’ Affairs*, March 6, Subcommittee on Oversight and Investigations, hearing entitled “VA’s Dubious Contracting Practices: Savannah”, 12 noon, 334 Cannon.

March 8, Subcommittee of Economic Opportunity, hearing on the following: H.R. 3329, to amend title 38 United States Code to extend the eligibility period for veterans to enroll in certain vocational rehabilitation programs; H.R. 3483, the “Veterans Education Equity Act of 2011”; H.R. 3610, “Streamlining Workforce Development Programs Act of 2011”; H.R. 3670, to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act; H.R. 3524, the “Disabled Veterans Employment Protection Act”; H.R. 4048, the “Improving Contracting Opportunities for Veteran-Owned Small Businesses Act of 2012”; H.R. 4051, the “TAP Modernization Act of 2012”; H.R. 4052, the “Recognizing Excellence in Veterans Education Act of 2012”; H.R. 4057, the “Improving Transparency of Education Opportunities for Veterans Act of 2012”; and H.R. 4072, the “Consolidating Veteran Employment Services for Improved Performance Act of 2012”, 10 a.m., 334 Cannon.

March 8, Subcommittee on Disability Assistance and Memorial Affairs, hearing entitled “Honoring America’s Fallen Heroes: An Update on our National Cemeteries”, 1:30 p.m., 340 Cannon.

*Committee on Ways and Means*, March 6, Subcommittee on Health, hearing on the Independent Payment Advisory Board (IPAB) will impact the Medicare program, its beneficiaries, and health care providers, 10 a.m., 1100 Longworth.

March 7, full Committee, hearing entitled “Closely-Held Businesses in the Context of Tax Reform”, 10 a.m., 1100 Longworth.

*House Permanent Select Committee on Intelligence*, March 8, full Committee, hearing on Committee Views and Estimates on the President’s Budget for Fiscal Year 2013”, 9 a.m., HVC-304.

March 8, full Committee, hearing on ongoing intelligence activities, 9:15 a.m., HVC-304.

*Next Meeting of the SENATE*

10 a.m., Tuesday, March 6

## Senate Chamber

**Program for Tuesday:** After the transaction of any morning business (not to extend beyond one hour), Senate will resume consideration of S. 1813, Moving Ahead for Progress in the 21st Century, and at approximately 12 p.m., vote on the motion to invoke cloture on Reid Amendment No. 1761, with a second-degree amendment filing deadline at 11:30 a.m.

At 2:15 p.m., Senate will begin consideration of the nominations of Mary Elizabeth Phillips, of Missouri, to be United States District Judge for the Western District of Missouri, and Thomas Owen Rice, of Washington, to be United States District Judge for the Eastern District of Washington, and vote on confirmation of the nominations.

*(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)*

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Tuesday, March 6

## House Chamber

**Program for Tuesday:** Consideration of H.R. 2842—Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act (Subject to a Rule).

## Extensions of Remarks, as inserted in this issue

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Woolsey, Lynn C., Calif., E310



# Congressional Record

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