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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 22, 2011.

I hereby appoint the Honorable RENEE L. ELLMERS to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

THE MUFFIN MAN

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

Mr. POE of Texas. Madam Speaker, do you know the muffin man, the muffin man, the muffin man? Yes, I know the muffin man, but he doesn't live on Drury Lane. He lives at the Department of Justice on Justice Lane and is growing rich on selling $16 muffins at Justice Lane.

The Department of Justice's inspector general states that at only 10 conferences the Department of Justice spent almost $500,000 on refreshments. That's $50,000 per conference for just refreshments. And that includes $4,200 for 250 muffins.

Madam Speaker, how come these critters cost $16 apiece? These are some high-dollar muffins that the Department of Justice is buying for its refreshments at conferences. Where do you even find a muffin that costs $16? I've never seen one. Maybe they're shipped in from a special bakery in France with some secret ingredient. My favorite bakery, RAO's in Beaumont, Texas, tells me these things should be about $2 apiece.

So why is the Justice Department with all those fancy lawyers letting the muffin man get away with this price gouging? Because the government doesn't care. It lives high on the hog with taxpayers' money.

So, Madam Speaker, do you know the muffin man, the muffin man? I know the muffin man, and the government should quit spending somebody else's money to keep the muffin man rolling in the dough.

And that's just the way it is.

AMERICA'S INFRASTRUCTURE DEFICIT

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

Mr. BLUMENAUER. Thank you, Madam Speaker.

As Washington appears to be trapped in partisan gridlock, sliding to budget paralysis and the potential of another government shutdown looming, there is one particular area that doesn't get the attention it merits, even as it is the key to our economic recovery. This is our serious and ever-growing infrastructure deficit. America's roads, bridges, water systems, transit, aviation ports all are in serious need of repair.

The American Society of Civil Engineers has, over the years, given grades every 5 years to the state of infrastructure in the United States. Sadly, the latest survey showed that we are still getting a failing grade, and the gap necessary to bring these resources up to standard is growing larger, over $2.3 trillion for 5 years to make it in a reasonable state of repair.

For example, we lose 6 billion gallons of water every day through leaks in aging pipes and sewer mains throughout the country. This is enough water to fill 9,000 Olympic-sized swimming pools. If you laid them end to end, you could swim from Washington, D.C., to Pittsburgh in the amount that is leaked every single day.

But it doesn't end there. In terms of the sad state of rail, deteriorating bridges, here is an opportunity for us to step forward dealing with a serious challenge that threatens America's productivity, threatens America's environmental and physical health, and puts hundreds of thousands of Americans to work at family wage jobs virtually overnight.

Madam Speaker, in times past, investment in infrastructure has been something that has captured the vision for the United States; but more than that, it has been part of how we have repaired some of our problems fiscally.

Remember in 1982, Ronald Reagan approved, as part of his budget stabilization program, a 5-cent a gallon increase in a user fee for gasoline that helped put the budget in balance and be able to finance needed infrastructure.

In 1993, as part of the Clinton program that led to the first balanced budgets that we had seen in decades, every year the deficit declined until the last 3 years he was in office, three successive years of increasing budget surplus, while we had an unprecedented increase in jobs, they included a modest gas tax increase.

There are a whole host of areas for user fees. I have bipartisan legislation for a water trust fund that would deal

with the problem I mentioned a moment ago. We have the superfund tax on the petrochemical industry to pay for the damage to the environment that they created that expired in 1995 and has not been renewed but we still have the superfunds to clean up, pushing that burden on State and local governments and on businesses that are required to spend money that wasn't their fault, giving the petrochemical industry a pass.

There's an opportunity, Madam Speaker, as the supercommittee is meeting, for Congress to step up in a bipartisan way to have resources to help rebuild and renew America. We're falling behind the Chinese. We're falling behind the Indians, the Brazilians, and the European Union, even while unemployment in the building trades is 20 percent or more from coast to coast.

There's an opportunity here for us to be able to stabilize the budget, deal with the infrastructure deficit, put hundreds of thousands of Americans to work virtually overnight, and maybe, just maybe, work together to heal the frayed political process here in Washington, D.C.

FUND FEMA NOT AFGHANISTAN

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

Mr. JONES. Thank you, Madam Speaker.

You know, Madam Speaker, it is so ironic that the American people are hurting in many, many ways, including those in my district from Hurricane Irene which did damage all of the way up to Vermont, the fires in Texas, and tornadoes, and yet we can't come together as two different parties to find agreement to increase the funding for FEMA so they can help victims of these disasters, and yet we can find $10 billion a month to send to a corrupt leader in Afghanistan so that he can wear his robes and his caps and American kids can die and lose their legs and arms.

I do not understand why this Congress and the President of the United States do not understand that it's time to bring our troops home.

□ 1010

The American people are hurting in many, many ways, and the folly of the last day here in Washington where we cannot come together to increase the funding for FEMA is absolutely unacceptable—unacceptable—to the people of this country.

I was listening to C–SPAN coming in today, and it was just really somewhat ironic that the people are so angry with Congress, both parties actually, and cannot figure out why we are not doing what's necessary to fix the economy and create jobs to fix the infrastructure that my friend from Oregon just talked about. Oh, yes, but we can still find $10 billion a month for Mr. Karzai. Let's fix his roads in Afghanistan. Let's train his people to be troops and policemen.

Madam Speaker, that brings me to this poster I brought down to the floor today. Two little girls, Stephanie and Eden, their daddy, Sergeant Kevin Balduf, a United States marine stationed in Camp Lejeune, which is in my district, and Colonel Palmer, stationed at Cherry Point Marine Air Station, which is in my district, were sent to Afghanistan to train Afghans to be policemen.

One night, they were having dinner, the trainees, the colonel, and the sergeant, and one trainee pulled out a pistol and killed both of them. What is ironic is the day before Sergeant Balduf and Colonel Palmer were killed, Sergeant Balduf emailed his wife, Amy, and said: I don't trust them. I don't trust them. I don't trust any of them.

So these two little girls are standing at their daddy's funeral at Arlington. And you can see in their faces, Madam Speaker, a look of pain and a look of misunderstanding of what has happened. They don't understand what has happened.

So, Madam Speaker, I hope we in Congress will find the will to encourage President Obama to bring our troops home, because Secretary Gates has already said and been recorded that we will be there until 2015. How many young Americans have to die in the next 4 years to prop up a corrupt government? It makes no sense.

I hope the American people will rally behind those of us in both parties who want to bring our troops home, and let's get them home before 2015.

Madam Speaker, I close this way, the way I always do: God, please bless our men and women in uniform; God, please bless the families of our men and women in uniform; God, in Your loving arms hold the families who have given a child dying for freedom in Afghanistan and Iraq; God, please bless the House and Senate that we will do what is right in God's eyes for God's people; and I will ask God to give wisdom, strength, and courage to President Obama that he will do what is right in the eyes of God for God's people. And three times I will say, God, please, God, please, God, please continue to bless America.

HOUSING FORECLOSURES

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

Mr. MCDERMOTT. Madam Speaker, I'm taking the floor today to talk about foreclosures.

The problem of housing foreclosures in this country continues to be one of the central reasons our economy is not moving forward. While a lot of this economic wreckage is avoidable, this Congress continues to fiddle while the American housing market burns. Families across this country are being tossed out in the street, and many of them don't need to be—and we can help them. We can help fix the housing market so that millions of American families can stay in their homes and others can have a smooth transition into renting. We could help, but this Congress is doing nothing.

Millions of homeowners are suffering through the worst recession in 100 years, and the Republican majority is not doing one single thing to help them. Just look at this map next to me. This is a snapshot of foreclosures across this country. The dark red areas are where the worst places are, but you see it covers everybody in the country.

Now, there isn't a district that isn't affected by this crisis. The housing market doesn't care about your politics. Three years after the Wall Street meltdown, millions of Americans are still facing foreclosure. One in four homeowners in this country is underwater, and home prices continue to drop.

While the housing market continues to steadily destruct and millions of Americans are needlessly pushed into poverty, this Congress isn't doing anything to stop it. Instead of fixing the economy, today we're going to debate a bill—a Republican bill—that attacks public health and children. The Republican priority is not foreclosures. It is to make sure that every American is breathing more mercury and toxins.

When the Democrats were in charge, it was different. We thought you should be able to write down mortgage principal in bankruptcy and modify mortgages more easily and get lenders to the bargaining table to avoid foreclosure. But the last Congress, Republican Senators stopped all that. And in this Congress, the Republicans in the House want to make sure we don't do anything. Instead, they cut programs for foreclosures and cut affordable housing. Instead of taking actions, Republicans say the market will fix it. In the market we trust. Not in God we trust, but in the market we trust that everything will be better.

But we're losing. We're long past a healthy correction. The damage being done is completely unavoidable. Make no mistake, Republican economic philosophy is pushing millions of Americans into the street, middle class Americans.

It's important to remember it was the banks that caused this crisis. Well, we bailed out the banks, and how did they thank the American people for the bailout? The banks went into foreclosure overdrive. They robo-signed foreclosures and filed fraudulent documents as fast as they could.

FDR once said, ''take a method and try it. If it fails, admit it frankly, and try another. But by all means, try something.'' And we can act. By just reducing the principal on all underwater homes to fair market value, $71 billion would be injected into the economy. Every homeowner would save about $6,500 a year in payments, and millions of new jobs would be created.

Banks are still sitting on $1 trillion in cash. By using 7 percent of that money, there would be millions of people kept out of poverty. The banks can afford it and it would be something we seem to have lost all sight of in Congress—it would be fair. We can restart the economy by helping homeowners. We can come out of this economic crisis by putting responsible homeowners on solid ground. The map says it all. Homeowners are struggling in every district of every Member of this Congress.

We can fix this foreclosure disaster. We can help American families who play by the rules. We could start action today and help the middle class. But, no, what are we going to do? We are going to fool around out here about the rules of the EPA that protect people against toxins and mercury.

This Congress has lost its way and it needs a change. And it's going to come, because all those people who are in foreclosure in this country when the next election comes are going to ask, ''What did the Republicans in the House do?'' And the answer is, ''Nothing.''

EPA'S ENVIRONMENTAL JUSTICE INTERNSHIP PROGRAM

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

Mr. POMPEO. Madam Speaker, I came to Washington, D.C., 9 months ago with the hope that we would restore a little bit of common sense and a whole lot of spending control to Washington, D.C. I also came to Washington, D.C., having never heard of an eco-ambassador. Now I had heard of ambassadors and I am familiar with the environment, but I had never heard of an eco-ambassador.

Indeed, I had never heard of an eco-ambassador until just a few short weeks ago when our Environmental Protection Agency that has done so much damage to our economy, so much damage to our Kansas' Fourth Congressional District, our farmers, our manufacturers, and our families, our Environmental Protection Agency decided at this time of massive Federal deficits that we needed a new program to create eco-ambassadors—eco-ambassadors, each of which will be given $6,000 of your money, eco-ambassadors which, in exchange for that money, will come to Washington, D.C., and go back to their home places and work for 20 weeks—20 weeks for $6,000—part-time at that—for their internship program.

When you read the requirements to be eligible to receive an eco-ambassador internship position, you will be fascinated to see that it is an ideologically driven program. Students who apply must have a strong interest in environmental justice, social justice issues, and other issues relating to environmental health disparities in health, volunteer, or employment settings. This is a liberals-only policy.

□ 1020

The Environmental Justice internship is of course administered with your taxpayer dollars. We don't need a program like this at any time; we certainly don't need it at this time.

So I have offered a bill, H.R. 2876, the EPA Student Nondiscrimination Act. It simply says that when you apply for employment with the Federal Government, we're not going to seek to find out whether you agree with this administration's radical environmental agenda. We're not going to seek to find out if you have worked as a community organizer. All we're going to ask is that you are qualified for the position.

Now, there are many efforts and many concerns about environmental disparities across the country. I share those concerns, but our EPA and our Justice Department already have many remedies for folks who feel like they have been discriminated against. What we don't need is yet another Federal program aimed at trying to solve a problem that we know can't be solved in Washington, D.C.

I'll close with this thought: this is a small program. The total dollars expended in the scale of our massive Federal deficit are very, very small; but it is symptomatic of a place, Washington, D.C., that has become completely disconnected from America and commonsense values, the values that we all have in Kansas. We don't need eco-ambassadors. We don't need this program. And I would ask my colleagues to support my legislation to eliminate it.

IT'S NOT TOO LATE

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

Mr. QUIGLEY. It's not too late. That's my message to Palestinian Authority President Abbas, who has announced his intention to seek unilateral Palestinian statehood at the United Nations this Friday. It's not too late to abandon this reckless route, engage in direct negotiations with Israeli Prime Minister Netanyahu, and choose the path to peace.

There is only one road to a peace agreement, and that is through direct talks between Israelis and Palestinians. This course forward is clearly outlined in the Oslo Peace Agreement, which states that the Israeli-Palestinian conflict must be resolved through direct, two-party negotiations. Anything outside of these direct talks—particularly this Palestinian appeal for U.N. recognition—is a dangerous digression from the known way forward.

In addition to veering from the track toward two states, a status upgrade at this time could allow the Palestinians to pursue cases against Israel in international institutions such as the International Criminal Court. Such institutions could even be used to request advisory rulings on final status issues, further circumventing two-party negotiations.

The U.S. has also made significant investments in bolstering Palestinian security and economic prosperity, all in an effort to enable the Palestinians to make the difficult concessions necessary to move toward peace. This appeal to the U.N. and rejection of direct two-party talks directly undermines considerable American efforts and investments in a peace deal. Abbas and the Palestinians need to come back to the negotiating table, and it is the U.S. that needs to lead them back and spearhead negotiations.

As a true and steadfast friend to Israel, there has never been a more vital time for America to stand strong with our ally. With the excitement and hope of the Arab Spring has also come a great deal of uncertainty—uncertainty about the strength of the relationship between Israel and Turkey; uncertainty about the willingness of the Egyptians to hold true to their promises under the benchmark 1979 peace treaty; uncertainty about the security of the Sinai; uncertainty surrounding the speed with which Iran marches toward a nuclear bomb; and uncertainty about the number of rockets being stockpiled by Hezbollah and Hamas aimed at the homes of Israeli citizens.

But there is one thing that must never be uncertain: America's support for Israel. A threat to Israel's security or legitimacy is a threat to America, and we will not stand by and let Israel face these challenges alone. Upon her founding over six decades ago, the United States was the first Nation to recognize Israel. And since that recognition, the special bond between Israel and the U.S. has only grown stronger on the bedrock of the mutual principles of freedom, justice, and peace. Now is the time to stand with our old friend and lead the way to peace.

It is moments like these that test our mettle. It is moments like these that are recorded in our history books. And it is moments like these where we must show our leadership.

America must do everything in its power to end this perilous Palestinian bid for unilateral statehood and get direct negotiations between the two parties back on track. And President Abbas must know there will be consequences for choosing the path of confrontation over that of negotiation.

The course to unilateral recognition is not free. The Israeli-Palestinian peace process is at a pivotal crossroad. The Palestinians can choose to pursue the dead-end track toward U.N. recognition, or they can adjust their course in their wrongheaded U.N. bid and sit down at the negotiating table with Israel. The choice is theirs. It's not too late to choose the path toward peace.

CALAMITY OVER KLAMATH AGREEMENT

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

Mr. MCCLINTOCK. Madam Speaker, this generation is facing spiraling electricity prices and increasingly scarce supplies. Californians have had to cut back to the point that their electricity consumption per capita is now lower than that of Guam, Luxembourg, and Aruba.

What is the administration's solution? Interior Secretary Ken Salazar announced yesterday that the administration is moving forward with a plan to destroy four perfectly good hydroelectric dams on the Klamath River, capable of producing 155,000 megawatts of the cleanest and cheapest electricity on the planet, enough for about 155,000 homes.

Now, why would the administration pursue such a ludicrous policy? Well, they say it's necessary to increase the salmon population. Well, the thing is, we did that a long time ago by building the Iron Gate Fish Hatchery. The Iron Gate Fish Hatchery produces 5 million salmon smolt every year—17,000 of which return annually as fully grown adults to spawn. The problem is, they don't include them in the population count. And to add insult to insanity, when they tear down the Iron Gate Dam, we will lose the Iron Gate Fish Hatchery and the 5 million salmon smolt it produces annually.

Declining salmon runs are not unique to the Klamath. We have seen them up and down the Northwest Pacific coast over the last 10 years as a result of the naturally occurring Pacific decadal oscillation—cold water currents that fluctuate over a 10-year cycle between the Pacific Northwest and Alaska. In fact, during the same decade that salmon runs have declined throughout the Pacific Northwest, they have exploded in Alaska. We are now at the end of that cycle.

The cost of this madness is currently pegged at a staggering $290 million, all at the expense of ratepayers and taxpayers. But that's just the cost of removing the dams. Consumers will face permanently higher prices for replacement power, which, we're told, will be wind and solar.

Well, not only are wind and solar many times more expensive; wind and solar require equal amounts of reliable standby power, which is precisely what the dams provide. We're told that, yes, this may be expensive, but it will cost less than retrofitting the dams to meet cost-prohibitive environmental requirements. Well, if that's the case, maybe we should rethink those requirements, not squander more than a quarter billion dollars to destroy desperately needed hydroelectric dams. Or here is a modest suggestion to address the salmon population—count the hatchery fish.

We're told that this is the result of a local agreement between farmers and stakeholders. Well, Mr. Speaker, everybody knows that the Klamath agreement was the result of local farmers succumbing to extortion by environmental groups that threatened lawsuits to shut off their water. And obviously the so-called ''stakeholders'' don't include the ratepayers and taxpayers who will pay dearly for the loss of these dams.

Indeed, local voters have repeatedly and overwhelmingly repudiated the agreement and the politicians responsible for it. The locally elected Siskiyou County Board of Supervisors vigorously opposes it.

□ 1030

Finally, the administration boasts of 1,400 short-term jobs that will be created to tear down these dams. Just imagine how many jobs we could create if we tore down the Hoover Dam or Duluth, Minnesota.

Madam Speaker, amidst a spending spree that threatens to bankrupt this Nation, amidst spiraling electricity prices and chronic shortages, to tear down four perfectly good hydroelectric dams at enormous cost is insane. And to claim that this is good for the economy gives us chilling insight into the breathtakingly bad judgment that is misguiding our Nation from the White House.

The President was right about one thing when he spoke here several weeks ago. Fourteen months is a long time to wait to correct the problem. Fortunately, the administration will need congressional approval to move forward with this lunacy, and that's going to require action by this House.

Earlier this year the House voted to put a stop to this nonsense. I trust it will exercise that same good judgment as the administration proceeds with its folly.

HAPPY 50TH BIRTHDAY TO THE UNITED STATES PEACE CORPS

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

Mr. GARAMENDI. Madam Speaker, I rise today to celebrate a very, very special birthday. It is the 50th birthday of the United States Peace Corps, an incredible organization that was started by President John F. Kennedy and a whole lot of people that thought that this Nation had an opportunity to reach out to the men and women of America, provide them with a challenge: to go out to the world to seek peace, to work for peace, and to help developing nations meet their needs, whether it be in education, community development, economic development, or other activities. And so it has been.

More than 200,000 Americans, young and old, men and women, have become Peace Corps volunteers. They have served in 139 countries around the world, and today they serve in over 70 countries. It's been a terrific program. It has presented the very best face of America to millions of people around the world.

Today, there are leaders of many countries around this world that have been taught by Peace Corps volunteers in their high schools, in their grammar schools or universities. They have a very special understanding of America. They know Americans. They know that Americans have a big heart and they have a desire to see progress, economic and social progress in every country of this world.

And so today we celebrate 50 years. We celebrate over 200,000 Peace Corps volunteers that have served around the world, and we celebrate those who have been in the administration, the directors, the country directors, the doctors, the nurses, and the others who have been part of this enormously important part of America.

As those Peace Corps volunteers have returned to America, it is now clear in recent polling that they have continued to serve. They serve as volunteers at twice the rate of other Americans. And they are found in the schools, they are found in the community programs, and they're even found in Congress, as strange as that might seem. But, nonetheless, they've served in many, many ways, and they continue to do so.

Earlier today, I met two Peace Corps volunteers who were in the very first effort in Tanzania, then Tanganyika. They returned some 40 years later. I'm going to turn that around. They actually served in Afghanistan in the early sixties and then came back 40 years later to serve once again as Peace Corps volunteers.

And what we have found over these many years, that once you've become a Peace Corps volunteer, you never stop laboring for peace, wherever it may be. And so today we celebrate the 50th anniversary of a remarkable idea that was put forward by President John F. Kennedy, the idea that Americans could reach out to the whole world and serve wherever that need might be.

Happy birthday, Peace Corps.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

THE UNITED NATIONS AND A PALESTINIAN STATE

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

Mr. DOLD. I, too, want to send my happy birthday out to the Peace Corps, and certainly it's a great day to celebrate that birthday.

Madam Speaker, what we are seeing at the United Nations this week is a brazen rejection of the basic principle of a negotiated peace. Tomorrow, Mahmoud Abbas will deliver a speech

at the United Nations where he is expected to formally announce a resolution to unilaterally seek the declaration of a Palestinian state.

While we are ultimately committed to a future where the two states, Israel and Palestine, are able to live side by side in long-term peace and security, while all of us in this Chamber heard directly from Israeli Prime Minister Netanyahu in May on his nation's commitment to a two-state solution, the question I have and which I wish every nation in the world who will be voting on this issue should ask itself is: Are the Palestinians ready to make peace?

This is the key question and is what Prime Minister Netanyahu laid out in his remarks right here in this Chamber: ''The conflict has never been about the establishment of a Palestinian state. It has always been about the existence of the Jewish state. That is what this conflict is about.''

Madam Speaker, this unilateral declaration of independence is a direct challenge to the United States and the efforts and the dollars we have committed in recent years to promote a real, lasting peace. It is fundamental that peace cannot be imposed from the outside. It can only be made in Jerusalem and Ramallah.

There are too many difficult core issues which can only adequately be addressed through direct negotiations, which must be mutually accepted by governments on both sides, and, most importantly, which must be ratified by the people who live there. Without these vital elements, you don't have peace. You don't even increase the chances for peace down the road. Rather, you undermine the prospects for achieving it in the future.

This is the point of this unilateral declaration. Where is the commitment to peace on the Palestinian side?

Palestinian officials have made it clear that this unilateral effort is another means of isolating Israel and escalating the conflict against her. Palestinian officials have made it clear that they seek to advance this bid so that they can attack Israel through the international legal system, including taking actions against Israel in the International Court of Justice.

The tragic reality, Madam Speaker, is that Israel lives in a very dangerous region of the world, and the Israeli people absolutely have grave security concerns that should not simply be tossed aside by countries that are allies of the United States of America. The Israeli people are surrounded by hostile neighbors that want to drive Israel out of existence. We here in America must understand the reality on the ground and the threats Israel faces each and every day.

Israel is a peace-seeking democracy, and the Israeli people simply want to live in peace and security. Iran has its proxies closing in: Hamas in Gaza; to the south there's the Muslim Brotherhood, now gaining significant power in Egypt; Hezbollah is in the north; and in the northeast is Syria, led by Assad.

The recent downgrade in relations by Turkey is very serious. The instability of the Sinai is of enormous concern. This is a dangerous neighborhood, and recent events are bringing into sharp view Israel's daily reality—increased isolation and living under siege.

As we witnessed with the flotilla last year, with the storming of Israel's Embassy in Cairo 2 weeks ago, or with Turkey's new aggressive, bellicose rhetoric and actions, Turkey, who until very recently had enjoyed a successful diplomatic and economic partnership with the State of Israel, events in the Middle East can easily spiral out of control and lead to outcomes that nobody desires.

Fortunately, the Members of this Chamber have made it clear to the entire world that we will not sit idly by during the continued delegitimization of the State of Israel and the international community. I applaud the efforts of my colleagues in both parties who have continued to beat the drum and call this unilateral attempt exactly what it is—an effort to circumvent direct negotiations and undermine peace.

□ 1040

I am pleased that the President is committed to vetoing this unilateral attempt in the Security Council if it does come to a vote, and I appreciate his administration's focus on this particular critical issue.

We must continue in our efforts to urge the nations of the world to stand with the United States, support peace efforts in the Middle East, and oppose this resolution.

Peace between Israel and her Palestinian neighbors cannot be achieved unless both sides sit and find common ground. Unilateral declarations and third parties cannot do it for them. The only path forward is for the Israelis and the Palestinians to sit together and find peace. It is time for Mr. Abbas to come back to the table—his actions and decisions here must not be rewarded; our allies in the world should recognize this—otherwise they are legitimizing and ratifying the Palestinian refusals to negotiate.

OPPOSING AUTOMATED KILLER DRONES

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

Ms. WOOLSEY. Madam Speaker, there was an article in The Washington Post earlier this week that we should all find very unsettling and disturbing.

We know that in recent years the Pentagon has increasingly used unmanned drone aircraft to carry out violent acts of war. And frankly, that's bad enough. But now there's a new and even more frightening technology in the works. It's called ''lethal autonomy.'' And under the system, the drones would no longer be remotely operated and controlled by actual human beings. The lethal autonomy drones would be computer programmed to carry out their deadly mission independently. No human hand providing steering and guidance.

I can't even begin to wrap my head around the humanitarian red flags associated with this experiment in robotics.

Software can break down. It could even be hacked. Furthermore, computers don't have a conscience. They aren't nimble, they can't make snap decisions based on new information or ethical considerations. They're programmed to do what they do without judgment, discretion, or scruples. You can just imagine, or I can anyway, mass civilian atrocities thanks to a robot drone raging out of control.

Thankfully, a group called the International Committee for Robot Arms Control is speaking up and making these points. Pointing out that if we have a treaty banning land mines, why not one that outlaws these automatic killer drones.

According to the Post, the military has begun to grapple with the implications of this technology. Well, I can really suggest that they continue grappling before using these technologies and finding the flaws and possible harmful and unpredictable consequences.

One advocate of these new drones believes it's possible to program them to comply with international law regarding the conduct of hostilities. Well, I'm certainly skeptical. We couldn't even get the last President of the United States to understand and abide by the Geneva Conventions. I don't know how we're going to get a robot to do it.

Madam Speaker, the increasing dehumanization of warfare is part of a terrifying trend. Somehow it's easier to kill one another when we have computers and machines to carry it out for us, when we don't have to stare our own mayhem in the face.

As a member of the Science Committee, I'm totally enthusiastic about American high-tech innovation. But I believe we should be using our knowledge and ingenuity to give the civilian economy the boost it needs to create good jobs for hardworking middle class Americans and to create a smarter response to world conflict. All of this money we're funneling to defense contractors to devise evermore sophisticated ways to kill one another must be reinvested in alternatives to warfare and nonviolent ways to resolving conflict.

That's what my Smart Security plan does. I've discussed this many, many times from this very spot. It's called Smart Security. It defines military force as the very, very last resort. And it directs energy and resources toward diplomacy, democracy promotion, development, and peaceful ways of engaging with the rest of the world.

Madam Speaker, in two weeks' time we will have been at war for a full decade. More than 6,000 Americans have

died, 10,000 innocent Afghans and Iraqis have been killed for the cause of their so-called liberation. Many, many more of our own troops have been harmed and will always be living with the results of their injuries.

The time is now. The time is to stop building machines that can kill more efficiently and start bringing our troops home.

PRESIDENT OBAMA'S AMERICAN JOBS ACT

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

Mr. NUNNELEE. Madam Speaker, we continue to suffer from an unemployment rate of over 10 percent, and America saw zero job growth in the month of August. Our Nation has a jobs crisis. So why is the Obama administration making it so difficult to create jobs?

Not only do we have a jobs crisis, but we also have a debt crisis. These two things are interconnected, and we certainly should not make one worse while making the other better.

The President has outlined his $447 billion jobs plan, and it's essentially stimulus number two. It's the same recycled ideas that clearly didn't work from the last $800 billion stimulus. At the same time, the President wants to pay for his plan with $1.5 trillion in new taxes.

It's estimated that small business owners would pay over half the taxes raised under this proposal, ultimately hitting our employers the hardest and creating an even worse environment for private sector job growth.

Tax increases destroy jobs. They're not an option.

Now, there are some issues we agree on. For example, infrastructure funding. That's an appropriate function of government. It's something we could do to boost a sagging economy. But the problem is mistrust. With the President's first stimulus, little went to actual infrastructure development.

Now, we agree that we must move forward on the three free trade agreements. By passing those agreements with Colombia, Panama, and South Korea we'll increase competitiveness of American manufacturers and have an increase of 250,000 American jobs.

While we can find common ground on a few things, the President continues to show reluctance on impacting entitlement program solvency. His proposal seeks to strengthen the independent advisory board which was created by ObamaCare. This board of unelected bureaucrats was given way too much authority in the first place to determine what benefits are covered and how much physicians are paid.

The best way to control costs in Medicare is to increase choice and competition, not by empowering a group of unelected bureaucrats.

The Obama administration has created a triple threat of out-of-control spending, excessive regulations, and higher taxes. And these three things have resulted in an environment that has destroyed the confidence and prevented job creators from hiring.

Washington must create an environment favorable to job creation and focus on removing this triple threat. First, we must continue to fight to rein in Washington's unrestrained spending.

This fall, the Congress will deal with a balanced budget agreement which would finally force Washington to live within its means and do what families, businesses, and local and State governments are already required to do, and that is balance their budgets.

We must focus on regulatory relief. Just recently the House passed a bill that would prohibit the National Labor Relations Board from dictating where an employer can and cannot locate jobs in the United States. Employers need to be allowed to invest in the State that offers the best economic climate for job creation.

This week we're going to vote on the TRAIN Act.

The Obama EPA has imposed unnecessary and burdensome regulations on businesses, and we want to determine how those regulations affect electricity prices, fuel prices, and unemployment.

□ 1050

The TRAIN Act will help uncover exactly how much the EPA is costing Mississippi consumers, farmers, small businesses, and State and local governments. These are just a few examples of the frustrating regulations that have come out of the Obama administration.

Lastly, we must concentrate on tax reform. The Joint Select Committee has the opportunity to lay the foundation for fundamental tax reform, but they must not enact tax increases. The American people don't need or want more solutions from the Federal Government. They want the Federal Government to get out of their way.

By tackling our spending problem, by removing excess regulations and by guaranteeing that taxes will not increase, we will unleash the American economy and give businesses the confidence they need to grow and create jobs.

POVERTY IN AMERICA

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

Ms. LEE of California. As founder of the congressional Out of Poverty Caucus, I rise today to continue sounding the alarm about the tide of poverty sweeping across this country.

Last week, the United States Census Bureau released its annual report, Income, Poverty, and Health Insurance Coverage in the United States: 2010. It revealed a disturbing but unsurprising spike in the poverty rate—from 14.3 percent in 2009 to a staggering 15.1 percent in 2010.

In 2010, 46 million people lived in poverty in America. That is essentially the populations of California and Michigan combined who are living in poverty in America. It's really a moral outrage that in the richest country in the world so many Americans are facing or are living in poverty, lacking economic opportunity and economic security.

Shamefully, our children bear the greatest burden. In 2010, 22 percent, or one in five children, lived in poverty. That's in America. Poverty continues to hit communities of color much harder, as the facts show. In 2010, the poverty rate for whites rose to 9.9 percent. The poverty rate for African Americans rose to 27.4 percent. The poverty rate for Latinos rose to 26.6 percent. For Asian Pacific Americans, the 2010 poverty rate of 12.1 percent remained the same.

This massive poverty crisis we are facing didn't happen overnight. Poverty rates began to rise during the Bush administration as 8 years of failed economic policy wiped out all of the gains made during the Clinton years. The cochairs of the Out of Poverty Caucus saw this day coming, and while little attention has been placed on the poor, we are determined to prick the conscience of this Congress and to act to stem the tide of poverty across America.

The members of the congressional Out of Poverty Caucus sent a letter asking the Joint Select Committee on Deficit Reduction, more commonly known as the supercommittee, to stay in line with prior deficit reduction agreements of the past by not cutting programs that provide basic human services—the safety net. Of course, now more and more Americans need this safety net. We must not balance the budget on the backs of the most vulnerable. Unfortunately, now middle-income people are falling into the ranks of the poor. As many of us know, millions of people are just one paycheck away from poverty.

We really can turn the tide on poverty. The solution to boosting this stagnating economy, reducing our long-term deficits, and lifting Americans out of the crisis of poverty is really the same. We must invest in creating more stable, living wage jobs. In fact, the most effective anti-poverty program is an effective jobs program. That is why Congress must immediately pass the President's American Jobs Act to begin the work of creating jobs, reducing poverty, and jump-starting our economy.

Poverty rates have increased in rural and urban communities throughout the country. The American Dream has turned into a nightmare for millions. This is a crisis, but we must turn the tide, and we must start today. So I urge my colleagues on the other side of the aisle to stop playing politics and to act on jobs now. We can and we must act urgently to turn the tide of poverty sweeping across the Nation—a tide, really, that knows no party affiliation.

PRESIDENT OBAMA'S JOBS AND DEFICIT REDUCTION BILLS

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

Mr. SOUTHERLAND. I rise today with great disappointment in the administration's misguided agenda on job creation and deficit reduction.

You see, I have been in a family that has created jobs for generations. Shortly after World War II, my grandfather wanted to create an opportunity for his family. He wanted to create an opportunity to make a difference in his community. So, with a sixth-grade education, with $3,000 of borrowed money, and with a dream to make a difference, he did what small businesses do naturally when they do not have the impediments of the Federal Government: He created jobs. His dream, his vision, included that—to make a difference, to give other people an opportunity to forge a brighter and better future for them and their families.

It wasn't a self-serving dream.

It was a dream to serve others.

During those decades following World War II, we saw that same example all across this great Nation of people doing what people were created to do—make a difference.

It is not government's responsibility to create a job through a bill. It is government's responsibility to create an environment, an environment that produces certainty, an environment that a small business owner has the guarantee that he knows what his taxes are going to be, that he knows what his fees are going to be, that he knows what his regulations are going to be, not just in 6 months or 12 months, but for years, and that creates certainty.

I had never served in elected office before being sworn in as a Member of this House in January. I went from small business to Congress, and so I bring with me that understanding that, if government gets out of the way and if we can do what Americans do better than any country in the world, we will make our communities a better place, and, yes, because of our benevolence, we will make the world a better place.

It was a great disappointment when the President came to this Chamber and the President introduced his plan. I was saddened. Yes, there were some things that I agreed with that we need to do—the free trade agreements. We are still waiting for those free trade agreements with Colombia, Panama, and South Korea. We're waiting. There was agreement on tax reform. There was agreement on payroll tax reduction to give small businesses more money, to give individuals more money on their paychecks. We agreed there. But if you look deeper into this bill, you will see, unfortunately, more of the same.

This jobs bill creates a brand new, permanent, government-owned bureaucracy. As a matter of fact, it's a corporation—the President's American Infrastructure Financing Authority, a solely owned subsidiary of the Federal Government. It is not time for the Federal Government to create corporations, corporations that have chief executive officers and chief financial officers, risk officers, chief compliance officers, chief operating officers, chief lending officers, general counsel, and boards of directors who are lending money—lending money—with terms out to 35 years.

Now, unfortunately, this is insanity. This sounds so much like the first stimulus—and the first stimulus, we know, with 35 percent of those funds having yet to be spent. We were promised our unemployment numbers would not go over 8 percent. As a matter of fact, the administration claimed that unemployment numbers by this time would be at 6.5. Well, we all know that is not true. As a matter of fact, in my home State of Florida, we're living with 10.7 percent unemployment, and, last year, we spent most of the year at 12—historic unemployment numbers.

□ 1100

Unfortunately, insanity, when you do the same thing over and over and over again, expecting different results, seems to be the order of the day; and that is not what the American people want right now. They want certainty. They want certainty to be able to work hard, to have honest dealings and to know that after they work hard and they're honest, that they will have a brighter future when they wake up tomorrow.

They deserve that. They deserve that and unfortunately this plan goes in the opposite direction. So it bothers me that with the regulations that we face, the cloud of uncertainty just grows.

Madam Speaker, I say in closing, business has never been asked to do more with less, and they clearly know less certainty.

RAPE AND SEXUAL ASSAULT IN MILITARY

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

Ms. SPEIER. Madam Speaker, I rise today, as I come each week, to share yet another horrific story about rape in the military.

It is a black eye on this country that must be erased. Nineteen thousand rapes a year occur in the military. Those are figures determined by the Department of Defense itself. I encourage those who want to tell their story to email me at stopmilitaryrape @mail.house.gov.

Today I am going to talk about Seaman Kori Cioca, who served in the Coast Guard from August 2005 to June 2007. Her allegations are as follows:

Seaman Cioca was consistently threatened and harassed by her superior. On one occasion, when she made a mistake during a knot-tying quiz, he called her a ''stupid bleeping female who didn't belong in the military.'' Then he spit in her face.

She complained about her superior's abusive behavior and expressed fear of him to other military personnel in the chain of command. As is too often the case, this reporting led to her being punished and not the perpetrator.

Her superior began to drive past Cioca's home many times during the day and called her repeatedly, leaving her voice mails threatening her life. He then began to break into her room at night and stand over her bed. Seaman Cioca began sleeping with a knife under her pillow to defend herself.

During work one day, her superior thrust his groin into her buttocks as she bent over to pick up some trash. He then called her a ''bleeping whore'' and laughed. Seaman Cioca and another shipmate who witnessed the incident reported it to the command. Seaman Cioca requested a transfer, but it was denied.

At the end of November 2005, the superior broke into Seaman Cioca's room. He directed her to touch his genitals. When she refused loudly, he grabbed her hand and pushed it into his groin. When she yelled again and pushed her superior away, he struck her so hard in the face that she was thrown across the room and against a wall.

Seaman Cioca and two other shipmates, who witnessed the harassment, went to command and reported the assault. Command did nothing in response.

In December 2005, Seaman Cioca was ordered to go to retrieve some keys from her superior, who was in his stateroom. When he realized she was alone, he pulled her into the room, grabbed her by the hair and raped her.

Command obtained an admission of sex from the superior, but told Seaman Cioca that if she pressed forward with reporting the rape, she would be court-martialed for lying. They refused her pleas to take a lie detector test so she could prove her case.

The superior only pled guilty to hitting her. He got a slap on the wrist.

She, on the other hand, was forced to sign a paper saying she had an inappropriate relationship with her superior and was discharged.

As part of the discharge process, command made her stay in an all-male barracks for 60 days. She now suffers from PTSD and an abnormal EEG due to nerve damage in her face.

Cioca later told the press, ''It's like they didn't care. It wasn't important. I wasn't important.''

Well, Seaman Cioca, you are important, and it is important. And it's high time that the Congress of the United States take action to rid the military of rape.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind the Members that remarks in debate must be addressed to the Chair and not to others in the second person.

JOBS

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

Mr. GOHMERT. Thank you, Madam Speaker.

It's always an honor and privilege to speak in this body. There has just been so much information about the American Jobs Act that the President has touted that he demanded that we pass here in this room, and at the time he had no American Jobs Act.

The next day, Friday, he had spent millions of dollars, taxpayer dollars, running around the country demanding that people pass his bill. On Saturday, the same thing, all weekend, running around telling people to pass his American Jobs Act when there was no such bill.

Monday afternoon, very late, there became a bill. It's hard to believe that this is what came out of the White House because it does not represent what the President said he wanted to do, said he believed in. I'm sure he doesn't have time to go through and actually read and see that the things he's saying in his speech are completely opposite of what he's doing in his so-called American Jobs Act, but that's why, after 6 days of being beat up verbally by the President for not passing his American Jobs Act and finding that there was no such American Jobs Act on file here in the House, I felt like I needed to help the President by creating an American Jobs Act that really will create jobs. So I filed a two-page American Jobs Act that will do more than anything the President has talked about or put in writing to create jobs in America.

But just since the President is obviously not aware of what's actually in his bill based on what he's saying, in the limited time we have here, I wanted to touch on some of these things.

For example, the President said over and over and over that he wants to go after these greedy, big oil companies like British Petroleum, Exxon, Shell, those big companies, and that his American Jobs Act, his bill, actually will do that. It will go after their profits. He probably has no clue that the fact is the three pages of deductions that are eliminated for oil companies, they're basically for oil companies that produce less than a thousand barrels of oil a day. They don't even apply to the people that the President says he's going after for these unseemly profits they're making.

I'm sure he's also not aware, but the fact is that over 94 percent of all oil and gas wells drilled on the continental U.S. are done by independent oil producers who these three pages will devastate and put most out of business. And so the President, by these three pages, that I'm sure he doesn't really understand what they do, but the fact is they'll put the independent oil producers out of business.

They will affect the major oil companies because once over 94 percent of all oil and gas wells in America and the continental U.S. are stopped, then the major oil companies that he's demonized will actually make more money than they've ever made in their history, and it will be the middle hardworking Americans that will pay the biggest price. They're the least able to afford dramatically higher gasoline prices, but that's what will happen.

We are also told that we're going to go after the millionaires and billionaires that have all this money and not paying their fair share. Now, to me, if we're going to make sure everybody pays their fair share, and you've got somebody like Warren Buffett that pays a 15 percent capital gains tax, why don't we make everybody's tax 15 percent? Everybody in America ought to have some financial interest in seeing this government is accountable. That's what should happen.

Instead, at pages 134 and 135 of his bill—and, again, it has to be filed in the House because it's a revenue-raising bill and under the Constitution he'll have to start here—it's not on file. There hasn't been one Democrat willing to file this disaster of a bill that the President is out there beating us up over. Actually, he's just saying pass the American Jobs Act, which is my two-page bill that really will create jobs.

□ 1110

But people need to know, Madam Speaker, that the definition in here apparently of a millionaire and billionaire is anybody who's married and makes over $125,000 a year. For some of us, $125,000 a year is not a millionaire or billionaire or gazillionaire. This is somebody who is paying taxes. They're paying their fair share. They're paying over 30 percent of their income in taxes. Well, why shouldn't we just say, all right, ultra-rich like Warren Buffett, quit fighting not to pay the billions of dollars you already owe in taxes, just write the check.

I think if people will go read the President's bill, they will find out we need to pass the American Jobs Act that's on file with the House. That's my bill.

REPEAL 3 PERCENT WITHHOLDING PROVISION

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

Mr. HERGER. Madam Speaker, the 3 percent withholding provision, which will come into effect if Congress does not act, essentially forces businesses that have contracts with the government to forgo 3 percent of their payments as a downpayment on their tax bill. This represents yet another burden on our Nation's small businesses and job creators, the lifeblood of our economy.

As a small businessman, I know firsthand about the negative impact of burdensome taxes and cumbersome regulations. Many small businesses that contract with the government operate on very slim profit margins, so a 3 percent tax would create serious cash flow problems for them at a time when so many are struggling. Aside from that, this provision will actually cost the government money. Federal, State, and local governments are already facing unprecedented deficits, and yet agencies will have to create new collection systems and may face higher costs for goods and services if this is not repealed. The Department of Defense has said that for the DOD alone, the provision will cost $17 billion to implement. Madam Speaker, that is $7 billion more than the total revenue the tax is expected to raise. In another example of Washington math, the provision will force the government to spend more money and end up eliminating jobs and hurting small businesses.

Congress can certainly do better. We must do better. Twenty million Americans are out of work, and our small businesses must have the certainty they need to create more jobs. We cannot punish law-abiding businesses because a few contractors do not pay their taxes. Instead, the government should stop awarding government contracts to businesses that do not pay. To that point, the OMB and the Treasury Department have announced several initiatives to prevent contracts from going to companies that are delinquent on their taxes.

Madam Speaker, we're looking for something we can do right now to help job creation in America. Well, this is it. Repealing the 3 percent withholding provision will provide a significant benefit to small businesses just by getting Washington out of their way. If we don't repeal it, we will put small businesses, jobs across America, and our efforts at economic recovery at greater risk. It's time to get this harmful job-killing provision off the books forever.

RECESS

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

Accordingly (at 11 o'clock and 15 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

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

PRAYER

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

Eternal God, we give You thanks for giving us another day.

Once again we come to ask You for wisdom, patience, peace, and understanding for the Members of this people's House. At a time when once again

strong sentiments stand in opposition, we ask discernment for the Members that they might judge anew their adherence to principle, conviction, and commitment.

Protect them from a deafness toward one another, lest they slide uncharitably toward an inability to work together to solve the important issues of our day.

Give them the generosity of heart and the courage of true leadership to work toward a common solution which might call for compromise, even sacrifice, on both sides.

In the end, may we all, as Americans, be proud of the processes of elective, democratic government.

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

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. LONG 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 DIRECTOR OF OFFICE OF INTERPARLIAMENTARY AFFAIRS

The SPEAKER. Pursuant to section 103(c) of Public Law 108–83, the Speaker appoints Janice C. Robinson as Director of the Office of Interparliamentary Affairs of the United States House of Representatives.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill and agreed to a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 633. An act to prevent fraud in small business contracting, and for other purposes.

S. Con. Res. 17. Concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

The message also announced that pursuant to provisions of Public Law 107–306, as amended by Public Law 111–259, the Chair, on behalf of the Republican Leader, and after consultation with the Chairman of the Select Committee on Intelligence, announces the appointment of the Senator from Indiana (Mr. COATS) to serve as a member of the National Commission for the Review of the Research and Development Programs of the United States Intelligence Community.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 1-minute requests on each side.

NO NEW TAXES

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

Mr. LONG. Mr. Speaker, I'm new to this House. I'm new to politics, actually. I'm a small business owner. I ran my own business for 30 years. And when you have your own business, you get a lot of free, unsolicited advice, and most of that advice is telling you how to run your business.

Back home, a fellow would tell you, after his 30-minute dissertation on how to run your business, he'd stop and revise and extend his remarks by saying, ''Well, I guess I can run everybody's business but my own.'' Because usually they've been bankrupt a couple of times and been fired, but they want to tell you how to run your business.

When I hear the United States government say, ''We need to create jobs, we need to tell the job creators how to operate, what to do,'' I'm reminded of the fellow back home who says I can run everybody's business but my own. Because we haven't had a budget in this country in over 850 days.

We don't do much right up here, and trying to run businesses is not something we should be doing. We should be reducing taxes, reducing spending, reducing regulation. And we need to get those three free trade agreements from the White House over here. If you don't believe me, ask the European Union. Car exports up over 200 percent after they signed their free trade agreement with Korea. Their aircraft is the same. It's up over 2,300 percent.

LONG-TERM INFRASTRUCTURE BILL

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

Ms. HAHN. Madam Speaker, last week we passed a bill to extend funding for critical highway and transit infrastructure projects for 6 months. I don't think 6 months is long enough.

We're told by businesses that they need certainty before they can invest, and the same is true for those businesses that would help us build an infrastructure that reflects the challenges of the 21st century. To give that certainty, we need to pass a long-term highway and transit funding bill now so we can create lasting jobs.

In my home city of Los Angeles, we're already pursuing innovative measures like the 30/10, America Fast Forward initiative to get the infrastructure we need to stay competitive tomorrow built today. That initiative promises to create 160,000 jobs in my area alone. Just think of what that good program could do for our country as a whole.

A long-term bill will put us one step closer to realizing that goal.

Keeping our Nation competitive in the future requires vision and boldness in the present, and I urge my colleagues to pass a long-term surface transportation bill equal to the opportunity before us.

WE LOVE OUR CARRIE MEEK

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

Mr. DIAZ-BALART. Madam Speaker, today I rise to honor one of our former colleagues, a woman who is really an institution in south Florida, in Florida, and in the Nation, and that is, of course, Congresswoman Carrie Meek.

She was the first African American elected to the Florida Senate in 1982, and then along with two other colleagues became the first African American to be elected from Florida to the U.S. Congress since Reconstruction.

But here is what I know and remember about Carrie Meek. She is the consummate stateswoman. She is a person who loves her country. She loves this institution. It doesn't matter what party you're from. Whenever you have a need, whenever you have an issue, when you want counsel, she's the person that to this day we continue to go to.

So today again, Madam Speaker, I'm here to honor a great woman, a great stateswoman, a person who in the State of Florida is revered by Republicans and Democrats alike. Her son followed her into Congress, Kendrick Meek, and he did a wonderful job, and also comes from that great tree that is Carrie Meek.

Again, I'm here to honor Carrie Meek. Carrie, we love you, we miss you, we honor you.

HONORING THE PEACE CORPS

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

Mr. FARR. I rise today to honor the 50th anniversary of the founding of the Peace Corps, and today over a thousand returned Peace Corps volunteers are here in our Capitol to bring us the attention that the Peace Corps deserves.

Congress passed legislation authorizing the Peace Corps and giving it a mandate to ''promote peace and friendship.''

Since then, 200,00 Americans, including myself and Congress Members TOM PETRI, MIKE HONDA, and JOHN GARAMENDI have served our great country in the name of peace and friendship.

I am so proud that 18 volunteers currently are serving from my district in California. They include Jonathan Cotham from Monterey. He's producing 500 environmental educational books in El Salvador, which will help 6,300 folks in local schools; Joshua Twisselman from Salinas. He's teaching English in Madagascar and has an English language radio station.

Just now there are 8,655 Americans currently serving in 80 countries. But Peace Corps service doesn't end when you leave the country. This weekend, more than 1,300 Peace Corps volunteers are here in Washington, D.C. They are the advocates for peace and prosperity and goodwill that the Peace Corps embodies.

Join me in making the 50th anniversary of the Peace Corps truly an opportunity to serve our country.

CREATING ECONOMIC CERTAINTY

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

Mr. JOHNSON of Ohio. Madam Speaker, solving this Nation's crushing unemployment problem has been my focus since the people of eastern and southeastern Ohio sent me to Washington to start the process of change.

Today I rise to outline five specific actions we must accomplish to create economic certainty, give job creators the confidence they need to begin hiring again, and make American companies more competitive both here at home and globally.

They are: require the Federal Government to balance its budget annually; scrap the current Federal Tax Code and implement a flatter, fairer tax code; eliminate all pending Federal regulations not directly tied to public health or national security; establish a clear national energy policy; and repeal the President's health care law.

Now, I've discussed all of this with countless residents of eastern and southeastern Ohio, and they all like what they hear. But the popularity of this agenda has little to do with me. These ideas are rooted in the American dream, and they can boost America's economy and lead to real job creation.

If this administration wants to help us, we can start creating the jobs Ohio and America needs.

□ 1210

WE LOVE OUR CARRIE MEEK

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

Ms. WILSON of Florida. I have asked some of my colleagues to join me today to pay tribute to a wonderful, wonderful stateswoman who represented Florida's 17th Congressional District for more than a decade—Congresswoman Carrie Pittman Meek. It is my present district. As a part of the Congressional Black Caucus Annual Legislative Conference, her colleagues are honoring her today for her distinguished service to greater Miami, to Florida, and to this Nation.

In Congress, she focused on issues near and dear to her heart and to those of her constituents, including economic development, education, affordable housing, and issues affecting Haiti and Haitian Americans.

The Miami-Dade County community has shown its appreciation to her by naming an elementary school, a health clinic, a boulevard, a branch of a local college, and a community center in her honor.

Congresswoman Meek once said, ''Service is the price you pay for the space which God has let you occupy.'' I cannot think of someone who embodies this principle more than she.

Thank you, Carrie Pittman Meek, for standing up for all of us, and we are all standing on your shoulders.

IN TRIBUTE TO THE MEMORY OF MICHAEL COLE

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

Mr. LANCE. Madam Speaker, I rise today to pay tribute to the memory of Michael Cole, a distinguished New Jersey resident who died over the weekend and whose funeral will be held tomorrow in Morristown, Morris County.

Michael was among New Jersey's distinguished lawyers and public servants. He served as Governor Thomas Kaine's chief counsel in the 1980s and was very active in heading the board of the New Jersey Legal Services Corporation. Michael was a mentor to more than a generation of New Jersey lawyers, including me when I worked under his leadership in Governor Kaine's administration.

Michael leaves his wife, Jaynee LaVecchia, a member of our State's highest tribunal, the New Jersey Supreme Court, as well as a daughter, Elyse, and a son-in-law and granddaughter.

The State of New Jersey has been enriched enormously by the life of Michael Cole. My wife, Heidi, and I mourn his loss, but join countless New Jerseyans in celebrating his wonderful life.

WE LOVE OUR CARRIE MEEK

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

Ms. LEE of California. I want to thank Congresswoman WILSON for bringing us together today to honor a truly exceptional public servant and friend, Congresswoman Carrie Meek.

Carrie Meek's record of accomplishments is truly too long to list, but her unique commitment to fighting for our most vulnerable communities is unmatched. Of course, there is no bigger supporter and protector of Medicare, Medicaid, and Social Security than Congresswoman Meek, who was a member of the Appropriations Committee; and she actually counseled me to seek a slot on that committee.

So, today, we say thank you for fighting the good fight, and we applaud all of your service and your work, Carrie. Now, in this new chapter of your life, our young people continue to benefit from your wisdom through your foundation, which really deserves all of our support.

Carrie was a friend of my mentor's, our beloved Shirley Chisholm. I miss sharing our memories of Shirley Chisholm, and I also remember so much wise counsel that Carrie gave to me. I remember her sound guidance and also her principled stance. Today, I join in celebrating the many ways in which her work and her spirit have contributed to the success and well-being of countless, countless people throughout south Florida, our country, and our world.

I miss you, Carrie. I miss you especially during this Congressional Black Caucus ALC weekend. I miss your congressional classrooms. We love you. Thank you so much for your leadership. Believe you me, all of us are better people as a result of your being here for so long and for your continuing to fight the good fight for our seniors and for our children.

WE LOVE OUR CARRIE MEEK

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

Mr. YOUNG of Florida. Madam Speaker, I rise to join with my colleagues in their friendly comments about our former colleague from Florida, Carrie Meek.

I first met Carrie when I was representing her brother, who was a retired military veteran and a highly decorated veteran. That relationship ended when we laid him to rest at Arlington National Cemetery. We really got to know each other well when I had the privilege of chairing the Appropriations Committee, and Carrie was a really great member of that Appropriations Committee. I remember, in some of the very tense moments which happened on occasion, she would always find some way to bring a little bit of light and a little bit of pleasure to relieve the tension that was there.

We talked often. I would say Carrie, Why is it that I can never get you to vote right?

And she would say, You know, Chairman, I've been wondering the same thing about you, why I can never get you to vote right.

We had this great relationship. I miss her serving here because she brought a lot to the House. She brought a lot to the committee.

Carrie, like your other colleagues have mentioned, we really love you; and we really appreciate and respect your service to our great Nation.

THE RESPECT FOR MARRIAGE ACT AND THE END OF ''DON'T ASK, DON'T TELL''

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

Mr. PRICE of North Carolina. Madam Speaker, the end this week of Don't Ask, Don't Tell shows us that we have nothing to fear and can only gain by extending liberty and equality to all of our citizens. Brave young men and women will not be denied the opportunity to serve their country, and soldiers will be judged on their ability to do their jobs, not on their sexual orientation.

This is a great step forward, but some seem eager to step back. In North Carolina, there is a ballot initiative to amend the State constitution to ban same-sex marriage. This seems to be more about turning out the Republican political base than about marriage, and many of our businesses say it would hinder their attempts to treat employees fairly. We must defeat it.

At the national level, we also have an anachronistic law, the so-called Defense of Marriage Act. This should be repealed. Repeal would ensure that marriages entered into in one State will be recognized by other States. This year, I have again cosponsored repeal and don't intend to rest until DOMA is erased from the U.S. Code.

Madam Speaker, history will judge these efforts at discrimination harshly. It is time for America's political leaders, including Members of this body, to catch up.

BALANCED BUDGET AMENDMENT

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

Mr. COFFMAN of Colorado. Madam Speaker, if our Nation's debt crisis has taught us anything, it's that we need a permanent fiscal solution to keep America the permanent land of the free for our children and grandchildren.

There is only one way to bind Congress to such a commitment, and that is a constitutional amendment requiring us to balance the budget. Ordinary spending cuts and pledges to slash the deficit are no longer sufficient.

Washington went on a record-breaking spending binge and left Americans in an economic hangover. New taxes, as some propose, would only punish the victim and reward the spenders with more money to waste. We need to stop spending money we don't have and begin living within our means. The future of our Nation depends on it.

A Washington promise is always temporary. A constitutional amendment is permanent. For the sake of tomorrow's generations, let's get it done today.

□ 1220

WE LOVE OUR CARRIE MEEK

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

Ms. ROS-LEHTINEN. Madam Speaker, I rise today to honor an extraordinary woman, a dedicated public servant, and a dear friend: Congresswoman Carrie Meek. Carrie has lived a life of distinction, and her legacy is extensive and incredible.

The granddaughter of a slave, Carrie became the first African American woman to serve in the Florida Senate. My husband, Dexter Lehtinen, and I had the honor of serving with Carrie in the Florida House and then in the Florida Senate, and then Carrie went on to become the first African American from Florida since Reconstruction elected to Congress. What an honor.

While in Congress, Carrie worked vigorously and resolutely for her constituents in all of south Florida, playing an instrumental role in rebuilding our community after the devastation of Hurricane Andrew.

Her accomplishments and service to our south Florida community are too many to be enumerated; however, she hasn't rested on her laurels. Since leaving this Chamber, she continues her commitment to service through The Carrie Meek Foundation.

I ask my colleagues to join us today in paying tribute to our dear friend, Congresswoman Carrie Meek.

JOBS

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

Mr. HIGGINS. Madam Speaker, we each talk in this Chamber about jobs. The good news is legislation that will create jobs has already been introduced. Now we have to pass it.

The American Jobs Act includes $50 billion to repair our aging infrastructure. It would create 3,100 jobs in western New York, alone, rebuilding our roads and bridges, which will encourage private development and even further job creation. Economists have concluded that this bill will create 2 million jobs and keep the U.S. from sliding back into recession.

Also, Madam Speaker, according to the Alliance for American Manufacturing, 2.8 million jobs have been lost over the last decade as a result of our trade deficit with China, including 22,000 jobs in western New York, alone. American workers can compete with anyone so long as there is a level playing field, but China is fixing the game through currency manipulation. The Currency Reform for Fair Trade Act would put a stop to that.

The time is long past due for this Congress to pass legislation that will create jobs. I urge the House to take up the American Jobs Act and the Currency Reform for Fair Trade Act immediately.

THE STATE OF ISRAEL

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

Mrs. MCMORRIS RODGERS. Madam Speaker, it is with tremendous pride that I rise today to reaffirm my deep and unwavering commitment to the State of Israel, our greatest friend and closest ally in the Middle East.

This is a country that has celebrated our triumphs and mourned our tragedies, a country that has shared our principles of peace, freedom, and democracy, and, most of all, a country that has, without fail, defended America in her darkest hour.

As the U.N. considers recognizing an independent Palestinian state, it is more important now than ever that we stand up, speak out, and oppose this blatant attempt to circumvent direct talks with Israel. I've joined with many other colleagues in a letter to President Obama urging the U.N. to veto any resolution that grants the Palestinian statehood without direct negotiation with Israel.

Peace cannot be created or sustained through a single unilateral decision from the U.N. I will continue to urge the U.N. to veto, and I will stand with tremendous pride and admiration beside our friends in Israel.

TRAIN ACT—REPUBLICANS' SO-CALLED JOBS BILL

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

Ms. CHU. Some in Congress want to use the jobs crisis as an excuse to roll back clean air protections that have prevented 200,000 premature deaths.

Today we are debating the TRAIN Act. This is the Republicans' so-called jobs bill, conducting studies that will do nothing but add paper to landfills instead of creating jobs by upgrading toxic power plants so that they are no longer a threat to public health.

The studies have been done. Americans are still breathing mercury, arsenic, and chromium, and we have a means to clean it up. It's called the Clean Air Act, and it was passed in 1963.

No matter what anyone says, increased pollution is not a sustainable path to job creation. Instead, we should be saving lives, saving our environment, and investing in the clean tech jobs of the future.

The TRAIN Act is a train wreck for Americans.

JOBS

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

Mr. MEEHAN. Madam Speaker, few come to this Congress with more interest in protecting air and water than myself, as I did as a prosecutor who actually used the Clean Air Act, the Clean Water Act for the good of the country. We must find balance.

Madam Speaker, I am here today because I woke up this morning with the thought of steelworkers on my mind, some of the 1,500 steelworkers whose jobs are now at risk since the Sun Oil Refinery announced last week that it is getting out of the refining business—in essence, the inability to compete because of the overregulation that we have—and these jobs are going to be shipped overseas.

Good union-paying American jobs that could be here, because of the policies that are coming out of Washington, are being destroyed and sent overseas. It is counterintuitive; it is counterproductive. We must use common sense.

We can't let the rhetoric stand in the way of reality. We must fight for the future of those jobs while we fight for clean air.

AMERICAN JOBS ACT

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

Mr. SIRES. Madam Speaker, the President has offered a clear path forward to put the country back to work, help small business succeed and hire, provide tax relief for our workers, and rebuild America.

The American Jobs Act will provide an immediate boost to our economy through job creation and tax relief for American workers and businesses. Specifically, this plan will prevent teacher layoffs and keep firefighters and police officers on the job.

It will support the modernization of at least 35,000 public schools across the country to ensure that every student has access to a 21st century education. This plan will create even more jobs by investing in America's crumbling infrastructure by rebuilding our roads, rebuilding our railways, and rebuilding our airports.

Finally, the American Jobs Act will cut payroll taxes in half for at least 160 million workers next year, allow more Americans to refinance their homes at today's near 4 percent interest rates, and provide incentives for employers to hire long-term unemployed workers.

Madam Speaker, Americans across this country are counting on this Congress to swiftly act to create jobs and rebuild our economy.

HEALTH CARE

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

Mr. DUNCAN of South Carolina. Madam Speaker, when the health care bill known as ObamaCare was being debated in this Congress, Republicans said the bill would bankrupt our country, ration care for seniors, and cost Americans jobs.

Well, that's exactly what will be happening if the new provision of the law goes into effect next week. Unelected Washington bureaucrats have ignored calls from Congress asking for a delay in Medicare cuts to skilled nursing facilities and rehab centers.

My colleagues know that I have a reputation for being one of the more fiscally conservative Members of Congress. I understand the need for cuts. But as one medical professional recently said: ''If I'm told I need an amputation, I'd like to know what limb is being cut off.''

The administration is proposing a reckless cut of nearly 13 percent to skilled nursing facilities and rehab centers. Eighty percent of the overhead at these facilities is staffed, meaning the people who take care of our seniors will be the first to lose their jobs. Receiving a lower quality of care at rehab centers means there's a greater chance that patients will spend more time at a costly hospital, resulting in higher overall costs.

Madam Speaker, this isn't common sense. This policy isn't thinking smart. Our seniors deserve better, and I strongly urge the administration to reconsider their position.

□ 1230

ARTIFICIAL PANCREAS TO HELP TREAT DIABETES

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

Mr. GENE GREEN of Texas. Madam Speaker, I rise today to express my strong support for the artificial pancreas, which will transform the way we treat diabetes in our country. Millions of Americans have diabetes. Diabetes accounts for approximately $174 billion in health care costs in the U.S. each year, 32 percent of our Medicare expenditures.

Studies show that tight control of blood glucose levels significantly reduces or delays the development of diabetic complications. Most patients with diabetes cannot achieve tight glucose control with traditional diabetes tools. Erratic blood glucose levels can cause devastating complications, including kidney failure, blindness, nerve damage, amputations, heart attack, and stroke.

The artificial pancreas can allow individuals suffering from diabetes to regulate their blood glucose levels using an insulin pump and a sensor. The system can prevent low and high glucose levels and help individuals with diabetes avoid the worst and most costly complications while allowing them to remain healthy until a cure is found.

In April of this year, 250 Members of the House, myself included, and 60 Senators sent a letter to the FDA urging them to approve the artificial pancreas. I am encouraged by FDA's response to have a decision by December.

END BURDENSOME REGULATIONS

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, since this year began, the United States House has put forth measure after measure to incentivize growth and end burdensome regulations, only to see them stall in the Senate and be ignored by the President.

Two years after passage of the stimulus, unemployment remains at staggering levels, despite billions of dollars still sitting in government coffers. It was my hope that the President would move past his stimulus spending proposals and offer real economic relief. While some of the President's proposals put forward in his Joint Session speech merit consideration, this bill is no substitute for the targeted, long-term policies needed to empower private sector investment by facilitating an economic climate where businesses have the confidence to hire workers and take on new endeavors.

We're not talking about real, pro-growth tax reform and regulatory relief because it sounds good. It's what our economy needs, and badly.

It's time for Congress—both Chambers—and the President to recognize the pressing need for real tax relief and aggressive regulatory reform. It's time for a new direction, and it's time for action.

PASS THE AMERICAN JOBS ACT

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

Mr. SARBANES. Madam Speaker, I want to commend the President for the American Jobs Act. This bill gets squarely behind the program of putting our country back to work and rebuilding the Nation.

As you go around and you talk to people, Americans understand implicitly that we have to rebuild this country and make it strong. That means a lot of things, but, first and foremost, it means investing in our infrastructure, rebuilding our bridges, tunnels, and highways; and this bill would put resources towards that task, investing in human capital, education, innovation, technology, entrepreneurship. This bill would make sure that teachers go back to work so they can teach our young people in the classroom, investing in strong communities.

This bill would support resources for our firefighters, put more police officers out there on the beat. That's investing in communities. We have to rebuild this country. The American Jobs Act does that. Let's pass the American Jobs Act, put this country back to work.

CELEBRATING THE LIFE OF MATT BRUNO

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

Mr. DENHAM. Madam Speaker, this past weekend, California's central valley lost a great leader, a leader in the dairy construction field, a man that has been a supporter to many community causes, such as the Education Foundation of Stanislaus County, Center for Human Services, and the Memorial Hospital Foundation.

Matt Bruno owned and operated Turlock Dairy & Refrigeration, which employed 65 employees. He played a key role in the expansion of dairy farming in the area. His family grew peaches, almonds, and grapes, and he still continued that tradition on the farm where he was raised.

He graduated from Ripon High School, was very active in real estate investing and commercial properties, and in 1972 he bought Turlock Refrigeration Center. A year later, he bought Turlock-based Miller Dairy Supply, and the two companies were merged in 1974.

Matt Bruno is survived by his wife, Barbara; sons, Tony and Matt; three grandchildren; brother, Ed Bruno of Ripon; and sister, Vickie Maselis of Modesto.

On this day, the House of Representatives will celebrate his life.

WAR ON THE MIDDLE CLASS

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

Ms. SCHAKOWSKY. Madam Speaker, Republican leaders have made the laughable accusation that the President is engaging in class warfare. What President Obama is actually doing is ending class warfare, the relentless war on the middle class. Since 1983, over 80 percent of the growth in income has gone to the richest 5 percent of Americans, while the bottom 60 percent has lost 7.5 percent in income, of real income. That's the majority of Americans that are doing worse.

When I was growing up, a family could live a middle class life on one good job, often a good union job, public or private sector, with health benefits and a pension. That was the normal. Seems like the new normal in America, the one that I see the Republicans promoting is the rich get richer, the middle class is disappearing, and the poor get even poorer.

We need to enact bold laws like the President's American Jobs Act and common sense and fair budget proposals, both of which would help restore the middle class, protect the poor, and keep America strong.

UNLEASH THE AMERICAN ECONOMY

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

Mr. NUNNELEE. Madam Speaker, our Nation is faced with 10 percent unemployment and rising, out-of-control deficits. And the Obama administration solution: spend more, tax more, and regulate more. This has created an environment that has destroyed confidence and increased unemployment.

Instead, Washington must create an environment favorable to job creation. We must rein in out-of-control spending. This fall, we will vote on a balanced budget amendment that will require Washington to do what families and small businesses already do: live within their means. We must remain focused on relieving the regulations that are choking job creation. And lastly, we must concentrate on tax reform, not tax increases, because increased taxes are the enemy of job creation.

The American people don't want more solutions from the Federal Government; they want the Federal Government to get out of the way. And if we do those things, we will unleash the American economy and give businesses the confidence they need to grow and to create jobs.

WE'RE LOSING OUR MIDDLE CLASS

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

Mr. MORAN. Madam Speaker, corporate profits have now reached historically high levels—$2 trillion just in the last two quarters. But most of that profit comes from reductions in personnel and benefit costs which are at a 50-year low as a percent of our economy. This is one of the reasons why the richest 1 percent earn as much as the bottom 60 percent and have as much wealth as the bottom 90 percent of Americans. Tax cuts for the richest, as the House majority demands, is only going to widen this historic disparity. The President's Jobs Act, though, will help to close this gap.

Madam Speaker, we're losing our middle class. Our country is becoming divided between the very rich and the rest. That may be good for the financial base of the Republican Party, but it's bad for America. The private sector will start to hire when the public sector shows it has sufficient faith in our future to adequately invest in the physical and the human infrastructure of this country. It takes money, but the future of our middle class is worth it.

JOB CREATION AND GROWTH

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

Mr. STUTZMAN. Madam Speaker, the American people want to be in the business of job creation and growth. Unfortunately, Washington is in the business of regulating, spending, and taxing.

This administration has barreled down the road of massive deficits, historic debt, and ridiculous mandates. We all know where that road leads—right off a cliff.

Job creators know that our $14.6 trillion debt is a tax on the American taxpayer. They know that higher taxes mean fewer jobs. And they know that focusing on compliance rather than innovation is a failing business model.

But in the face of these difficult times, Americans are optimistic. Not even the worst unemployment since the Great Depression can kill the American spirit. Washington can give job creators confidence by living within its means and reining in the regulatory machine. The American drive to succeed will take care of the rest.

Job creators are ready for real growth, not another failed stimulus. Let's pass a balanced budget amendment to require Washington to use common sense, just like Americans do.

□ 1240

WE LOVE OUR CARRIE MEEK

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

Ms. JACKSON LEE of Texas. Madam Speaker, we love you, Carrie Meek. And I am delighted to rise today to admit that Carrie Meek, Congresswoman Meek, was a mentor to me and someone who drew the admiration of Republicans and Democrats and did some unique and remarkable activities here in this Congress.

One, as a freshman, she pushed enough to become a member of the Appropriations Committee and led graciously during her tenure. And then she worked very closely with Republicans and Democrats to fight to ensure that cigarette packages had warnings about the impact—the negative impact—on groups like African Americans.

Carrie, do you remember the picture that we took with Rosa Parks and some of our colleagues, and how gracious you were? And do you remember the 25,000 people in Florida when they were trying to overturn affirmative action? And yes, you walked as long and as hard as anybody else.

So, Carrie, I think the jobs bill that the President has could be named after you, where it provides some 80 percent compensation to small businesses to hire people. That sounds like Carrie Meek. And I think we can resolve the CR and provide for those who have suffered disasters and do the right thing. That sounds like Carrie Meek. So I'm here to pay tribute to our friend, Carrie Meek, and to thank her for sending her son, Kendrick, who is a great

friend, and to let you know that we need to follow in the pathway of Carrie Meek that brings us all together to pass the jobs bill, a bill that could really be named after you Carrie, and as well to ensure that we protect those who have been harmed by disasters.

Thank you, Congresswoman Carrie Meek.

BARRIERS TO JOB CREATION

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

Mr. SCALISE. Madam Speaker, this House and this Congress need to be focused on job creation. In fact, this House has passed scores of legislation out of the House over to the Senate that would create millions of American jobs. Yet the Senate refuses to take any action on them.

And what do we get from the President? We get more of the same class warfare and failed stimulus legislation. Of course, his first stimulus was such a disaster. We had a hearing last week that exposed the Solyndra scandal. That's the company that the President used as the poster child for the stimulus bill 2 years ago. And what happened? The taxpayers are on the hook right now for over $530 million of money that was thrown away by this company that the President called a year ago the ''future of this country.''

Well, I don't want a future of bankruptcy, I don't want a future of scandal, and I don't want a future of the radical regulations and this class warfare that this President has given to this country. We need to create American jobs. We need to get these crazy regulations off the backs of our small business owners and create jobs in America.

WE LOVE OUR CARRIE MEEK

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

Mr. HASTINGS of Florida. Madam Speaker, I want to thank FREDERICA WILSON for organizing the ''We Love Our Carrie Meek'' 1-minutes.

Carrie, I want to make sure that you understand that this is not funereal, and they've kind of made it sound that way. This is a tribute to you. And since you and I came here together, along with JIM CLYBURN, CORRINE BROWN, SANFORD BISHOP and EDDIE BERNICE JOHNSON, and BENNIE THOMPSON halfway, since he came a little bit later, I speak for them as well.

EDDIE BERNICE could not be here but asked that I recite a portion of her remarks, and that is that your career in the House was distinguished as well as that on the State level.

Almost immediately, the Congresswoman established herself as a champion of expanding federal programs to create jobs and provide initiatives for African American business owners. In a battle that is still being fought today, Congresswoman Meek passionately opposed cuts to social welfare programs in the 1990s to prevent the financial burden from being carried on the backs of the middle class and the disadvantaged.

I have the distinction of offering EDDIE BERNICE's full remarks and the compliments and congratulations from all of our class that came here in 1992, and an even greater distinction of speaking with Carrie perhaps as much or more than most of the Members with regularity and sharing with her the number of jokes and a number of anecdotes that we have together.

I, as well as all of us, are proud of you, Carrie, and the enormous work that you have done and that you will continue to do through the foundation. And thanks again for sending Kendrick to us as well.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The Chair would remind all Members to address their remarks through the Chair.

PROVIDING FOR CONSIDERATION OF H.R. 2401, TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON THE NATION ACT OF 2011

Mr. BISHOP of Utah. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 406 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 406

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2401) to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed two hours equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

Mr. BISHOP of Utah. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purpose of debate only.

GENERAL LEAVE

Mr. BISHOP of Utah. I also ask unanimous consent that all Members may have 5 legislative days during which they may revise and extend their remarks.

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

There was no objection.

Mr. BISHOP of Utah. Madam Speaker, this resolution provides for a structured rule for consideration of H.R. 2401, the Transparency in Regulatory Analysis of Impacts on the Nation. Fortunately, the anagram comes to TRAIN, so it's the TRAIN Act of 2011.

It makes in order 12 specific amendments out of the 14 that were received by the Rules Committee. Of the two not made in order, one was withdrawn by the sponsor and the other was not germane to the rules of the House. So what the Rules Committee has presented here is a rule that is, quite frankly, not bad. It is going to provide for an open discussion for those who are interested in this particular issue on the floor. It's a very fair rule, and it continues the record of the Rules Committee in this Congress of making as many amendments in order as possible which simply conform to the rules of the House. That's been the goal of our chairman, Mr. DREIER, and say what you will, he has produced a standard of fairness in the floor discussions that we will be having here on the floor in the past as well as in the future.

There are a lot of people that say Congress is simply dysfunctional. I admit, the system was designed to be complex, but there are a lot of people, especially those that have very little contact with this system, who simply stand up and say, why can't you just

reach across the aisle, find some compromise, and work in a bipartisan manner? To those people who are continually asking for that, you got it. It's here today in this particular bill.

The discussion draft of this bill was a bipartisan bill with a Republican and Democrat sponsor. First hearings on this bill were done back in April, so they have done their due diligence in studying the issue and working the bill to the point that they actually scrapped the first bill and reintroduced another, and once again, with bipartisan sponsorship of the bill.

□ 1250

If you look at the cosponsors on this bill, you will find Republicans and Democrats. Even in the final vote in committee, one Republican voted against it, and 29 percent of the Democrats actually voted for it. This is a process to be envied. If you want a good system, a bill that comes through in a bipartisan manner, this is it.

We all know that business is impacted by both legislation and regulation, and sometimes the blatant disregard for the cumulative negative impacts of onerous and sometimes overlapping new rules and regulations have had a disastrous effect on industry and on jobs. The current EPA appears to be driven to regulatory excess by asserting powers or controls in an area where that power and control have never been expressly delegated to the agency by Congress.

So, Madam Speaker, while I'm sure that every Member wants to have clean air and clean water and all Americans want clean air and clean water—they are vital objectives and laudable goals—however, I also think that many would agree that some of the current issues in some areas have gone beyond what Congress ever intended or ever approved, and also far beyond common sense. It has not helped the economic health of this particular country, which is why I commend the sponsors, both sides of the aisle, who recognize this problem and have come up with this legislation to fix the problem.

The underlying bill, H.R. 2401, simply says to the EPA—and potentially other agencies—stop, slow down. Take a more careful look at what you're doing or proposing to do. Take a serious and methodical look at whether or not what you're doing is duplicative of rules and regulations already on the books, whether or not they are overlapping, confusing, or contradictory rules and regulations to those already on the books. It tells them to do an analysis of alternative strategies that may be used to avoid damage to our fragile environment as well as our fragile economy.

This bill tells EPA—and others—that before certain draft regulations go into effect, it actually needs to study and consider the cumulative impacts of these new rules and regulations on energy production, on costs, on jobs, and on our Nation's global competitiveness. Imagine that. Imagine a Federal agency seeking to institute rules and regulations which actually took the time to study the impacts of those plans and rules and regulations first. Who could oppose such a concept? It is just common sense.

There will be some that will complain, when the bill is discussed on the floor—maybe even here on the rule itself—that this goal is to dismantle the EPA and dismantle other organizations. No programs are cut by this process. Nothing is changed by this process. Some will stand up and say it's going to be a biased study. There are no limits to what the agencies can study. What this bill simply does is it makes sure that what has been ignored in the past is no longer ignored.

Are there some specific things that have to be considered? Yes, that's right, because we specifically identify what has been ignored. There is nothing in this bill that forbids any rules or regulations. It just says to the agencies, for heaven sakes, get the facts first.

This bill holds the executive branch agencies accountable and forces them to be reasonable and actually study what they're doing before they implement it.

This is a good bill, it is a very good rule, and I would urge adoption of both.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, I rise today in strong opposition to H.R. 2401. I do thank my colleague, Mr. BISHOP, for granting the time for the opposition.

This bill is really another attempt by the Republican leadership to demonize the Environmental Protection Agency and dismantle any government regulation intended to protect our Nation's public health and the environment.

H.R. 2401 is a waste of time and an absolute insult to the millions of Americans without jobs. Instead of crafting legislation to increase consumer confidence, instead of helping Americans hold on to their homes, instead of creating jobs for the millions of people who are unemployed, instead of relieving the burden of the middle class by making the Tax Code more fair, my friends on the other side are asking us to vote on a bill that effectively bars the EPA from finalizing and implementing two of the most significant air quality regulations in decades.

Coal plants—and let me lay my bona fides out here: I do believe in clean coal—the biggest source of unregulated mercury emissions in the United States, pump out 48 tons of emissions every year. Mercury contaminates more than 6 million acres of freshwater lakes, and I want to just take the prerogative of talking about one.

I was born in Altamonte Springs, Florida, and the nearest lake to where I was born is called Mobile. At one point, my grandfather could pass by and say to my grandmother, I'm going down to the lake and catch some fish—and be guaranteed that that was going to be the case—and bring it back home in short time.

Now that lake is dead, and it's because of mercury contamination that that lake is dead; 46,000 miles of streams, and the stream that led into Lake Mobile is dead. And 225,000 acres of wetlands across the United States in all 50 States have some type of fish consumption advisory. Let me repeat that: all 50 States have some type of fish consumption advisory.

What's more, there are substantial economic benefits to these clean air rules that my friends are trying to block. The EPA estimates that the Mercury and Air Toxic Standards alone could generate more than 30,000 construction jobs and 9,000 long-term utility jobs, benefiting steelmakers, pipefitters, boilermakers, and others.

The economic value of air quality improvements totals $59 billion to $140 billion annually. That's 25,300 lives lost to toxic air pollution; over 11,000 heart attacks; more than 12,000 asthma attacks, and a significant portion of them being children; over 12,200 additional visits to the emergency rooms of our country; and hundreds of thousands of missed work days.

Overall, the EPA predicts that the monetary value of protecting Americans' health through implementing the Clean Air Act is projected to reach $2 trillion in 2020 alone. Yet this bill ignores those benefits.

Madam Speaker, all of us know that times are tough, but this great Nation has been through tough economic times before. Environmental regulations are not the problem. The economy was really tough—and we are reminded of it often by my colleagues—under President Carter; yet the EPA at the time managed to set new national air pollution standards for airborne lead and began the phaseout of ozone-layer-destroying gases from aerosol spray products.

Nor has protecting the environment always been a partisan issue. The EPA has also had great successes under Republican Presidents. Upon founding the EPA in 1970, President Richard Nixon said the following: ''We can no longer afford to consider air and water common property, free to be abused by anyone without regard to the consequences. Instead, we should begin now to treat them as scarce resources which we are no more free to contaminate than we are free to throw garbage into our neighbor's yard.'' That was in 1970.

One of the first tasks assigned to the EPA was to enforce the Clean Air Act, also signed by President Nixon. Since its adoption, these regulations have prevented an estimated 200,000 premature deaths.

□ 1300

During President Reagan's administration, the EPA tested elementary and secondary schools for asbestos for the first time and named protecting endangered wetlands a top priority, while

subsequently opening the new Office of Wetlands Protection.

And contrary to what many of my friends across the aisle believe, history did not end with President Reagan. President George H.W. Bush implemented the new cap-and-trade policies that successfully addressed the growing problem of acid rain.

President Bush's EPA also started the wildly successful Energy Star program, helping Americans save money through adopting energy-efficient products and practices. Since then, Energy Star has saved Americans $17 billion on utility bills.

And on a more personal level, I grew up at times with asthma, as did a cousin of mine who still suffers the effects of it. Several of the employees that work with me now and some before have had asthma, and I genuinely believe that if we did not have the clean air standards that we have today, some of us may not be here.

In light of all these accomplishments, it's clear that H.R. 2041 is nothing more than an effort, at the behest of a big, big set of businesses, to delay and block necessary and important regulations that will keep our country safe and clean.

Republicans claim that this bill assists agencies with their economic analyses of EPA regulations. This is nothing more than a convenient, ad hoc justification.

Firstly, all major regulations already receive years of extensive cost-benefit analysis before implementation. At the same time, this bill fails to take into account any of the health and environmental benefits of the regulations in question, rendering the one-sided ''cost-only'' analysis set forth by this bill unnecessary.

Second, the version of the Energy and Commerce bill that was reported out suspends two major regulations that have been the subject of analysis, litigation, re-examination and rewriting for over two decades. Both the National Environmental Policy Act and Executive order 12866 signed by President Clinton require Federal agencies to perform the type of analysis required in the bill, including a comprehensive cost-benefit analysis.

By requiring unnecessary and duplicative studies, my friends on the other side could not make their desire to indefinitely block these regulations any more clear.

I've introduced an amendment that carves out an exception for rules and regulations drafted in adherence to the rules already on the books, freeing these important regulations to proceed along as scheduled.

Madam Speaker, based on what I've seen by this Republican-led Congress, it's clear to me that they obviously have no intention of using their real power to create jobs. Instead, they prefer to waste time on measures such as this bill that are designed to do one simple thing, and that is to further delay both past and future regulations.

Now, let me make it clear. I've quarreled, as have some of my colleagues, with the Environmental Protection Agency, as rightly we should when the circumstances permit, and that is, in my case, with the numeric nutrient standards that are proposed in Florida. A court has made a decision regarding the enforcement of those nutrient standards, and I believe that the communities involved are prepared to undertake to do what's necessary. And I do not believe that EPA has to involve itself at this point in time.

But when I quarrel with EPA, as I do, I don't do it in a way that demonizes the agency. I do it in a way that's looking for a solution.

One thing that I've learned in the years that I've been in this institution is that whether you have a right or left or center ideological perspective, to begin demonizing certain people suggests to me that those people probably have been successful. I don't know Lisa Jackson, the Environmental Protection Agency Cabinet official, but I do know that the way people are screaming about the work that she has done suggests that she must be having some success.

It's time to call my friends out on the other side for their shenanigans, and show the American people that they are more interested in helping big business and the wealthy than the middle class and working poor Americans who continue to struggle all across this Nation every single day.

If we start cutting the regulations that protect the environment when we are down, where will we be when we recover?

I've seen firsthand what happens in places that disregard environmental protections for the sake of business. I remember being in Seong, China with a departed colleague, Gerald Sullivan, who was chair of the Rules Committee, and holding my hand in front of my face and not being able to see it. I also had that same experience in Los Angeles, California, in the late 1950s.

This certainly is not the kind of home that we want to leave for our grandchildren. The air that we breathe, the water that we drink, the soil on which we produce our crops is the earth that we call home. And, in my view, we must keep it clean.

Let me tell you what Ronald Reagan said. If we've learned any lessons during the past few decades, perhaps the most important is that preservation of our environment is not a partisan challenge. It's common sense. Our physical health, our social happiness, and our economic well-being will be sustained only by all of us working in partnership as thoughtful, effective stewards of our natural resources. President Reagan made those remarks on signing an annual report of the Council on Environmental Quality.

Additionally, he said, in a radio address, that I'm proud of having been one of the first to recognize that States and the Federal Government have a duty to protect our natural resources from the damaging effects of pollution that can accompany industrial development.

And more importantly, what he said is, what is conservative after all, but one who conserves, one who is committed to protecting and holding close the things by which we live? And we want to protect and conserve the land on which we live, our countrysides, our rivers and mountains, our plains and meadows and forests. This is our patrimony. This is what we leave to our children, and our great moral responsibility is to leave it to them either as we found it or better than we found it. He made those remarks at the dedication of the National Geographic Society's new headquarters building in 1984.

President George W. Bush said, our country, the United States, is the world's largest emitter of manmade greenhouse gases. We account for almost 20 percent of the world's manmade greenhouse gas emissions.

In addition, in a joint address to Congress he said, I also call on Congress to work with my administration to achieve the significant emission reductions made possible by implementing the clean energy technologies proposed in our energy plan. Our working group study has made it clear that we need to do a lot more.

Those words from two Presidents that are revered, rightly, by many of us in this institution, and certainly by my colleagues that are Republican that share the same ideological perspectives, should be sufficient to put to rest this polluting bill that we could rename the Toxic Polluting America measure.

I reserve the balance of my time.

□ 1310

Mr. BISHOP of Utah. I thank the gentleman for not demonizing me or my colleagues and our motives on this bill.

I continue to reserve the balance of my time.

Mr. HASTINGS of Florida. I'll try to do better about that as we progress.

Madam Speaker, I yield 2 minutes to my good friend, a former member of the Rules Committee, a distinguished Member of this body from Maine (Ms. PINGREE).

Ms. PINGREE of Maine. I thank my colleague from Florida for his eloquent words and for allowing me a moment to speak on the floor.

Madam Speaker, the TRAIN Act will repeal two critical clean air standards: the proposed Mercury and Air Toxics Standards and the final Cross-State Air Pollution Rule for power plants that burn coal and oil.

I'm from the State of Maine, and Maine is the tailpipe of the Nation for most atmospheric pollution. Nearly 130,000 people in Maine have been diagnosed with asthma. Yesterday in my office, I met with a wonderful young man named Jake, one of 28,000 children in the State of Maine who suffer from

asthma. I also met with his parents, small business owners who struggle to pay more than a thousand dollars a month in insurance and medication to keep Jake healthy.

Since 1970, the Clean Air Act has saved hundreds of thousands of lives and decreased air pollution by 60 percent. Implementing Clean Air standards will mean fewer kids and parents will struggle with life-long costs of dirty air. Improved standards will also mean reducing the amount of mercury and toxins in the air and water.

In 2000, the government determined that major coal-burning entities are the single largest source of manmade emissions of mercury in the United States. It's estimated that 6 percent of women in the U.S. of childbearing age have dangerous levels of mercury in their blood, and more than 410,000 children born each year in the United States are exposed to levels of mercury in the womb high enough to impair neurological development.

Madam Speaker, improved Clean Air Act standards will dramatically reduce atmospheric pollution and decrease dangerous healthy effects of dirty air. The TRAIN Act would delay those standards.

Companies are prepared to meet improved Clean Air Act standards by making further investments in technology that would create over a million jobs in the United States between 2011 and 2015. The TRAIN Act will delay those investments.

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

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

Ms. PINGREE of Maine. The TRAIN Act will delay those investments and delay those jobs in this country. The TRAIN Act is bad for business, it's bad for our health, and it's bad for the State of Maine. I urge a ''no'' vote on the TRAIN Act and a ''no'' vote on delaying Clean Air Act standards.

Mr. BISHOP of Utah. I continue to reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, if we defeat the previous question, I will offer an amendment to the rule to provide that immediately after the House adopts this rule, it will bring up H.R. 1366, the National Manufacturing Strategy Act of 2011.

Madam Speaker, I am very pleased to yield 3 minutes to the distinguished gentleman from Illinois (Mr. LIPINSKI), whose father I had the privilege of serving with as well.

Mr. LIPINSKI. Madam Speaker, I rise today to urge my colleagues to oppose the previous question so we can bring to the floor a bipartisan bill that I reintroduced earlier this year, H.R. 1366, the National Manufacturing Strategy Act.

I know that my colleagues on both sides of the aisle recognize our near-term and long-term economic challenges and understand that the American people want us to help them get back to work. So rather than considering a bill to tie up pending environmental regulations in red tape, we should be bringing to the floor a bill we can agree will improve our competitiveness and help the private sector create good jobs.

The National Manufacturing Strategy Act requires the President to establish a bipartisan public/private manufacturing strategy board. This board would analyze the various factors that affect manufacturing, including trade, taxes, regulations, among others. It would also consider the government's programs, policies, and role in promoting manufacturing and identify goals and recommendations for Federal, State, and private sector entities to pursue in order to achieve the greatest economic opportunity for manufacturers in America.

The strategy will be reexamined every 4 years so it would reflect the implementation of prior recommendations, reassess global markets and technological development, and plot a revised strategy.

The Federal Government already has significant and broad influence on the domestic environment for manufacturing; and certain areas of the government rely greatly on a strong manufacturing base, particularly our national defense. Yet there's little to unify the multitude of programs and policies that exist throughout the government toward the common goals and agenda for promoting our domestic manufacturing base and securing our place in the world's markets.

Unfortunately, the government's promotion of manufacturing has been ad hoc. Instead, we need to be proactive and organized and efficient across our government.

Most of our competitors understand the need for a strategy. Not just China and India but also Germany, Canada, the United Kingdom, among others, have developed and implemented strategies.

This idea enjoys widespread support in America from a wide range of industrial sectors, labor, and the public. A poll conducted last year by Alliance for American Manufacturing found that 86 percent of Americans favor a national manufacturing strategy aimed at getting economic, tax, labor, and trade policies working together.

This public support already has been echoed in this Chamber where last year we passed this bill by a bipartisan vote of 379–38.

I urge my colleagues in the House to join me in calling for action on jobs and the economy. We cannot continue to sit idly as our manufacturing base and quality, well-paying jobs depart for China, India, or elsewhere.

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

Mr. HASTINGS of Florida. I yield the gentleman an additional 1 minute.

Mr. LIPINSKI. We must take action to provide a competitive and focused foundation for those who will continue to make it in America, and we can do so now by defeating the previous question and then passing the National Manufacturing Strategy Act. The American public is waiting. They need jobs. They want us to act. So let's move forward together on something we can agree to and get Americans back to work.

Mr. BISHOP of Utah. I am pleased to yield as much time as he may consume to the distinguished chairman of the Rules Committee, the gentleman from California (Mr. DREIER).

Mr. DREIER. Madam Speaker, I thank my extraordinarily quick-witted, thoughtful and hardworking colleague from the Rules Committee for yielding me the time. I rise in strong support of this rule, and I take the floor to do my doggone-est to help us put in perspective why it is that we're here and what it is that we're doing.

Let me say that at the outset I think most everybody acknowledges if you're a job creator, that often government regulation and government control has undermined your potential to create new jobs and streamline your operation and make sure you can deliver a product or a service to a consumer at a lower price.

Let's just at the outset say that the notion of trying to tackle the issue of the overreach of government overregulating businesses and individuals is a challenge that needs to be addressed. That's really what came to the introduction by our colleague, Mr. SULLIVAN, and the very hard work done by Mr. WHITFIELD in the Energy and Commerce Committee of this so-called TRAIN Act, T-R-A-I-N. Don't ask me to say exactly what the acronym means. I'd have to read it to see it.

It basically means that we're going to have an entity put into place that's going to look at both the costs as well as the benefits for dealing with the issue of regulation.

Now, my friend from Fort Lauderdale regaled us in the Rules Committee when we were marking this up a couple of days ago about the time that he spent in Los Angeles. He told the story about awakening and not being able to open his eyes because the air pollution was so great in Los Angeles. He may have shared that with our colleagues here on the House floor as he did in the Rules Committee. I don't know. I haven't followed the debate that closely. I was in another meeting.

I will say that I live in Los Angeles today, and I represent the Los Angeles basin. I'm a Republican. I'm a Republican who likes to breathe clean air, and I'm a Republican who likes to drink safe water. I don't have as a goal, as a priority, the obliteration of air quality or water quality. It's not a priority for me, and I frankly don't know of any Democrat or Republican in this institution who has a desire to do that.

□ 1320

I am also one who recognizes that many of the things that have been done at the governmental level have played

a role in actually improving air quality and in playing a role in improving drinking water. I will say that there is no desire on the part of anyone to undermine the assurance that we have of clean air and safe drinking water.

Now, having said that, I think it's important for us to recognize that we are going to do everything that we can, though, to say when we see duplicative regulation. When we see the kind of burden that has been imposed, we should see action taken. But guess what? This committee is not empowered to do anything—anything at all—like what has been described or implied by my colleagues on the other side of the aisle. This committee will not be able to repeal any regulation as it relates to drinking water or clean air or any of these ideas.

I also want to say that I happen to believe that good environmental policy happens to be good business. I know there is often this sense that, if you're pro-environment, you must be anti-business, and if you're pro-business, you must be anti-environment. I see the two really going hand in hand; but it's important for us to make sure that we don't go overboard in undermining businesses' potential to address environmental needs with a regulatory burden that is as great as some have reported it to be.

To me, we have made every single amendment that complied with the rules of the House in order, so we're going to have an opportunity for a free-flowing debate with Democrats, including an amendment that the Democratic floor manager of this rule will have that has been made in order by the Rules Committee.

We're going to have an opportunity for a free-flowing debate, and I urge my colleagues to support this very commonsense measure.

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

My colleague from California spoke about what our committee would do. I would urge him to understand that Congress is doing it for them with this measure.

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

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

There was no objection.

Mr. HASTINGS of Florida. Madam Speaker, the day before yesterday, Frances Beinecke, the president of the Natural Resources Defense Council, said the following:

''GOP lawmakers would have us believe that the public health and environmental safeguards stemming from the Clean Air Act—a 40-year-old law signed by President Nixon—are thwarting economic growth. It's not the unregulated market in mortgage debt, the U.S. trade deficit with China, or the shaky state of European banks that is freezing growth. It's the EPA's effort to reduce toxins from old power plants.''

Madam Speaker, millions of Americans are hurting and are in desperate need of our help. Instead of working to create jobs, my colleagues on the other side would rather consider ''do nothing'' bills. We've been doing nothing around here for a very long time now and have been considering ''do nothing'' to get our economy back on track. This ''do nothing'' bill does not create jobs, and it does nothing to help the struggle of middle class and working poor Americans. Let me just give some examples of the time line on the Environmental Protection Agency's laws and list them, in part, by administration.

I spoke earlier about the Clean Air Act of 1970 and the Clean Water Act that President Nixon vetoed. His veto was overridden, and then he signed it on October 18, 1972.

Under President Ford, we got the Safe Drinking Water Act, and the cancer-causing pesticides were banned. There was the Toxic Substances Control Act in 1976 under President Ford.

Under Jimmy Carter, we got the Clean Water Act of 1977. Then the EPA set a new national air pollution standard for lead, and I'm sure families with children understand that dynamic. The phaseout of chlorofluorocarbons took place in 1978.

Under President Reagan, in 1982, we got the Nuclear Waste Policy Act and the asbestos testing in schools, which was critically important throughout this Nation. We got the Chesapeake Bay pollution cleanup and a 90 percent reduction of lead in gasoline. During that same period of time, although it was not his discovery, the ozone layer problem was discovered. Then in 1986, President Reagan signed the Safe Drinking Water Act Amendments, the wetlands protection measure, and the Right-to-Know Laws for chemical safety. The Montreal Protocol was signed by the President in 1987 and standards for underground storage tanks in 1988. The sewage Ocean Dumping Ban also came about in 1988.

The Alar pesticide ban for use on foods came under President Bush. Toxic waste control came under President Bush as well as the Pollution Prevention Act. Acid rain controls were enacted as well as the Energy Star program.

Those are just a few, and I won't go into the many under President Clinton and the few that have taken place under President Obama.

With that said, there seems to be this act against the Environmental Protection Agency that suggests that they have been harmful in some way—that's another word for ''demonize''—that they've been harmful, the EPA, in all of these things that have been done throughout all of this time that have helped our environment.

I just, for the life of me, don't understand why it is now we want to slow down this process and allow for an analysis, that is already being done, to be delayed. We want to protect and conserve the land on which we live—our countryside, our rivers, our mountains, our plains, and meadows and forests. That's what Ronald Reagan said. This is our patrimony. This is what we leave to our children, and our great moral responsibility is to leave it to them either as we found it or better than we found it.

Does the bill that we're considering today leave the land better than we found it? I think you know the answer.

I urge my colleagues to vote ''no'' on the previous question, ''no'' on this rule and the underlying bill, and I yield back the balance of my time.

Mr. BISHOP of Utah. Madam Speaker, I yield myself the balance of my time.

I have to admit that in a prior existence, when I was a debate teacher in high school, one of the things we taught our kids—because every team did it—was, regardless of what the bill was that the affirmative presented, to come up with a series of problems. In every instance, the negative team would always end with this plan, whatever the plan was, resulting in a melting of the polar icecap, which would trigger a thermonuclear war. It didn't matter what the affirmative plan had. One of the negative arguments was it will melt the polar icecap and trigger a thermonuclear war.

Sometimes when we're here on the floor, I feel that we're doing those same kinds of debate cases, because it doesn't matter what the bill is; it's going to do all sorts of things. This bill simply says that, before you implement a rule or regulation, you're going to study everything, including its impact.

One of the speakers who came to the floor said there are two rules that are going to be prohibited in this bill. Now, there are two rules specified in this bill that say, before you implement them, see what they will do to the jobs and the economic cost. I mean, these rules could increase the electricity costs for everyone, rich or poor, by 3, 4, 5 percent or more. We don't know. Study it first before you do it.

There was a rule that was passed in my State dealing with particulate matter. In my area, in one of the very remote rural areas, we do testing on solid rocket motors.

□ 1330

That testing could violate this rule. No one knows for sure because the EPA didn't do that kind of analysis.

One of the private sector groups said the U.S. Environmental Protection Agency disturbingly admitted that the impact on American jobs is not a consideration in rulemaking, even while the United States continues to struggle through the recession and unacceptably high unemployment.

I'm sorry, that's one of the things that should be considered in rulemaking. Is there an executive order

that mandates it? Yeah, but it's not being done.

So what we want to do is to have a law passed that says, yeah, what is not being considered should be considered. It doesn't stop the rulemaking, it doesn't stop the rule, it doesn't roll back anything, it doesn't kill anybody, it doesn't melt the polarized cap, and it doesn't start thermonuclear war. It simply says we will have a commission, interagency, together to look at specific things; and we will consider it.

So before you come up with another rule or regulation, you know the total impact, what it does to the environment, what it does to the economy, what it does to human beings.

Studying is something we should all recognize and we should all want. This is what the bill does. It doesn't destroy anything, it doesn't cut anything, it doesn't stop anything. It just says before you proceed, you know what you're doing, and that should be common sense.

That should be what we were doing in the first place. And if it takes a piece of legislation to make sure we do what we should have been doing in the first place, let's pass this legislation, this bipartisan legislation with Republican and Democrat sponsors that was passed with Republican and Democrat votes—and actually one Republican voted against it as well.

This is a bipartisan process, this is a bipartisan bill, this is a good piece of underlying legislation, and it is an incredibly fair rule because, remember, 12 of the 14 amendments, every one that could be made in order, was made in order to be discussed and debated on this floor, which is the way we should be doing things at all times. It's a great process, and I look forward to listening to the debate on all 12 amendments as well as the base bill when we finally get to the position of debating this bill on the floor.

Mr. GINGREY of Georgia. Madam Speaker, I rise in strong support of this rule and the underlying legislation, H.R. 2401—the TRAIN Act. At a time when we have 14 million people out of work in this country, we must enact commonsense policies that will reduce the regulatory burden on job creators so that they can put people back to work.

Unfortunately, over the past 30 months under the Obama Administration, the EPA has issued a wide array of large, expensive regulations that affect virtually every facet of the U.S. economy, from homeowners, hospitals, and farmers to small businesses and manufacturers. H.R. 2401 addresses two of the more egregious of these regulations. First, the Utility MACT is designed to limit emissions of mercury, acid gases, and non-mercury metals from power plants. Next, the Transport Rule is designed to establish specific statewide caps for sulfur dioxide and nitrogen oxide emissions from power plants.

Madam Speaker, through these proposed rules, the combined cost on job creators will be $17.8 billion annually and will jeopardize 1.4 million jobs by 2020. The Utility MACT rule alone is estimated to increase electricity costs on families by nearly 4% at a time when our economy can least afford it.

As a member of the Energy and Commerce Committee, I commend the leadership of Chairman UPTON and Energy and Power Subcommittee Chairman WHITFIELD for their leadership on this issue. H.R. 2401 would put the brakes on several of EPA's most damaging regulations until an interagency committee can fully study the cumulative effect of all proposed rules. This study would analyze both die health and social benefits as well, as the actual impact on economic competitiveness, trade, energy supplies, consumer spending, and jobs.

Madam Speaker, millions of out-of-work Americans are desperately crying out for us to help put them back to work. During these challenging economic times, we should not allow burdensome federal regulations from the EPA to add more people to the unemployment rolls. For this reason, I ask all of my colleagues to support this rule and the underlying bill.

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

AN AMENDMENT TO H. RES. 406 OFFERED BY MR. HASTINGS OF FLORIDA

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

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1366) to require the President to prepare a quadrennial national manufacturing strategy, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Energy and Commerce and the chair and ranking minority member of the Committee on the Budget. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 2 of this resolution.

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

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

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

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

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

The yeas and nays were ordered.

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

RECESS

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

Accordingly (at 1 o'clock and 34 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1534

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. EMERSON) at 3 o'clock and 34 minutes p.m.

WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. DREIER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 409 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 409

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of September 30, 2011, relating to a measure making continuing appropriations for the fiscal year ending September 30, 2011.

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

Mr. DREIER. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to my very good friend, my Rules Committee colleague, the gentleman from Worcester, Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I might consume. During consideration of the resolution, all time that is yielded is yielded for debate purposes only.

GENERAL LEAVE

Mr. DREIER. I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the matter that is before us.

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

There was no objection.

Mr. DREIER. Madam Speaker, we are dealing with extraordinarily challenging times.

The American people have been sending a message to us which is powerful and overwhelming, and it's one that I believe that both Democrats and Republicans have heard, and that is: We need to get our economy back on track. We need to make sure that we have a climate that will create jobs so that people—many of whom I represent, sadly, and I know the Speaker faces the same thing in the Show Me State of Missouri, and my friend in his State of Massachusetts faces this. We have friends and neighbors who have lost their jobs, who have lost their homes, who have lost their businesses, and the message that has come to us overwhelmingly is that we must put into place policies that will encourage job creation and economic growth.

We obviously have a very troubled global economy. The developments that have taken place in Europe have played a big role in leading to today's huge drop in the stock market. I haven't looked at it in the last few minutes, but earlier today it was down over 400 points, and I know we have obviously difficult decisions that lie ahead for many.

We, as an institution, the United States Congress, have a responsibility to address the fiscal needs and challenges that are before us. One of those challenges and one of the factors that has played a role in the economic downturn, I believe very strongly, has been the $14½ trillion national debt that looms before us.

Again, as you know very well, Madam Speaker, in a bipartisan way, Democrats and Republicans alike decry the $14½ trillion national debt that we have and the fact that we have deficits going as far as the eye can see.

Now, we know that last July, just before we adjourned for the month of August, we had to deal with the question of whether or not we were going to increase the debt ceiling. We tackled that issue, and we ended up coming to a bipartisan consensus. We all knew that it was necessary for us to increase the debt ceiling because there was a responsibility to pay the bills that have been accumulated in the past.

From this side of the aisle, we complained and fought against the 82 percent increase in non-defense discretionary spending that we've seen over the past 4 years, but with that money having been spent, we recognized that the bills had to be paid.

That led us, Madam Speaker, to come to a bipartisan consensus that we would, in fact, increase the debt ceiling; but we had to tackle, in a bipartisan way, the deficit and debt issues that are looming before us.

So we put into place a joint select committee which, as we all know, is going to be charged with, by November 23, completing its work and, by December 23, having a vote in the House and the Senate. And if they're not successful, we will deal with sequestration, which will be across-the-board spending cuts that I don't think anyone wants to see happen because we want to be in a position where we make those decisions for $1½ trillion. And as many have said, that group of Senators the other day said a $4 trillion—excuse me—$4 billion. What is the number? I was right, $4 trillion. Excuse me. You know the proverbial Everett Dirksen line: A billion here, a billion there; before long, you're talking about real money. And that was five decades ago that he said that, and we are where we are now.

So the plan, as proposed by some, Madam Speaker, would take us to as much as $4 trillion in spending cuts, and I hope we can do that in a bipartisan way.

Now we are in a position where we—as I said yesterday during the debate on the rule on this issue, last year, for the first time since the 1974 Budget Act was put into place, we didn't have a budget that was proposed to us.

□ 1540

Hey, I'm not in the business of pointing the finger of blame. I'm just in the business of looking at the facts of where we are. So we know what has been inherited. We know, as we hear these very strong statements being made, that we've gone through a difficult 9 months. We had to deal with the continuing resolution to simply clean up the mess. The Acting Speaker is a member of the Appropriations Committee, and she knows very well the challenges that we had with those appropriations bills having to be done last year. That Appropriations Committee on which the Acting Speaker sits has to deal with this issue, and had to deal with it earlier this year. Today, Madam Speaker, we are in a similar position.

We, right now, know that the fiscal year comes to an end next week. We have some very important priorities that need to be addressed, and the one that everyone is talking about is the fact that we have seen disaster after disaster hit this Nation. We are determined to ensure that those who have suffered most over the past several weeks and months from disasters—flooding—and I remember seeing my colleague from Vermont (Mr. WELCH) yesterday. He sent out photographs of the devastation of the flooding that has taken place in Vermont. In Pennsylvania, we just had a Republican Conference at which one of our new colleagues, Mr. MARINO, was up, talking about the fact that he has been walking through mud, talking to families—to parents who have their children literally sitting on automobiles because they can't get into their homes—and asking what it is that they're going to do.

We have our fellow Americans who are suffering, and we want to ensure that the dollars necessary for the Federal Emergency Management Agency are there. The chairman of the Appropriations Committee reported to us that we're seeing about $30 million a day being expended through the FEMA funding, and there's about $200 million left. So we are faced with the prospect of expiration—the expiration of all of the resources that FEMA needs—by this weekend, Madam Speaker. That's the reason that we are back here today.

We all know what happened yesterday. The Democratic majority and some Republicans chose to vote ''no'' on the continuing resolution, which would simply take us from now to November 18—a very short period of time, just a matter of a month and a half—so that during that time we can, as Speaker BOEHNER has said, deal with the overall appropriations process and establish the priorities. So we are here today, having had a meeting in the Rules Committee last night, calling for same-day consideration so that, quite possibly, with some modifications, we can bring up that bill which had enjoyed bipartisan support.

It is no secret, I'm sure the Democrats will acknowledge, that the minority whip, Mr. HOYER, and the ranking member of the Appropriations Committee, Mr. DICKS from Seattle, both had indicated earlier support. They acknowledge it. They're on the record as having done that. They said that they had changed their minds, and I respect that. Members have a right to change their minds. We all have a right to change our minds. But that decision was made, and we went to the vote and the votes were not there.

Madam Speaker, I think there is clearly a bipartisan understanding that ensuring that resources get to our fellow Americans who are suffering due to these disasters that have hit—hurricanes, tornadoes, flooding—is a priority that we all share. Personally, I'd like to see the Federal Government get out of being the place of first resort for the American people to look to when there is a time of disaster.

In fact, the Acting Speaker's late husband, with whom I was elected in 1980, led an effort, going back decades, when he served here, that was working on proposals for us to address the disaster relief issue, which was a very, very challenging one. He explored and came up with some great proposals for how we could deal with disasters beyond having the Federal Government be the place of first resort for the American people when they are faced with the aftermath of a disaster.

But, Madam Speaker, those changes that were proposed by my late colleague Bill Emerson were not made in order, were not addressed, were not implemented, and so we are where we are; and while I'd love to see those changes down the road, today we need to address the very pressing needs that our fellow Americans have for some kind of resolution to this issue.

We have this same-day rule so that we can today pass with what I hope will be strong bipartisan support a continuing resolution that will simply carry us from now to November 18, during which time we will see, Madam Speaker, you and the other members of the Appropriations Committee work to come up with some kind of resolution to this issue.

I am going to urge my colleagues to support this measure in the name of bipartisanship, in the name of our effort to try and resolve this pressing issue.

With that, I reserve the balance of my time.

Mr. MCGOVERN. I want to thank the gentleman from California, Chairman DREIER, for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

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

Mr. MCGOVERN. Here we go again, Madam Speaker. Republicans are, once again, going back on their promises for a more open, more transparent House of Representatives—another martial law rule designed to fix problems of their own doing, another effort to break the rules just to fix their own mess.

And it didn't have to be this way.

For months, we've known that more disaster assistance was needed to address the aftermath of the tragedy in Joplin and, more recently, to address the damage caused by Irene as it made its way from North Carolina up the east coast into New England. Americans respond to natural disasters. That's what we do. We always have. We rise to the occasion when our neighbors are in need. The problem is when politicians start playing politics with people's lives, and that's where we find ourselves today.

Yesterday, the Republican leadership brought a continuing resolution to the floor that not only provided less disaster assistance than that of the Senate, it also offset that funding by cutting a green jobs initiative. It's not enough that we've been in session 261 days without a single jobs proposal from the Republicans. With yesterday's continuing resolution, Republicans actually proposed cutting a jobs program just to make political points with their Tea Party base.

Yesterday, Democrats said enough—enough to the job-killing Republican agenda, enough to the notion that fiscal austerity means turning our backs on people in need, enough to the ''my way or the highway'' attitude that seems to make up the ideology of the Republican leadership.

Yesterday, 48 Republicans joined 182 Democrats in defeating the continuing resolution. According to Politico, it was ''an embarrassing setback.''

Yesterday, Republicans and Democrats said, Don't play games with the lives of Americans.

It's almost as if the Republicans blame the victims of the hurricane and tornado for having the audacity to live in the paths of those natural disasters. So here we are again, forced to consider a martial law rule in an attempt to fix the problems that the Republicans, themselves, created, a martial law rule that not only waives the rules of the House but that also allows for the immediate consideration of a new continuing resolution.

No time to read the bill, even though the Republicans started out the year by promising 72 hours to look at any legislation voted on in the House. No time to read the bill. No ability to amend the bill.

So much for the new open Congress.

It wasn't too long ago that my colleagues on the Rules Committee were touting the new open Congress. Look how far this new Republican House has fallen.

Madam Speaker, it is disappointing that we're here today. It's disappointing that the Republicans are making a mockery of the legislative process. It's disappointing that they continue to choose politics over the American people. The American people deserve better than this.

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

Mr. DREIER. Madam Speaker, I yield myself such time as I may consume to say to my friend that it's very unfortunate. In my opening remarks, I made the best attempt that I could to be as bipartisan as possible. Democrats and Republicans alike recognize that we've had the most open House, the most transparent process, and that more amendments have been made in order.

I am very proud that the Rules Committee has repeatedly made McGovern amendments in order that have been proposed to the Rules Committee. In the measure that we have addressing the regulation issue, we made every single amendment that complied with the rules of the House in order—an amendment offered by my friend Mr. HASTINGS.

So, to talk about these sorts of crocodile tears, Madam Speaker, the House has gotten to a new low. We need to make sure that the American people who are suffering and in need have the resources that are necessary.

□ 1550

The measure that is before us has a higher level of funding for those who are in need than the President has proposed to ensure that we immediately get those dollars to the people who are suffering, and there are people all over this country who have been suffering through these disasters, and it needs to be done.

Madam Speaker, I will say that we are what we are. The legislative process is not always a pretty one, but I began by talking about our priority of job creation and economic growth; limiting the size and scope and reach of the Federal Government; trying to decrease the regulatory burden, which our TRAIN Act—which we just debated the rule on a little while ago—is designed to address these sorts of steps, designed to make sure that more Americans will have opportunities to be members of the workforce, to be able to support their families and so that people won't see their small businesses lost because of the economic downturn. Those are the priorities that we have, and getting our fiscal house in order while meeting our priorities which, in this day and age, disaster assistance is one of, are what we've got to do.

So I am proud to work closely with my Democratic colleagues. I am proud of the fact that they have been supportive, Madam Speaker, of a number of the measures that we have had before us; and I am proud that we have been able to take many of their ideas, Madam Speaker, and allow them to be considered on the House floor so that we've been able to have a free-flowing debate.

That's what the American people want. I believe that since every Member of this House represents just about the same number of people, about 600,000. Under the new census, it will be, I think, 704,000 constituents, that they have a right to be heard, they have a right to have their ideas considered.

That hasn't always been the case under Republicans or Democrats in the past, but today it is. We're doing our doggone-est to make sure that more Members have their ideas considered.

I am very proud of that fact, and I will say that I regularly have Democrats come to me and say they are very appreciative of the fact that we have been able to allow their ideas to be considered on the House floor.

I am proud of the strides that we have been making under Speaker BOEHNER. We have a long way to go, but this is all inside baseball stuff. As you know very well, Madam Speaker, the priority is job creation and economic growth to ensure that our fellow Americans have the kinds of opportunities that they need.

Let us proceed. This is a procedure that I don't particularly like, but in light of the fact that there had been a bipartisan agreement yesterday that did not work out—that's about the nicest way that I can put it, it didn't work out—and so we had no choice other than to allow for a rule that would provide for same-day consideration simply of this measure to ensure that we don't go through a government shutdown.

I mean, we wouldn't be doing a same-day rule, Madam Speaker, if we weren't faced with, frankly, the threat—and I'm not going to point the finger of blame, but I will say it hasn't been Republicans who have been talking about the idea of a government shutdown. It's something that has come from some others and some on the other side of the Capitol who have talked about the prospect of that. We want to avoid it. We want to ensure it doesn't happen.

And so we're going to have an opportunity, Madam Speaker, to have a measure before us that will address the very important priorities of disaster assistance and other areas which doesn't cut as much as I would like. I would have loved to have voted ''no'' yesterday, Madam Speaker, because I believe that the spending level is higher than it should be.

The Republicans do, in fact, have a majority in the House of Representatives, but our Democratic colleagues have a majority in the United States Senate. We know that President Obama is a Democrat. In light of that, we have to come to some kind of a bipartisan consensus. So we're turning ourselves inside out to make that happen, and we have done it time and time again; and this is another example of it.

I hope that we will be able to move ahead and as expeditiously as possible provide the assurance that our fellow Americans need.

With that, I reserve the balance of my time.

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

Madam Speaker, I'm a little bit confused. The gentleman referred to the legislation before us that it would provide this for the American people and that for the American people.

The legislation before us is a martial law rule which says that a bill that we have yet to see will be able to be brought up on the floor for same-day consideration. So I don't know what's in the new continuing resolution.

Maybe the gentleman can enlighten us: Do we expect a vote on the continuing resolution today? When can we see this continuing resolution? Does the gentleman have any insight that he can fill us in on and when Members might actually be able to see the bill?

Mr. DREIER. Will the gentleman yield?

Mr. MCGOVERN. I yield to the gentleman from California.

Mr. DREIER. First of all, let me express my apologies; 99.999 percent of the time I am always riveted to the words of my friend from Worcester when he is offering his thoughts. I have to admit I was talking to our distinguished Rules Committee colleague, Mr. WEBSTER, over here.

Mr. MCGOVERN. Let me reclaim my time and repeat the question.

The question is that the gentleman on a number of occasions referred to that the bill provides this for the American people and that for the American people when the bill before us is a martial law rule. We haven't seen the continuing resolution. When do we expect to see it? Are we voting on it today?

Mr. DREIER. First of all, let me thank the gentleman and say that he is right on mark in raising that question. It's not only a fair question; it's an appropriate question to ask of me.

The answer is we will have a meeting in the House Rules Committee right upstairs on the third floor, at which time we will have before us a proposal that I can tell you will be very similar to the measure that was considered yesterday. As you know, there was $1.043 trillion in that proposal.

Mr. MCGOVERN. If I can reclaim my time, will that be in the next hour? Will that be today?

Mr. DREIER. It's my hope that we'll be able to do this today. That's the reason, as my friend knows, we were going to pass this measure yesterday and it didn't work out. I mean, that's part of the legislative process.

I thank my friend for yielding.

Mr. MCGOVERN. Reclaiming my time, the Rules Committee will consider it today, and then we would vote on it tonight? Is that the plan?

Mr. DREIER. Will the gentleman yield?

Mr. MCGOVERN. I yield to the gentleman.

Mr. DREIER. I thank my friend for yielding.

Madam Speaker, what I would say is that I hope the Rules Committee will be able to meet in the not-too-distant future. It's now about 2½ minutes before 4 o'clock. I can't say how quickly we'll be able to meet.

We certainly, as is always the case, will give the minority ample notice for them to have a chance to look at whatever modifications are made to the continuing resolution that will be before us.

Mr. MCGOVERN. Is that 1 hour or 72 hours?

Mr. DREIER. Excuse me?

Mr. MCGOVERN. Will you give me 1 hour, or 72 hours as was promised?

Mr. DREIER. I have no idea what the gentleman is talking about. What is 72 hours? What is that?

Mr. MCGOVERN. My understanding was that one of the pledges of the new Republican majority was that we were going to have a 72-hour layover to be able to read the bill.

Mr. DREIER. Well, there was never any such pledge made. If the gentleman looks at the rules of the House, he knows very well that there's nothing in there that states 72 hours.

Mr. MCGOVERN. If I could reclaim my time, I thought in the rules of the House it was 3 calendar days.

Mr. DREIER. That is true. As the gentleman knows very well, we're in a position right now where we're dealing with an emergency situation; the American people are hurting. We had the measure before us with a full 3 days. It was put online on Monday, and so we had the 3 full days. And it is true, we're looking at what would be possibly an amendment to that measure, and so we will be in compliance.

First of all, again, let me say, Madam Speaker, that there was not any 72 hours in the rules of the House, if the gentleman would look at the rules of the House. It is a 3-day layover requirement, and I believe that we will be in full compliance with the 3-day layover.

Mr. MCGOVERN. Reclaiming my time, if I understand the gentleman correctly, we may or may not meet soon. We may or may not vote on it today.

Mr. DREIER. Will the gentleman yield?

Mr. MCGOVERN. I'm happy to yield.

Mr. DREIER. I thank my friend for yielding.

Let me just say that obviously we had a bipartisan agreement that was voted on yesterday that did not enjoy bipartisan support. I say that based on

the fact that we had agreements made in colloquies that took place——

Mr. MCGOVERN. If I can reclaim my time, the gentleman mentioned our distinguished minority whip on a number of occasions. I don't recall him ever saying that he supported the Republican bill.

□ 1600

Mr. DREIER. Let me specifically say that the gentleman from Washington (Mr. DICKS), the ranking member of the Appropriations Committee, indicated before the gentleman and the other Rules Committee members and me that he would be supportive of the measure; and he had a right to change his mind.

And, second, in the colloquy that took place last week between the distinguished minority whip and the majority leader, the minority whip indicated that he was supportive of the continuing resolution.

Mr. MCGOVERN. Reclaiming my time, I don't recall that, and I'll check with the minority whip to double-check on that.

I guess I'm just trying to provide some information to the Members of the House who are watching what's going on.

Am I correct in saying that, as of right now, we don't know when we're going to meet and we don't know when we'll see a final version of the continuing resolution?

Mr. DREIER. Will the gentleman yield?

Mr. MCGOVERN. Yes.

Mr. DREIER. I thank my friend for yielding.

Madam Speaker, let me say that, first, to address the issue that was raised earlier, there was confusion. I don't know what the gentleman meant about 72 hours. There is a 3-day layover requirement. We will not, and let me underscore again, Madam Speaker, we will not be waiving the 3-day layover requirement; okay? So, I just think it's important for us to make that point. The gentleman repeatedly raises 72 hours and we're not in compliance with this and that, when, in fact, Madam Speaker, we will not be waiving. It's a 3-day layover requirement that exists, and we will not be waiving that.

Second, as far as what time, I believe that, within the next few hours, we'll be able to meet in the Rules Committee and come to the House floor. There are no guarantees. There are no guarantees, but I believe there is a very good chance that we will be able to, in the next few hours, meet in the Rules Committee and the gentleman and I will come to the floor with a rule that will allow us to make in order the continuing resolution to ensure that our fellow Americans who are suffering will have the resources they need.

Mr. MCGOVERN. Reclaiming my time, if I may ask the gentleman one additional question, does he anticipate that the Advanced Technology Vehicle Manufacturing Loan Program will be cut in the new version of the continuing resolution that will be brought before us?

Mr. DREIER. Will the gentleman yield?

Mr. MCGOVERN. I yield to the gentleman.

Mr. DREIER. Madam Speaker, I thank my friend for yielding.

Let me say, at this juncture, I cannot tell my friend exactly what this measure is going to consist of, but we're in a position right now where that will be considered by the Committee on Rules when we meet upstairs. So we'll be meeting upstairs and we'll see whether that might be an amendment.

Mr. MCGOVERN. Reclaiming my time, Madam Speaker, just for the record, I would like to have inserted a letter from Paul A. Yost, who's the vice president at the National Association of Manufacturers, and a letter from R. Bruce Josten, who is the executive vice president, Government Affairs of the Chamber of Commerce of the United States, both strongly objecting to the offset that Republicans included in the continuing resolution that we considered yesterday that went down.

One of the reasons there was great objection over this, Madam Speaker, was because this program that was cut actually was a job-creating program putting people to work. I would say to my colleagues, if you want to reduce the debt in this country, you ought to figure out a way to put people back to work; and the way you put people back to work is not cut every single program that provides assistance to business and to people to be able to get on their feet and create jobs.

We have a crisis in this country that is not being addressed by this House of Representatives which has yet to consider a single jobs bill. And instead, we have a continuing resolution that gets brought to the floor that provides less disaster assistance than the Senate bill does to people who are in need and pays for it, offsets it, by cutting a program to create jobs. What sense does that make?

When it comes to disaster relief, we have never, ever, ever offset disaster relief because you can't predict with any accuracy whether there's going to be a tornado next year or a hurricane next year or an earthquake next year.

There are some things we don't offset we should offset; for example, the wars. We've been in Afghanistan for 10 years, and I can't figure out why we're still there, but we're still there. Ten years. I can predict pretty much—very accurately—how much it will cost to stay another year, and yet we borrow that money. We put it on the credit card. We borrow $10 billion a month for military operations in Afghanistan that goes onto our credit card; not paid for. Not paid for.

But when it comes to helping people in this country who have been adversely impacted by a natural disaster, through no fault of their own, who have lost their homes, who've seen their communities devastated, all of a sudden we're here saying we've got to find these offsets. And where do the offsets come from? They don't come from Donald Trump's tax cut. Where they come from is a program to put people to work.

The gentleman, the chairman of the Rules Committee, talks about this great openness that we have in the Rules Committee. I have offered, I think about half a dozen times, an amendment to go after the U.S. taxpayer-funded oil subsidies, these subsidies that we provide oil companies that are making record profits, and we can't even get that issue for a vote on this House floor.

I hope we have enough time to read what's in the bill. I hope that we have enough time to understand what's in the bill. I hope that we meet today. I hope that we meet at a decent hour. But we don't have the answers to any of those questions, and I think that that's unfortunate when it comes to a bill about the funding, the continuing funding of our government.

Again, Madam Speaker, I regret that we are here. I regret that we are debating a martial law rule. We're not debating a continuing resolution right now. It's a martial rule that basically shuts everything down and allows them to bring up a bill any time they want to bring a bill up. People won't even have time to read it. And we'll have that vote possibly today. But again, we don't have any definite commitments from the other side what time or even if it will be today.

I will close by saying, Madam Speaker, that I think it is important that this House gets back to the issue of jobs and protecting and caring for the people here in this country. Our biggest challenges, I'm going to tell my friends on the other side, are not halfway around the world; some of them are just halfway down the block. I regret very much that this Congress has yet to deal with the issue of jobs.

CHAMBER OF COMMERCE
OF THE UNITED STATES OF AMERICA,
Washington, DC, September 22, 2011.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses and organizations of every size, sector, and region, strongly supports disaster relief funding to assist victims of natural disasters. The Chamber is also a vocal proponent of fiscal responsibility and recognizes that Congress must make difficult but necessary choices among competing priorities.

As Congress sets spending priorities, the Chamber wishes to highlight a few important facts about the Advanced Technology Vehicle Manufacturing (ATVM) loan program. First, the program was authorized in the Energy Independence and Security Act of 2007, which was supported by both Republicans and Democrats as an important step in reducing America's dependence on oil from unstable regimes. Second, ATVM loans, which will be repaid with interest, incentivize automakers and suppliers to build more fuel-efficient advanced technology vehicles in the U.S., providing new, opportunities for American workers in a sector of the economy that

is critical to the nation's recovery. Third, the fact that the Department of Energy has yet to use the funds Congress appropriated for the program is not the fault of industry; numerous loan applicants have been in the queue for years, waiting for the Administration to complete its due diligence.

Again, while the Chamber understands the importance of reducing America's unacceptable debt and believes that all programs must be on the table, the Chamber urges you to bear in mind the facts about the ATVM loan program, which promotes manufacturing in the U.S. and is an important component of America's energy security.

Sincerely,

R. BRUCE JOSTEN.

NATIONAL ASSOCIATION OF MANUFACTURERS,
Washington, DC, September 22, 2011.

Hon. HARRY REID,
Majority Leader, U.S. Senate, Washington, DC
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate, Washington, DC.

DEAR LEADERS REID AND MCCONNELL: The NAM is the largest trade association in the United States, representing over 11,000 small, medium and large manufacturers in all 50 states. We are the leading voice for the manufacturing economy, which provides millions of high-wage jobs in the U.S. Two-thirds of our members are small businesses, which serve as the engine for job growth. Our mission is to enhance the competitiveness of manufacturers and improve American living standards by shaping a legislative and regulatory environment conducive to U.S. economic growth.

The NAM is writing to express our support for the Advanced Technology Vehicle Manufacturing (ATVM) program, authorized under the Energy Independence and Security Act of 2007 with bipartisan support and signed into law by President Bush. The ATVM program is an example of what government/industry partnerships can accomplish. It has helped create and preserve thousands of auto sector jobs and put our nation on a path towards greater energy security. The NAM believes defunding ATVM will hurt manufacturers and their employees.

Introducing any new model motor vehicle is a capital intensive process. Automobile manufacturers and suppliers must make large investments at the front end before a vehicle enters production. The ATVM program assists this process by providing low cost capital for retooling U.S. facilities. These loans, which will be repaid with interest, allow automakers to build more fuel-efficient advance technology vehicles in the U.S. and provide greater job security for the workers they employ. Furthermore, it is worth noting that many suppliers to the automobile manufacturers are small and medium manufacturers. These smaller manufacturers have the potential to create thousands of jobs but are typically some of the first businesses impacted by a struggling economy. By maintaining the ATVM program the government will also be supporting the maintenance and growth of these smaller manufacturers.

During this time of economic recovery, we urge you to preserve this successful program that is helping preserve auto sector jobs and make promote energy security.

Sincerely,

PAUL A. YOST.

I reserve the balance of my time.

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

Let me say, Madam Speaker, to my very good friend that jobs and job creation are exactly what virtually every piece of legislation that we've been addressing in this House has been designed to deal with. Now, my friends on the other side of the aisle believe that the nearly $1 trillion—it was like $787 billion, I think, and then if you add the interest, it came up to like $1.1 trillion. That stimulus bill was their jobs bill. As I recall, we were told, if we saw that $1 trillion stimulus bill implemented, that the unemployment rate would not exceed 8 percent.

Well, Madam Speaker, in part of the area that I represent, we have an unemployment rate of 14 percent. We have a national unemployment rate of over 9 percent, and it's not acceptable. So I totally concur with my friend's assessment, and I congratulate him. I congratulate him for his opening statement there when he said the best way for us to deal with the deficit is to make sure that people in this country have jobs.

Economic growth is what we've been talking about. I believe if we had 2, 3, 4 percent more GDP growth in this country, we wouldn't be here having this discussion. The question is: How is it that we get our fellow Americans back to work?

We believe that it's essential to create long-term, good jobs in the private sector. We believe in doing things like opening up new markets around the world, because 96 percent of the world's consumers are outside of our borders. Ninety-six percent of the world's consumers are outside of our borders. And yet, unfortunately, we have not been able to have, yet, the agreements that have been negotiated over the past several years sent to us in the Congress to vote on. Clearly, if we had the agreements that have been negotiated between the Koreans and the United States, the Colombians and the United States, the Panamanians and the United States, we would create many, many jobs here in the United States.

Yesterday, Madam Speaker, I met with the Ambassador from Colombia. On August 15, they implemented an agreement with Canada for a free trade agreement between Canada and Colombia. And guess what? There has been an 18.9 percent increase in wheat exports from Canada to Colombia in 1 single month.

□ 1610

Now, Madam Speaker, I have said this time and time again here. We have union and nonunion workers who are employed by companies, great American companies that are manufacturing companies like Caterpillar, John Deere, and Whirlpool, and we could get these people working, we could get these people working if we could open up new markets for those manufactured products in Latin America and in Asia. That's exactly what we've got ahead of us. And I hope very much that the President will immediately send to us those agreements so that we can enjoy, again, bipartisan support, Democrats and Republicans working together to pass these agreements.

If we do that, we will do exactly what my friend just said, Madam Speaker, we will do exactly what my friend just said in his opening statement there. What he said was we need to get Americans into jobs so that we can have the revenues that are necessary for us to deal with the deficit and debt challenges that we have.

Mr. MCGOVERN. Will the gentleman yield?

Mr. DREIER. I'm happy to yield to my friend.

Mr. MCGOVERN. I thank the gentleman for yielding to me.

I just found out some news here in answer to a question I had earlier about offsets. Apparently, according to the National Journal, the Republican leaders are considering tacking on as much as $100 million in additional offsets to their GOP continuing resolution they are bringing to the floor. That is a quote attributed to House Rules Committee Chairman DAVID DREIER. So I just read in the National Journal basically that there will be additional offsets.

Mr. DREIER. If I could reclaim my time, Madam Speaker, let me just say that I hope very much we are able to see offsets for this because, again, we have a $14.5 trillion national debt. We have deficits as far as the eye can see. So, as we deal with the very important priorities of ensuring that our fellow Americans who are suffering because of these tragic disasters that have taken place across the country—we need to realize that there is a hell of a lot of waste in the Federal Government, a hell of a lot of waste, and there are regulations.

Again, the measure that I just mentioned, my friends said that we haven't had jobs bills before us, but the measure that Mr. HASTINGS was just managing the rule on is designed to deal with the burden of regulations which have undermined the potential for job creation and economic growth.

Again, pursuing an economic growth agenda is a priority of ours, and making sure that we get our fiscal house in order is one of those. So that is why I will say to my friend in response to his question, you bet we are going to try and find areas where the Federal Government has been expending dollars that have not been spent wisely and use those dollars to ensure that those who are suffering and those who are in need have what is necessary for them to survive.

Mr. MCGOVERN. Which brings me back to my original point of why it's important for us to see this bill. You say that you want to eliminate waste, but the U.S. Chamber of Commerce says that the Advanced Technology Vehicle Manufacturing program is not waste; it creates jobs. So I don't know where else you're going to cut.

Mr. DREIER. Madam Speaker, if I could reclaim my time, let me say to my friend we are not going to waive the 3-day layover requirement, and whatever changes are made in this

measure will be addressed in the House Rules Committee and then fully debated on this House floor so the Members will have an opportunity to decide whether or not they are going to support the special rule that would then make in order consideration of this continuing resolution that will prevent a government shutdown, make sure that the resources for those who are suffering are made available, and take us to November 18 so that very thoughtful members of the Appropriations Committee, like the acting Speaker, will be able to deal with the appropriations priorities that we need to between now and November 18.

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

Mr. MCGOVERN. Madam Speaker, I just want to make sure the record is clear when it comes to Democratic support for the continuing resolution. In his pen and pad press conference, Minority Whip HOYER said he was ''loath'' to support yesterday's CR, and I have a copy of that press conference and the transcript of the colloquy that went on on the House floor here. So if anybody is interested in reading it in detail, I have it here.

At this point, I would like to yield 3 minutes to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. I thank my colleague on the Rules Committee and my good friend for yielding. I echo all of the sentiments that he has made previously.

Firstly, I'd like to point to the fact that the National Association of Manufacturers, in its last sentence in a letter directed to Senator REID and Senator MITCH MCCONNELL, says, ''During this time of economic recovery, we urge you to preserve this successful program''—meaning the Advanced Technology Vehicle Manufacturing program—''that is helping preserve auto sector jobs and promote energy security.''

Bruce Josten, from the Chamber of Commerce, while citing to all Members of the House of Representatives that the chamber ''understands the importance of reducing America's unacceptable debt and believes that all programs must be on the table, the chamber urges you to bear in mind the facts about the ATVM loan program, which promotes manufacturing in the United States and is an important component of America's energy security.''

I only cited that for the reason that there could be no better person to know what martial law is than the distinguished chairman of the Rules Committee, who is my good friend. He and I, he and Mr. MCGOVERN and I, Ms. SLAUGHTER and he and I have been back and forth on martial law when Democrats were in charge and when Republicans were in charge. One thing you need to understand is this is martial law that you are bringing this rule under, and we don't even know what's in the bill.

Yesterday afternoon, the Republican leadership brought up a bill that failed American workers, failed our Nation's economy, and failed those struggling to recover from natural disasters. It is no surprise that their rank and file then failed them.

Rather than take up language that has already passed the Senate with bipartisan support, Republicans instead chose to pit unemployed factory workers against hurricane victims. This is not the kind of behavior that will bring our Nation out of this recession.

While Republicans continue their partisan squabbles, countless Americans are fighting for their livelihoods. Six years after Hurricane Katrina, roofs are still being replaced, homes are being repaired and paperwork is still pending for funds that have yet to be allocated. And if you've been to New Orleans, you'll see a whole section of that city that is not in repair.

In my home State of Florida, FEMA has already delayed $1.68 million for work resulting from 2004 and 2005 Hurricanes Charley, Frances, Ivan, Jeanne and Dennis.

Given my colleague's distorted priorities, I can't help but wonder how long will the people of New England have to wait since we've been waiting in Florida since 2004 and 2005.

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

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

Mr. HASTINGS of Florida. And some have been waiting for drought relief and flood relief for an equal number of years. But this appears to be of no consequence to my Republican colleagues as they fail to recognize that their ideological posturing has very real repercussions. Once again, their irresponsible behavior and unwillingness to compromise has put us on the brink of yet another shutdown.

H. Res. 409 unnecessarily will provide for same-day consideration of another Republican continuing resolution, violating the House Republicans' rules package passed in January which provided that all bills will be available to the public 3 days before coming to a vote. Not only did we not get the required 72 hours, we didn't get 24 hours.

The Speaker made it very clear. He said that we will dispense with the conventional wisdom that bigger bills are always better; that fast legislating is good legislating; and that allowing additional amendments and open debate makes the legislative process less efficient than our forefathers intended. Legislators and the public will have 3 days to read bills before they come to a vote.

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

Mr. MCGOVERN. I yield to the gentleman an additional 30 seconds.

□ 1620

Mr. HASTINGS of Florida. We were told we would have 3 days to read bills before they come to a vote. We were told that they would be on the Internet and that technology is available so that all of America could see what we're doing. And as the Speaker said—and I thoroughly agree—fast legislating is not good legislating, especially when there is no need to require a rushed, closed process. As far as we know, we're voting on a same-day rule for a bill we don't even know exists. Before we even ask to spend billions of dollars, we should have some idea of what's going on. And it's not enough for me to hear that we're going to hear about it in the Rules Committee later on. I want to know what's going on right now.

Mr. DREIER. Madam Speaker, first, may I inquire of the Chair how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from California has 6 minutes remaining, and the gentleman from Massachusetts has 10 minutes remaining.

Mr. DREIER. Madam Speaker, I yield myself such time as I may consume to say to my friend from Fort Lauderdale, my Rules Committee colleague, Mr. HASTINGS, that I'd like to associate myself with a segment of the remarks that he made talking about the priority of addressing the very pressing needs of those who are suffering because of the disasters that have taken place in this country. My friend is absolutely right, and that's the reason that we are here.

Now, I would like to say that I don't know where it is that my friends get this 72 hours that's discussed regularly. Mr. MCGOVERN has raised that, Mr. HASTINGS has raised it, Madam Speaker, and I don't know where they get that. We have what is known as the 3-day layover requirement. And let me clarify this because obviously some of my colleagues don't completely understand. I'm talking about the rules of the House, not statements that may have been made. The rules of the House say that there is a 3-day layover requirement.

On Monday, Madam Speaker, this measure was put online; the bill that we voted on yesterday was put online. It calls for $1.043 trillion in spending on an annual basis as we address keeping the government going, ensuring we don't have a government shutdown between now and November 18. That was put online on Monday.

Mr. HASTINGS of Florida. Will the gentleman yield?

Mr. DREIER. I yield to the gentleman from Florida.

Mr. HASTINGS of Florida. I just wanted to respond to your statement that you don't know where we—

Mr. DREIER. Are you telling me I can't associate myself with your remarks?

Mr. HASTINGS of Florida. No, that you don't know where we got the 72 hours from. Well, if you go on the Speaker's Web site, you will see in the very first paragraph what he says in that regard with reference to 72 hours. Perhaps that's where we got it from.

Mr. DREIER. If I could reclaim my time, I will tell my friend that the rules of the House are what we are complying with. The rules of the House say a 3-day layover requirement. On Monday, this was made available and put online. And now my friend says, I want to see it now, I want to see exactly what we're considering.

The reason that we will not be waiving the 3-day layover requirement is that we are going to have a bill that is very similar to the measure that we had last night, with possibly an amendment made to that.

I am happy to further yield to my friend.

Mr. HASTINGS of Florida. Just one thing, Mr. Chairman: Does the Speaker's word matter or not?

Mr. DREIER. If I could reclaim my time, Madam Speaker, I will tell you that I don't know what he means by the ''Speaker's word.'' The rules of the House are what we live by.

The rules of the House say that it needs to be made available online for 3 days. And guess what, Madam Speaker? We are in full compliance with the rules of the House, and we have no intention to waive that.

Okay. I'm looking now at a statement that was made on some program on Fox that says: ''I will not bring a bill to the floor that hasn't been posted online for at least 72 hours.'' Let me say thank you. I want to express my great appreciation. And I appreciate the size of the type, too, making it very easy for me to read it across the aisle here, another indication of our bridging the gap between either side of the aisle here, which is something I greatly appreciate.

It did turn out that the Speaker did say that, but then we came forward with a rules package; and that's why what I'm saying is the rules say that we will in fact have 3 days. A 3-day layover requirement needs to be met, and that's what the rules of the House consist of.

Mr. HASTINGS of Florida. Mr. Chairman, one thing I really would like to make clear and take out some of the hyperbole and the passion from my side or yours, we know, and you have said—and I echo your expressions with reference to the need for us to address—

Mr. DREIER. If I could reclaim my time for just one moment—and the reason I'm doing that is that I'm told that we have about 1 minute or so left, and I know my friend has 10 minutes. So could my friend yield to the gentleman and me? I know we're going to get the great poster with the Speaker's quote up there again, and I will look forward to reading it again, and I will join in reading it again with you all.

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

Mr. HASTINGS of Florida. The only thing I am trying to get across is I don't want the American public to believe that whenever we get through—whether it's 72 hours, or whenever it is—that that means that the desperately needed money in Vermont and in New England and other places is going to be forthcoming most immediately because I'm telling you that from '04 and '05, from six hurricanes we are not being paid in the State of Florida.

Mr. DREIER. Let me just very quickly say that it was explained to us by the chairman of the Appropriations Committee today that we're spending about $30 million a day. There's $200 million in the account; it's scheduled to expire by this weekend. Passage of this measure tonight is something that will ensure that we will at least have those resources, and I hope we can address the needs of those Floridians who continue to suffer.

Mr. HASTINGS of Florida. Well, not only Floridians.

Mr. DREIER. And others in this country.

Mr. HASTINGS of Florida. Exactly. That's the point. From tornadoes, from hurricanes, from fires, all over the place.

Mr. DREIER. I thank my friend.

Mr. Speaker, I would say to my friend that I'm going to close the debate over here as soon as my friend holds up that brilliant poster of the Fox News interview that Speaker BOEHNER had.

With that, I reserve the balance of my time.

Mr. MCGOVERN. I yield myself the balance of my time.

Mr. Speaker, I am going to hold this poster up because I want to make sure that it's clear to everybody. I'm going to quote this: ''I will not bring a bill to the floor that hasn't been posted online for at least 72 hours.'' JOHN BOEHNER, Fox News, ''America's News Room,'' 7/22/2010.

Mr. Speaker, we can have all the verbal gyrations that we can come up with here about how not to kind of get to the point, which is that we're not going to be able to have 3 days or 72 hours or 3 legislative days—or three anything—to look at this bill. And the bill that we're going to be debating later today or tomorrow—we don't really know—is going to be different. And we know it's going to be different because the chairman of the Rules Committee said in an interview that we have online to National Journal that there's probably going to be another $100 million more in offsets. And so where are those offsets coming from?

We know that one of the offsets that was in the continuing resolution yesterday was an offset that actually was a job killer, that actually is something that not only Democrats supported, but the United States Chamber of Commerce supported. Everyone came together and agreed that this is a good program, and it was cut, and it is going to discourage job creation in this country.

So I think it is important to know where these offsets are going to be coming from. And, again, let me repeat what I've said over and over: this has not been a bipartisan process. The only thing bipartisan about this continuing resolution was the opposition to it.

And, again, I would tell my Republican friends that the reason why this promise by Speaker BOEHNER is important is because we do need to understand what's in the bill. We're beginning to understand that your rules don't live up to what you actually promised.

Mr. Speaker, the other thing about this that I think is important for people to understand is that never, ever, ever have we ever insisted on offsets for emergency spending for disasters. We don't know whether there will be one, two, three, or no emergencies that hit our country next year or the year after or the year after that. Maybe my Republican friends have now figured out a way to predict earthquakes and tsunamis and hurricanes and tornadoes, but we don't know how to predict with any accuracy.

And this notion that we're not going to be there, that we're going to insist on offsets in order to provide people who have been thrown out of their homes, whose communities have been destroyed through no fault of their own, that we can find an offset when we don't need any offsets for nation-building in Afghanistan, that's all on your credit card. There's no offsets needed for that.

□ 1630

Why is it that no offsets are needed to do that kind of stuff, but when it comes to helping people in this country, all of a sudden we become super fiscally conservative? We need to have offsets for everything.

You want to reduce the debt? Put people back to work. That's how you do it. Cutting programs that put people back to work doesn't put people back to work. It slows down the economic recovery.

Here we are in September, and we have yet to deal with a single jobs bill on this floor. I don't know what it's like in California, but I can tell you in Massachusetts, when I go home, people want to talk about jobs and the economy. Yes, they want to reduce the debt, and they understand, by ending some of these wars, by cutting back on some of these overseas bases that we have, by asking Donald Trump to pay his fair share.

There's something wrong in this country when a billionaire hedge fund manager pays a lower tax rate than his secretary. It's like, no, we can't ask that person, that billionaire to pay his fair share. Everything is aimed at working people and those who are most vulnerable.

We should be talking about putting America back to work. We should be debating every day about ways to stimulate this economy, to provide incentives to put people back to work, to find ways to stop incentivizing corporations to send American jobs overseas.

Instead, my friends on the other side of the aisle are protecting all that status quo. I mean, they are protecting those tax breaks, those incentives that encourage jobs to go overseas. Enough. Enough.

I'll close by saying this, Mr. Speaker: When it comes to protecting subsidies for Big Oil companies, my friends are there. When it comes to rebuilding and nation building in Afghanistan, they're there. When it comes to maintaining a Tax Code that allows a billionaire hedge fund manager to pay a lower tax rate than his secretary, they're there. But when it comes to disaster assistance, when it comes to jobs, when it comes to things that matter to everyday people, it is a struggle. It is a fight.

I would urge my colleagues to rethink their priorities, to work in a bipartisan way when it comes to disaster relief and job creation.

Let's bring the President's jobs bill to the floor. If you don't like it, vote against it. But allow us to have the opportunity in this new, open House. Let us bring the President's jobs bill to the floor. Let us see whether we can pass it here. I think if this truly is an open House, we ought to have that opportunity.

I will just say, Mr. Speaker, before I yield back the balance of my time, I don't know when we're going to get this bill. I don't know where the cuts are going to be made. I don't know what other job-creating programs are going to be cut. But again, ''I will not bring a bill to the floor that hasn't been posted on line for at least 72 hours.'' We're not even going to get 72 minutes, in all likelihood.

I urge my colleagues to vote ''no'' on this.

I yield back the balance of my time.

Mr. DREIER. I yield myself the balance of my time.

Mr. Speaker, the American people are hurting and have been suffering from disasters over the past several weeks and months and, obviously, for a long period of time in the past.

We just had a meeting downstairs where one of my new colleagues, the gentleman from Williamsport, Pennsylvania (Mr. MARINO) stood up and talked about the fact that he, just days ago, was trudging through mud, meeting with the parents of small children, young children who were literally sitting on the hoods of automobiles in Pennsylvania where terrible flooding has taken place, and they have been asking him, since they had lost their homes, what he was going to do. And Mr. MARINO made it very clear that he would do everything possible to ensure that those families would have what they needed. And that's why we're here right now with the measure that we have before us.

Now, Mr. Speaker, this measure that will come before us later this evening is a measure that has been online more than 72 hours. It was put online on Monday. Today is Thursday, so well beyond 72 hours it's been made available.

We have actually doubled, from $500 million to $1 billion, the FY11 request that was made by the President because we understand the imperative of getting these resources to the American people who are suffering. We can do that, Mr. Speaker, while, at the same time, reining in the size and scope and reach and control of the Federal Government, because everyone knows, Democrats and Republicans alike acknowledge, that there is waste in government, and that's the reason that we're saying we must pare the level of spending back.

And so, Mr. Speaker, this is not martial law. This is simply our step to ensure that the American people get the resources they need and that we do it in a fiscally responsible way, and it stems from what was a bipartisan agreement.

Mr. Speaker, with that, I urge an ''aye'' vote on the rule.

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

The SPEAKER pro tempore (Mr. WOMACK). The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question on House Resolution 409 will be followed by 5-minute votes on adoption of House Resolution 409, if ordered; ordering the previous question on House Resolution 406; and adoption of House Resolution 406, if ordered.

The vote was taken by electronic device, and there were—yeas 240, nays 180, not voting 13, as follows:

[Roll No. 721]

YEAS—240

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cohen
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—180

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Connolly (VA)
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes

Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey

NOT VOTING—13

Bachmann
Conyers
Deutch
Giffords
Higgins
Hirono
Kaptur
Lee (CA)
Paul
Rangel
Reichert
Richmond
Yarmuth

□ 1711

Mr. GUTIERREZ, Ms. MATSUI, Messrs. McINTYRE, CROWLEY, and Ms. EDDIE BERNICE JOHNSON of Texas changed their vote from ''yea'' to ''nay.''

Mr. BARTLETT changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 238, nays 182, not voting 13, as follows:

[Roll No. 722]

YEAS—238

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cohen
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—182

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Connolly (VA)
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey

NOT VOTING—13

Bachmann
Conyers
Deutch
Giffords
Gohmert
Hirono
Johnson (GA)
Larson (CT)
Markey
Paul
Rangel
Reichert
Yarmuth

□ 1718

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 2401, TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON THE NATION ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 406) providing for consideration of the bill (H.R. 2401) to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 237, nays 184, not voting 12, as follows:

[Roll No. 723]

YEAS—237

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul

McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—184

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey

NOT VOTING—12

Bachmann
Conyers
Deutch
Giffords
Gohmert
Hirono
Landry
Pascrell
Paul
Rangel
Reichert
Yarmuth

□ 1726

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 245, noes 175, not voting 13, as follows:

[Roll No. 724]

AYES—245

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—175

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Reyes
Richardson
Richmond
Rothman (NJ)
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey

NOT VOTING—13

Bachmann
Blumenauer
Conyers
Deutch
Giffords
Hirono
Marchant
Palazzo
Paul
Rangel
Reichert
Roybal-Allard
Yarmuth

□ 1735

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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

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

The Clerk read the resolution, as follows:

H. RES. 411

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

COMMITTEE ON SMALL BUSINESS.—Ms. Hahn, to rank immediately after Mr. Richmond.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON THE NATION ACT OF 2011

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2401.

The SPEAKER pro tempore (Mr. PALAZZO). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 406 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2401.

□ 1738

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2401) to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes, with Mr. WOMACK in the chair.

The Clerk read the title of the bill.

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

The gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from California (Mr. WAXMAN) each will control 1 hour.

The Chair recognizes the gentleman from Kentucky.

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

The last time the Clean Air Act was significantly changed was in 1990, nearly 21 years ago, and since that time, a lot of changes have occurred in America. First of all, we find ourselves today with a situation where over 14 million Americans are unable to find work and millions more have given up trying. It appears that the only place where the job situation is good is at Federal regulatory agencies. Employment at Federal regulatory agencies has climbed 13 percent since President Obama took office, while private sector jobs shrank by 5.6 percent. I believe these two divergent trends are related because the breaking pace at which the Environmental Protection Agency is cranking out new regulations is creating obstacles to job creation in America, and also to stimulating the economy.

I don't care if you speak to small business people today or large business people today, they will tell you that one of the reasons that they are not investing is because of uncertainty—uncertainty about the health care bill that was passed last year, uncertainty about the financial regulations that are raising capital requirements and making loans more difficult to obtain, but primarily they talk about the excessive regulations coming out of the Environmental Protection Agency.

Now, these regulations normally are not scrutinized very much, but I believe that the legislative branch has the responsibility, particularly when this many regulations are coming down the road, at a time when it's having impact on our ability to grow the economy, that the legislative branch needs to look at it, and that's precisely what we're doing with the TRAIN Act.

□ 1740

Under the TRAIN Act, we are establishing a government body that will look at the cumulative impact of about 12 regulations that have come down from the EPA in the last year or so. For example, there are a number of costly new rules impacting coal-fired electric power plants. These include utility MACT, Cross-State Air Pollution Rules, greenhouse gas rules, coal combustion residuals, and others.

Each of these rules, alone, will force some existing power plants to shut down, while also blocking new ones from being built. This is bad enough, not just for jobs, but also because it will raise electricity prices. But the combined effect of all these rules is far worse. In fact, it could even reduce generating capacity enough that it would jeopardize the reliability of the Nation's electric grid system. And we need to know all of the information that we can obtain about these regulations so that we can move forward in a legitimate and conscientious way.

If America is going to remain competitive in the global marketplace, it is going to have to have reasonable electricity prices, and that's going to be essential if we're ever going to stimulate this economy and create jobs in America.

The cumulative burden of regulations really has not been much of a burden in the past because it's seldom that EPA has ever come forth with this many regulations. But the Obama administration's attempt to squeeze at least a decade's worth of major Clean Air Act regulations into less than 3 years, and do so in the midst of a weak economy, creates serious problems for America.

The TRAIN Act, which really is very simple, will require an analysis of the cumulative impacts of the listed rules on energy prices and reliability, on jobs, and the effect on American competitiveness.

Two upcoming rules that pose a particularly serious threat and are a major component of EPA's agenda are the utility MACT and the Cross-State Air Pollution Rule. For these two rules, we will be offering an amendment that would put them on hold, pending completion of the cumulative impact study, as well as make substantive changes to make sure that they are achievable in real life.

I might point out that the utility MACT is not in effect yet. The final rule is expected in November of this year. But the Cross-State Air Pollution Rule is in effect, and they'll start implementing it the first of the year.

We're going to ask that that implementation be delayed until the final rule of our committee that's established under the TRAIN Act makes its final report on August 1, 2012.

Some people are saying, well, if you delay this, then what are we going to do about our air transport rule? Well, the reality is that we have an air transport rule in effect today. I might add that EPA, when they implemented this bill, the CAIR Act, which was invalidated by a Federal court, showed that the SO_2 emissions, the NO_X emissions would be reduced significantly. And just about every environmental group in America supported the implementation of CAIR.

I might also say that with CAIR, at that time, EPA came out with one of their benefit analyses, and they said CAIR will result in $85 billion to $100 billion in health benefits each year, preventing 17,000 premature deaths, 22,000 nonfatal heart attacks, 22,300 hospital admissions, 1.7 million workdays, 500,000 lost schooldays. What we have in place today is doing a tremendous job; and until a court invalidated it, everyone was pleased with it. And so there's little reason for us to rush forward to put in a new air transport rule when we have one that is working fine today.

I might also say, some people have criticized this by trying to look at the cumulative impact of all these 12 or 13 regulations that EPA has implemented, but I would point out that President Obama, in his Executive Order 13563, said: I'm asking people in my administration to tailor regulations to impose the least burden on society, taking into account other things, including the cost of cumulative regulations.

So this legislation, which some people are going to describe as radical, is simply implementing what President Obama has asked his Environmental Protection Agency to do, and yet they refuse to do it.

With that, I do hope that people will support H.R. 2401. It's a commonsense approach to remove regulations that

are prohibiting jobs from being created in America and stimulating the American economy.

I reserve the balance of my time.

Mr. WAXMAN. Mr. Speaker, I yield myself 5 minutes.

This week is Dirty Air Week in the House of Representatives. Yesterday, in the Energy and Commerce Committee, we considered legislation that will increase emissions of mercury and other dangerous chemicals from industrial sources. Today the full House considers legislation to cut the heart out of the Clean Air Act.

Mr. Speaker, this is the most anti-environmental House of Representatives in history. Since February of this year, the House has voted again and again to block action to address climate change, to halt efforts to reduce air and water pollution, to undermine protections for public lands in coastal areas, and to weaken the protection of the environment in other ways.

My staff prepared a database last month on every anti-environmental vote in this Congress. The tally was 125—125 votes to weaken clean air, clean water, safeguards to make our drinking water less safe, to weaken environmental standards in dozens of different ways. This is an appalling and dangerous environmental record. The full database is online at democrats.energycommerce.house.gov.

Today the assault continues on the Clean Air Act. The bill we consider today, the TRAIN Act, will block and indefinitely delay two EPA rules that reduce pollution from power plants: the Mercury and Air Toxics Rule and the Cross-State Air Pollution Rule. These rules are critical to protecting the public health. Each year these rules will prevent tens of thousands of premature deaths, tens of thousands of heart attacks, and hundreds of thousands of asthma attacks. They will also prevent over 2 million lost workdays. If this legislation is enacted, these public health benefits will be lost, and more babies will be born with birth defects and learning disabilities.

And this is not all. Today we will consider amendments offered by Chairman WHITFIELD and Representative LATTA that will make this bill even worse. The Whitfield amendment will eviscerate the law's ability to require power plants to install modern pollution controls.

EPA Administrator Lisa Jackson told us this morning that if the Whitfield amendment is enacted, EPA will never be able to issue a rule to prevent emissions from power plants in one State from polluting the air in a downwind State. She also said that the amendment could destroy the agency's ability to ever reduce toxic mercury emissions from power plants.

The Latta amendment is even worse. It will reverse 40 years of clean air policy, repealing the health-based standards that are at the heart of the Clean Air Act. The Latta amendment would allow our national goals for clean air to be determined by corporate profits, not public health.

□ 1750

These radical amendments were never examined in hearings or debated in the Energy and Commerce Committee or in any other committee. Members are being asked to vote on major changes to the Clean Air Act without any idea of their terrible impact on air quality and public health.

My Republican colleagues will argue that we need to gut the Clean Air Act because it is a job-killing law. That is categorically false. The last 40 years proved we could have both economic growth and a clean environment. We do not have to choose between jobs and toxic mercury emissions that endanger our children's health and poison our lakes.

The rules that are being overturned are job creators. If these rules are allowed to go forward, the utilities that operate our oldest and dirtiest power plants will have to install new pollution controls. This will create 1.5 million jobs by 2015. This bill puts these jobs on the chopping block.

I urge all Members to oppose this legislation and protect the Clean Air Act.

I reserve the balance of my time.

Mr. WHITFIELD. I might just say first of all that I would tell Mrs. Jackson that we are not preventing her from implementing new air transport rules. We're going to keep in place what we have today that EPA said was a splendid program and even defended it in the court system. If my amendment is adopted, 3 years after the final report is made, they're totally free to go in and implement a new rule.

At this time I would like to yield 5 minutes to the vice chairman, the gentleman from Oklahoma (Mr. SULLIVAN).

Mr. SULLIVAN. Mr. Chairman, I rise today in strong support of H.R. 2401, the Transparency in Regulatory Analysis of Impacts on the Nation Act of 2011, otherwise known as the TRAIN Act.

As House Republicans move forward with a bold agenda to grow our economy and put Americans back to work, one area that must be addressed is the issue of overregulation by the Federal Government.

I strongly believe the Obama administration is moving too fast and showing little regard for the economic consequences of their energy and environmental policies. They are trying to regulate what they don't have the votes to legislate, and it is going to cost Americans jobs.

With our Nation suffering under a crushing weight of 9 percent unemployment and the fact that the United States failed to create a single job in the month of August, the stakes could not be higher. The simple fact is that the businesses make decisions on where to invest based upon a number of factors, but regulatory certainty ranks at the top of the list.

I introduced this bipartisan legislation to protect American jobs, jobs that we are in danger of losing due to the Obama administration's environmental regulatory agenda. The TRAIN Act will force the EPA and other Federal agencies to conduct an in-depth economic analysis of several of their rules and regulations so Congress and the American people can fully understand how the EPA's regulatory train wreck will impact our economy.

In fact, EPA's rules and actions addressed in this legislation cost billions of dollars to the U.S. economy. The time to address the full economic burden of these regulations is now.

At its heart, the TRAIN Act simply asks questions that should be asked of any expensive regulation: What do these regulations mean for our ability to compete in the global marketplace? Will electricity prices climb and by how much as power producers are required to retrofit plants to meet new requirements? How would higher electricity prices and plant closures affect jobs in the U.S.?

It's really astonishing that the EPA is not doing this already. It is just common sense, good government for American workers and businesses.

Now, some of the opponents of this commonsense legislation, including President Obama, say that this legislation is an assault on the Clean Air Act. Nothing could be further from the truth. The TRAIN Act will not prevent EPA from continuing to develop regulations. The TRAIN Act will also not limit the EPA's authority to protect public health and welfare in any way. The fact is EPA has never done an analysis on the cumulative impacts of these regulations on global competitiveness, energy and fuel prices, employment, or reliability of electricity supply, which is why we need this legislation.

As we can see by EPA's actions on the utility sector alone, they are issuing multiple regulations on top of each other at an accelerated rate that makes it difficult for companies to invest and create jobs. I'm pleased that we include language to delay EPA's action on both the Utility MACT and the Cross-State Air Pollution Rule until 6 months after the TRAIN Act analysis is complete.

The Utility MACT Rule alone has the potential to be EPA's most expensive rule impacting the U.S. economy. And when combined, these proposed rules could cost almost $18 billion to implement as a result and cause a net employment loss of 1,450,000 jobs by 2020. These rules are an example of EPA's regulatory train wreck in action.

In addition, one of the actions in my bill that we study is the regional haze issue, which greatly impacts my State of Oklahoma, as this is yet another example of EPA's overreaching on the States with burdensome regulations without analyzing its impact on electric reliability or cost. This EPA action alone is expected to cost $2 billion to Oklahoma businesses and electric rate payers.

If there is one thing that can help our struggling economy, it is having access to stable and reliable sources of energy.

In these tough economic times, I encourage my colleagues from both sides of the aisle to support this commonsense measure.

Mr. WAXMAN. Mr. Chairman, I am pleased at this time to yield 5 minutes to the distinguished ranking member of the Energy Subcommittee, the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. I want to thank the fine ranking member of the full committee, Mr. WAXMAN, for his outstanding leadership on this matter and other matters before our committee and before this Congress.

Mr. Chairman, I join my friend and colleague, Ranking Member WAXMAN, in his declaration that this week should be known as Dirty Air Week in America based on the Republican legislative agenda.

The so-called TRAIN Act is really a train wreck for the air we breathe, the environment we live in, and the jobs we need. Just yesterday in a full Energy and Commerce Committee markup, my Republican colleagues on a mostly party-line vote favorably passed out two bills that would delay the Obama administration's new rules for industrial boilers and cement kilns—H.R. 2250 and H.R. 2681, respectively.

These two bills would delay the toxic emissions limits for both boilers and cement kilns, two of the largest emissions sources that lack Federal standards and permanently weaken the Clean Air Act so that the EPA will be forced to issue weaker standards for these polluting facilities than the law currently requires.

Now today, we're here debating the Train Wreck Act, which would delay for at least 3 years the implementation of two new U.S. EPA rules for power plants: the newly finalized Cross-State Air Pollution Rule for sulfur dioxide and nitrogen oxides, and a soon-to-be finalized rule for hazardous toxic emissions.

□ 1800

With Republicans holding the majority in the House of Representatives, we know that the TRAIN Act will ultimately collide with the health of the American people. It's going to pass this Chamber even though the cross-State rule alone would prevent 34,000 deaths in this Nation and 400,000 cases of aggravated asthma annually.

Mr. Chairman, since the new Republican majority took control of the Energy and Commerce Committee and this Congress, they have been on a relentless crusade against our environmental protection laws, and they have been trying to portray the EPA as public enemy number one.

According to the logic of today's Republican Party, agencies such as the EPA, the American Lung Association, the American Public Health Association, the Allergy and Asthma Foundation of America, and the Physicians for Social Responsibility are all actually enemies of the American people and American jobs because they oppose this radical new Republican agenda and because they advocate for policies that regulate the number of toxins and poisons that we allow industry to emit into the air each and every moment of the day.

I must remind my Republican colleagues that EPA stands for the Environmental Protection Agency and not the Evil Practices Agency, as they would have us believe.

My Republican colleagues would have the American people believe that, if Congress just gets out of industry's way and allows corporations to operate unregulated and unfettered, then they will inevitably do the right thing for the American people. The majority party also wants us to believe that we should not place standards or rules on industry because the inherent benevolence of corporations will ultimately lead them to do the right thing for the American people.

But just think of the recent past. Let me remind my Republican colleagues that this philosophy has been tested under the previous Bush administration, and it has totally failed. It has failed the American people. It has failed the American environment. It has failed the American air that we breathe.

The Acting CHAIR (Mr. HASTINGS of Washington). The time of the gentleman has expired.

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

Mr. RUSH. We don't have to look any further. Just look at the financial collapse and see what these kinds of unfettered regulations have done to jobs in this country and to jobs for the American people. This approach has put our entire economy on the brink of disaster.

After a financial collapse, here you are today, trying to bring forth a collapse in terms of environmental protections—a collapse in terms of protecting us by changing the air that we breathe.

Mr. Chairman, I urge all of my colleagues to oppose this egregious and dangerous bill.

Mr. WHITFIELD. I yield 3 minutes to the gentleman from Utah (Mr. MATHESON), who is a cosponsor of this legislation.

Mr. MATHESON. I want to thank my colleague from Kentucky for allowing me the time.

I think, as we look at the TRAIN Act today, you're going to hear a lot during this debate from both sides of the aisle; and there are going to be a lot of strong words from both sides of the aisle, probably beyond what the TRAIN Act really is.

The TRAIN Act was an idea: that we ought to take a look before we leap. The idea that we have all these processes taking place on individual rules, but that no one is bothering to take a look at how they all might fit together and what the impacts might be just doesn't make sense. That was the genesis behind this bill: to make sure that we look at the overall impact. You see, the EPA is supposed to look at the impacts on each individual rule, but they don't look at how they connect together.

The Clean Air Act has been a wonderful success in this country. It has made a lot of progress, and I think everyone in this room appreciates the health benefits it has created. It has also made a lot of progress on a lot of different criteria pollutants. Now we're taking on and addressing issues that reflect some of the more difficult issues to address at smaller increments at the upper end. As we're going to do that, I would suggest it makes sense for us to make sure that before we take actions that could have great significance that we at least understand that significance.

So that's the idea behind the TRAIN Act—look before you leap, and make sure how all of this fits together.

Despite what this debate sounds like for people watching tonight, there is a common agenda here among everyone. I think most people in this country value clean air. They value good decision-making, too, and we want to make sure that we evaluate these issues with the best analysis possible and with the best information possible so we can make decisions in the most efficient way.

Mr. WAXMAN. Mr. Chairman, I am pleased and honored to yield 5 minutes to one of the strongest environmental champions in the House of Representatives, the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentleman for yielding.

I rise in opposition to the Republican TRAIN Act, the Total Regulatory Amnesty for Industry Negligence Act of 2011.

The very silly premise of this bill is that it's simply impossible to keep our air clean and still keep our economic engine chugging along. This Republican-led House has initiated a full-throttle ''repeal-a-thon.'' It's a three-part strategy: one, deny the science; two, delay the regulations; three, deter efforts to protect the health and security of millions of Americans.

We keep hearing from Republicans about how EPA's clean air standards to reduce mercury, lead, dioxins, and other pollutants need to be economically analyzed and reanalyzed. They insist that, even if a standard for one toxic chemical was met by an entire industrial sector, the removal of just one more poisonous chemical would cause a domino effect of problems for industry.

And the solution to these supposed problems? It is a time-tested Republican tradition.

First, pass legislation that repeals regulations that have already been set. Two, require endless study of the cumulative effects of all regulations of

all industries. Finally, just for good measure, pass an amendment that guts the very underpinnings of the Clean Air Act.

Make no mistake, that is what we are doing here today.

Our planet is warming and extreme weather is increasing. We're having record 100-year floods every few years. Hurricanes have caused floods, massive power outages, and deaths. Texas was on fire this summer after having the warmest summer ever recorded by any State. The President has issued disaster declarations in 48 States so far this year. We have set an all-time high of 83 major disasters declared in 2011. We've already had 10 weather events causing $1 billion or more in damages—another record—and we still have 3 months of the year left to go.

And what do Republicans propose?

Rather than saving money by cutting the hundreds of billions we spent on unneeded Cold War-era nuclear weapons, the Tea Party chooses to cut funds that would reduce our dependency on foreign oil. Rather than cutting the tens of billions of dollars in taxpayer subsidies we give to Big Oil and Big Coal, the Republicans gut programs that would manufacture energy-efficient cars in America and provide clean air. Republicans would have us pay for the costs of weather disasters caused by global warming by cutting funding for a program that actually reduces the very threat of global warming.

For all the talk of this so-called ''TRAIN wreck of cumulative EPA regulations,'' there seems to be one cumulative effect that isn't getting mentioned by the Republicans: the cumulative effect of all of their goals on the health of Americans. That is because the Republicans, perhaps, are spending so much time doing the bidding of those corporations that they have lost their train of thought.

If the regulation to remove mercury from cement plants—already 13 years overdue—is delayed for even one more year, up to 2,500 people will prematurely die. There will be 17,000 cases of aggravated asthma, and 1,500 people will suffer heart attacks. If the regulation to remove mercury, lead, and cancer-causing toxins from incinerators and industrial boilers—already 11 years overdue—is delayed for one more year, there will be 6,600 people who will prematurely die because of that.

□ 1810

Additionally, if this bill passes, it would repeal mercury and Cross-State Air Pollution Rules for power plants, resulting in the loss of 25,000 more lives and more than 11,000 heart attacks. And that's just with 1 year of delay.

So what's the cumulative impact of just 1 year of delay on each of these regulations? Thirty-four thousand people will die and many more will be injured.

In discussing these Republican efforts, today, Lisa Jackson, EPA Administrator, testified before our committee that, ''If we could reduce particulate matter to healthy levels, it would have the same impact as finding the cure for cancer in our country.'' The difference is we already know how to reduce particulate matter. We don't know how to cure cancer.

The Republicans are providing the American people with a false choice. We do not have to choose between air quality and air-conditioning. We do not have to choose between manufacturing and mercury poisoning. We do not have to choose between clean air and cancer. Ending protections for clean air and clean water should be a third rail issue, but the Republican Tea Party express has veered far off onto the right track.

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

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

Mr. MARKEY. I thank the gentleman.

Sadly, these are the kinds of anti-innovation, anti-science, anti-public health schemes the public has come to fear from this legislative wrecking crew.

When the Republicans beckon you to come ''all aboard'' on the TRAIN Act, I urge you to run in the opposite direction, because the only train Republicans seem to care about is the Big Oil and big coal gravy train, and that's pulling out of the station here tonight as the Republicans push this bill through the Congress.

Mr. WHITFIELD. I might say to the gentleman from Massachusetts, there is nothing in the TRAIN Act that would delay for 1 day the greenhouse gas regulations that EPA adopted last January. There is nothing in this bill relating to the Cement MACT as well.

At this time, I would like to yield 3 minutes to the gentleman from Virginia (Mr. GRIFFITH).

Mr. GRIFFITH of Virginia. Thank you, Mr. Chairman.

Ladies and gentlemen, I knew that I was going to speak on this important legislation, and I tried to find the words that I would use this evening. And while I was attempting to do that, I came across a letter to the editor in the Virginian Leader in Giles County, Virginia, that was published yesterday, September 21, 2011, and sent in by John and Eleanor Kinney. They are described in their letter as an American blue collar worker. Neither Republican nor Democrat do they support. In that letter, I will quote parts of it, they say:

''I'm going to be very blunt with the following opinion: As a factory worker and taxpayer, I'm getting sick and tired of these Federal agencies who have nothing better to do except sit in their Washington offices and draw up rules and regulations to kill American jobs. Why don't they get off their sorry behinds and go out across this Nation and try to help industry save what jobs we have left? And who is paying these EPA people's salary? We are, the American workers. I believe in protecting the environment, but we can't shut the whole country down to achieve it.''

Mr. and Mrs. Kinney of Narrows, Virginia, go on:

''I hope that anyone who agrees will write, email, or call all of our elected officials in Washington, D.C. Tell them the EPA is not living in the real world, and that it's time to put some 'regulations' on them and how they can dictate rules to what industry we are still hanging on to in this Nation. In a time of recession and Americans out of work, they should be helping industry, not trying to close what manufacturing base we have left with these idiotic rules and regulations.''

Hear, hear, Mr. and Mrs. Kinney. Hear, hear.

This bill that we are debating tonight does exactly what you asked us to do. We are doing your bidding, and the millions of Americans out there who feel the same way you do, that it's high time we put some regulations and some constraints on the regulators in Washington who don't know what it's like to have to work for a living, who don't know what it's like not knowing whether or not the particular business in your community is going to stay open.

These folks are particularly concerned in their discussion about a plant there in Giles County, one of the largest employers there that is in danger if we don't change some of the rules proposed by the EPA. They are concerned about announced layoffs in Giles County, Virginia, as a result of EPA regulations that will cause the power plant there at Glen Lyn to close down.

So, ladies and gentlemen, don't be fooled by the folks who say we are doing the bidding of Big Oil and Big Coal. We are doing the bidding of people like Mr. and Mrs. John and Eleanor Kinney.

I don't know the Kinneys, but I sure do look forward to getting to meet them, because that's the kind of people who made America great. And with a bill like this, we can continue to keep America great.

Mr. WAXMAN. Mr. Chairman, I yield 3 minutes to my fellow Californian, an important member of the Health Subcommittee, the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague for yielding time.

Mr. Chairman, I express my strong opposition to this bill that will dismantle public health standards and safeguards and increase air pollution.

The TRAIN Act may have started as a ''study,'' but it has transformed into a fundamentally different beast. It will neither create jobs nor stimulate the economy. Instead, the TRAIN Act indefinitely blocks the EPA's Cross-State Air Pollution Rule and Mercury and Air Toxics Standards. These are designed to protect our children and our families from dangerous pollutants.

We know that blocking these standards will lead to tens of thousands of premature deaths every single year. It

will lead to more heart attacks, more respiratory illnesses, more children in the hospital hooked up to respirators. The TRAIN Act means more exposure to toxic mercury as well, a brain poison that causes developmental disorders, especially in small children and the unborn.

But, Mr. Chairman, the TRAIN Act will also hurt the economy. It will make it harder for families to make ends meet. It will force Americans to miss millions of days of work each year in order to care for sick family members or themselves.

It will waste billions of taxpayer dollars treating preventable illnesses and disease caused by pollution, which could have been prevented. And it will saddle families and businesses with out-of-pocket medical costs and higher insurance premiums.

That's what the TRAIN Act is really about, blocking the EPA from ridding our air of pollutants that cause asthma attacks, respiratory illnesses among children, heart disease, and premature deaths. And the other side of the aisle wants to make it worse than it already is.

Later today, Mr. WHITFIELD will offer an amendment that imposes even longer mandatory delays on EPA's two lifesaving clean air standards, and it would rewrite the Clean Air Act to reverse the way toxic air pollution standards are set. Instead of basing standards on the cleanest plants, the standards would be based on what the oldest and dirtiest plants are doing. Today Administrator Jackson testified that this change alone would make it impossible to ever issue a cross-State pollution standard.

Another amendment, led by Mr. LATTA, would invert the Clean Air Act's 40-year-old requirement that EPA set its clean air standards on health science and medicine alone. His amendment would eliminate that right, which Americans depend upon.

I urge my colleagues to vote ''no'' on these dangerous amendments because Americans don't want millions of tons of toxic pollution dumped into their lungs. They want jobs, and they aren't fooled that they need to pay for those jobs with more pollution. They want a stronger economy, not increased health care costs and suffering. And, most importantly, they want their children to breathe clean and safe air.

I urge my colleagues vote ''no'' on this bill.

□ 1820

Mr. WHITFIELD. I might say to the gentlelady from California, the air transport rule we have in effect today, when it was implemented, EPA said it would reduce SO_X and NO_X by 73 and 57 percent by the year 2015. So it's not like we don't have something already in place.

At this time I would like to yield 2 minutes to the distinguished Member from California (Mr. COSTA).

Mr. COSTA. Mr. Chairman, I would like to thank our Republican colleagues for giving us time to speak on this important bill.

As we've discussed, H.R. 2401, the underlying bill, is one that is important and appropriate that we consider at this time. I support the underlying legislation. And also as my colleague, Congressman MATHESON stated, while it's okay to have strong feelings on this measure, it's not appropriate to overstate in fact what this legislation does.

This measure requires the creation of an interagency committee to study the effects of the current and proposed regulations put forth by the Environmental Protection Agency that together have major effects not only on our way of life but on our economy, our economy which at this point in time is in a very fragile recovery period.

For too long, constituents that I represent, farmers, farm workers and small businesses in the San Joaquin Valley, have had to shoulder the burden of mounting regulations of the EPA. They've worked hard to meet stricter standards, and we're making progress. We've made great progress in cleaning up the air quality in the valley, even while the population is growing more rapidly than any other place in the State. Yet common sense must prevail. At some point it's time to put the brakes on regulations and understand the effects on consumers, on energy, on manufacturing industries, on electricity, on fuel prices, and our country's competitiveness in the global market.

Recently, the administration has acknowledged that many regulations are having an effect on our economy. It's time that they step up to the plate and work with the Congress for common sense to prevail.

I thank Congressmen MATHESON and SULLIVAN for introducing this important measure, and I urge my colleagues to vote in favor of it. It's not an either/or choice. We can have clean air and we can have a good, commonsense decision-making process. The two are not mutually exclusive, as some of my colleagues are suggesting. I urge that you vote for this measure. It's a commonsense way to work through these difficult issues.

Mr. WAXMAN. Mr. Chairman, before I yield, I want to indicate that Mr. WHITFIELD just argued that this bill will not harm public health because although it blocks two critical rules to clean up old power plants, it doesn't repeal the Clean Air Interstate Rule, or the CAIR rule. Well, leaving an inadequate rule in place does not achieve the health benefits lost by blocking the Mercury Air Toxics Rule and the Cross-State Air Pollution Rule. The CAIR rule was blocked by the courts. They found it didn't comply with the Clean Air Act because it did not effectively address pollution that crosses State lines. That means that States suffering from up-wind pollution have to look for additional, more costly, pollution reductions from smaller local sources; and it does not require power plants to clean up mercury and other toxic air pollution. His statement was absolutely incorrect.

At this time I want to yield 3 minutes to a very important member of our committee, Ms. SCHAKOWSKY from the State of Illinois.

Ms. SCHAKOWSKY. I thank the gentleman for yielding.

The majority's assault on clean air continues and has culminated into what my friend and colleague, Mr. WAXMAN, has rightly referred to as Dirty Air Week.

The effort to further delay EPA from protecting our air would damage our environment and the health of our citizens. Today, 60 percent of Americans live in areas where air pollution has reached unhealthy levels. The health care costs associated with air pollution are estimated at over $100 billion annually. But these statistics would be even worse without the protections of the Clean Air Act. According to the American Lung Association, Clean Air Act regulations prevented over 160,000 premature deaths in 2010.

Over the past 20 years, the EPA estimates that the Clean Air Act prevented 21,000 cases of heart disease, 672,000 cases of chronic bronchitis, 843,000 asthma attacks, and 18 million child respiratory illnesses.

Yet today we consider a bill the Natural Resource's Defense Council has deemed the deadliest bill on the Republican agenda. The goal of the TRAIN Act is to undermine EPA's ability to protect our citizens from dangerous toxins through the dismantling of the Mercury and Air Toxics and Cross-State air pollution standards.

As a mother and a grandmother, I have been a long-time advocate of clean air practices, especially with regard to mercury.

Mercury threatens public health, but is particularly dangerous to pregnant women and children. Overexposure to mercury inhibits a developing child's ability to walk, talk, read, write, and comprehend and is one of the most dangerous unregulated toxins, which is why I led legislation in the last Congress to curb mercury emissions from various facilities.

In my home State of Illinois, coal-fired power plants emitted almost 5,000 pounds of mercury into the atmosphere in 2009, making Illinois the seventh most mercury-polluted State in the Nation. But while Illinois has taken steps to reduce mercury contamination, air pollution doesn't stop at State borders. Federal standards are needed to ensure that every State makes a good-faith effort to protect its residents.

The Mercury and Air Toxics Standards will prevent 4,500 cases of acute bronchitis and 6,800 premature deaths. And the Cross-State Air Pollution Rule will prevent 400,000 cases of aggravated asthma and 34,000 deaths per year.

My colleagues across the aisle claim to be in the business of eliminating

burdens. But by my math, every year these regulations are delayed, over 40,000 preventable deaths will occur. And as much as Republican opponents to the EPA would like to disagree, these rules, like the previous Clean Air Act regulations, will grow our economy.

Earlier this year, the Political Economy Research Institute concluded that the Cross-State and Mercury and Air Toxics rules will drive investments that could create 300,000 new jobs annually. The Mercury and Toxics Air Standard alone is expected to generate $7 billion in annual GDP growth. The numbers are clearly in favor of the Clean Air Act and I reject the Republican idea that Americans need to choose between jobs and health. The proven good news is that we can do both.

Mr. WHITFIELD. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Kentucky (Mr. GUTHRIE), a member of the Energy and Commerce Committee.

Mr. GUTHRIE. The bipartisan position, the one that both parties working together have put forward, is to support this; and we've had different comments about the Republicans are doing this or that. But the truth of the matter is this is a bipartisan bill. It's a bipartisan bill that our country needs because for 2½ years bureaucrats at the Environmental Protection Agency have run wild with new regulations while hiding the staggering job losses that would result.

The TRAIN Act requires an interagency committee to study the actual economic effects of EPA regulations and make the findings public. Most of us say that's a commonsense request of EPA, no more regulations until we know how many jobs will be lost.

Mr. Chairman, I have a manufacturing background, and I come from a manufacturing State. In Kentucky, we know what it takes to keep and grow jobs, and it isn't excess regulations from EPA. I implore my colleagues to pass the TRAIN Act and shed light on the havoc that this agency is causing for job creators nationwide. A vote for this bill is a vote for jobs and for transparency.

Mr. WAXMAN. I yield 5 minutes to the gentlelady from the State of Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Chairman, for too long too many people in this body have proposed that we must make what amounts to a devil's bargain: choosing between environmental protections and jobs. Today, the ideology behind that false choice brings us to the brink of gutting one of our Nation's fundamental laws, the Clean Air Act.

Mr. Chairman, the Clean Air Act has safeguarded our economy and our families' health for decades. And despite heated rhetoric from the other side, it does not stand in the way of creating jobs. In 2010 alone, the Clean Air Act prevented 160,000 premature deaths, 3 million lost school days, and 13 million lost workdays.

□ 1830

By 2020, the Clean Air Act's total benefit to the economy will reach $2 trillion, outweighing the costs by 30–1. But despite the actual numbers, today we find ourselves debating a full attack on clean air—through the TRAIN Act—which would represent an unprecedented upheaval of our long-held pollution standards.

Now, Mr. Chairman, we had a 3-hour hearing in my committee, the Oversight Subcommittee, today talking about the alleged job loss that the majority claims would happen. I heard no—repeat no—evidence that these rules would cause a job loss. In fact, the evidence put into the record at the hearing showed that these regulations will create jobs at the same time they are preserving our citizens' health.

A key amendment to this act, which will be introduced later by Mr. WHITFIELD and which was accepted during the committee markup, is a dangerous measure that would indefinitely block two major Clean Air Act regulations. First, the Utility MACT rule, reducing mercury and other toxic emissions from power plants, and also the Cross-State Air Pollution Rule, reducing sulfur dioxide and nitrogen oxide emissions from power plants. Both of these rules are being developed after extensive cost benefit analyses.

Together, the two rules would prevent more than 50,000 premature deaths per year across the country. Now why would we delay implementation of the rules based solely on letters from constituents and anecdotal evidence? In fact, these two critical federal regulations correspond to successful pollution regulations in my home State of Colorado that are already bringing positive results for our State.

Now everybody in this Chamber knows the natural beauty of Colorado is a treasure for everyone to enjoy. People move there because of the clean air and safe water. It is also a primary driver in our economy through natural resources development and tourism. But because of mercury emissions from power plants, cement kilns, refineries, and commercial boilers, about 20 percent of our pristine lakes and reservoirs contain mercury-tainted fish, including in our alpine areas.

To combat that, Colorado has adopted some of the most stringent mercury rules in the country, with regulations on the books to cut mercury emissions by 80 percent by 2012 and 90 percent by 2018. These State regulations have been implemented successfully and to our collective economic benefit—a federal overlay to such regulations would bring the benefits that we have in States like Colorado to the entire Nation.

Colorado also has been a leader in cutting sulfur dioxide and nitrogen oxide emissions to our economic and environmental benefit. While some States had a tough time designing haze-reduction plans in response to the Bush administration's now-defunct Clean Air Interstate Rule, Colorado didn't wait. We knew that we could clean up our power plants and also the power the economy.

So in 2010, Colorado enacted the Clean Energy Clean Jobs Act. The law calls for utilities to reduce haze-causing emissions of sulfur dioxide by about 80 percent and nitrogen oxide by about 85 percent. As a result, Colorado's largest utility, Xcel Energy, is on track to shutter four coal-powered plants, three in Denver, and replace that generation with natural gas-powered units. It will also install emissions controls for another 951 megawatts of coal-fired electrical generation. And, Mr. Chairman, Xcel expects that these improvements will only increase rates by 2 percent annually over the next 10 years.

Colorado's successful experience with these types of regulations stands as even further proof that effective and efficient regulations to protect our air and water bring ever growing benefits to our Nation. And blocking these regulations is a dangerous game where America's families will pay the price.

Mr. Chairman, the provisions of these amendments will fundamentally rewrite our approaches to the Clean Air Act regulations that have been the gold standard of our environmental laws since 1990.

I urge rejection of the amendments, and I urge rejection of this bill.

Mr. WHITFIELD. I certainly have great respect for the gentlelady from Colorado, whom I've had the opportunity to work with on a lot of issues, but I would say to her and to others the only regulation that we're delaying relating to mercury is the Utility MACT. And I might say that EPA said that the health benefits from the reduction of mercury because of the Utility MACT was so insignificant that they did not even include it as a benefit.

At this time, I would like to yield 2 minutes to the gentleman from Texas (Mr. OLSON), a member of the Energy and Commerce Committee.

Mr. OLSON. I thank my colleague from Kentucky.

Mr. Chairman, there appears to be some funny accounting at the Environmental Protection Agency. EPA justifies issuing major rules that will have a tremendous negative impact on our economy by relying on the concept of ''lives saved from premature death.'' Well, let's take a look at those ''lives saved'' numbers.

Ninety percent of the 13,000 to 34,000 theoretical ''lives saved'' from the Cross-State Air Pollution Rule are from particulate matter exposures already below the National Air Ambient Quality Standard. Ninety percent of the 6,000 to 17,000 theoretical ''lives saved'' from the Utility MACT are from particulate matter exposures already below the National Air Ambient Quality Standard.

Do you notice the theme? The EPA should explain how they attribute a

net benefit to a concentration of particulate matter below their own standards.

I encourage Members to vote ''yes'' on the TRAIN Act, H.R. 2401, to hold the EPA accountable, and to put a stop to this job-killing nonsense.

Mr. WAXMAN. Mr. Chairman, my colleague, Mr. WHITFIELD, just said that the EPA found that the mercury reduction benefits were so insignificant by EPA. Well, what they found was they couldn't put a pricetag on the avoided birth defects and brain damage to babies. If that's insignificant, I just think people ought to put this whole effort to deregulate the efforts to protect the environment in perspective. I think the Republicans think it's insignificant because we can't put a dollar figure on birth defects and brain damage to an infant—and so many Republicans call themselves pro-life.

I want to yield 5 minutes to the distinguished chairman of the Interior and Environment Appropriations Subcommittee who has fought so hard to protect environmental regulations, especially those that protect the public health, the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Mr. Chairman, I want to thank Mr. WAXMAN for his constant, credible leadership. He is saying what all Americans should be aware of. This is an incredibly important piece of legislation. Mr. Chairman, power plants emit 96,000 pounds of mercury into the air we breathe every year. Yet this bill would prevent EPA from regulating mercury.

Mercury is an extremely dangerous neurotoxin. It damages children's developing brains, reducing their IQ and their ability to learn. At low levels of exposure, it causes insomnia, neuromuscular changes, headaches, disturbances in sensations, changes in nerve responses and impairment of cognitive functions. Hundreds of thousands of people have been affected in this way. But at higher exposures, it affects kidneys, causes respiratory failure and death.

One gram of mercury, a tiny drop, can be enough to contaminate 200 million gallons of water, which is the size of a 20-acre, 30-foot deep lake. All but one State, Alaska, have issued health advisories warning their residents against eating fish caught in their waters because of mercury contamination. It goes up in the air from the power plants, then when it rains, it goes into the water, it poisons the fish, and ultimately it poisons human beings. Two States, Oklahoma and Maine, have issued Statewide fresh water advisories that you should be wary of eating any large fish due to the possibility of mercury poisoning.

Think of this: Despite this acknowledged danger, each year, power plants release 96,000 pounds of mercury into the air.

EPA's proposed Mercury and Air Toxics Standards rule requires power plants to meet the same requirements that other industries have already met using proven emission control technologies that will reduce mercury emissions by 91 percent. It can be done. And the cost of meeting both regulations pales in comparison to the economic benefits Americans will receive with cleaner air.

□ 1840

The proposed Mercury and Air Toxics Standards rule has a quantified benefit of between 5 and 13 times its cost. And the pollution reductions required by the Cross-State Air Pollution Rule will yield benefits of $120 billion to $280 billion per year, which is between 150 to 350 times its cost.

This bill serves the interest of no one but a few CEOs and the politicians who are supported by them, who refuse to accept responsibility for the harm their unregulated power plants have imposed on the rest of us.

Mr. Chairman, this bill itself is deliberately deceiving. In fact, the title of the bill implies something that is not true. The Environmental Protection Agency is fully transparent, and it has already performed a Regulatory Impact Analysis on the cost of its Clean Air Act regulations. And the intent of the bill is not what it claims. The true intent of this bill is to slow down or block implementation of EPA's obligations under the law to regulate our environment. It specifically suspends further action on two regulations—the Cross-State Air Pollution Rule and the proposed rule on Mercury and Air Toxics Standards—that are required under the Clean Air Act amendments of 1990.

Pass this bill and you will condemn tens of thousands of Americans to a premature death, you will sentence millions more to a lifetime of health complications, and you will straddle our economy with unnecessary costs and employers with millions of additional sick days.

The goal of a cleaner environment and a healthier population should not be sacrificed in order to keep this Nation's dirtiest power plants from doing what almost every other industry and all governments have done to reduce harmful air pollution.

What we're being given here is a false choice peddled by, as I say, a fraction of CEOs in the utility industry who refuse to clean up their antiquated coal-fired power plans.

We can have clear air and more jobs. History provides us with proof it is possible because it has already happened. Hundreds of thousands of people owe their life today to the environmental movement and leaders in Congress like Mr. WAXMAN and the White House who pushed for and passed the landmark environmental laws—back in the 1970s in the Nixon administration, and in 1990—that required polluters to clean our waters and reduce the pollution in the air we breathe. In the decade after the 1990 Clean Air Act amendments were signed into law by George H.W. Bush, our unemployment declined, our economy grew, and we reduced acid rain-forming gases by more than 30 percent.

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

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

Mr. MORAN. I thank the gentleman.

I want you to listen to this, Mr. Chairman. The cost of meeting the emission reductions was actually 75 percent less than what EPA had originally predicted in 1990, and it was far below what opponents had claimed. But there are still a number of provisions of the Clean Air Act that have never been implemented, and now we have much more scientific and medical evidence to inform our decisionmaking. We know that a drop of mercury can poison an entire lake. We know these things now. We know the harm of mercury and toxic chemicals. We know how much is coming from power plants.

The rule for power plants is long overdue. It's been in development for close to 20 years. If one wants to talk about uncertainty, how about allowing certainty by letting EPA finalize its rules on mercury, on air toxics, and on cross-State air pollution. Then we will protect the health of our people. Then our plants will know exactly what is expected of them.

The fact is municipalities do this for their waste recovery plants and their medical waste incinerators. They are required to do it. And no municipality ever went bankrupt over this regulation. And medical wastes are disposed of today in a safe and reliable manner.

We can do this, we should do this, and we should defeat this bill.

Mr. WHITFIELD. I would say to my friend from Virginia that EPA is not always as transparent as they may seem. When they issued the greenhouse gas regulation in January of this year, they did not give the public any information about cost or benefits, and the reason they didn't is they didn't conduct one.

At this time, I would like to yield 5 minutes to the distinguished former chairman and chairman emeritus of the Energy and Commerce Committee, a real leader in our committee, the gentleman from Texas (Mr. BARTON).

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

Mr. BARTON of Texas. I thank the distinguished gentleman from Kentucky.

I would like to start off, Mr. Chairman, by making the point that the TRAIN Act doesn't change any existing environmental law or existing environmental rule. It simply delays proposed regulations that the EPA has promulgated and requires a study of some of those regulations before moving forward with them.

My friends on the Democratic side would have you believe that we're going in and gutting the Clean Air Act. Nothing is further from the truth. I'm

a cosponsor of the Clean Air Act amendments of 1991, and believe it or not I'm a strong supporter of an active EPA enforcing existing rules. I have a sister whose an enforcement attorney at the EPA in Dallas, Texas, and has about a 99 percent conviction rate. So Republicans want a strong EPA. We want strong air and water quality rules, but we also want, in this struggling economy, some common sense to be used before proposing new additional rules.

There is no criteria pollutant under the Clean Air Act that is currently becoming worse. In fact, the air is becoming cleaner, and that can be proven factually by monitoring. Every power plant in the country is monitored 24 hours a day, 7 days a week, 52 weeks a year, as are our chemical plants and all major source emitters. The data is there, Mr. Chairman.

The question that I asked the EPA Administrator today, Lisa Jackson, is: Is it better, Madam Administrator, to keep an existing plant that is in compliance with existing air quality regulations in production, or is it better to close that plant because it can't comply with new, more stringent regulations that are being proposed? That's the question. And that's the reason that Mr. SULLIVAN and Mr. WHITFIELD and myself and others have either sponsored or cosponsored this legislation. We want strong air quality regulations. We want those rules enforced, but we don't want an EPA that continues to go stronger and stronger and stronger, regardless of the economic consequences.

Now, Mr. WHITFIELD, tomorrow, is going to offer an amendment that replaces the proposed Cross-State Air Transport Rule with the CAIR regulation that the Bush administration promulgated back in the early 2000s, that he wants a delay of the proposed boiler MACT while we have a little more time to implement that. And he also has, at my suggestion, put into that amendment that we should use real monitored data as opposed to EPA-modeled data. How unique. Let's actually use what's happening in the real world.

This monitoring versus modeling does not mean the EPA can't use models. We understand that you would have to be able to model the environment and the effects, but you can use real data to put in your model, not projected or hypothetical data. Real data.

The Whitfield amendment is an important addition to the TRAIN Act, and I hope that we will support it.

With regards to mercury, mercury has been reduced since the mid-1990s by 90 to 95 percent in the United States.

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The gentleman who spoke about mercury just now correctly stated the amount of mercury that's emitted, 96,000 pounds, 48 tons, 96,000 pounds. What he did not say is that that is less than 1 percent of the total mercury emitted in the country. Most mercury that's emitted is emitted by natural causes; and if you enforce the new proposed mercury regulation, you're going to get an improvement of .0004 percent, four-thousandths of 1 percent.

For an average 500-megawatt coal-fired power plant, they emit about 70 pounds per year of mercury.

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

Mr. WHITFIELD. I yield the gentleman another minute.

Mr. BARTON of Texas. We've already reduced mercury emissions by 90 to 95 percent. To get another 90 to 95 percent is so cost prohibitive that you would probably just shut down some of those plants. In my opinion, that's not necessary.

So what the TRAIN Act, in conclusion, is doing, Mr. Chairman, is just saying let's do a time-out. Before we go forward with any new regulations, let's make sure that there really is a true benefit that outweighs the cost.

In my district alone last week, a closure was announced of one plant and one coal mine that are going to cost directly at least 500 jobs. That's not hypothetical. That's not modeled. That's real. And if all these plethora of EPA regulations go forward, you're going to see thousands of jobs eliminated, billions of dollars in cost, and very problematic improvements in health.

Please vote for the TRAIN Act when it comes up for final passage.

Mr. WAXMAN. Mr. Chairman, I want to set the record straight because I think we're getting a lot of false information. We are told that this bill doesn't weaken any existing law. That's not correct. The Cross-State Rule has already been finalized, which means if you are living in an area where pollution's coming from another State, and there's nothing you can do about it, the State that's causing the pollution has to reduce that pollution in order not to affect you. And that's going to be repealed by this legislation that's before us.

We're told all that's going to happen is we're going to delay some of these rules. Well, yes. We're going to delay the rules. And then Mr. WHITFIELD is going to offer an amendment to make sure that EPA can never adopt any of those rules.

And the thing that just galls me is the statement that the benefits from reducing mercury are insignificant. Well, EPA was unable to quantify or monetize all the health and environmental benefits associated with the proposed toxic rule, but EPA believes these unquantified benefits are substantial. We are talking about impaired cognitive development, problems with language, abnormal and social development, potential for fatal and nonfatal heart attacks, association with genetic defects, possible auto-immunity effects in antibodies. This is not insignificant. And I think that it's not accurate to tell us that this bill simply provides some transparency. I think the authors of the bill ought to provide us a little bit more transparency.

I at this point want to yield 6 minutes to my good friend, the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy, as I enjoy listening to the former chairman of the Commerce Committee in his argument on the floor. He gave us part of the story.

I find a certain irony, however. He talked about how he supported the 1990 Clean Air Act. Well, many of the arguments he makes that we're hearing here today could have been directed towards him and his own support in 1990.

But bear in mind what happened in 1990. It didn't impose a bunch of rules and regulations. It put in motion a process so that we would have those studies. From 1990 to 1998, EPA was studying the issue. They came to the conclusion that the study mandated under the 1990 Clean Air Act required that we promulgate rules to regulate this pollution.

From 1998 until 2005, the Clinton administration, and then the Bush administration's EPA, they kind of studied it. They came to the same conclusion. The Bush administration came up with rules that were so flawed they were thrown out by the Courts. It didn't meet the standard that was required by your 1990 Clean Air Act.

So here we are now, in 2011, 21 years later, talking about another study to delay it further, delay further what the gentleman, and I would say a number of Republicans on the Commerce Committee, supported in 1990. But now it's crunch time. We actually have to do something.

My friends on the other side of the aisle are fond of saying we shouldn't pick winners and losers in the economy. Well, Mr. Chair, I find it ironic that this Dirty Air Act does pick winners and losers. Who are the losers?

I agree with my good friend from California, the ranking member, the losers are hundreds of thousands of people will die, get illness from cancer, asthma, lost school days, millions of lost work days, the lost quality of life that is documented beyond belief. This is real, and these people lose.

Who else loses?

The downwind areas lose because they will not be able to act to be able to deal with the problems that the pollution drifts over their jurisdictions. And as again my friend from Southern California pointed out, that means that local communities that don't have the protection because we can't stop the drift, they're going to have to do all sorts of things that are more expensive and less effective, and it's not their fault.

The losers are going to be the American economy. We will lose the economic benefits of getting the work from unions and contractors from pollution control. Bear in mind, pollution control devices are an export area. We have a net benefit. We make money exporting this abroad.

We lose the net economic benefit of the lost health. We bear the cost of unnecessary damage.

But there's another area of losers. Mr. Chairman, I find it interesting, in December 2010, eight major CEOs sent a letter to the editor of The Wall Street Journal saying that they didn't oppose—that the EPA agenda would have negative economic consequences. Their companies' experience complying with air quality regulations demonstrates that regulations can yield important economic benefits, including job creation and maintaining reliability.

On March 16, 2011, six leading energy companies joined together to applaud EPA's release of one of their proposed rules.

The losers in the approach that you take are the early adapters, the people who took the law at its word and started cleaning up. They lose by taking the word of Congress that we were serious about reducing pollution, including one of my local utilities, Portland General that's moving ahead to close down a dirty coal plant to meet their responsibilities.

Who wins under the Republican approach?

Well, the winners, under the Republican approach, are those who profit from pollution: the people who are dragging their feet, who bet that we will, yet again, have another study, that we won't follow through. The winners under this are the people who are cynical, who think that they don't have to comply with the Clean Air Act.

I noticed that today, in China Daily, dated September 22, the Chinese are talking about their tougher emission standards. They are talking about the fact that there's a pushback from their utilities because there's cost of compliance. But they know that there is a health benefit. They can't continue to pollute. And there's an economic benefit for people who move ahead with the compliance. The Chinese are going to make money by being cleaner, adopting technologies to reduce emissions.

□ 1900

Mr. Chair, I'm embarrassed that we have, after 21 years, a proposal to yet again delay implementation, that they're picking winners and losers, putting people who profit from pollution ahead of people who are responsible. It's just wrong.

Mr. WHITFIELD. I might say to the distinguished gentleman from Oregon that it is correct that the court invalidated the current Air Transport Rule that we have in effect in America today, but I would also like to read from that decision because one of the reasons they invalidated this law was because EPA was looking at a regional basis rather than within individual States.

The court said: ''It is possible that CAIR would achieve air transport goals. EPA's modeling shows that sources contributing to North Carolina's non-containment areas will reduce their emissions even after opting into CAIR's trading programs.''

My point in saying that is this still is a particularly effective Air Transport Rule.

At this time I would like to yield 3 minutes to the gentleman from Texas (Mr. CARTER).

Mr. CARTER. Mr. Chairman, I rise today in strong support of H.R. 2401, the TRAIN Act, and I want to congratulate my friend from Oklahoma for this good piece of legislation.

For the past 9 months I've been on the floor of the House, and it's been my mission to rein in, or at least to attempt to rein in, some of these out-of-control regulators in this country today who intend on keeping our economy in the ditch by placing barriers in the way of job creation and in keeping jobs.

I'm so glad that this bill is on the floor because this job-killing regulation is center stage at this time.

Mr. Chairman, I'm pleased to see the TRAIN Act provisions delay this EPA job-killing and energy-killing rule known as Cross-State Air Pollution for the next 6 months.

Let's point out that we heard comments about transparent analysis. My own State, Texas, was dropped into the final Cross-State Air Pollution Rule in the last minute. Texas was not included in the proposed rule, and our citizens were denied their right under the Administrative Procedures Act to review the impact and comment on the proposed rule. We just got kind of air-dropped into this at the last minute.

Thirty-one members of the Texas delegation have written a letter to the White House, including eight of the Democrats in our delegation, expressing concerns about this rule and how it was forced down the throats of the citizens of Texas. I think that that ought to be some indication that something is wrong here.

Now, Mr. BARTON indicated something that is actually larger than what he stated. In his district, one plant has closed, but two plants have actually closed in Texas as a result of this rule already, and three mines have closed. And we know at least of the 500 jobs that Mr. BARTON has referenced here today, but we haven't gotten the count from the other two.

This is a serious loss of good-paying jobs to Texas. These are the kinds of jobs people seek after.

The step in the right direction is to hold off. And when you say you're doing studies, by the very statements made on this floor, it's about scientific proof. But there are also human beings involved in this, and we should at least do an economic analysis of what this does to our economy, which I think this administration is bound and determined to drag down into the mud. And I think we should know how many jobs we're going to lose. We're trying to build jobs, not lose jobs.

We are, in this country, about growing jobs in America, not losing them. And these regulations are job-killing regulations.

I'm really pleased with the work of the Energy and Commerce Committee on all of their hard work on these issues. This is important to American workers everywhere.

Mr. WAXMAN. Mr. Chairman, the Republican spinmeisters like to come up with slogans. So they've come up with the slogan ''job-killing regulation.'' Well, let me tell you what we're talking about: children-killing pollution.

And I just think that when we hear the statements that they're not going to weaken or delay any rules that protect public health and the environment, we shouldn't take their word for it.

I have a letter here from the National Association of Clean Air Agencies. They represent the State and local air pollution control people who are on the ground every day working to improve the Nation's air quality. What they say is that if this bill is adopted it ''will create regulatory delays that could lead to thousands of premature deaths, remove important regulatory tools upon which States and localities depend, impose additional costs on government as well as small businesses, create regulatory uncertainty, cause job losses, and defund an important and cost-effective air pollution control program.''

Mr. Chairman, at this time I want to yield 5 minutes to the distinguished gentleman from the State of Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. I thank my good friend and the distinguished ranking member of the Energy and Commerce Committee.

Mr. Chairman, this bill is extraordinary even for the most anti-environmental House of Representatives in American history. The Republican leadership has attempted already to pass over 110 anti-environmental bills, amendments, and riders. But the TRAIN Act would be one of the most destructive for America's environment and our public health.

It appears that the Republican leadership took every anti-environmental bill, rider, amendment, and nighttime fantasy of the Koch brothers and wrapped it into a single legislative package called the TRAIN Act.

This bill would block clean air, public health standards for mercury, dioxin, smog, soot, and other toxic pollutants. We're supposed to believe no, no, no, all we're doing is just delaying and studying. Twenty-one years is a long time to study. And if you have a loved one whose health is at stake, that delay can be life threatening.

By increasing the incidence of emphysema, lung cancer, asthma, and cardiac diseases, this bill will kill 25,000 Americans every year—nearly as many as are killed in highway accidents.

Just one standard this bill would repeal, the Cross-State Air Pollution

Rule, would have significant ramifications for my district and for the National Capital Region from which I come. The wind transport of power plant and other harmful emissions from polluters to the west in our community is one of the reasons the Capital Region is listed as a non-attainment area for air quality. But we have to clean it up.

The preponderance of harmful ground level ozone threatens seniors, asthmatics, and those with respiratory conditions—not to mention the fact that it threatens our eligibility for long-term transportation funding.

Monitoring and responsibly regulating cross-State air pollution here and in other regions would save, not cost, save $280 billion a year in health care costs. But not if the Republicans pass this bill.

But of course they don't want you to look at the other side of the ledger. There are benefits to be had by implementing the EPA standards rather than delaying them, $280 billion worth, but they don't want you to know that. They don't want to talk about that.

I was proud to work with a number of my colleagues to lead a group letter signed by 60 Members of this body reaffirming our support for the Cross-State Air Pollution Rule. This public health standard is critical for economic and human health in our region. That rule is just one example among many successful public health standards established under the Clean Air Act.

Since its inception in 1970, the Clean Air Act has produced economic benefits that far outweigh the cost of compliance by as much as 8 to 1. The Small Business Majority credits the Clean Air Act with widespread economic benefits, both across urban and rural communities, improving public and worker health, and creating jobs, millions of them.

□ 1910

Each year, the Clean Air Act prevents 22,000 hospital visits which would otherwise be caused by pollution-induced respiratory diseases, 67,000 chronic asthma and bronchitis attacks, and saves over $110 billion in health care costs. The TRAIN Act would block nearly every major public health standard being implemented by the Clean Air Act.

I heard my colleague and friend, Mr. GRIFFITH from Virginia, talk about a letter he read in a local newspaper in Charles County, Virginia. This couple purportedly couldn't understand why bureaucrats who were sitting on their rear ends somehow come up with these fantastical regulations that are just burdensome and serve no purpose.

Perhaps if that couple had sat with a child in a hospital room, fighting for his or her breath, they'd understand why we need these regulations and why those professionals at EPA are doing their job to protect public health. Perhaps if they had seen a loved one or a spouse hooked up to tubes, fighting for her life because she's severely asthmatic, they'd understand why we need these standards. Perhaps if they understood a friend had COPD and has to walk around now all the time with oxygen in a mask to function and be mobile, they'd better understand the life-and-death struggle of people who live in areas affected by dirty, polluted air and would better respect why the EPA is protecting our health—even if that couple in Charles County doesn't understand.

I urge opposition to this bill.

Mr. WHITFIELD. May I ask how much time we have remaining?

The Acting CHAIR. The gentleman from Kentucky has 25 minutes remaining. The gentleman from California has 12 minutes remaining.

Mr. WHITFIELD. At this time, I yield 4 minutes to the distinguished gentleman from Mississippi (Mr. HARPER), who is a member of the Energy and Commerce Committee.

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

Mr. HARPER. I thank the gentleman from Kentucky for yielding.

Mr. Chairman, the TRAIN Act is on the House floor today as part of the Republican regulatory relief agenda to reduce job-killing government regulation on businesses. Americans are tired of Big Government, and a majority believes that government regulation coming out of Washington, D.C., has a costly impact on life essentials, such as food and gasoline. Too many Americans are unemployed, and a recent survey shows that 70 percent of voters believe that increasing regulations on American businesses will result in more jobs moving overseas. That is unacceptable.

No government agency is more to blame for an absurd increase in regulation than the Environmental Protection Agency. We all want clean air. We all want clean water. We're all conservationists and want those things, but the effects of the actions of the EPA are clear—they're killing jobs and job creation.

We've asked our colleagues on the other side of the aisle over and over, Where are the jobs? I submit that a thorough investigation of recent EPA regulations could answer that question.

I encourage a ''yes'' vote on the TRAIN Act so that Americans will have an even better understanding of the negative impact that the EPA is having on each of our lives.

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

Mr. WHITFIELD. Mr. Chairman, I yield 4 minutes to the gentleman from Illinois (Mr. HULTGREN).

Mr. HULTGREN. I thank my colleague from Kentucky for yielding.

I rise in support of the TRAIN Act, which will help give small businesses and our Nation's job creators the certainty they need to hire, expand, and invest. This is an excellent bill which will help create the pro-growth environment our economy needs.

Upcoming EPA gasoline regulations, along with other regulations impacting domestic refiners, have the potential to raise the price at the pump, to reduce domestic gasoline output and increase reliance on imports, and to destroy domestic refining jobs. Fuel price changes create a ripple effect throughout the economy, increasing the price of food, goods, and services that are transported to our communities, increasing the price of driving to work each day.

These broad impacts must be taken into account when we seek to understand the cumulative impact of EPA regulations on the energy prices, jobs, and our global competitiveness. I hope my colleagues on both sides of the aisle will join me in supporting the TRAIN Act.

Mr. WAXMAN. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Let me thank the gentleman for yielding, and let me thank all of us who are assembled here on the floor tonight to talk about the state of our lungs, the state of our health, and to talk about how the deprivation of protection will lead to harming our health. It's a sad day, and I'm just glad we're here to debate this issue so that the American people can see who's for them and who's not.

What my friends on the other side of the aisle call ''regulation'' we call protecting our lungs. What they call ''red tape'' we call fighting asthma from mercury. What they call ''government interference'' we call staying out of the hospital and getting some asthma treatments and being able to eat the fish that we catch in our rivers and streams across this great Nation. What they call ''job-killing regulation'' we call child-killing pollution.

It's just amazing how different the world would be if we could all just focus on what really matters.

What we really should be doing is arguing about how we can get Americans back to work. That's not what we're doing. What we're doing is trying to say, if they got rid of all the regulations—all the health and safety regulations—and then if they even got rid of all the taxes, then the business community would have enough certainty to actually hire somebody.

But I don't think anybody really believes that.

We've got a nation in this world that has gotten rid of all the regulations and that doesn't really tax anybody. It's called Somalia. I don't think that's a good business environment for much of anybody unless you're a warlord.

The fact is that, instead of focusing on creating jobs, Republicans are bringing up another assault on our public health—in the Clean Air Act. We should have the American Jobs Act here, and we should be debating that. We should be passing bills to create

jobs and improve economic growth. We should not be telling American workers that the only thing between them and a job is a regulation to protect their lungs. They're trying to say, A paycheck or your lungs. You can have a paycheck or you can have asthma, but you can't have a paycheck and be well. That's what they're arguing today, and this is what we have to reject.

Instead of bringing up bills to create jobs, the GOP is bringing up yet another assault on the Clean Air Act, blocking two of the most important lifesaving Clean Air Act rules in decades—the Mercury and Air Toxics rule and the Cross-State Air Pollution Rule.

The Mercury and Air Toxics rule will prevent 17,000 premature deaths per year. I couldn't agree more with the gentleman from Virginia, GERRY CONNOLLY, who reminded us that, if you've ever held the hand of a loved one who is suffering through an asthma attack, it would be hard to see how you could callously vote for a bill like this TRAIN Act, which I like to call the Train Wreck Act, because it's just that bad. The Cross-State Air Pollution Rule will prevent 34,000 premature deaths per year.

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

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

Mr. ELLISON. I thank the gentleman, and I'll wrap it up with this:

We can have energy and jobs. The Clean Energy Group, a coalition of energy utilities and power companies, has said that the changes in industry practice that the Mercury and Air Toxics rule would produce are reasonable, can be accomplished, and are not a burden on industry. Not all industry agrees that we need to get rid of every regulation. A study released by the Environmental Defense Fund has estimated that the Mercury and Air Toxics rule and the Cross-State Air Pollution Rule would together create nearly 1.5 million jobs over the next 5 years.

So let me just say that it's time for the American people to say we want good health, that we want good jobs, that we want clean air, and that we want healthy lungs—and we don't want the train wreck bill offered by the Republicans.

Mr. WHITFIELD. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. FARENTHOLD).

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

□ 1920

Mr. FARENTHOLD. I rise today in support of the TRAIN Act.

Despite what my friends and colleagues across the aisle say, we are not out to poison America. My children, my wife, I breathe the air and drink the water in this country.

What we are asking for is to look at regulations with a scientific analysis and not an emotional analysis. Do what every business in this country does. Do what every family in this country does when they are faced with tough decisions or any decision.

When I go to the grocery store, I have the option of buying ramen noodles or lobster, and I usually settle somewhere in the middle on chicken. Businesses look at the cost and benefit of everything that they do just like families do.

What we are asking through the TRAIN Act is to take a look at what these oppressive regulations cost. We've got great regulations in place now. We've improved the air immensely. Let's see if it's worth going the next step.

We can factor in all of the things that our friends on the other side of the aisle want, but we need to do the study, and we need to have the information so we can make informed decisions.

The money that these excessive regulations cost businesses are passed on to the consumer. American families are asked all the time to make sacrifices to make ends meet.

As these regulations run up energy costs, our families' electric bills and gasoline bills go up, and they have to make decisions about whether they're going to fill their car with gas or what kind of food they're going to buy, if any, to put on their tables.

We have got to keep people working. If these regulations put people out of work, the families that the wage owners support suffer too. They don't have the money to pay their bills. They don't have the money to buy food. They don't have the money to buy medicine. We have got to be as intelligent as we are compassionate.

The intelligent thing to do is to do a cost-benefit analysis of what regulations do. That's what we are asking in the TRAIN Act. Let's use our brains.

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

Mr. WHITFIELD. I yield 4 minutes to the gentlelady from Wyoming (Mrs. LUMMIS).

Mrs. LUMMIS. Mr. Chairman, the language in this bill does not prevent the EPA from regulating emissions from coal-fired utilities, and it does not prevent the EPA from dealing with cross-State pollution. The EPA must regulate emissions under its current rules.

So let's focus on the facts as presented by the EPA.

Thanks to the Clean Air Interstate Rule, emissions from fossil fuel power plants in the lower 48 States were 44 percent below 2005 levels by 2009.

In the past 40 years, our population has grown 48 percent. Gross domestic product has increased 209 percent and coal-fueled electricity has increased by 184 percent. Yet during that time, emissions from coal-based electricity generation have dropped by 60 percent.

Despite this success, EPA is still pushing for the most expensive rules ever imposed on utilities, every single dime of which isn't paid by the utilities; it's paid by everyday Americans who use electricity and by America's manufacturers.

Just the two rules in this bill, the ones that the TRAIN Act seeks to delay, would increase the nationwide average price of electricity by 11.5 percent, and it's even worse in this Nation's manufacturing States. Look at this map. The upper Midwest could see their electricity rise by 17 percent; Michigan by 20 percent, one of the States that's really hurting; Kentucky and Tennessee, by more than 23 percent. These are where our manufacturing jobs reside.

Raising energy costs would remove one of the few remaining advantages that U.S. manufacturing has over low-cost foreign competitors, that is, access to affordable, reliable energy.

My own industry people tell me that the one advantage they have over foreign countries when it comes to competing head to head is the availability of affordable, reliable energy. And on the environmental side, President Obama's former environmental czar, Carol Browner, herself, said that the rule would provide ''no health benefits associated with addressing non-mercury emissions.''

The rhetoric, Mr. Chairman, used to attack this bill has reached a fever pitch, but it is not backed by the facts.

I urge my colleagues to support the TRAIN Act.

Mr. WAXMAN. I continue to reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I yield 3 minutes to the gentleman from Kansas (Mr. HUELSKAMP).

Mr. HUELSKAMP. I appreciate the gentleman from Kentucky yielding to me on this very important legislation.

At a time when 25 million Americans are unemployed or underemployed, the last thing Washington needs to be doing is making it more difficult to grow the economy. But that seems to be the operating question of this administration. The question is this: They ask, how can we make it more challenging for America's job creators to hire?

America's energy sector is under direct assault. Energy companies looking to meet the rapidly growing energy needs of our Nation are either being forced to put on hold their efforts or are self-imposing barricades on future construction or expansion as a result of new or anticipated regulatory requirements.

It has been reported recently that 351 stalled energy projects cost the Nation $1.1 trillion in GDP and 1.9 million jobs, yes, jobs. On this list is the Sunflower Electric Power Plant in Holcomb, Kansas. Sunflower Electric is a rural co-op that with a needed expansion can provide many new jobs in western Kansas.

Most importantly, this expansion will allow Kansas to have the energy it needs in order to prevent brownouts, which are a very real possibility and a threat to our part of the country. Not

only do families, schools, and hospitals depend on this energy production but. So does our agriculture sector, which is a key and vital component of rural Kansas.

Sunflower faces considerable, unnecessary, and excessive regulatory scrutiny, not only for its existing operations but for the planned expansion in Holcomb as well. Whether it is the cross-State pollution rule, the MACT rule or many others, each one of these has a major impact. But the bigger problem—and that is what the TRAIN Act wants to demonstrate—is that these rules will be devastating and expensive to America's energy industry and all Americans.

The President came before this House a few weeks ago and talked about the need for America to improve its infrastructure. Power plants in America are the very type of infrastructure that our country needs, particularly when energy consumption is growing rapidly in our Nation. These private companies, private companies, are willing to add to the country's infrastructure and create jobs, all without the help of the Federal Government. In fact, all they need is for Washington to take a step back.

A Kansas business leader summed up this administration's guilty-until-innocent approach to regulation. He said, ''We have a regulatory environment that assumes businesses are crooks, and government must catch them at it. This only raises the costs on business and makes it more difficult to operate.''

I think his analysis says it all.

Mr. WHITFIELD. May I inquire how much time is remaining, Mr. Chairman?

The Acting CHAIR. The gentleman from Kentucky has 14½ minutes remaining, and the gentleman from California has 8 minutes remaining.

Mr. WHITFIELD. At this time I would like to yield 4 minutes to the gentleman from Oklahoma (Mr. LANKFORD).

□ 1930

Mr. LANKFORD. Mr. Chairman, let me just mention, I congratulate my counterpart from Oklahoma (Mr. SULLIVAN) in bringing this forward and giving us a chance to work through this process. We both come from the beautiful State of Oklahoma. And I invite anyone to be able to come to Oklahoma and drink our water and breathe our air and see the beautiful land, but also see a very successful State in dealing with energy.

We've done hydraulic fracking in our State since 1949. And while it may be new to other States, it's not new to Oklahoma. Over 100,000 times in Oklahoma we've done hydraulic fracking. Yet I would invite you again, come drink our water, come breathe our air, come see our beautiful land.

Our State leadership has done a tremendous job in dealing with environmental quality issues, and they have done great in relationships with companies, whether that be power companies, utility companies, whether that be actual producers, whether it be service companies, through the process. It's a great model in much of the United States, if you get a chance to come and see what's going on there.

But what we're currently experiencing is this whole sense that if the Federal Government doesn't come down on Oklahoma and every other State around the United States, surely children will die. Surely people will be thrown out of work because they have these wonderful compliance jobs required by the EPA and other areas.

It's a frustration for me to be able to hear someone stand up in this Chamber and say, If those Republicans get what they want, 25,000 people will die next year because those mean Republicans are going to come and shut everyone down.

People should know, I have children that live in the State. In fact, I have a child that has asthma. If you want to talk about a dad who loves his children and who wants to see a great future for them, that's me as well. It's not as if Republicans are suddenly wanting dirty air and dirty water; we just want basic common sense in our regulations.

If every company, whether they be the energy producer or whether they be some utility, is constantly looking over their shoulder worried every day that some new restriction is going to come down on them and change their plan, they can't function. They can't go forward. They can't find investors for that business. What they're doing is very capital intensive, and if the rules change constantly and the regulations are constantly shifting, no one can really do investment, and the cost of all of our electricity goes up. The cost of every product that we buy goes up. The cost of every bit of our food goes up because we've added regulations, many of which make no sense. And they spend years and years trying to fight them in the courts just to not be shut down from doing what is best and right for the community.

I understand there are bad actors. I do. And those bad actors should suffer consequences. But to be able to say that every energy producer and every utility out there is suspect and they'll never do the right thing unless we stand over them with thousands of regulators, I think overlooks the reality of a great-hearted group of Americans scattered around the country who are doing their best to do the right thing.

Now, some would also say that these regulations aren't all that large, they're not all that expensive. They're just a bunch of small regulations. It reminds me of a friend of mine several years ago that was hiking through central Africa. And he and a guide were hiking through and he made the mistake in this particular area of swatting a bee that was one of those killer bees that we hear so much about. And as soon as that bee stung him and he swatted it, thousands of bees came down on him and began to sting him. Those bees kill, not from a single sting, but from thousands. That's what our utility companies are facing right now. It's not one little regulation; it's hundreds of them coming at them all at once, and they're trying to figure out through lawyers and through adding additional staff and compliance people, how do we manage all of these regulations coming.

This TRAIN Act does a simple thing. It begins to pull all of these regulations together and look at them in totality. I understand that you say that's just one little piece, and it's one little piece there, but let's look at them all together and be able to find out the consequences of them. Rather than have these things coming from everywhere, let's simplify the structure on it.

I urge this Chamber's support of getting some common sense back into our regulatory scheme.

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

I want to correct some of the statements that have been made. The gentleman from Oklahoma talked about the clean air in his area. That's fine. They have attained the standards for protecting public health. But there are a lot of other areas where they don't have that attainment of health-based standards.

Market forces alone will not correct problems that hurt our public health and the environment. Why should any business spend money to install pollution control devices if they don't think their competitors are going to do the same thing? So government must establish some standards so that everybody knows what the rules are going to be and the investments will be made.

Approximately two-thirds of the coal-burning power plants in this country have the up-to-date controls in those power plants. What we're talking about for the most part are those third we were told were going to be retired. But they're not being retired. They're still being used, and they're still polluting. And those power plants ought to come up to compliance with the reductions in their emissions.

One of the other speakers on the other side of the aisle said we don't have a real economic analysis of all of these regulations. That's not true. There are thousands of pages of economic analysis before these regulations have been promoted.

Another person on the other side said a lot of these rules are so onerous that they should be blocked because we're going to be threatening the reliability of the Nation's electric grid by causing these old, inefficient power plants to put modern pollution controls on them. Well, that's not the testimony that we received on September 14, 2011, in the Energy and Commerce Committee where Federal Energy Regulatory Commission Chairman Jon Wellinghoff took a different position, as did FERC

Commissioner John Norris, and former DOE Assistant Secretary for Policy Susan Tierney. A stack of independent analyses confirmed that these protections that will require controls on these power plants will not threaten the reliability of our grid.

And over and over again we've heard unless we adopt this TRAIN Act, we are going to lose jobs. Well, the TRAIN Act blocks and indefinitely delays two of the most important clean air regulations of the past few decades: the Mercury and Air Toxics Standards, which are, again, directed at those power plants that emit toxic air pollutants, including mercury and carcinogens; and then the other rule is the Cross-State Air Pollution Rule to reduce power plant emissions that cause pollution problems in downwind States.

I don't believe they're telling us the facts when they say we're going to lose jobs. The truth of the matter is, according to the Economic Policy Institute, they reported in June that the Air Toxics rule would have a positive net impact on overall employment, creating up to 158,000 jobs between now and 2015.

The Political Economy Research Institute at the University of Massachusetts released a report showing that the utility investments driven by the Cross-State Air Pollution Rule and the Air Toxics rule would create nearly 1.5 million jobs by 2015.

Moving toward a cleaner, more efficient power sector will create capital investments such as installing pollution controls and constructing new capacity. These new investments create a wide array of skilled, high-paying jobs.

And I must say to my Republican friends, if we want to create jobs, let's pass the President's jobs bill. I'd like the Republicans not to block every effort by this administration to create new jobs in this country.

There are numerous groups that are on record in opposition to the TRAIN Act. Obviously, the public health groups are opposing the bill: the American Lung Association, the American Public Health Association, the American Thoracic Society, and the Asthma and Allergy Foundation of America. The American Public Health Association called this ill-conceived legislation that would prevent EPA from protecting the public's health from dangerous and deadly air pollution. The National Association of Clean Air Agencies, the ones that are doing the job of protecting our environment, groups that represent millions of Americans, particularly all of the environmental groups, oppose this.

Scientists have told us—and I know a lot of Republicans deny science—but scientists, I think, are to be respected. And they say sacrificing tens of thousands of Americans' lives will not create more jobs. Poisoning the air our children and our families breathe will not stimulate the economy.

Three hundred sportsmen organizations representing our Nation's hunters, anglers, and the businesses that depend on our wildlife and natural resources support EPA efforts to cut mercury pollution and strongly oppose any efforts to weaken the Clean Air Act.

The Evangelical Environmental Network opposes these efforts to block the Mercury and Air Toxics rule because they point out that in the developing brains of fetuses and children, this will cause learning disabilities and neurological problems, and is not something that people who claim to be pro-life ought to support.

□ 1940

The Obama administration opposes this TRAIN Act. They threaten to veto this legislation if it reaches the President's desk. Americans don't support weakening the Clean Air Act or blocking EPA's efforts to reduce dangerous air pollution from power plants.

I think, my colleagues, that this TRAIN Act and some of the amendments that are going to be added to it are reason enough to oppose this legislation, and I urge opposition to it.

I am going to reserve the balance of my time if the gentleman, the chairman of the subcommittee, is not ready to close on the legislation.

Mr. WHITFIELD. I was prepared to close, but we do have one other speaker, and then I will close. He just came in, and we were not totally aware.

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

Mr. WHITFIELD. At this time, I would like to yield 5 minutes to the distinguished gentleman from Illinois (Mr. SHIMKUS), who is a valuable member of the Energy and Commerce Committee and a chairman of one of our subcommittees.

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

Mr. SHIMKUS. Mr. Chairman, I do apologize to my friend from California for coming late and kind of disrupting what was planned to be a closing, but this is an important debate, and my colleague from California and I have crossed sabers many times on these issues. I don't question his commitment to the environment and the regs and rules and the like.

As he knows, I'm from southern Illinois. I'm from an area that was devastated in the jobs issue and during the 1992 Clean Air Act, and I'm from an area of the country that still is not being all it can be based upon the excessive rules and regulations that come out of Washington, D.C.

The TRAIN Act is really a first step to help us ask a simple question: Shouldn't we, as an interagency process, shouldn't we at least ask the basic question of what effect is this going to have on jobs and what effect will it have on our competitiveness worldwide?

It is really a basic debate. It's a good one to have. I applaud the chairman for bringing this to the floor. We need an up-or-down vote because, as much as we want clean air, we would like jobs. They're not exclusionary. We can do both. We have the cleanest environment that anyone has seen in decades in this country, and it is attributed to the work that past Congresses have done. But the difference is this, that in today's environment—well, let's go back.

Three decades ago, when you wanted to clean up 50 percent of the emissions, you could make the capital investments and you could do it. The debate now is: How clean is clean? What is the cost benefit analysis and what is the effect on jobs if we get to a limit that you don't find naturally?

What the TRAIN Act basically does is it says, before we promulgate more rules and more regulations, we ought to at least admit the fact that it may affect our competitiveness in our economic position. We ought to accept the premise that if you continue to put more rules and regulations on electric generation, that electricity costs are going to go up. What does that do to the manufacturing sector? I think that's what this bill is just asking. If we find out these answers and we figure out that the economic costs outweigh the environmental benefit, well maybe we better slow down. If we decide the environmental benefits are so great that we're willing to accept the cost, then we ought to move forward. But for us not to have this debate is not doing our job and it is not doing our duty.

I am really pleased that we've brought this bill to the floor. We've had numerous hearings. We've gone through the legislative process. I appreciate Speaker BOEHNER and the openness because we've had hearings. We had a subcommittee mark. We've had a full committee mark. We've had this debate on amendments to this bill, and now we're ready to have this debate on the floor.

The last hearing we had in Chairman WHITFIELD's committee was on the reliability issue, and I took to task the chairman of the FERC who, in their own analysis, said that if we continue to move on this regulatory regime, 80 gigawatts of power is going to go offline. Now, EPA did the analysis, and they said eight. So you've got a tenfold difference. Well, maybe they're both wrong. Maybe it's 40 gigawatts.

My friends, 40 gigawatts is a lot of power and will affect the reliability of the electricity grid in this country. We rely on that reliability for a lot of things. We rely upon it in the manufacturing sector and the manufacturing facilities, but we also rely upon the reliability in the safety of our citizens who are in the hospitals and in long-term care who need power to those facilities just for their livelihood.

So if our aggressive environmental movement takes away 80 gigawatts of power, will that affect our electricity reliability? I think it will.

Thank you, Mr. Chairman, for the time.

The Acting CHAIR. The gentleman from California has 1 minute remaining.

Mr. WAXMAN. The EPA did an economic analysis looking at the cost and benefits. And on the Cross-State Air Pollution Rule, they said that the costs would be less than a billion, but the benefits would be up to $280 billion per year, 150 to 350 times its cost.

I want the chairman of the subcommittee to answer a question when he closes. I believe the Republicans have misrepresented this bill during the debate, but false information was put on their Web site tonight. They claimed hundreds of groups support the TRAIN Act, and immediately two groups came forward, and maybe others will as well, saying that they would never support the TRAIN Act—Clean Water Action Committee and the Clean Air Watch.

I'd like to know if the information that is on the Web site is being checked for accuracy, because I know that a lot of things that have been said in this debate from the other side of the aisle have not been accurate.

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

Mr. WHITFIELD. Mr. Chairman, I yield myself the balance of my time.

I want to thank the gentleman for the debate today. I was not aware that we had sent out a letter of supporters of this legislation, and evidently in that letter there was a letter in opposition that should not have been in there. If that created any hardship for anyone or problems, we certainly do apologize for that.

We should remind ourselves that by every public health measure, from infant mortality to life expectancy, we are healthier today and are exposed to fewer hazards than ever before. Our present day air is much cleaner now than years ago thanks to EPA, and our air quality is among the best in the world. And we recognize the importance of EPA. However, when EPA becomes so aggressive, as this EPA has become, and in a very short period of time they've come forward with 14 regulations—and we know that when you look at cost-benefit analyses, different entities come up with different figures on the cost and the benefits.

We, for example, have come up with an analysis on the Utility MACT and the air transport rule alone saying that the annualized cost of that will be $17 billion, that industry will have to spend that kind of money to get new equipment, that the total cost between 2011 and 2030 would be $184 billion. But one of the figures that really scares you in this is that they say there will be a net loss of 1.4 million jobs. Now, we know that some jobs will be created in trying to build this equipment that these regulations are going to require, but most of the analyses that we've seen indicate that there is going to be more of a job loss.

□ 1950

All the TRAIN Act is doing is saying let's have an independent government agency, including EPA, do an analysis of cost/benefit of all of these rules. We would also like them to look at what impact does it have on America's ability to be competitive in the global marketplace. We'd also like for them to look at what will be the job loss, net job loss. We would also like for them to look on what impact it's going to have on electricity prices as well as the reliability of electricity.

And on 12 of those regulations, we do not stop them in any way; but on two of them, the ones that are most costly—Utility MACT, and what I refer to as the ''air transport rule''—we do, in this legislation, delay the effective date of those, the implementation of those until 6 months after the report is due that this legislation requires.

Now, in my view, that's not being unreasonable. Some people think it is because it is the first time that Congress has ever come to the floor to question some of the EPA regulations, and I really think that that's our responsibility. They issue the regulations; but if they reach a point where we think they're being unreasonable, then we have an obligation to come and let's examine these, let's look at them before we move totally forward with it.

Now, Lisa Jackson, when she has come before us and testified, she has always made the comment that ''I'm creating jobs with these new regulations.'' And as I said earlier, she does create new jobs, but the net effect is there is a loss of jobs. Now, some of these rules may be great in areas like California and New York and the Northeast and elsewhere; but in the areas of the country where coal—and, by the way, coal still provides 50 percent of all the electricity in America. Our electricity demand is going to increase significantly in the next 30 years, so we're going to have to rely on coal. But a lot of these regulations are going to put coal miners out of business because they're going to close some of these coal mines. It's going to put some coal-fired utilities out of business because they're going to close these utility plants because the cost is not going to be worth what they have to do to meet these air quality regulations.

Now, on the air quality regulations, the question becomes, if you're 98 percent pure already, is it worth this much money to go 2 percent more? So that's the question we come down to, and that's why we ask for this analysis; and I would urge everyone to support this TRAIN Act legislation.

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

The Acting CHAIR. All time for general debate has expired.

Mr. WHITFIELD. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LANKFORD) having assumed the chair, Mr. HASTINGS of Washington, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2401) to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes, had come to no resolution thereon.

RECESS

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

Accordingly (at 7 o'clock and 55 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2141

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BASS of New Hampshire) at 9 o'clock and 41 minutes p.m.

CONTINUING APPROPRIATIONS ACT, 2012

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 112–215) on the resolution (H. Res. 412) providing for consideration of the Senate amendment to the bill (H.R. 2608) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes, which was referred to the House Calendar and ordered to be printed.

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 412 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 412

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 2608) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment with the amendment printed in part A of the report of the Committee on Rules accompanying this resolution modified by the amendment printed in part B of such report. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

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

Mr. DREIER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my very good

friend from Rochester, New York, the distinguished ranking minority member of the Committee on Rules, Ms. SLAUGHTER, pending which I yield myself such time as I may consume.

All time that I will be yielding and that my friend from Rochester will be yielding will be for debate purposes only.

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

GENERAL LEAVE

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

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

There was no objection.

Mr. DREIER. Mr. Speaker, we have gone through what James Madison, the author of the Constitution, has described as an ugly, messy, difficult process. That's the legislative process. And while many of us have been frustrated, it does work at the end of the day.

Mr. Speaker, it has to work. It has to work because our fellow Americans are suffering at this moment.

I have just been talking to staff members of the House Appropriations Committee, and we have to get the resources to those people who are suffering ASAP. As of this morning, there was a grand total of $212 million in the Federal Emergency Management Agency's fund to deal with these disasters that have taken place. Last spring, the Secretary of Homeland Security, Ms. Napolitano, testified that we needed additional resources.

Now, Mr. Speaker, let's go back to last spring and realize that was before we had hurricanes. It was before we had floods. It was before we had tornadoes that hit the Midwest. Think of those poor people in Joplin, Missouri, all those homes and lives that were lost. And it was before we had this earthquake that, as we all know, damaged the Washington Monument right down the street from where we are.

Mr. Speaker, it's very important that we get those resources there, with only $212 million as of this morning. With expenditures somewhere in the neighborhood of 30-plus million dollars each day, it means as early as Monday of next week we could end up with nothing, nothing for those people who are suffering.

Mr. Speaker, we don't want the government to shut down. We want to make sure that the people who are truly in need are able to have the resources necessary. But at the same time, we recognize that we have a $14.5 trillion national debt. We have massive deficits that are before us, and we need to do everything that we can to do what people across this country are saying needs to be done—we need to create jobs. We need to generate an increase in our gross domestic product growth, and the measure that is going to be before us when we report out this rule will do just that.

Mr. Speaker, the measure that we will consider is identical to the measure that we considered in the House yesterday, the measure that had been reported out, basically the same package that we had last week. But a bipartisan request that was made by the Senate majority leader, Mr. REID, and the Senate minority leader, Mr. MCCONNELL, was that we have this provision considered as a Senate amendment so that the Senate would be able to move as quickly as possible to ensure that our fellow Americans have the resources that are necessary. And so that's why we have ended up with the same measure that we had yesterday.

But, Mr. Speaker, as you and I have discussed in the meeting that we were just in, there has been a change. There is a very minor change. It is one single paragraph. So of the continuing resolution that we had, which is $1.043 trillion, exactly what we had yesterday, no change, in full compliance with the 3-day layover requirement that exists in the House rules—and I will remind my colleagues the measure that's before us was put online on Monday, 4 days ago, so, again, in full compliance with time to spare to meet the 3-day layover, with one amendment. The amendment reads as follows:

''At the end of the matter proposed to be inserted by the House amendment, before the short title, insert the following:

''Section 142. Effective on the date of the enactment of this Act, of the unobligated balances remaining available for 'Department of Energy—Energy Programs—Title 17—Innovative Technology Loan Guarantee Program' pursuant to title IV of division A of Public Law 111–5, $100,000,000 is rescinded.''

That is the only change that has been made. Let me tell you why that change was made, Mr. Speaker, and I don't often read The Washington Post on the House floor, but today's Washington Post has an article that explains what it is that led us to call for using the $100 million that I just mentioned as an offset.

I recognize, as one of my colleagues in the Rules Committee stated earlier, we know that this company known as Solyndra, which Democrats and Republicans alike recognize has been an abject failure for this energy program, is one that will not get resources because they have gone bankrupt.

But let me just tell you what led to us focusing on this $100 million, Mr. Speaker, to ensure that we never again have another boondoggle like Solyndra. This is, again, today's Washington Post, in an article entitled, ''Solyndra's Ex-Employees Tell of High Spending, Factory Woes.'' It reads as follows:

''Former employees of Solyndra, the shuttered solar company that exhausted half a billion dollars of taxpayer money, said they saw questionable spending by management almost as soon as a Federal agency approved a $535 million government-backed loan for the start-up.

''A new factory built with public money boasted a gleaming conference room with glass walls that, with the flip of a switch, turned a smoky gray to conceal the room's occupants. Hastily purchased state-of-the-art equipment ended up being sold for pennies on the dollar, still in its plastic wrap, employees said.

□ 2150

''As the $344 million factory went up just down the road from the company's leased plant in Fremont, California, workers watched as pallets of unsold solar panels stacked up in storage. Many wondered: Was the factory needed?

'' 'After we got the loan guarantee, they were just spending money left and right,' said former Solyndra engineer Lindsey Eastburn. 'Because we were doing well, nobody cared. Because of that infusion of money, it made people sloppy.' ''

Now, Mr. Speaker, we all know that our fellow Americans are suffering across this country because of the tremendous very, very sad disasters that we have faced over the last weeks and months, and it is very important for us to recognize that every taxpayer dollar is precious, especially in these times when there are people losing jobs, losing their homes, and losing their businesses.

This is a very sad and tragic example of the kind of waste that is there, and that is why the one very small but important modification to the measure that is before us will be to take $100 million and use that additionally as an offset to ensure that the hard-earned dollars of the American people are not wasted in the way that we have seen.

So, Mr. Speaker, I urge my colleagues to support this rule, and with that, I reserve the balance of my time.

Ms. SLAUGHTER. I thank my colleague for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, my speech today will be very much like my speech yesterday, but then so is the bill. Yesterday the House on both sides of the aisle defeated the majority's first attempt to pass a continuing resolution. And here we are 24 hours later with the very same bill. Let me repeat, the bill we're debating today is barely changed from the one that was defeated yesterday. The bill still contains unacceptable cuts to an essential manufacturing jobs program to pay for equally essential disaster relief.

Homes have been destroyed. Roads have collapsed, and local economies have been disrupted by a seemingly endless stream of hurricanes, tornadoes, tropical storms, and extreme weather that has crisscrossed our land. Our moral compass makes it very clear. We know what we need to do. We

must come to the aid of our fellow Americans who need our help. The problems they are facing are monumental, and quite simply, no one can recover from such natural disasters on their own. They need our help.

Yet the majority's efforts to hold disaster relief hostage to unacceptable cuts is as unwise today as it was 24 hours ago.

As I said yesterday, when it comes to spending billions of dollars on two wars that are bankrupting us, the majority's concern for spending is nowhere to be found. Since 2004, American taxpayers have spent over $3.4 billion as emergency spending on infrastructure in Afghanistan, and even more in Iraq. Not a single one of these $3.4 billion was offset, but were paid for by the same taxpayers that are being denied taxpayer money now. While we send billions of dollars to Iraq, the Iraqi government has begun building. They announced today a high-speed rail system to connect Basra to Baghdad. That's the same week that the majority in this House took all of the high-speed rail away from the United States. And so we will be paying for 280 miles in Iraq, but we can't pay for it from Buffalo to Albany.

When it comes to Americans in need, when it comes to helping women, children, and families whose homes have been washed away, the majority has decided they just can't help unless they get to take the money from a program that has created 39,000 jobs and is poised to create 60,000 more.

The bill was wrong yesterday, and it's wrong today.

Let me just give you some information from, I believe, The New York Times. The headline says, ''Republicans Sought Clean-Energy Money for Home States.'' Senator MCCONNELL asked for $235 million for an electric vehicle plant in Kentucky; Representative LAMAR SMITH asked for stimulus money for a solar plant in Texas; Congressman FRED UPTON wanted five clean energy projects in Michigan; Representative CLIFF STEARNS asked for a lithium ion battery manufacturing plant in Florida. These requests for funding came from the very same program that has been discussed being cut these last 2 days.

I urge all of my colleagues on both sides of the aisle to stand by your beliefs. If you thought the bill was wrong yesterday, there is no reason to think the bill is better today; virtually nothing has changed.

I urge my colleagues to oppose this rule and this flawed bill.

[From the New York Times, Sept. 19, 2011]

REPUBLICANS SOUGHT CLEAN-ENERGY MONEY FOR HOME STATES

(By Eric Lipton)

WASHINGTON.—On the Senate floor and the television airwaves, Senator Mitch McConnell has lambasted the Obama administration over what he has described as its failed efforts to stimulate new jobs through clean-energy projects backed with billions of dollars in federal loans or other assistance.

But Mr. McConnell, of Kentucky, is one of several prominent Republicans who have worked to steer federal money to clean-energy projects in their home states, Energy Department documents show.

Mr. McConnell made two personal appeals in 2009, asking Energy Secretary Steven Chu to approve as much as $235 million in federal loans for a plant to build electric vehicles in Franklin, Ky.

''I hope you will realize the importance of such job creation to Kentucky,'' Mr. McConnell said in a July 2009 memo supporting an application from Zap Motor Manufacturing.

Federal lobbying disclosure records show that Mr. McConnell's support for the project came after Zap Motor hired a Kentucky-based lobbyist, Robert Babbage, who has been a frequent contributor to Mr. McConnell's campaigns and boasts on his own Internet site about his close ties to Mr. McConnell.

Mr. Babbage declined to comment on the project. Gary Dodd, chief executive of Zap Motor, said the intervention by Mr. McConnell came after the company asked him to push the Energy Department to approve the loan.

Mr. McConnell's office, in a statement, defended his actions, saying, ''There was no effort to push the administration to short-circuit its due diligence simply to plan a ribbon-cutting.''

Mr. McConnell's high-level advocacy took place despite early struggles for the project, including the financial collapse in 2008 of its first Kentucky business partner, Integrity Manufacturing. Mr. McConnell made no mention of these stumbles as he pushed for federal money, simply saying Zap Motor might create as many as 4,000 jobs in his state.

Recently, he has joined with other Republicans in criticizing a March 2009 decision by the Obama administration to provide a $535 million government-backed loan to a California solar-panel manufacturer, Solyndra, which recently filed for bankruptcy and is now the subject of inquiries by the F.B.I. and Congress.

''The White House fast-tracked a half-billion-dollar loan to a politically connected energy firm,'' Mr. McConnell said Thursday in remarks on the Senate floor. ''This place was supposed to be the poster child of how the original stimulus would create jobs.''

Another Republican, Representative Lamar Smith of Texas, recently asked Attorney General Eric H. Holder Jr. to appoint an outside investigator to determine how the Department of Energy distributes clean-energy money. But in 2009, Mr. Smith wrote to Mr. Chu asking him to approve loan guarantees from stimulus money for a Texas project proposed by Tessera Solar, documents show.

Representative Fred Upton, Republican of Michigan and another critic of the Energy Department program, signed letters along with other members of the Michigan delegation in 2009 and 2010, pushing at least five clean-energy projects in his state, including a $207 million loan request from EcoMotors International. And Representative Cliff Stearns, Republican of Florida, praised the opening last year of a lithium-ion battery manufacturing plant in his state, which relied upon an Energy Department grant.

Mr. Smith, along with the others, defended their actions, saying lawmakers can be critical of the Energy Department programs while still seeking money.

''I wanted to support Texas companies in their applications for grants,'' Mr. Smith said in a statement. ''It is the responsibility of the Obama administration to carry out the necessary financial reviews of these proposals.''

I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself such time as I might consume to simply say when Ms. PELOSI was Speaker of the House of Representatives, my friend from Rochester chaired the Rules Committee. The disaster relief provided in the response to Hurricane Katrina was partially offset. This is not in any way unprecedented. It's the right thing to do.

I urge my colleagues to support the rule, and with that, I reserve the balance of my time.

Ms. SLAUGHTER. I yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), a member of the Committee on Rules.

Mr. MCGOVERN. Mr. Speaker, this House is badly broken. This Republican leadership is out of touch. This process is a disgrace. This is not the way the people's business is supposed to work. We are now debating a continuing resolution that has the same objectionable provisions that were rejected yesterday on a bipartisan basis. Plus it has additional provisions that cut jobs. It's even worse.

So here's the deal: what's objectionable to people like me is my Republican friends continue to insist on cutting programs that will result in the elimination of American jobs. Their view is simple. If you want to help victims of tornadoes and hurricanes, then we have to pay for it, and we pay for it, in their view, by cutting jobs—not tax cuts for millionaires; not subsidies for Big Oil; not cutting incentives that encourage sending American jobs overseas. What they're advocating is cutting American jobs.

Mr. Speaker, the Republican leadership, in my opinion, doesn't have a clue. They are obsessed with cutting government at all costs, including programs that help sustain American jobs, including programs that help prevent the elimination of American jobs. And here's the deal. The issue is jobs. They may not want to hear it, but the central issue before our country is jobs. I don't care where you go in this country, what people want to talk about is jobs and the creation of jobs as a way to secure our economy. What we should be talking about on the House floor tonight is jobs. What we should be talking about on the House floor tomorrow is jobs. What we should be talking about every day until the American people are back to work is jobs.

Instead, under this Republican leadership, we're debating trivial issues passionately and important ones not at all. I urge my colleagues on the other side of the aisle to, at a minimum, allow Democrats to bring up the President's jobs bill so we can put people back to work.

The best way to reduce the debt in this country is to put people back to work. Even a slight drop in the unemployment rate in this country would result in an incredible reduction in our debt.

So I urge my colleagues to reject this continuing resolution because it is

about eliminating jobs. It's not about creating more jobs; it's about eliminating jobs. Reject this continuing resolution because it plays politics with the lives of American citizens who have been victimized by natural disasters.

I urge the Republican leadership to, at least in this one instance, try to be bipartisan. We talk about an open House. We talk about bipartisanship. Here's an opportunity for us to be bipartisan. Let's work together on behalf of the American people. Let's get this bill right, and let's focus on jobs. That's what the American people want. This bill falls far short of that.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume to tell my friend from Worcester that clearly jobs is the priority that we are focused on. I appreciate very much and would like to associate myself with his remarks when he talked about the need for us to focus on job creation and economic growth. And I know I'm speaking for everyone, everyone on our side of the aisle, when we say we want to work in a bipartisan way to ensure that we can get our economy growing and so that the American people who are hurting will be able to have job opportunities.

With that, I reserve the balance of my time.

□ 2200

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts (Mr. MARKEY), the distinguished ranking member of the Committee on Natural Resources. This combines a speech he would have made yesterday with one he's going to do this evening.

Mr. MARKEY. I thank the gentlelady.

Write today's date down, September 22, 2011. The Republicans are now in open warfare against clean energy. Yesterday was an opening salvo, but today is the declaration of war. They've already gutted clean energy research and development budgets by 40 percent for next year. Their budget for the next 3 years promises to cut those investments by 90 percent. They've zeroed out loan guarantee programs for all renewable energy in their budget while leaving intact $25 billion for the nuclear industry. They're prepared to shut down the government rather than rescind one penny of the oil and gas industry's $41 billion in tax subsidies. But clean energy sector gets the hammer.

Yesterday, in a gratuitous assist to Big Oil, Republicans tried to kill the Clean Car Factory Fund in order to pay for natural disaster relief. This is the program that is helping American companies manufacture superefficient vehicles that reduce our dangerous dependence on foreign oil from OPEC. But, apparently, that bill wasn't radical enough for the Tea Party base. So tonight, they come back and they're launching their full-frontal assault on clean energy. Yesterday, it was just clean cars. Today, it's solar energy, wind energy and all renewables. Tonight, they take out the full assault attack.

But a word of warning. Up to a dozen projects are prepared to receive the green light in the next week. Swooping in and destroying this program now will destroy these projects and destroy the thousands of jobs that will come with them. So before you vote for this bill, check and see if your State is one of the 38 that has received support under this program. Check and see if your State is one of the 12 that could have a new project announced next week. Make sure that the 66,000 people that have jobs today as a result of this program are not from your State. By the way, those 66,000 jobs created through this program are far more than any jobs created through legislation passed out in the first 9 months that the Republicans have controlled the United States House of Representatives.

So our planet is warming and extreme weather is increasing; 100-year floods and droughts are now striking every few years. Hurricanes have caused floods, massive power outages, and deaths. Texas has been on fire after having the hottest summer ever recorded. The President has issued disaster relief declarations in 48 States so far this year. Eighty-three major disasters declared in 2011, the all-time record; 3 more months to go this year. Wake up. Wake up. You can't kill these programs. This is the solution you are killing.

Republicans say, fine, we'll provide emergency relief for those who have been afflicted by nature's wrath in an ever-warming planet, but we won't do it unless we can cut the funds for the programs that promise to be the solution to the problem. That's what they're proposing here tonight.

Does the majority ask if we can save money by cutting the hundreds of billions of dollars we are planning on spending, the Republicans are planning on spending on new nuclear weapons being constructed over the next 10 years when we don't need any more nuclear weapons? No. Can we cut the tens of billions of dollars in taxpayer subsidies we pay to Big Oil and King Coal? Of course not. But wind, solar, clean cars, all-electric vehicles and plug-in hybrids, oh, yeah, let's cut that program tonight to fund disaster relief for people in this country suffering from weather, from floods, from hurricanes, and from tornadoes caused by an ever-changing climate.

This bill is an embarrassment. This is not worthy of this Congress. Vote ''no'' on this latest Republican assault plan to kill the clean energy industry in this country on behalf of the Big Oil and Big Coal industries.

Mr. DREIER. Mr. Speaker, I yield myself such time as I might consume to say to my friend that there have been 1,100 jobs lost at Solyndra. We want to make sure that there is never again, never again another Solyndra. That's the reason that we have focused on the $100 million as an offset in this measure, Mr. Speaker.

I think it's also very important to note this morning when I woke up I heard the news that General Motors is now in the midst of an international partnership in the People's Republic of China to deal with the development of electric vehicles. These are the kinds of things that the private marketplace is pursuing. I live in Los Angeles, California, where we have very serious air quality problems, and we just got the news today that Washington, D.C. is number six in the Nation when it comes to air quality problems. We want to make sure that we have energy-efficient automobiles. We are determined to do that. We need to make sure, we need to make sure that those companies that are out there pursuing these kinds of alternatives that, frankly, in most all cases are free, are free of government grants, are able to succeed with that; and that's why we have proceeded with that.

If my friend would like me to yield, I'm happy to yield to him.

Mr. MARKEY. I thank the gentleman. I'm glad you brought out the General Motors deal because the General Motors deal is only possible because of the grants and the loans that have been given for the batteries and for the new technologies under these programs that are now making it possible for General Motors to reinvent.

Mr. DREIER. If I could reclaim my time, Mr. Speaker, let me say to my friend that obviously we have seen the General Motors deal proceed. The fact of the matter is it's not solely because of that that we are seeing this kind of partnership. But, Mr. Speaker, we are seeing the private sector proceed with a policy that I believe very strongly in, and that policy is being pro-environment and is, in fact, pro-business.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am going to yield myself 1 minute to respond to the General Motors-China issue.

Earlier this week, The New York Times had a wonderful article in the business section that the Chinese were subsidizing electric cars to the tune of $19,000 which all of us know is against every trade law the world has ever seen. But they were going to sell the Volt, and GM announced—they actually told them that in order to sell the Volt at all in China they had to give over all of their technology and all the information they had on how to build that car. I thought they weren't going to do it, but I also read yesterday that now they've got a brand-new Chinese partner, and they're giving them all the technology. I've got some legislation to bring into that, Mr. Speaker. I think it's outrageous that that's what's happening to American manufacturers.

I would like to now yield 3 minutes to the gentleman from Michigan who

knows a thing about General Motors, the distinguished ranking member of the Committee on Ways and Means, Mr. LEVIN.

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

Mr. LEVIN. Well, here we go again. You tried to cut jobs last night. You lost. Now, you're trying it again. When Americans need jobs, the Republicans are pushing an anti-jobs bill. Here's what the NAM said about this program that you want to curtail: ''The ATVM program is an example of what government-industry partnerships can accomplish. It has helped create and preserve thousands of auto sector jobs. The NAM believes defunding ATVM will hurt manufacturers and their employees.''

So you listen to nobody except your empty rhetoric and, I think, dangerous action. If that wasn't enough, here's what the Chamber of Commerce said: ''The ATVM program promotes manufacturing in the U.S. and is an important component of America's energy security.''

□ 2210

So yesterday, the chairman of the Appropriations Committee, we sent him a letter citing his reference to the ATVM loan program as a ''government subsidy for failing industries.'' GM failing? Chrysler failing? Ford failing? How misguided.

Well, now you're on your rampage to kill jobs and you've proposed to cut another program, section 1705, the loan program to help investments in new energy technology. This is a dangerous precedent. It's also, let's be frank, a dangerous smokescreen so some Republicans can change their votes. That's what this is all about.

Well, you don't want to listen to Warren Buffett on taxes, and now you're thumbing your vote at Bill Gates. They issued a report yesterday—Bill Gates and a number of other technology leaders—and I quote from the report about energy programs like what you're trying to cut:

''If the U.S. fails to invent new technologies and create new markets and new jobs that will drive the transformation and revitalization of the $5 trillion global energy industry, we will have lost an opportunity to lead in what is arguably the largest and most pervasive technology sector in the world. However, if the U.S. successfully innovates in clean energy, our country stands to reap enormous benefits.''

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

Ms. SLAUGHTER. I yield the gentleman 1 additional minute.

Mr. LEVIN. It goes on:

''Unfortunately, the country has yet to embark on a clean energy innovation program commensurate with the scale of national priorities that are at stake. In fact''—and I interpolate here this is what you're doing—''rather than improve the country's energy innovation program and invest in strategic national interests, the current political environment is creating strong pressure to pull back from such efforts.''

That's exactly what you're doing today. This bill is dangerous mindlessness.

Mr. DREIER. Mr. Speaker, I yield myself such time as I might consume to simply remind my colleagues why it is that we're here.

We're faced with the prospect of a government shutdown. There was a grand total as of this morning of $212 million in the fund to deal with our fellow Americans who are suffering because of disasters that we've gone through over the past several weeks and months, and we want to make sure that the appropriations process, which has been dumped on us, is able to be addressed in a bipartisan way. I want Democrats and Republicans alike to come together to address this.

The $100 million additional offset, the only minor modification that has been made, is to ensure that we don't have—and I know Democrats and Republicans alike agree on this—we don't want to have another Solyndra. And that's what we believe we can do.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank my friend for yielding.

Tomorrow will be yet another Friday without a paycheck for too many Americans. For many Americans, this may be the week that their unemployment benefits finally run out and they have no income left whatsoever. For many Americans, this might be the last weekend they spend in their home because the eviction notice or the foreclosure process comes due next week. There has been a natural disaster this summer in America, but there has been an economic disaster in America for a very long time.

Fifteen days ago, the President of the United States came to this Chamber and in good faith laid out a plan to put Americans back to work. In those 15 days, this majority has had no hearings, no discussions, and no votes on the President's plan to put the country back to work. Until today, it was accurate to say they had done nothing about the job situation in America. Today, they've done something. They put forward a bill that destroys a program that has created 39,000 jobs in the private sector.

My friend from California talked about the new deal that GM may strike to build the new generation of cars in China. With all due respect, that's the point. The purpose of this program is to make sure that the next generation of cars is built by Americans and sold to Chinese, not built by Chinese and sold to Americans. So if we let this bill pass, we are waving the white flag of surrender on the next generation of vehicles.

Now, they say, well, we have to do this because we have to provide disaster relief. I think there is unanimity in this Chamber that the victims of floods and hurricanes and other crises deserve help, but the artificial excuse that's being used here is, well, we have to pay for the help.

I have a suggestion. We're going to spend in the next 10 days in Iraq and Afghanistan what it would cost to deal with this disaster relief. How about that? Instead of crushing American jobs here at home, why don't we do the intelligent thing and say to the Iraqis and the Afghans, it's time they ran their own country with their own money. How about that for an offset? We should never have to choose between employing our neighbors and ignoring our needs.

The right vote here is ''no.'' Let's bring back to the floor tomorrow a plan that both sides can support that keeps Americans working, puts Americans back to work, and solves this disaster problem. Vote ''no,'' and then let's fix the problem.

Mr. DREIER. Mr. Speaker, I yield myself such time as I might consume to simply say that job creation and economic growth is what we are all about. The deal about which my friend just referred is one which is part of the global marketplace. The goal of having U.S. manufacturers, U.S. workers manufacturing automobiles for sale in China and vice versa is our priority.

With that, I would like to yield 2 minutes to my friend from Lawrenceville, Georgia (Mr. WOODALL).

Mr. WOODALL. I thank my chairman for yielding and I appreciate the time because, as we talk about the President's jobs bill, I was here, too, when the President came to present his ideas, and it kind of excited me. Because, as I looked at where the President began on some of these jobs issues and I looked at what has been proposed in this House already on these jobs issues, I realized exactly how much progress we were able to make.

I think about the President's proposal to eliminate oil company subsidies, a proposal that I support. In fact, I have a bill that not just eliminates oil company subsidies, but all industrial subsidies so that we can let the free market drive that train and create those jobs anew.

I think about the President's proposal to curtail the payroll tax and I think, we already have a proposal that not only curtails the payroll tax to the small degree the President recommends, but actually, since it's the largest tax that 80 percent of American taxpayers pay, eliminate it entirely.

Mr. LEVIN. Will the gentleman yield?

Mr. WOODALL. I'm limited to only 2 minutes. If my friend from New York would like to yield me time, I would be happy to yield that back.

But I just want to say, as my friend from the Ways and Means Committee knows, not only do we have that proposal introduced here—it's H.R. 25, the Fair Tax. We've had hearings on it in the Ways and Means Committee. So I say to my friend from New Jersey, we are moving forward on those agendas.

But let me just talk about why we're here tonight.

Mr. ANDREWS. Will the gentleman yield?

Mr. WOODALL. If I could get some time from my friend from New York, I would love to yield to agree with you. I wanted to tell you how much I believe we're headed on the same track.

But let me talk about this continuing resolution because that's really why we're here, despite the fact that folks bring up where we are in the President's jobs bill. This is about getting disaster relief to families that need it. And we could have gotten it done yesterday—and should have gotten it done yesterday. And even though I'm new at this process, I actually thought we had an agreement to get it done yesterday. I thought we had an agreement because it was the right thing to do to get it done yesterday. Now, only folks who are more privy than I know why that agreement came unglued and why it was we didn't get it done, but we're back here tonight and we have that opportunity. Please, please, let's get it done for those folks who need it. The time for games has long since passed.

□ 2220

Ms. SLAUGHTER. Before I yield to my friend from New Jersey, let me respond to my friend from Georgia. Don't forget that 48 on your side voted against it. I don't know what agreement you had with them.

I now yield 1½ minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I did want to ask my friend from Georgia a question, Mr. Speaker, if I might. He says he's on the right track.

Will the gentleman agree that we should have an up/down vote on the President's jobs plan on this floor?

Mr. WOODALL. I actually don't like those kind of long, complicated bills, I would say to my friend. But should we vote on his ideas, one idea at a time—I say that regularly. Had we voted on the President's health care bill one idea at a time, America would have loved 80 percent of it.

Mr. ANDREWS. Reclaiming my time, is that a yes or a no?

Mr. WOODALL. That's a let's vote on it one idea at a time, not just his ideas, but all of our ideas.

Mr. ANDREWS. Reclaiming my time, will the gentleman vote for the President's tax cuts for small businesses that create jobs if they hire someone?

Mr. WOODALL. The tax proposal I'm familiar with is his $1.5 trillion tax increase. Is there a different——

Mr. ANDREWS. Reclaiming my time, the President's plan was a small business that creates jobs will get a tax cut.

Will you vote for that?

Mr. WOODALL. If he wants to reduce the highest corporate tax rate in the world, I am a huge supporter of that.

Mr. ANDREWS. Reclaiming my time, is that a yes or a no on that idea?

Mr. WOODALL. I will vote for any reduction in corporate rates that the President proposes.

Mr. ANDREWS. Reclaiming my time, does the gentleman favor the provision that says we should put teachers who have been laid off back in the classroom?

Mr. WOODALL. I absolutely do, and with State and local funds we're doing that today. I hope we'll continue to do that.

Mr. ANDREWS. Reclaiming my time, would the gentleman agree, though, we should use some Federal funds for that purpose?

Mr. WOODALL. I do not believe the Federal Government should be involved in education.

Mr. ANDREWS. I disagree.

Mr. WOODALL. I thank my friend for yielding.

Mr. DREIER. Mr. Speaker, I am prepared to close on our side. If my friend is prepared to close, then we can close the debate here and move to a vote on the rule, and then move directly to consideration of the appropriations bill, so that the American people will be closer to getting resources they desperately need.

Ms. SLAUGHTER. I am expecting another speaker who is not yet on the floor.

My speaker has arrived, Mr. CROWLEY of New York, and I will yield him 3 minutes.

Mr. CROWLEY. Mr. Speaker, I rise in opposition to this bill. I'm not opposed to keeping our government up and running. In fact, I want desperately to support a bill as simple as keeping the Federal Government up and running.

What I'm imposed to is, I believe, ugly, out-right partisan politics, especially at a time when Americans want to work constructively together to address the serious problems that we're all facing. But bipartisanship is not at work here tonight, and it has not been here for some time.

Since President Obama announced the American Jobs Act, my colleagues on the other side have held zero hearings, not a single hearing on that plan.

Since Solyndra announced it was going out of business, the majority has held three hearings, and there are more scheduled to come. Let's be clear. We should get all the answers, every answer about Solyndra's failings. But I'm sorry. That is not a comprehensive agenda that will produce one single job.

Time is ticking because, while we stand here tonight quibbling about how to pay for the day-to-day functions of government, and how best to assist American communities hurting after hurricanes, flooding, droughts, and wildfires, Europe and China are working overtime to outcompete us on every front.

President Obama and the Democratic Party have a plan for keeping the U.S. competitive on the global stage. We have a plan for keeping American businesses, workers, and industries stronger and better than our foreign competitors.

It's Democrats who got engaged and saved GM and Chrysler. It's Democrats who created the Advanced Technology Vehicle Manufacturing loan program, a program that has created almost 40,000 auto manufacturing jobs in less than 2 years. And it's Democrats who have led the way on green energy.

By contrast, the GOP agenda can be summed up in one word: ''roadblock.'' Not road building, roadblock.

Republicans aren't focused on producing jobs. They oppose trying to put Detroit back on its feet. They are opposed to bringing President Obama's bills to the floor. And in the very bill we are debating right now, they are making cuts to the very manufacturing program I just cited as a job creator.

My colleagues, there are Americans across the country who are hurting. They've lost jobs, been foreclosed upon, and have endured extreme natural disasters of all kinds. They cannot accept a Congress that isn't willing to put them first. They cannot accept a Congress that insists upon offsets for aid to rebuild America, but not for aid to rebuild schools, hospitals, and roads in Iraq and Afghanistan. They cannot accept a Congress that holds more hearings on the failure of one company, but not one hearing on a job plan for America. I'm sorry, but this is not acceptable.

Vote ''no'' on this bill and reject the GOP's roadblock agenda.

Mr. DREIER. I am prepared to close the debate on our side.

I reserve the balance of my time for that purpose.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlelady from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the ranking member, Ms. SLAUGHTER of New York, for granting me this time to say, at first, I really didn't believe it when someone suggested to me that the Republican Party would really like to defeat President Obama by raising the unemployment rate. I thought, that's too cynical to really believe.

But in this particular proposal tonight, what we see is a proposal by the Republican Party to take money from the Advanced Technology Vehicle Manufacturing program to help America compete in the auto industry with state-managed economies like China's and Japan's, and take it away from recovering auto firms and unemployed auto workers to give to disaster victims around this country.

It's a no-win game. We're hurting the American people. We take from one sector that is suffering for another sector that is suffering? In the greatest

automotive manufacturing country in the world, we don't want to put more people back to work because we want to defeat the President next year?

I'm starting to believe those that suggested this cynical ploy. Why should we hurt the automotive industry that is just beginning to hire back and starting to lift this economy in the industrial Midwest and through hiring at parts suppliers coast to coast?

Vote ''no'' on this cynical ploy to set disaster victims against unemployed auto workers in the automotive industry of this country, which has a right to compete. If you want to offset $1.5 billion in costs of disaster assistance, take it from the bonuses Wall Street titans keep pocketing. For them, it's only pocket change.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1 minute to the gentlewoman from California, our Democrat leader, Ms. PELOSI.

Ms. PELOSI. I thank the gentlelady for yielding, and I commend her for her enormous leadership, patience, and great intellect that she brings to bear on these issues.

Mr. Speaker, listening to the debate, it's really almost hard to explain to someone why we're coming back tonight with the same old, same old warmed-over stew that was rejected yesterday by the Congress of the United States. But since then we've had some support expressed for the initiative that is contained in this bill and against the notion that our Republican colleagues have that it's a good idea to use this as a pay-for.

I take particular pride in this provision that the Republicans are trying to zero out in this bill, the Advanced Technology Vehicle Manufacturing program.

You will recall, Mr. DREIER, that it was part of a bill that was passed when President Bush was President. It was the Energy Independence and Security Act of 2007. It was a bill that passed the Congress with strong bipartisan support, including your support, Mr. DREIER. In fact, 95 Republicans voted for the bill. It was an even split in the Republican Caucus, 95 for, 96 against. But you recall voting for that.

Mr. DREIER. Will the gentlewoman yield?

Ms. PELOSI. No, I'm sorry, because you have a half an hour and I don't.

Mr. DREIER. Mr. Speaker, I've been mentioned three times, and since the gentlewoman has mentioned me—

The SPEAKER pro tempore. The gentlewoman from California controls the time.

Ms. PELOSI. The gentleman has all the time. For some reason the Republicans are not showing their faces on the floor on this amendment. He has plenty of time on this bill, plenty of time to speak. If he didn't, I'd be more than happy to yield to him, but since he has so much time on his own, he can use that.

In any event, here's the thing. We have an initiative that is bipartisan. We have an initiative that has passed the House in overwhelming numbers, 314–100; 314–100 it passed the House after coming back from the Senate.

Yesterday, there was an attempt made to use the funds allocated to the Advanced Technology Vehicle Manufacturing program to offset the disaster assistance. I myself believe it is a matter of principle that we should just do with disaster assistance what we always have done, have no doubt in anyone's mind that when a disaster, a natural disaster strikes, the Federal Government will be there, FEMA will be funded, and that we don't have to look around for a place to say, let's prioritize. No, the disaster assistance is our priority.

□ 2230

But on top of that, they use as a pay-for, again, zeroing out the Advanced Technology Vehicle Manufacturing. I don't want you to take my words for the merit of this initiative. I want to quote for the record the letter from the United States of America Chamber of Commerce and the letter from the National Association of Manufacturers.

First from the Chamber of Commerce:

''As Congress sets spending priorities, the Chamber wishes to highlight a few important facts about the Advanced Technology Vehicle Manufacturing loan program. First, the program was authorized in the Energy Independence and Security Act of 2007, which was supported by both Republicans and Democrats as an important step in reducing America's dependence on oil from unstable regimes. Second, ATVM loans, which will be repaid with interest, incentivize automakers and suppliers to build more fuel-efficient advanced technology vehicles in the U.S., providing new opportunities for American workers in a sector of the economy that is critical to the Nation's recovery.''

Then they go on to say that this is funded by the Department of Education, and that it's not the fault of industry if these funds have not been used.

In the NAM letter, National Association of Manufacturers, they say similarly:

''We express our support for the Advanced Technology Vehicle Manufacturing (ATVM) program, authorized under the Energy Independence and Security Act of 2007 with bipartisan support and signed into law by President Bush.''

It was a very proud day for us when President Bush signed this bill. It made tremendous advances in energy efficiency and conservation. It was a great accomplishment of the Bush administration and a Democratic Congress working together, but the bill passed in strong bipartisan fashion.

''The ATVM program is an example of what government/industry partnerships can accomplish. It has helped create and preserve thousands of auto sector jobs and put our Nation on a path towards greater energy security. The NAM believes defunding ATVM will hurt manufacturers and their employees.''

I will submit the rest of the letters for the RECORD so Members can read further for themselves in the CONGRESSIONAL RECORD; and for all who view the work of Congress, they can see the importance of these initiatives, first by the strong bipartisan support that they received in a Democratically controlled Congress but signed by a Republican President, President Bush, a very major accomplishment, I think he believes.

The second point, though, is that, again, American people are looking for ways for us to create jobs. The Republicans have been in power in this Congress in this House of Representatives for over 250 days. They have not passed one bill into law which is a job creator; and today, they come back to the floor a second day in a row with a job destroyer. The repetition of it is almost frivolous when you think that what we could be talking about here is a clean CR, a clean continuing resolution that will meet our needs to November 18.

I thank Chairman DICKS for his leadership on this important issue, Mr. LEVIN, certainly Mr. DINGELL, who was a champion of this initiative from day one and a leader in the fight to preserve it here.

It could just have been so simple. Let's just keep government open until November 18 with a clean continuing resolution instead of coming to the floor and for the first time.

Now my colleagues will say, Well, we've had other emergencies that were funded. I'm not talking about emergencies. There are many emergencies. I'm talking about disasters. I'm talking about natural disasters when people's homes are swept away. This isn't political. This is very, very personal, if you've lost your home, your belongings, your livelihood, your business, your sense of community, the character of the area in which you live, as many of our colleagues on both sides of the aisle have done. When you see the nature of the natural disasters, whether it's out-of-control forest fires in Texas, what happened in Joplin, Missouri, which is almost biblical in its proportion, and what happened on the east coast with the earthquake followed by hurricane followed by tornado followed by floods and all that goes with it.

Do you think people think that we have any relevance to their lives if we're talking about something like this when all they are saying is, Help. It's as if a building is on fire and you're going to figure out who is going to pay for the water instead of just running to the rescue.

I urge my colleagues to vote ''no'' on this and urge my Republican colleagues to please pull this back, bring a clean CR to the floor. Let's get serious about the people's business.

CHAMBER OF CONGRESS
OF THE UNITED STATES OF AMERICA,
Washington, DC, September 22, 2011.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses and organizations of every size, sector, and region, strongly supports disaster relief funding to assist victims of natural disasters. The Chamber is also a vocal proponent of fiscal responsibility and recognizes that Congress must make difficult but necessary choices among competing priorities.

As Congress sets spending priorities, the Chamber wishes to highlight a few important facts about the Advanced Technology Vehicle Manufacturing (ATVM) loan program. First, the program was authorized in the Energy Independence and Security Act of 2007, which was supported by both Republicans and Democrats as an important step in reducing America's dependence on oil from unstable regimes. Second, ATVM loans, which will be repaid with interest, incentivize automakers and suppliers to build more fuel-efficient advanced technology vehicles in the U.S., providing new opportunities for American workers in a sector of the economy that is critical to the nation's recovery. Third, the fact that the Department of Energy has yet to use the funds Congress appropriated for the program is not the fault of industry; numerous loan applicants have been in the queue for years, waiting for the Administration to complete its due diligence.

Again, while the Chamber understands the importance of reducing America's unacceptable debt and believes that all programs must be on the table, the Chamber urges you to bear in mind the facts about the ATVM loan program, which promotes manufacturing in the U.S. and is an important component of America's energy security.

Sincerely,

R. BRUCE JOSTEN.

NATIONAL ASSOCIATION
OF MANUFACTURERS,
September 22, 2011.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR LEADERS REID AND MCCONNELL: The NAM is the largest trade association in the United States, representing over 11,000 small, medium and large manufacturers in all 50 states. We are the leading voice for the manufacturing economy, which provides millions of high-wage jobs in the U.S. Two-thirds of our members are small businesses, which serve as the engine for job growth. Our mission is to enhance the competitiveness of manufacturers and improve American living standards by shaping a legislative and regulatory environment conducive to U.S. economic growth.

The NAM is writing to express our support for the Advanced Technology Vehicle Manufacturing (ATVM) program, authorized under the Energy Independence and Security Act of 2007 with bipartisan support and signed into law by President Bush. The ATVM program is an example of what government/industry partnerships can accomplish. It has helped create and preserve thousands of auto sector jobs and put our nation on a path towards greater energy security. The NAM believes defunding ATVM will hurt manufacturers and their employees.

Introducing any new model motor vehicle is a capital intensive process. Automobile manufacturers and suppliers must make large investments at the front end before a vehicle enters production. The ATVM 'program assists this process by providing low cost capital for retooling U.S. facilities. These loans, which will be repaid with interest, allow automakers to build more fuel-efficient advance technology vehicles in the U.S. and provide greater job security for the workers they employ. Furthermore, it is worth noting that many suppliers to the automobile manufacturers are small and medium manufacturers. These smaller manufacturers have the potential to create thousands of jobs but are typically some of the first businesses impacted by a struggling economy. By maintaining the ATVM program the government will also be supporting the maintenance and growth of these smaller manufacturers.

During this time of economic recovery, we urge you to preserve this successful program that is helping preserve auto sector jobs and promote energy security.

Sincerely,

PAUL A. YOST.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume, and I'll be happy to yield to my distinguished California colleague at any moment as I make a couple of remarks here as she walks off the floor.

I asked her to yield, Mr. Speaker, because she three times referenced me as it relates to the vehicle program, the Advanced Technology Vehicle Manufacturers program. Let me just explain what we're faced with today, Mr. Speaker.

What we're faced with is the challenge of ensuring that we get the resources necessary to the American people who are suffering because of these disasters. Now, when my California colleague was Speaker of the House, we had disasters that took place like Hurricane Katrina. Much of that was offset. And so to act as if this is unprecedented is not a correct characterization of what has happened, because we have seen offsets for disasters in the past on numerous occasions over the last decade in excess of $59 billion in offsets that provided for supplemental appropriations that have been out there.

As it relates to the Advanced Technology Vehicle program, I was going to say to my California colleague who is no longer on the floor, and I'd like to yield to her if she would like to come back to respond to this, there is a total of $4 billion that is there. What we're doing is utilizing $1.5 billion. So as people say that this program is being completely eliminated, that is not a correct characterization of what has happened.

Let me tell you what it is we're doing, Mr. Speaker.

We're doing everything that we can to find every dollar that we possibly can to ensure that our fellow Americans who are suffering due to these disasters are able to have the resources that are necessary. Of the $1.5 billion which is utilized in the offset, it's been sitting in the coffers for 3 years. So to act as if we somehow are going to see some great loss of jobs is again a mischaracterization of what is happening.

We're establishing priorities. We have a priority, that being dealing with our fellow Americans in Joplin, Missouri, who suffered from that horrible tornado that hit that area. That's my home State of Missouri. I know how devastating. In listening to our colleague, Mr. LONG, it's very clear to see in his eyes the kind of effort that he's put in to deal with the rebuilding there. That is a priority.

Dealing with the photographs that we saw from Mr. WELCH's district who voted for this bill yesterday and I suspect will vote for it again this evening to ensure that those who suffered from flooding in Vermont have that. And as I said earlier in the day, our new colleague, TOM MARINO from Williamsport, Pennsylvania, who just in the past several days was trudging through the mud as he reported to my colleagues in our meeting downstairs talking to the parents of children who were literally sitting on the hoods of their automobiles because their homes had been devastated. And the question asked by that parent to Congressman MARINO was, What is it you are going to do? And he said that he was going to come to Washington and do everything that he possibly can, everything that he would be able to do to ensure that they have the resources they need.

Now, to argue that this is pitting a fund that has been sitting dormant for 3 years and is not in the pipeline versus utilization of those resources for the American people who are suffering is a very inappropriate thing to do.

So that was the discussion that I was looking forward to having with my California colleague as she talked about my support of the Advanced Technology Vehicle program.

Mr. LEVIN. Will the gentleman yield?

Mr. DREIER. Of course. I'm always happy to yield to my good friend from Detroit.

□ 2240

Mr. LEVIN. Look, no one is saying the total program would be obliterated.

Mr. DREIER. If I could reclaim my time, Mr. Speaker, the gentleman just said no one is saying that. I'm sure that my friend was not here through the entire debate.

Mr. LEVIN. I was.

Mr. DREIER. I don't know that my friend was listening through the entire debate.

Mr. LEVIN. I was.

Mr. DREIER. May I finish, Mr. Speaker?

What I want to say is that we were told that we on our side of the aisle are declaring war—declaring war—by the statement made by our friends from Massachusetts, and from that, one would have to infer that we were trying to obliterate a program.

When we, Mr. Speaker, have 3 years of those dollars sitting dormant, not being expended and not in the pipeline, we believe that we can utilize those dollars for the American people who

are truly in need. We need to move ahead with that as expeditiously as possible, and I think we should try to do that right now and get to the appropriations bill.

With that, I reserve the balance of my time.

Mr. LEVIN. Will the gentlelady from New York yield me 30 seconds?

Ms. SLAUGHTER. I'm sorry, Mr. LEVIN. I don't have any more time.

Mr. Speaker, I am prepared to close.

Mr. LEVIN. How much time is there on both sides, please?

The SPEAKER pro tempore. The gentleman from California has 10½ minutes, and the gentlewoman from New York has 3½ minutes.

Mr. LEVIN. Will the gentleman from California yield to me?

Mr. DREIER. Mr. Speaker, let me yield myself 1 minute, and I will yield to my friend from Michigan.

Mr. LEVIN. No one has said that the program will be eliminated. What we have said is what the Manufacturers Association has said. It believes defunding ATVM will hurt manufacturers and their employees.

Mr. DREIER. Mr. Speaker, I reclaim my time.

We've had this read to us three times.

Mr. LEVIN. You don't want to hear the facts.

Mr. DREIER. Mr. Speaker, I've heard it three times read on the House floor. We heard the debate earlier today. It was read by our colleagues, Mr. Speaker. I've heard this three times on the House floor.

What I want to say is that we've had, for 3 years, the dollars that we're utilizing for the offset sitting dormant.

Mr. LEVIN. It is not true.

Mr. DREIER. It is true, and it is not in the pipeline to be expended, Mr. Speaker. So, for that reason, I believe the people of Joplin, Missouri, can better utilize dollars that have been sitting for 3 years for absolutely no purpose whatsoever.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, if we defeat the previous question at the end of the debate, I will offer an amendment to the rule to ensure that disaster victims get the help that they need. My amendment will allow Representative DINGELL to offer a motion to strike the unacceptable House language and to substitute the bipartisan Senate approach.

I yield 3 minutes to the gentleman from Michigan (Mr. DINGELL).

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

Mr. DINGELL. Here we are again.

Yesterday, the House rebuked the Republicans because they came forward with almost as bad a bill as this. They were going to destroy, as they are tonight, the Advanced Technology Vehicle Manufacturing program. It's one of the most successful programs we've had. It has made 40,000 jobs for Americans. At a time when Americans are losing their homes, losing their jobs, running out of unemployment compensation, they want to hear us say what we're doing about jobs, what we're doing about opportunity, what we're doing about making the economy grow.

So the Republicans, when they got their heads handed to them yesterday, went back to caucus and made the bill a little bit worse so that they could appeal to their right-wing extremes. The result is that you've got a bill here that has been brought to us that nobody has had an opportunity to see and a bill on which we haven't got any idea exactly what it does.

We hear our good friend from California tell us how the private system of government is working. He says it's working in China because the Chinese have forced GM to work with them to manufacture cars over there so that they can sell them over here. We say that we ought to be manufacturing those cars over here with American workers to sell over there in China and in other countries that are playing the same game with us.

This is an enormously successful program. They're submitting their successes of yesterday by trying now to cut other programs which do this.

They talk about Solyndra. Solyndra went broke for a very simple reason. I sat in on the hearings when I don't think many of the other Members on this side did. I heard that the reason they went under was the trade practices of the Chinese. That's why. They're underselling them in an intolerable way in spite of the fact that we've tried to bring that technology over here and to make it work for the American people in order to provide jobs for the American people.

My Republican colleagues are making a war between the American workers and American industry on the one side and those who have need of relief from the disasters. That's not good. It should not be. It is quite sufficient that we help both. There is no need to have an offset for a disaster, and time after time we have not done it. But not so the Republicans. They are out to kill Department of Energy loan programs. These are programs that create jobs.

Take a look in your district, if they'll give you a copy of this bill, and ask yourself and ask them and ask of the legislation: What are they cutting that is in your district or your State that's going to make jobs and opportunity for your people? You're going to find, when this legislation passes—God forbid it will do so—that you have cut the opportunities and the well-being of your American people who desperately look to us to make the economy go again. You are burning here tonight the seed corn of the American people. You are taking and striking a major blow against the economy and the well-being of this Nation. I say, Shame.

Reject the rule.

Reject the previous question.

Reject the proposal.

The SPEAKER pro tempore. The gentlewoman from New York has 30 seconds remaining.

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

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. I urge my colleagues to vote ''no'' and defeat the previous question, I urge a ''no'' vote on the rule and the underlying amendment, and I yield back the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself the balance of my time to simply say to my colleagues that we're here for a very important reason. The reason is that we want to make sure that we don't face a government shutdown. We want to make sure that we do everything we possibly can so that the people in this country who have suffered from disasters over the past several weeks and months are able to have the resources that they need to do that, and we want to make sure, Mr. Speaker, that we do it in a fiscally responsible way so that we can do what every American and every Democrat and Republican in this House says needs to be done so that we can get our economy growing and put into place pro-growth, job creation proposals. I believe that we can do that. I think we can do it responsibly.

I will say that this is the identical package that we had last night, with one modification; and that one modification is to ensure, with all due respect to my friend, the distinguished dean of this House, that we don't have another Solyndra. Regardless of what some have said was the cause of their demise, when we have employees of that company coming forward and making the case that they were spending money left and right, that they were using it on some of the most outrageous things imaginable, and that the employees could not understand why they built a factory when they had all of these resources in reserve, this cannot be allowed. It's not a responsible expenditure of U.S. taxpayer dollars, Mr. Speaker, and that's the reason we believe this $100 million can be used for the people who are truly in need.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 412 OFFERED BY MS. SLAUGHTER OF NEW YORK

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

SEC. 2. Notwithstanding any other provision of this resolution, after expiration of debate on the motion to concur specified in the first section of this resolution it shall be in order to consider the motion to amend printed in section 3 of this resolution. That motion may be offered only by Representative Dingell of Michigan or his designee, shall be

debatable for 20 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. All points of order against that motion are waived.

SEC. 3. The motion to amend referred to in section 2 is as follows:

''(1) Strike sections 125 and 126 of the House amendment (and redesignate the subsequent sections accordingly).

''(2) At the end of the House amendment, before the short title, insert the following:

''SEC. ____ . Notwithstanding any other provision of this Act, there is hereby enacted into law the provisions of division B of the amendment adopted by the Senate on September 15, 2011, to House Joint Resolution 66 (112th Congress), relating to emergency supplemental disaster relief appropriations.''.

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 235, nays 177, not voting 21, as follows:

[Roll No. 725]

YEAS—235

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—177

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Cardoza
Carnahan
Carney
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—21

Bachmann
Bishop (GA)
Butterfield
Calvert
Carson (IN)
Deutch
Garamendi
Giffords
Gohmert

Guinta
Langevin
Luján
Paul
Rangel
Reichert
Schock
Shuler
Speier
Stark
Waxman
Welch

□ 2312

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 238, nays 176, not voting 19, as follows:

[Roll No. 726]

YEAS—238

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—176

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Cardoza
Carnahan
Carney
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—19

Bachmann
Bilbray
Bishop (GA)
Butterfield
Carson (IN)
Deutch
Garamendi
Giffords
Hirono
Luján
Olver
Paul
Rangel
Reichert
Shuler
Speier
Stark
Waxman
Welch

□ 2319

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BILBRAY. Mr. Speaker, on rollcall No. 726, had I been present, I would have voted "yes."

GENERAL LEAVE

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2608.

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

There was no objection.

Mr. ROGERS of Kentucky. Mr. Speaker, pursuant to the resolution just adopted, I call up the bill (H.R. 2608) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes, with the Senate amendment thereto, and have a motion at the desk.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Small Business Program Extension and Reform Act of 2011''.

SEC. 2. ADDITIONAL TEMPORARY EXTENSION OF AUTHORIZATION OF PROGRAMS UNDER THE SMALL BUSINESS ACT AND THE SMALL BUSINESS INVESTMENT ACT OF 1958.

(a) IN GENERAL.—Section 1 of the Act entitled ''An Act to extend temporarily certain authorities of the Small Business Administration'', approved October 10, 2006 (Public Law 109–316; 120 Stat. 1742), as most recently amended by section 2 of the Small Business Additional Temporary Extension Act of 2011 (Public Law 112–17; 125 Stat. 221), is amended by striking ''July 31, 2011'' each place it appears and inserting ''July 31, 2012''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on July 30, 2011.

SEC. 3. REPEALS AND OTHER TERMINATIONS.

(a) GENERAL PROVISIONS.—

(1) EFFECTIVE DATE.—A repeal or other termination of a provision of law made by this section shall take effect on October 1, 2011.

(2) RULE.—Nothing in this section shall affect any grant or assistance provided, contract or cooperative agreement entered into, or loan made or guaranteed before October 1, 2011 under a provision of law repealed or otherwise terminated by this section and any such grant, assistance, contract, cooperative agreement, or loan shall be subject to the applicable repealed or otherwise terminated provision, as in effect on September 30, 2011.

(3) APPLICABILITY OF TEMPORARY EXTENSIONS.—A repeal or other termination of a provision of law made by this section shall have effect notwithstanding any temporary extension of programs, authority, or provisions under the Act entitled ''An Act to extend temporarily certain authorities of the Small Business Administration'', approved October 10, 2006 (Public Law 109–316; 120 Stat. 1742).

(4) DEFICIT REDUCTION.—Any savings resulting from this Act and the amendments made by this Act shall be returned to the Treasury for deficit reduction.

(b) POLLUTION CONTROL LOANS.—Paragraph (12) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended—

(1) by striking ''(A) The Administration'' and inserting ''The Administration''; and

(2) by striking ''research and development'' and all that follows and inserting ''research and development.''.

(c) SMALL BUSINESS INSTITUTE.—Subparagraph (E) of section 8(b)(1) of the Small Business Act (15 U.S.C. 637(b)(1)) is repealed.

(d) DRUG-FREE WORKPLACE GRANTS.—Paragraph (3) of section 21(c) of the Small Business Act (15 U.S.C. 648(c)) is amended—

(1) in subparagraph (R) by adding ''and'' at the end;

(2) in subparagraph (S) by striking ''; and'' and inserting a period; and

(3) by striking subparagraph (T).

(e) CENTRAL EUROPEAN SMALL BUSINESS ENTERPRISE DEVELOPMENT COMMISSION.—Section 25 of the Small Business Act (15 U.S.C. 652) is repealed.

(f) PAUL D. COVERDELL DRUG-FREE WORKPLACE PROGRAM.—Section 27 of the Small Business Act (15 U.S.C. 654) is repealed.

(g) PILOT TECHNOLOGY ACCESS PROGRAM.—Section 28 of the Small Business Act (15 U.S.C. 655) is repealed.

(h) NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION.—

(1) IN GENERAL.—Section 33 of the Small Business Act (15 U.S.C. 657c) is repealed.

(2) CORPORATION.—Beginning on the date of enactment of this Act, the National Veterans Business Development Corporation and any successor thereto may not represent that the corporation is federally chartered or in any other manner authorized by the Federal Government.

(i) LEASE GUARANTEES AND POLLUTION CONTROL.—Part A of title IV of the Small Business Investment Act of 1958 (15 U.S.C. 692 et seq.) is repealed.

(j) ALTERNATIVE LOSS RESERVE.—Paragraph (7) of section 508(c) of the Small Business Investment Act of 1958 (15 U.S.C. 697e(c)) is repealed.

(k) SMALL BUSINESS TELECOMMUTING PILOT PROGRAM.—Subsection (d) of section 1203 of the Energy Independence and Security Act of 2007 (15 U.S.C. 657h) is repealed.

(l) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SMALL BUSINESS INVESTMENT ACT OF 1958.—Section 411(i) of the Small Business Investment Act of 1958 (15 U.S.C. 694b(i)) is amended to read as follows:

''(i) Without limiting the authority conferred upon the Administrator and the Administration by section 201 of this Act, the Administrator and the Administration shall have, in the performance of and with respect to the functions, powers, and duties conferred by this part, all the authority and be subject to the same conditions prescribed in section 5(b) of the Small Business Act with respect to loans, including the authority to execute subleases, assignments of lease and new leases with any person, firm, organization, or other entity, in order to aid in the liquidation of obligations of the Administration hereunder.''.

(2) TITLE 10.—Section 1142(b)(13) of title 10, United States Code, is amended by striking ''and the National Veterans Business Development Corporation''.

(3) TITLE 38.—Subsection (h) of section 3452 of title 38, United States Code, is amended by striking ''any of the'' and all that follows and inserting ''any small business development center described in section 21 of the Small Business Act (15 U.S.C. 648), insofar as such center offers, sponsors, or cosponsors an entrepreneurship course, as that term is defined in section 3675(c)(2).''.

(4) VETERANS ENTREPRENEURSHIP AND SMALL BUSINESS DEVELOPMENT ACT OF 1999.—Section 203(c)(5) of the Veterans Entrepreneurship and Small Business Development Act of 1999 (15 U.S.C. 657b note) is amended by striking ''In cooperation with the National Veterans Business Development Corporation, develop'' and inserting ''Develop''.

SEC. 4. TERMINATION OF EMERGING LEADERS PROGRAM.

Notwithstanding any other provision of law, effective October 1, 2011, the Administrator of the Small Business Administration may not carry out or otherwise support the program referred to as ''Emerging Leaders'' in the document of the Small Business Administration titled ''FY 2012 Congressional Budget Justification and FY 2010 Annual Performance Report'' (or any predecessor or successor document).

MOTION TO CONCUR

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Rogers of Kentucky moves that the House concur in the Senate amendment to H.R. 2608 with an amendment.

The text of the amendment is as follows:

In lieu of the matter proposed to be inserted by the amendment of the Senate, insert the following:

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2012, and for other purposes, namely:

SEC. 101. (a) Such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year 2011 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this Act, that were conducted in fiscal year 2011, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Department of Defense Appropriations Act, 2011 (division A of Public Law 112–10).

(2) The Full-Year Continuing Appropriations Act, 2011 (division B of Public Law 112–10).

(b) The rate for operations provided by subsection (a) is hereby reduced by 1.503 percent.

SEC. 102. (a) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for (1) the new production of items not funded for production in fiscal year 2011 or prior years; (2) the increase in production rates above those sustained with fiscal year 2011 funds; or (3) the initiation, resumption, or continuation of any project, activity, operation, or organization (defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for any investment items defined as a P–1 line item in a budget activity within an appropriation account and an R–1 line item that includes a program element and subprogram element within an appropriation account) for which appropriations, funds, or other authority were not available during fiscal year 2011.

(b) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 104. Except as otherwise provided in section 102, no appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2011.

SEC. 105. Appropriations made and authority granted pursuant to this Act shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this Act.

SEC. 106. Unless otherwise provided for in this Act or in the applicable appropriations Act for fiscal year 2012, appropriations and funds made available and authority granted pursuant to this Act shall be available until whichever of the following first occurs: (1) the enactment into law of an appropriation for any project or activity provided for in this Act; (2) the enactment into law of the applicable appropriations Act for fiscal year 2012 without any provision for such project or activity; or (3) November 18, 2011.

SEC. 107. Expenditures made pursuant to this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 108. Appropriations made and funds made available by or authority granted pursuant to this Act may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing in this Act may be construed to waive any other provision of law governing the apportionment of funds.

SEC. 109. Notwithstanding any other provision of this Act, except section 106, for those programs that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of fiscal year 2012 because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such programs funded by this Act that would impinge on final funding prerogatives.

SEC. 110. This Act shall be implemented so that only the most limited funding action of that permitted in the Act shall be taken in order to provide for continuation of projects and activities.

SEC. 111. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2011, and for activities under the Food and Nutrition Act of 2008, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2011, to be continued through the date specified in section 106(3).

(b) Notwithstanding section 106, obligations for mandatory payments due on or about the first day of any month that begins after October 2011 but not later than 30 days after the date specified in section 106(3) may continue to be made, and funds shall be available for such payments.

SEC. 112. Amounts made available under section 101 for civilian personnel compensation and benefits in each department and agency may be apportioned up to the rate for operations necessary to avoid furloughs within such department or agency, consistent with the applicable appropriations Act for fiscal year 2011, except that such authority provided under this section shall not be used until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

SEC. 113. Funds appropriated by this Act may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 114. (a) Except as provided in subsection (b), each amount incorporated by reference in

this Act that was previously designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amount shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress. Section 101(b) of this Act shall not apply to any amount so designated.

(b) Subsection (a) shall not apply to amounts for ''Department of Justice—Federal Bureau of Investigation—Salaries and Expenses''.

SEC. 115. During the period covered by this Act, discretionary amounts appropriated for fiscal year 2012 that were provided in advance by appropriations Acts shall be available in the amounts provided in such Acts, reduced by the percentage in section 101(b).

SEC. 116. Notwithstanding section 101, amounts made available by this Act for ''Department of Defense—Operation and Maintenance—Operation and Maintenance, Air Force'' may be used by the Secretary of Defense for operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction: Provided, That the authority made by this section shall continue in effect through the date specified in section 106(3) of this Act: Provided further, That section 9014 of division A of Public Law 112–10 shall not apply to funds appropriated by this Act.

SEC. 117. Notwithstanding section 101, funds made available in title IX of division A of Public Law 112–10 for ''Overseas Contingency Operations'' shall be available at a rate for operations not to exceed the rate permitted by H.R. 2219 (112th Congress) as passed by the House of Representatives on July 8, 2011.

SEC. 118. The authority provided by section 127b of title 10, United States Code, shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 119. The authority provided by section 1202 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2412), as extended by section 1204(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4623), shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 120. Notwithstanding section 101, amounts are provided for ''Defense Nuclear Facilities Safety Board—Salaries and Expenses'' at a rate for operations of $29,130,000.

SEC. 121. Notwithstanding any other provision of this Act, except section 106, the District of Columbia may expend local funds under the heading ''District of Columbia Funds'' for such programs and activities under title IV of H.R. 2434 (112th Congress), as reported by the Committee on Appropriations of the House of Representatives, at the rate set forth under ''District of Columbia Funds—Summary of Expenses'' as included in the Fiscal Year 2012 Budget Request Act of 2011 (D.C. Act 19–92), as modified as of the date of the enactment of this Act.

SEC. 122. Notwithstanding section 101, amounts are provided for the necessary expenses of the Recovery Accountability and Transparency Board, to carry out its functions under title XV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), at a rate for operations of $28,350,000.

SEC. 123. (a) Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) shall be applied by substituting the date specified in section 106(3) of this Act for ''September 30, 2011''.

(b) Notwithstanding section 9(n)(1)(A) of the Small Business Act (15 U.S.C. 638(n)(1)(A)), the Small Business Technology Transfer Program shall continue in effect through the date specified in section 106(3) of this Act.

(c) Notwithstanding section 9(y)(6) of the Small Business Act (15 U.S.C. 638(y)(6)), the pilot program under section 9(y) of such Act shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 124. Section 8909a(d)(3)(A)(v) of title 5, United States Code, is amended by striking ''September 30, 2011'' and inserting the date specified in section 106(3) of this Act.

SEC. 125. Notwithstanding any other provision of this Act, effective on the date of the enactment of this Act, of the unobligated balances remaining available to the Department of Energy pursuant to section 129 of the Continuing Appropriations Resolution, 2009 (division A of Public Law 110–329), $500,000,000 is rescinded, $774,000,000 is hereby transferred to and merged with ''Department of Homeland Security—Federal Emergency Management Agency—Disaster Relief'', and $226,000,000 is hereby transferred to and merged with ''Corps of Engineers-Civil—Flood Control and Coastal Emergencies'': Provided, That the amounts made available by this section for the Corps of Engineers-Civil shall be for emergency expenses for repair of damage caused by the storm and flood events occurring in 2011: Provided further, That the amounts transferred by this section shall remain available until expended: Provided further, That each amount transferred by this section is designated as an emergency pursuant to section 3(c)(1) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 126. (a) Notwithstanding section 101, amounts are provided for ''Department of Homeland Security—Federal Emergency Management Agency—Disaster Relief'' at a rate for operations of $2,650,000,000: Provided, That the Secretary of Homeland Security shall provide a full accounting of disaster relief funding requirements for such account for fiscal year 2012 not later than 15 days after the date of the enactment of this Act, and for fiscal year 2013 in conjunction with the submission of the President's budget request for fiscal year 2013.

(b) The accounting described in subsection (a) for each fiscal year shall include estimates of the following amounts:

(1) The unobligated balance of funds in such account that has been (or will be) carried over to such fiscal year from prior fiscal years.

(2) The unobligated balance of funds in such account that will be carried over from such fiscal year to the subsequent fiscal year.

(3) The amount of the rolling average of non-catastrophic disasters, and the specific data used to calculate such rolling average, for such fiscal year.

(4) The amount that will be obligated each month for catastrophic events, delineated by event and State, and the total remaining funding that will be required after such fiscal year for each such catastrophic event for each State.

(5) The amount of previously obligated funds that will be recovered each month of such fiscal year.

(6) The amount that will be required in such fiscal year for emergencies, as defined in section 102(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(1)).

(7) The amount that will be required in such fiscal year for major disasters, as defined in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)).

(8) The amount that will be required in such fiscal year for fire management assistance grants, as defined in section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187).

SEC. 127. Any funds made available pursuant to section 101 for the Department of Homeland Security may be obligated at a rate for operations necessary to sustain essential security activities, such as: staffing levels of operational personnel; immigration enforcement and removal functions, including sustaining not less than necessary detention bed capacity; and United States Secret Service protective activities, including protective activities necessary to secure National Special Security Events. The Secretary of Homeland Security shall notify the Committees on Appropriations of the House of Representatives and the Senate on each use of the authority provided in this section.

SEC. 128. The authority provided by section 532 of Public Law 109–295 shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 129. The authority provided by section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 130. Section 550(b) of the Department of Homeland Security Appropriations Act, 2007 (6 U.S.C. 121 note) shall be applied by substituting the date specified in section 106(3) of this Act for ''October 4, 2011''.

SEC. 131. Sections 1309(a) and 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a) and 4026) shall be applied by substituting the date specified in section 106(3) of this Act for ''September 30, 2011''.

SEC. 132. Section 330 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (42 U.S.C. 1701 note), concerning Service First authorities, shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 133. Notwithstanding section 101, section 1807 of Public Law 112–10 shall be applied by substituting ''$374,743,000'' for ''$363,843,000'' and ''$10,900,000'' for ''$3,000,000''.

SEC. 134. The second proviso of section 1801(a)(3) of Public Law 112–10 is amended by striking ''appropriation under this subparagraph'' and inserting ''appropriations made available by this Act''.

SEC. 135. Notwithstanding section 101, amounts are provided for ''Federal Mine Safety and Health Review Commission—Salaries and Expenses'' at a rate for operations of $14,510,000.

SEC. 136. Sections 399AA(e), 399BB(g), and 399CC(f) of the Public Health Service Act (42 U.S.C. 280i(e), 280i–1(g), 280i–2(f)) shall be applied by substituting the date specified in section 106(3) of this Act for ''September 30, 2011''.

SEC. 137. Notwithstanding section 101, section 2005 of division B of Public Law 112–10 shall be applied by substituting ''$0'' for each dollar amount.

SEC. 138. The Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) shall be applied by substituting the date specified in section 106(3) of this Act for ''September 30, 2011'' in section 7 of such Act of 1945.

SEC. 139. Section 209 of the International Religious Freedom Act of 1998 (22 U.S.C. 6436) shall be applied by substituting the date specified in section 106(3) of this Act for ''September 30, 2011''.

SEC. 140. Commitments to guarantee loans incurred under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), shall not exceed a rate for operations of $25,000,000,000: Provided, That total loan principal, any part of which is to be guaranteed, may be apportioned through the date specified in section 106(3) of this Act, at $80,000,000 multiplied by the number of days covered in this Act.

SEC. 141. (a) RENEWAL OF IMPORT RESTRICTIONS UNDER BURMESE FREEDOM AND DEMOCRACY ACT OF 2003.—

(1) IN GENERAL.—Congress approves the renewal of the import restrictions contained in

section 3(a)(1) and section 3A (b)(1) and (c)(1) of the Burmese Freedom and Democracy Act of 2003.

(2) RULE OF CONSTRUCTION.—This section shall be deemed to be a ''renewal resolution'' for purposes of section 9 of the Burmese Freedom and Democracy Act of 2003.

(b) PAYGO COMPLIANCE.—The budgetary effects of this section, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this section, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

(c) EFFECTIVE DATE.—This section shall take effect on July 26, 2011.

(d) APPLICABILITY.—This section shall not be subject to any other provision of this Act.

SEC. 142. Effective on the date of the enactment of this Act, of the unobligated balances remaining available for ''Department of Energy—Energy Programs—Title 17-Innovative Technology Loan Guarantee Program'' pursuant to title IV of division A of Public Law 111–5, $100,000,000 is rescinded.

This Act may be cited as the ''Continuing Appropriations Act, 2012''.

The SPEAKER pro tempore. Pursuant to House Resolution 412, the motion shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

The gentleman from Kentucky (Mr. ROGERS) and the gentleman from Washington (Mr. DICKS) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. ROGERS of Kentucky. I yield myself such time as I may consume.

Mr. Speaker, I rise tonight to bring to the floor the continuing appropriations resolution to keep the Federal Government operating until November 18, 2011. Before you is a slightly amended version of the bill, which is necessary after last night's vote. I hope that my colleagues recognize the urgency of this situation and will join me in taking the responsible step and support this CR.

This bill must pass if we're going to keep our word to the American people. We need to get help to Americans who need it most, those who have lost their homes and their businesses to the unforgiving natural disasters that have beset us.

FEMA is rapidly burning through its emergency funding and its ability to help those people recover from the tornados, hurricanes, earthquakes, wildfires and other disasters.

Right now, at this minute, FEMA has $200 million left in the coffer. They're spending at the rate of $30 million a day for disaster relief. And at this rate, of course, they will be out of money over the weekend.

This infusion of funding—$1 billion in emergency fiscal year 2011 disaster funding and $2.65 billion for fiscal 2012—is critical. I can't stress that enough. And it will go far to relieve the burdens of those who are in need tonight.

This version of the bill creates an additional offset to the fiscal year 2011 emergency funding. In addition to the $1.5 billion offset from the vehicle loan program, we are rescinding $100 million from the Innovative Technology Loan Guarantee Program, a section of the failed Stimulus Act that funded the now-bankrupt company Solyndra.

The CR also continues government operations at a rate of $1.043 trillion. That's the amount agreed to by the Congress and the White House in August as part of the debt ceiling compromise, and it is on the law books of the country. This reduced responsible rate will help restore our Nation's fiscal health.

It is vital that Congress pass this legislation as swiftly as possible. We must prevent a government shutdown, and we have to replenish exhaustive disaster recovery funds which will dry up over the weekend. And just as importantly, we need time to complete work on the fiscal year 2012 appropriations legislation so we can avoid the uncertainty and instability that we saw last year when it took us until April to complete full-year appropriations legislation.

I urge my colleagues to vote for this bill, not only to keep the government running, but also to help the hundreds of thousands of Americans relying on us to get them back on their feet all across the country.

I reserve the balance of my time.

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

Mr. Speaker, I know as well as anyone that Members change their minds. I've heard a lot about that the last couple of days. But here we are debating essentially the same bill that we voted on yesterday. Many Republicans who voted ''no'' last night did so because they believed $1.043 trillion is too much spending. The bill before us tonight spends $1.043 trillion.

I will be the first to say every Member is entitled to change his or her mind; however, I am eager to hear my Republican colleagues who voted ''no'' yesterday answer why it is okay to vote ''yes'' today. And I hope these Members will not hang their hat on the one fig leaf of change in the bill. The bill now includes a rescission of $100 million in emergency funding from section 1705 of the renewables DOE loan program. A rescission of emergency funds does not score as a reduction from the $1.043 trillion.

Democrats voted ''no'' for two reasons: we strongly oppose taking funding from the Advanced Technology Vehicle Manufacturing program. This is a program that has proven to be a success in creating new jobs, and such a success that the National Association of Manufacturers and the Chamber of Commerce of the United States have both called upon the Congress to not cut out this program because, one, the money is repaid, and it is creating jobs—something the majority has not done in the months that they've been in the majority. This is a jobs program.

We strongly oppose the notion that efforts to help Americans rebuild their lives after floods, hurricanes, wildfires and other natural disasters should be put on hold until Congress can agree on offsetting reductions in spending. We will continue to vote ''no'' because the bill continues to acquire an offset to provide disaster relief funding, and that offset is misguided. Republicans take $1.5 billion from the Advanced Technology Vehicle Manufacturing program at the Department of Energy to pay for $1 billion in disaster relief.

The Advanced Technology Vehicle Manufacturing program was started in 2008 to reinvigorate American manufacturing. To date, the program has awarded $3.5 billion of credit subsidy to promote energy-efficient advanced vehicles and their component parts. The Department of Energy estimates the loan guarantees have created or maintained 39,000 jobs in California, Delaware, Illinois, Indiana, Kentucky, Ohio, Michigan, Missouri, and Tennessee.

Some have suggested that this program has been slow to spend emergency funding provided in the FY 2000 CR. I say the loan process ought to be strenuous. One company originally applied under a different loan program in 2006 and received an ATVM loan in 2010. It required 4 years of due diligence and review to qualify for the loan. Republicans seem to be issuing an ultimatum to all loan programs: expedite the review process or see your funding transferred away. By the way, the company in question, Tesla, employed about 400 employees before receiving the loan. Today, they have 1,400 employees in the field of engineering research and development, design, manufacturing, assembly, maintenance, and service, sales and support.

The ATVM program has an additional 18 loan applications in progress that are projected to create 50,000–60,000 more jobs in California, Florida, Illinois, Indiana, Louisiana, Michigan, Missouri, and Ohio. One pending application would support investments at 11 plants in Illinois, Indiana, Michigan, and Ohio. The company employs over 56,000 workers, having added nearly 9,000 new workers since 2009. Some of these jobs will be at risk because of this offset.

This is not the time to put American manufacturing jobs at risk.

□ 2330

That is why the National Association of Manufacturers expressed their support for the ATVM program in a letter to the Senate dated September 22, noting, ''The ATVM program is an example of what government/industry partnerships can accomplish. It has helped create and preserve thousands of auto sector jobs. The NAM believes defunding ATVM will hurt manufacturers and their employees.'' And the Chamber of Commerce agrees with them.

Now, I think it's time for us to stay with our position and vote ''no'' and get a clean CR. That's what I asked the committee to do. We need a clean CR. We don't need this offset.

I reserve the balance of my time.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. WOLF), the distinguished chairman of the Commerce, Justice, Science Subcommittee on Appropriations.

Mr. WOLF. Thank you, Mr. Chairman.

I rise in strong support of H.R. 2608, to provide the continuing resolution for the initial weeks. And I want to be sure that we keep the government open. And by passing this bill, we will keep the government open.

This bill is needed to keep vital government services and programs operating past the end of the fiscal year on September 30. As the gentleman from Kentucky has stated, the Committee on Appropriations has made great progress in moving 11 of the 12 annual bills. However, additional time is needed for the consideration of the other.

This continuing resolution, for anyone who questions it, conforms to the spending reduction targets that were agreed to by the House, the Senate, and the White House. It's exactly the same number, and so no reason to vote against it. Specifically, the bill sets an annual rate that reduces overall discretionary spending by 1.5 percent from fiscal year 2011.

In addition, the bill provides disaster funding to provide much-needed assistance to individuals and communities suffering from hurricane and flood damage. The State of Virginia has been hit, as many others.

I urge all my colleagues to vote for this bill. By voting for the bill, we will keep the government open.

The American people sometimes think this institution and this town is dysfunctional. We can ensure that we can do our work. Pass this bill.

Mr. DICKS. I yield 4 minutes to the gentleman from North Carolina (Mr. PRICE), the ranking member on the Homeland Security Appropriations Subcommittee and former chair.

Mr. PRICE of North Carolina. Mr. Speaker, here we go again. Just yesterday this continuing resolution failed because of widespread concerns with the plan to offset disaster relief funding from a key Department of Energy program. One day later we're having the exact same debate. The only thing that's changed is that the Republican majority has decided this time to target two Energy Department programs instead of one.

When the measure failed yesterday, House Republican leaders faced a basic decision. They could give up their efforts to hold disaster funding hostage to another partisan budget battle by removing the offset and passing the bill with a broad bipartisan majority.

Or they could make the measure even more extreme in order to cater to the most radical members of their party, without concern for the fact that FEMA is just days away from running out of money, and communities around the country are waiting desperately for the support that's been promised them.

Now, anybody who's been watching this Congress for the last 8 months should not be the least surprised by the majority's decision. Once again, Republicans have put partisan ideology ahead of the dire needs of the American people and are risking yet another destabilizing standoff over spending cuts in the process.

So now we're debating, under a martial-law rule, a bill that is even worse than it was yesterday. It still seeks to pay for urgent disaster relief needs by taking money from a major job-creating program at the Department of Energy.

As I said in this Chamber yesterday, this is a radical departure from the way we have treated emergency disaster relief in the past. Over the past 10 years, Congress has approved 16 supplementals that included emergency funding for FEMA disaster relief in response to disasters such as 9/11, Katrina, Rita, Gustav, and Ike, and floods on the Mississippi, Missouri, and other rivers. None of these emergency appropriations for the disaster relief fund were paid for with cuts to other Federal programs.

Yesterday I heard several of my friends on the other side of the aisle claim that we've offset disaster assistance numerous times over the past decade. This is simply not accurate. Some of the supplemental bills that included disaster relief also included offsets, but these offsets were used to pay for entirely separate programs, never for FEMA's Disaster Relief Fund.

As I said yesterday, this insistence on offsets is bad precedent, and it's bad policy. It leaves disaster-affected communities in the lurch while undermining our economic recovery by cannibalizing an Energy Department program that stands to add tens of thousands of good-paying jobs in an industry critical to our future economic competitiveness.

And it goes even further than that by including a gratuitous and arbitrary rescission to another Department of Energy loan program, a change aimed at scoring political points against the President and winning Tea Party votes. But it has very little to do with balancing the budget or providing relief for those in need.

Moreover, rather than approving a bill that would win passage in the Senate, we are now sending over a measure that the Senate majority is on record opposing, causing more economic uncertainty, risking yet another manufactured crisis.

So, Mr. Speaker, I once again urge colleagues to oppose this measure, to support the Senate's approach to disaster relief instead, which would fully fund FEMA's needs without holding them hostage to another partisan budget battle.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. ADERHOLT), chairman of the Homeland Security Subcommittee on Appropriations.

Mr. ADERHOLT. I thank the distinguished chair for yielding.

Mr. Speaker, I rise in strong support of this must-pass resolution. This CR not only keeps the government operating, but it provides a substantial infusion of desperately needed funding totaling $3.65 billion for disaster relief and emergency flood control efforts.

That's funding to sustain disaster relief efforts in hard-hit States all across this Nation, including the devastation that hit my home State of Alabama back in April of this year. That's funding to address the record flooding up and down the Mississippi River and along the east coast resulting from Hurricane Irene. That's funding to help tens of thousands of people who have lost virtually everything but the shirts on their backs.

Mr. Speaker, the time for talk and the time for politicking is over. It's time to pass this vital resolution, provide our Nation with necessary disaster relief funding, avert a government shutdown, allow Congress to scrub the administration's full disaster supplemental request, provide the needed oversight, and complete the work on the FY 2012 budget.

Mr. Speaker, I urge my colleagues to support this vital resolution and responsibly address our Nation's most pressing needs.

Mr. DICKS. I yield 4 minutes to the distinguished gentleman from Indiana (Mr. VISCLOSKY), the ranking member of the Energy and Water appropriations subcommittee.

Mr. VISCLOSKY. I thank the gentleman for yielding, and I rise in opposition to the measure.

During the debate on the rule on this measure, Joplin, Missouri was mentioned quite often. But I would mention that there is an emergency as far as Tuscaloosa, Alabama, is concerned; Hamburg, Iowa, is concerned; Cairo, Illinois, is concerned; Springfield, Massachusetts, certainly; Joplin, Missouri; Smithville, Mississippi; Williston, North Dakota; States like Vermont.

Subsequent to the rains and floods of this spring, we've had earthquakes, we've had wildfires, we had hurricanes.

The current need of the Army Corps is about $2.257 billion, so the first observation I would make is the offsets that are set aside in this bill are certainly inadequate to cover that amount.

But there is a further emergency in this country, and that is the fact that, as of August of this year, there were 13,967,000 Americans who were without work. In the year 2000, 8 percent of the people who live in the great State of Indiana were living in poverty. Today, 16 percent of the people in the State of Indiana are living in poverty, and for those we represent who are working today, for 1 hour's worth of their labor, they're making 53 cents less today in real purchasing power than they did in 1977.

□ 2340

Today, there are 6,643,000 less Americans working in manufacturing making a living wage than there were in 1977.

So the response is let's take $1.5 billion out of an investment account where there are still 10 pending applications to try to make cars in this country more efficiently, more fuel efficient, and more desirable for consumers.

But earlier tonight we heard, Don't worry; the Chinese are going to help our car companies with financing. I'm affronted by that possibility. That's why we need this $1.5 billion so maybe we could still make cars in the United States of America without the help of the Chinese Government.

I think this is a wrongheaded approach.

And then let's pile on. There's obviously a controversy about a solar company in California. I think perhaps it is a matter to be considered not only by oversight in the United States Congress but the Justice Department. But that's not a decision for us to make if wrongdoing has occurred. But you know what? Let's take it out on somebody else. Let's make sure there is not money available for other legitimate companies who are trying to increase jobs in this country and who are trying to reduce our dependency on foreign oil.

That wasn't the response I saw in this body in 2008. We had the major financial institutions in this country drive our economy into the ground. Did we ask them to give back their tax advantages? Did we punish them in any way? We gave them money. We should at least pick on somebody our own size.

We didn't ask anybody in Iraq or Afghanistan whether or not they needed an offset for emergency money for schools, for hospitals, for bridges. The people in Joplin, the people in Vermont, the people in these other communities, they need our help now. Traditionally, we have recognized the emergency, we have declared the emergency, and we have helped them out.

And when Bill Clinton was President of the United States, we declared emergencies like this on three occasions in 1998, 1999, and 2001, and we balanced the budget.

I oppose this measure.

Mr. ROGERS. I yield 3 minutes to a brand new Member of this body, Mr. Speaker, Mr. MARINO of Pennsylvania.

Mr. MARINO. My father taught me a long time ago not to make a speech or give an opinion unless I thought it was important. I think tonight it's important, and I hope that you also think it's important.

I would never question anyone's motives and ideals. However, we are here tonight to meet the immediate needs of the people that we represent.

This vote is not about politics. This vote is not about Republicans or Democrats. This vote is not about cut or not cut. This vote is about coming to the aid of the American people whom we represent, the people who have been devastated by floods. People like friends and neighbors, seniors and children in the 10th Congressional District of Pennsylvania and on the east coast. It is heartbreaking and it is heart wrenching. You must see it firsthand to understand it.

The Federal Government's main purpose is to protect its citizens from disaster, both from terrorism and from natural disasters.

My staff and I stood in mud, waste, and stagnant water over the last 3 weeks along with families who lost everything: furniture, clothes, photos, toys stacked outside of their homes that were destroyed or condemned. If each of you stood where I stood, I know in my heart that because you are compassionate, this bill would have been passed by now.

I tried to comfort children who were sitting in cars or on car rooftops and in truck beds because they could not get into their home that was condemned and filled with the same stagnant mud and water and waste and snakes that were outside their homes. I talked to grown men that were crying because their homes were destroyed and asked me, Where am I going to safely put my family tonight?

A little girl not more than 8 years old asked me where she was going to sleep because she no longer had her bed and her bedroom in which she and her sister slept.

Seniors were trapped on the second floor of their home because the first floor was flooded. Small businesses were completely wiped out.

I plead with you, I implore you, I beg you to pass this flood relief now for our people who do not have the basic comforts that those of us here have. The American people are depending on us to give them a hand up, and they deserve our immediate attention.

Mr. DICKS. Mr. Speaker, I yield 2 minutes to the ranking member of the Commerce, Justice, Science Subcommittee, Mr. FATTAH of Pennsylvania.

Mr. FATTAH. If we could have a vote to provide disaster relief, every Member in this Chamber would cast a vote in the affirmative. What we're asked to make tonight is a Solomon-like choice between tens of thousands of jobs for Americans who desperately need them and a limited amount of disaster relief. That is not a fair choice.

And I guess the majority wasn't happy with the polling that showed that only 12 percent of the public thought that Congress was doing a good job or 13 percent. We dropped to 12. I guess we're trying to get into the single digits.

What we need to do is to do our work.

Now, this is a program where Ford Motor Company borrowed a loan guarantee at 5.9 to put people to work, some 30,000 people to work in Michigan and Illinois, Kentucky, Missouri, Ohio. This is a program that's working, that taxpayers' money is paid back through these loan guarantees.

The National Association of Manufacturers in today's National Journal says that we now, as we have, lead the world in manufacturing with 21 percent of globally manufactured products. But China is now in second place at 15 and Japan has dropped to third at 12. Why would we want to concede our leadership in this world in manufacturing?

In the Republican decade under the Bush White House we lost 350,000 manufacturing jobs. We saw tens of thousands of small manufacturers close down in our Nation. Now, this administration, people talk about the number in August, but let's look at the entire 20 months of the Obama recovery—2½ million jobs led by increases consistently in manufacturing.

I ask that we reject this CR. I hope that the majority would come to the House with an approach that would actually respond to the disasters that we face without asking us to put more Americans out of work.

Mr. ROGERS. I yield 3 minutes, Mr. Speaker, to the chairman of the Financial Services Subcommittee on Appropriations, the gentlelady from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Thank you very much.

Mr. Speaker, I rise in support of the resolution. It is a responsible measure. It makes good on the promises we must keep to members of our military, to our veterans, and to Americans who rely upon the essential functions of the Federal Government.

It cares for the needs of millions of Americans who have suffered from the effects of dramatic natural disasters, including the folks in my State of Missouri who live in Joplin, who live along the Mississippi in my specific district, who live along the Missouri River in the northern part of our State.

□ 2350

These folks can't wait another day for help because people are playing politics with this bill. The House and the Appropriations Committee are dedicated to a responsible process, and this bill reflects the amount of time needed to complete that work.

I think we've realized this year on both sides of the aisle that we have to bring the size and the spending of the Federal Government into line with reality. In the hearings and markups that we've conducted in the House and in the negotiations to make specific and significant spending cuts, not only this year but also in each of the next 10, and through the budget process, we have laid the groundwork for a new era of stewardship for our taxpayer dollars.

In addition to our covenant with members of the military, with veterans, with the families depending on a helping hand up, and for Americans who are really suffering from true emergencies that have devastated their homes, like Mr. MARINO said—their jobs and their lives—we do have a responsibility to the American taxpayer and to future generations who cringe

at the sight of our debt and our deficits.

Mr. Speaker, this bill allows us to work in good faith, to make good on both our promises and our responsibilities. I urge my colleagues on both sides of the aisle to, once again, put politics aside and support it here tonight.

Mr. DICKS. Would the Speaker tell us how much time both sides have.

The SPEAKER pro tempore. The gentleman from Washington has 14½ minutes left, and the gentleman from Kentucky has 18 minutes left.

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

Today was a very dramatic day on the stock market. The Dow Jones dropped 500 points because investors are worried that we're headed into a second recession; and what we get from the majority party is to cut out a program that creates jobs. The Advanced Technology Vehicle Manufacturing program has already created 39,000 jobs. It's going to create another 39,000 with the $2.5 billion that remains, and the $1.5 billion that we're taking out of there would create another 10,000 jobs. These are jobs. The only way we're going to get unemployment down is to put people back to work.

And here we are again. After savaging all these other programs—cutting people out of work in the public sector—now we're going to cut out automobile jobs. Let me read to you what the National Association of Manufacturers has to say, which is not an organ of the Democratic Party:

''The NAM is the largest trade association in the United States, representing over 11,000 small, medium and large manufacturers in all 50 States. We are the leading voice for the manufacturing economy, which provides millions of high-wage jobs in the U.S. Two-thirds of our members are small businesses, which serve as the engine for job growth. Our mission is to enhance the competitiveness of manufacturers and improve American living standards by shaping a legislative and regulatory environment conducive to U.S. economic growth.

''The NAM is writing to express our support for the Advanced Technology Vehicle Manufacturing program—'' this is the program that we're taking $1.5 billion out of ''—authorized under the Energy Independence and Security Act of 2007 with bipartisan support and signed into law by President Bush. The ATVM program is an example of what government/industry partnerships can accomplish. It has helped create and preserve thousands of auto sector jobs and put our Nation on a path towards greater energy security. The NAM believes defunding ATVM will hurt manufacturers and their employees.''

I mean, if you had to go out and find a business group in this country that has more credibility, I don't know what it would be. It's the National Association of Manufacturers.

The Chamber of Commerce, which is also not an organ of the Democratic Party, says: ''As Congress sets spending priorities, the Chamber wishes to highlight a few important facts about the Advanced Technology Vehicle Manufacturing loan program.

''First, the program was authorized in the Energy Independence and Security Act of 2007, which was supported by both Republicans and Democrats as an important step in reducing America's dependence on oil from unstable regimes.

''Second, ATVM loans, which will be repaid with interest, incentivize automakers and suppliers to build more fuel-efficient advanced technology vehicles in the U.S., providing new opportunities for American workers in a sector of the economy that is critical to the Nation's recovery.

''Third, the fact that the Department of Energy has yet to use the funds Congress appropriated for the program is not the fault of industry. Numerous loan applications have been in the queue for years, waiting for the administration to complete its due diligence.''

That line started in the previous administration. So this is a jobs program.

I say to the gentleman from Pennsylvania, we want to take care of those people who have suffered disasters. We want to take care of them. We will take care of them, but we also want to provide jobs for Americans who are unemployed. If I were in your shoes, I'd support jobs for workers and also take care of those people who are suffering because of a disaster.

Now, these are Republican-leaning organizations. They get it. Just vote ''no,'' and let's get a clean bill and do the right thing for the country.

I reserve the balance of my time.

Mr. ROGERS of Kentucky. I yield 3 minutes, Mr. Speaker, to the chairman of the Interior appropriations subcommittee, the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. I thank the gentleman for yielding.

I loved listening to the gentleman from Washington's debate. Now, if the gentleman wants to really create some jobs in this country, we can create hundreds of thousands, if not millions, of jobs if we'll start getting oil going back in the gulf and permitted. The gentleman talked about not being so reliant on foreign oil. We've got rigs right now that were in the gulf that are off the coast of Africa because they can't get permitted in the gulf. Now, do you want to create millions of jobs? Join us on that, and let's create millions of jobs.

The gentleman talked about, geez, he just doesn't understand how people could change their votes. People actually sometimes learn more information and decide that they were wrong the time before and that now they'll change their votes, just like some people on that side of the aisle who actually issue press releases saying that they were going to support this CR and then change their minds. That's okay.

Mr. DICKS. Will the gentleman yield?

Mr. SIMPSON. I would be happy to yield to the gentleman from Washington.

Mr. DICKS. I didn't put out a press release, but I'll tell you one thing. I listen. I listen to the Chamber of Commerce and to the National Association of Manufacturers. I listen.

Mr. SIMPSON. I reclaim my time.

Mr. Speaker, I rise tonight in support of this continuing resolution. This CR is vital to keeping our government operating over the next 7 weeks while Congress completes its work on next year's budget.

It's worth reminding Members that tonight this CR actually reduces spending from last year's enacted levels and saves taxpayers billions of dollars. The irony is that voting against this CR is actually a vote for more spending. If you want to reduce government spending, then you should vote for this CR. It's pretty simple, really.

FEMA's coffers for disaster assistance are about to run dry. There is no such thing as a Republican natural disaster or a Democrat natural disaster. The last thing Congress should do is hold up disaster assistance because of partisan politics. We need to approve this CR tonight and get the relief to those in need as quickly as humanly possible.

Now, I've got to tell you, in all honestly, I'm not one of those people who believes that we have to offset every emergency. We have done some in the past—some we have not—but in the past, we have not had a $14 trillion deficit. That's the danger to this country is the $14 trillion deficit and the $1.6 trillion we add to it every damned year.

I've got to admit, this is only $1 billion. But do you know what? Some people say, Oh, that's only $1 billion. I heard one Member say yesterday it was nickels and dimes. In Idaho, $1 billion is not nickels and dimes. We did not get into this situation a trillion dollars at a time. We got here a million and a billion dollars at a time, and that's how we're going to get out of this situation. So let's do our job and do what's right for the country and get this deficit under control; and if we can offset it, let's offset it.

□ 0000

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind the Members to refrain from using profanity in debate.

Mr. DICKS. I yield 4 minutes to the distinguished ranking member of the Natural Resources Committee, the gentleman Massachusetts (Mr. MARKEY).

Mr. MARKEY. This is not a debate over compassion. This is not a debate over who cares more about the people in Joplin or the people in Vermont. This is a debate about what the Republicans, what the Tea Party has decided to use as an excuse, as a guise to finish off the revolution that the Democrats

have put in place that changes our relationship with where we get our energy from.

Big Oil and Big Coal have fought solar, wind, all-electric vehicles, biomass, geothermal, that entire revolution because they know that it will eat into their profits.

So a disaster occurs that each of us wants to respond to. The Republicans, responding to the oil and coal industry, say this is our chance to kill the revolution that makes it possible to have vehicles go 50, 60, 80, 100 miles a gallon without oil, no oil, that makes it possible for us to have wind and solar generate the electricity that will fuel those vehicles without sending greenhouse gases up into the atmosphere, which is changing our climate and leading to these storms, leading to these floods, leading to these disasters that then needs FEMA, need the relief that we give to these families. So they take the chance, they take the opportunity to kill the very programs which are the solution to these disasters which are being created here in our country and around the world, the agenda of Big Oil and Big Coal.

And the temerity of it all is that they know that the automotive program has already created 39,000 jobs in our country over the last 3 years and that this one cut that they are talking about tonight will kill 10,000 jobs over the next year. In the solar industry—and, by the way, they cut out $100 million in solar and wind guarantees as well.

Right now, ladies and gentlemen, there are 85,000 jobs in the wind industry, almost all of them created in the last 4 years. There are 85,000 jobs in the coal industry. In other words, in the last 5 years, wind now equals the entire coal industry. There are 100,000 jobs in the solar industry, and last year we were a net exporter to China; 100,000 jobs in solar, 85,000 jobs in wind, and it is the future.

The oil industry laid off 20,000 employees over the last 3 years. Let us talk here about future, about young people, about this planet, about backing out the oil from OPEC so we can tell them we don't need their oil any more than we need their sand. That's what this debate is about tonight.

And under the guise, with these crocodile tears of how much they care about the victims, as though it's any greater on our side, they are using it as the guise to kill these programs. That's what it's all about tonight. That's why we're angry. That's what this is all about.

Mr. DICKS. Will the gentleman yield?

Mr. MARKEY. I yield to the gentleman from Washington.

Mr. DICKS. Isn't it true that these alternative energy programs all create jobs?

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

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

Don't they all create jobs, these alternative energy programs? So instead of just having the automobile program that creates jobs cut by $1.5 billion, now they are taking $100 million out of another program that creates jobs for the American people, so this is a double header.

Mr. MARKEY. They could have taken this money out of the $41 million of gas breaks for the oil and gas industry, but, no, they take it out of solar, they take it out of wind.

And by the way, wind and solar, with the same amount of money, creates five times more jobs than an investment in fossil fuels does. So they keep the money in for the programs that create three to five times less jobs than the program they are knee-capping here this evening. That's what this vote is all about.

Mr. ROGERS of Kentucky. Will the gentleman yield?

Mr. MARKEY. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Is Solyndra part of the revolution that the gentleman is talking about?

Mr. MARKEY. Solyndra will receive no money under this program.

Who will receive this money? Indiana will receive the money.

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

Mr. DICKS. I yield the gentleman 15 additional seconds.

The program was started under the previous administration, the Bush administration. The last day they tried to force it out, to have it approved, and it was turned down by the good staff at the Department of Energy.

Mr. MARKEY. So they will not receive a nickel under this program. The oil and gas industry will receive that money as they tip the people of our country upside down and shake the money out of their pockets.

Mr. ROGERS of Kentucky. I yield 2 minutes to the gentleman from Florida (Mr. DIAZ-BALART) a valued member of our committee.

Mr. DIAZ-BALART. Mr. Speaker, what the previous gentlemen did not say is that Solyndra received $500 million because they have friends in high places. Despite even people in this administration who said don't do it, they received $500 million. If that was in a different country, we wouldn't call it waste; we would call it corruption. But we won't do that here. The gentleman didn't say that.

He talks about the revolution. This cuts $100 million from a program that gave because of influence, because of friends in high places, because of bundlers of campaign contribution funds to a corporation that went bankrupt and laid off a thousand people after receiving this money.

Mr. DICKS. Will the gentleman yield?

Mr. DIAZ-BALART. I yield to the gentleman from Washington.

Mr. DICKS. I would just point out that one of the largest investors was Walmart, and Walmart has a long history of supporting Republican candidates. And I will just say, I will just say they invested, I think, $3 or $400 million. So there was a lot of private sector investment here, too.

I appreciate it.

Mr. DIAZ-BALART. I reclaim my time.

Despite what the gentleman says, Mr. Speaker, the previous President's administration denied the funding for Solyndra because they knew it was a scam, regardless of anything else. This administration did that.

Now, the reason we have to support this CR—let's cut politics aside. Let's not talk about revolutions of money blown like stimulus money, that was blown. The reason this CR makes sense is because there are people who are suffering from natural disasters. This CR funds that program and it helps them out. And the reason this is important is because it controls the size and the cost of the Federal Government that is totally out of control.

So no more gimmicks, no more giveaways to friends of friends because of high pressure.

Let's pass this CR so we can keep the government rolling, so we can slow down the growth of government, and so we can help the victims without corruption of those who have friends in high places.

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

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 2 minutes to a valued member of our committee, the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Speaker, I too rise in support of this continuing resolution. It will fund the government through November 18. It takes care of many of our disaster needs.

As you heard from my colleague so eloquently, Mr. MARINO of Pennsylvania, you heard about the plight of so many people in towns like Shickshinny and West Pittston who are living in the front yard in the cars. People are broken. Communities have been ruined, and so we need to pass this bill.

I urge you to support this bill.

□ 0010

I've heard a lot of talk tonight about manufacturing. My dad's family spent 100 years making industrial hardware in Pennsylvania. If you really care about manufacturing, some of you might have considered voting for a bill last week to allow the Nation's largest exporter to open up a billion-dollar facility in the State of South Carolina to hire a thousand people to make aircraft. If you really want to help manufacturing, you should've voted for that bill.

You can also help us in stopping EPA's assault on the coal industry and on the cement industry. I represent the largest cement-producing district in America. These industries are in trouble, and they're under assault by this EPA. Help us. There'll be measures considered here to deal with them.

If you are truly concerned about manufacturing, innovation and research, you wouldn't have slapped a 2.3 percent tax on medical devices. It's going to kill tens of thousands of jobs in this country. We make a lot of devices in my part of the world, in Pennsylvania and New Jersey. We need help. Our manufacturers need help.

So rather than defending a company out in California that just wasted $500 million, down the drain, taxpayer dollars, 1,100 people out of work, let's do something to help manufacturers. And most importantly, let's pass this bill tonight to help so many people who are struggling throughout this country in Pennsylvania; New Jersey; New York; Vermont; the people of the South; Joplin, Missouri; and elsewhere who have been affected by these horrible natural disasters. Please, stand up, do the right thing and vote for this continuing resolution.

Mr. DICKS. I continue to reserve the balance of my time.

Mr. ROGERS of Kentucky. I yield 2 minutes to the gentleman from Arkansas (Mr. WOMACK), a hardworking member of our committee and a newcomer to the Congress.

Mr. WOMACK. Mr. Speaker, I thank the distinguished chairman of the Appropriations Committee for the time.

I know the hour is late. It's been a long time. Soon we will complete action on this temporary spending measure for 2012. Obviously, it is work that has to be done. As my friend, the distinguished Rules Committee chairman appropriately quoted earlier this evening: the process has been ugly. It has been messy; but it works.

The good news is that most of America has gone to bed and not witness to the bickering and rancor evidenced in this Chamber. I can only hope that when they wake up tomorrow, we will have done the people's work, funding government beyond October 1, giving necessary funding to the victims of natural disasters, and doing it such a way that promotes the kind of fiscal responsibility long demanded by the people of America.

It will be sad, indeed tragic, if when the sun comes up tomorrow, this Congress, instead of bringing certainty and relief to those struggling, as this CR does, we impose yet another threat of a government shutdown and more uncertainty into an already skeptical populace.

This legislation up until yesterday, Mr. Speaker, had bipartisan support. And only because my friends on the other side of the aisle recognized that many on our side preferred much deeper cuts and might be predisposed to opposing the CR, they pounced on it. And quickly, in an instant, that bipartisan support disappeared into the bowels of the business as usual. In other words, Mr. Speaker, it was politics ahead of the people.

Let's remember that this CR we'll vote on in the next few minutes was crafted based on the numbers outlined in the BCA approved in this Chamber just a few weeks ago, complete with desperately need disaster funding, reasonably and responsibly offset.

I urge my colleagues to support the CR.

Mr. DICKS. I continue to reserve the balance of my time.

Mr. ROGERS of Kentucky. May I inquire of the time remaining?

The SPEAKER pro tempore. The gentleman from Kentucky has 9 minutes remaining. The gentleman from Washington has 4¾ minutes remaining.

Mr. ROGERS of Kentucky. I yield 2 minutes to the gentleman from Mississippi (Mr. NUNNELEE), a member of the committee.

Mr. NUNNELEE. Mr. Speaker, I rise in support of this resolution. The question we're debating tonight is not whether we give aid and assistance to those of our neighbors that have been hit by serious disasters. We all agree that's the appropriate thing to do. The question is do we cut spending elsewhere to pay for that assistance.

Now, what our friends on the left have told us is, look, that's not the way we've done it in the past. In fact, we've always done it by just going ahead and spending without any offset. Doing it the way we've always done it has put us $14 trillion in debt.

What we have to do is exactly what the people of Monroe County, Mississippi did on the night of April 26. Those families had dreams. They had hopes; they had plans. And on April 27, the tornados hit and their plans changed, and they redirected their spending plans to take care of the disaster. Now, if the families in Monroe County, Mississippi have done that, they have every reason to expect their government to do the same thing.

Now, we've been told, But we need some government program to create jobs. If we will give the American people the assurance that their government is serious about cutting spending like this bill does, we'll give them the confidence to create jobs. If we remove the regulatory burdens, American businesses will create jobs. And if we give them the assurance that we're not going to raise their taxes, the American economy will thrive and create jobs.

Mr. DICKS. I yield the balance of my time to the distinguished whip of the Democratic Party, the gentleman from Maryland (Mr. HOYER), one of my goodest, best friends.

The SPEAKER pro tempore. The gentleman from Maryland is recognized for 4¾ minutes.

Mr. HOYER. Mr. Speaker, this is a legislative arena, not a coliseum to attack one another. It is a legislative arena to try to come together to do what the American public expects us to do.

There are at least two crises confronting the American people, and perhaps three. First of all, they are concerned about the fiscal posture of this country. They're right. We need to address that.

Secondly, they're concerned about jobs. And immediately, as the gentleman from Mississippi just pointed out, and the gentleman from Pennsylvania who spoke earlier, they are concerned about the disasters that have put them at risk. And I suggest to you the people in your district and in my district who don't have a job, who aren't sure how they are going to pay their mortgage and aren't sure that they are going to be able to buy food tomorrow believe that they too have been confronted with a disaster. They want us to deal with all three of those items and, yes, perhaps more.

Many of you have stood on this floor and said we need to act now to help these people who have been the victims of hurricane, of quake, of fire, of flood. Now, if you want to act now, what you bring to this floor is a bill that is not controversial so it does not get mired in this bickering back and forth, because we care deeply about responding now.

This bill has never enjoyed bipartisan support from my perspective, and I told your whip that on Tuesday. There was no surprise. We believe strongly that the provision that you have put in this bill is detrimental to working people and the expansion of our economy. You perhaps do not agree on that. Perhaps we have a legitimate item of disagreement. And so if you were really concerned about those flood victims, about those hurricane victims, you would have taken that out and met that issue another day. But you chose not to do that.

You chose to continue the partisan path of placing at risk the continued funding of government through November 18, which you have all expressed a desire to do, and jobs, not that Democrats say are advantaged by the provision you want to strike, but the Chamber of Commerce and the National Association of Manufacturers.

□ 0020

They say it puts jobs at risk. Your folks in Pennsylvania, I tell my friend, will not be helped if this bill continues to be mired in partisan differences. And you knew there was a partisan difference, and notwithstanding that, you brought it back to this floor. Now I understand there are some of you that were concerned that this was $1.043 trillion rather than $1.019 trillion. That's been changed for you now. And I'm sure all your Tea Party friends are going to be very enthusiastic that for four-tenths of a percent you perhaps have changed your vote. My, my, my. Four-tenths of a percent. That's the difference in this bill from a fiscal perspective.

My friends, Americans need our help. They don't need Republican help or Democratic help; they need all of our help. They need it now. They need it not mired in partisan bickering, as my friend said from Arkansas. They need us to come together on that which we can agree, giving our folks help when

they need it—now. And I will tell you that the Senate determined that there was twice the need—indeed, three times the need—that you have determined.

Ladies and gentlemen, let's defeat this bill and let's bring tonight or tomorrow morning a bill that I guarantee you will pass overwhelmingly in this House.

Yesterday, we were hoping to vote—Democrats and Republicans together—on a bipartisan bill to fund the Government through November according to the budget deal we had agreed upon.

We did vote together, as it turns out, in bipartisan opposition, though for very different reasons.

Democrats opposed it because it was too extreme, endangering emergency funding to help our constituents hit by disasters and threatening to cut from a program that actually creates jobs.

Some Republicans voted against the CR because it wasn't extreme enough.

Now, we have been waiting all day for the Republican leadership to send us a bipartisan bill that should have voted on yesterday.

Unfortunately, the bill we're voting on tonight shows they didn't receive the message.

Not only have they put forward the same bill that failed yesterday, with the same troublesome offset and cuts as before, they have worsened it by casting a line to extreme members of their party.

Those Members who wanted an additional $24 billion cut yesterday, I suspect, will not be lured by $100 million tonight.

That is just four tenths of one percent of what they were demanding.

This new addition to the bill, which would cut loans for the construction of renewable energy projects that create jobs, is essentially an empty political attack on the administration.

Now is not the time for political games.

The American people want us to get serious on the deficit, and we had agreed on a way to do so.

They want us to get serious on jobs and this CR does just the opposite.

The CR we need to pass is one that adheres to the August budget deal.

There is already bipartisan agreement in the Senate on how to handle emergency disaster assistance, and we should follow that example.

Let's have a vote on a CR we can pass, one the senate can pass, and one that isn't set up to drive the parties further apart on budgetary issues.

Let's see a version that will bring us together.

As I said yesterday, I am ready to cast my vote for that CR, and I know other Democrats feel the same way.

I urge my colleagues to oppose this version, and I sincerely hope the Republican leadership will recognize why and work with us to do what's best for our country.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind Members to direct their remarks to the Chair.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself the balance of the time.

This really is a simple bill. It's merely a bridge to get us until November the 18th to continue the government basically as is until that time, to get us time to work with the Senate to put together the funding for all of fiscal 2012. NORM DICKS and I started out this year agreeing that we wanted to restore regular order to the Appropriations Committee and the process. And we've worked in that regard. The committee has dealt with 11 of the 12 appropriations bills. Six of them you've had a chance on the floor to amend and pass, which you have.

Unfortunately, our brethren across the Capitol have been a little bit slow, and they passed one bill, which necessitated that we do something to continue the government while we try to work with them to bring them along on their bills and fund fiscal 2012.

This bill started out as a bipartisan bill. We worked to make it so. But along the way, on the eve of the bill, all of a sudden we were confronted with a partisan attack from this side of the aisle, and we had no choice but to respond. But still yet this is a bipartisanly constructed bill. It doesn't attack anyone.

The Homeland Security bill that passed the body, you will recall, carried the provision that required that the billion dollars in that bill for FEMA would be offset from the automobile account that's been discussed. That passed this body in a bipartisan vote. Many Democrats voted for it, joined Republicans. No one raised a concern—until this bill came to the floor. And all of a sudden, there was this great eruption of partisanship on that side of the aisle, which I am very sad about.

But we will muddle through. This is a good bill. It funds your government at the level that was agreed to by the parties in the House, Senate, and White House, the level that is now the law. It funds us until November 18. And by then we hope to have worked out with our Senate brethren and sisters the funding for the rest of fiscal 2012.

So, the hour is late. Time is short. We've made up our minds. Let's vote.

Mr. CONNOLLY of Virginia. Mr. Speaker, here they go again—House Republicans are driving America once more to the brink. They took us to the edge of a shutdown in April. They shoved us to the precipice of America's first ever default in August. And now after their similar attempt failed yesterday, House Republicans are again playing politics with the American economy, and American families.

Hurricane Irene leveled homes end businesses in the Northeast. An earthquake destroyed businesses in Mineral, Virginia. In my district, Tropical Storm Lee left hundreds of families homeless and damaged dozens of small businesses. And yet in this Continuing Resolution, House Republicans state they will only help those in extremis if we gut the Advanced Technology Vehicle Manufacturing program—a successful program that spurs Amerian innovation and creates American jobs.

In fact, the U.S. Chamber of Commerce urged the retention of this important program stating it "promotes manufacturing in the U.S. and is an important component."

Americans don't need brinkmanship; they need predictability and security. This Continuing Resolution gives them neither. I would urge my colleagues to reject it in favor of one that protects Americans.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in opposition to H.R. 2608, "The Small Business Program Extension and Reform Act of 2011," which provides for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 at the expense of job creating efforts.

The bill before us today is almost identical to the bill that we voted against yesterday. Mr. Speaker the bill before us will hurt jobs. The central issue before our country is jobs and the creation of jobs to secure our economy. We need to focus on talking about jobs. Instead, we are now once again focused on a measure that was rejected yesterday. The amendment added to this bill is clearly a desperate attempt by my Republican colleagues to pass their own ideological Continuing Resolution. This amendment would keep the same offset for disaster relief which will result in a $1.5 billion cut to the Advanced Technology Vehicle Manufacturing Program (ATVM), which has been a proven job creator, it created 35,000 jobs in the private sector. The purpose of the program is to enable American businesses to build the cars of the future that could be sold to China, rather than the reverse. It is intended to give us a technological boast in the auto industry. As if this was not enough, the amendment adds an additional cut—a rescission of $100 million from the Recovery Act Renewable Energy Loan guarantee program, which is another cut to a program that creates jobs. A move to secure the votes of members concerned about the few party interests not the interests of Americans. This legislation causes the loss of American jobs!

The only broken record that I want to hear is the mantra of how to create jobs. Let us focus on putting the American people back to work, rather than bringing back measures that failed to garner support yesterday. I implore my colleagues to recall the reasons they rejected this measure in the first place and to do so again. Americans have always come to the aid of those in need, after a natural disaster.

Americans demonstrate a level of compassion that should not be damped by measures like the one before us today. Disaster relief funding is not a political football; it addresses the needs of Americans who find themselves the victims of unforeseeable natural disasters. It is born out of our nation's desire to aid those who are in need.

Now . . . now is not the time to trample on the needs of small business owners. Now is not the time to delay assistance to those who need support from FEMA. Now is not the time for a partisan position that will only cause more Americans to suffer while they have to wait on Congress to find balance. Now is the time for balance and reason.

Small businesses have long been the bedrock of our nation's economy. Even with the advent of modern-day multi-national corporations most of our day-to-day purchases take place at "mom and pop" small businesses.

This piece of legislation holds small businesses hostage in order to make a demand that has never been made by Republicans before. This demand changes their practice during previous administrations. In the past my

colleagues declared disaster funding as emergency spending and did not require offsetting emergency spending.

This bill would offset the $1 billion in FY11 disaster relief funding using a program that is a proven job-creator, a program for small businesses. The very small businesses that are currently in need of access to loans and other lines of credit in order to build their businesses and create jobs. The very small businesses that are the life blood of our economy. These businesses, the ''mom and pop'' shops across our nation are being held hostage by my colleagues across the aisle at the expense of jobs.

The future successes of their businesses are being held hostage in order to demand offsets of funds that have not required such an offset in the past. These funds would aid victims of natural disasters. To propose such a measure at a time when our economy is so fragile and when so many are struggling to survive is unfathomable.

At a time when our nation needs every single job we can create. Before us is a job killing measure. We need job creation to help families survive on smaller and smaller pay checks. Before us is legislation that places a halt on this growth. My colleagues on the other side of the aisle for the first time in our nation's history have added to this piece of legislation a requirement that disaster aid be offset. The Federal Emergency Management Agency (FEMA) needs the $6.9 billion in funding which has been approved in the Senate last week without requiring offset. My colleagues have cut this funding in half. They have offset this funding by decreasing the funds allotted by ending the Advanced Technology Vehicle Manufacturing loan program. These cuts cost Americans tens of thousands of jobs. Under the previous administration Republicans supported disaster relief without requiring an offset, on eight separate occasions but today they want to require cuts that will result in job loss.

As the Representative for Houston, which suffered severe damage in 2008 as a result of Hurricane Ike, I understand the importance of cleanup and rebuilding in the wake of natural disaster. Federal Emergency Management Administration (FEMA) addresses the challenges our communities face when we are confronted with a catastrophic event or a domestic terrorist attack. It is important for people to understand that our capacity to deal with hurricanes directly reflects our ability to respond to a terrorist attack in Texas or New York, an earthquake in California, or a nationwide pandemic flu outbreak.

We must fund disaster relief. These are unforeseeable events. The devastating hurricanes in Texas in recent years is a perfect example. Our response to those events have demonstrated a need for significant improvement. During Hurricane Katrina, there were insufficient quantities of generators that forced hospitals to evacuate patients. Local governments waited days for commodities like ice, water, MREs, and blue tarps. Evacuees from Texas arrived in Shreveport and Bastrop shelters that were grossly unfit for occupancy, and 2,500 people were forced to use the same shower facility.

We must prepare our first responders with the best information and training to quickly analyze and share information to understand alerts and warning systems, evacuation planning, mission assignments to other agencies, contingency contracting, pre-staged resources, Regional Hurricane Plans and exercises, communications support, citizen preparedness, disaster housing, and long-term recovery planning. In order to accomplish this we must fund FEMA, not at the expense of small business but because Americans come together at times of crisis. This should be what it has always been—emergency funding.

Emergency preparedness is not the exclusive responsibility of the federal government or individual agencies within it. State and local officials, nonprofit organizations, private sector businesses, and individual citizens must all contribute to the mission in order for our Nation to succeed at protecting life and property from disasters. Recovery and mitigation are critical to protecting communities from future threats, and our ability to respond will suffer if we do not focus attention and resources on those missions.

On any given day the City of Houston faces a widespread and ever-changing array of threats, such as terrorism, organized crime, natural disasters and industrial accidents. Cities and towns across the Nation face these and other threats. Indeed, every day, ensuring the security of the homeland requires the interaction of multiple Federal departments and agencies, as well as operational collaboration across Federal, State, local, tribal, and territorial governments, nongovernmental organizations, and the private sector. This collaboration and cooperation undergirds our security posture at our borders and ports, our preparedness in our communities, and our ability to effectively react to crises. Consider the devastation that was brought by the tornadoes in Alabama and the Southern United States, the flooding that has impacted the entire Mississippi River region, from Montana to Tennessee, and tornado that claimed more than 100 lives in Joplin, Missouri, have shown us that there are disasters we cannot predict, and forces of nature for which we cannot plan.

This legislation is a job killer, it is an affront to growing small businesses and will destroy thousands of jobs. I have been firmly committed to supporting small businesses and this legislation as written will fail to help create the jobs we need at this time. We should not prevent the growth of small business in order to address the unrealistic demands related to disaster relief funding.

Moreover, 99 percent of all independent companies and businesses in the United States are considered small businesses. They are the engine of our economy, creating two-thirds of the new jobs over the last 15 years. America's 27 million small businesses continue to face a lack of credit and tight lending standards, with the number of small businesses' loans down nearly 5 million since the financial crisis in 2008.

According to the U.S. Small Business Administration, these small businesses account for 52 percent of all U.S. workers. These small businesses also provide a continuing source of vitality for the American economy. Small businesses in the U.S. produced three-fourths of the economy's new jobs between 1990 and 1995, and represent an entry point into the economy for new groups. Women, for instance, participate heavily in small businesses.

The number of female-owned businesses climbed by 89 percent, to an estimated 8.1 million, between 1987 and 1997, and women-owned sole proprietorships were expected to reach 35 percent of all such ventures by the year 2000. Small firms also tend to hire a greater number of older workers and people who prefer to work part-time.

A major strength of small businesses is their ability to respond quickly to changing economic conditions. They often know their customers personally and are especially suited to meet local needs. There are tons of stories of start-up companies catching national attention and growing into large corporations. Just a few examples of these types of start-up businesses making big include the computer software company Microsoft; the package delivery service Federal Express; sports clothing manufacturer Nike; the computer networking firm America OnLine; and ice cream maker Ben & Jerry's.

We must always ensure that we place a high level of priority on small businesses. It is also important that we work towards ensuring that small businesses receive all the tools and resources necessary for their continued growth and development.

American small businesses are the heart beat of our nation. I believe that small businesses represent more than the American dream—they represent the American economy. Small businesses account for 95 percent of all employers, create half of our gross domestic product, and provide three out of four new jobs in this country.

Small business growth means economic growth for the nation. But to keep this segment of our economy thriving, entrepreneurs need access to loans. Through loans, small business owners can expand their businesses, hire more workers and provide more goods and services. The Small Business Administration (SBA), a federal organization that aids small businesses with loan and development programs, is a key provider of support to small businesses. The SBA's main loan program accounts for 30 percent of all long-term small business borrowing in America.

I have worked hard to help small business owners to fully realize their potential. That is why I support entrepreneurial development programs, including the Small Business Development Center and Women's Business Center programs. These initiatives provide counseling in a variety of critical areas, including business plan development, finance, and marketing. We must consider what impact changes in this appropriations bill will have on small businesses.

There are 5.8 million minority owned businesses in the United States, representing a significant aspect of our economy. In 2007, minority owned businesses employed nearly 6 million Americans and generated $1 trillion dollars in economic output.

Women owned businesses have increased 20% since 2002, and currently total close to 8 million. These organizations make up more than half of all businesses in health care and social assistance.

My home city of Houston, Texas is home to more than 60,000 women owned businesses, and more than 60,000 African American owned businesses.

According to a 2009 report published by the Economic Policy Institute, ''Starting in 2004, the Small Business Administration (SBA) set goals for small business participation in federal contracts. It encouraged agencies to award contracts to companies owned by women, veterans, and minorities or those located in economically challenged areas and

gave them benchmarks to work toward. The targets are specific: 23% of contracts to small business, 5% to woman-owned small businesses, and 3% to disabled veteran-owned and HUBZone small businesses.''

Women and minority owned businesses generate billions of dollars and employ millions of people. They are certainly qualified to receive these contracts. A mandatory DOD outreach program women and minority owned businesses aware of all of the contract opportunities available to them.

Facts: Small businesses are important because they:

(1) Represent 99.7 percent of all employer firms,

(2) Employ just over half of all private sector employees,

(3) Pay 44 percent of total U.S. private payroll,

(4) Generated 64 percent of net new jobs over the past 15 years,

(5) Create more than half of the nonfarm private gross domestic product (GDP),

(6) Hire 40 percent of high tech workers (such as scientists, engineers, and computer programmers),

(7) Are 52 percent home-based and 2 percent franchises,

(8) Made up 97.3 percent of all identified exporters and produced 30.2 percent of the known export value in FY 2007,

(9) Produce 13 times more patents per employee than large patenting firms and twice as likely as large firm patents to be among the one percent most cited.

Republicans appear to be a mission to cut programs that help families and will buttress small businesses. At a time when there are Americans faced with the perils which arise during cleaning up after a natural disaster. Now is not the time to force those Americans to wait on a partisan battle, to pick a fight that has not been fought in eight previous authorizations of funds for disaster relief. There needs to be a balance when determining which programs to cut and when. A balance to finding the funds that will address national disasters. A balanced approach is important to ensuring that small business receive the support they need.

I stand here once again asking my colleagues to remember that just yesterday we opposed this bill. I implore you to do this once more. I support small business and job creation. I will not support small business growth being held hostage to the unrealistic demands made by my Republican colleagues. American families need measures that are job growers rather than measures that are jobs killers.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 412, the previous question is ordered.

The question is on the motion by the gentleman from Kentucky (Mr. ROGERS).

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

RECORDED VOTE

Mr. DICKS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 219, noes 203, not voting 11, as follows:

[Roll No. 727]

AYES—219

Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
Diaz-Balart
Dold
Dreier
Duffy
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Granger
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Holden
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Kelly
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lungren, Daniel E.
Manzullo
Marchant
Marino
McCarthy (CA)
McCarthy (NY)
McCaul
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pence
Petri
Pitts
Platts
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Webster
Welch
West
Whitfield
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—203

Ackerman
Amash
Andrews
Austria
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Broun (GA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
DesJarlais
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Duncan (SC)
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Flake
Frank (MA)
Franks (AZ)
Fudge
Garamendi
Gingrey (GA)
Graves (GA)
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jordan
Kaptur
Keating
Kildee
Kind
King (IA)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lummis
Lynch
Mack
Maloney
Markey
Matheson
Matsui
McClintock
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Poe (TX)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Westmoreland
Wilson (FL)
Wilson (SC)
Woolsey
Yarmuth

NOT VOTING—11

Bachmann
Deutch
Giffords
Gohmert
Gonzalez
Paul
Rangel
Reichert
Shuler
Speier
Stark

□ 0050

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CORRECTING THE ENROLLMENT

Mr. ROGERS of Kentucky. Mr. Speaker, I send to the desk a concurrent resolution and ask unanimous consent for its immediate consideration.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 81

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill (H.R. 2608) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes, the Clerk of the House of Representatives shall make the following correction:

Amend the title so as to read: ''An Act making continuing appropriations for fiscal year 2012, and for other purposes.''.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

CHILDREN'S HOSPITAL GRADUATE MEDICAL EDUCATION REAUTHORIZATION

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

Mr. CICILLINE. Mr. Speaker, this week the House passed legislation to reauthorize the Children's Hospital Graduate Medical Education program. While a celebration should be in order, I am disappointed the bill was considered on suspension, preventing amendments to improve the program.

The bill passed by this Chamber fails to correct a glaring mental health parity issue, which prevents the inclusion of children's psychiatric teaching hospitals in this program. Because these hospitals are classified by Medicare as psychiatric hospitals rather than as children's hospitals, they are ineligible for entry into the program.

In order to fix this oversight and to address the acute need for additional health care providers trained in child psychiatry, I introduced legislation, H.R. 2558, the Children's Hospitals Education Equity Act, which would include certain children's psychiatric hospitals in the definition to determine eligibility.

I look forward to working with my colleagues on both sides of the aisle to correct this inequity and to advance our Nation another step closer to achieving full mental health parity.

GREGORY K. FRITZ: PARITY FOR KIDS' MENTAL HEALTH

[From the Providence Journal, Aug. 30, 2011]

(By Gregory K. Fritz)

Despite the passage of the federal mental-health parity bill, stigma and prejudice are still alive and well when it comes to legislation affecting children's psychiatric hospitals. The latest example of how our government continues to maintain discriminatory funding policies specifically directed against children with mental-health issues involves federal support for graduate medical education (GME).

Although this issue is far overshadowed by the federal debt issue, those who care about the mental health of children need to be aware that achieving true parity still entails overcoming significant obstacles. Getting children's psychiatric hospitals recognized as legitimate sites of medical education is one such obstacle on the road to real parity that has both symbolic and pragmatic importance.

The history of federal support for training physicians during their hospital residencies goes back to the establishment of Medicare, in 1965. Recognizing that America needs a steady supply of physicians in all the areas of medicine, and that their training carries substantial additional expense for teaching hospitals, Medicare authorization includes a per-resident reimbursement that is provided to hospitals through a complicated formula. One element for determining GME payments is the percentage of a hospital's reimbursement that comes from Medicare. That children's hospitals would thus be excluded from the program (because Medicare pays virtually zero for children's medical care) was unintentional, but it took 34 years for this oversight to be corrected.

The Children's Hospitals Graduate Medical Education Payment Program (CHGME), in 1999, established a pool to provide residency education support to children's hospitals in a system modeled after the Medicare GME system. The unintentional disincentive to train pediatric generalists and specialists was removed and pediatric training accelerated dramatically. This year, a total of $317.5 million offsets the training expenses of 5,500 residents at 46 children's hospitals, and the CHGME program is widely considered a success.

Parallel to the initial oversight in the Medicare bill, in the arcane definition of a children's hospital detailed in the CHGME regulations is language making it impossible for children's psychiatric hospitals to qualify. Only the most cynical observer would conclude that this was a deliberate attempt to exclude children's psychiatric hospitals and the child psychiatric and pediatric residents they train, especially since no medical specialty represents a greater shortage area than child and adolescent psychiatry. Yet, steady efforts since 2002 to correct this oversight have thus far been unsuccessful.

The CHGME reauthorization needed for the program to continue would seem to offer the ideal opportunity to end this de facto discrimination against children with mental-health problems. Sen. Sheldon Whitehouse and Representatives David Cicilline and James Langevin, all Rhode Island Democrats, have offered similar versions of a brief amendment to the reauthorization that would correct the language to reflect the original bill's intent.

If passed, it would admit four or five children's psychiatric hospitals that meet strict criteria into the pool of hospitals eligible for CHGME reimbursement. A larger taxpayer outlay is not requested; rather, the existing money would be spread slightly more thinly (an estimated 30 additional residents would be added to the current 5,500). One would think it a small price to pay to correct an injustice, but passage is far from guaranteed.

As a child psychiatrist working at Bradley Hospital, one of the psychiatric hospitals that would finally be included, I'm far from dispassionate about this issue. I see every day the agony experienced by families with autism, childhood suicide, adolescent substance abuse or pediatric bipolar disorder; it's different, but no less severe, than the pain associated with juvenile diabetes or leukemia. As are all mental-health professionals, I'm troubled by the months-long waiting lists that prevent children's access to child psychiatric services.

The distinction between psychological and physiological disorders is artificial and antiquated, reflecting outdated fears and prejudices. In short, I see no valid reason to perpetuate the exclusion of children's psychiatric hospitals from the mechanism designed to support physicians' training. Neither do the thousands of members of 39 national organizations who have signed on to a letter urging support of the Whitehouse amendment. Mental-health parity is the law in principle; the CHGME reauthorization should make it be the case in practice.

Gregory K. Fritz, M.D., is academic director at Bradley Hospital and the editor of the Brown University Child and Adolescent Behavior Letter.

SENATE BILL AND CONCURRENT RESOLUTION REFERRED

A bill and concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 633. An act to prevent fraud in small business contracting, and for other purposes; to the Committee on Small Business.

S. Con. Res. 17. Concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO); to the Committee on Foreign Affairs.

SENATE ENROLLED BILL SIGNED

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

S. 846. An act to designate the United States courthouse located at 80 Lafayette Street in Jefferson City, Missouri, as the Christopher S. Bond United States Courthouse.

ADJOURNMENT

Mr. CASSIDY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 50 minutes a.m.), the House adjourned until today, Friday, September 23, 2011, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3187. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Agricultural Swaps (RIN: 3038-AD21) received August 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3188. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — National Dairy Promotion and Research Program; Final Rule on Amendments to the Order [Docket No.: DA-08-07; AMS-DA-08-0050] (RIN: 0581-AC87) received August 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3189. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Washington; Modifications of the Rules and Regulations [Doc. No.: AMS-FV-11-0024; FV11-946-3 FIR] received August 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3190. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — National Organic Program (NOP); Sunset Review (2011) [Document Number: AMS-TM-07-0136; TM-07-14FR] (RIN: 0581-AC77) received August 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3191. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Softwood Lumber Research, Promotion, Consumer Education and Industry Information Order [Document Number: AMS-FV-10-0015; FR] (RIN: 0581-AD03) received August 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3192. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act,

Navy Case Number 07-10; to the Committee on Appropriations.

3193. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

3194. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Kazakhstan pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

3195. A letter from the Chairman and President, Export-Import Bank, transmitting a statement with respect to a transaction involving the Boeing Company, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3196. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

3197. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

3198. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

3199. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

3200. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Ireland pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

3201. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-33, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3202. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

3203. A letter from the Under Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Libya that was declared in Executive Order 13566 of Feburary 25, 2011; to the Committee on Foreign Affairs.

3204. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's Year 2011 Inventory of Commercial Activities, as required by the Federal Activities Reform Act of 1998; to the Committee on Oversight and Government Reform.

3205. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30796; Amdt. No. 3437] received August 30, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3206. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Aviation Fuel and Oil Operating Limitations; Policy Memorandum [ANE-2010-33.7-5A] received August 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3207. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Nephi, UT [Docket No.: FAA-2011-0184; Airspace Docket No. 11-ANM-4] received August 30, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3208. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30795; Amdt. No. 3436] received August 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3209. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Alturas, CA [Docket No.: FAA-2011-0403; Airspace Docket No. 11-AWP-3] received August 30, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3210. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Kayenta, AZ [Docket No.: FAA-2011-0393; Airspace Docket No. 11-AWP-2] received August 30, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3211. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class D and Class E Airspace; Fort Huachuca, AZ [Docket No.: FAA-2011-0359; Airspace Docket No. 11-AWP-1] received August 30, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3212. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Glasgow, MT [Docket No.: FAA-2011-0362; Airspace Docket No. 11-ANM-7] received August 30, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3213. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Lakeland, FL [Docket No.: FAA-2011-0005; Airspace Docket No. 10-ASO-42] received August 30, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3214. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Forsyth, MT [Docket No.: FAA-2011-0516; Airspace Docket No. 11-ANM-12] received August 30, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3215. A letter from the Commission, Commission on Wartime Contracting in Iraq and Afghanistan, transmitting the Commission's Final Report, ''Transforming Wartime Contracting: Controlling costs, reducing risks''; jointly to the Committees on Foreign Affairs and Armed Services.

3216. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Memorandum of justification for the President's waiver of the restrictions on the provision of funds to the Palestinian Authority, pursuant to Public Law 111-117, section 7040(d); jointly to the Committees on Foreign Affairs and Appropriations.

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. DREIER: Committee on Rules. Supplemental report on House Resolution 409. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 112–214, Pt. 2).

Mr. DREIER: Committee on Rules. House Resolution 412. Resolution providing for consideration of the Senate amendment to the bill (H.R. 2608) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes (Rept. 112–215). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. MARCHANT:

H.R. 3008. A bill to amend title II of the Social Security Act to provide for the reissuance of Social Security account numbers to children in cases in which the confidentiality of the number has been compromised by reason of theft; to the Committee on Ways and Means.

By Mr. FLEMING:

H.R. 3009. A bill to amend the National Wildlife Refuge System Administration Act of 1966 to require that any new national wildlife refuge may not be established except as expressly authorized by statute; to the Committee on Natural Resources.

By Mr. SMITH of Texas (for himself, Mr. COBLE, and Mr. PETERSON):

H.R. 3010. A bill to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents; to the Committee on the Judiciary.

By Mr. ROGERS of Alabama (for himself, Mr. KING of New York, Mr. DANIEL E. LUNGREN of California, Mr. WALBERG, Mr. CRAVAACK, and Mr. BROOKS):

H.R. 3011. A bill to authorize the programs of the Transportation Security Administration relating to the provision of transportation security, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHAFFETZ (for himself and Mr. SMITH of Texas):

H.R. 3012. A bill to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes; to the Committee on the Judiciary.

By Mr. POE of Texas:

H.R. 3013. A bill to prohibit assistance to Pakistan; to the Committee on Foreign Affairs.

By Mr. POLIS (for himself, Mr. FILNER, Mr. LANGEVIN, and Mr. REYES):

H.R. 3014. A bill to provide grants to State educational agencies and institutions of higher education to strengthen elementary and secondary computer science education, and for other purposes; to the Committee on Education and the Workforce.

By Ms. SPEIER (for herself, Mr. LATHAM, Mr. MCCAUL, Mr. VAN HOLLEN, Mr. MORAN, Mr. KING of New York, Ms. BORDALLO, Ms. WOOLSEY, and Ms. FUDGE):

H.R. 3015. A bill to improve and enhance research and programs on childhood cancer survivorship, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BARROW:

H.R. 3016. A bill to direct the Secretary of Defense and the Secretary of Veterans Affairs to jointly operate the Federal Recovery Coordination Program, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, 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. BERMAN (for himself, Ms. ZOE LOFGREN of California, Mr. CONYERS, Mr. GUTIERREZ, Ms. CHU, Ms. LINDA T. SÁNCHEZ of California, and Mr. BACA):

H.R. 3017. A bill to provide for a more structured and stable domestic agricultural labor market in the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, Education and the Workforce, and 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. CAPUANO:

H.R. 3018. A bill to amend the Internal Revenue Code of 1986 to provide a temporary surtax on increases in retained earnings of domestic corporations; to the Committee on Ways and Means.

By Mr. CARSON of Indiana (for himself and Mr. AL GREEN of Texas):

H.R. 3019. A bill to amend title 49, United States Code, to direct the Secretary of Transportation to consider certain factors in evaluating public transportation projects for purposes of making capital investment grants, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PIERLUISI (for himself, Mr. YOUNG of Alaska, and Mr. SERRANO):

H.R. 3020. A bill to amend the Internal Revenue Code of 1986 to allow certain Puerto Rico corporations to elect to be treated as domestic corporations; to the Committee on Ways and Means.

By Mr. CARSON of Indiana (for himself, Ms. BORDALLO, and Ms. LEE of California):

H.R. 3021. A bill to amend title 49, United States Code, to modify cost-sharing requirements under certain public transportation grant programs, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CARSON of Indiana:

H.R. 3022. A bill to amend title 49, United States Code, to allow urbanized area formula grants for public transportation projects to be used for operating costs in urbanized areas with a population of at least 200,000, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. DOYLE (for himself and Mr. MURPHY of Pennsylvania):

H.R. 3023. A bill to authorize the Secretary of Education to establish the national program for arts and technology; to the Committee on Education and the Workforce.

By Mr. HANNA (for himself and Ms. HOCHUL):

H.R. 3024. A bill to create a special class of H-2A workers who may be admitted to work as sheepherders or dairy workers, and for other purposes; to the Committee on the Judiciary.

By Mr. KING of New York (for himself, Mr. PASCRELL, Mr. GRIMM, and Mr. TURNER of New York):

H.R. 3025. A bill to provide for certain tunnel life safety and rehabilitation projects for Amtrak; to the Committee on Transportation and Infrastructure.

By Mr. MATHESON (for himself and Mr. BILBRAY):

H.R. 3026. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve the safety of drugs; to the Committee on Energy and Commerce.

By Mrs. MCCARTHY of New York (for herself, Mr. SCOTT of Virginia, Mr. POLIS, Mr. ELLISON, Mr. CAPUANO, Mr. PAYNE, and Mr. FILNER):

H.R. 3027. A bill to end the use of corporal punishment in schools, and for other purposes; to the Committee on Education and the Workforce.

By Mr. MORAN (for himself, Mr. WOLF, Mr. CONNOLLY of Virginia, Mr. VAN HOLLEN, and Mr. SARBANES):

H.R. 3028. A bill to amend title 5, United States Code, to permit the transfer of sick leave in leave-transfer programs, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. MULVANEY (for himself, Mr. ISSA, Mr. ROSS of Florida, Mr. CHAFFETZ, Mrs. BLACKBURN, Mr. BURTON of Indiana, Mr. FLEMING, Mr. FLORES, Mr. GARRETT, Mr. GOWDY, Mr. GRAVES of Georgia, Mr. HUELSKAMP, Mr. SAM JOHNSON of Texas, Mr. LANDRY, Mr. RIBBLE, Mr. ROKITA, Mrs. SCHMIDT, Mr. WALSH of Illinois, Mr. WILSON of South Carolina, and Mr. YODER):

H.R. 3029. A bill to reduce the size of the Federal workforce through attrition, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. NADLER (for himself, Mr. CONYERS, Mr. TOWNS, Mr. ISRAEL, Mr. SCOTT of Virginia, Mr. HASTINGS of Florida, Mr. POLIS, and Mr. AL GREEN of Texas):

H.R. 3030. A bill to amend the Fair Housing Act, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REED:

H.R. 3031. A bill to direct the Secretary of the Interior to conduct a special resource study to evaluate the significance of the Newtown Battlefield located in Chemung County, New York, and the suitability and feasibility of its inclusion in the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mr. REICHERT (for himself, Mr. OLSON, Mr. PASCRELL, and Mr. MATHESON):

H.R. 3032. A bill to amend title XVIII of the Social Security Act to provide for payment for services of qualified radiologist assistants under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REYES (for himself and Mr. MCCAUL):

H.R. 3033. A bill to amend the Anti-Smuggling Act to subject vehicles, other conveyances, and instruments of international traffic to seizure and forfeiture for smuggling, and for other purposes; to the Committee on Ways and Means.

By Ms. SPEIER (for herself, Ms. ESHOO, Mr. GARAMENDI, Mr. HONDA, Ms. LEE of California, Mr. MCNERNEY, Mr. GEORGE MILLER of California, Ms. PELOSI, Mr. STARK, Mr. THOMPSON of California, Ms. WOOLSEY, and Ms. ZOE LOFGREN of California):

H.R. 3034. A bill to amend the Federal Water Pollution Control Act to establish a San Francisco Bay restoration grant program; to the Committee on Transportation and Infrastructure.

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

H.R. 3035. A bill to amend the Communications Act of 1934 to permit informational calls to mobile telephone numbers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. YARMUTH (for himself, Mr. BLUMENAUER, Mr. CARSON of Indiana, Mr. CHANDLER, Mr. DOYLE, Mr. HINCHEY, Ms. MOORE, and Mr. POLIS):

H.R. 3036. A bill to amend the Elementary and Secondary Education Act of 1965 and the Workforce Investment Act of 1998 to award grants to prepare individuals for the 21st century workplace and to increase America's global competitiveness, and for other purposes; to the Committee on Education and the Workforce.

By Mr. YOUNG of Alaska:

H.R. 3037. A bill to allow for the harvest of gull eggs by the Huna Tlingit people within Glacier Bay National Park in the State of Alaska; to the Committee on Natural Resources.

By Mr. ROGERS of Kentucky:

H. Con. Res. 81. A concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 2608; considered and agreed to.

By Ms. FUDGE (for herself, Mr. TIBERI, Mr. KIND, and Mr. MCINTYRE):

H. Res. 410. A resolution expressing support for the designation of September 24, 2011, as ''Worldwide Day of Play''; to the Committee on Oversight and Government Reform.

By Mr. LARSON of Connecticut:

H. Res. 411. A resolution electing a Member to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. REED:

H. Res. 413. A resolution honoring Alfred University on the 175th anniversary of its founding; to the Committee on Education and the Workforce.

By Mr. SCHWEIKERT:

H. Res. 414. A resolution expressing the sense of the House of Representatives that the Federal Government should incorporate the principles of the Lean Six Sigma management strategy; to the Committee on Oversight and Government Reform.

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. MARCHANT:

H.R. 3008.

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, related to providing for the general welfare. Additionally, it is enacted under the authority provided in Article I, Section 8 related to Congress' ability to ''[carry] into Execution the foregoing powers.''

By Mr. FLEMING:

H.R. 3009.

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

Article IV, Section 3, Clause 2 of the Constitution of the United States of America.

By Mr. SMITH of Texas:

H.R. 3010.

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

Article I, Section 1 of the United States Constitution, and Article I, Section 8 of the United States Constitution, including, but not limited to, Clauses 1, 3 and 18.

By Mr. ROGERS of Alabama:

H.R. 3011.

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

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States, which grants Congress the power to provide for the common Defence of the United States, and Article I, Section 8, Clause 18 of the Constitution of the United States, which provides Congress the power to make ''all laws which shall be necessary and proper'' for carrying out the constitutional powers vested in the Government of the United States.

By Mr. CHAFFETZ:

H.R. 3012.

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

This law is enacted pursuant to Article 1, Section 8, Clauses 4 and 18 to the U.S. Constitution.

By Mr. POE of Texas:

H.R. 3013.

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

Article I, Section 8, Clause 3 and Article I, Section 9, Clause 7

By Mr. POLIS:

H.R. 3014.

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

Article I, Section 1,

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Ms. SPEIER:

H.R. 3015.

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

Article I, Section 8 of the United States Constitution, the General Welfare clause

By Mr. BARROW:

H.R. 3016.

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

The power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8 of the United States Constitution.

By Mr. BERMAN:

H.R. 3017.

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

Article 1, Section 8, Clause IV of the Constitution

By Mr. CAPUANO:

H.R. 3018.

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

Article I, Section 8: Congress shall have the power to lay and collect taxes, duties, imposts, excises, to pay the debts and provide for the common deference and general welfare of the United States.

By Mr. CARSON of Indiana:

H.R. 3019.

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

Article I, section 8, clause 1 of the United States Constitution grants Congress the implied power to utilize collected taxes to provide for the general welfare of the United States.

By Mr. PIERLUISI:

H.R. 3020.

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

The constitutional authority on which this bill rests is the power of the Congress to: (1) provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution; (2) to lay and collect taxes, as enumerated in Article I, Section 8, Clause 1 of the Constitution; (3) to make all laws which shall be necessary and proper for carrying into execution such power, as enumerated in Article I, Section 8, Clause 18 of the Constitution; and (4) to make all needful rules and regulations respecting the Territory of the United States, as provided for under Article IV, Section 3, Clause 2 of the Constitution.

By Mr. CARSON of Indiana:

H.R. 3021.

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

Article I, section 8, clause 1 of the United States Constitution grants Congress the implied power to utilize collected taxes to provide for the general welfare of the United States.

By Mr. CARSON of Indiana:

H.R. 3022.

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

Article I, section 8, clause 1 of the United States Constitution grants Congress the implied power to utilize collected taxes to provide for the general welfare of the United States.

By Mr. DOYLE:

H.R. 3023.

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

The Congress enacts this bill pursuant Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. HANNA:

H.R. 3024.

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

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

By Mr. KING of New York:

H.R. 3025.

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

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. MATHESON:

H.R. 3026.

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

Article I, Section 8, Clause 3.

By Mrs. McCARTHY of New York:

H.R. 3027.

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

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8, Clause 1 and Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. MORAN:

H.R. 3028.

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

Article 1, Section 8, Clause 14; Article 1, Section 8, Clause 18.

By Mr. MULVANEY:

H.R. 3029.

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

Article I, Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. NADLER:

H.R. 3030.

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

Art. 1, sec. 8, cl. 3 (''To regulate Commerce . . . among the several States'', and cl. 18 (''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof'').

By Mr. REED:

H.R. 3031.

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

Article 1, Section 8, Clause 1 as well as Article 1, Section 8, Clause 18

By Mr. REICHERT:

H.R. 3032.

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

The constitutional authority of Congress to enact this legislation is provided by Article 1, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. REYES:

H.R. 3033.

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

Article I, Section. 8.

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 2: To borrow Money on the credit of the United States;

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

Clause 4: To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

Clause 5: To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

Clause 6: To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

Clause 7: To establish Post Offices and post Roads;

Clause 8: To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

Clause 9: To constitute Tribunals inferior to the supreme Court;

Clause 10: To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

Clause 11: To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

Clause 12: To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

Clause 13: To provide and maintain a Navy;

Clause 14: To make Rules for the Government and Regulation of the land and naval Forces;

Clause 15: To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

Clause 16: To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

Clause 17: To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. SPEIER:

H.R. 3034.

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

Article 1, Section 8: Congress shall have the power to regulate commerce among the states, and provide for the general welfare.

By Mr. TERRY:

H.R. 3035.

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

Commerce Clause: Article 1, Section 8, Clause 3

By Mr. YARMUTH:

H.R. 3036.

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

Clause 3 of Section 8 of Article 1 of the Constitution.

By Mr. YOUNG of Alaska:

H.R. 3037.

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

Article 1 Section 2

ADDITIONAL SPONSORS

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

H.R. 23: Mr. HINCHEY.

H.R. 52: Mr. PRICE of North Carolina.

H.R. 104: Mr. AUSTIN SCOTT of Georgia, Mr. ROKITA, and Mr. HULTGREN.

H.R. 111: Mr. FRELINGHUYSEN.

H.R. 115: Mr. PETERSON.

H.R. 157: Mr. SCHOCK.

H.R. 190: Mr. GUTIERREZ.

H.R. 210: Mr. PASCRELL, Mr. MORAN, Mr. JOHNSON of Georgia, Ms. BERKLEY, Mr. BRADY of Pennsylvania, Mr. DEUTCH, Ms. JACKSON LEE of Texas, and Mrs. MALONEY.

H.R. 306: Ms. BORDALLO.

H.R. 436: Mr. LOBIONDO.

H.R. 452: Mr. YOUNG of Alaska.

H.R. 482: Mr. ROE of Tennessee.

H.R. 527: Mrs. BLACK and Mr. MCKINLEY.

H.R. 572: Mr. SMITH of Washington.

H.R. 605: Ms. JENKINS.

H.R. 615: Mr. GOSAR.

H.R. 674: Mr. MICA and Mr. GARRETT.

H.R. 683: Mr. AL GREEN of Texas.

H.R. 687: Mr. CARNAHAN.

H.R. 688: Mr. AL GREEN of Texas.

H.R. 719: Mr. AUSTRIA.

H.R. 791: Mr. CHABOT, Mr. BOREN, Mr. CONAWAY, Mr. WALZ of Minnesota, and Mr. LIPINSKI.

H.R. 797: Mr. FILNER, Mr. SHERMAN, Ms. SCHAKOWSKY, and Mr. FRANK of Massachusetts.

H.R. 822: Mr. COURTNEY.

H.R. 904: Mr. PETERSON.

H.R. 973: Mr. FRANKS of Arizona.

H.R. 990: Mr. AUSTRIA.

H.R. 991: Mr. AUSTRIA.

H.R. 1004: Mr. COURTNEY.

H.R. 1006: Mr. MULVANEY, Mr. SAM JOHNSON of Texas, Mr. PITTS, Mr. BUCSHON, Mr. GINGREY of Georgia, Mr. YODER, and Mr. FLEMING.

H.R. 1063: Mr. BARROW, Mr. MCINTYRE, Mr. MURPHY of Connecticut, and Mr. BURGESS.

H.R. 1092: Mr. MCGOVERN, Mr. MURPHY of Connecticut, and Mr. MCINTYRE.

H.R. 1137: Ms. TSONGAS and Mr. FILNER.

H.R. 1179: Mr. KLINE.

H.R. 1206: Mr. OWENS and Ms. BUERKLE.

H.R. 1259: Mr. GALLEGLY and Mrs. ROBY.

H.R. 1267: Mr. YOUNG of Alaska.

H.R. 1283: Mr. HANNA.

H.R. 1288: Mr. FORBES, Mr. CRITZ, Ms. SCHWARTZ, Mr. ROSS of Florida, Mr. TONKO, and Mr. LOBIONDO.

H.R. 1354: Ms. DELAURO.

H.R. 1370: Mr. GARDNER and Mr. FLEISCHMANN.

H.R. 1385: Ms. SPEIER.

H.R. 1418: Mr. LIPINSKI, Mr. UPTON, Mr. WEST, and Mr. SCHIFF.

H.R. 1471: Mr. GRIJALVA.

H.R. 1489: Mr. ELLISON.

H.R. 1509: Mr. POSEY.

H.R. 1587: Mr. MCDERMOTT.

H.R. 1609: Mr. RIBBLE.

H.R. 1653: Mr. SIMPSON, Mrs. BIGGERT, Mr. DOLD, Ms. HERRERA BEUTLER, and Mr. GUINTA.

H.R. 1681: Mr. GEORGE MILLER of California.

H.R. 1697: Mr. BACA.

H.R. 1704: Mr. LATOURETTE and Mr. BRALEY of Iowa.

H.R. 1715: Mr. CALVERT.

H.R. 1717: Mr. RYAN of Ohio, Mr. KILDEE, and Mr. KISSELL.

H.R. 1724: Mr. FARR and Mr. SERRANO.

H.R. 1738: Mr. HINCHEY and Mr. SIMPSON.

H.R. 1739: Ms. SPEIER.

H.R. 1754: Mr. CALVERT.

H.R. 1798: Ms. HAYWORTH, Mr. CHABOT, and Ms. Hochul.

H.R. 1834: Mr. BROOKS and Mr. FLAKE.

H.R. 1842: Mr. HASTINGS of Florida.

H.R. 1955: Mr. PASCRELL.

H.R. 1956: Mr. BROOKS, Mr. NUGENT, Mr. PITTS, Mr. PENCE, Mr. CHABOT, Mrs. LUMMIS, Mr. GINGREY of Georgia, Mr. COFFMAN of Colorado, Mr. BURTON of Indiana, Mr. SESSIONS, Mrs. SCHMIDT, Mr. FLEMING, Mrs. BLACKBURN, Mr. FLORES, Mr. CONAWAY, Mr. NEUGEBAUER, Mr. HUELSKAMP, and Mr. BISHOP of Utah.

H.R. 1997: Mr. BUCHANAN.

H.R. 2016: Mr. PASTOR of Arizona.

H.R. 2020: Mr. CONNOLLY of Virginia and Mr. NEAL.

H.R. 2059: Mr. STEARNS, Mr. PITTS, Mr. MCKINLEY, Mr. HUIZENGA of Michigan, and Mr. POE of Texas.

H.R. 2091: Mr. MILLER of North Carolina.

H.R. 2097: Mr. BISHOP of New York.

H.R. 2131: Mr. BUTTERFIELD, Mr. BARTLETT, and Mr. DESJARLAIS.

H.R. 2159: Mrs. CHRISTENSEN.

H.R. 2195: Mr. TIBERI.

H.R. 2245: Mr. TIERNEY, Ms. SCHAKOWSKY, Mr. MICHAUD, Mr. CICILLINE, and Ms. MCCOLLUM.

H.R. 2250: Mr. DENHAM and Mr. WITTMAN.

H.R. 2257: Mr. LATTA.

H.R. 2304: Mr. ALEXANDER.

H.R. 2307: Ms. CHU.

H.R. 2311: Mr. HOLT.

H.R. 2312: Mr. DUNCAN of Tennessee.

H.R. 2334: Mr. LOEBSACK, Mr. GUTIERREZ, Mr. FORBES, Mr. ROGERS of Michigan, Mr. COURTNEY, Mrs. CHRISTENSEN, Mr. TONKO, and Ms. SCHAKOWSKY.

H.R. 2357: Mr. HULTGREN.

H.R. 2369: Mr. MICA, Mr. ELLISON, Mr. QUIGLEY Ms. DEGETTE, Mr. KUCINICH, Mr. CARDOZA, Mr. JOHNSON of Illinois, Ms. Velázquez, Mr. SERRANO, Mr. REYES, Mr. SHERMAN, Mr. BASS of New Hampshire, Mr. CAMP, Mr. DAVIS of Illinois, Mr. VISCLOSKY, Mr. DICKS, Mr. AL GREEN of Texas, Ms. BALDWIN, Ms. SLAUGHTER, Mr. CLARKE of Michigan, Mr. FRANK of Massachusetts, Mr. KIND, Mr. BLUMENAUER, Mr. ADERHOLT, Mr. DINGELL, Mr. FLEMING, Mr. GALLEGLY, Mr. GRAVES of Georgia, Ms. JACKSON LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JONES, Mr. KING of New York, Mr. LANDRY, Mr. LEWIS of Georgia, Ms. MATSUI, Mr. MCDERMOTT, Mr. PETRI, Ms. PINGREE of Maine, Mr. ROE of Tennessee, Ms. ROYBAL-ALLARD, Mr. DAVID SCOTT of Georgia, Ms. SEWELL, Mr. SIMPSON, Mr. SMITH of New Jersey, Mr. THOMPSON of Mississippi, Mr. UPTON, Mr. WITTMAN, Mr. YODER, Mr. CLYBURN, Mrs. BIGGERT, Mr. FRELINGHUYSEN, Mr. BARTLETT, Mr. POMPEO, Mr. KLINE, Mr. BERG, Mr. FLEISCHMANN, and Mr. GRIFFITH of Virginia.

H.R. 2377: Ms. CHU.

H.R. 2446: Mr. KING of New York.

H.R. 2447: Mrs. HARTZLER, Mr. MICHAUD, Mr. HULTGREN, Mr. CARNAHAN, Mr. GRIFFIN of Arkansas, Mr. HANNA, Mr. BISHOP of New York, Mr. COURTNEY, and Ms. GRANGER.

H.R. 2471: Mr. TOWNS.

H.R. 2492: Mr. OLVER and Ms. CHU.

H.R. 2505: Ms. LORETTA SANCHEZ of California, Mr. MORAN, Mr. WELCH, and Mr. BURGESS.

H.R. 2514: Mr. WITTMAN and Mr. GRIFFIN of Arkansas.

H.R. 2517: Mr. PETERS.

H.R. 2542: Mr. BURTON of Indiana, Mr. GALLEGLY, Mr. CHABOT, Mr. POE of Texas, Mr. SCHOCK, Mr. MCCOTTER, Mr. RIVERA, Mr. MCCAUL, and Mr. BARTLETT.

H.R. 2558: Ms. JACKSON LEE of Texas.

H.R. 2569: Mr. SCHOCK.

H.R. 2602: Mr. JOHNSON of Illinois.

H.R. 2674: Mr. LATHAM.

H.R. 2681: Mr. CHABOT, Mr. SMITH of Nebraska, Mrs. HARTZLER, and Mr. DAVIS of Kentucky.

H.R. 2706: Mr. BUCHANAN.

H.R. 2758: Mr. CONNOLLY of Virginia.

H.R. 2774: Mr. WESTMORELAND.

H.R. 2796: Mr. REHBERG.

H.R. 2815: Mr. WOLF.

H.R. 2834: Mr. ROE of Tennessee, Mr. KLINE, Mr. WALBERG, Mr. KINGSTON, Mr. SCHILLING, Mr. HECK, Mr. AMODEI, Mrs. MILLER of Michigan, Mr. HARRIS, and Mr. AUSTRIA.

H.R. 2854: Mr. FITZPATRICK, Mr. HUIZENGA of Michigan, Mr. LANKFORD, and Mr. SCALISE.

H.R. 2874: Mr. LANKFORD.

H.R. 2885: Mr. JONES.

H.R. 2888: Mr. HANNA.

H.R. 2897: Mr. HANNA, Mr. SCHILLING, and Mr. LANKFORD.

H.R. 2926: Mr. WESTMORELAND and Mr. DESJARLAIS.

H.R. 2955: Mr. KISSELL.

H.R. 2962: Ms. BERKLEY.

H.R. 2966: Mr. KEATING.

H.R. 2982: Mr. SHULER and Mr. FRANKS of Arizona.

H.R. 2992: Mr. SAM JOHNSON of Texas, Mr. FLORES, Mr. NEUGEBAUER, Mr. GALLEGLY, and Mr. BURGESS.

H.R. 2993: Mr. KING of Iowa.

H.R. 3003: Mr. DAVID SCOTT of Georgia.

H.R. 3004: Mr. BACA, Ms. BASS of California, Mr. BECERRA, Mr. BERMAN, Mr. BILBRAY, Mrs. BONO MACK, Mr. CALVERT, Mr. CAMPBELL, Mrs. CAPPS, Mr. CARDOZA, Ms. CHU, Mr. COSTA, Mrs. DAVIS of California, Mr. DENHAM, Mr. DREIER, Ms. ESHOO, Mr. FARR, Mr. FILNER, Mr. GALLEGLY, Mr. GARAMENDI, Ms. HAHN, Mr. HERGER, Mr. HONDA, Mr. HUNTER, Mr. ISSA, Ms. LEE of California, Mr. LEWIS of California, Ms. ZOE LOFGREN of California, Mr. DANIEL E. LUNGREN of California, Ms. MATSUI, Mr. MCCARTHY of California, Mr. MCCLINTOCK, Mr. MCKEON, Mr. MCNERNEY, Mr. GEORGE MILLER of California, Mr. GARY G. MILLER of California, Mrs. NAPOLITANO, Mr. NUNES, Ms. PELOSI, Ms. RICHARDSON, Mr. ROHRABACHER, Ms. ROYBAL-ALLARD, Mr. ROYCE, Ms. LINDA T. SÁNCHEZ OF CALIFORNIA, Ms. LORETTA SANCHEZ of California, Mr. SCHIFF, Mr. SHERMAN, Ms. SPEIER, Mr. STARK, Ms. WATERS, Mr. WAXMAN, and Ms. WOOLSEY.

H.R. 3005: Mr. HINCHEY.

H.J. Res. 73: Mr. HUELSKAMP.

H. Con. Res. 21: Mr. HURT.

H. Res. 134: Mr. CONNOLLY of Virginia.

H. Res. 239: Mr. PETERSON.

H. Res. 247: Mr. SCHOCK, Mrs. SCHMIDT, Mr. MCCOTTER, Mrs. MYRICK, Mr. KING of Iowa, Mr. BURTON of Indiana, Mr. MCCLINTOCK, Mr. SHIMKUS, Mr. GRIFFIN of Arkansas, and Mr. SMITH of New Jersey.

H. Res. 336: Mr. YOUNG of Florida.

H. Res. 364: Mr. HERGER, Mr. MCCLINTOCK, Ms. HERRERA BEUTLER, Mr. COBLE, Mr. ROYCE, Mr. GRIFFITH of Virginia, Mr. COLE, Mr. GOWDY, Mr. DICKS, Mr. MEEHAN, Mr. FLORES, Ms. HAYWORTH, Mr. MARCHANT, Mr. DOGGETT, Mr. DONNELLY of Indiana, Ms. CHU, and Ms. EDWARDS.

H. Res. 378: Ms. RICHARDSON.

H. Res. 394: Mr. HULTGREN.

H. Res. 397: Mr. HINOJOSA.

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PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by the Reverend Dr. Silvester S. Beaman, senior pastor of the Bethel African Methodist Episcopal Church in Wilmington, DE.

The guest Chaplain offered the following prayer:

Let us pray.

God of grace and God of glory, as this great Hall prepares to open for another session of deliberations, we humbly submit our minds, energies, gifts, and graces to You, that we may be men and women sensitive to the concerns of a nation in great expectation.

Use the collective resolve of our Senate as Your instrument, building wholeness and peace in an age where injury, indifference, uncertainties, and deficiency swirl as an immobilizing specter.

Show us a glimpse of Your radiance, remove all doubts and fears; liberating and inspiring, until hope and possibility become a living reality.

We are forever Yours and we will be forever faithful. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 22, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

Mr. REID. Mr. President, I yield to my friend, the junior Senator from Delaware.

The ACTING PRESIDENT pro tempore. The Senator from Delaware is recognized.

THE GUEST CHAPLAIN

Mr. COONS. Mr. President, I rise simply to give honor and gratitude that this morning our opening prayer was offered by the Reverend Dr. Silvester Beaman of AME Zion on the East Side of Wilmington, a great voice for justice in my home State.

I think it is a critical and important part of our Nation's tradition that we begin every session of the Senate with prayerful reflection. I am thrilled that today he is able to be joined by his wife Renee, a registered nurse, and to be able to comment for a moment that Rev. Dr. Beaman, born in Niagara Falls, NY, who started his mission work and his service in Hamilton, Bermuda, with his wife, early on saw the challenges of HIV/AIDS and the risks and opportunities for worship and for mission that this pandemic provides to our community. He has been with us now 19 years in Delaware. The two of them have been recognized far and wide in our State and region for the beautiful Gate Outreach Ministry they have launched. I think it was Dietrich Bonhoeffer who first said most tellingly that it is the charge of ministry to afflict the comfortable and comfort the afflicted. Pastor Beaman, through his leadership, his vision, his compelling sermons, and his compelling example, in partnership with his wife Renee, has provided exactly that sort of challenging and effective leadership, that great and prophetic voice for our community in Wilmington, DE.

I am grateful for the opportunity to have his prayerful reflections begin our deliberations today.

The ACTING PRESIDENT pro tempore. The majority leader.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business for an hour, Republicans will control the first half and the majority will control the final half. Following morning business, the Senate will resume consideration of H.R. 3832. Later today, the Senate will complete action on the GSP and TAA bill. There will be up to five rollcall votes in relation to amendments and passage of this bill. I will work with the Republican leader to set a time it is convenient to do that.

FEMA

More important, now that we have arrived at an agreement on how to move the trade adjustment assistance out of here, is what is going to happen in the House.

Last week, something all too rare these days happened in this Chamber; we had some bipartisanship. Ten Republicans joined Democrats in voting to give FEMA, the Federal Emergency Management Agency, the money they need to fund their important operations for the foreseeable future. The House bill would have jeopardized the

Agency's ability to help Americans affected by tragedy to put their lives back together, but that is what the House did.

What the House did last night was so wrong. We passed a bill a few months ago that would take care of funding for the rest of this year, from October 1 to October 1. Rather than doing what we had agreed upon, and the American people saw us work for months to agree upon, they reneged on that deal. They tried last night to send a continuing resolution for a few weeks and they attached to it—and they should not have attached anything to it because we had already agreed on all that—attached to it a very unfair FEMA funding measure.

To show how spiteful they were—we have done great things in this country, doing things with modern vehicles. I had an energy summit the end of August in Las Vegas. They had all these electric cars lined up that they could show us. This is a result of money we have given here, taxpayers' money, to stimulate that part of our manufacturing sector. It has worked out great. It has been wonderful.

As STENY HOYER, one of the Democratic leaders in the House, said, what the House did is try to legislate away 53,000 jobs. They took money that was in the pipeline to do more of those electric cars and other kinds of new vehicles and stripped it away. They applied that toward something we have not done around here; that is, fund emergency situations around the country.

To rub salt in the wound, they not only took that, 1 billion dollars' worth, but they took 500 million dollars' worth and they rescinded it, wiping out jobs, not applying it to the deficit, just doing it, I guess, to show they are in control of the House. But that fell apart last night. It fell apart because Republicans and Democrats would not support that issue.

We don't know what they are going to do over there today. All kinds of rumors are floating around. We don't know. I have not spoken to the Speaker or the majority leader over there. I haven't talked to them. There are all kinds of rumors as to what they might do. They might try to send it back to us again. But the one thing I heard loudly and clearly, and my colleagues have to understand, the Republicans have announced in the House they may be in session this weekend. I hope that is not the case. I have spoken to the Republican leader here. If they send us something, we will do our very utmost to move as quickly as we can on that to take action on whatever they send us.

But I wish to send this message to them. They should not renege on the agreement that was legislated just a few short weeks ago; that is, funding government for the next year. We have agreed upon that, and whatever they send us, they should just send us a continuing resolution until we work on getting the appropriations bills done. Send us a continuing resolution with nothing attached to it. If they disagree over there with what we did—they have over on the House side our bill which passed in the Senate on a bipartisan basis. If they don't like that, send us back something else.

We think the overwhelming support of the Nation is for something we did but don't tie it to the CR. That is simply not the right thing to do.

We are going to be alert and wait for the House to act. We are at an impasse, not because of what we are doing but because of what they are doing, and we will wait and see what action they take. It is extremely important that they act as quickly as they can.

We know we had scheduled next week to be off. We hope we can do that. We have an important holiday next Wednesday. That is the reason we are taking next week off. But I look forward to working with my colleagues in the Senate, both Democrats and Republicans, to move forward as quickly as we can.

RECOGNITION OF THE MINORITY LEADER

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

THE JOBS BILL

Mr. MCCONNELL. Mr. President, over the past week, President Obama has been traveling around the country, trying to set a record for the number of times he can say the words ''pass this bill right away''—the number of times he can say it, actually in a 5-minute speech. Today he will bring his act to a 50-year-old bridge that connects my own State of Kentucky with Ohio. The purpose of this visit is perfectly clear. The President's plan is to go out to this bridge and say that if only lawmakers in Washington would pass his second stimulus bill right away, then bridges such as this one would get fixed and that the only thing standing in the way of repairing them is people like me.

I would like to make a couple points about all this. First, I find it hard to take the President's message all that seriously when his own communications director is over at the White House telling people he is no longer interested in legislative compromise when the leaders of the President's own party in Congress are treating this bill like an afterthought.

We would be more inclined to look at this so-called jobs bill if the President's own staff and members of his own party in Congress started taking it a little more seriously themselves.

Second, I remind the President that the people of Kentucky and Ohio have heard this kind of thing before. Don't forget, the President made the same promises when he was selling his first stimulus. It is a message he brought to Ohio repeatedly. Here is what he said 2 years ago this week at a stop in Warren, OH.

> All across Ohio and all across the country, rebuilding our roads and our bridges . . . that's what the Recovery Act has been all about.

The Recovery Act is the stimulus bill, the first one. Yet 2½ years later, what do we have to show for it? Politically connected companies such as Solyndra ended up with hundreds of millions of dollars, provided by the taxpayers, and bridges such as the one the President is attending today still need to be fixed.

It is worth noting, in fact, this one company blew through more taxpayer money than the first stimulus allocated for every road and bridge in the entire State of Kentucky combined.

The President told Ohioans and Kentuckians, the first stimulus would keep unemployment below 8 percent as well. Yet 2½ years later unemployment in both States is still above 9 percent.

We have heard these promises before, and I don't think the President should expect anybody to fall for them again. I mean, how many stimulus bills do we have to pass before these bridges get fixed? How many? How many Solyndras do we have to finance? How much money do we have to waste before the President makes good on the promises he has already made? If a bridge needs fixing, by all means let's fix it. But don't tell us we need to pass a $½ trillion stimulus bill and accept job-killing tax hikes to do it. Don't tell the people of Kentucky they need to finance every turtle tunnel and solar panel company on some bureaucrat's wish list in order to get their bridges fixed. Don't patronize us by implying that if we pass the second stimulus, bridges will get fixed right away. The American people heard the same thing when the administration was selling the first stimulus, only to turn on their television sets 2½ years later to see the President having a big laugh over the fact that all these shovel-ready projects weren't quite as shovel-ready as they thought they were.

So I suggest, Mr. President, that you think about ways to actually help the people of Kentucky and Ohio, instead of how you can use their roads and bridges as a backdrop for making a political point. If you are truly interested in helping our State, if you truly want to help our State, then come back to Washington and work with Republicans on legislation that will actually do something to revive our economy and create jobs and forget the political theater.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the

Senate will be in a period of morning business for 1 hour, with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

The Senator from Nebraska is recognized.

Mr. JOHANNS. Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

U.N. STATEHOOD EFFORTS

Mr. JOHANNS. Mr. President, I rise today to address the Palestinian efforts to gain statehood at the United Nations, which is occurring this week. As most of us are aware, Palestinian Authority President Abbas has signaled that he intends to ask the United Nations for acceptance as a full member state. Several of my colleagues—and I might add from both sides of the aisle—have expressed grave concern over this Palestinian initiative.

President Obama has indicated if this initiative is brought to a vote before the Security Council, the United States plans to veto it. I support that. However, even if the veto occurs, President Abbas may then choose to ask the General Assembly to upgrade Palestinian status to that of a nonvoting observer state. If allowed to become a nonvoting observer state, Palestinians could then participate on U.N. committees and bring allegations against Israel to the International Criminal Court and International Court of Justice. Recognizing a Palestinian state in this manner could also lead to further isolation of Israel within the Middle East. These are outcomes we simply cannot tolerate.

Israel, beyond any shadow of a doubt, is a stalwart friend and ally of the United States. They share our core values as a nation. They are a thriving democracy in a part of the world where democracies are very hard to find. And importantly, they stand strong with us in the battle against international terrorism. Thus, it is absolutely imperative we stand with Israel and do everything we can to send a very clear and straightforward message. That message is this: The United States stands with our friends and we will not allow an international organization to undermine this important and valued friend.

Congress has been very clear on this imperative. Our strong bipartisan commitment was reinforced earlier this summer when both the Senate and the House of Representatives overwhelmingly passed resolutions reaffirming the commitment of the United States to direct negotiations between the Israelis and the Palestinians. The resolutions included opposition to this Palestinian bid for U.N. statehood in a Palestinian Government that includes Hamas.

In light of this unwavering bipartisan support from Congress, it is crucial that our President continue to make it absolutely clear that the United States stands firm in our opposition to this effort. We have an opportunity and we must signal to the rest of the world that a lasting peace, which we all want to achieve, will only result from direct negotiations between the Israelis and the Palestinians and not through parliamentary procedure at some international organization. While the United States supports a two-state solution, we will not tolerate actions by international organizations to drive a wedge into the Israeli-Palestinian peace process. Although President Abbas claims his initiative is a peaceful approach to resolving the conflict, the Palestinian Authority has refused time and time again to come to the negotiating table and to deal directly with Israel. Setting up roadblock after roadblock, President Abbas has demanded preconditions that have not applied to previous negotiations.

This bid for U.N. statehood also violates the 1993 Oslo peace agreements signed by the Palestinian Authority which required the peace process to continue through direct negotiations. The U.N. statehood bid is counterproductive to a two-state solution as it will further damage Israel's confidence in the Palestinian Authority as a legitimate negotiating partner. Unfortunately, President Abbas's intention to form a unity government with Hamas does not signal support or pursuit of a lasting peace. Hamas has made clear that they have no intention of ending attacks on Palestinians or Israelis and working toward a two-state solution.

Let me be very clear: If the Palestinian Authority continues to associate with Hamas and refuses to negotiate directly with Israel, of course there are consequences. I can assure you the Senate and the House of Representatives will stand together to make our disapproval known. U.S. aid to the Palestinian Authority is not on cruise control. Congress will not walk away from supporting an appropriate way forward in the peace process that respects the equal and inalienable rights of all people. We will not and cannot stand idly by while others attempt to use the United Nations, not to bring about peace, but to undermine our closest allies and friends.

As President Obama and his administration continue efforts to resolve this issue before it is brought up to the Security Council, I ask them to do all they can to relay the disapproval of Congress and what President Abbas is trying to do and to stand without equivocation, shoulder to shoulder, with our friend, the state of Israel. It is our best chance of bringing peace to the region.

I yield the floor and note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. PRYOR. Mr. President, I would like to speak for 5 or 10 minutes, and my understanding is we may still be in the Republican time, but they have allowed me to speak now.

(The remarks of Mr. PRYOR pertaining to the introduction of S. 1606 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. PRYOR. Mr. President, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MEDICARE

Mr. NELSON of Florida. Mr. President, I wanted to call to the attention of the Senate the aftermath of having passed the health care reform bill. There was a great deal of consternation at the time, while we were deliberating, that Medicare was going to be cut. We will recall that $500 billion was cut out of Medicare over the course of a 10-year period, and the amount that was being cut was considered to be a threat to Medicare.

As a matter of fact, when we passed it, the Medicare cuts came from providers—often providers that stepped up and offered to have greater efficiencies and therefore Medicare savings over the decade. For example, the hospitals of America came forth and said that we will save $150 billion. So one of the considerations in Medicare was that we were going to have to lean out the Medicare HMO Program called Medicare Advantage.

If we will recall, back in 2003 when we passed the prescription drug bill, Medicare Advantage—the Medicare HMO—was actually given a bump up in Medicare reimbursement, some 14 percent over and above Medicare fee for service. As a result, people had the great incentive to go into a Medicare HMO because the insurance companies—the HMOs—were getting so much more per Medicare beneficiary. But the fact is, we saw, on a long, projected basis over time that it was going to be unsustainable financially for the U.S. Government to keep giving a 14-percent differential to insurance companies over what the average Medicare recipient would get in Medicare fee for service.

That was one of the reforms of the health care bill—to take that 14 percent differential and lean it down over

time, but at the same time make it more efficient, make the health care benefits better by having a greater percentage of the actual delivery of that premium dollar go to health care instead of all the administrative costs and all of that of an insurance company.

I am happy to report to the Senate that the Centers for Medicaid and Medicare Services came out last week with their new results on Medicare Advantage—the Medicare HMO Program—as a result of the new health care bill.

Nationally, the premiums for seniors on Medicare Advantage have gone down 4 percent and the enrollment is up 10 percent. Now that is a significant little victory coming out of the new incentives that were put in the health care reform bill—new incentives to insurance companies to improve their Medicare Advantage; nationally, 4 percent down in premiums, but they are becoming more attractive and so the enrollment has gone up 10 percent. I am happy to tell you, in my State of Florida, where there are more Medicare Advantage enrollees than any other State—over a million—the premiums are down 26 percent and the enrollment is expected to go up almost 20 percent because of the incentives in the health care reform bill.

What in this reform bill has given new life to insurance companies to improve their Medicare coverage that would cause the premiums to come down and the enrollment to go up? Because CMS has now instituted a series of financial incentives for the insurance company. And that is, if the insurance company boosts the quality of the service to its Medicare enrollees, then it will get a bonus per Medicare enrollee. So if it is rated as a 3-star or higher, each additional star gives more of a bonus and incentive to the insurance company, responding to the fact they have increased the quality. That is a good thing. The insurance companies that are only rated 2½ stars now have the financial incentive to get to 3 stars.

What we have is a win all the way around. We have a win, clearly, for the enrollees, who are the Medicare beneficiaries, because they are getting better quality and their premiums have gone down in Florida by 26 percent. We have a second win for the insurance company, because now the higher quality it achieves, it is getting reimbursed from Medicare all the more as a reward for having a higher quality plan. The third win is to the U.S. taxpayer. It lowers the overall amount the U.S. taxpayer is going to have to pay as a result of the greater efficiencies in the Medicare Program. I wanted to come and share with the Senate this win-win-win—triple win—as a result of our having passed the health care reform bill a couple of years ago.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

DISASTER RELIEF

Ms. LANDRIEU. Mr. President, I wanted to get here a little earlier this morning, but I was chairing a panel and was unable to do so. I know I only have 10 or 15 minutes or so before the Senator from Texas speaks, so I appreciate the opportunity to say a few words about our disaster recovery and the debate going on between the House and the Senate about that.

Yesterday, the House was unable to find the votes to pass the continuing resolution, and one of the issues of debate is how and when to fund our disasters. I know there are a lot of people following this debate, so I want to bring everyone up to date on a couple of recent developments.

First, the Chamber of Commerce has submitted a letter to us, strongly objecting to the House using the Advanced Technology Vehicle Manufacturing Loan Program as an offset to fund disasters.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter from the U.S. Chamber of Commerce.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
Washington, DC, September 22, 2011.

TO THE MEMBERS OF THE UNITED STATES SENATE: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses and organizations of every size, sector, and region, strongly supports disaster relief funding to assist victims of natural disasters. The Chamber is also a vocal proponent of fiscal responsibility and recognizes that Congress must make difficult but necessary choices among competing priorities.

As Congress sets spending priorities, the Chamber wishes to highlight a few important facts about the Advanced Technology Vehicle Manufacturing (ATVM) loan program. First, the program was authorized in the Energy Independence and Security Act of 2007, which was supported by both Republicans and Democrats as an important step in reducing America's dependence on oil from unstable regimes. Second, ATVM loans, which will be repaid with interest, incentivize automakers and suppliers to build more fuel-efficient advanced technology vehicles in the U.S., providing new opportunities for American workers in a sector of the economy that is critical to the nation's recovery. Third, the fact that the Department of Energy has yet to use the funds Congress appropriated for the program is not the fault of industry; numerous loan applicants have been in the queue for years, waiting for the Administration to complete its due diligence.

Again, while the Chamber understands the importance of reducing America's unacceptable debt and believes that all programs must be on the table, the Chamber urges you to bear in mind the facts about the ATVM loan program, which promotes manufacturing in the U.S. and is an important component of America's energy security.

Sincerely,

R. BRUCE JOSTEN.

Ms. LANDRIEU. Mr. President, it is the position of the Democrats—and some Republicans have taken this position—that this is not the right way to go about funding disasters, by requiring offsets. It is not necessary, it has hardly been done in the past—it has been, but it is not routine—and it is not recommended for a number of reasons I have tried to explain on the floor. But adding to that debate now is the Chamber of Commerce saying that is not the right offset to use if you are going to insist on finding one.

Secondly, I want to push back on the argument the House position will provide enough funding to get us through the next couple of weeks. That is only partially correct, and I want to be very clear. When people say, well, we can go ahead and pass the 2.65 they have in for 2012, which is an extension of last year's number, and then the extra billion they put in for 2011, and that will sort of get us by the next couple of weeks, let me be clear: It will get FEMA by. It will fill up the disaster relief fund, which is running on fumes today. We are now down to $227 million in the fund, the lowest balance in recent memory. It will provide a small amount of money relative to the core budget—$226 million. But I want to be clear: There is no money in the House approach for agriculture, there is no money in the House approach for community development block grants—zero—and there is no money for the economic development grants that chambers of commerce all over the country, in areas and counties that have been hard hit, use to help their communities and their businesses get back.

I just left a small business hearing, and the fact is, after a disaster, whether it is in North Carolina or California or Florida or Louisiana—and this is very sad, particularly in these economic times—about 70 percent of small businesses never make it back. So at a time when we are trying to create jobs in America, help Americans get back to work and strengthen their businesses, the House wants to pass a continuing resolution with zero money for these economic development grants that chambers of commerce and other conservative organizations, as well as nonpolitical organizations, believe are very effective.

So, please, if you are going to vote for the House position, don't go home and pat yourself on the back and say you took care of disaster victims. You might have filled up the FEMA fund temporarily, but you have not left here doing the job I think we need to do.

The third point I want to push back on—and I know my time is limited—is this comment last night by several Members of the House that we have offset disaster relief before. Yes, we have,

but not, to my knowledge, in the immediate aftermath of the storms. As these things have gone on over years—for instance, 4 years after Katrina we were trying to find money to rebuild one of our big military bases that collapsed, so we funded that through Defense and we found an offset. But that wasn't within the first couple of weeks of Katrina. That was after 4 years, and we couldn't find the money and we really wanted to find it. So there are ways you can offset sometimes in the distant future.

I am going to remind people that after Katrina, in the first 3 weeks, the Federal Government funded $66 billion without an offset. After the collapse of the Twin Towers, we funded $40 billion, and sent that to New York after the collapse of the Twin Towers. After 2004, which was a very terrible year for Florida, this Congress sent $2 billion within a few weeks of four hurricanes hitting Florida. Had we not done that, that State would be in a very serious economic downturn now. It never could have recovered from four hurricanes in 1 year. They didn't hit Louisiana, they didn't hit Texas, they didn't hit Alabama. All four of them hit Florida. Did we bellyache about it? Did anyone say: Let's run up to Washington and find a $2 billion program that is not working and cut it out so we can go help the people in Florida? Absolutely not. We sent the money to Florida, and I know they were grateful for it. That might be one of the reasons Senator RUBIO—who was not in the Senate then but now is—has voted for this position, because he knows. He remembers.

I don't know what the House is going to do, and I most certainly don't think we need to shut the government down over this debate, but it is a very important debate to be having. I am proud to be leading the effort, along with many Democrats and some Republicans who are saying, in the aftermath of a year that was one of the worst on record, we do not need to find the offsets now.

I hope the House will stand strong and beat back that position, because it is not right today, it is not going to be right tomorrow, and it is not right for the future.

I just hope we can prevail.

Later on, when we are looking to figure out how to pay for all this, we have time over the next year or year and a half or 2 or 3 or even 4 years as we work on moving our deficit down. All of this is going to have to be paid eventually. But I believe very strongly that we must not think it is OK to get into a pattern of, when disaster strikes, instead of opening shelters, instead of giving people immediate relief, the first thing the leadership of this country does is run to Washington and try to gut several other programs overnight or quickly or without thought before we can fund disasters. That is not the way we should operate.

I thank the Chair for being very considerate and giving me this extra time. I thank my colleagues; I know others want to speak. Again, we have a whole document here, which I have shown before, of projects in all of our States that have been absolutely shut down because we have run out of money. The only programs that are being funded are real emergencies on the east coast. Everything else in Missouri, Louisiana, California, and Texas has been shut down to fund what is happening on the east coast. This is no way to run a railroad. Let's get disaster relief now.

I hope the House will reconsider their position. I thank the chamber of commerce for coming out strongly to remove that offset. Again, let's see if we can find some money for USDA—Agriculture—community development block grants, and economic development block grants. If they insist on doing it 6 weeks at a time, which I don't agree with, at least put in a little more money for these other programs so we do not shut down, and we will come back here in 6 weeks or 8 weeks and figure it out.

I thank the Chair, and I yield the floor.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXTENDING THE GENERALIZED SYSTEM OF PREFERENCES

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 2832, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2832) to extend the Generalized System of Preferences, and for other purposes.

Pending:

Reid (for Casey) amendment No. 633, to extend and modify trade adjustment assistance.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized.

AMENDMENT NO. 634

Mr. CORNYN. Mr. President, I call up my amendment No. 634 and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from Texas [Mr. CORNYN] proposes an amendment numbered 634.

Mr. CORNYN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide Taiwan with critically needed United States-built multirole fighter aircraft to strengthen its self-defense capability against the increasing military threat from China)

At the appropriate place, insert the following:

SEC. ___. SALE OF F–16 AIRCRAFT TO TAIWAN.

(a) FINDINGS.—Congress makes the following findings:

(1) The Department of Defense, in its 2011 report to Congress on ''Military and Security Developments Involving the People's Republic of China,'' found that ''China continued modernizing its military in 2010, with a focus on Taiwan contingencies, even as cross-Strait relations improved. The PLA seeks the capability to deter Taiwan independence and influence Taiwan to settle the dispute on Beijing's terms. In pursuit of this objective, Beijing is developing capabilities intended to deter, delay, or deny possible U.S. support for the island in the event of conflict. The balance of cross-Strait military forces and capabilities continues to shift in the mainland's favor.'' In this report, the Department of Defense also concludes that, over the next decade, China's air force will remain primarily focused on ''building the capabilities required to pose a credible military threat to Taiwan and U.S. forces in East Asia, deter Taiwan independence, or influence Taiwan to settle the dispute on Beijing's terms''.

(2) The Defense Intelligence Agency (DIA) conducted a preliminary assessment of the status and capabilities of Taiwan's air force in an unclassified report, dated January 21, 2010. The DIA found that, ''[a]lthough Taiwan has nearly 400 combat aircraft in service, far fewer of these are operationally capable.'' The report concluded, ''Many of Taiwan's fighter aircraft are close to or beyond service life, and many require extensive maintenance support. The retirement of Mirage and F–5 aircraft will reduce the total size of the Taiwan Air Force.''

(3) Since 2006, authorities from Taiwan have made repeated requests to purchase 66 F–16C/D multirole fighter aircraft from the United States, in an effort to modernize the air force of Taiwan and maintain its self-defense capability.

(4) According to a report by the Perryman Group, a private economic research and analysis firm, the requested sale of F–16C/Ds to Taiwan ''would generate some $8,700,000,000 in output (gross product) and more than 87,664 person-years of employment in the US,'' including 23,407 direct jobs, while ''economic benefits would likely be realized in 44 states and the District of Columbia''.

(5) The sale of F–16C/Ds to Taiwan would both sustain existing high-skilled jobs in key United States manufacturing sectors and create new ones.

(6) On August 1, 2011, a bipartisan group of 181 members of the House of Representatives sent a letter to the President, expressing support for the sale of F–16C/Ds to Taiwan. On May 26, 2011, a bipartisan group of 45 members of the Senate sent a similar letter to the President, expressing support for the sale. Two other members of the Senate wrote separately to the President or the Secretary of State in 2011 and expressed support for this sale.

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

(1) a critical element to maintaining peace and stability in Asia in the face of China's two-decade-long program of military modernization and expansion of military capabilities is ensuring a militarily strong and confident Taiwan;

(2) a Taiwan that is confident in its ability to deter Chinese aggression will increase its ability to proceed in developing peaceful relations with China in areas of mutual interest;

(3) the cross-Strait military balance between China and our longstanding strategic partner, Taiwan, has clearly shifted in China's favor;

(4) China's military expansion poses a clear and present danger to Taiwan, and this

threat has very serious implications for the ability of the United States to fulfill its security obligations to allies in the region and protect our vital United States national interests in East Asia;

(5) Taiwan's air force continues to deteriorate, and it needs additional advanced multirole fighter aircraft in order to modernize its fleet and maintain a sufficient self-defense capability;

(6) the United States has a statutory obligation under the Taiwan Relations Act (22 U.S.C. 3301 et seq.) to provide Taiwan the defense articles necessary to enable Taiwan to maintain sufficient self-defense capabilities, in furtherance of maintaining peace and stability in the western Pacific region;

(7) in order to comply with the Taiwan Relations Act, the United States must provide Taiwan with additional advanced multirole fighter aircraft, as well as significant upgrades to Taiwan's existing fleet of multirole fighter aircraft; and

(8) the proposed sale of F–16C/D multirole fighter aircraft to Taiwan would have significant economic benefits to the United States economy.

(c) SALE OF AIRCRAFT.—The President shall carry out the sale of no fewer than 66 F–16C/D multirole fighter aircraft to Taiwan.

Mr. CORNYN. Mr. President, yesterday I came to the floor and spoke about my intention to offer this amendment, which is now pending before the Senate, which would require the U.S. Government to sell 66 F–16C/D aircraft to the Government of Taiwan pursuant to our responsibilities under the Taiwan Relations Act of 1979, passed with bipartisan support of the Congress and signed into law by President Jimmy Carter. Under this law, it is the responsibility of the U.S. Government to provide our ally Taiwan with sufficient defensive weapons in order to defend itself against any possible aggression by Communist China or from any other source. I spoke at some length about this yesterday, and I won't reprise all of those arguments.

At the outset, I ask unanimous consent to have printed in the RECORD 3 letters—1 signed by 45 Senators supporting this sale of F–16s to Taiwan and 2 separate letters from Senator LUGAR, the ranking member of the Foreign Relations Committee, and Senator LISA MURKOWSKI of Alaska, for a total of 47 Senators who are on record as supporting this sale.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, May 26, 2011.

PRESIDENT BARACK OBAMA,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: We are writing to express serious concern about the military imbalance in the Taiwan Strait. To maintain peace and stability in the Strait, it is critical that your administration accept Taiwan's Letter of Request (LOR) and move quickly to notify Congress of the sale of 66 F–16 C/D aircraft that Taiwan needs in order to modernize its air force.

Successive reports issued by U.S. and Taiwanese defense authorities clearly outline the direct threat faced by Taiwan as a result of China's unprecedented military buildup. Beijing presently has more than 1,400 missiles aimed at Taiwan, and China is in the process of deploying next generation Chinese and Russian manufactured ships, fighter aircraft, and submarines. Military experts in both Taiwan and the United States have raised concerns that Taiwan is losing the qualitative advantage in defensive arms that has long served as its primary military deterrent against China.

Taiwan desperately needs new tactical fighter aircraft. Within the next decade Taiwan will retire 70% of its fighter force structure. Its F–5s have reached the end of their utility, its Mirage fighters lack parts and life-cycle support, and its Indigenous Defense Fighters are being converted to a trainer role. Additionally, Taiwan's existing 145 F–16 A/B fighters all require a mid-life upgrade. With F–16s already in its inventory, Taiwan is seeking to combine its fighter fleet around a single airframe with the commensurate cost and operational benefits.

We are deeply concerned that further delay of the decision to sell F–16s to Taiwan could result in closure of the F–16 production line, and urge you to expedite this defense export process before the line closes. Without new fighter aircraft and upgrades to its existing fleet of F–16s, Taiwan will be dangerously exposed to Chinese military threats, aggression and provocation, which pose significant national security implications for the United States.

The Taiwan Relations Act (TRA) of 1979 directs both the Congress and the President to make decisions on arms sales to Taiwan based solely on the ''judgment of the needs of Taiwan,'' and we believe that Taiwanese pilots, flying Taiwanese fighter aircraft manufactured in the United States, represent the best first line of defense for our democratic ally, while presenting no offensive threat to China.

We urge you to act swiftly and provide Taiwan with the F–16 C/D aircraft that are critical to meeting our obligations pursuant to the TRA and to preserving peace and security in the Taiwan Strait.

Sincerely,

Robert Menendez, James Inhofe, Jim Webb, Jon Kyl, Joseph I. Lieberman, Dan Coats, Tim Johnson, Roger F. Wicker, Ron Wyden, John Cornyn, Benjamin L. Cardin, John Barrasso, Sherrod Brown, Jeff Sessions, Richard Blumenthal, John Boozman, Jon Tester, Tom Coburn, Joe Manchin III, John Hoeven, Bill Nelson, Saxby Chambliss, Barbara Mikulski, Kay Bailey Hutchison, John D. Rockefeller IV, Scott Brown, Herb Kohl, Chuck Grassley, Jim DeMint, Marco Rubio, David Vitter, Thad Cochran, Mike Crapo, Johnny Isakson, Mark Kirk, John McCain, Mike Lee, Lindsey Graham, Kelly Ayotte, Mike Johanns, Ron Johnson, Richard Burr, Michael B. Enzi, James E. Risch, Susan M. Collins.

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC, April 1, 2011.

Hon. HILLARY R. CLINTON,
Secretary of State, U.S. Department of State, Washington, DC.

DEAR SECRETARY CLINTON: The issue of U.S. defense equipment sales to Taiwan has now become an urgent matter. Taiwan has legitimate defense needs, and its existing capabilities are decaying. Replacement of its tactical aircraft is warranted, is not provocative and is justified.

While it has acquired some Mirage aircraft, Taiwan has acquired more than 400 tactical aircraft (F–16A/Bs and F–5s) sold and produced in Taiwan from the United States. But there have been no new sales of needed aircraft to Taiwan in many years. Approved transactions involved only lower-level sales and support for its Indigenous Defensive Fighter (IDF)—an aircraft that the Defense Intelligence Agency has assessed faces ''limited combat range and payload capacity [which] restrict its effectiveness in air-to-air combat.''

Given the decrepit state of Taiwan's F–5s, the service life issues associated with its IDF, and a growing problem faced by all recipient countries in obtaining affordable and sustainable access to spare parts for Mirages, I am very concerned that if the Administration does not act favorably on Taiwan's outstanding Letter of Request (LOR) for sales of F16C/D aircraft, Taiwan will be forced to retire all of its existing F–16A/B aircraft in the next decade, leaving it with no credible air-to-air capability. Since Taiwan already has many U.S. F–16 aircraft, replacement and augmentation of its existing fleet would not affect the qualitative and quantitative military balance in its region, and would also, in turn, greatly assist the U.S. industrial base.

Any reasonable approach to Taiwan's existing tactical aircraft requirements includes both sustainment of its existing F–1 6A/Bs, but also, sales of new F–16C/Ds. Limiting assistance only to upgrades of F–16A/Bs exacerbates both near and long term air-to-air challenges due to the fact that a substantial number of Taiwan's deployed F–16A/Bs would have to be removed from service in order to undergo upgrades.

Over a year ago, Assistant Secretary of State for Political Military Affairs Andrew Shapiro assured the Committee on Foreign Relations that your Department would undertake an extensive and honest discussion with the Foreign Relations Committee regarding Taiwan. Such consultations have yet to occur. In my view, a sensible place to start would be with Taiwan's existing tactical aircraft capability, aside from its other air defense challenges.

I am still awaiting proposed dates from the Department for the initiation of these discussions. In order to be able to produce needed F16C/Ds and deliver them by 2015, or even sooner should Taiwan move quickly, an Administration decision is needed in 2011 to act favorably on the F–16C/D request. I am particularly interested in the Department's responses to key questions: What are the major issues associated with approval of this LOR? Why is the Administration apparently unwilling to act on it? What are the risks and benefits in agreeing to the sale?

Presently, we have not received any clear and consistent information from the State Department regarding this matter, and I believe it is time to engage in a meaningful consultation with this Committee on Taiwan.

I look forward to your prompt consideration of this letter.

Sincerely,

RICHARD G. LUGAR,
Ranking Member.

U.S. SENATE,
Washington, DC, June 13, 2011.

PRESIDENT BARACK OBAMA,
The White House, Pennsylvania Avenue, NW., Washington, DC.

DEAR MR. PRESIDENT: I am pleased to join with 47 of my Senate colleagues in urging that your administration move expeditiously to notify Congress of the sale of 66 F–16 C/D aircraft that Taiwan needs in order to modernize its air force.

Within the next decade Taiwan will retire 70% of its fighter force structure. Its F-5s have reached the end of their utility, its Mirage fighters lack parts and life-cycle support, and its Indigenous Defense Fighters are being converted to a trainer role. Additionally, Taiwan's existing 145 F–16 A/B fighters all require a mid-life upgrade. With F–16s already in its inventory, Taiwan is seeking to

combine its fighter fleet around a single airframe with the commensurate cost and operational benefits.

The Taiwan Relations Act (TRA) of 1979 directs both the Congress and the President to make decisions on arms sales to Taiwan based solely on the ''judgment of the needs of Taiwan,'' and I believe that Taiwanese pilots, flying Taiwanese fighter aircraft manufactured in the United States, represent the best first line of defense for our democratic ally, while presenting no offensive threat to China.

Moreover, I am deeply concerned that further delay of the decision to sell F–16s to Taiwan could result in closure of the F–16 production line, and urge you to expedite this defense export process before the line closes.

I urge you to act swiftly and provide Taiwan with the F–16 C/D aircraft that are critical to meeting our obligations pursuant to the TRA and to preserving peace and security in the Taiwan Strait while strengthening America's economy by keeping the F–16 in production.

Sincerely,

LISA MURKOWSKI,
U.S. Senator.

Mr. CORNYN. Mr. President, as I said, yesterday I spoke about the legislation Senator MENENDEZ and I had offered. That is a stand-alone bill; this is now an amendment to this pending trade bill. I do believe it is appropriate for us to consider this matter in the context of this trade bill because, of course, we all recognize and common sense would tell us that selling to foreign customers the things that we grow here in America or that we manufacture in America sustains jobs right here at home. Indeed, we have circulated among various offices what the impact on jobs would be all across the country when it comes to the sale and manufacture of these F–16s. A lot of jobs would be created in America at a time when unemployment is intractably and unacceptably high. But that is not the main reason I believe this amendment is so important.

Let me back up to say that yesterday the President did announce that he approved military exports to Taiwan, but I wish to address first the insufficiency of the response.

Yesterday, Congress was officially notified by the Defense Security Cooperation Agency that the administration had approved a retrofit for 145 F–16A/B aircraft—aircraft Taiwan already owns. So this is not unprecedented. We have already sold Taiwan A/B versions of the F–16. But, as the administration acknowledges by saying these need to be updated and retrofitted, these are older aircraft and need to be modernized in order to be effective.

There is no question that these upgrades on the existing 145 F–16 aircraft are necessary, but it is not sufficient to deal with the airpower needs of our Taiwanese allies. You can see by this chart the disparity between what the People's Republic of China has—about 2,300 operational combat aircraft versus 490 operational combat aircraft—owned by the Government of Taiwan.

But what I think the President's decision fails to acknowledge is the fact that many of the aircraft being flown now in Taiwan by the Taiwan Air Force are French Mirage aircraft which are some 20 years old or American F–5 aircraft which were first delivered in 1975 through 1985 but which are now virtually obsolete. It is for that reason the sale of these additional 66 F–16C/D version aircraft is so important—to replace those obsolete French Mirages and F–5s.

Taiwan's request had been, as I indicated earlier, not for the retrofit or for new aircraft, but they wanted both. The administration should have approved both, and that is exactly what 47 Members of this Senate stated—the bipartisan letters I have admitted into the RECORD—encourage the administration to do to make the right decision and to do both. But since the administration chose only to go the retrofit route for existing aircraft, I think it is important for us to send a message and to exercise our authority under the Constitution to compel that sale.

There is a bigger point I would like to make as well. America's credibility in East Asia and beyond is at risk by the administration's decision yesterday. The President spoke at the United Nations earlier this week and addressed many priorities of U.S. foreign policy. I am not going to respond to each one of them because it was a 40-minute speech, but my point is, the success of U.S. foreign policy in every region of the world depends on the credibility of the U.S. Government—whether we stand by our friends and whether we keep our commitments or whether we will abandon our support for other democracies like Taiwan. The answer to that question is of enormous interest not only to the people of Taiwan, to whom we have pledged in this 1979 law, the Taiwan Relations Act that I mentioned earlier, but also to the people of Israel, to the people of Eastern Europe, to the people of Japan and South Korea, and to the fledgling democracies now in Iraq and the people of Afghanistan, to people who are suffering from oppressive regimes all across the world who want the same basic freedoms we do and who share our values in self-government.

What kind of message does it send from America to these friends of freedom? What kind of message does the Senate send by denying our ally Taiwan the purchase of military exports that they need and that they requested? And what message can the U.S. Senate send to reassure our allies in Taiwan as well as people watching everywhere around the world with our credibility on the line?

I want to reiterate that this is a bipartisan matter. This is not a partisan issue at all. Republicans and Democrats alike have supported the Mutual Defense Treaty signed by President Eisenhower in 1954, and the Taiwan Relations Act was supported with bipartisan support and signed by President Jimmy Carter in 1979, and it remains the law of the land. That states specifically that the United States will provide to Taiwan the defense articles necessary to enable Taiwan to maintain sufficient self-defense capabilities in furtherance of maintaining peace and stability in the Western Pacific region.

We know the U.S. military has been stressed by repeated deployments in Afghanistan and Iraq and commitments around the world. So why in the world wouldn't we want to improve the capacity of the Taiwanese Government to defend itself and reduce any potential burden on the United States in the process?

I want to remind my colleagues what sufficient defense capabilities means. This is part of a memorandum from President Ronald Reagan in 1982, and I think it is worth reading.

> It is essential that the quantity and quality of the arms provided Taiwan be conditioned entirely on the threat posed by the PRC [People's Republic of China]. Both in quantitative and qualitative terms, Taiwan's defense capability relative to that of the PRC will be maintained.

That was the understanding of Congress, that was President Reagan's understanding, and that was our explanation to the Chinese Government to reassure them about the purpose for these military sales—to provide a defensive capability, not an offensive capability but a defensive capability.

Why is Taiwan asking for these aircraft? Well, as I indicated earlier, Taiwan's air defense capabilities are nearly obsolete, while China's military capabilities are growing at an alarming rate. But air defense is not just a game of numbers; it is about the quality of the aircraft as well.

So what about the quality of Taiwan's existing forces? Well, according to the Defense Intelligence Agency in an unclassified report last year, many of Taiwan's fighter aircraft are close to or beyond service life and many require extensive maintenance support.

So China's capabilities are clearly newer, and they are growing and focus clearly on intimidating Taiwan and, yes, even the United States.

China's official press agency reported in March that the People's Republic of China will increase its military budget this year by more than 12 percent. That is on top of an increase last year of 7.5 percent. But the Pentagon estimates that China is not being transparent with regard to its military spending. In fact, China's official and public budget of $90 billion is far less than the $150 billion that they actually spent.

So whom does China intend to intimidate by this growing military power? Here is what the Pentagon had to say in its 2011 report to Congress called ''Military and Security Developments Involving the People's Republic of China.'' The Defense Department observed that China continued modernizing its military in 2010, with a focus on Taiwan contingencies. The Pentagon also noted that China's Air Force will remain primarily focused on

''building the capabilities required to pose a credible military threat to Taiwan and U.S. forces in the East Asia.''

Some say we shouldn't look at our policy with Taiwan in a vacuum, and I agree with that. We should look at it in the larger context, both of the region and our strategic relationship with China. We know many of China's neighbors in that region are concerned about the military buildup and the increasingly bellicose rhetoric from the government.

Last year, China claimed the South China Sea as a core interest, which unsettled Vietnam and the Philippines and Indonesia and other nations in the region. China has renewed its longrunning border dispute with India, and, frankly, it continues to be an enabler, as we know, of the nuclear threat in North Korea. We know Pakistan's Defense Minister publicly discussed the possibility of China building a naval base in Pakistan, which is already home to a new strategically important port at the mouth of the Gulf of Oman.

So it is important to look at the impact of China's growing military strength and its bellicose rhetoric on the whole region because, frankly, the disparity I pointed out earlier between the capability of the People's Republic of China when it comes to air power and that of Taiwan is a destabilizing influence in the region. Why in the world would we want to create a destabilizing condition in that region as opposed to a stable one that is in our best interests and that is in the best interests of our allies?

We can tell that the Communist Chinese Government is trying to intimidate the United States from living up to its responsibilities. Last week, China's top official newspaper used a lot of unnecessary language on the subject of the arms sales to Taiwan. They called those of us on Capitol Hill who are supporting this ''madmen,'' and said we were ''playing with fire'' and said there would be a ''disastrous price'' if we continued to support our allies in Taiwan. They would like nothing better than for us to turn our backs on our allies in Taiwan, just like other bullies around the world would love for America to retreat and to pull back in our support for self-governing peoples everywhere.

I do not think we want to send the message—I know I do not want to send the message—that the United States will give in to this kind of intimidation. We should pass this legislation to send a clear message to China and other nations around the world who are beating their chests and growing in military strength and posing destabilizing risks that the real madmen are those who think America will abandon our friends and allies and our principles and our long-range and longstanding strategic interests in the stability of East Asia.

As I indicated earlier, there are a lot of people watching what we do. It would greatly reassure our allies and partners around the world if we acted in a responsible way consistent with our legal obligation under the Taiwan Relations Act, which apparently the administration has declined to do.

Many of my colleagues remember what President Clinton did in 1996. He deployed two aircraft carrier battle groups during the Taiwan Strait crisis then. That crisis developed when China tried to intimidate Taiwan, once again, on the eve of its first free Presidential election by conducting this series of so-called military exercises that included the firing of missiles just a few miles north of Taiwan.

President Clinton responded by ordering the largest U.S. military force since the Vietnam war to deploy to the region, including carrier battle groups led by the USS *Nimitz* and the USS *Independence*. America's show of resolve and strength did not escalate that crisis, it diffused it—exactly what would happen here if we made this sale to Taiwan. It would send, as that did then, a welcome signal to the region.

According to an article in the current issue of Washington Quarterly, following that crisis the region's confidence in the United States soared. Japan, Singapore, the Philippines, and other nations in the region all bolstered their security ties with the United States.

Isn't that what we want? If America is going to be an undependable ally, there is no real benefit to people aligning their interests with ours and joining with us in these sorts of strategic security ties.

The Taiwan Strait crisis was one of the real foreign policy successes of the Clinton administration, but the authors of that same article conclude that ''forsaking Taiwan now will likely have the opposite effect.''

I want to return to a subject I brought up earlier. In addition to our other interests, which are many, and having us seen as being a dependable ally to our friends and keeping our commitments, this bill deserves the support of the Senate for other reasons as well. In addition to our longstanding bipartisan consensus on Taiwan, the growing gap in military capabilities between Taiwan and China, China's aggressive behavior toward its neighbors and the United States' credibility with our allies and free people everywhere, this is a jobs bill.

This is a policy that creates jobs. If we sell this American-made product to our friends and allies who are willing to pay for it—and it will not cost one dime in taxpayer dollars—it creates jobs at home. This chart shows, in yellow, all of the States where jobs would be created and sustained as a result of these sales. This map shows every State in which direct and indirect employment from this export sale of F–16s to Taiwan is projected to be at least 60 person-years of employment, which is the equivalent of 10 American workers employed full time for 6 years.

As you can see from this map, 32 States will have that level of job creation or more, making this F–16 sale to Taiwan a coast-to-coast job engine. In fact, according to a report by the Perryman Group, the requested sale of F–16C/Ds to Taiwan ''would generate some $8.7 billion in output.'' That is something the American economy could use now? Furthermore, it would directly support more than 23,000 jobs. That is surely something we need now.

As I said, these jobs don't cost the American taxpayer a dime. Apart from the paperwork and processing necessary to approve the deal, these are private sector jobs, and it is exactly the private sector that we need to take off again.

The one thing the Federal Government, the U.S. Government, needs to do perhaps more than anything else is simply get out of the way and let these Americans continue to stay on the job—and collect, in addition, an estimated $768 million in Federal tax revenue. That is something else we could use, more tax revenue coming in from more employed workers so we can close the gap in our $1.5 trillion annual deficit and begin to work our way toward reducing the debt, which is more than $14 trillion.

I thank, on a bipartisan basis, the Senators who have supported this legislation. I note that of the 47 signatories on the letters that have been made part of the record supporting this sale, 13 are from our Democratic friends across the aisle. This is truly a bipartisan effort.

For all the reasons I have mentioned, I hope we will vote yes and pass this important amendment to this bill.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER (Mr. BROWN of Ohio). Who yields time? The senior Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, the book of Ecclesiastes contains wisdom that should guide us today, and I am paraphrasing. This is not exactly what the Scriptures say: For everything there is a season and a time for every matter under the Sun. Or, to state it more colloquially, there is a time and place for everything. Some times are better than others; some places are better than others.

My colleague from Texas offered an amendment that required the President to sell F–16 fighter jets to Taiwan. I, respectfully, note the debate on this trade adjustment assistance bill is not the appropriate time, season, or place to raise this issue. This is a trade bill. This is not about sales of F–16s to Taiwan or to any country. It is a wholly different subject. It has nothing to do with what we are trying to debate today and focus our attention on so we can get this legislation passed.

The adoption of an amendment on an unrelated and controversial issue of Taiwanese arms sales would derail the carefully negotiated bipartisan agreement on trade assistance. If this

amendment would pass of itself, irrespective of the merits, it would derail passage of trade adjustment assistance because it would be an amendment. So it would go over to the other body, they would have to work with it, maybe concur with it, include maybe other amendments, and it would, perhaps, come over here again.

We have an agreement between the House and Senate and White House where we pass both trade adjustment assistance and then we can pass the free-trade agreements and most everybody wins. This amendment ultimately would imperil passage of the three pending trade agreements with Colombia, Panama, and South Korea.

I know my good friend—I suspect; that would be presumptuous of me—but I suspect my good friend from Texas is very much in favor of those three trade agreements with Colombia, Panama, and South Korea. I know a number of my colleagues on both sides of the aisle also support the sale of F–16s to Taiwan.

But to paraphrase Ecclesiastes, this is an issue that should be debated at another time. Not here. At another time.

Just 9 days ago, Senator CORNYN introduced legislation on the F–16 issue that tracks the substantive language of this amendment. That amendment has been referred to the Senate Foreign Relations Committee where it belongs. That is, in fact, the right way to deal with this issue, through consideration by the committee of jurisdiction.

In the spirit of Ecclesiastes, I, therefore, urge my colleagues to save this issue for another day to vigorously discuss and debate it, to look at the merits, to see what makes sense and does not make sense. But that is for another day. We should vote against the amendment at this time. It could be a very meritorious issue, I am not passing judgment on it, but this is not the time and place. If it were adopted, it would severely jeopardize the passage of trade adjustment assistance and also the free-trade agreements which are supported by many Members of this body.

AMENDMENT NO. 650

I would like to speak on another matter, and that is the Thune amendment. The Thune amendment looks backwards to the past when we should be looking forward to the future. I understand Senator THUNE will offer his amendment very soon today.

The bill before the Senate restores urgently needed job training for American workers impacted by trade. It also clears the path for Congress to approve our job creating trade agreements with Colombia, Panama, and South Korea. The bill reflects the understanding among the Senate, the House and the President, about how to move the trade agenda forward. But the Thune amendment looks, not forward, it looks backwards. It calls for a new government report on the harm from delaying the pending free-trade agreements. No one disputes the harm; that is not the issue. The issue is how quickly can we adopt them.

Harm; that is, delay, is well documented, and there is blame to go all around, so we should not waste scarce resources to score political points; that is, it is not worth time trying to point the finger of blame anywhere. Rather, it makes much more sense to get the job done; that is, pass the free-trade agreements. And passage of the trade adjustment assistance will mean passage of the free-trade agreements. So we should instead use our resources to identify foreign trade barriers that impede U.S. exports. We should help small businesses succeed in global markets, and we should monitor whether our trade partners are abiding by the rules.

So let's look forward, not to the past. Let's avoid further delay of our trade agreements. Let's defeat this amendment and send to the House a clean bill on trade adjustment assistance.

AMENDMENT NO. 651

Speaking on another amendment—first was the Cornyn amendment, second was the Thune amendment, and now is the Rubio amendment, which will be voted upon soon—I urge my colleagues to vote against Senator RUBIO's amendment. It would limit trade adjustment benefits only to workers who lose their jobs as a result of imports from a country with which the United States has a free-trade agreement. The United States has only about 17 free-trade agreement partners. We do not limit our trade just to those countries. There is a lot of trade around the world. The United States trades with virtually every country in the world, not just to countries with which we have free-trade agreements. In fact, we export to nearly 200 countries around the world. Remember, we have only 17 free-trade agreements, but we export to nearly 200 countries around the world.

Under this amendment, the Rubio amendment, workers who lose their jobs as a result of trade with 8 of our top 10 trade partners, including China and Japan, would not receive TAA benefits. Why? Because there is no free-trade agreement with those countries. It makes no sense whatsoever. In fact, the Rubio amendment would say to workers around the country, if you lose your job due to trade with China, you are out of luck. If you lose your job due to trade with India, you are out of luck. Only if you lose your job with a country with which we have a free-trade agreement do you get assistance.

The Rubio amendment would significantly, therefore, limit the number of workers who get help under trade adjustment assistance. Why would we want to do that? Why would we want to do that at a time when 14 million Americans are looking for work? Trade adjustment assistance helps Americans get the important retraining they need to find good-paying jobs, and now is not the time to shut out those Americans.

So for these reasons—and also because passage of the Rubio amendment would jeopardize passage of trade adjustment assistance and jeopardize the passage of free-trade agreements—I urge my colleagues to oppose that amendment as well.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. RUBIO. Mr. President.

The PRESIDING OFFICER. The junior Senator from Florida.

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

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

AMENDMENT NO. 651 TO AMENDMENT NO. 633

Mr. RUBIO. Mr. President, I call up Rubio amendment No. 651 and ask for its consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Florida [Mr. RUBIO] proposes an amendment numbered 651 to amendment No. 633.

Mr. RUBIO. I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To limit eligibility for trade adjustment assistance to workers who are laid off because of an increase in imports from, or a shift in production to, a country with which the United States has a free trade agreement in effect)

On page 5 of the amendment, between lines 6 and 7, insert the following:

SEC. 212. REQUIREMENT THAT TO BE ELIGIBLE FOR TRADE ADJUSTMENT ASSISTANCE WORKERS BE LAID OFF BECAUSE OF IMPORTS FROM, OR A SHIFT IN PRODUCTION TO, A COUNTRY WITH WHICH THE UNITED STATES HAS A FREE TRADE AGREEMENT IN EFFECT.

Section 222 of the Trade Act of 1974 (19 U.S.C. 2272), as amended by section 211 of this Act, is further amended by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—A group of workers shall be certified by the Secretary as eligible to apply for adjustment assistance under this chapter pursuant to a petition filed under section 221 if the Secretary determines that—

''(1) a significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated; and

''(2)(A)(i) the sales or production, or both, of such firm have decreased absolutely;

''(ii)(I) imports from a country with which the United States has a free trade agreement in effect of articles or services like or directly competitive with articles produced or services supplied by such firm have increased;

''(II) imports from such a country of articles like or directly competitive with articles—

''(aa) into which one or more component parts produced by such firm are directly incorporated, or

''(bb) which are produced directly using services supplied by such firm,

have increased; or

''(III) imports of articles directly incorporating one or more component parts produced in such a country that are like or directly competitive with imports of articles incorporating one or more component parts produced by such firm have increased; and

''(iii) the increase in imports described in clause (ii) contributed importantly to such workers' separation or threat of separation and to the decline in the sales or production of such firm; or

''(B)(i)(I) there has been a shift by such workers' firm to a country with which the United States has a free trade agreement in effect in the production of articles or the supply of services like or directly competitive with articles which are produced or services which are supplied by such firm; or

''(II) such workers' firm has acquired from such a country articles or services that are like or directly competitive with articles which are produced or services which are supplied by such firm; and

''(ii) the shift described in clause (i)(I) or the acquisition of articles or services described in clause (i)(II) contributed importantly to such workers' separation or threat of separation.''.

Mr. RUBIO. Mr. President, we have had this important conversation this week about trade policy in the United States, and it is an important one. Clearly, one of the great things that will help us grow our economy in the years to come is further free trade. As we have these pending free-trade agreements—and most everyone around here I have run into says they are in favor of, including the President, the one with South Korea, the one with Panama, the one with Colombia—there has been a prerequisite put in place by those in charge in the Chamber, and that is we deal with the TAA issues. That is why we are on the issue today, which clearly has been linked, free-trade agreement and the TAA law.

I wish to talk a little bit about the free-trade agreements because we are continuing to wait for them to be sent down to us. These agreements would increase U.S. exports by billions of dollars and create jobs here in the United States. For example, there are exports of about $12 billion annually, adding about $14 billion to the U.S. economy. These are real numbers.

The South Korea agreement alone, for example, is estimated to add as many as 70,000 American jobs. These benefits are not realized because the President has not submitted these for approval to this body or to the Congress. The debate we are having is not a new one. The trade adjustment assistance, or TAA, has been a policy of the United States, for better or worse, since the Trade Expansion Act of 1962.

Interestingly, this policy was first proposed by Senator John F. Kennedy when he aptly titled it the Trade Adjustment Act. The initial goal was to respond to perceived effects of trade policy. In essence, you enter into a trade policy, such as a free-trade agreement with another country, and American workers may lose their job in the short term, but you create a fund to help them transition to what you hope will be the new jobs created by the free-trade agreement. As you create this new relationship with new countries and new economies, the effect of it is while some jobs may be lost, those jobs are replaced with new opportunities and new jobs. In the process of that transition, between the job you once had and the job you hope to have in the future as a product of free trade, you create this fund to help workers adjust from point A to point B. That is the purpose of it. That is why it has been included in things such as the Trade Act of 1974. It was ushered in with the North American Free Trade Agreement under President Clinton. It was also included in the Trade Act of 2002, the last authorization of the trade promotion authority so vital to promoting the free-trade policies in the United States.

From its inception, TAA has been linked to free trade. Basically the understanding is when you enter into free-trade agreements with another country, there are short-term disruptions and you need a fund available to help workers transition during the disruption. Very simply put, you have a job, maybe it goes overseas in the free-trade agreement, but a new job is created in America as a result of that agreement and we are going to help you transition through this fund.

That was the purpose of it until 2009 when under the stimulus bill that has been changed and has been vastly expanded. Now in order to qualify for it, all you need to prove is that somehow your job or the company you work for has moved operations potentially overseas. That is a big problem in America. It is a big problem in Florida.

If you talk to people, they will tell you, we are losing our jobs. Other countries are taking our jobs. Jobs are going overseas. There are a lot of reasons for that. The first is unfair trade practices. This body should address that, beginning with China and other nations that unfairly deal with the United States, whether it is manipulation of their currency, whether it is dumping, among other things they do that are unfair, not to mention some of these nations have no environmental regulations, no protections for their workers or wages. There are incredible amounts of headwinds we face with regard to that. That should be dealt with. It should be dealt with seriously through public policy, and it is something we should look at. That is not a temporary issue. That is permanent. That is ingrained and entrenched. Unless we deal with the issues involved in that and those unfair trade practices, no temporary measure like TAA is going to help us deal with that. We have to deal with that on a permanent basis. That was not the purpose of the TAA.

The second thing we need to deal with is some of the impediments we are creating ourselves. That is why I am encouraged when I hear bipartisan talk of tax reform, things that will make it easier for people to build in the United States and open businesses here. Also, regulatory reform. Let there be no doubt that while there are significant currency manipulation problems and significant trade impediments in terms of unfair trade practices by other countries, some of the wounds are self-inflicted through a regulatory and a Tax Code that makes it difficult for people to do things and do business in the United States.

Again, I am encouraged when I hear bipartisan talk about regulatory reform and tax reform. These are the kinds of things that can deal permanently with a permanent and entrenched problem. That is not the purpose of TAA. Today we stand here considering this as a gateway issue because we have been told we have to pass this bill before we can get to the free-trade agreements, and so clearly it links the two. If we are going to link the two, we have to make it very clear that this sort of existence was created for the define purpose and the specific purpose of helping people to transition because of a disruption created in their job status as a result of a free-trade agreement.

This is a pretty simple amendment. It says this assistance is only available to those workers who lose their jobs to a country we have a free-trade agreement with because this is designed to deal with the unintended consequences and the temporary disruptions that might be created by a free-trade agreement with another country. So that is what the amendment does, and I am hoping to have the support of as many of my colleagues as possible in putting this program back into its historical purpose.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Pennsylvania.

Mr. CASEY. I wanted to speak generally about the matter that is before the Senate on trade adjustment assistance. I especially appreciate the work that has been done by the Presiding Officer from Ohio over many years, including his time in the House of Representatives and here in the Senate as well.

I want to make two comments, one about one of the amendments we will consider today by the Senator from Florida, but also to speak more broadly about this legislation. When the Senate is considering legislation, we do not every day do a good job of trying to put ourselves in the position of other people, workers and people who are suffering through a tough economy. When the Senate is doing its best work, part of the way we get there is by trying to figure out and understand, as best we can, what it is like to lose a job or suffer from—we are dealing with natural disasters and natural disaster assistance as well—but try to understand the people we represent. I know we cannot do that with full knowledge because many of us have never had to suffer through that kind of experience. I think it is important we try our best to

understand what this legislation is all about.

This is legislation which basically says the American people, through our government, are going to do everything possible to help folks when they lose a job, and especially when they lose a job as a result of unfair foreign competition. I have seen it in Pennsylvania for decades. We have been getting hammered because we have not often stood up for our own workers. We have not fought battles to help them get through the horror of job loss because of unfair foreign competition. All we are saying is we are going to try to help them to cross that bridge from losing that job in many cases they had for years or decades. So, No. 1, we are going to try to help them in that crisis.

No. 2, we are going to do everything we can to retrain them. They have to go to the training. This is not something we can hand to them. They have to work at the training and prepare themselves. I think most Americans believe when someone is in crisis, you try to help them, but you also want to make sure they can help themselves through training and retraining.

I think we should consider here what it would be like for one of us. Each of us has a salary and has health care here in the Senate and we have a pension plan, so we are doing pretty well. Imagine what it is like, though, to work in a plant for decades doing the same work, and you do that work with pride and dignity; you take care of your family; you work in a job that has a sustaining wage. You do that for decades, the same job virtually every day, every year, but you have two things: You have the ability to provide for your family and you have some dignity. Imagine when a hurricane, or unfair foreign competition, which our government has not done enough to fight against, sweeps through your factory and wipes you out before you can even think about it. It wipes out every job, or a lot of jobs. Sometimes physically it lifts the equipment off the floor and moves it to another country. That is what we are talking about here. So someone who has been doing this work for decades, in some cases, and all of a sudden they are not only without a job—that is bad enough—but they are faced with the prospect of not being able to transition because they have been in the same job and they have not had access to education or training that would allow them to transition. It would be nice if we had an economy everyone could transition, that you could get an educational level—and this is what it should be if we are doing the right thing providing this—that we have an educational level and an exposure to an immersion in skills and other advantages that will allow you to absorb that shock, allow you to pivot when someone with unfair trade wipes out your job. That is the ideal. That is what we hope we can develop in our education, our training system, training strategies. That is why workforce development is so important, so people have the broadbased skill level and they can absorb those shocks. But a lot of people can't.

All we are saying with trade adjustment assistance is we are going to help you with what we hope will be a short-term crisis for you and your family, and we are going to try to provide the training opportunities.

We are going to try to provide training opportunities so people cannot just get a new job but maybe can get a job because they have developed a skill that will allow them to have the same income for their families that they are used to but at least—at least—provide some short-term help for folks, and then give them skills for the long term. That is what this is all about. This is not complicated. It is all about that.

I understand we have a lot of folks here who have concerns about the legislation. They have concerns about one or the other aspect of it. But I hope we would not limit our horizons to helping all the folks who are adversely impacted.

For example, if we look at one of the provisions—this is why I want to get to the amendment itself that we are talking about. Here is what it does: The underlying amendment covers workers whose firms shift production to any country—any country—including China or India, not just countries with which the United States has entered into a free-trade agreement.

Look, I do not think we should be treating workers we are trying to help under trade adjustment assistance any differently if they do not fall within that category of only the 17 countries with which we have free-trade agreements. So I think we should make sure that—of course, this is one of the changes the underlying amendment will validate, that we are trying to help anyone in that category who has been so adversely affected. So I do not think we should limit it to just 17 countries. We trade with countries all over the world, and we should do our best within the limits of this legislation to make sure it applies to a lot more than 17 countries, and that is the effect of the underlying amendment.

The Rubio amendment would only cover workers who lose their jobs due to trade with those 17 countries with which we have a trade agreement. In some ways—this is my own opinion on it—it puts the burden on the workers to somehow prove they are in the right category when the burden should be on us to make sure we are doing everything possible to help them—again, short-term help for the crisis, long-term help by way of skill development.

We have 14 million people in the country out of work; 14.4 million is what I saw at last count. Of the 14.4 million people, almost 4.5 million have been out of work for 1 year or more. Just imagine that. That is bigger than the population of a number of States. In Pennsylvania we have 12.5 million people. If we can just consider more than one-third of a State's population being out of work for more than 1 year.

So we have a lot of people who are out of work a long time, and they are especially disadvantaged if they happen to work in those industries that are particularly sensitive to or adversely impacted by trade with countries that are not playing by the rules.

We are going to have a discussion today, as well, about the introduction of currency legislation as it relates to China, where a number of us, including the Presiding Officer—and it is a bipartisan bill—think we have to get much tougher as it relates to Chinese currency policy. If China cheats, that costs jobs. So we should be very tough in those instances, and I think we can be, and do it in a bipartisan way.

But I would hope, with a program that works, we would be doing everything possible to keep it expanded for people affected by countries beyond just those 17. I know the Senator from Florida is concerned about those workers. I just hope we can keep the provisions in place to protect all our workers as best we can and not just start to limit it to 17 countries at a time when we need help for folks—short term with the crisis but longer term with skill development so they can transition and start a new worklife, even if they are 45 or 50 or 55 years old. A lot of these folks are in that age category.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. DEMINT. Mr. President, I would like to speak in support of Senator RUBIO's amendment and thank him for helping us to focus on the original intent of trade adjustment assistance.

Obviously, we want to help folks who are unemployed or displaced because of trade. But we have to realize where we are with our country right now. We are using borrowed money and sometimes printed money in order to help people. So we have a responsibility to taxpayers and to some form of fiscal sanity, as well as to those who have lost their jobs. What Senator RUBIO is trying to do is to restore those original, responsible boundaries of trade adjustment assistance to make sure this program is focused on those who are hurt by trade agreements.

The discussion is somewhat odd in the first place in that for several years the President has been telling us these trade agreements are actually going to increase jobs in our country, expand exports—which I believe they will—but to use this as an excuse and to hold these trade bills hostage for several years in order to fund a program which duplicates many other programs—because we need to remember, those who are put out of work in our country today have not only regular unemployment benefits but they have been extended much beyond what we have done before, and there are dozens of State and Federal training programs now that duplicate each other. Unfortunately, many of them have been

found to be ineffective. But for us to lay another layer of duplication on top of that under the guise of showing compassion, I think we also have to make sure we are being responsible.

So we want to help folks who are unemployed, but we do need to make sure we are being responsible to the taxpayers. As I said, the trade adjustment assistance was originally designed to help those who were put out of work. And, believe me, coming from a textile State such as South Carolina, trade with China and other countries has displaced a whole lot of textile workers. Retraining is very important. The new jobs that moved in required more technical capabilities. But what we have found, as we have seen how our good intentions have hit the ground in South Carolina and around the country, is that even our own Office of Management and Budget rated TAA as ineffective.

The program costs taxpayers $1.3 billion in just this year, in 2011, and we are finding that what it was intended to do it is not doing. It is not well managed. It is not helping the people it is supposed to help. Since its inception, the program has gone from a focus on those who lose their jobs because of trade to all kinds of institutions, training groups, and, frankly, fraud, duplication, and not helping the folks it is intended to help.

If we want to know how far out of bounds the program has gone, we all know the story of Solyndra solar company that got over $½ billion from the American taxpayers and then went bankrupt and we lost our money. The workers now at Solyndra are applying for TAA benefits not because trade put them out of business, but, frankly, a coordinated effort of our government and Solyndra management have put these people out of work. But we can see, if they are now using a program called trade adjustment assistance to add to their unemployment benefits, the program is no longer within the bounds that it was intended.

If we are going to tell the taxpayers this program is intended for one thing, we need to make sure it is. What we are talking about now are trade agreements with Colombia, Panama, and South Korea. No one has come and told us these agreements are going to cost American jobs. Yet we have to pass more spending programs and add on to a program that has been proved ineffective in order to add jobs in America. That is not good policy. I do not think it is good politics.

I am thankful Senator RUBIO is taking the leadership to shine a spotlight on the need to help people while at the same time being responsible to taxpayers. We do not need to be funding additional unemployment for every company that goes out of business and was not properly managed. If we keep the program focused, it will help the people we need to help while, again, being responsible for hard-working Americans who are paying the taxes.

I encourage my colleagues to take a look at this amendment. Federal programs that continue to expand and expand and expand, they become less and less effective; they cost more and more money. If we are going to continue this program, let's do it responsibly.

Mr. President, I yield back and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 634

Mr. CORNYN. Mr. President, I want to speak briefly again on my amendment as to the sale of F–16C/Ds to Taiwan and respond to the comments of the distinguished chairman of the Finance Committee, Senator BAUCUS, who said this was neither the right bill nor the right time. I understand every manager of a bill wants a clean bill; in other words, they do not want amendments. They would like to bring it here and have the Senate pass it without any changes whatsoever. But that is not the way our system works.

Indeed, it is actually urgent we get this matter settled in a positive way because, as I mentioned earlier, there are 23,000 jobs in America that depend on this sale—many of them in the production line in Texas—but there are jobs all over the United States that depend on this.

Mr. President, I ask unanimous consent to have printed in the RECORD a document titled ''Projected Nationwide Employment Impact of Production of 66 F–16C/Ds for Taiwan.''

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PROJECTED NATIONWIDE EMPLOYMENT IMPACT OF PRODUCTION OF 66 F–16C/DS FOR TAIWAN

State	Job—Years*
Alabama (AL)	168.6
Alaska (AK)	0
Arizona (AZ)	745.8
Arkansas (AR)	261.9
California (CA)	11,399.8
Colorado (CO)	37.1
Connecticut (CT)	5,876.1
Delaware (DE)	5.9
Florida (FL)	1,923.5
Georgia (GA)	537.4
Hawaii (HI)	0
Idaho (ID)	1.8
Illinois (IL)	777.7
Indiana (IN)	463.4
Iowa (IA)	199.6
Kansas (KS)	75.9
Kentucky (KY)	4.8
Louisiana (LA)	0.9
Maine (ME)	484.5
Maryland (MD)	2,687.3
Massachusetts (MA)	349.2
Michigan (MI)	879.9
Minnesota (MN)	179.6
Mississippi (MS)	16.1
Missouri (MO)	197.9
Montana (MT)	23.9
Nebraska (NE)	0
Nevada (NV)	0
New Hampshire (NH)	458.6
New Jersey (NJ)	747.9
New Mexico (NM)	482.8
New York (NY)	847.7
North Carolina (NC)	27.2
North Dakota (ND)	0
Ohio (OH)	10,577.0
Oklahoma (OK)	71.8
Oregon (OR)	137.8
Pennsylvania (PA)	266.4
Rhode Island (RI)	1.1
South Carolina (SC)	66.9
South Dakota (SD)	0.0
Tennessee (TN)	1.5
Texas (TX)	35,944.8
Utah (UT)	2,602.5
Vermont (VT)	170.6
Virginia (VA)	507.7
Washington (WA)	62.9
West Virginia (WV)	0
Wisconsin (WI)	78.9
Wyoming (WY)	5.3
District of Columbia (DC)	36.2
Rest of US (Spillover Effects)	7,270.2
Total U.S.	87,664.2

*Job-Year = 1 person employed for 1 year.

Source: May 2011 report by The Perryman Group (private consulting firm), ''An Assessment of the Potential Impact of the Lockheed Martin F–16 Program on Business Activity in Affected States and Congressional Districts''

Mr. CORNYN. This is a very interesting document because it breaks down on a nationwide basis where jobs would come from or be affected by a refusal to sell these F–16s. In California, for example, 11,399 job-years.

If you are wondering, like I was, what a job-year is, that is one person employed for 1 year. So that is pretty significant.

In Connecticut, 5,876 job-years; in Ohio—I know the current occupant of the chair, the distinguished Senator from Ohio, will be interested to know that Ohio would see 10,577 job-years as a result of this sale.

So as manufacturing is important in the State of Ohio, it is important in the State of Texas. Why would we not want to see these jobs created by this sale?

Mr. President, I have another document which is a letter signed by 181 Members of the House of Representatives to the President of the United States endorsing this sale. I ask unanimous consent it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
Washington, DC, August 1, 2011.

THE PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: We are writing to express our concerns about the military imbalance in the Taiwan Straight. In order to maintain peace and stability in the Taiwan Strait, we believe it is critical for the United States to sell the government of Taiwan all the F–16 C/D it requires. We respectfully request that your administration move quickly to announce its support for such a sale and submit the required Congressional Notification for a sale as soon as possible.

Successive reports issued by U.S. and Taiwanese defense authorities outline the threat Taiwan continues to face, including the continued military buildup by the People's Republic of China. For example, Beijing has more than 1,400 missiles aimed at Taiwan and continues to add to this total. China is forging ahead and deploying next generation military technology. Military experts both in Taiwan and in the United States have raised alarms that Taiwan is losing its qualitative advantage in defensive arms that have long served as a primary military deterrent.

Due to impending changes within Taiwan's force structure, we respectfully urge a timely resolution to the aircraft sale issue. Within the next decade Taiwan will retire 70% of its fighter force and without new fighter aircraft and upgrades to its existing fleet of F–16s, Taiwan's situation could become quite precarious.

As you know, the Taiwan Relations Act of 1979 (TRA) states that it is U.S. policy ''to consider any effort to determine the future of Taiwan by other than peaceful means . . . of grave concern to the United States.'' We remain deeply concerned that delays in the decision on the sale of F–16s to Taiwan and subsequently notifying Congress of their sale could very well result in closure of the F–16 assembly line. In addition to enhancing Taiwan's security, approval of the sale would support thousands of American jobs—especially well-paying jobs in the manufacturing sector.

Thank you for your consideration. We look forward to your reply.

Sincerely,

Shelley Berkley, Phil Gingrey, M.D., Gerald E. Connolly, Mario Diaz-Balart, Ileana Ros-Lehtinen, Howard L. Berman, Donald A. Manzullo, Eni F. H. Faleomavaega, Dan Burton, Gary L. Ackerman, Steve Chabot, Eliot L. Engel, Elton Gallegly, Kay Granger, Connie Mack, Dana Rohrabacher, Edward R. Royce, Sandy Adams, Robert E. Andrews, Steve Austria.

Howard P. Buck McKeon, Sam Johnson, Eddie Bernice Johnson, Judy Chu, Frank R. Wolf, Tom Reed, Michael G. Grimm, Ander Crenshaw, Rick Berg, Paul Tonko, Tim Griffin, Charles B. Rangel, Robert J. Dold, Frank A. LoBiondo, Sheila Jackson Lee, Ann Marie Buerkle, Michele Bachmann, Spencer Bachus, Joe Barton, Dan Benishek.

Brian P. Bilbray, Gus M. Bilirakis, Rob Bishop, Sanford D. Bishop, Jr., Timothy H. Bishop, Marsha Blackburn, Jo Bonner, Dan Boren, Robert A. Brady, Michael C. Burgess, M.D., Dave Camp, John Campbell, Francisco ''Quico'' Canseco, Dennis A. Cardoza, André Carson, John R. Carter, Donna M. Christensen, Yvette D. Clarke, Emanuel Cleaver, Howard Coble.

Mike Coffman, K. Michael Conaway, Joe Courtney, Chip Cravaack, John Abney Culberson, Peter A. DeFazio, Rosa L. DeLauro, Theodore E. Deutch, Jeff Duncan, John J. Duncan, Jr., Renee L. Ellmers, John Fleming, J. Randy Forbes, Virginia Foxx, Trent Franks, Marcia L. Fudge, Cory Gardner, Scott Garrett, Charles A. Gonzalez, Gene Green.

Ralph M. Hall, Colleen W. Hanabusa, Richard L. Hanna, Gregg Harper, Andy Harris, M.D., Vicky Hartzler, Alcee L. Hastings, Nan. A.S. Hayworth, M.D., Joseph J. Heck, Martin Heinrich, Brian Higgins, James A. Himes, Maurice D. Hinchey, Tim Holden, Steve Israel, Darrell E. Issa, Bill Johnson, Walter B. Jones, William R. Keating, Steve King.

Jack Kingston, Adam Kinzinger, Doug Lamborn, James Lankford, John B. Larson, Robert E. Latta, Daniel Lipinski, Zoe Lofgren, Billy Long, Blaine Luetkemeyer, Cynthia M. Lummis, Daniel E. Lungren, Carolyn B. Maloney, Kenny Marchant, Tom Marino, Michael T. McCaul, Tom McClintock, Thaddeus G. McCotter, Patrick T. McHenry, Mike McIntyre.

Michael H. Michaud, James P. Moran, Christopher S. Murphy, Tim Murphy, Sue Wilkins Myrick, Grace F. Napolitano, Randy Neugebauer, Devin Nunes, Alan Nunnelee, Pete Olson, William L. Owens, Steven M. Palazzo, Steven R. Rothman, Jon Runyan, Tim Ryan, Linda T. Sánchez, Loretta Sanchez, Adam B. Schiff, Jean Schmidt, David Schweikert.

Austin Scott, David Scott, James Sensenbrenner, Jr., Pete Sessions, Heath Shuler, Michael K. Simpson, Albio Sires, Steve Southerland II, Frank Pallone, Jr., Bill Pascrell, Jr., Joseph R. Pitts, Ted Poe, Tom Price, M.D., Mike Quigley, Denny Rehberg, Silvestre Reyes, Laura Richardson, David Rivera, Bill Shuster, David P. Roe, M.D.

Mike Rogers, Peter J. Roskam, Todd Rokita, Dennis A. Ross, Jackie Speier, Cliff Stearns, Steve Stivers, Glenn Thompson, Mac Thornberry, Edolphus Towns, Michael R. Turner, Joe Walsh, Lynn A. Westmoreland, Ed Whitfield, Joe Wilson, Robert J. Wittman, Don Young, Richard B. Nugent, Benjamin Quayle, Robert T. Schilling, Robert B. Aderholt.

Mr. CORNYN. I see the distinguished Senator from Oklahoma in the Chamber, and I will defer to him momentarily. But I want to just say we need to understand what would happen if this production line of F–16s was shut down. The people who work on that production line would have to be let go or reassigned, actually exacerbating the high unemployment that we know is intolerably high. Once the production line of a sophisticated aircraft like the F–16 is shut down, we cannot decide, well, next year or the year after we are going to start up again—unless we are going to add tremendously to the cost. It makes it far less likely it will ever get made because of the costs and because of the sheer magnitude of the effort of trying to get this production line back together and all the people who were employed there back to work.

So that is why, to respond to the distinguished chairman of the Finance Committee, the manager of the bill, it is so important in terms of the timeliness. I agree there is a time for everything, but the time for this is now.

I will just say, finally, as I indicated earlier, this is a bipartisan measure, as demonstrated by the 47 Senators who signed letters to the President urging the sale; 13 Democrats, along with the remainder being Republicans.

In the House, this letter I mentioned earlier which has been made part of the RECORD, there are 181 Members of the House—a bipartisan list—I actually think that if the manager of the bill, the chairman of the Finance Committee, would accept this amendment, it would enhance the votes for the very bill he wants to see passed out of the Senate, perhaps later today.

In conclusion, I ask unanimous consent that the time allocated for Senator THUNE be reserved within the time allocated to the minority and that quorum calls be charged equally between the majority and minority bill time first.

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

Mr. CORNYN. I yield the floor.

The PRESIDING OFFICER. The senior Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, I ask unanimous consent that the short time I am asking for as in morning business not be taken from either side in this agreement.

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

Mr. INHOFE. Mr. President, let me say, as far as the subject is concerned right now, I am very proud to have one of the first signatures on this effort. It is good for every reason the Senator from Texas mentioned. On top of that, we have allies we are dealing with. We have the employment situation. I know this is going to be successful. I appreciate all the effort that has gone forth.

HONORING OUR ARMED FORCES

SPECIALIST CHRISTOPHER DAVID HORTON

Today, I wish to recognize and pay tribute to Army SPC Christopher David Horton from Owasso, OK. That is home of the Rams in case people did not know. Chris was born in Tulsa on October 1, 1984. He was deployed to Afghanistan with over 2,000 Oklahoma National Guard soldiers from the 45th Infantry Brigade Combat Team. There were actually 3,000 initially in this deployment. Some of them actually went to Kuwait at the last minute.

He was deployed to Afghanistan. This combat team, the 45th, has probably had more deployments than anyone else, although this was Chris's first deployment. His unit was attacked by enemy forces in Paktia Province on September 9, 2011. Chris and two of his fellow soldiers, SGT Bret Isenhower and PFC Tony Potter, died of injuries sustained from that firefight.

He would have turned 27 next week, on October 1. Chris attended the Missouri Military Academy in Mexico, MO, and graduated in 2003. He excelled both militarily and academically during his 6 years at Missouri Military Academy. He was the 2nd platoon leader his senior year, captain of the rifle team, on the honor roll, earning him the Academic Fourragere Award.

Chris lived a remarkable life, driven by service and excellence. He often spoke of his desire for America to excel. He was a business owner and a volunteer police officer. He was extremely patriotic and very passionate in his love for America and for its freedoms, knowing they have to be protected.

Chris was an accomplished recreational shooter and a professional sponsored shooter through the U.S. Shooting Academy of Owasso, OK. Some of his marksmen awards include the Gus Hadwiger Award of 2009. He received first place in novice pistol in the Oklahoma National Guard, first place in novice pistol in the Governor's Twenty Match. This guy was very good. He excelled and was among the very best. That was something he enjoyed.

But in addition to shooting—this is kind of interesting because things bond us together. I came so close to meeting him, but I never actually did. But one of the things we had in common is we

are both avid fishermen. He loved fishing. That is one of the things he enjoyed very much. Every opportunity he had, he would fish both ocean and freshwater.

His younger brother Nick said:

He was the best big brother I could ever have asked for. He taught me how to drive a car and how to fish.

That pretty much tells it all. Chris's mother Cherie Horton said:

My son's passion his whole life was to be a part of the military.

He wanted to be part of the military.

He loved his country, and he really wanted to serve his country. He was absolutely made to be a solder.

This is a mother speaking. Chris enlisted in the Oklahoma National Guard in 2008, was assigned to the 1st Battalion, 279th Infantry Regiment of the 45th Brigade of the Army National Guard.

He attended basic training at Fort Benning, GA, became a sniper-qualified infantryman, and to no one's surprise, graduated at the top of his class. Chris leaves behind his parents, Cherie and David Horton, his brother Nicholas, sister Tenley, and his wife Jane Horton. Chris met Jane while attending the Kings College in New York City. Jane said it was Chris's fiery passion and their mutual love for politics that brought them together.

He was the most honorable man I'd ever met in my life. That's why I snagged him and we were engaged within 2 months. We were married very fast.

She knew what she was out after. I know this is true because my staff and I got to know Chris through his wife Jane. She was an intern for me. She worked in my office, and we had these exchanges all the time. As could be expected, Jane took a personal interest in operations in Afghanistan. She worked with my legislative staff, responsible for military and veterans affairs.

During her time in Washington, she coordinated a campaign that resulted in over 20 care packages being sent to the Oklahoma National Guard Infantry Combat Brigade. I can tell everyone this, having been over there at a time when a lot of these care packages come in, we know, as we go across this country in helicopters, a lot of these packages, even though the people at home do not know it, are dropped to kids on the ground who love what we are doing there.

So I think Jane represents the best asset our military has at its disposal; that is, the military spouses. Her zeal and dedication are not uncommon attributes for military spouses who ''hold down the fort'' while their loved ones are deployed.

I had looked forward to meeting Chris during my upcoming trip to Afghanistan another week from now. I had a meeting during the break, the recess, in Collinsville, OK, and Jane was there. We talked about how we were going to meet up with Chris in my upcoming trip to Afghanistan. I had looked forward to meeting him during that trip.

While this personal conversation will not happen, I am committed to making Chris's desire that our Nation be led down the right path a reality. Chris lived a life of love for his family, friends, and country. He will be remembered for his commitment to and belief in the greatness of our Nation.

Here are some of the comments posted online in honor of his life. I think it is kind of neat to read a lot of these. They come from assorted different people. Some are members of the family, some are not. Here is one of them:

God's got a good warrior up there with him now.

Another one:

I want to thank the families of this wonderful young man who was willing to give his life for our freedom. May no one in America take this act lightly. Love and prayers to all of the family and friends.

Here is another:

Christopher David Horton was the kind of young man who would do anything for anybody.

Another one:

He is a hero—each and every servicemen/women are—they protect our freedoms and without them we cannot. Thank you Specialist Christopher Horton—may you rest in peace. Prayers being said for your family.

But here is my favorite one. It is actually by his brother Nick. He said:

You will be missed more than anything brother, especially on the range, you always gave me a run for my money. Till we meet again in heaven!

That is kind of great. This tough fight took place and took the life of Chris. But make no mistake, Chris's sacrifice made a difference and will continue to make a difference not just in Afghanistan but here in the United States.

We are safe and our country is secure because of Chris and all the service men and women. We have to continue in our unwavering support for them. Although each servicemember we lose hurts, it is because of our connection to Jane that my staff and I are particularly affected by the loss of SPC Chris Horton.

I extend the deepest gratitude and condolences to Chris's family. I will say something I will be criticized for—I always am. I have always been a Jesus guy. I find out, of course, that so is Chris. So when something such as this happens, even though we did not personally meet, we are brothers. So, in a case such as this, we do not say: Goodbye, Chris. We say: We will see you later.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. HUTCHISON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 634

Mrs. HUTCHISON. Madam President, are we under a time limit to discuss the Cornyn amendment?

The PRESIDING OFFICER. Senator CORNYN has 33 minutes remaining.

Mrs. HUTCHISON. I want to speak on the Cornyn amendment.

I ask unanimous consent that I be listed as a cosponsor.

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

Mrs. HUTCHISON. Madam President, the Cornyn amendment is important because the President of the United States has refused to allow the sale of 66 F–16C/D model aircraft to Taiwan. Taiwan is trying to modernize its air force, and it is not an issue of our not selling to Taiwan. They have bought the A/B models, so they have 145 F–16s in the earlier model, the A/B. They are trying to get the next generation of them.

This is a foreign policy issue, but also a domestic issue, because these are very important sales—the 66—for the F–16 line to be continued, and the hope is that this sale will go through. It is very important so that we can continue to make them for ourselves but also sell them to our allies. Most certainly, Taiwan is an ally and has used and likes the F–16. Taiwan has also used the French Mirage, but the French Mirage has a shortage of parts for Taiwan. They are trying to consolidate, with F–16s, American jobs and American fighters.

Now they are running into the roadblock of the administration. Within the next decade, Taiwan will retire 70 percent of its fighter force structure. Its F–5s have reached the end of their utility. The Mirage fighters lack parts and life cycle support, and their indigenous defense fighters are being converted to trainers. Taiwan's existing 145 F–16A/B fighters all require a midlife upgrade. With the F–16s already in the inventory, they are seeking to combine their whole fighter fleet with the single airframe, with the cost and operational benefits and the efficiencies that one fighter frame would give them.

We are concerned that further delay of the decision to sell the F–16s to Taiwan could in fact close the production line. That is why 45 members of the Senate have signed a letter to President Barack Obama, asking him to go forward with this sale of 66 F–16C/Ds to Taiwan.

The Taiwan Relations Act of 1979 directs Congress and the President to make decisions on arms sales to Taiwan based solely on the judgment of the needs of Taiwan. We believe that the Taiwanese pilots flying Taiwanese fighter aircraft manufactured in the United States represent the best first line of defense for our democratic ally, and do not pose any threat to China. There is no offense here. The Taiwan air force just patrols the Taiwan Strait to assure its safety and security.

I rise in support of the amendment that has been offered. It is very important. Bipartisan support in Congress

for working with our ally, Taiwan, without any offense to China is important and we need to assure that it remains solid and firm.

I hope our colleagues will help us with the amendment that will assure this sale goes through, that we keep the commitments we have made, and that we have the ability to sell to Taiwan; otherwise, they will surely look for other countries to buy from.

That is not in our interest. Here we are trying to create jobs in America. It is certainly in our strategic interest to have our ally buy our product, so we can do the training and work with them and have a strengthening of not only our trade but our defense alliance. It just makes sense to go forward. It is not as if we don't sell to Taiwan. They have already bought 145 F–16s. They now want 66 more of the newer version.

It is time for us to do what is right for our country, for jobs in our country, for our national defense, and for the keeping of our commitments and ties with our ally, Taiwan. I urge support for the Cornyn amendment. Since so many Democrats have signed a letter to the President, I hope that will translate into votes for the amendment so it will be clear that the bipartisan support in the Senate for the F–16 sale to Taiwan is accomplished.

Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

U.S. ASSISTANCE TO PAKISTAN

Mr. KIRK. I rise to commend the Senate Appropriations Committee, under the leadership of Chairman LEAHY and Ranking Member GRAHAM, on a decision we made yesterday as a full committee with regard to U.S. assistance to Pakistan.

In short, what the Senate did was to remove nearly all the guarantees of assistance funding to the Pakistani Government, based on new information and statements made by senior U.S. Government officials on the Pakistani Government and its intelligence service's—called the ISI—support for an organization called the Haqqani network, one of the most dangerous terrorist organizations on Earth.

We have learned from statements by our U.S. Ambassador in Kabul, U.S. Ambassador in Islamabad, Secretary of State, Secretary of Defense, and the Chairman of the Joint Chiefs of Staff that the Haqqani network has become the principle threat to the Afghan Government, to U.S. troops serving in Afghanistan, and to our NATO allies.

We have seen the U.S. Embassy in Kabul and NATO Headquarters were attacked on September 12. At least 16 people were killed, including 5 Afghan police officers and 11 civilians, in an attack organized and put together by the Haqqani network under the direct protection and support of Pakistan's Government itself. Just a few days earlier, at Combat Post Sayed Abad in Wardak Province, on September 10, over 77 U.S. soldiers and 17 Afghans were injured by a massive truck bomb likely put together by the Haqqani network, probably in Afghanistan, for an attack on Americans. This June 28, at the Hotel Intercontinental in Kabul, 12 Afghans were killed and 8 were wounded during a nighttime attack, also likely sponsored by the Haqqani network. That same network attacked Kabul Bank on February 19, with over 40 people killed.

The Haqqani network is a different branch of the Taliban. The Taliban largely does not have a safe sanctuary in Afghanistan or Pakistan. They have surrendered much of their operational control and initiative in eastern Afghanistan to the Haqqani network.

The reason why the Haqqani network has become so powerful and so strong is because it is protected by the Government of Pakistan itself, a claimed ally of the United States that receives substantial assistance provided by this Congress.

We have seen a very clear picture emerge from the administration directly connecting the Government of Afghanistan to the Haqqani network in support and assistance that has been involved in the death of American service men and women and our NATO and Afghan allies.

This started out on September 13, when one of our most able Foreign Service Officers, a real hero of Foreign Service, our Ambassador in Afghanistan, Ryan Crocker, highlighted Pakistan support for the Haqqani network and its role in attacks in Afghanistan.

Four days later, our U.S. Ambassador, his counterpart in Islamabad, Cameron Munter, gave a very important and I think brave interview on Pakistani radio, highlighting the role of the Pakistani Government support for this terrorist organization and its attacks on U.S. service men and women in Afghanistan.

The following day, Secretary of State Hillary Clinton, during a meeting with Pakistan's Foreign Minister Khar, also highlighted the government support for this terrorist organization and its attacks on American citizens serving in uniform in Afghanistan.

Finally, on September 20, the Chairman of the Joint Chiefs of Staff, Admiral Mullen, in a presentation before the Carnegie Endowment for Peace, also highlighted Pakistan's official government support for the ISI and the Haqqani network.

In testimony today in the Senate Armed Services Committee, Admiral Mullen reiterated these claims, stating the ISI, Pakistan's Government, had provided explicit support for an attack on the U.S. Embassy in Kabul and NATO headquarters. The Haqqani network, supported by the Government of Pakistan, is also responsible for attacks on Afghan and Indian construction efforts in the Kabul-Gardez Road at Camp Chapman, an attack that killed seven CIA employees and enabled the kidnapping of American and British journalists.

Within Pakistan, the Haqqani network serves as a trusted intermediary between the Pakistani intelligence service and terrorist organizations active also against the Indian democracy in Kashmir and throughout the subcontinent. These include Lashkar-e-Taiba and Tehrik-e Taliban Pakistan, organizations responsible for the 2008 and 2011 Mumbai attacks.

Secretary Clinton, Secretary Panetta, Admiral Mullen, General Allen, Ambassador Crocker, Ambassador Munter, and the Congress, Republicans and Democrats here in the Senate, now all agree that the Pakistani Government's complicity and longstanding history of support and protection for the Haqqani network is a major impediment of the U.S. goal of achieving safety and security in Pakistan and Afghanistan. The Pakistani Government should end its protection of the Haqqani network.

The Haqqani network is a wholly owned subsidiary of the ISI, and is responsible for the death of American service men and women and civilians in Afghanistan. Both the United States and Pakistan would benefit from a strong and stable Afghanistan, but the ISI part of the Pakistani Government disagrees and supports terror. That is why it is important that the Senate made this decision to remove all but the counterterrorism accounts from Pakistan and to put in new language conditioning any extension of aid to Pakistan on cooperation against the Haqqani network.

We will need to define what ''cooperation'' means, and I hope what it will mean is, No. 1, a substantive and continuous reduction in Haqqani op tempo against U.S. and NATO forces in Afghanistan, showing that nearly all of the attacks have been eliminated within the calendar year and, on top of that, authority or action by the United States or NATO allies to hit Haqqani targets in the frontier autonomous tribal area, where they have been protected to date.

Unless we can meet these two conditions, I believe the decision we have made to remove the floors and stop the guaranteed funding for Pakistan is a wise one. This is a rare moment in which the U.S. Ambassador in Kabul, the U.S. Ambassador in Islamabad, the Chairman of the Joint Chiefs of Staff, the Secretary of Defense, and Secretary of State have all said that the Pakistanis directly support terror through the Haqqani network and it needs to stop. In these tough economic times where nearly all of the assistance under the legislation approved yesterday is in the overseas contingent operation account—which, remember, is all borrowed money to be provided to

Pakistan—it should be done only if their policy of supporting the Haqqani network ends.

I am very glad the administration and now the Congress have spoken with a clear voice. I only hope we hold our nerve because, otherwise, if we go by past policies of having mere Pakistani promises and official statements be the cause for releasing U.S. aid, we will repeat the failures of the current policy. We need actual action. We need to understand that senior Pakistani officials—of their foreign ministry, of their intelligence service, and of their defense department—have directly lied to American officials. Only by action and cutting off the Haqqani network can we make sure that at least the U.S. taxpayer is not supporting this terrorism.

I commend the action of the Foreign Operations Committee yesterday. I commend that it was a bipartisan action. Now I hope we stick to our guns and make sure we do not provide assistance to Pakistan unless they stop supporting this most dangerous now terrorist operation operating against our men and women in uniform serving in Afghanistan.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent to speak as in morning business for up to 5 minutes.

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

Mr. BROWN of Ohio. Madam President, I first rise to speak for 30 seconds on the trade adjustment assistance legislation and the amendment Senators BAUCUS and CASEY and I have been working on, to make sure that trade adjustment is available to workers who have lost their jobs because of service or manufacturing and trade competition—only not real competition, because so often the deck is stacked far too much against American workers and American companies. Other amendments notwithstanding, I don't want to see this restricted to only those workers who have lost their jobs from unfair competition from countries we do not have trade agreements with. It sounds almost silly to have to say that. We need to keep this program focused on all workers who need some assistance, who need to be retrained. They lost their jobs through no doing of their own.

It suggests the next issue, and that is something a bipartisan group of Senators has raised. Republican Senators, Senator BURR, Senator GRAHAM, Senator SESSIONS, Senator SNOWE, and Senator COLLINS, and Democratic Senators, Senator SCHUMER, Senator STABENOW, I am one of the five, Senator HAGAN, and Senator CASEY—each of us has pushed for legislation dealing with the problems of currency. The Chinese have clearly gamed the system.

We spent all this time on the budget deficit. It is certainly worth addressing in a big way. But we spend so little time on the trade deficit, and the trade deficit cuts right into eliminating American jobs.

Recent studies show that literally hundreds of thousands—some 2.8 million jobs have been lost to China since 2001, in a decade. Two-thirds of those were manufacturing jobs lost because of unfair trade practices, in part because of the way the Chinese game the system on currency. Our legislation says several things. One of the most important parts of this legislation is simply telling the U.S. Government, when it is doing an investigation on trade cases, it must consider currency manipulation by the Chinese.

This will result, we know, in significant job growth in our country. It will mean more exports of U.S. products to China because it takes off that advantage they have. It will mean American companies making products here can compete with Chinese competition trying to sell into our market—again because it takes away the unfair subsidies the Chinese have had.

You do not have to go very many places—in West Virginia, in Connecticut, in Ohio—to see how many cases there are of products sold in this country that used to be made here that are now being made in China. Currency is not the only reason but it is surely one of the reasons.

I will close with this, a brief story about a company in southwest Ohio which manufactures paper. Until a decade and a half ago, the Chinese, the People's Republic of China, did not even have a coated paper industry. That is the sort of magazine paper, glossy paper we are all familiar with. The Chinese did not even have the kind of technology to make that paper for a decade and a half. Since then, they started their industry. They buy their wood pulp in Brazil, they ship it a long way to China, they mill it in China, they ship it back to the United States and they undercut American companies by underpricing American companies—southwest Ohio, in many cases, southern Ohio, American companies, and other places. They undercut them with price.

They tell me when you make paper, only 10 percent of paper costs are labor costs. What that means is the Chinese are subsidizing in water and in credit, in land, in energy, and in labor, and in currency. We have been somewhat successful in fighting back and showing that the Chinese are cheating. But if we have that additional tool, they cannot game the currency system, and we will not see the kind of job loss, the hemorrhaging of jobs in West Virginia and Ohio and all over this country.

American companies are some of the most efficient in the world. The workers are the best in the world. We will be able to compete on a much more level playing field. That is the importance of the legislation that 10 Senators, 5 Democrats and 5 Republicans, are introducing. We spoke about it today. It is essential the Senate move forward on it.

I thank Senator BLUMENTHAL for yielding me these 5 minutes and I yield the floor.

The PRESIDING OFFICER. (Mr. MANCHIN). The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, are we in morning business?

The PRESIDING OFFICER. We are not in morning business.

Mr. BLUMENTHAL. I will proceed, then, as in morning business.

First, I thank and commend the Senator from Ohio on his very important efforts on Chinese currency manipulation. I am proud to be a cosponsor with him on his legislation. I intend to introduce my own. He has been a very stalwart advocate and champion of U.S. trade interests and deserves the thanks and commendation of this body and the American people. I thank the Senator from Ohio.

ISRAEL

I rise today to restate at this crucial juncture my unwavering commitment, as stated so eloquently by many in this body over the years, to the United States-Israel relationship and America's unshakeable commitment to Israel's security.

I thank the President of the United States for his address to the United Nations, which very powerfully and courageously stated that commitment. The President's strong message shows again that our shared interests, as well as our friendship with Israel, are deep and enduring.

As my colleagues know all too well, the Israelis and Palestinians must reach agreement through negotiations on the issues that divide them, not through the United Nations. Israel has repeatedly endorsed a two-state solution that will sustain it as a Jewish and democratic homeland. To be achievable, any lasting peace and any plan for peace must acknowledge the real security concerns that Israel faces day in and day out and has faced throughout its history.

The President's powerful remarks at the United Nations were inspiring in a forum that has been repeatedly hijacked by dictators and despots for the purpose of delegitimizing Israel and fomenting anti-Semitism. The Palestinian Authority's bid for United Nations recognition is a distraction from the hard work, the really hard work needed to achieve peace and find an equitable solution.

As the President said, ''The fact is peace is hard.'' To succeed, ''peace depends upon compromise among people who must live together long after our speeches are over.''

Tough compromises will have to be made by both the Israelis and the Palestinians. The United States is ready to assist both peoples in taking necessary risks for peace, and Israel is willing to sit down and commence those talks immediately with the Palestinians.

The bid for United Nations recognition is also a distraction from the deteriorating situation in the Middle East, where governments of the region, both old and new, seem all too willing to use Israel as a target and as a scapegoat, rather than face the legitimate needs of their own people.

In Turkey, for example, the government has stretched to seek a confrontation with Israel rather than address the humanitarian disaster on its doorstep in Syria. In Egypt, the government honored those who attacked the Israeli Embassy in Cairo, rather than release from detention their citizens arrested for advocating for democratic reforms and freedom. Most concerning to this Chamber, Iran's Government has doggedly pursued nuclear weapons and threatens to destabilize the entire region. Nobody is fooled about the military dimensions of Iran's nuclear program.

On this day we do not yet know how the Palestinian Authority's bid for statehood recognition at the United Nations will be resolved. I do know my colleagues on both sides of the aisle will not be sidetracked from advocating for the hard work toward peace. By encouraging the Palestinian Authority to return to the negotiating table, which they have refused to do, and by continuing strong United States-Israel defense cooperation our Nation will deter those who would seek to achieve victory over Israel by either using the force of arms or manipulating international institutions such as the United Nations.

By sending the Iran, North Korea, and Syria Sanctions Consolidation Act of 2011 to the President for his signature, we can do our part to call attention to Iran's use of denial and deceit to advance its nuclear program. By passing a foreign operations appropriations bill for fiscal year 2012 that aligns our assistance with our international commitments—including over $3 billion in aid to Israel—this body will, again, demonstrate its leadership in striving for peace.

Finally, I would be remiss if I did not call attention to the fact that while each of us was free to hear the President's remarks, yesterday was and today remains another day that Gilad Shalit is held hostage by Hamas. As a nation founded on the unalienable right to liberty, we must repudiate those who seek to forge a nation while continuing to collaborate with his captors. I urge his release.

I look forward to working with my colleagues and the President on all of these efforts. They are truly bipartisan. They unite us as a body and they unite the American people. I thank you.

I yield to the distinguished Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I ask to speak as in morning business for up to 5 minutes.

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

Mr. WARNER. I would like to thank my friend, the Senator from Connecticut. Let me add my voice to his. There is no better friend or stronger ally. This is one of the key relationships our country has. Like the Senator from Connecticut and the Presiding Officer and others, we have a lot of things in this body we disagree with, but our firm support for Israel, particularly at a time when there is so much turmoil in that region, it is important the Senator from Connecticut, Mr. BLUMENTHAL, spoke on that issue.

RECOGNIZING FEDERAL EMPLOYEES

I am going to take a moment today to repeat something I do on a regular basis. It is something I inherited from the former Senator from Delaware, Mr. Kaufman, when he was here. He would, on a fairly regular basis, come down and recognize the great work of individual Federal employees.

We spend a lot of time in this body talking about what government does not do well and how we need to rein in and get our government in order. I know the Presiding Officer and I share those beliefs. There are an awful lot of good folks who work for our Federal Government day in and day out who do not get much recognition but provide incredibly valuable service to literally 300 million Americans.

So following in Mr. Kaufman's footsteps, I come down and pick a Federal employee to recognize. I will get to this Federal employee in a moment.

Let me just say we have already seen rumblings in the press of another potential political brinksmanship around the end of the fiscal year. I see my good friend, the Senator from Maryland, who, like me, a Senator from Virginia, has a disproportionate number of Federal employees in our respective States. The Presiding Officer from West Virginia probably has a disproportionate number of Federal employees as well.

Every time we get to that eleventh hour, we put all these Federal employees' lives in limbo, and that is not fair. It is not right. Every time we do this, we self-inflict upon this economy another effort imposed by us that slows our economic recovery. I know the majority leader and others are trying to work in good faith to make sure we do not have another brinksmanship around the end of the fiscal year.

Mr. CARDIN. Will the Senator yield?

Mr. WARNER. I will be happy to yield.

Mr. CARDIN. Let me thank my colleague from Virginia. He is absolutely right. We went through a pretty tough time a month ago when we reached an agreement on the funding levels. It should be a very simple process to get a continuing resolution passed that will extend the government based upon the agreement that was reached just a month ago.

The Senator from Virginia is right about our Federal workforce. Our Federal workforce is doing more work with less people. They are subjected to a 2-year pay freeze, which they were subjected to before we had an agreement to deal with the deficit. For the sake of our Federal employees, for the sake of the people who depend upon their service, and for the sake of our economy and for good governance, the passage of what we call a clean continuing resolution that allows us to work out the individual appropriations bills should be beyond any disagreement.

I thank the Senator from Virginia for his leadership not only on behalf of Federal employees, but also on behalf of sensible budgeting so we do not have to go through this type of ordeal and put people through this unnecessary anxiety.

Mr. WARNER. I thank the Senator from Maryland. I will now take a moment in this continuing effort to recognize examples of the kind of people who serve our government—oftentimes for not much recognition, a lot less pay and, candidly, some disdain from people on both sides of the aisle.

HONORING ALFONSO BATRES

Mr. President, I am pleased to honor Dr. Alfonso Batres, who is the chief readjustment counseling officer at the Veterans Health Administration. He has direct oversight of 300 vet centers, 50 mobile vet centers, and over 1,900 vet center staff providing readjustment service to war zone veterans and their families across the United States. He has worked extensively to ensure vet centers—which are small storefront operations located throughout the country—are accessible to as many people as possible. His efforts led to nearly 200,000 veterans and their families to visit vet centers a total of 1.2 million times in 2011 alone.

Dr. Batres has also expanded the scope of coverage for vet centers and worked to improve the quality of the services offered to veterans. For example, he provided family bereavement service and the Combat Call Center, which allows veterans to talk to other combat veterans about readjustment issues they may be experiencing.

Dr. Batres' dedication to providing quality veteran-centric care has led to praise throughout the health care community. According to Lawrence Deyton, a former Veterans Affairs colleague:

> Dr. Batres' combination of vision and personal experience . . . has translated into the Vet centers becoming the gold standard, and a model for public health programs.

In an interview, Dr. Batres said:

> The opportunity to serve veterans and their families as a civil servant through the Vet centers program has been a dream realized and an honor.

In 2009, when I first joined this body, I helped launch a comprehensive study that evaluated the quality of care and benefits we are providing to our returning combat veterans, especially women who are affected by post-traumatic stress syndrome and traumatic brain injury. I think we are very fortunate to

have someone as dedicated as Dr. Batres working on these important issues.

I hope my colleague will join me in honoring the doctor, as well as all of those at the Department of Veterans Affairs, for their excellent work today. I also am proud to recognize that Dr. Batres, as a Virginian and a Vietnam veteran, has dedicated 37 years to public service.

As I was saying earlier, along with the Senator from Maryland, there will be issues on which we disagree with our friends on the other side of the aisle. We have to have a way to argue, debate, and decide on those disagreements, but let's make sure we do not put this country and our Federal employees in more—and, equally important, the 300 million Americans who not only depend on those services that are provided, but mostly are about trying to recover in this economy—let's not have act 3 of that kind of political brinksmanship which started in the spring and then over the debt crisis and now potentially at the end of this month, which are, in effect, self-inflicted wounds on our economy that is struggling so much to recover.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 651

Mr. HATCH. Mr. President, I thank Senator RUBIO for offering his important amendment that will constrain spending on TAA by limiting TAA benefits to workers negatively impacted by free trade agreements negotiated by the U.S. Government.

As I explained in offering my amendment yesterday to tighten the standard of eligibility for TAA, the expanded TAA Program will grow and grow and cost more and more taxpayer money. The expanded TAA Program proposed by the chairman is no longer about trade policy but, rather, about expanding a domestic spending program. The TAA Program proposed by our friends across the aisle extends TAA to services workers and to workers impacted by shifts of production or services to any foreign country. In an integrated and rapidly expanding global economy, conceivably all business decisions made at home and abroad could trigger TAA's generous benefits.

As I predicted at the beginning of this debate, many of my friends who support TAA have argued that more people used the TAA Program when it was expanded in 2009; therefore, it must be working. I strongly reject this argument. Spending more money and certifying more workers does not mean a program is succeeding; it simply means the program is expanding and costing more and more taxpayer dollars.

Proponents of an expanded TAA Program tell us there is a moral obligation for the government to help mitigate the costs from job losses associated with increased imports and offshore outsourcing, which often occurs as a result of direct government policies, that is, trade agreements. But why do we choose to reward some Americans who lose their jobs due to adjusting to some Federal policies—in this case, trade policy—but not others? Even if one were to concede that the Federal Government has some obligation to help those who lose their jobs due to the trade policy actions of the United States, surely workers who lose their jobs for reasons that have nothing to do with Federal Government actions should not receive these favorable TAA benefits.

I have heard lots of talk about the improvements made in the 2009 TAA stimulus expansion. One word I do not hear much anymore is ''globalization,'' because if you go back and look at the actual bill, the 2009 stimulus TAA package was actually called TGAA, trade and globalization adjustment assistance. The chairman has dropped the ''globalization'' reference in the title of the TAA extension amendment we are considering today, but the legislation retains the untenable expansion of eligibility criteria included in the 2009 stimulus version.

The TAA Program we will vote on today, as offered by the chairman has lost any nexus to U.S. trade policy actions. Under the chairman's expanded TAA Program, workers who lose their jobs, allegedly due to shifts in production to non-free-trade agreement countries, will be eligible for the generous TAA benefits.

As I highlighted in my remarks yesterday about Solyndra, in a dynamic U.S. and global economy, businesses can start up and shut down for many reasons that have absolutely nothing to do with foreign trade and certainly nothing to do with any specific U.S. trade policy. Solyndra failed due to a bad business model and an ill-conceived Federal loan of a half a billion dollars in taxpayer money—it was a little bit more than that—not because of trade policy. That Solyndra workers may receive TAA benefits highlights the problems with the program.

Globalization has changed how our businesses operate—both large and small—and all the variables that now impact buying and selling decisions through global supply chains, shifting demographics, shifting demand trends, different tax regimes, and ever-changing investment climates will necessarily create opportunities and challenges for all American businesses. We should help American businesses and farmers compete for the new customers and consumers around the world, and we do this best by prying open those markets, protecting American intellectual property rights and investments, and strengthening the rule of law.

That is why my colleagues and I continue to push the White House to send the three pending free-trade agreements to Congress for a vote, so we can help our businesses and farmers better compete in a global economy. If we want to help our economy and create jobs, passing the FTAs should be our first order of business.

The best response to globalization is to harness its dynamic growth to our benefit, not to choose winners and losers and give them unproven training and additional income support and health care entitlements. If the purpose of TAA is to help workers adjust to trade policy actions by the government, then only those workers impacted by trade with U.S. free-trade agreement countries should be eligible.

Again, I thank my colleague and friend, Senator RUBIO, for offering this important amendment and trying to look out for the taxpayer and narrowly constrain spending on TAA. I urge my colleagues to support his amendment.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 650

Mr. THUNE. Mr. President, I call up amendment No. 650 to make it pending.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE] proposes an amendment numbered 650.

Mr. THUNE. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

AMENDMENT NO. 650

(Purpose: To require a report on the consequences of failing to act on trade agreements)

At the end, add the following:

TITLE _____—ITC REPORT

SEC. ___01. SHORT TITLE.

This title may be cited as the ''Quantifying the Effects of Failure to Act on Trade Act''.

SEC. ___02. ITC REPORT.

(a) IN GENERAL.—

(1) FAILURE TO ACT ON AGREEMENT.—Not later than 2 years after the date that the President enters into a trade agreement, the International Trade Commission shall submit a report described in subsection (b) to Congress, if —

(A) legislation to implement the agreement has not been submitted to Congress;

(B) a bill to implement the agreement has not been considered by either House of Congress; or

(C) the agreement has not entered into force with respect to the United States.

(2) FOLLOW UP REPORT.—The International Trade Commission shall update the report required by paragraph (1) each year thereafter, if legislation to implement the agreement has not been submitted to Congress, a

bill to implement the agreement has not been considered by either House of Congress, or the agreement has not entered into force.

(b) CONTENTS OF REPORT.—The report required by subsection (a) shall contain the following:

(1) A quantitative analysis of the impact on United States businesses and individuals caused by the delay in the implementation of the agreement. The analysis shall examine all relevant factors impacting United States businesses and individuals, including—

(A) lost market shares for United States exports in foreign markets resulting from new trade agreements implemented between the country with respect to which the trade agreement was entered into and any other country, and market shares lost for United States exports resulting from any other factor;

(B) how the delay in implementing the agreement is affecting the advancement of United States trade objectives, described in the Bipartisan Trade Promotion Authority Act of 2002 (or any subsequent trade promotion authority); and

(C) how the delay in implementing the agreement is affecting the protection of intellectual property rights of United States businesses operating in foreign markets.

(2) The impact on employment in the United States resulting from the delay in implementing the agreement.

(3) An estimate of the probable impact on United States businesses, in terms of exports, profitability, and employment, if the trade agreement does not enter into force by the end of the calendar year following the date of the Commission report

(c) APPLICABILITY.—The International Trade Commission shall submit the report required by this section with respect to—

(1) any trade agreement entered into on or after the date of the enactment of this Act; and

(2) any trade agreement entered into before the date of the enactment of this Act if such agreement has not entered into force with respect to the United States by June 30, 2012.

Mr. THUNE. Mr. President, I rise in support of this amendment, which I filed yesterday afternoon, which deals with what I believe is a very important topic; that is, the high cost of delay when it comes to the pending free-trade agreements. I raised this issue yesterday, and I wish to reemphasize my comments in light of the fact that we will be voting on this amendment this afternoon.

Most of the debate the last few days has been about the merits of trade adjustment assistance. But there is another aspect of trade adjustment assistance renewal we should consider. It is the fact that there has been a real cost to America's economy and to the American businesses as a result of the President's strategy to link passage of the three trade agreements to a renewal of an expanded Trade Adjustment Assistance Program.

This is very unfortunate, especially considering that even the White House acknowledges that passing the trade agreements is one of the best things we could do in the short term to create jobs. According to the Business Roundtable, the passage of the trade agreements will support 250,000 American jobs. The U.S. Chamber of Commerce estimates that as many as 380,000 U.S. jobs could be in jeopardy if we do not pass the free-trade agreements.

One would think passage of these trade agreements, which were signed in 2006 and 2007, would have been an early priority for the Obama administration. Yet here we are more than 2½ years into this administration, and the President still has not made a commitment to send us the trade agreements so we can consider them.

Perhaps some might say it takes time to get an agreement implemented after it has been signed. Let's consider some recent trade deals the United States has negotiated. Consider the U.S.-Australia Free Trade Agreement. This agreement with an important ally was signed on May 18, 2004, and entered into force on June 1, 2005, a little over 1 year later.

Consider the U.S.-Chile agreement. This agreement was signed on June 6, 2003, and entered into force on January 1, 2004, only a little over half a year later. Perhaps we should look at the U.S.-Peru agreement. This agreement was signed on April 12, 2006, was passed by the Democratically controlled House in November of 2007, and the Democratically controlled Senate in December of 2007.

Let me repeat. A Democratic House and Democratic Senate took up and passed an agreement, negotiated and signed by a Republican President, just over a year and a half after it was signed. So we know that even when the President and the majority in Congress come from different parties, we have still been able to implement our trade agreements expeditiously for the good of the country.

My point is not simply that the three pending free-trade agreements are long overdue. The point is, our process for considering trade agreements did not envision such long delays between signing and implementation. Nevertheless, we need to respond to this unfortunate reality, and my amendment helps us to do so.

It is very simple. Under current trade promotion authority procedures, the International Trade Commission must prepare a report that is submitted to the Congress no later than 90 days after a trade agreement is signed. However, there is currently no requirement that the ITC conduct a study to assess the negative impact on U.S. businesses when we delay implementation of an agreement, as we have for more than 4 years with Korea, Colombia, and Panama.

My amendment would simply require the ITC to assess the negative impact to U.S. businesses if a trade agreement is signed but has not been considered by Congress within 2 years. The ITC study would focus on lost U.S. export opportunities, how the delay has impacted U.S. trade objectives as set out under trade promotion authority, as well as how the delay impacts the protection of U.S. intellectual property overseas.

The study would also estimate the impact on U.S. employment if the trade agreement in question continues to languish. Finally, the ITC would be required to update their study in every subsequent year that the trade agreement is not considered by Congress or if it is still not entered into force.

My amendment follows a very basic principle. If the President believes a trade agreement is in America's national and economic interests, he needs to submit it to Congress. If he does not submit it to Congress, we need to have better information as to what the costs are of that delay. If we think these trade agreements are important—and the President spent much of the month of August talking about the need to pass them, so clearly he believes they are important—then we need to be able to more effectively weigh the disadvantages imposed upon American businesses and consumers as a result of not implementing them.

I wish to emphasize this is not a partisan amendment. It will apply to any future President who delays implementation of a trade agreement, Democratic or Republican. Why is this so important? Because the global economy in which American businesses compete is not static. It is dynamic, fast moving, and ever changing. As we stand here today, there are more than 100 new free-trade agreements currently under negotiation around the world. Yet the United States is a party to only one of those negotiations, the Trans-Pacific Partnership.

I have with me the ITC report on the U.S.-Colombia agreement issued shortly after it was signed. The date on this report is December 2006, over 4½ years ago. Would it not be helpful to have a recent report that would take into consideration the impact to U.S. businesses from the Canada-Colombia trade agreement that recently went into effect or the EU-Colombia Free Trade Agreement that will go into effect next year?

Let's consider the cost of delay to just one U.S. company, Caterpillar. As we all know, Caterpillar is a leading producer of large construction and mining equipment and a major U.S. exporter. Caterpillar exports 92 percent of its American-made large mining trucks. Caterpillar's large truck exports to Colombia face a 15-percent duty, which adds about $300,000 to the cost of each of those trucks exported to Colombia.

Just imagine the advantage Caterpillar could have had for the last several years over its Japanese and Chinese competitors if the Democratic House in 2008 had not refused to consider the Colombia agreement when President Bush submitted it or if President Obama had submitted it promptly upon taking office.

But the Caterpillar example is just one company. We did an unbiased, objective, and expert study on the cost to all U.S. businesses of delay. My amendment would accomplish this.

Consider that U.S. companies have paid more than $5 billion in tariffs to Colombia and Panama since the trade

agreements with these nations were signed more than 4 years ago. More importantly, U.S. businesses have lost countless business opportunities in Korea, Colombia, and Panama.

Consider another example, the market for agricultural products in Korea, which is the world's 13th largest economy. Korea's tariffs on imported agricultural goods average 54 percent, compared to an average 9-percent tariff on these imparts into the United States. Passage of the Korea Free Trade Agreement will level the playing field. Yet this administration continues to delay sending these agreements to Congress.

At a time of near-record unemployment and slow economic growth, this delay is unacceptable. This ongoing delay is having a real impact on American businesses, and it will only get worse as the EU-Korea agreement has now entered into force and European companies are getting the benefits of lower tariffs and market access.

The Colombian market for agricultural products is another good example of the high cost of delay. In 2010, for the first time in the history of U.S.-Colombia trade, the United States lost to Argentina its position as Colombia's No. 1 agricultural supplier.

Consider the story of the three main crops we grow in South Dakota: corn, wheat, and soybeans. The combined market share in Colombia for these three U.S. agricultural exports has decreased from 78 percent in 2008 to 28 percent in 2010, a staggering decline of 50 percentage points. This situation will only get worse now that the Canada-Colombia agreement has taken effect as of August 15 of this year.

As Gordon Stoner, a wheat grower from Outlook, MT, testified before the Finance Committee earlier this year: ''Our share of the Colombia wheat market has declined from 73 percent in 2008 to 43 percent in 2010, and industry representatives in Colombia indicate we could lose our entire market share following implementation of the Canada-Colombia free trade agreement.''

We are living in a global economy where America cannot afford to stand still on trade. There is another cost to the delay in submitting these free-trade agreements to Congress that we should consider. This is the loss of trust we may experience and be creating with new potential trade agreement partners. Consider, if a country is an emerging economy today and they have the opportunity to negotiate a comprehensive trade agreement with either the European Union or the United States, what message is our delay sending to those potential trading partners?

Unfortunately, the message appears to be that if they negotiate with the EU, they will get the benefits of an agreement much sooner than if they spend the time and effort to negotiate an agreement with the United States. This is best exemplified by the negotiations with South Korea, a large economy, a major market for agricultural goods, as I mention, and manufactured goods as well as services.

The U.S.-Korea Free Trade Agreement was signed in June of 2007. Korea's trade agreement with the EU was launched in May of 2007, just 1 month earlier. We had basically finished the entire negotiation process and wrapped up our agreement with Korea by the time the EU was just launching the beginning of their negotiations with Korea. As I mentioned earlier, the EU-Korea agreement has now taken effect, and the President has not even yet submitted our agreement with Korea to Congress for consideration.

Again, we are not creating a favorable impression for any future trade agreement partners. As emerging economies mature, millions of new middle-class consumers enter the global marketplace. This is an impression we simply cannot afford to let persist. American businesses and exporters need acces to fast-developing markets.

Imagine if American business operated the way Washington, DC operates. What if American companies, such as Apple or IBM, waited 4 or 5 years to develop their next product? Would they continue to outinnovate their foreign competition? Of course not. Just as U.S. businesses cannot afford to stand still, the U.S. Government cannot afford to stand still as we have on trade for these past several years.

In 1960, exports accounted for only 3.6 percent of U.S. GDP.

Today, exports account for 12.5 percent of our GDP. Exports of U.S. goods and services support over 10 million American jobs. It is long past time that we get back in the game by passing the three pending trade agreements.

My amendment will ensure that if we delay, if we fail to act, we will have a better assessment of the cost to American businesses and consumers of that delay. Hopefully, that information will make us more likely to act with a sense of urgency.

My amendment should not be controversial. It doesn't change the underlying bill or change trade adjustment assistance. It should not be something that would affect the ability of this legislation to pass the House. It is a forward-looking amendment that will improve the process under which we consider future trade agreements.

It is important that we get this done. The year 2006 is the last time we had an assessment of the impact of not acting on the Colombia Free Trade Agreement. Earlier today, Senator BAUCUS made some remarks about my amendment and referred to it as a ''backward-looking'' amendment. Nothing could be further from the truth. It is not about casting blame or looking back; it is about improving trade by giving Congress better, more comprehensive information on the impact of delay.

Senator BAUCUS said earlier that nobody disputes the harm from delaying agreements. But has the U.S. Government quantified the harm of the delay in a comprehensive fashion so that we know exactly the cost the delays are imposing on U.S. businesses and individuals and impact on U.S. employment or on the protection of U.S. intellectual property in foreign markets? The answer is no. As a result, it is more difficult than it should be to balance the benefits of this delay on the one hand, which would be any benefits from renewal of the expanded TAA, with the cost on the other hand. This is 9 months away. I certainly hope the Colombia, Korea, and Panama Free Trade Agreements will pass soon and go into effect long before next June.

This amendment is forward looking, as it applies to future trade agreements, if they are not submitted to Congress or considered by Congress or not entered into force within 2 years of being signed. This will apply to a trade agreement by a future Republican President just as much as by a Democratic President. If there is a substantial delay in implementing a trade agreement the United States signed in good faith with another nation, whatever the reason for the delay, maybe we in Congress should have better information as to the specific impact on U.S. businesses of this delay. That is all this amendment would do. It doesn't affect GSP or TAA. It would not imperil this bill in the House. There is no good reason to oppose this amendment. I hope we can adopt it today.

I yield the floor.

The PRESIDING OFFICER (Mr. SANDERS). The Senator from Utah.

Mr. HATCH. Mr. President, I rise to speak in support of the amendment filed by my colleague from South Dakota. This amendment deals with an important issue, namely, the cost of delay when it comes to free-trade agreements.

The President's desire to increase spending on TAA—an expensive domestic spending program of debatable worth—at a time when taxpayers are struggling to make ends meet during a recession makes no sense to me.

His strategy to link passage of FTAs to renewal of this expanded TAA program is equally perplexing. TAA is meant to assist workers who have allegedly lost their jobs due to trade. But the administration has repeatedly stated that the three pending trade agreements will create jobs, not cause people to lose them.

According to the Business Roundtable, passage of the three pending trade agreements will support 250,000 American jobs. Since jobs will be created rather than lost, it makes no sense to link the passage of an expanded version of trade adjustment assistance to these three FTAs. In fact, the only jobs lost to date have been those caused by the President's refusal to send these FTAs to Congress. His refusal to act has caused U.S. farmers, manufacturers, and service providers

to cede market share to our competitors in Panama, Colombia, and South Korea.

Given the state of the economy under this administration, one would think passage of these trade agreements—which were handed to the President wrapped up in a bow by his predecessor—would be the first order of business. Yet, here we are, more than halfway into this administration and the President has not even made a commitment to send us the trade agreements so we can consider them.

My colleague's amendment would help us assess the impact of the President's delay, and future Presidents as well, on the American economy.

The amendment would require the ITC to assess the negative impact to U.S. businesses if a trade agreement is signed but has not been considered by Congress within 2 years. Among other things, the ITC study would highlight lost U.S. export opportunities, the impact on the protection of U.S. intellectual property overseas, the impact on U.S. employment to date, and the prospective impact on U.S. employment if agreements are not sent to Congress.

If the President believes these trade agreements will create jobs, he needs to submit them to Congress. It is absurd that they are still sitting on the President's desk, while our companies and workers lose market share to our competitors in Colombia, South Korea, and Panama.

I encourage my colleagues to support this amendment.

I ask unanimous consent that the Senator from New Hampshire be permitted to make her remarks at this time.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from New Hampshire is recognized.

Mrs. SHAHEEN. I thank my colleague. I agree with both of my colleagues, who have spoken, that we live in a globalized economy, and it is important for us to make sure we have the benefits of that globalized economy in America. It has offered us incredible new opportunities. But there are opportunities that have not been shared equally across our economy and our workforce.

I believe that when given a level playing field, the American workforce has shown it can outcompete and outinnovate any economy in the world. That is the way we will get our economy moving again, by unleashing the power of American entrepreneurship.

I have spoken before about ending the false debate between so-called free trade and fair trade. I think we need competitive trade, a policy that focuses on growing U.S. exports, opening new markets for U.S. companies, job training for our workforce, and tough enforcement of trade rules.

We can help our workforce compete by giving them access to foreign markets. Fully 95 percent of the world's consumers live outside of the United States, but only 1 percent of U.S. small businesses is doing business outside of the United States, or exporting their products. Increasing our exports is vital to the long-term health of our economy.

At the same time, we have to acknowledge that trade creates new challenges for many American companies and American workers. We have to understand no graph showing GDP growth is a comfort to a mother who suddenly cannot feed her family because her factory has shut down; and no statistic about market efficiency is going to pay a young man's rent when his company moves its engineering operations overseas. When Congress promotes international trade, it enters into a compact with all American workers that they will not be left behind. Competitive trade means making sure all of us can compete.

For nearly 50 years, the Trade Adjustment Assistance Program has been lending a hand to workers faced with the negative consequences of international trade. It has been supported by liberals and conservatives, Democrats and Republicans. Its premise is simple: If you lose your job to foreign trade, we will help you prepare for a new career and help keep you afloat while you train. Over the last 2 years, almost a half million Americans have begun a new chapter in their lives with the help of trade adjustment assistance.

In 2009, Congress enacted some commonsense reforms to the TAA Program. For years, Americans who lost their jobs to India or China were denied access to this program because the United States doesn't have a specific trade agreement with either country. Given the growing economic power of those two nations, that left an unacceptable number of Americans facing trade effects on their own. In 2009, we changed the program so that TAA supported all Americans whose jobs were sent overseas. But those reforms have, unfortunately, expired. This week, we have the opportunity to restore them, and we should.

The 2009 reforms also updated the TAA Program to protect workers in service industries, in addition to those in manufacturing. Fifty years ago, when the program was created, no one could have imagined the advances in technology that would allow foreign service workers and engineers to compete with our own domestic workers in those fields. This week, we have an opportunity to restore the 21st century perspective to the TAA Program.

I want to share a couple of stories about New Hampshire workers who have benefited from trade adjustment assistance. The first is a story about Joanne Sanschagrin of Gilmanton, who worked at Aavid Thermalloy for 22 years. She was a buyer for the company, but the company was threatened by competition from several nations, including China. She knew she needed to get a new job before she was laid off. Under the old TAA terms, the ones we are operating under now, she would not qualify for help under TAA. Under the 2009 reforms, Joanne sought and received training as a licensed nursing assistant. She completed training in June, and last month she began a job in her new career, and she loves it. TAA has supported her through this process and paid for her training, so instead of being unemployed, she is now a dynamic part of our economy, working in one of its fastest growing fields.

Another New Hampshire worker, Robert Arsenault, who is a veteran, had worked for 21 years making paper at the mills in Gorham and Berlin. The paper industry has been devastated by offshore competition. As the Chair knows, we have lost so many of our mills throughout northern New England. When those mills in Berlin and Gorham closed, Robert used trade adjustment assistance to get a commercial driver's license at the White Mountains Community College. He recently started a new full-time job with a paving and contracting company.

TAA doesn't just help out individual workers; it also helps small businesses that are being hurt by international trade. New England Forest Products is a hardwood manufacturing company that has been operating in Greenfield, NH, since 1993. But during the recent recession, they found themselves losing business to cheap Chinese lumber. In search of answers, they applied to the local trade adjustment assistance center for help. They worked with TAA to develop a marketing strategy and advertising materials that now help the small business sell their hardwood flooring and other products directly to consumers. In part because of this important program, New England Forest Products saw sales increase 28 percent in the following year.

This isn't just one encouraging story. Of the 18 businesses in New Hampshire that have received TAA in the last 4 years, all 18 are still operating, and many are adding employees. These are the kinds of stories the Trade Adjustment Assistance Program makes possible, but only if we sustain these critical reforms and strengthen TAA's role as both a critical safety net and a driver of the American economy for decades to come.

I urge my colleagues to support the trade adjustment assistance amendment when it comes to the floor for a vote later today.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I want to emphasize one final time, as we get closer to votes on these amendments, the importance of getting the free-trade agreements passed and put into force, but also the importance of understanding that, as we move into the future, we not make the mistakes we have made with respect to these agreements, and that is to let them languish literally years, and at the same time be losing market share, be losing jobs for Americans, and be losing market opportunities for American businesses.

Again, I wish to point out just a couple things I think personalize this; one, as I mentioned in my earlier remarks, we have a company such as Caterpillar, which makes large mining trucks and exports 92 percent of them. They pay a $300,000-per-truck tariff to get into the Colombian market. Think of a country such as South Korea, with the 13th largest economy in the world. They are a big importer of American agricultural goods, with 54 percent right now being the average tariff on goods that are exported from the United States—agricultural products exported from here to Korea, but 9 percent is the average tariff on their goods coming into this country. That 54-to-9 ratio is an incredible disadvantage, putting American businesses at a tremendous disadvantage relative to the countries around the world with whom they have to compete.

At the same time these trade agreements have been languishing here for over 4 years, other countries have stepped in—the European Union, Australia, and Canada—and filled the vacuum we have left. As a consequence, American businesses have been hurt and hurt profoundly. More importantly, as we sit in this economy we are in and talk about the importance of job creation, there isn't anything we could do that would probably create jobs more quickly than to get these trade agreements enacted. It means thousands of jobs for Americans, it means business opportunities for American businesses overseas, and it means market share we should be maintaining or perhaps even acquiring and that we are losing as a result of not having these agreements entered in force after they have been negotiated these many years ago.

So my amendment looks prospectively into the future. It requires that we know specifically—quantitatively—what are the impacts of delay when it comes to getting these free-trade agreements not only ratified by the Congress but entered into force with these other countries. I think it is critical information we need to know. We need to know what harm, what economic consequences are the result of these trade agreements being delayed.

I hope we will get bipartisan support for this amendment today. It doesn't do anything to alter TAA. It doesn't do anything to alter GSP. It doesn't do anything to affect the passage of this agreement in the House. But it will, as we look into the future, make it much more clear to us what these economic impacts are with regard to these trade agreements and our delay in getting them implemented.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

AMENDMENT NO. 634

Mr. KERRY. Mr. President, I rise to speak about the amendment that has been introduced by the Senator from Texas, Mr. CORNYN. I think it is amendment No. 634. I will take only a few minutes, as I know my colleague from Indiana is waiting, but I do wish to speak to it, if I may.

The Senator from Texas has introduced an amendment that takes an unprecedented step in the Senate; that is, the step of actually requiring the President, by mandate—with respect to one weapon system in one singular amendment—to sell a specific weapon to another country. Specifically, the Senator wants to take the unprecedented step of requiring the President of the United States to sell 66 new F–16 fighter aircraft to Taiwan.

The amendment mandates the sale of these new aircraft, despite the fact that just yesterday the President and the administration notified Congress of their intention to provide Taiwan with nearly six billion dollars' worth of items in defense goods and services, on top of money they have already provided to Taiwan—including upgrades to Taiwan's current fleet of 145 F–16s.

I will stand by my record of 26-plus years of voting for the appropriate defense relationship with respect to Taiwan and China. We have always respected the Taiwan Relations Act, and I think we have consistently stood by Taiwan and kept faith with that act. Without a doubt, the growing military disparity between China and other countries in the region, as well as China and Taiwan, is something we need to be thinking about and taking into account as we contemplate the long-term future of all those relationships in that region. But that said, I am opposed to this specific amendment. I believe Senator BAUCUS, who has already spoken in opposition to it, and others, I believe, are opposed to it for two appropriate reasons: one, the substance of the amendment itself—and I will speak to that—but also, plain and simply, this is not the right vehicle to address this issue.

Everybody understands that consideration of TAA is part of a very complicated approach to what Senator THUNE just commented on—a much-too-long-awaited dealing with several trade agreements a lot of us want to pass and we think we should pass. Passage of this TAA proposal—without these other issues being added to it, which would put it in jeopardy—is critical to being able to help American workers as well as to lining up those three pending trade agreements which will create jobs in the United States and which will also enhance our security. So if we were to pass the Cornyn amendment—which we know the administration strongly opposes—that would imperil this very carefully crafted jobs package we are now considering.

On that basis alone, I would urge colleagues to vote against this amendment. But I believe there are powerful, substantive reasons for why this amendment shouldn't pass just on its own. Mandating the sale of one particular weapon is not the way for the United States to respond or to deal with or manage the complex national security challenge of that region and the complexity of the relationship with Taiwan.

I would remind colleagues that the $6 billion in new arms sales, of various kinds—including a major upgrade package to all the 145 F–16s—is an enormous, important package which Taiwan wants and needs and which Taiwan believes will bring it up to par with respect to those systems and the need to be able to defend itself.

I think we have to remember that ever since President Nixon opened the door to China nearly 40 years ago, the United States has worked very carefully to promote peace and stability in the Taiwan Strait. The Taiwan Relations Act has long governed our policy toward Taiwan because we don't have a formal diplomatic relationship or a formal treaty.

With respect to arms sales, let me share with my colleagues what the TRA says. It shall be the policy of the United States ''to provide Taiwan with arms of a defensive character'' and ''to maintain the capacity of the United States to resist any resort to force or other forms of coercion'' which would jeopardize the security of the people of Taiwan. Finally, the TRA obligates the United States to provide such defense goods and services to Taiwan as are ''necessary to enable Taiwan to maintain a sufficient self-defense capability.''

The Obama administration and the committees of jurisdiction in the Senate and House, with respect to it, take the provisions of that act very seriously. The administration has carefully analyzed, as have we, the military balance across the Taiwan Strait, and we have consulted closely with the Government of Taiwan as to how to best meet Taiwan's defensive needs.

On Wednesday, the administration formally notified Congress of its intent to send a very substantial retrofit package that would upgrade the current fleet. As I mentioned, there are 145 F–16s that Taiwan has today and that Taiwan relies on today for its current defense needs. These upgrades include state-of-the-art avionics and weaponry—including Actively Electronically Scanned Array Radars, targeting systems, the AIM–9X air-to-air missiles, and precision-guided munitions. So I don't believe there is any question but that the United States is now, and will continue to be, in full compliance with the requirements of the TRA.

But this package also makes clear that support for Taiwan is not a partisan issue. The Bush administration, in its 8 years—two full terms—notified Congress of the sale of roughly $15 billion total in arms sales to Taiwan. With the announcement of this sale of the additional items Taiwan needs, the administration—the Obama administration—in less than 3 years has approved the sale of over $12 billion in arms to Taiwan. So we have $15 billion

over 8 years from the Bush administration and $12 billion over 3 years from the Obama administration.

Moreover, the administration's $5.8 billion retrofit and training proposal provides the necessary parts, equipment, training, and logistical support for a cost-effective upgrade of Taiwan's current status; most importantly, it elevates Taiwan's current fleet of F–16s to a level of capability consistent with the most advanced export variants of this aircraft.

Let us understand where we are—what the state of play is. Taiwan has an urgent defense need today. They have 145 aircraft we have already sold them. We are prepared to provide them an upgrade that brings those aircraft up to the total state of the art of the most advanced export variants we are allowed to export to another country, and it will prevent these 145 aircraft from becoming obsolete. This is the most sensible, cost-effective, effective way to provide an upgrade and to provide Taiwan with the capacity it needs.

To the degree people are thinking jobs in the United States of America and what about selling, a lot of us have never believed we ought to use defense sales or weapons sales to create jobs. There are a lot more effective ways of creating jobs. But to whatever degree anybody wants to measure this by that standard, the $5.8 billion sale announced yesterday will be welcome news to the workers of Lockheed Martin, Northrop Grumman, Raytheon, Pratt & Whitney, and many other defense firms.

Again, I emphasize that is not the rationale for the sale, and none of us should resort to those kinds of sales for the purpose of jobs. But if that is going to be a measurement or a consideration in anybody's mind, make no mistake, the $6 billion the President has proposed will have its own impact.

Finally, let me point out to colleagues, and I think it is an important consideration, nothing in the proposed upgrade package will preclude the United States from providing new F–16s as we go down the road, as they may be necessary, as a judgment is made about them or any other similar platform to Taiwan in the future. The administration has taken pains to make clear to Congress and to Taiwan the approval of this sale does not and will not prejudice any future decision on new aircraft.

Yesterday, President Ma Ying-jeou of Taiwan said the upgrades to Taiwan's existing F–16A/B jets are aimed at maintaining the country's self-defense capabilities while pursuing peaceful development across the Taiwan Strait.

The President of Taiwan said of the upgrade package:

> We have to develop peaceful ties with Mainland China. But we haven't for one second let our guard down when it comes to Taiwan's security.

I don't believe the Taiwanese believe they are letting their guard down. I don't think they believe we are not meeting their needs. Obviously, Congress has an important role to play in determining how to meet those needs, but I don't think we should, in the wake of the evidence here, make an independent judgment outside of what is already happening. We certainly shouldn't blindly defer to the Executive on Taiwan arm sales. But I think to compel the Executive to make a specific arms sale to a specific country measured against the steps already taken and the steps being taken would be an unprecedented intervention by the Senate under circumstances where there just has not been made the kind of compelling, urgent argument that that is the only way to proceed. So I urge my colleagues to oppose this amendment when the time comes for us to vote on it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I yield myself 5 minutes out of my remaining time.

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

Mr. CORNYN. I thank my colleague from Indiana.

I would like to respond briefly to the Senator from Massachusetts.

This isn't an assessment I have made that Taiwan needs these aircraft; this is one made by the Department of Defense in their 2011 report on China's growing military power. They detailed the increasingly precarious situation in the Taiwan Strait, stating that China seeks the capability to deter Taiwan independence and influence Taiwan to settle the dispute on Beijing's terms.

So it is clear from the press reports from China's state-run newspaper, the very bellicose comments, that this is really an attempt by mainland China, the People's Republic of China, to intimidate not only Taiwan but also the United States, and we should not give in to that intimidation.

This chart which I pointed to earlier demonstrates the growing imbalance in the Taiwan Strait. This is why these additional aircraft are needed. The red one is 2,300 operational combat aircraft for the People's Republic of China versus 490 operational combat aircraft for the Taiwanese.

The Senator from Massachusetts is correct to the extent that the upgrades are welcome on the 145 F–16s we previously sold to Taiwan. But it is not adequate because 100 of these aircraft currently operational by Taiwan are obsolete and are going to be retired. Taiwan has intended that the new F–16C/D series replace the fleet of F–5s—those were previously sold U.S. aircraft from the 1975 to 1985 range which are now old and obsolete—and then the French-made Mirage 2000–5 fighters. So 100 of these planes demonstrated here, of the 490, are going to be retired, and the 66 aircraft that are the subject of this amendment will replace some of those retired vehicles.

So I don't think that thinking about the future of our relationship with Taiwan or problems we may see on the horizon is enough. We need to do something now.

I would also point out that you can't just take the production line at Lockheed Martin and basically eliminate it because there are no further demands or contracts for F–16 sales. Basically, all the personnel—the 23,000 people directly involved in those jobs—will be reassigned or be fired, let go, because there are no contracts in place as late as the fourth quarter of this year for new F–16s. So I think looking at this down the road doesn't take into account the current loss of jobs or the disruption of disbanding this production line, which cannot easily be reconstituted if there are no contracts, including the sale of these 66 F–16s.

I reserve the remainder of my time, and I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, may I inquire as to the allocation of time? The Senator from Vermont has generously yielded me the opportunity to speak for a few moments. I want to make sure I don't get the situation mixed up here so that we run out of time.

The PRESIDING OFFICER. The Senator from Florida, Mr. RUBIO, has 17 minutes. The Senator from South Dakota, Mr. THUNE, has 9 minutes.

Mr. COATS. I ask unanimous consent to take 6 minutes of Senator RUBIO's time.

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

The Senator from Vermont.

Mr. LEAHY. Mr. President, I would not object, but I ask consent that upon completion of that, I be allowed 7 minutes as though in morning business.

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

Mr. COATS. Mr. President I want to respond to some of the statements that have been made by my colleagues on the other side of the aisle regarding the need to add disaster relief to the Continuing Resolution we will consider this week.

There is no question that there is a need for some emergency supplemental appropriations for fiscal year 2011 disaster relief. There is agreement on both sides of the aisle that FEMA is short of money to meet its immediate needs in this fiscal year which expires at midnight on September 30. The Disaster Relief Fund is dangerously low, and on September 9 the President requested $500 million in emergency appropriations to finish out the immediate needs between now and the end of this fiscal year, which is just a little more than 1 week away, and that has been provided and taken care of.

The House is working on sending the Senate a continuing resolution that includes this emergency funding and more—more than the President's $500 million request. The House CR is expected to include $774 million for

FEMA—the Federal Emergency Management Agency—plus an additional $226 million for the Army Corps of Engineers for emergency flood control. This emergency funding is not covered by the Budget Control Act, so in accordance with procedures that have been put in place this year and in trying to be as careful with taxpayers' money as we can, the House offered an offset. That was defeated yesterday in the House.

While this funding covers FEMA's immediate needs, as requested by the President, through the rest of the fiscal year, the House bill also includes additional funding at the current level of $2.65 billion in fiscal year 2012 for FEMA's Disaster Relief Fund, which will provide the necessary funding to deal with the requests and make sure people get the support they need from losses in the various disasters through this continuing resolution period, which will go to around November 18.

It is important to note that, despite some of the allegations being made, Republicans support this disaster funding. It is critical to respond to the many disasters that have affected so many States over the past few months. However, the additional funding for fiscal year 2012 sought by Senator REID and Senate Democrats is not needed immediately. In fact, the President has not requested immediate passage of any of this additional funding beyond what is needed to provide FEMA what it needs to address the situations and to make the necessary payments between now and the expiration of this current resolution which we will be voting on this week.

This is not to say we should not consider additional disaster relief. I recognize the challenges that so many States face in response to the disasters that have recently struck across the country. My own home State of Indiana has experienced floods that merited a disaster declaration from the President earlier this year. As a nation, we need to step forward and address these immediate needs, but we have a process in place in this body to address this.

The Budget Control Act recently passed by Congress does allow a process for providing disaster relief in fiscal year 2012 through a disaster cap adjustment. As a result from that, the Senate Appropriations Committee—which I am the ranking member of the Homeland Security Subcommittee which oversees FEMA—has been considering the fiscal year 2012 bill and has included disaster assistance, where appropriate, pursuant to the disaster cap adjustment in the Budget Control Act. The key words here are ''where appropriate.'' We need to be in a position to provide additional funding should more disasters occur. But there is no need to go forward with what Senator REID has proposed, that is, dumping a lot of money that has not yet been certified as needed into an expenditure, particularly at a time when every dollar of expenditure needs to be carefully weighed in terms of our current fiscal situation.

Some have noted that while the CR may adequately fund FEMA, it doesn't address the other agencies that need additional disaster funding. If that is the case, then why hasn't the President requested these additional funds immediately?

On September 9, the President sent Congress his request for additional FEMA disaster relief funding, including the $500 million emergency funding for the remainder of fiscal year 2011. However, this request did not include any funding for the other agencies in Senator REID's proposal.

I ask unanimous consent for just 1 more minute.

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

Mr. COATS. If this is the case, why did he not ask for this? We don't need to include this additional funding to meet the needs of the people for the disasters that have already occurred. The funding necessary to do that is included in the House bill on which we will be voting.

Republicans want to ensure that the communities devastated by disasters receive the resources that will help them rebuild. We recognize that American citizens have had their lives turned upside down by Mother Nature. The CR will provide adequate disaster relief through November in accordance with the President's request and FEMA's stated needs. As a result, there is no need to have all of this additional assistance immediately as part of the CR. I urge Members to support passage of the CR the House will be sending us.

The PRESIDING OFFICER. The Senator from Vermont.

REMEMBERING MASTER SERGEANT SHAWN STOCKER

Mr. LEAHY. Mr. President, I have spoken many times here on the floor, as has the distinguished Presiding Officer, about the disaster and tragedy Vermont faced from Hurricane Irene.

We all learned with profound sadness that MSG Shawn Stocker of the Vermont Air National Guard suffered a fatal heart attack while working on a road reconstruction project in Cavendish, VT. Sergeant Stocker was the first sergeant of the Vermont Air Guard's Civil Engineering Squadron. We in Vermont mourn this tragic loss, and our thoughts and prayers are with Sergeant Stocker's wife Kristine and their children. When I spoke with Kristine today, I told her that I would talk about her husband on the floor, and his sacrifice for his community, and for our country.

It struck me that what happened on the morning of Sergeant Stocker's passing says much about him, and about the Vermont National Guard. When Sergeant Stocker passed, his troops gathered to consider how best to honor his memory that day. Ultimately, They decided to keep on working, to continue helping their neighbors in Cavendish. ''It is what Shawn would have wanted us to do,'' they said.

We have talked often of the loss and suffering in Vermont in the aftermath of Hurricane Irene. But we must recognize the skillful and tireless work of the Vermont National Guard, which has been so critical to rebuilding our state. They have answered the call to duty to help their neighbors in need. Sergeant Stocker and his fellow Guard members put their country first, do whatever the mission requires, and we will never forget that.

From the very beginning of the disaster up until today, the Vermont National Guard has been deployed to help Vermonters in need. I spoke to Secretary Panetta last night in Washington, and I told him what a great job the Vermont National Guard is doing.

Let me show my colleagues a photograph. This photo is of a Vermont airdrop of supplies to a Vermont town. That town was totally cut off. The only way we could get in the supplies was to bring them in by helicopter. In the days following Irene, the Vermont National Guard immediately went into action to make sure the storm victims cut off by Irene's destruction received emergency supplies. Helicopters airdropped food and water, and we reached out to other State Guards.

I talked with the Senators from Maine. They told me how happy their Guards were to be able to come down and help out. It demonstrates the versatility of the National Guard.

In addition to meeting our immediate needs, the Vermont Guard has taken on major projects such as debris removal and road construction. As in so many other States, when Vermont has a need, our National Guard is there for us. Often they are the first to arrive and the last to leave. Guard units who have come to Vermont to help include ones from New York, Ohio, Maine, West Virginia, Virginia, South Carolina, and Illinois. All of these Guard units have said: We are here. Call us. Tell us what you need. That is one of the things we love about the National Guard. When one State needs help, every State steps up.

One thing Vermont did need in the immediate aftermath of Irene was helicopters. The distinguished Presiding Officer and I helicoptered around the State. It was regrettable that our State needed more airlift. Why did we? Because many of our Black Hawk helicopters were still in Iraq following the most recent deployment. They are the most modern in the fleet, but they are in Iraq. In this season of war, it takes a moment to remember the troops and equipment sent overseas are not going to be available to help out at home if we need them in an emergency.

Like that deployment of equipment, every dollar we spend on the conflict in Iraq and Afghanistan is one less dollar we have to invest in recovery and rebuilding in America.

Let me show another photograph to my colleagues. Look at that National

Guard working to put in these roads. They are stretched thin, as are the National Guards all over this country because so many of them serve overseas in Iraq and Afghanistan. These are talented engineers, talented men and women, people who know what to do and have the equipment. They can do things nobody else can do, certainly not in our little State.

This is a time to choose investment at home first. I hear people tell me we can't pay for disasters in America unless we take money out of education or medical research or other things Americans need, but we can sign a blank check to rebuild Iraq and Afghanistan. I am saying, let's worry about America. Americans need help. We are asking for a tiny percentage of what we are spending on a credit card for Iraq and Afghanistan.

America needs us. The citizens in our States are suffering because of a natural disaster. The men and women of the Guard who have come to their aid deserve nothing less.

For the last decade we have waged two wars on the Nation's credit card. We totally ignored paying for it during that time, even though we have raised taxes to pay for every other war in this Nation's history. We did, however, pause to throw ourselves a party in the form of tax breaks tilted toward the very wealthiest among us. The policy was wrong, and it hurt America.

Now, after all these years of funding wars and rebuilding other countries overseas, the leadership of the House of Representatives, in their continuing budget resolution that was defeated yesterday, brazenly told the American people we can no longer afford to come to the aid of Americans in need. Instead we are going to offset the costs of rebuilding America by cutting a program that Americans badly need.

This is ''Alice in Wonderland.'' Are they asking the wealthy to pay their fair share? No. Are they asking the oil and gas companies making record profits quarter after quarter to sacrifice their tax giveaways? No. Are they asking a sacrifice from those companies who get tax breaks for shipping American jobs overseas? No.

That is wrong. We cannot ask these suffering people to sacrifice and refuse to ask those who have the most to contribute their fair share.

We can't cut programs that are going to create new jobs, that provide a basic safety net for struggling families and seniors, while giving every break possible to the very wealthiest among us. It is unconscionable. It is not the American way.

I have been privileged to be in the Senate representing our great State of Vermont for 37 years. We have always dealt with disaster bills together. We have worked across the aisle in the spirit of bipartisanship. Vermonters have not asked why we help out with an earthquake in California. We do it. Vermonters don't ask why we help out in Louisiana or Texas or Virginia. We do it.

We are the United States of America. We work together. We can not afford to toss aside that tradition.

The decision of some to inject politics and political point scoring into disaster relief is a new low for Congress, a Congress that is already scoring records for unfavorability. Leader REID is right to call for a continuing resolution that includes an emergency disaster relief package that will get aid to all 50 States suffering from the effects of these unprecedented natural disasters.

We try to rebuild Iraq and Afghanistan and nobody questions that. Instead, let's rebuild America.

I encourage my colleagues here and in the House of Representatives to do the right thing for people who need our help and move forward with Leader REID's bill. Our fellow Americans need our support. Let's start spending some time worrying about America.

I yield the floor and suggest the absence of a quorum, with the time to be equally divided.

The PRESIDING OFFICER. Without objection, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 633

Mr. HATCH. Mr. President, I rise in opposition to the Casey-Reid amendment. Over the past several days we have had the opportunity to publicly discuss and debate a number of serious flaws in the Trade Adjustment Assistance Program and its proposed expansion. Perhaps the most egregious aspect is voting to spend more taxpayer dollars on an expanded domestic spending program of dubious value at the very same time our colleagues on the supercommittee are scrutinizing every penny of Federal spending in a bipartisan effort to get our Federal deficit under control.

It makes me wonder whether this body understands the gravity of the deficit we are facing. As a country, we are simply spending more money than we have. If it continues we are going to be bankrupt. We will bankrupt our country and leave behind a grim future for our children and grandchildren.

We will hear many of my colleagues talk about how important it is to spend this money, and I am sure a lot of them will feel good about their votes. But we all know the good feeling that comes from buying things we cannot afford is fleeting while the debt accrued hangs like a dark cloud over our daily lives. We simply cannot afford to continue to spend money our country does not have. This is why I, for one, am voting no.

Despite my concerns, I am convinced that this amendment and bill will pass. This spring, the President made it clear that if this domestic spending program was not expanded and approved he would abandon our allies in Colombia, Panama, and South Korea, and cede these growing markets to our foreign competitors. How shortsighted.

While the President may have been willing to accept that outcome, many of my colleagues were not. They stepped up to the plate and vowed to support efforts to move the process forward. As a result, the deck in favor of this bill was stacked long ago.

Still, I am glad we have had an open debate on the merits of this program. Earlier this year, the President attempted to shield TAA from strict scrutiny and debate by jamming it into the South Korea implementing bill. Doing so would have been a clear abuse of U.S. trade laws and would have denied the Senate an opportunity to fairly debate and amend TAA. The American people deserve better than this and Finance Committee Republicans fought hard to ensure that this did not happen. It is largely a result of their efforts that we are here today.

Even though the deck was stacked against our amendments long ago, this discussion has been a useful exercise. It has been over 9 years since the Senate engaged in a real trade debate on the Senate floor. Senators deserve an opportunity to have their voices heard on issues related to international trade, and by engaging in debate we are honoring our republican constitutional traditions. We are doing what the American people expect us to do: openly discussing problems and, in doing so helping to resolve them.

During this debate, a number of amendments were offered that enabled Senators to go on record regarding their trade priorities and core beliefs. For the first time in years, we were able to draw clear distinctions between rhetoric and action. Of course, there has been debate about the merits of the free-trade agreements themselves.

As I noted earlier, the President and many of my colleagues who purport to support these agreements made it clear that in reality they only support the FTAs in exchange for something else. That something else turned out to be a demand for more spending. I am worried that going forward this pattern will continue. I certainly hope not. As a nation we cannot afford to hold our international economic competitiveness hostage to unrelated demands for more spending or for a more liberal social agenda.

During the course of this debate, I have expressed concerns that the real cost of the TAA expansion bill is unknown. Recall that benefits under TAA are paid out on top of unemployment insurance, which is supposed to take care of those who are out of work. As more and more people take advantage of the program, and as the number of weeks of regular unemployment insurance contract, the cost of this entitlement program could spiral out of control. So a number of amendments were offered that would help constrain its future growth so we do not end up

sticking the American taxpayer with another out-of-control spending program.

Every single one of these amendments was rejected by my colleagues across the aisle. Their passion for spending runs so deep that even an amendment by my friend and colleague, Senator KYL, which implemented one of President Obama's recommendations to cut TAA funding for firms, was rejected. At a time when the supercommittee is struggling to cut spending in areas such as defense and health care, I find it astonishing that my colleagues cannot support eliminating a program that even President Obama agrees should be cut. That is a true rarity—that is, that President Obama agrees to any kind of a cut, not that my colleagues will not support eliminating a program. That, we know, has happened around here for all of the 35 years I have been in the Senate. But even when President Obama, one of the biggest spenders in the history of the world, agrees that a program should be cut, they will not even do that.

My colleagues across the aisle also chose to reject an amendment to provide their own President with the authority to negotiate new trade agreements. Can you believe that? We all know the authority to negotiate trade agreements expired years ago. Since then the United States has been sitting on the sidelines while other countries negotiate agreements all around the world. Everyone knows if we are not in the game we do not even have a small chance to win. Right now, the United States is not in the game.

While it is true that the President is in the process of negotiating an agreement to create a transpacific partnership, we all know that the chances of it actually succeeding are actually almost nonexistent without trade promotion authority.

While the protrade rhetoric sounds good from the other side, when it comes down to concrete action, President Obama and his Democratic colleagues are absent once again. I am perhaps most disturbed by their rejection of my amendment which would have made the expansion of this domestic spending program contingent upon submission, approval, and signature of our pending free-trade agreements with Colombia, Panama, and South Korea. This amendment simply held President Obama accountable.

The President said there would be no FTAs unless Congress passed TAA. The insinuation is that if Congress does pass TAA, the President will submit, support, and sign all three FTAs.

Yet, even today we do not know if that is the case. My understanding is the White House has given no indication they will actually submit these agreements for a vote. That is truly pathetic. They are willing to spend more. They are willing to pass TAA so they can spend more regardless of whether they are sincere about doing these free-trade agreements that will provide almost 250,000 new jobs in this country, or at least jobs.

My amendment simply called for Presidential accountability. But even Presidential accountability was rejected by the other side. Once again, protrade rhetoric of the past several months has been shown to be nothing but a facade. I will be voting against the amendment to expand TAA, and if it is approved, I will vote against final passage of the bill. I simply cannot condone more spending on a program with dubious value at a time when our Nation is clearly broke. I remain hopeful President Obama will submit our pending free-trade agreements to Congress. If he does, and they are approved, I am confident President Obama and his team will drape themselves in the protrade flag and claim responsibility for moving these agreements forward. The fact of the matter is the authority to negotiate these agreements and the actual negotiation of these agreements themselves is due to the hard work of late nights of President Bush and his team. This is one instance where President Obama can rightly place responsibility at the feet of his predecessor.

My Republican colleagues and I put forward a number of amendments during the week to constrain government spending, open foreign markets for our products, and hold the President accountable for his rhetoric. Unfortunately, every single one was defeated, mostly along party lines. But we will not be deterred. We will continue to fight against out-of-control government spending. We will continue to fight for Presidential authority to open foreign markets to U.S. exports. We will continue to fight for transparency and accountability in our international trade policy. While we may not win the battle today, I am confident we will win in the end.

Over the next year I plan to conduct rigorous oversight of President Obama's trade policy. If these agreements are eventually submitted and approved, I will work hard to make sure they enter into force quickly. I also plan to conduct extensive and continued oversight of the operation of the Trade Adjustment Assistance Program. I am convinced it is a flawed program and that strong congressional oversight will help expose those flaws. I will also work hard to make sure our next President, whoever that may be, has the authority to negotiate strong trade agreements that tear down barriers to American exports. Over the past several days many of my colleagues expressed interest in updating this authority. I welcome that interest and want to express my sincere desire to work with them to immediately see that trade promotion authority is renewed. Our Nation and our workers cannot afford to wait.

I ask unanimous consent that we divide the quorum call I am about to suggest equally between both sides.

The PRESIDING OFFICER (Mrs. MCCASKILL). Without objection, it is so ordered.

Mr. HATCH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BAUCUS. I ask unanimous consent the votes with respect to amendments and passage of H.R. 2832, the GSP bill, occur at 4:30 p.m.; that all after the first vote be 10-minute votes; that prior to the vote in relation to the Cornyn amendment, there be 10 minutes equally divided, with remaining provisions of the previous order remaining in effect; finally, the amount of additional time this agreement adds for debate on the bill and amendments prior to the votes be equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

Mr. BAUCUS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

EDUCATION REFORM

Mr. ALEXANDER. Madam President, according to the Washington Post this morning, the President and his Education Secretary will announce tomorrow that the Department of Education will begin a process to grant waivers to States from the provisions of No Child Left Behind. No Child Left Behind, of course, is a law that was passed with bipartisan support in 2001 and 2002 by Congress. We are in its ninth year of its implementation.

It needs to be fixed, and Congress needs to act to fix it. Republican Senators and Members of the House have already offered legislation that will begin to do that, which I will talk about in a minute. But my purpose in coming to the floor is to talk about the waiver requests the Secretary of Education may begin to approve. My request of the Secretary and of the President is that as they establish a waiver process and as they begin to approve waivers, they show restraint and not take unto themselves responsibilities that are the responsibilities of Congress.

The truth is, the Secretary has the States over a barrel. We have about 100,000 public schools in America, and as he has correctly said, about 80 percent of them, under the current law,

are going to be deemed as failing schools soon.

The President and the Secretary and we Republicans would like to take the responsibility for determining which schools are succeeding or failing and put that back in the hands of the States. We would like to take the responsibility for determining which teachers are highly qualified and put that back in the hands of the States. That is a part of the legislation we introduced last week.

Substantially, those ideas are ideas the President and the Secretary either have advanced or agree with. So we have a lot of agreement about this. But the Secretary has the States over a barrel. Most Governors want a waiver. Almost every State, from Missouri to Tennessee to Georgia, will be asking for a waiver.

What I hope the Secretary will do is to look at the applications, and if those applications submitted by the States for exemption from the requirements of No Child Left Behind, if they would enhance student achievement, then approve them. If they would not advance student achievement, then deny them.

But the restraint I am asking for is that the Secretary not use this occasion, when the States are over a barrel, to become a national school board and begin to impose on the States those requirements that Congress would not do through legislation and that States ought to be deciding for themselves. This is the request of the States themselves.

The States have been working over the last 10 years in very good ways to take steps forward together. They have created common standards. They have created tests to measure performance against those standards. The chief State school officers are in the middle of creating an accountability system. A lot of progress has been made in what I like to call the holy grail of elementary and secondary education: finding a way to reward outstanding teaching by connecting it to student achievement. This is something Tennessee became the first State in the country to do when I was Governor in 1983 and 1984 and which many school districts in many States are trying to do now.

So the difference of opinion I have, potentially, with this Secretary and this President on what to do about No Child Left Behind may seem very small. Let me compliment the President and let me compliment the Secretary in this way. They stuck their necks out and have taken some positions to help make better schools that are not popular with their natural constituents.

I admire that. I respect that. They have advocated a number of changes in the schools; for example, getting rid of the adequate yearly progress provision, moving out of Washington the responsibility for deciding whether schools are succeeding or failing; changing the highly qualified teacher provision so States can figure that out through their own systems.

All those are things we agree on, Republicans and Democrats. Where we may disagree, and the reason we have not advanced ahead with bipartisan legislation on No Child Left Behind, is what I would call the difference between Washington mandates and approving State requests or one might even say, the difference between a national school board and giving States the responsibility for making their own decisions.

Here is an example of what I mean. There is agreement, as I said, that this process called adequate yearly progress for a lot of schools should not be decided here. We will read in the paper that such and such school is not succeeding or it is failing. It is a good idea for Tennessee or for Missouri or for California to set performance targets to replace adequate yearly progress. But those performance targets ought to be in the States' application and not be required and defined by the U.S. Department of Education in Washington, which could turn it into a national school board.

A growth model, the idea of giving States and school districts credit for making progress, sort of an A for effort, to go along with an A for achievement, that is a good idea. President Bush, in his administration, began to permit that exemption from No Child Left Behind.

But superintendents ought not to be flying to Washington from Nashville and Denver and different parts of America and asking anybody in Washington to approve their growth model or even be required to have one if they have some other way to decide whether schools are succeeding or failing.

Let me take another example that I have a very deep interest in. Teacher and principal evaluation systems related to student achievement. Tennessee became the first State in 1984 to pay teachers more for teaching well. Up until then, not one State paid teachers one penny more for teaching well. In my office this morning were the two Principals of the Year from Tennessee and three representatives of the Tennessee Education Association. Four out of the five were voluntary participants in our Master Teacher Program or Career Ladder Program and were telling me how grateful they were for that.

But let me tell you this, it was a controversial and difficult effort. It was opposed massively by the National Education Association, whose members this morning were thanking me for the program, because it is not easy to determine, in a fair way, how to reward outstanding teaching, particularly if we are going to relate it to student achievement and particularly if we are going to relate it to performance pay.

The best way to do that is to encourage States and encourage school districts to try different ways of doing it and hope they succeed and borrow ideas from one another. This is what the Teacher Incentive Fund has done for the last few years as a part of No Child Left Behind. I fully support that program and hope we will continue giving money to help school districts who want to try different forms of performance-based pay.

But to require a student-teacher evaluation in order to get a waiver from No Child Left Behind runs the risk of school districts all over the country—100,000 schools—being supervised by a national school board.

I have had very good conversations with well-meaning superintendents and others in school districts who say: But Congress has to make us do it or we will not do it. I do not buy that. I do not think you can make schools better from Washington, DC. We can create an environment in which they might succeed. Schools are similar to jobs. We have a national responsibility for them, but we cannot create them here. We can create an environment to make it easier and cheaper to create jobs, private sector jobs. We can create an environment to make it easier to create better schools.

Then, the next thing someone would say is: There is no harm in just saying in a Federal law or in a requirement for a waiver that we must have a growth model or we must have a performance standard or we must have a teacher-principal evaluation program. What is wrong with that?

Here is what is wrong with it. That is not the end of it. Because there is the habit then, every time I have seen it—one time when we passed a law saying the Secretary of Education could not do it, of creating regulations to interpret what the Federal Government means by growth models, performance standards or teacher-principal evaluation systems, a lot of well-meaning staff members and other people and peer review groups then decided what a teacher-principal evaluation system related to student achievement looks like. That is going to be very hard to do since nobody knows what it looks like. That would be akin to telling people—requiring them to drive cars before the car was invented.

We have had several good experiments around the country that are identifying good teaching, rewarding performance, relating it to student achievement and relating it to better pay. But it has been very hard to do. No one is absolutely sure how to do it.

The worst thing we could do at this time with teacher and principal evaluations related to student achievement, even though I believe it is the holy grail of school reform, is to impose any version of it from Washington.

I am simply asking the President and the Secretary to show restraint tomorrow. I have a lot of admiration for this Secretary and respect for the President's positions on kindergarten through the 12th grade education. Many of the ideas in the legislation advanced by Republican Senators last

week to fix No Child Left Behind were suggested by Secretary Duncan. He has gone out of his way to work with Republicans, as well as Democrats. He has been an energetic, able Secretary, and I support most of his ideas.

For example, he supported the idea—we agreed to it, Democrats and Republicans, Senate and House—that instead of reauthorizing this big law, we would fix it. Then we identified nine areas we tried to fix. The Secretary was comfortable with that, and so were Democratic colleagues and Republican Senators. We set a new, realistic, challenging goal to help all students succeed. We agree on that: Instead of a goal that would require 80 percent schools to be labeled as failing, we will have a new goal that says students will be college and career ready when they graduate from high school.

We agreed we should free 95 percent of schools from the Federal requirement of conforming to a federally defined adequate yearly progress mandate. What that simply means is, instead of Washington deciding whether a school in Nashville is succeeding or failing, that decision will be made by the State of Tennessee. The State of Tennessee will be able to do it a lot better today than it could in 2001, because since then we have had common standards adopted by 44 States—tests of those standards adopted by about the same number. We have chief state school officers agreeing on the principles of accountability systems—these are the performance targets, growth models, and other such things. In the case of Tennessee, they won the Race to the Top competition, which I also support.

The third thing is that the Federal Government will help States fix the bottom 5 percent of their schools—that is 4,500 schools picked by the States. The Secretary agrees with that, and we Republicans agree, and I believe our Democratic colleagues agree.

We agree on requiring States to have high standards that promote college and career readiness for all students. We agree on encouraging the creation of State and school district teacher and principal evaluation systems to replace Federal highly qualified teacher requirements. But for us that means allowing States—if they choose to do it—to use title II money to pay for it. We are not going to require it or define it. We are going to let it flourish.

We believe in continuing the necessary reporting requirements. This may be the greatest contribution of No Child Left Behind since 2002. It requires reports on how schools are doing by subgroup, not on the average. So we can find out if African-American children or Hispanic children are doing as well as other children. We have this great volume of information now from school districts all over the State, so that we have, in effect, better report cards.

We believe on the Republican side—and I think there is agreement, in principle, at least, on the Democratic side—that we should allow school districts to transfer Federal funds more easily to meet their needs and to consolidate Federal programs.

We believe in empowering parents. In my office this morning, one of the State Principals of the Year from Tennessee was from Powell Middle School in Knoxville. Their enrollment is up this year, from 920 to 1,060, because parents were choosing to take their children out of schools that weren't succeeding, and they were permitted to transfer them to another school—in this case, the Powell Middle School, where they could succeed.

That is my request of a Secretary I admire and a President whose K–12 education policies I respect: Please show restraint. Just because you have every State over a barrel, doesn't mean you should be tempted to use this opportunity to become a national school board. Step back, look at the applications for waivers. If they enhance student achievement, say yes; if they don't, say no.

Then one last point. Someone might say, and they'd be exactly right, that the real reason the Secretary is granting waivers is because Congress hasn't done its job. We're in our ninth year of No Child Left Behind and we should have fixed it 4 years ago when the law expired. It has just continued, according to the provisions of the original law. We have substantial agreement in the Senate, except for these accountability provisions, these differences over whether we are creating a national school board. We should come to a conclusion about this. We should get a result. We shouldn't create a situation where every Governor has to come to Washington to get a waiver from standards that don't work anymore. That is our job. The Secretary has the power to grant waivers, but he should do it in a limited way and Congress should get to work fixing No Child Left Behind so there is no need for waivers. I call on our Democratic colleagues, with whom we have met dozens of times, to redouble our joint effort to get a result.

This is not a case where we don't want President Obama to succeed, as some have suggested. We want him to succeed, because if the President succeeds on K–12 education, the country succeeds. We substantially agree on how we need to fix No Child Left Behind. We still have a few differences of opinion. The Secretary's regulatory action should not do what the Congress ought to be doing. I respectfully suggest that he should show restraint and we should get to work.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

Mr. LAUTENBERG. Madam President, I ask unanimous consent to speak as in morning business for 10 minutes.

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

DISASTER RELIEF

Mr. LAUTENBERG. Madam President, we find ourselves in a peculiar condition. We must have the people across this country scratching their heads and wondering: What are those guys doing? We know the American people do not think much of us as it is, but they are surely going to think less of us when they see what is happening.

We have a tradition in our country that when disaster strikes, we respond. Americans pull together and help each other. We saw that happening in the aftermath of Hurricane Irene, which devastated New Jersey and other States along the east coast, and other natural disasters hitting our country across its breadth—forest fires in one State, water shortages in another, and other problems in others. There isn't a State in this country that hasn't felt the wrath of a storm or the difficulty that nature presents. But the one thing we don't see is the spirit of cooperation. It certainly doesn't extend to some of our colleagues.

I look at the House disaster relief proposal, and one thing is for sure: It is totally inadequate. Madam President, this is an emergency, and it is just plain heartless for our colleagues to turn their backs on families who are struggling to rebuild their shattered lives. I don't know what they are thinking because we know difficulties have struck all 50 of our States at one time or another, a lot fairly recently. Yet these people are saying: No, we are not going to give you enough money to deal with the emergencies that we have.

I hope the people who are in their districts or in their States look at their representatives and say: Hey, wait a second. We have problems here. And these people who are so negatively disposed are raising havoc within the families of their own States or their own districts. They are just turning their backs on them.

The early estimates suggest that Hurricane Irene could become 1 of the 10 costliest storms in American history, with damages that could exceed $10 billion. This violent storm produced some of the worst flooding in a century, destroying homes and displacing countless families.

In my State of New Jersey alone, 11 lives were lost, people were turned out of their houses. In many cases, as I saw them—as President Obama saw them when he came to my State—they can't go back to those houses. They certainly, for the most part—those who had to evacuate their homes and put their furniture out on the front lawn—their furniture is unusable even if they can get in their houses. So life has a grim picture for these people.

The President came to New Jersey to see for himself the destruction that Hurricane Irene caused. I joined him on a tour of the city of Paterson, NJ. It is my hometown. I was born there. It was one of the cities hardest hit by flooding. We have a picture. It has lots of pretty colors, but it is a disastrous portrayal—water all over the place, a bridge just about underwater. We witnessed unforgettable images—streets and sidewalks covered in mud, and in some houses the second floors were covered in mud as well.

But Paterson is not alone. This picture shows the damage in Bound Brook, NJ. Here we see, again, flooded roadways. By the way, my State of New Jersey happens to be the most densely populated State in the country. We have 9 million people living in a very small area. So when something like this hits, it hits a lot of people in a hurry.

In Cranford, NJ, this material we see here you might call trash, but the people who lived here didn't call it trash. These were their possessions. These were the things their kids slept on night after night, or tables they ate from every day. Trash. These people across the Capitol—people on the other side in the House of Representatives—they say: Oh, too bad. First of all, we will have to go find the money if we are going to do anything; and, secondly, we are just not going to give enough money to deal with the problem.

We have a city called Boonton, NJ. People are unable to get what they need. There was a bridge there before. It is gone. How do they get across town? Well, maybe they just don't.

With Hurricane Irene we witnessed nature's power to destroy, and now it is time to see the Federal Government step up; get in there to repair, rebuild, restore, and give people encouragement. When the President of the United States stood before the people in New Jersey, I saw them weep when they held his hand. They wept not because it was a sad picture for the President, but because it was a sad picture for their lives. They are thinking about their own kids and their own lives, and seeing the President was a sign of relief. They were thinking: The President of the United States is here. He is going to make sure we get help in a hurry.

But our Republican friends on the other side, they say: No hurry. No hurry. I hope the people in these States, the people in these districts, will record these moments. We will remind them about it.

Even before this hurricane struck, FEMA's primary source of funding for cleanup and recovery—the Disaster Relief Fund—was already on life support. They didn't have enough money to do their job. The fund was depleted by recent tornadoes, flooding that wreaked havoc across the Midwest and South, and wildfires that ranged across the South and the West. So here in the Senate we passed a bill, and it wasn't easy.

A lot of our colleagues stood up to the assignment and said: OK, I don't necessarily agree, but I agree conceptually. Therefore, I will agree to make $7 billion in funding available to help victims of Hurricane Irene as well as victims of the recent tornadoes and wildfires. Our bill provides funding to get us through the end of the month because the fiscal year ends at the end of September—just a few days away—and to support emergency needs when the next fiscal year begins in October.

Last week, 10 Republicans had the guts to stand up and say: I don't care that it is the Democrats who are proposing this; I care about the people it is going to serve. They stood up and voted with us. It took courage. They stood up for their constituents and people across the country who are trying to rebuild their lives. This was a courageous vote for them, and it shows there is bipartisan support for the Senate disaster relief bill.

In contrast, the House Republicans couldn't even get enough support from their own party to pass their measly proposal last night. It is time for them to embrace the Senate plan on disaster relief and stop using disaster victims as political pawns.

Who are they going to hurt? Are they going to hurt President Obama? Are they going to hurt Democrats who are in office? No. The pain goes to the ordinary people who work for a living and take care of their families and those proud Americans serving in our military. Those are the people to whom they are saying no.

It is too bad. It is too bad. A lot of these people are veterans and have come back from dangerous duty. They go home, their unemployment rate is high, and very often they are rebuilding their lives. If they have a home, a domicile, in these areas, they say we can't help them.

The House Republicans' halfhearted approach offers little more than $3½ billion in disaster relief. That sounds like a lot of money, but it is not even close to being enough. It is going to leave our residents, our States, our cities and towns out in the cold at a time when they desperately need help.

In addition to shortchanging FEMA, the House provides zero funding for many of the programs that are needed to help us recover. Our Senate bill includes funding for the community development block grants—a very important program. It gives communities money and the latitude to deal with the problems that face them. It provides our communities with long-term support and Economic Development Administration grants to help businesses grow again—to hire people and to produce product. It also includes funding for the Department of Agriculture to help farmers and residents in rural areas to recover. It is the kind of help we offered in 2008 and 2010 when hurricanes and heavy rains caused destruction in States such as Texas and Kentucky, Tennessee and Indiana, and it is what we have to do again.

The House Republicans failed to provide funding for farmers, economic development, or long-term support for local communities to rebuild. That is what you do when you have a crisis or a natural disaster, and there can't be any debate about the help that is required in all 50 States. It requires bipartisan support because we can't get it done with only one party.

Every State has experienced a disaster in recent years. This year alone, Federal disasters have been declared in 48 States. FEMA is working in every one of those States to help communities rebuild and recover—if they have the resources. If they don't, they will not be on the job and people will continue to suffer. So if the House Republicans get their way, every State is on the verge of disaster.

Incredibly, the House proposal pays for disaster relief by taking money from advanced technological development that will help our automobile industry, for instance, and create jobs. In the Senate, we have to reject this misguided approach. We have to say no way. We are not going to rob Peter to pay Paul. They simply want to rob Peter and Paul—that is what they want to do—of assistance and help.

We should ask why it was acceptable to provide more than $800 million to invade and then rebuild Iraq without paying for it, no questions asked. Ask the families who made sacrifices in that war how they felt about it. We turn our back on it. That is what we have done. But when the time comes to rebuild America, some Republicans want to hold the money hostage until painful spending cuts are inflicted elsewhere.

They are gunning for the President of the United States. They think they are going to be able to smash President Obama's accomplishments: getting a couple million people to work, the packages that got the decline stopped where it was and started to turn around.

We have to remember something. I was once the senior Democratic member on the Budget Committee, so I know about balancing budgets. But when these reckless tax cuts came up for the wealthy and cost $700 billion over 10 years, they were approved without being paid for. It is pretty clear, when it comes to giving big tax breaks to millionaires and billionaires, the wealthy among us—and I say this without meaning to boast. I ran a very good company, a company I helped start with two other fellows that now employs 45,000 people, where there were three of us, and I, with my education being paid for by the government because I served in the Army for 3 years and I got the G.I. bill.

So I will tell you this—and I will tell this to all my colleagues and I hope they hear me. I think it is time for people like me who have made money to pay something back, to give strength to our country, and not argue about whether they pay enough tax. They

don't pay enough tax. Warren Buffet says they don't pay enough. They listen to him, that they don't pay enough tax. It doesn't hurt those of us who have been successful the least bit to pay a few more percent in taxes. We can feel good about it. Look in the mirror after we have put something in of value that our country needs, that strengthens the working class of people that tells them: Listen, we have gotten our share, and now it is our responsibility to give back some part of that share.

It is pretty clear; when it comes to giving big tax breaks to millionaires and billionaires, the Republicans don't give a second thought as to how much they cost. But to our country's disaster victims, they have to go to the back of the line and wait their turn.

When disaster strikes, victims don't want us to reach for the budget ax. They want us to extend that helping hand that gets their lives back started again. The fact is, disaster victims have enough to worry about. In many years, people's lives have seen moments of jeopardy and difficulty, and they fully gave what they had to help their country, feeling all the time that the government is going to stand behind them.

That is what this country of ours is about, this democracy. The Constitution demands that we improve the lives of our citizens; that we give them rights, we give them support, we give them a view of life.

House Republicans want to turn their backs on storm victims. A lot of them are new here. They ought to enjoy these terms because they may not have another one when the public finds out what they are doing, turning their backs on storm victims, local communities, regional economies, and farmers. Their proposal will cost us jobs, and I hope their jobs will be included in it when it comes time next year to vote.

I appeal to my Republican colleagues, stand—stand for those who live in your States, including our neighbors, including the States' children, including the States' families. Remember this, Republican Senators, Republican House Members. We represent people across political lines, across religious lines, across all different lines, and our obligation is to take care of those people when they need help; to give them some support, to give them some hope, to give them some vision.

That is what we are supposed to be doing. We are supposed to be encouraging our citizens, our constituents, and not simply turning our back. What we ought to have is a camera in here that shows every time people vote no on issues and make sure it is clearly understood when people turn their backs on their fellow citizens.

We face serious fiscal challenges in our country, but we cannot put a price on human life. Nothing—nothing is more important than keeping our communities, our families, and our economy safe.

I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 651

Under the previous order, the question occurs on amendment No. 651, offered by the Senator from Florida, Mr. RUBIO. There will be 2 minutes of debate equally divided prior to the vote.

Mr. RUBIO. Madam President, I will be brief.

The amendment is simple and straightforward. It just returns the TAA Program back to its original intent. It was designed to help workers who were displaced from their jobs or lost their jobs as a result of trade practices, primarily as a result of free-trade agreements between the United States and other countries. It is one of the reasons why, I believe, the majority has brought this issue before us before proceeding to the free-trade agreements with South Korea, with Panama, and with Colombia. What this does is it returns it back to that. It clearly recognizes there are workers who have been hurt by unfair trade practices unrelated to trade agreements, whether it is what China does or other nations do, and those things need to be dealt with, but they need to be dealt with separately.

This program was originally designed to help workers who were harmed in the short term. That is why it is called adjustment. These are workers who are trying to adjust as a result of some disruptions that may have occurred as a result of a trade agreement.

I think what we can take solace in knowing is that the best thing you can do for a worker who has lost his job is to get him a job. Ultimately, that is what free-trade agreements do. They create jobs in America, as the White House has recognized.

My hope is that we will proceed quickly to the passage of the three free-trade agreements, and again I urge the White House to submit those and that this body take them up as soon as possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Madam President, the conflict here with regard to the amendment that has been proposed is that on our side of this debate, we think this should be a broad array of help for workers. If a worker loses his or her job and we can provide eligibility for trade adjustment assistance, we shouldn't limit that just to the 17 countries with which we have a trade agreement.

Say if we have a problem with massive job loss as a result of what China is doing, either because they are cheating on currency or not playing by the rules—as we know they have not in many instances. I have a table here that indicates that in fiscal year 2012, when you look at the estimated number of workers certified under trade adjustment, whether they are import-related certifications or whether they are all other certifications, you add it up and there are more than 287,000 people who are impacted. A lot of those are impacted by way of unfair trade from China.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CASEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. CORKER), the Senator from Kentucky (Mr. PAUL), the Senator from Wyoming (Mr. BARRASSO), and the Senator from Wyoming (Mr. ENZI).

Further, if present and voting, the Senator from Tennessee (Mr. CORKER) would have voted ''yea.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 34, nays 62, as follows:

[Rollcall Vote No. 146 Leg.]

YEAS—34

Alexander	Hatch	McCain
Ayotte	Heller	McConnell
Blunt	Hoeven	Moran
Boozman	Hutchison	Murkowski
Burr	Inhofe	Risch
Chambliss	Isakson	Roberts
Coats	Johanns	Rubio
Coburn	Johnson (WI)	Thune
Cochran	Kirk	Toomey
Cornyn	Kyl	Vitter
Crapo	Lee	
DeMint	Lugar	

NAYS—62

Akaka	Grassley	Portman
Baucus	Hagan	Pryor
Begich	Harkin	Reed
Bennet	Inouye	Reid
Bingaman	Johnson (SD)	Rockefeller
Blumenthal	Kerry	Sanders
Boxer	Klobuchar	Schumer
Brown (MA)	Kohl	Sessions
Brown (OH)	Landrieu	Shaheen
Cantwell	Lautenberg	Shelby
Cardin	Leahy	Snowe
Carper	Levin	Stabenow
Casey	Lieberman	Tester
Collins	Manchin	Udall (CO)
Conrad	McCaskill	Udall (NM)
Coons	Menendez	Warner
Durbin	Merkley	Webb
Feinstein	Mikulski	Whitehouse
Franken	Murray	Wicker
Gillibrand	Nelson (NE)	Wyden
Graham	Nelson (FL)	

NOT VOTING—4

Barrasso	Enzi
Corker	Paul

The PRESIDING OFFICER. On this vote, the yeas are 34, the nays 62. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 650

The PRESIDING OFFICER. Under the previous order, the question occurs on amendment No. 650, offered by the Senator from South Dakota, Mr. THUNE. There will be 2 minutes of debate equally divided.

The Senator from South Dakota.

Mr. THUNE. Madam President, my amendment simply requires a study by the International Trade Commission when a trade agreement has been signed but the implementing legislation has not been taken up by Congress within 2 years. The study will examine the impact of lost export opportunities, the impact on U.S. jobs, and the impact on and the protection of U.S. intellectual property resulting from the delay.

Today we have anecdotal evidence, but there isn't a comprehensive government report on what delay means for U.S. businesses in our economy. I wish we did not need this amendment, but we have seen with the Korea, with the Colombia, and with the Panama agreements we cannot assume an agreement will be implemented swiftly after it is signed.

This amendment is not about casting blame. The study will apply to trade agreements whether negotiated by a Democratic or a Republican President. It is not about the past. It is just the fact that Congress deserves better information about the impact when we delay these trade agreements. This does not affect TAA, it does not affect the underlying bill, and it does not affect passage in the House. It is a commonsense amendment.

I hope my colleagues will support it.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Oregon.

Mr. WYDEN. Mr. President, I rise in opposition to this amendment. Our exporters face major challenges in global markets. We are faced with surging imports from China. China has a regime in place that is cheating American innovators and forcing them to share their intellectual property.

Instead of dedicating the scarce resources of the International Trade Commission to look into these issues and to identify other foreign trade barriers that impede our exporters, we would essentially task the International Trade Commission to tell us what we already know.

For example, we know that in the case of the pending agreements, we had an opportunity to get a better deal for our companies that export automobiles and to promote human rights in Colombia by reducing violence.

We are on the precipice of considering these agreements. Let's not turn back the clock. Instead of using scarce resources to have an armchair debate about what we already know, let's dedicate the resources of this agency to help workers and businesses.

I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. THUNE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Tennessee (Mr. CORKER), the Senator from Wyoming (Mr. ENZI), and the Senator from Kentucky (Mr. PAUL).

Further, if present and voting, the Senator from Tennessee (Mr. CORKER) would have voted ''yea.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 44, nays 52, as follows:

[Rollcall Vote No. 147 Leg.]

YEAS—44

Alexander	Grassley	McConnell
Ayotte	Hatch	Moran
Blunt	Heller	Murkowski
Boozman	Hoeven	Portman
Brown (MA)	Hutchison	Risch
Burr	Inhofe	Roberts
Chambliss	Isakson	Rubio
Coats	Johanns	Sessions
Coburn	Johnson (WI)	Shelby
Cochran	Kirk	Snowe
Collins	Kyl	Thune
Cornyn	Lee	Toomey
Crapo	Lieberman	Vitter
DeMint	Lugar	Wicker
Graham	McCain	

NAYS—52

Akaka	Hagan	Nelson (FL)
Baucus	Harkin	Pryor
Begich	Inouye	Reed
Bennet	Johnson (SD)	Reid
Bingaman	Kerry	Rockefeller
Blumenthal	Klobuchar	Sanders
Boxer	Kohl	Schumer
Brown (OH)	Landrieu	Shaheen
Cantwell	Lautenberg	Stabenow
Cardin	Leahy	Tester
Carper	Levin	Udall (CO)
Casey	Manchin	Udall (NM)
Conrad	McCaskill	Warner
Coons	Menendez	Webb
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden
Franken	Murray	
Gillibrand	Nelson (NE)	

NOT VOTING—4

Barrasso	Enzi
Corker	Paul

The PRESIDING OFFICER. On this vote, the yeas are 44, the nays are 52. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 634

There is now 10 minutes of debate prior to a vote in relation to amendment No. 634 offered by the Senator from Texas, Mr. CORNYN.

The Senator from Texas.

Mrs. FEINSTEIN. Mr. President, I rise today to express my opposition to the Cornyn amendment that would force the administration to sell new F–16s to Taiwan.

Yesterday, the administration announced details of a $5.8 billion arms package to Taiwan.

The central element of this package is the decision to support a substantial upgrade to Taiwan's existing fleet of 145 F–16 A/Bs.

The upgrades include state-of-the-art avionics and weaponry such as targeting systems, AIM–9X air-to-air missiles and precision guided munitions.

The deal also includes the active electronically scanned array radars that, according to Taiwan's Defense Ministry, will allow its planes to detect China's new J–20 stealth aircraft.

The package also includes pilot training and spare parts for Taiwan's F–5 jets and C–130 transport planes.

It will significantly improve Taiwan's self-defense capabilities without increasing cross-strait tensions.

As we all know, Taiwan has asked the administration to accept a letter of request to sell 66 of the newer F–16 C/Ds.

Those who support the sale of new F–16s to Taiwan were clearly disappointed by the decision to move forward with only upgrades to Taiwan's existing fleet.

Senator CORNYN described the decision as a ''capitulation to Communist China'' and a ''slap in the face to strong ally and longtime friend.''

Nothing could be further from the truth.

First, let's be clear: The administration has deferred the decision on the sale of new F–16s to Taiwan, it has not rejected it outright.

It has acted in a manner consistent with the previous administration that also refused to accept Taiwan's request for new F–16s.

Let me remind my colleagues that under the Obama administration, total arms sales to Taiwan have totaled $12.25 billion, more than double the amount sold during President George W. Bush's first term.

It is clear these attacks are more about politics than the security and self-defense capability of Taiwan.

Next, let's look at the arms sales package itself.

The decision to upgrade Taiwan's existing fleet of F–16 A/Bs will provide many of the same capabilities as the new F–16 C/Ds.

According to the Pentagon, with a robust retrofit the F–16 A/B and F–16 C/D are comparable aircrafts. The upgraded F–16 A/Bs will have active electronically scanned array, AESA, radars, equal to the new F–16s; embedded global positioning system inertial navigation systems, equal to the new F–16s; ALQ–213 warfare management systems, equal to the new F–16s; night vision goggles, equal to the new F–16s; AIM–9X Sidewinder missiles, equal to the new F–16s; sensor fused weapons and laser guided bombs, equal to the new F–16s.

And the list goes on.

According to Mark Stokes of the Project 2049 Institute and a former Pentagon China expert, the radar ''offers a significant capability that would be able to maintain Taiwan's qualitative advantage'' over China.

Michael Pillsbury, a current Pentagon consultant on China, argued that the A/B upgrades could be perceived as

providing Taiwan with more capabilities than the C/Ds.

Supporters of this amendment will argue in favor of both upgrades and new planes, as requested by Taiwan.

Allow me to repeat: The administration has not formally rejected the sale of new F–16s. It is still under active consideration.

Clearly, the decision to upgrade the F–16 A/Bs does not prevent the administration from later selling Taiwan the newer planes.

Regardless of timing, we have to consider carefully what impact the sale of new F–16s to Taiwan would have on cross-straits relations.

In May 2010, I had the pleasure of visiting China and Taiwan for a series of meetings with Senators MARK UDALL and KAY HAGAN.

We had full and rewarding discussions on a range of issues, including cybersecurity, energy, trade, and cross-strait relations.

One bright story in the region, I believe, is that of Taiwan and its relationship with the mainland.

The reports we received on our visit were encouraging.

The three direct lines—air service, sea service and postal service—are all in place.

The number of flights between Beijing and Taiwan has reached 270 per week, and I understand they are packed to the brim.

There is also substantial Taiwanese in China today.

Taiwan President Ma Ying-jeou told us he was thrilled that negotiations were successful on an Economic Framework Agreement, known as ECFA, which he subsequently signed and was ratified by Taiwan's legislature.

On the 1-year anniversary of its passage, Taiwanese officials announced that agricultural exports to China covered by the agreement jumped 262 percent—to $69.31 million—in the first 7 months of 2011 compared to the same period in 2010.

Overall, Taiwanese exports to the mainland in the first half of 2011 totaled $61.56 billion, up 10.53 percent from the year before.

Follow-on talks have recently begun between both sides which will focus on the trade in goods and services and dispute resolution.

With the momentum generated by the agreement, I believe China and Taiwan should begin to address the security situation across the strait.

It is my strong belief that China should begin to reduce its more than 1,000 ballistic missiles deployed along its coast.

I deeply believe that enhanced economic cooperation and constructive dialogue will move China and Taiwan away from military confrontation to a clear path of resolving differences diplomatically.

In my view, the arms sales package for Taiwan announced by the administration will improve Taiwan's self-defense capabilities and still enhance this ongoing cooperation and dialogue.

Selling the new F–16's to Taiwan would only serve to undermine the progress we have made with China this year.

Military escalation between Taiwan and China, which the sale of the F–16 C/D variant would be construed as, is not in the best interests of the United States.

Finally, let me discuss how this amendment is being proposed.

Simply put, a trade bill to renew the Generalized System of Preferences and the Trade Adjustment Assistance Program is not the proper vehicle for a sensitive foreign policy debate.

The administration and most of my colleagues on this side of the aisle have made it clear that we must renew trade adjustment assistance before we consider the trade agreements.

If this amendment passes, it will threaten the chances of passing trade adjustment assistance in the House and, ultimately, consideration of the three outstanding free trade agreements with South Korea, Panama and Colombia.

If we are to have this debate, it should be during consideration of the Defense authorization bill.

I urge my colleagues to oppose the Cornyn amendment.

Mrs. BOXER. Mr. President, I rise today to speak on the amendment offered by Senator CORNYN regarding the sale of F–16C/D fighter aircraft to Taiwan.

Let me begin by reiterating that I am a strong supporter of Taiwan's right to self-defense. That is why I am proud to support the proposed arms sale package to Taiwan that the Obama administration transmitted to Congress just yesterday.

This package would provide an estimated $5.85 billion in arms sales to Taiwan, including a significant advanced technology upgrade to 145 F–16A/B aircraft that are currently part of Taiwan's air defense fleet.

But what I cannot support is the process by which Senator CORNYN is seeking to require the sale of additional F–16C/D aircraft to Taiwan.

Instead of mandating this sale on a trade adjustment bill, I would like Congress to continue to work with the Obama administration to determine how to best meet our obligations under the Taiwan Relations Act to ''make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability.''

A defeat of the Cornyn amendment does not take the potential sale of F–16C/D aircraft to Taiwan off the table. In fact, the administration has stated that it is still considering the possibility of F–16C/D sales to Taiwan.

I am confident that the United States will continue to help ensure Taiwan's security and stability long into the 21st century.

Mr. CORNYN. I would like to offer a bipartisan proposition to my colleagues here in the nature of this amendment. The reason I say this idea enjoys bipartisan support is 47 Senators, Democrats and Republicans, have joined in a letter to the administration asking that the administration grant a sale of F–16C/D models to our ally Taiwan.

This amendment would compel that sale because unfortunately the administration declined to make that sale yesterday, notwithstanding the fact that the Taiwan Relations Act signed by Jimmy Carter and passed by a bipartisan Congress requires the United States to provide Taiwan with defense articles necessary to enable Taiwan to maintain sufficient self-defense capabilities.

They have lost that capability, as demonstrated by this chart taken from Defense Department records. Currently, the People's Republic of China has about 2,300 operational combat aircraft to Taiwan's 490. Taiwan, by comparison, has 490 operational aircraft, of which about 100 need to be retired, French Mirage aircraft, F–5 aircraft. About 100 of them need to be retired because they are literally obsolete.

What this amendment would do would be to compel the sale of 66 F–16C/D models to our friends in Taiwan. Why is this important? Well, the Department of Defense reports that China's military power is in an increasingly precarious situation for the region and that China seeks the capability both to deter Taiwan independence and influence Taiwan to settle the dispute between them on China's terms.

This amendment would compel that sale. My colleague from Massachusetts argued earlier that the retrofit of 145 of the F–16A/B models, which Taiwan has, which the United States sold, is an adequate substitute. It is not. All that will do is help upgrade 145 of these aircraft that I identified earlier. It will not meet the need created by the retirement of the obsolete French Mirages and the F–5.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I think all of us agree with the intent and the direction the Senator from Texas wants to go here with respect to our friendship and our support of Taiwan. In the 26 years I have been here, I have never not supported doing what is necessary to live up to the Taiwan Relations Act. But the Senator is reaching way beyond what we have ever done in the Senate, which is to compel a single weapons systems sale by the President with respect to a complex relationship such as China-Taiwan and the entire presence of the United States in the areas of the straits and in that region. We have never done that.

Moreover, the President of Taiwan has said it is entirely adequate. He feels they will have the defensive capacity necessary under the TRA in

order to be able to defend themselves at the current level with the upgrade we are providing.

Let me point out that under President Bush, over 8 years, we provided $12 billion to Taiwan—over 8 years. In 3 years of the Obama administration, he has provided about $12 billion—3 years. So there was $15 billion by Bush over 8 years, $12 billion by Obama over 3 years.

The upgrade that is being provided—$6 billion worth of upgrade, sales of weapons—includes state-of-the-art avionics and weaponry, including the Active Electronically Scanned Array Radars, targeting systems, Aim-9X air-to-air missiles, and precision-guided munitions. Those airplanes, those 145 F–16s, will have state-of-the-art capacity at the highest level of any F–16 that we are allowed to sell to any country in the world.

Moreover, the administration has made it absolutely clear that this does not preclude the sale of F–16s maybe in the next months, maybe in the next year, but that ought to be done by any administration, Republican or Democratic, in an orderly way as a matter of good arms policy and as a matter of good foreign policy. In addition to that, the administration is unalterably opposed to this.

So here we are working hard under a fairly careful script to get TAA out of here so we can move to three trade agreements that a lot of us want to move and pass, which means jobs for America. They have been long overdue. We pass this amendment, we lose that opportunity. It is that simple.

So these are all tradeoffs, but this is a tradeoff measured against the lack of any need for urgency as a matter of defense policy and foreign policy to do this. So I say to my colleagues, why, for the first time, without that showing of urgency and need, particularly given the President of Taiwan's own statements, are we going to for the first time compel a President to do something he does not think he wants to do in the context of the relationship with both China and Taiwan?

I reserve the remainder of my time.

Mr. CORNYN. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. Two minutes 30 seconds.

Mr. CORNYN. Mr. President, as my colleagues know, under article I, section 8 of the U.S. Constitution, Congress is given the power to regulate commerce with foreign nations. That is why this amendment is relevant to this trade bill we are getting ready to pass, because it is important that products manufactured in the United States, and produce grown here, that we sell it to markets abroad because it creates jobs here at home, in addition to fulfilling our legal obligation under the Taiwan Relations Act.

I must say I disagree with my colleague from Massachusetts. The upgrade on the 145 aircraft does nothing to substitute for the retiring of the French Mirage aircraft and the F–5s, given the disparity of air power between China and Taiwan.

Because we are all concerned about jobs, let me remind my colleagues that 32 different States will receive benefits by way of jobs as a result of these sales. This isn't the primary reason why this is important. This is about American prestige, keeping our promises, and not letting the bullies of the world, including China, intimidate the United States; and it is about keeping solemn commitments to our allies.

I ask my colleagues to vote yes, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. KERRY. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 1 minute 24 seconds.

Mr. KERRY. Let me say, very quickly, that the sale of weapons measured against the policy decisions in a set of relationships that are critical to the balance of power and the threat and danger and so forth has never been translated into a jobs program. If you want it to be—$6 billion spent on these upgrades—Northrop Grumman, Lockheed Martin, and a host of companies will benefit from that $6 billion and may benefit from the sale of weapons down the road.

This is a policy issue. The policy question is whether the President of Taiwan can speak for Taiwan as the Senator from Texas speaks for Taiwan. It is whether we are going to be adequately meeting the needs of the TRA and the foreign policy priorities of an administration that, it seems to me, given the statements of the President of Taiwan, not only don't violate it but sustain the relationship of the TRA.

I have proudly voted in support of Taiwan for the entire time I have been here, 26 years. I believe I am voting for them today, even as I oppose this amendment but support the administration's $6 billion program for upgrade and those 145 F–16s—and maybe we will sell them some others.

The PRESIDING OFFICER. The Senator's time has elapsed.

Mr. CORNYN. Mr. President, briefly, once this production line is shut down for the production of the F–16, it cannot be reconstituted. The 2,000 people currently working on the F–16 production line will be reassigned or fired and so this is important.

This isn't something we can take up willy-nilly later on because we finally have gotten around to it. It is timely, and it needs to be done now to keep our commitment to our ally and show the Chinese what they need to see from America; that is, strength, not weakness.

The PRESIDING OFFICER. The yeas and nays have been ordered.

The question is on agreeing to the amendment. The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. CORKER), the Senator from Wyoming (Mr. BARRASSO), the Senator from Wyoming (Mr. ENZI), and the Senator from Kentucky (Mr. PAUL).

Further, if present and voting, the Senator from Tennessee (Mr. CORKER) would have voted ''yea.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 48, nays 48, as follows:

[Rollcall Vote No. 148 Leg.]

YEAS—48

Alexander	Grassley	McConnell
Ayotte	Hatch	Menendez
Blumenthal	Heller	Moran
Blunt	Hoeven	Murkowski
Boozman	Hutchison	Nelson (FL)
Brown (MA)	Inhofe	Portman
Burr	Isakson	Risch
Chambliss	Johanns	Roberts
Coats	Johnson (WI)	Rubio
Coburn	Kirk	Sessions
Cochran	Kyl	Shelby
Collins	Lee	Snowe
Cornyn	Lieberman	Thune
Crapo	Lugar	Toomey
DeMint	Manchin	Vitter
Graham	McCain	Wicker

NAYS—48

Akaka	Gillibrand	Nelson (NE)
Baucus	Hagan	Pryor
Begich	Harkin	Reed
Bennet	Inouye	Reid
Bingaman	Johnson (SD)	Rockefeller
Boxer	Kerry	Sanders
Brown (OH)	Klobuchar	Schumer
Cantwell	Kohl	Shaheen
Cardin	Landrieu	Stabenow
Carper	Lautenberg	Tester
Casey	Leahy	Udall (CO)
Conrad	Levin	Udall (NM)
Coons	McCaskill	Warner
Durbin	Merkley	Webb
Feinstein	Mikulski	Whitehouse
Franken	Murray	Wyden

NOT VOTING—4

Barrasso	Enzi
Corker	Paul

The PRESIDING OFFICER. On this vote, the yeas are 48, the nays are 48. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 633

Under the previous order, there is now 2 minutes of debate, equally divided, in relation to amendment No. 633 offered by the Senator from Nevada (Mr. REID) on behalf of Mr. CASEY.

The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I ask an affirmative vote on this amendment.

Trade adjustment assistance is very simple. We have a job crisis in the country. This program for decades now has helped people get through crises and, very importantly, has allowed them to be trained and retrained for the jobs of the future. We need this program, our workers need it, and our economy needs it.

I commend the work of Chairman BAUCUS and my colleague from Ohio, Senator BROWN. I ask for an affirmative vote on this amendment.

My colleague from Ohio.

Mr. BROWN of Ohio. Mr. President, I thank Senator BAUCUS and Senator CASEY for their leadership.

This is about helping people who have lost their jobs, not only through no fault of their own but because of actions taken in this body and the House of Representatives on trade agreements and on trade policy.

I met a woman in Youngstown the other day who lost her job in manufacturing and she went back to school. She and her daughter are both now in nursing school training to be nurses. That is what TAA is about.

Vote for the Casey-Baucus-Brown amendment.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, this is a caustic program of dubious value. In our hearings, the representatives of the administration couldn't come up with one job that would be lost as a result of these free-trade agreements.

There is no evidence that TAA works and, in all honesty, there is no commitment from the President we are going to have the free-trade agreements come up anyway. I have to say that even though we haven't done a trade agreement in years, TAA continues to grow and TAA is on top of unemployment insurance that we are paying anyway, and it isn't justified.

All I can say is, literally, this program should not be adopted at this particular point. And if it is adopted, it ought to be adopted based upon reason and so forth.

Mr. MENENDEZ. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to amendment No. 633.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. CORKER), the Senator from Wyoming (Mr. BARRASSO), and the Senator from Wyoming (Mr. ENZI).

Further, if present and voting, the Senator from Tennessee (Mr. CORKER) would have voted ''nay.''

The result was announced—yeas 69, nays 28, as follows:

[Rollcall Vote No. 149 Leg.]

YEAS—69

Akaka	Gillibrand	Murkowski
Baucus	Hagan	Murray
Begich	Harkin	Nelson (NE)
Bennet	Heller	Nelson (FL)
Bingaman	Hoeven	Portman
Blumenthal	Inouye	Pryor
Blunt	Isakson	Reed
Boozman	Johanns	Reid
Boxer	Johnson (SD)	Rockefeller
Brown (MA)	Kerry	Sanders
Brown (OH)	Klobuchar	Schumer
Cantwell	Kohl	Shaheen
Cardin	Landrieu	Shelby
Carper	Lautenberg	Snowe
Casey	Leahy	Stabenow
Coats	Levin	Tester
Cochran	Lieberman	Udall (CO)
Collins	Manchin	Udall (NM)
Conrad	McCaskill	Warner
Coons	Menendez	Webb
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wicker
Franken	Moran	Wyden

NAYS—28

Alexander	Hatch	Paul
Ayotte	Hutchison	Risch
Burr	Inhofe	Roberts
Chambliss	Johnson (WI)	Rubio
Coburn	Kirk	Sessions
Cornyn	Kyl	Thune
Crapo	Lee	Toomey
DeMint	Lugar	Vitter
Graham	McCain	
Grassley	McConnell	

NOT VOTING—3

Barrasso	Corker	Enzi

The PRESIDING OFFICER (Mrs. SHAHEEN). On this vote, the yeas are 69, the nays are 28. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

Under the previous order, the clerk will read the bill for a third time.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The Senator from Montana is recognized.

There is now 10 minutes of debate equally divided prior to a vote on the passage of the measure.

Mr. BAUCUS. Madam President, this bill addresses our country's most urgent priority—jobs. It helps American workers acquire the skills they need to compete and win in the global economy. It gives American businesses better access to the materials they need to make world-class products, and that is just the beginning. It also opens the door to an ambitious trade agenda, an agenda that will increase U.S. exports, grow our economy, and create jobs. That agenda includes our pending free-trade agreements with Colombia, Panama, and South Korea.

The first step is to renew the trade adjustment assistance. Trade adjustment assistance has been an essential part of U.S. trade policy for nearly 50 years. When we negotiate trade agreements, we create new economic opportunity and spur growth but also increase competition. TAA helps American workers and businesses meet that competition with job training, income support, health coverage, and technical assistance.

Over the years we have reformed TAA to keep pace with the changing global economy. In 2009 we extended TAA to cover service industry workers and workers whose jobs shifted overseas to any country, and we increased funding for job training and health care. But the 2009 reforms expired. They expired last February.

Congress has never approved one free-trade agreement, much less three, with TAA expired. This year must be no exception. This legislation will restore the 2009 TAA reforms and responsible program cuts to achieve necessary cost savings. This legislation will clear the path to consider and approve our free-trade agreements with Colombia, Panama, and South Korea.

If we do not approve this legislation we will impose a roadblock that could derail our three free-trade agreements. We cannot afford to fail. Weak consumer demand at home threatens to stall our recovery. We need these agreements to increase sales of U.S. farm products, manufactured goods, and services abroad.

The International Trade Commission estimates that these agreements will boost U.S. exports by $13 billion. Most important, these additional exports will increase economic growth and support tens of thousands of American jobs. We cannot delay.

This summer, for example, trade agreements between the European Union and Korea, and between Canada and Colombia entered into force. U.S. exporters are losing sales to their European and Canadian competitors. American jobs are at risk. Let's restore U.S. trade adjustment assistance for American workers, let's expand trade preferences for the benefit of American manufacturers, and let's move quickly to our pending free-trade agreements with Colombia, Panama, and South Korea.

I urge my colleagues to support this legislation.

Mr. LEVIN. Madam President, I will vote in support of the amendment to renew and extend both the General System of Preferences and trade adjustment assistance. It is the correct approach for Congress to extend trade adjustment assistance, TAA, including an extension of the 2009 bipartisan reforms, before considering the pending trade agreements with South Korea, Colombia, and Panama.

TAA is not a substitute for fighting to keep jobs here in the United States. However, given the realities of a global economy we must provide a safety net so workers who lose their jobs as a result of expanded trade and globalization are able to transition to new jobs through retraining and that they have access to affordable health care coverage.

The 2002 TAA law covered only manufacturing workers who lost jobs as a result of imports or if those jobs shifted to FTA partner countries. In 2009, as part of the Recovery Act, the TAA Program was expanded through bipartisan efforts to increase training funding. It also expanded eligibility to include the service sector and farmers and to cover workers whose jobs were been moved anywhere offshore, not just to a FTA partner country. Finally, it expanded access to TAA's health coverage tax credit, which helps certified workers purchase private health insurance.

Those 2009 expansions expired on February 13, 2011 and are overdue for reauthorization. The bill the Senate is considering today is a bipartisan agreement to restore most of the 2009 provisions through December 31, 2013. It will also apply the benefits retroactively from February 12, 2011.

There is clearly a need for an expanded TAA Program. Since the 2009 reforms, almost 450,000 workers have been certified for TAA assistance: over 40 percent of whom were certified

under the expanded provisions and coming from every state in the union. As a leading manufacturing state and a significant contributor to global trade, Michigan has relied on the TAA Program to retrain workers for new careers and certified nearly 50,000 workers since the 2009 reforms.

Michigan also houses the Great Lakes Trade Adjustment Assistance Center. The Great Lakes TAA Center helps hundreds of firms in Michigan, Indiana and Ohio compete in the global economy. The TAA for firms program assists mostly small and medium-sized companies that experience loss of jobs and sales because of foreign imports. TAA for firms has helped to retain or create tens of thousands of jobs by saving companies and jobs imperiled by import competition. This TAA extension includes $16 million for this important program—TAA for firms.

Ms. SNOWE. Madam President, I rise today to express my strong support for the renewal of Trade Adjustment Assistance programs which for decades have served as a critical lifeline for thousands of Mainers whose jobs have been adversely affected by increases in foreign imports and shifts in production overseas.

During my entire tenure in Congress, I have worked tirelessly with my colleagues to reform and expand TAA programs to assist workers, businesses, and communities harmed by trade liberalization in competing in an increasingly global marketplace.

And frankly if there were ever a moment to rebuild and equip our workforce to make greater strides when it comes to competing in the global economy is there any doubt, that time is now?

Consider that China will surpass the U.S. economically in 2016—a mere five years from now—according to the International Monetary Fund. Consider that the total U.S. international trade deficit for 2010 was $497 billion, up from $374 billion in 2009. And our trade deficit with China increased from $226 billion in 2009 to $273 billion in 2010—a 20-percent increase in just 1 year alone!

Whoever is elected President in 2012 will be the last President to preside over a U.S. economy on top of China's if we continue with our current policies, which, in large part are fueling our decline and China's rise. Make no mistake, this is the regrettable direction in which we are headed as long as we import more than we export, amass soaring deficits, consume more than we produce, and outsource thousands of jobs.

Domestically, our Nation's $14.7 trillion debt is projected to reach 100 percent of GDP this year; unemployment has been hovering near or above 9 percent; and 22 million Americans are either unemployed or underemployed. Indeed, we are experiencing the longest unemployment period in American history since data collection started in 1948, surpassing even the 1982 double-dip recession.

Manufacturing has also grown at the slowest pace in 2 years. The housing downturn is still plaguing the country, with no plausible end to foreclosures in sight. Home prices in March fell to their lowest level since 2002. Consumers, confronted with higher gas and food prices, are spending less on discretionary items.

And in my home State of Maine wage and salary employment levels have fallen precipitously through December 2010, with job losses of 26,900, a 4.4-percent drop. Overall, employment numbers in my State have returned to year 1999 levels, erasing the economic gains of the past decade.

At a time when Maine and our Nation are struggling to revive our lackluster economy—the worst since World War II, renewing and reforming TAA represents a central avenue we must take if we are to reinvigorate our workforce so that American enterprise is positioned to battle for customers with our counterparts in countries like China.

TAA programs—such as TAA for Workers, TAA for Firms, and TAA for Farmers have proved invaluable to accelerating the adjustment process and expediting the means by which laid-off workers are able to rejoin the workforce and contribute to the bottom-line at a high level.

TAA is crucial in providing Americans with the skills and assistance needed to meet this challenge. As President Kennedy said in 1962, TAA is ''a program to afford time for American initiative, American adaptability and American resiliency to assert themselves.''

Under the TAA for Workers Program, eligible beneficiaries in Maine—such as laid-off pulp and paper manufacturers—participate full-time in customized and on-the-job training or pursue coursework at local colleges and universities to acquire the skills they need to reenter the workforce. As of the end of 2010, thousands of Mainers had been certified for TAA and reentered the workforce.

Additionally, under the TAA for Farmers Program, hundreds of blueberry producers and lobstermen in my state, facing increased pressure from foreign products, have found the program's technical assistance and training extremely useful in retooling their businesses to ensure Maine's agriculture industry and fisherman remain among the best in the world.

Likewise, the New England Trade Adjustment Assistance Center recently reported that 15 Maine companies have taken part in the TAA for Firms Program over the last several years. These companies have taken advantage of the program to reconfigure their business models, develop new strategies, and make other adjustments necessary to remain competitive in the international economy—benefiting a combined 1,120 Mainers employed by these firms.

However, despite these irrefutable successes, I have no doubt that some of my colleagues will argue in favor of allowing TAA to expire. And they might argue that we should not be giving ''special treatment'' to individuals whose jobs have been affected by trade.

Allowing this vital program to lapse would amount to a colossal missed opportunity not only for American workers but for our economy as well. When a Maine saw or paper mill closes and the orders it used to handle are filled by a Canadian or Chinese plant, that has a cascading affect across not just Maine's forestry industry but shipping businesses, our service sector, and the thousands of additional workers and rural communities that rely on this industry for their very survival.

The fact is, losing one's job to trade is not equivalent to losing one's job because of technological advancements or economic adversity and downturn. The difference is that trade liberalization actions—such as implementing NAFTA or accepting China into the WTO—are the chosen policy of the U.S. Government—a path I would argue has often sacrificed manufacturing jobs in order to gain market access for other sectors of our economy. Consequently, our government is all the more obligated to aid our workers and communities hurt by foreign trade.

To those who point out that there are inefficiencies associated with TAA, I agree that efforts at reform must reduce costs and eliminate waste. That is why this bill lowers program expenditures, includes cost-cutting provisions from areas such as case management and administrative expenses, and grants States greater discretion to manage the programs.

Furthermore, the reforms made in this legislation require new performance measures, metrics, and accountability as a precondition for receiving training and benefits. In fact, the bill raises the standards by which applicants may receive waivers from training program requirements—eliminating many of the loopholes that previously could have been used to avoid participation in key job skill programs.

Finally, I am pleased that the legislation before us maintains the expanded eligibility for service workers and those displaced by trade with non-FTA partners like China and India. And it maintains initiatives I have championed such as the health coverage tax credit—all of which are vital components to helping sustain both workers and businesses and enable them to contribute to our economic recovery.

Along with the enforcement of our existing trade laws, trade adjustment assistance must be a central pillar of our Nation's trade agenda. On February 8 I sent a letter to the Senate's leadership urging that they work with me to secure a long-term reauthorization of TAA so that families in Maine and across the U.S. are prepared for new employment opportunities. Unfortunately, as so often seems to be the

case in the Senate, action on this job creation package has been delayed for far too long—over 7 months since I sent my letter.

Congress still has an opportunity to overcome this legislative inertia in order to benefit U.S. industries that have been devastated by foreign imports. American businesses and their employees are doing their part—Congress must do likewise.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I rise in opposition to this bill before us. It extends the generalized system of preferences program for 2 years, as amended and, as amended, expands the trade adjustment assistance program.

I want to be clear. I support the underlying bill passed by the House that extends the GSP Program. GSP helps American companies compete in the global marketplace while helping developing countries grow their economies and achieve sustainable economic growth to lift their people out of poverty.

As I have made clear over the past few days, I have serious concerns with expanding the Trade Adjustment Assistance Program as it has been amended by this bill. We can no longer afford to increase domestic spending on programs that have dubious value and unproven results. That is what this bill will do.

I cannot condone this spending, so I will vote no. I offered an amendment that would have ended the mystery surrounding the sequencing of TAA and the three pending free-trade agreements that have been the subject of much intrigue and speculation.

My amendment would have called off the expansion of TAA until our free-trade agreements with Colombia, Panama, and South Korea were enacted. Everything would move together. Isn't that what this whole bargain is supposed to be about?

Well, that amendment did not pass and the White House still refuses to say when they will send up the FTAs for a vote. That does not seem right or fair to me. TAA is an unproven and costly and counterproductive program.

I urge my colleagues to also oppose this bill, but should it pass, I hope the President finally matches actions with words and sends the FTAs up for a vote. I am convinced all three will receive strong bipartisan votes. American businesses, farmers, and workers, and our friends and allies in Colombia, Panama, and South Korea cannot afford any delay.

Mr. MCCONNELL. Madam President, has the time expired?

The PRESIDING OFFICER. Three minutes remain.

Mr. MCCONNELL. After today's vote, the White House has no more excuses. The time has come to send the three pending trade agreements to Congress. We waited for the chance to pass these trade agreements that our economy desperately needs and that even the White House admits will create tens of thousands of jobs.

The White House asks us for a path forward on trade adjustment assistance in exchange for sending these deals up to Congress and we gave it to them. I cannot say I am happy about that. This is a program that I and many Republican Members have serious questions about. Thanks to the leadership of two of our Members, Senator BLUNT and Senator PORTMAN, we are where we are today, and the Senate will soon pass TAA without an amendment. Both parties in the Senate have acted in good faith to move this process forward. Now it is the President's turn. No more moving the goalposts; no more excuses. It is time for the administration to demonstrate something that seems to be in short supply on the other end of Pennsylvania Avenue, and that is trust. The Senate today will have acted on trust in passing TAA even before we have received the agreements. The White House has refused to show the same trust in congressional Republicans who have assured them that TAA will move along with the free-trade agreements.

I kept my promise I would allow TAA to move forward in the Senate as long as Republicans had a chance to amend it. It is time for the administration to deliver theirs. It is time for the President to send up these long-pending free-trade agreements without further delay.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. For the benefit of the Senators, so we can look at the schedule a little bit this evening, first of all, I appreciate the support for this trade adjustment assistance from my Republican colleagues. It is an important piece of legislation. I am glad we are able to complete this at least in the Senate.

As I have said many times, we have to make sure the House also passes this. I have been told by the Speaker and others in the Republican leadership in the House that they will do that. I am hopeful and confident they will. Once that is done—and they have ways of making sure through a rule they can issue, it would not be sent to the President. They do not have to enroll it until the trade bill is passed. Once the trade bill is passed, of course, they would send the trade adjustment assistance to the White House.

This is the first step of this agreement, I don't need to tell everyone here—I have spoken to the Republican leader many times—I do not support any of those trade agreements, but I am going to live up to what I said I would do and do what I can to move those through the Senate as quickly as possible so there are fair votes on all of them. We are waiting for the House to take action also.

Finally, without belaboring the point on trade adjustment assistance, I repeat what I said earlier. I appreciate very much the support of the Republicans in getting the votes necessary to pass this bill. It was a nice vote and I appreciate it very much.

As far as the rest of the evening, I just talked with the House Democratic leadership, some of them, and right now the Republicans are still trying to get enough votes to pass something over there. Right now they have not been able to do that so they have not even asked for the rule to be issued. We are waiting to see what they do. Some of the reports out of the House are troubling, to say the least. One of the latest proposals we have heard—remember, one reason this went so bad is that 53 House Republicans wrote a letter to the Republican leadership in the House and said, unless you cut back the CR—remember, that is an agreement we worked on for 3 months to get agreements so we took care of the 301(a)s and 301(b)s for the rest of the year. They said until you cut that by $28 billion, we are not going to vote for it—$28 billion.

The latest we have heard from the House in an effort to satisfy the $28 billion that the 53 Republicans want is they said they are going to cut renewable energy projects by another $110 million. So if that goes through, then the 53 Republicans, instead of settling for $28 billion, are going to settle for $110 million. From Las Vegas, those are not very good odds in a card game.

I hope we do something that is fair and realistic. I hope they send us a CR. I hope they send a reasonably important number on FEMA. We know what is needed. The Secretary of Homeland Security was in Joplin, MO, today, looking at the devastation there and the work that has stopped in that town that was struck by winds of 300 miles an hour.

We are here. We are going to have a caucus in 20 minutes, but I cannot see us doing anything tonight.

Mr. MCCONNELL. If my friend would yield on that point.

Mr. REID. Surely.

Mr. MCCONNELL. I think I can probably speak for everybody on this side that if we had a choice between wrapping all of this up sometime tonight, as opposed to coming back tomorrow, I think I am pretty safe in saying we prefer, if it is possible, to complete the job tonight knowing full well we are scheduled not to be here next week. Presumably if we finish the job in a way that is satisfactory to both the House and the Senate, I think our preference would be to grind through and to try to get to the end tonight.

Mr. REID. I understand what my friend is saying. I am sure if we took a vote, everyone would agree on that. If we don't get that bill until after midnight tonight, there is a limit as to what we can do. It may be necessary to come back sometime tomorrow morning. I have a number of us over here who have important things to do, not only legislatively but some with their own personal business. So I understand

if we have to come back tomorrow, we will try to do it as early as possible. We have some very serious things to do here. We have millions of people who are struggling because of this disaster relief. We talk about disaster relief as if it is some number up in the air, but these are jobs we are talking about. These are millions of dollars we are talking about providing for renovation, repair, and all of the other things that need to be done in the disaster areas. These are jobs. People are waiting to do that work and, of course, the CR is very important.

I would hope the House would send us something that is fair and reasonable, because if it is more of the same as yesterday, I do not think they are going to get the Democratic votes in the House. I do not think they will get any over here. This is not a high school game of ''I've gotcha.'' We are willing to be reasonable, but we are not willing to vote unreasonably.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill (H.R. 2832), as amended, pass?

Mr. FRANKEN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? ''There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. CORKER), the Senator from Wyoming (Mr. BARRASSO), and the Senator from Wyoming (Mr. ENZI).

Further, if present and voting, the Senator from Tennessee (Mr. CORKER) would have voted ''nay.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 70, nays 27, as follows:

[Rollcall Vote No. 150 Leg.]

YEAS—70

Akaka	Graham	Murkowski
Baucus	Hagan	Murray
Begich	Harkin	Nelson (NE)
Bennet	Heller	Nelson (FL)
Bingaman	Hoeven	Portman
Blumenthal	Inouye	Pryor
Blunt	Isakson	Reed
Boozman	Johanns	Reid
Boxer	Johnson (SD)	Rockefeller
Brown (MA)	Kerry	Sanders
Brown (OH)	Klobuchar	Schumer
Cantwell	Kohl	Shaheen
Cardin	Landrieu	Snowe
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Coats	Levin	Udall (CO)
Cochran	Lieberman	Udall (NM)
Collins	Lugar	Warner
Conrad	Manchin	Webb
Coons	McCaskill	Whitehouse
Durbin	Menendez	Wicker
Feinstein	Merkley	Wyden
Franken	Mikulski	
Gillibrand	Moran	

NAYS—27

Alexander	DeMint	Kyl
Ayotte	Grassley	Lee
Burr	Hatch	McCain
Chambliss	Hutchison	McConnell
Coburn	Inhofe	Paul
Cornyn	Johnson (WI)	Risch
Crapo	Kirk	Roberts
Rubio	Shelby	Toomey
Sessions	Thune	Vitter

NOT VOTING—3

Barrasso	Corker	Enzi

The PRESIDING OFFICER. On this vote, the yeas are 70, the nays are 27. Under the previous order requiring 60 votes for passage of the bill, the bill, as amended, is passed.

The bill (H.R. 2832), as amended, was passed, as follows:

H.R. 2832

Resolved, That the bill from the House of Representatives (H.R. 2832) entitled ''An Act to extend the Generalized System of Preferences, and for other purposes.'', do pass with the following amendment:

At the end, add the following:

TITLE II—TRADE ADJUSTMENT ASSISTANCE

SEC. 200. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This title may be cited as the ''Trade Adjustment Assistance Extension Act of 2011''.

(b) TABLE OF CONTENTS.—The table of contents for this title is as follows:

Subtitle A—Extension of Trade Adjustment Assistance

PART I—APPLICATION OF PROVISIONS RELATING TO TRADE ADJUSTMENT ASSISTANCE

SEC. 201. APPLICATION OF PROVISIONS RELATING TO TRADE ADJUSTMENT ASSISTANCE.

(a) REPEAL OF SNAPBACK.—Section 1893 of the Trade and Globalization Adjustment Assistance Act of 2009 (Public Law 111–5; 123 Stat. 422) is repealed.

(b) APPLICABILITY OF CERTAIN PROVISIONS.—Except as otherwise provided in this subtitle, the provisions of chapters 2 through 6 of title II of the Trade Act of 1974, as in effect on February 12, 2011, and as amended by this subtitle, shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply to petitions for certification filed under chapters 2, 3, or 6 of title II of the Trade Act of 1974 on or after such date of enactment.

(c) REFERENCES.—Except as otherwise provided in this subtitle, whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision of chapters 2 through 6 of title II of the Trade Act of 1974, the reference shall be considered to be made to a provision of any such chapter, as in effect on February 12, 2011.

PART II—TRADE ADJUSTMENT ASSISTANCE FOR WORKERS

SEC. 211. GROUP ELIGIBILITY REQUIREMENTS.

(a) IN GENERAL.—Section 222 of the Trade Act of 1974 (19 U.S.C. 2272) is amended—

(1) by striking subsection (b);

(2) by redesignating subsections (c) through (f) as subsections (b) through (e), respectively;

(3) in paragraph (2) of subsection (b), as redesignated, by striking ''(d)'' and inserting ''(c)'';

(4) in subsection (c), as redesignated, by striking paragraph (5); and

(5) in paragraph (2) of subsection (d), as redesignated, by striking '', (b), or (c)'' and inserting ''or (b)''.

(b) CONFORMING AMENDMENTS.—Section 247 of the Trade Act of 1974 (19 U.S.C. 2319) is amended—

(1) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking ''Subject to section 222(d)(5), the term'' and inserting ''The term''; and

(B) in subparagraph (A), by striking '', service sector firm, or public agency'' and inserting ''or service sector firm'';

(2) by striking paragraph (7); and

(3) by redesignating paragraphs (8) through (19) as paragraphs (7) through (18), respectively.

SEC. 212. REDUCTIONS IN WAIVERS FROM TRAINING.

(a) IN GENERAL.—Section 231(c) of the Trade Act of 1974 (19 U.S.C. 2291(c)) is amended—

(1) in paragraph (1)—

(A) by striking subparagraphs (A), (B), and (C); and

(B) by redesignating subparagraphs (D), (E), and (F) as subparagraphs (A), (B), and (C), respectively; and

(2) in paragraph (3)(B), by striking ''(D), (E), or (F)'' and inserting ''or (C)''.

(b) GOOD CAUSE EXCEPTION.—Section 234(b) of the Trade Act of 1974 (19 U.S.C. 2294(b)) is amended to read as follows:

''(b) SPECIAL RULE ON GOOD CAUSE FOR WAIVER OF TIME LIMITS OR LATE FILING OF CLAIMS.—The Secretary shall establish procedures and criteria that allow for a waiver for good cause of the time limitations with respect to an application for a trade readjustment allowance or enrollment in training under this chapter.''.

SEC. 213. LIMITATIONS ON TRADE READJUSTMENT ALLOWANCES.

Section 233 of the Trade Act of 1974 (19 U.S.C. 2293) is amended—

(1) in subsection (a)—

(A) in paragraph (2), in the matter preceding subparagraph (A), by striking ''(or'' and all that follows through ''period)''; and

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by striking ''78'' and inserting ''65''; and

(ii) by striking ''91-week period'' each place it appears and inserting ''78-week period''; and

(2) by amending subsection (f) to read as follows:

''(f) PAYMENT OF TRADE READJUSTMENT ALLOWANCES TO COMPLETE TRAINING.—Notwithstanding any other provision of this section, in order to assist an adversely affected worker to complete training approved for the worker under section 236 that leads to the completion of a degree or industry-recognized credential, payments may be made as trade readjustment allowances for not more than 13 weeks within such period of eligibility as the Secretary may prescribe to account for a break in training or for justifiable cause that follows the last week for which the worker is otherwise entitled to a trade readjustment allowance under this chapter if—

''(1) payment of the trade readjustment allowance for not more than 13 weeks is necessary for the worker to complete the training;

''(2) the worker participates in training in each such week; and

''(3) the worker—

''(A) has substantially met the performance benchmarks established as part of the training approved for the worker;

''(B) is expected to continue to make progress toward the completion of the training; and

''(C) will complete the training during that period of eligibility.''.

SEC. 214. FUNDING OF TRAINING, EMPLOYMENT AND CASE MANAGEMENT SERVICES, AND JOB SEARCH AND RELOCATION ALLOWANCES.

(a) IN GENERAL.—Section 236(a)(2) of the Trade Act of 1974 (19 U.S.C. 2296(a)(2)) is amended—

(1) by inserting ''and sections 235, 237, and 238'' after ''to carry out this section'' each place it appears;

(2) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking ''of payments that may be made under paragraph (1)'' and inserting ''of funds available to carry out this section and sections 235, 237, and 238''; and

(B) by striking clauses (i) and (ii) and inserting the following:

''(i) $575,000,000 for each of fiscal years 2012 and 2013; and

''(ii) $143,750,000 for the 3-month period beginning on October 1, 2013, and ending on December 31, 2013.'';

(3) in subparagraph (C)(ii)(V), by striking ''relating to the provision of training under this section'' and inserting ''to carry out this section and sections 235, 237, and 238''; and

(4) in subparagraph (E), by striking ''to pay the costs of training approved under this section'' and inserting ''to carry out this section and sections 235, 237, and 238''.

(b) LIMITATIONS ON ADMINISTRATIVE EXPENSES AND EMPLOYMENT AND CASE MANAGEMENT SERVICES.—

(1) IN GENERAL.—Section 235A of the Trade Act of 1974 (19 U.S.C. 2295a) is amended—

(A) in the section heading, by striking ''**FUNDING FOR**'' and inserting ''**LIMITATIONS ON**''; and

(B) by striking subsections (a) and (b) and inserting the following:

''Of the funds made available to a State to carry out sections 235 through 238 for a fiscal year, the State shall use—

''(1) not more than 10 percent for the administration of the trade adjustment assistance for workers program under this chapter, including for—

''(A) processing waivers of training requirements under section 231;

''(B) collecting, validating, and reporting data required under this chapter; and

''(C) providing reemployment trade adjustment assistance under section 246; and

''(2) not less than 5 percent for employment and case management services under section 235.''.

(2) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by striking the item relating to section 235A and inserting the following:

''Sec. 235A. Limitations on administrative expenses and employment and case management services.''.

(c) REALLOTMENT OF FUNDS.—Section 245 of the Trade Act of 1974 (19 U.S.C. 2317) is amended by adding at the end the following:

''(c) REALLOTMENT OF FUNDS.—

''(1) IN GENERAL.—The Secretary may—

''(A) reallot funds that were allotted to any State to carry out sections 235 through 238 and that remain unobligated by the State during the second or third fiscal year after the fiscal year in which the funds were provided to the State; and

''(B) provide such realloted funds to States to carry out sections 235 through 238 in accordance with procedures established by the Secretary.

''(2) REQUESTS BY STATES.—In establishing procedures under paragraph (1)(B), the Secretary shall include procedures that provide for the distribution of realloted funds under that paragraph pursuant to requests submitted by States in need of such funds.

''(3) AVAILABILITY OF AMOUNTS.—The reallotment of funds under paragraph (1) shall not extend the period for which such funds are available for expenditure.''.

(d) JOB SEARCH ALLOWANCES.—Section 237 of the Trade Act of 1974 (19 U.S.C. 2297) is amended—

(1) in subsection (a)(1)—

(A) by striking ''An adversely affected worker'' and inserting ''Each State may use funds made available to the State to carry out sections 235 through 238 to allow an adversely affected worker''; and

(B) by striking ''may'' and inserting ''to'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''An'' and inserting ''Any''; and

(ii) by striking ''all necessary job search expenses'' and inserting ''not more than 90 percent of the necessary job search expenses of the worker''; and

(B) in paragraph (2), by striking ''$1,500'' and inserting ''$1,250''; and

(3) in subsection (c), by striking ''the Secretary shall'' and inserting ''a State may''.

(e) RELOCATION ALLOWANCES.—Section 238 of the Trade Act of 1974 (19 U.S.C. 2298) is amended—

(1) in subsection (a)(1)—

(A) by striking ''Any adversely affected worker'' and inserting ''Each State may use funds made available to the State to carry out sections 235 through 238 to allow an adversely affected worker''; and

(B) by striking ''may file'' and inserting ''to file''; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''The'' and inserting ''Any''; and

(ii) by striking ''includes'' and inserting ''shall include'';

(B) in paragraph (1), by striking ''all'' and inserting ''not more than 90 percent of the''; and

(C) in paragraph (2), by striking ''$1,500'' and inserting ''$1,250''.

(f) CONFORMING AMENDMENTS.—Section 236 of the Trade Act of 1974 (19 U.S.C. 2296) is amended—

(1) in subsection (b), in the first sentence, by striking ''appropppriate'' and inserting ''appropriate''; and

(2) by striking subsection (g) and redesignating subsection (h) as subsection (g).

SEC. 215. REEMPLOYMENT TRADE ADJUSTMENT ASSISTANCE.

(a) IN GENERAL.—Section 246(a) of the Trade Act of 1974 (19 U.S.C. 2318(a)) is amended—

(1) in paragraph (3)(B)(ii), by striking ''$55,000'' and inserting ''$50,000''; and

(2) in paragraph (5)—

(A) in subparagraph (A)(i), by striking ''$12,000'' and inserting ''$10,000''; and

(B) in subparagraph (B)(i), by striking ''$12,000'' and inserting ''$10,000''.

(b) EXTENSION.—Section 246(b)(1) of the Trade Act of 1974 (19 U.S.C. 2318(b)(1)) is amended by striking ''February 12, 2011'' and inserting ''December 31, 2013''.

SEC. 216. PROGRAM ACCOUNTABILITY.

(a) CORE INDICATORS OF PERFORMANCE.—

(1) IN GENERAL.—Section 239(j)(2)(A) of the Trade Act of 1974 (19 U.S.C. 2311(j)(2)(A)) is amended to read as follows:

''(A) IN GENERAL.—The core indicators of performance described in this paragraph are—

''(i) the percentage of workers receiving benefits under this chapter who are employed during the first or second calendar quarter following the calendar quarter in which the workers cease receiving such benefits;

''(ii) the percentage of such workers who are employed during the 2 calendar quarters following the earliest calendar quarter during which the worker was employed as described in clause (i);

''(iii) the average earnings of such workers who are employed during the 2 calendar quarters described in clause (ii); and

''(iv) the percentage of such workers who obtain a recognized postsecondary credential, including an industry-recognized credential, or a secondary school diploma or its recognized equivalent if combined with employment under clause (i), while receiving benefits under this chapter or during the 1-year period after such workers cease receiving such benefits.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall—

(A) take effect on October 1, 2011; and

(B) apply with respect to agreements under section 239 of the Trade Act of 1974 (19 U.S.C. 2311) entered into before, on, or after October 1, 2011.

(b) COLLECTION AND PUBLICATION OF DATA.—

(1) IN GENERAL.—Section 249B(b) of the Trade Act of 1974 (19 U.S.C. 2323(b)) is amended—

(A) in paragraph (2)—

(i) in subparagraph (B), by inserting ''(including such allowances classified by payments under paragraphs (1) and (3) of section 233(a), and section 233(f), respectively) and payments under section 246'' after ''readjustment allowances''; and

(ii) by adding at the end the following:

''(D) The average number of weeks trade readjustment allowances were paid to workers.

''(E) The number of workers who report that they have received benefits under a prior certification issued under this chapter in any of the 10 fiscal years preceding the fiscal year for which the data is collected under this section.'';

(B) in paragraph (3)—

(i) in subparagraph (A), by inserting ''training leading to an associate's degree, remedial education, prerequisite education,'' after ''distance learning,'';

(ii) by amending subparagraph (B) to read as follows:

''(B) The number of workers who complete training approved under section 236 who were enrolled in pre-layoff training or part-time training at any time during that training.'';

(iii) in subparagraph (C), by inserting '', and the average duration of training that does not include remedial or prerequisite education'' after ''training'';

(iv) in subparagraph (E), by striking ''duration'' and inserting ''average duration''; and

(v) in subparagraph (F), by inserting ''and the average duration of the training that was completed by such workers'' after ''training''; and

(C) in paragraph (4)—

(i) by redesignating subparagraph (B) as subparagraph (D); and

(ii) by inserting after subparagraph (A) the following:

''(B) A summary of the data on workers in the quarterly reports required under section 239(j) classified by the age, pre-program educational level, and post-program credential attainment of the workers.

''(C) The average earnings of workers described in section 239(j)(2)(A)(i) in the second, third, and fourth calendar quarters following the calendar quarter in which such workers cease receiving benefits under this chapter, expressed as a percentage of the average earnings of such workers in the 3 calendar quarters before the calendar quarter in which such workers began receiving benefits under this chapter.''; and

(D) by adding at the end the following:

''(6) DATA ON SPENDING.—

''(A) The total amount of funds used to pay for trade readjustment allowances, in the aggregate and by each State.

''(B) The total amount of the payments to the States to carry out sections 235 through 238 used for training, in the aggregate and for each State.

''(C) The total amount of payments to the States to carry out sections 235 through 238 used for the costs of administration, in the aggregate and for each State.

''(D) The total amount of payments to the States to carry out sections 235 through 238 used for job search and relocation allowances, in the aggregate and for each State.''.

(2) EFFECTIVE DATE.—Not later than October 1, 2012, the Secretary of Labor shall update the system required by section 249B(a) of the Trade Act of 1974 (19 U.S.C. 2323(a)) to include the collection of and reporting on the data required by the amendments made by paragraph (1).

(3) ANNUAL REPORT.—Section 249B(d) of the Trade Act of 1974 (19 U.S.C. 2323(d)) is amended by striking ''December 15'' and inserting ''February 15''.

SEC. 217. EXTENSION.

Section 245(a) of the Trade Act of 1974 (19 U.S.C. 2317(a)) is amended by striking ''February 12, 2011'' and inserting ''December 31, 2013''.

PART III—OTHER ADJUSTMENT ASSISTANCE

SEC. 221. TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.

(a) ANNUAL REPORT.—

(1) IN GENERAL.—Chapter 3 of title II of the Trade Act of 1974 (19 U.S.C. 2341 et seq.) is amended by inserting after section 255 the following:

''SEC. 255A. ANNUAL REPORT ON TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.

''(a) IN GENERAL.—Not later than December 15, 2012, and annually thereafter, the Secretary shall prepare a report containing data regarding the trade adjustment assistance for firms program under this chapter for the preceding fiscal year. The data shall include the following:

''(1) The number of firms that inquired about the program.

''(2) The number of petitions filed under section 251.

''(3) The number of petitions certified and denied by the Secretary.

''(4) The average time for processing petitions after the petitions are filed.

''(5) The number of petitions filed and firms certified for each congressional district of the United States.

''(6) Of the number of petitions filed, the number of firms that entered the program and received benefits.

''(7) The number of firms that received assistance in preparing their petitions.

''(8) The number of firms that received assistance developing business recovery plans.

''(9) The number of business recovery plans approved and denied by the Secretary.

''(10) The average duration of benefits received under the program nationally and in each region served by an intermediary organization referred to in section 253(b)(1).

''(11) Sales, employment, and productivity at each firm participating in the program at the time of certification.

''(12) Sales, employment, and productivity at each firm upon completion of the program and each year for the 2-year period following completion of the program.

''(13) The number of firms in operation as of the date of the report and the number of firms that ceased operations after completing the program and in each year during the 2-year period following completion of the program.

''(14) The financial assistance received by each firm participating in the program.

''(15) The financial contribution made by each firm participating in the program.

''(16) The types of technical assistance included in the business recovery plans of firms participating in the program.

''(17) The number of firms leaving the program before completing the project or projects in their business recovery plans and the reason the project or projects were not completed.

''(18) The total amount expended by all intermediary organizations referred to in section 253(b)(1) and by each such organization to administer the program.

''(19) The total amount expended by intermediary organizations to provide technical assistance to firms under the program nationally and in each region served by such an organization.

''(b) CLASSIFICATION OF DATA.—To the extent possible, in collecting and reporting the data described in subsection (a), the Secretary shall classify the data by intermediary organization, State, and national totals.

''(c) REPORT TO CONGRESS; PUBLICATION.—The Secretary shall—

''(1) submit the report described in subsection (a) to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives; and

''(2) publish the report in the Federal Register and on the website of the Department of Commerce.

''(d) PROTECTION OF CONFIDENTIAL INFORMATION.—

''(1) IN GENERAL.—The Secretary may not release information described in subsection (a) that the Secretary considers to be confidential business information unless the person submitting the confidential business information had notice, at the time of submission, that such information would be released by the Secretary, or such person subsequently consents to the release of the information.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to prohibit the Secretary from providing information the Secretary considers to be confidential business information under paragraph (1) to a court in camera or to another party under a protective order issued by a court.''.

(2) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by inserting after the item relating to section 255 the following:

''Sec. 255A. Annual report on trade adjustment assistance for firms.''.

(3) CONFORMING REPEAL.—Effective on the day after the date on which the Secretary of Commerce submits the report required by section 1866 of the Trade and Globalization Adjustment Assistance Act of 2009 (19 U.S.C. 2356) for fiscal year 2011, such section is repealed.

(b) EXTENSION.—Section 255(a) of the Trade Act of 1974 (19 U.S.C. 2345(a)) is amended—

(1) by striking ''$50,000,000'' and all that follows through ''February 12, 2011.'' and inserting ''$16,000,000 for each of the fiscal years 2012 and 2013, and $4,000,000 for the 3-month period beginning on October 1, 2013, and ending on December 31, 2013.''; and

(2) by striking ''shall—'' and all that follows through ''otherwise remain'' and inserting ''shall remain''.

SEC. 222. TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES.

(a) IN GENERAL.—Chapter 4 of title II of the Trade Act of 1974 (19 U.S.C. 2371 et seq.) is amended—

(1) by striking subchapters A, C, and D;

(2) in subchapter B, by striking the subchapter heading; and

(3) by redesignating sections 278 and 279 as sections 271 and 272, respectively.

(b) ANNUAL REPORT.—

(1) IN GENERAL.—Subsection (e) of section 271 of the Trade Act of 1974, as redesignated by subsection (a)(3), is amended—

(A) in the matter preceding paragraph (1), by striking ''December 15 in each of the calendar years 2009 through'' and inserting ''December 15, 2009,'';

(B) in paragraph (1), by striking ''and'' at the end;

(C) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(3) providing the following data relating to program performance and outcomes:

''(A) Of the grants awarded under this section, the amount of funds spent by grantees.

''(B) The average dollar amount of grants awarded under this section.

''(C) The average duration of grants awarded under this section.

''(D) The percentage of workers receiving benefits under chapter 2 that are served by programs developed, offered, or improved using grants awarded under this section.

''(E) The percentage and number of workers receiving benefits under chapter 2 who obtained a degree through such programs and the average duration of the participation of such workers in training under section 236.

''(F) The number of workers receiving benefits under chapter 2 served by such programs who did not complete a degree and the average duration of the participation of such workers in training under section 236.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall—

(A) take effect on October 1, 2011; and

(B) apply with respect to reports submitted under subsection (e) of section 271 of the Trade Act of 1974, as redesignated by subsection (a)(3), on or after October 1, 2012.

(c) CONFORMING AMENDMENTS.—

(1) Section 271 of the Trade Act of 1974, as redesignated by subsection (a)(3), is amended—

(A) in subsection (c)—

(i) in paragraph (4)—

(I) in subparagraph (A)—

(aa) in clause (ii), by striking the semicolon and inserting ''; and'';

(bb) by striking clauses (iii) and (iv); and

(cc) by redesignating clause (v) as clause (iii);

(II) in subparagraph (B), by striking ''(A)(v)'' and inserting ''(A)(iii)''; and

(ii) in paragraph (5)(A)—

(I) in clause (i)—

(aa) in the matter preceding subclause (I), by striking '', and other entities described in section 276(a)(2)(B)''; and

(bb) in subclause (II), by striking the semicolon and inserting ''; and'';

(II) by striking clause (iii); and

(B) in subsection (d), by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(2) Subsection (b) of section 272 of the Trade Act of 1974, as redesignated by subsection (a)(3), is amended by striking ''278(a)(2)'' and inserting ''271(a)(2)''.

(d) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by striking the items relating to chapter 4 of title II and inserting the following:

SEC. 223. TRADE ADJUSTMENT ASSISTANCE FOR FARMERS.

(a) ANNUAL REPORT.—

(1) IN GENERAL.—Section 293(d) of the Trade Act of 1974 (19 U.S.C. 2401b(d)) is amended to read as follows:

''(d) ANNUAL REPORT.—Not later than January 30 of each year, the Secretary shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report containing the following information with respect to the trade adjustment assistance for farmers program under this chapter during the preceding fiscal year:

''(1) A list of the agricultural commodities covered by a certification under this chapter.

''(2) The States or regions in which agricultural commodities are produced and the aggregate amount of such commodities produced in each such State or region.

''(3) The number of petitions filed.

''(4) The number of petitions certified and denied by the Secretary.

''(5) The average time for processing petitions.

''(6) The number of petitions filed and agricultural commodity producers approved for each congressional district of the United States.

''(7) Of the number of producers approved, the number of agricultural commodity producers that entered the program and received benefits.

''(8) The number of agricultural commodity producers that completed initial technical assistance.

''(9) The number of agricultural commodity producers that completed intensive technical assistance.

''(10) The number of initial business plans approved and denied by the Secretary.

''(11) The number of long-term business plans approved and denied by the Secretary.

''(12) The total number of agricultural commodity producers, by congressional district, receiving initial technical assistance and intensive technical assistance, respectively, under this chapter.

''(13) The types of initial technical assistance received by agricultural commodity producers participating in the program.

''(14) The types of intensive technical assistance received by agricultural commodity producers participating in the program.

''(15) The number of agricultural commodity producers leaving the program before completing the projects in their long-term business plans and the reason those projects were not completed.

''(16) The total number of agricultural commodity producers, by congressional district, receiving benefits under this chapter.

''(17) The average duration of benefits received under this chapter.

''(18) The number of agricultural commodity producers in operation as of the date of the report and the number of agricultural commodity producers that ceased operations after completing the program and in the 1-year period following completion of the program.

''(19) The number of agricultural commodity producers that report that such producers received benefits under a prior certification issued under this chapter in any of the 10 fiscal years preceding the date of the report.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall—

(A) take effect on October 1, 2011; and

(B) apply with respect to reports submitted under section 293(d) of the Trade Act of 1974 (19 U.S.C. 2401b(d)) on or after October 1, 2012.

(b) EXTENSION.—Section 298(a) of the Trade Act of 1974 (19 U.S.C. 2401g(a)) is amended—

(1) by striking ''and there are appropriated''; and

(2) by striking ''not to exceed'' and all that follows through ''February 12, 2011'' and inserting ''not to exceed $90,000,000 for each of the fiscal years 2012 and 2013, and $22,500,000 for the 3-month period beginning on October 1, 2013, and ending on December 31, 2013''.

PART IV—GENERAL PROVISIONS

SEC. 231. APPLICABILITY OF TRADE ADJUSTMENT ASSISTANCE PROVISIONS.

(a) TRADE ADJUSTMENT ASSISTANCE FOR WORKERS.—

(1) PETITIONS FILED ON OR AFTER FEBRUARY 13, 2011, AND BEFORE DATE OF ENACTMENT.—

(A) CERTIFICATIONS OF WORKERS NOT CERTIFIED BEFORE DATE OF ENACTMENT.—

(i) CRITERIA IF A DETERMINATION HAS NOT BEEN MADE.—If, as of the date of the enactment of this Act, the Secretary of Labor has not made a determination with respect to whether to certify a group of workers as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in clause (iii), the Secretary shall make that determination based on the requirements of section 222 of the Trade Act of 1974, as in effect on such date of enactment.

(ii) RECONSIDERATION OF DENIALS OF CERTIFICATIONS.—If, before the date of the enactment of this Act, the Secretary made a determination not to certify a group of workers as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in clause (iii), the Secretary shall—

(I) reconsider that determination; and

(II) if the group of workers meets the requirements of section 222 of the Trade Act of 1974, as in effect on such date of enactment, certify the group of workers as eligible to apply for adjustment assistance.

(iii) PETITION DESCRIBED.—A petition described in this clause is a petition for a certification of eligibility for a group of workers filed under section 221 of the Trade Act of 1974 on or after February 13, 2011, and before the date of the enactment of this Act.

(B) ELIGIBILITY FOR BENEFITS.—

(i) IN GENERAL.—Except as provided in clause (ii), a worker certified as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in subparagraph (A)(iii) shall be eligible, on and after the date that is 60 days after the date of the enactment of this Act, to receive benefits only under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on such date of enactment.

(ii) ELECTION FOR WORKERS RECEIVING BENEFITS ON THE 60TH DAY AFTER ENACTMENT.—

(I) IN GENERAL.—A worker certified as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in subparagraph (A)(iii) who is receiving benefits under chapter 2 of title II of the Trade Act of 1974 as of the date that is 60 days after the date of the enactment of this Act may, not later than the date that is 150 days after such date of enactment, make a one-time election to receive benefits pursuant to—

(aa) the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on such date of enactment; or

(bb) the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on February 13, 2011.

(II) EFFECT OF FAILURE TO MAKE ELECTION.—A worker described in subclause (I) who does not make the election described in that subclause on or before the date that is 150 days after the date of the enactment of this Act shall be eligible to receive benefits only under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on February 13, 2011.

(III) COMPUTATION OF MAXIMUM BENEFITS.—Benefits received by a worker described in subclause (I) under chapter 2 of title II of the Trade Act of 1974, as in effect on February 13, 2011, before the worker makes the election described in that subclause shall be included in any determination of the maximum benefits for which the worker is eligible under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on the date of the enactment of this Act, or as in effect on February 13, 2011, whichever is applicable after the election of the worker under subclause (I).

(2) PETITIONS FILED BEFORE FEBRUARY 13, 2011.—A worker certified as eligible to apply for adjustment assistance pursuant to a petition filed under section 221 of the Trade Act of 1974—

(A) on or after May 18, 2009, and on or before February 12, 2011, shall continue to be eligible to apply for and receive benefits under the provisions of chapter 2 of title II of such Act, as in effect on February 12, 2011; or

(B) before May 18, 2009, shall continue to be eligible to apply for and receive benefits under the provisions of chapter 2 of title II of such Act, as in effect on May 17, 2009.

(3) QUALIFYING SEPARATIONS WITH RESPECT TO PETITIONS FILED WITHIN 90 DAYS OF DATE OF ENACTMENT.—Section 223(b) of the Trade Act of 1974, as in effect on the date of the enactment of this Act, shall be applied and administered by substituting ''before February 13, 2010'' for ''more than one year before the date of the petition on which such certification was granted'' for purposes of determining whether a worker is eligible to apply for adjustment assistance pursuant to a petition filed under section 221 of the Trade Act of 1974 on or after the date of the enactment of this Act and on or before the date that is 90 days after such date of enactment.

(b) TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.—

(1) CERTIFICATION OF FIRMS NOT CERTIFIED BEFORE DATE OF ENACTMENT.—

(A) CRITERIA IF A DETERMINATION HAS NOT BEEN MADE.—If, as of the date of the enactment of this Act, the Secretary of Commerce has not made a determination with respect to whether to certify a firm as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the Secretary shall make that determination based on the requirements of section 251 of the Trade Act of 1974, as in effect on such date of enactment.

(B) RECONSIDERATION OF DENIAL OF CERTAIN PETITIONS.—If, before the date of the enactment of this Act, the Secretary made a determination not to certify a firm as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the Secretary shall—

(i) reconsider that determination; and

(ii) if the firm meets the requirements of section 251 of the Trade Act of 1974, as in effect on such date of enactment, certify the firm as eligible to apply for adjustment assistance.

(C) PETITION DESCRIBED.—A petition described in this subparagraph is a petition for a certification of eligibility filed by a firm or its representative under section 251 of the Trade Act of 1974 on or after February 13, 2011, and before the date of the enactment of this Act.

(2) CERTIFICATION OF FIRMS THAT DID NOT SUBMIT PETITIONS BETWEEN FEBRUARY 13, 2011, AND DATE OF ENACTMENT.—

(A) IN GENERAL.—The Secretary of Commerce shall certify a firm described in subparagraph (B) as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974, as in effect on the date of the enactment of this Act, if the firm or its representative files a petition for a certification of eligibility under section 251 of the Trade Act of 1974 not later than 90 days after such date of enactment.

(B) FIRM DESCRIBED.—A firm described in this subparagraph is a firm that the Secretary determines would have been certified as eligible to apply for adjustment assistance if—

(i) the firm or its representative had filed a petition for a certification of eligibility under section 251 of the Trade Act of 1974 on a date during the period beginning on February 13, 2011, and ending on the day before the date of the enactment of this Act; and

(ii) the provisions of chapter 3 of title II of the Trade Act of 1974, as in effect on such date of enactment, had been in effect on that date during the period described in clause (i).

SEC. 232. TERMINATION PROVISIONS.

Section 285 of the Trade Act of 1974 (19 U.S.C. 2271 note) is amended—

(1) by striking ''February 12, 2011'' each place it appears and inserting ''December 31, 2013'';

(2) in subsection (a)(2)—

(A) in the matter preceding subparagraph (A), by striking ''that chapter'' and all that follows through ''the worker is—'' and inserting ''that chapter if the worker is—''; and

(B) in subparagraph (A), by striking ''petitions'' and inserting ''a petition''; and

(3) in subsection (b)—

(A) in paragraph (1)(B), in the matter preceding clause (i), by inserting ''pursuant to a petition filed under section 251'' after ''chapter 3'';

(B) in paragraph (2)(B), in the matter preceding clause (i), by inserting ''pursuant to a petition filed under section 292'' after ''chapter 6''; and

(C) by striking paragraph (3).

SEC. 233. SUNSET PROVISIONS.

(a) APPLICATION OF PRIOR LAW.—Subject to subsection (b), beginning on January 1, 2014, the provisions of chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.), as in effect on February 13, 2011, shall apply, except that in applying and administering such chapters—

(1) paragraph (1) of section 231(c) of that Act shall be applied and administered as if subparagraphs (A), (B), and (C) of that paragraph were not in effect;

(2) section 233 of that Act shall be applied and administered—

(A) in subsection (a)—

(i) in paragraph (2), by substituting ''104-week period'' for ''104-week period'' and all that follows through ''130-week period)''; and

(ii) in paragraph (3)—

(I) in the matter preceding subparagraph (A), by substituting ''65'' for ''52''; and

(II) by substituting ''78-week period'' for ''52-week period'' each place it appears; and

(B) by applying and administering subsection (g) as if it read as follows:

''(g) PAYMENT OF TRADE READJUSTMENT ALLOWANCES TO COMPLETE TRAINING.—Notwithstanding any other provision of this section, in order to assist an adversely affected worker to complete training approved for the worker under section 236 that leads to the completion of a degree or industry-recognized credential, payments may be made as trade readjustment allowances for not more than 13 weeks within such period of eligibility as the Secretary may prescribe to account for a break in training or for justifiable cause that follows the last week for which the worker is otherwise entitled to a trade readjustment allowance under this chapter if—

''(1) payment of the trade readjustment allowance for not more than 13 weeks is necessary for the worker to complete the training;

''(2) the worker participates in training in each such week; and

''(3) the worker—

''(A) has substantially met the performance benchmarks established as part of the training approved for the worker;

''(B) is expected to continue to make progress toward the completion of the training; and

''(C) will complete the training during that period of eligibility.'';

(3) section 245 of that Act shall be applied and administered by substituting ''2014'' for ''2007'';

(4) section 246(b)(1) of that Act shall be applied and administered by substituting ''December 31, 2014'' for ''the date that is 5 years'' and all that follows through ''State'';

(5) section 256(b) of that Act shall be applied and administered by substituting ''the 1-year period beginning on January 1, 2014'' for ''each of fiscal years 2003 through 2007, and $4,000,000 for the 3-month period beginning on October 1, 2007'';

(6) section 298(a) of that Act shall be applied and administered by substituting ''the 1-year period beginning on January 1, 2014'' for ''each of the fiscal years'' and all that follows through ''October 1, 2007''; and

(7) section 285 of that Act shall be applied and administered—

(A) in subsection (a), by substituting ''2014'' for ''2007'' each place it appears; and

(B) by applying and administering subsection (b) as if it read as follows:

''(b) OTHER ASSISTANCE.—

''(1) ASSISTANCE FOR FIRMS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), assistance may not be provided under chapter 3 after December 31, 2014.

''(B) EXCEPTION.—Notwithstanding subparagraph (A), any assistance approved under chapter 3 on or before December 31, 2014, may be provided—

''(i) to the extent funds are available pursuant to such chapter for such purpose; and

''(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.

''(2) FARMERS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), assistance may not be provided under chapter 6 after December 31, 2014.

''(B) EXCEPTION.—Notwithstanding subparagraph (A), any assistance approved under chapter 6 on or before December 31, 2014, may be provided—

''(i) to the extent funds are available pursuant to such chapter for such purpose; and

''(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.''.

(b) EXCEPTIONS.—The provisions of chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974, as in effect on the date of the enactment of this Act, shall continue to apply on and after January 1, 2014, with respect to—

(1) workers certified as eligible for trade adjustment assistance benefits under chapter 2 of title II of that Act pursuant to petitions filed under section 221 of that Act before January 1, 2014;

(2) firms certified as eligible for technical assistance or grants under chapter 3 of title II of that Act pursuant to petitions filed under section 251 of that Act before January 1, 2014; and

(3) agricultural commodity producers certified as eligible for technical or financial assistance under chapter 6 of title II of that Act pursuant to petitions filed under section 292 of that Act before January 1, 2014.

Subtitle B—Health Coverage Improvement

SEC. 241. HEALTH CARE TAX CREDIT.

(a) TERMINATION OF CREDIT.—Subparagraph (B) of section 35(b)(1) of the Internal Revenue Code of 1986 is amended by inserting '', and before January 1, 2014'' before the period.

(b) EXTENSION THROUGH CREDIT TERMINATION DATE OF CERTAIN EXPIRED CREDIT PROVISIONS.—

(1) PARTIAL EXTENSION OF INCREASED CREDIT RATE.—Section 35(a) of such Code is amended by striking ''65 percent (80 percent in the case of eligible coverage months beginning before February 13, 2011)'' and inserting ''72.5 percent''.

(2) EXTENSION OF ADVANCE PAYMENT PROVISIONS.—

(A) Section 7527(b) of such Code is amended by striking ''65 percent (80 percent in the case of eligible coverage months beginning before February 13, 2011)'' and inserting ''72.5 percent''.

(B) Section 7527(d)(2) of such Code is amended by striking ''which is issued before February 13, 2011''.

(C) Section 7527(e) of such Code is amended by striking ''80 percent'' and inserting ''72.5 percent''.

(D) Section 7527(e) of such Code is amended by striking ''In the case of eligible coverage months beginning before February 13, 2011—''.

(3) EXTENSION OF CERTAIN OTHER RELATED PROVISIONS.—

(A) Section 35(c)(2)(B) of such Code is amended by striking ''and before February 13, 2011''.

(B) Section 35(e)(1)(K) of such Code is amended by striking ''In the case of eligible coverage months beginning before February 13, 2012, coverage'' and inserting ''Coverage''.

(C) Section 35(g)(9) of such Code, as added by section 1899E(a) of the American Recovery and Reinvestment Tax Act of 2009 (relating to continued qualification of family members after certain events), is amended by striking ''In the case of eligible coverage months beginning before February 13, 2011—''.

(D) Section 173(f)(8) of the Workforce Investment Act of 1998 is amended by striking ''In the case of eligible coverage months beginning before February 13, 2011—''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to coverage months beginning after February 12, 2011.

(2) ADVANCE PAYMENT PROVISIONS.—

(A) The amendment made by subsection (b)(2)(B) shall apply to certificates issued after the date which is 30 days after the date of the enactment of this Act.

(B) The amendment made by subsection (b)(2)(D) shall apply to coverage months beginning after the date which is 30 days after the date of the enactment of this Act.

SEC. 242. TAA PRE-CERTIFICATION PERIOD RULE FOR PURPOSES OF DETERMINING WHETHER THERE IS A 63-DAY LAPSE IN CREDITABLE COVERAGE.

(a) IN GENERAL.—The following provisions are each amended by striking ''February 13, 2011'' and inserting ''January 1, 2014'':

(1) Section 9801(c)(2)(D) of the Internal Revenue Code of 1986.

(2) Section 701(c)(2)(C) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1181(c)(2)(C)).

(3) Section 2701(c)(2)(C) of the Public Health Service Act (as in effect for plan years beginning before January 1, 2014).

(4) Section 2704(c)(2)(C) of the Public Health Service Act (as in effect for plan years beginning on or after January 1, 2014).

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to plan years beginning after February 12, 2011.

(2) TRANSITIONAL RULES.—

(A) BENEFIT DETERMINATIONS.—Notwithstanding the amendments made by this section (and the provisions of law amended thereby), a plan shall not be required to modify benefit determinations for the period beginning on February 13, 2011, and ending 30 days after the date of the enactment of this Act, but a plan shall not fail to be qualified health insurance within the meaning of section 35(e) of the Internal Revenue Code of 1986 during this period merely due to such failure to modify benefit determinations.

(B) GUIDANCE CONCERNING PERIODS BEFORE 30 DAYS AFTER ENACTMENT.—Except as provided in subparagraph (A), the Secretary of the Treasury (or his designee), in consultation with the Secretary of Health and Human Services and the Secretary of Labor, may issue regulations or other guidance regarding the scope of the application of the amendments made by this section to periods before the date which is 30 days after the date of the enactment of this Act.

(C) SPECIAL RULE RELATING TO CERTAIN LOSS OF COVERAGE.—In the case of a TAA-related loss of coverage (as defined in section 4980B(f)(5)(C)(iv) of the Internal Revenue Code of 1986) that occurs during the period beginning

on February 13, 2011, and ending 30 days after the date of the enactment of this Act, the 7-day period described in section 9801(c)(2)(D) of the Internal Revenue Code of 1986, section 701(c)(2)(C) of the Employee Retirement Income Security Act of 1974, and section 2701(c)(2)(C) of the Public Health Service Act shall be extended until 30 days after such date of enactment.

SEC. 243. EXTENSION OF COBRA BENEFITS FOR CERTAIN TAA-ELIGIBLE INDIVIDUALS AND PBGC RECIPIENTS.

(a) IN GENERAL.—The following provisions are each amended by striking ''February 12, 2011'' and inserting ''January 1, 2014'':

(1) Section 602(2)(A)(v) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1162(2)(A)(v)).

(2) Section 602(2)(A)(vi) of such Act (29 U.S.C. 1162(2)(A)(vi)).

(3) Section 4980B(f)(2)(B)(i)(V) of the Internal Revenue Code of 1986.

(4) Section 4980B(f)(2)(B)(i)(VI) of such Code.

(5) Section 2202(2)(A)(iv) of the Public Health Service Act (42 U.S.C. 300bb–2(2)(A)(iv)).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to periods of coverage which would (without regard to the amendments made by this section) end on or after the date which is 30 days after the date of the enactment of this Act.

Subtitle C—Offsets

PART I—UNEMPLOYMENT COMPENSATION PROGRAM INTEGRITY

SEC. 251. MANDATORY PENALTY ASSESSMENT ON FRAUD CLAIMS.

(a) IN GENERAL.—Section 303(a) of the Social Security Act (42 U.S.C. 503(a)) is amended—

(1) in paragraph (10), by striking the period at the end of subparagraph (B) and inserting ''; and''; and

(2) by adding at the end the following new paragraph:

''(11)(A) At the time the State agency determines an erroneous payment from its unemployment fund was made to an individual due to fraud committed by such individual, the assessment of a penalty on the individual in an amount of not less than 15 percent of the amount of the erroneous payment; and

''(B) The immediate deposit of all assessments paid pursuant to subparagraph (A) into the unemployment fund of the State.''.

(b) APPLICATION TO FEDERAL PAYMENTS.—

(1) IN GENERAL.—As a condition for administering any unemployment compensation program of the United States (as defined in paragraph (2)) as an agent of the United States, if the State determines that an erroneous payment was made by the State to an individual under any such program due to fraud committed by such individual, the State shall assess a penalty on such individual and deposit any such penalty received in the same manner as the State assesses and deposits such penalties under provisions of State law implementing section 303(a)(11) of the Social Security Act, as added by subsection (a).

(2) DEFINITION.—For purposes of this subsection, the term ''unemployment compensation program of the United States'' means—

(A) unemployment compensation for Federal civilian employees under subchapter I of chapter 85 of title 5, United States Code;

(B) unemployment compensation for exservicemembers under subchapter II of chapter 85 of title 5, United States Code;

(C) trade readjustment allowances under sections 231 through 234 of the Trade Act of 1974 (19 U.S.C. 2291–2294);

(D) disaster unemployment assistance under section 410(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5177(a));

(E) any Federal temporary extension of unemployment compensation;

(F) any Federal program which increases the weekly amount of unemployment compensation payable to individuals; and

(G) any other Federal program providing for the payment of unemployment compensation.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to erroneous payments established after the end of the 2-year period beginning on the date of the enactment of this Act.

(2) AUTHORITY.—A State may amend its State law to apply such amendments to erroneous payments established prior to the end of the period described in paragraph (1).

SEC. 252. PROHIBITION ON NONCHARGING DUE TO EMPLOYER FAULT.

(a) IN GENERAL.—Section 3303 of the Internal Revenue Code of 1986 is amended—

(1) by striking subsections (f) and (g); and

(2) by inserting after subsection (e) the following new subsection:

''(f) PROHIBITION ON NONCHARGING DUE TO EMPLOYER FAULT.—

''(1) IN GENERAL.—A State law shall be treated as meeting the requirements of subsection (a)(1) only if such law provides that an employer's account shall not be relieved of charges relating to a payment from the State unemployment fund if the State agency determines that—

''(A) the payment was made because the employer, or an agent of the employer, was at fault for failing to respond timely or adequately to the request of the agency for information relating to the claim for compensation; and

''(B) the employer or agent has established a pattern of failing to respond timely or adequately to such requests.

''(2) STATE AUTHORITY TO IMPOSE STRICTER STANDARDS.—Nothing in paragraph (1) shall limit the authority of a State to provide that an employer's account not be relieved of charges relating to a payment from the State unemployment fund for reasons other than the reasons described in subparagraphs (A) and (B) of such paragraph, such as after the first instance of a failure to respond timely or adequately to requests described in paragraph (1)(A).''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to erroneous payments established after the end of the 2-year period beginning on the date of the enactment of this Act.

(2) AUTHORITY.—A State may amend its State law to apply such amendments to erroneous payments established prior to the end of the period described in paragraph (1).

SEC. 253. REPORTING OF REHIRED EMPLOYEES TO THE DIRECTORY OF NEW HIRES.

(a) DEFINITION OF NEWLY HIRED EMPLOYEE.—Section 453A(a)(2) of the Social Security Act (42 U.S.C. 653a(a)(2)) is amended by adding at the end the following:

''(C) NEWLY HIRED EMPLOYEE.—The term 'newly hired employee' means an employee who—

''(i) has not previously been employed by the employer; or

''(ii) was previously employed by the employer but has been separated from such prior employment for at least 60 consecutive days.''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Subject to paragraph (2), the amendments made by this section shall take effect 6 months after the date of the enactment of this Act.

(2) COMPLIANCE TRANSITION PERIOD.—If the Secretary of Health and Human Services determines that State legislation (other than legislation appropriating funds) is required in order for a State plan under part D of title IV of the Social Security Act to meet the additional requirement imposed by the amendment made by subsection (a), the plan shall not be regarded as failing to meet such requirement before the first day of the second calendar quarter beginning after the close of the first regular session of the State legislature that begins after the effective date of such amendment. If the State has a 2-year legislative session, each year of the session is deemed to be a separate regular session of the State legislature.

PART II—ADDITIONAL OFFSETS

SEC. 261. IMPROVEMENTS TO CONTRACTS WITH MEDICARE QUALITY IMPROVEMENT ORGANIZATIONS (QIOS) IN ORDER TO IMPROVE THE QUALITY OF CARE FURNISHED TO MEDICARE BENEFICIARIES.

(a) AUTHORITY TO CONTRACT WITH A BROAD RANGE OF ENTITIES.—

(1) DEFINITION.—Section 1152 of the Social Security Act (42 U.S.C. 1320c–1) is amended by striking paragraphs (1) and (2) and inserting the following new paragraphs:

''(1) is able, as determined by the Secretary, to perform its functions under this part in a manner consistent with the efficient and effective administration of this part and title XVIII;

''(2) has at least one individual who is a representative of health care providers on its governing body; and''.

(2) NAME CHANGE.—Part B of title XI of the Social Security Act (42 U.S.C. 1320c et seq.) is amended—

(A) in the headings for sections 1152 and 1153, by striking ''UTILIZATION AND QUALITY CONTROL PEER REVIEW'' and inserting ''QUALITY IMPROVEMENT'';

(B) in the heading for section 1154, by striking ''PEER REVIEW'' and inserting ''QUALITY IMPROVEMENT''; and

(C) by striking ''utilization and quality control peer review'' and ''peer review'' each place it appears before ''organization'' or ''organizations'' and inserting ''quality improvement''.

(3) CONFORMING AMENDMENTS TO THE MEDICARE PROGRAM.—Title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) is amended—

(A) by striking ''utilization and quality control peer review'' and inserting ''quality improvement'' each place it appears;

(B) by striking ''quality control and peer review'' and inserting ''quality improvement'' each place it appears;

(C) in paragraphs (1)(A)(iii)(I) and (2) of section 1842(l), by striking ''peer review organization'' and inserting ''quality improvement organization'';

(D) in subparagraphs (A) and (B) of section 1866(a)(3), by striking ''peer review'' and inserting ''quality improvement'';

(E) in section 1867(d)(3), in the heading, by striking ''PEER REVIEW'' and inserting ''QUALITY IMPROVEMENT''; and

(F) in section 1869(c)(3)(G), by striking ''peer review organizations'' and inserting ''quality improvement organizations''.

(b) IMPROVEMENTS WITH RESPECT TO THE CONTRACT.—

(1) FLEXIBILITY WITH RESPECT TO THE GEOGRAPHIC SCOPE OF CONTRACTS.—Section 1153 of the Social Security Act (42 U.S.C. 1320c–2) is amended—

(A) by striking subsection (a) and inserting the following new subsection:

''(a) The Secretary shall establish throughout the United States such local, State, regional, national, or other geographic areas as the Secretary determines appropriate with respect to which contracts under this part will be made.'';

(B) in subsection (b)(1), as amended by subsection (a)(2)—

(i) in the first sentence, by striking ''a contract with a quality improvement organization'' and inserting ''contracts with one or more quality improvement organizations''; and

(ii) in the second sentence, by striking ''meets the requirements'' and all that follows before the period at the end and inserting ''will be operating in an area, the Secretary shall ensure that there is no duplication of the functions carried out by such organizations within the area'';

(C) in subsection (b)(2)(B), by inserting ''or the Secretary determines that there is a more qualified entity to perform one or more of the functions in section 1154(a)'' after ''under this part'';

(D) in subsection (b)(3)—

(i) in subparagraph (A), by striking '', *or association of such facilities,''; and*

(ii) in subparagraph (B)—

(I) by striking ''or association of such facilities''; and

(II) by striking ''or associations''; and

(E) by striking subsection (i).

(2) EXTENSION OF LENGTH OF CONTRACTS.—Section 1153(c)(3) of the Social Security Act (42 U.S.C. 1320c–2(c)(3)) is amended—

(A) by striking ''three years'' and inserting ''five years''; and

(B) by striking ''on a triennial basis'' and inserting ''for terms of five years''.

(3) AUTHORITY TO TERMINATE IN A MANNER CONSISTENT WITH THE FEDERAL ACQUISITION REGULATION.—Section 1153 of the Social Security Act (42 U.S.C. 1320c–2) is amended—

(A) in subsection (b), by adding at the end the following new paragraph:

''(4) The Secretary may consider a variety of factors in selecting the contractors that the Secretary determines would provide for the most efficient and effective administration of this part, such as geographic location, size, and prior experience in health care quality improvement. Quality improvement organizations operating as of January 1, 2012, shall be allowed to compete for new contracts (as determined appropriate by the Secretary) along with other qualified organizations and are eligible for renewal of contracts for terms five years thereafter (as determined appropriate by the Secretary).'';

(B) in subsection (c), by striking paragraphs (4) through (6) and redesignating paragraphs (7) and (8) as paragraphs (4) and (5), respectively; and

(C) by striking subsection (d).

(4) ADMINISTRATIVE IMPROVEMENT.—Section 1153(c)(5) of the Social Security Act (42 U.S.C. 1320c–2(c)(5)), as redesignated by this subsection, is amended to read as follows:

''(5) reimbursement shall be made to the organization on a monthly basis, with payments for any month being made consistent with the Federal Acquisition Regulation.''.

(c) AUTHORITY FOR QUALITY IMPROVEMENT ORGANIZATIONS TO PERFORM SPECIALIZED FUNCTIONS AND TO ELIMINATE CONFLICTS OF INTEREST.—Part B of title XI of the Social Security Act (42 U.S.C. 1320c et seq.) is amended—

(1) in section 1153—

(A) in subsection (b)(1), as amended by subsection (b)(1)(B), by inserting after the first sentence the following new sentence: ''In entering into contracts with such qualified organizations, the Secretary shall, to the extent appropriate, seek to ensure that each of the functions described in section 1154(a) are carried out within an area established under subsection (a).''; and

(B) in subsection (c)(1), by striking ''the functions set forth in section 1154(a), or may subcontract for the performance of all or some of such functions'' and inserting ''a function or functions under section 1154 directly or may subcontract for the performance of all or some of such function or functions''; and

(2) in section 1154—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1)—

(I) by striking ''Any'' and inserting ''Subject to subsection (b), any''; and

(II) by inserting ''one or more of'' before ''the following functions'';

(ii) in paragraph (4), by striking subparagraph (C);

(iii) by inserting after paragraph (11) the following new paragraph:

''(12) As part of the organization's review responsibility under paragraph (1), the organization shall review all ambulatory surgical procedures specified pursuant to section 1833(i)(1)(A) which are performed in the area, or, at the discretion of the Secretary, a sample of such procedures.''; and

(iv) in paragraph (15), by striking ''significant on-site review activities'' and all that follows before the period at the end and inserting ''on-site review activities as the Secretary determines appropriate''.

(B) by striking subsection (d) and redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(C) by inserting after subsection (a) the following new subsection:

''(b) A quality improvement organization entering into a contract with the Secretary to perform a function described in a paragraph under subsection (a) must perform all of the activities described in such paragraph, except to the extent otherwise negotiated with the Secretary pursuant to the contract or except for a function for which the Secretary determines it is not appropriate for the organization to perform, such as a function that could cause a conflict of interest with another function.''.

(d) QUALITY IMPROVEMENT AS SPECIFIED FUNCTION.—Section 1154(a) of the Social Security Act (42 U.S.C. 1320c–3(a)) is amended by adding at the end the following new paragraph:

''(18) The organization shall perform, subject to the terms of the contract, such other activities as the Secretary determines may be necessary for the purposes of improving the quality of care furnished to individuals with respect to items and services for which payment may be made under title XVIII.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to contracts entered into or renewed on or after January 1, 2012.

SEC. 262. RATES FOR MERCHANDISE PROCESSING FEES.

(a) FEES FOR PERIOD FROM JULY 1, 2014, TO NOVEMBER 30, 2015.—For the period beginning on July 1, 2014, and ending on November 30, 2015, section 13031(a)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(9)) shall be applied and administered—

(1) in subparagraph (A), by substituting ''0.3464'' for ''0.21''; and

(2) in subparagraph (B)(i), by substituting ''0.3464'' for ''0.21''.

(b) FEES FOR PERIOD FROM OCTOBER 1, 2016, TO SEPTEMBER 30, 2019.—For the period beginning on October 1, 2016, and ending on September 30, 2019, section 13031(a)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(9)) shall be applied and administered—

(1) in subparagraph (A), by substituting ''0.1740'' for ''0.21''; and

(2) in subparagraph (B)(i), by substituting ''0.1740'' for ''0.21''.

SEC. 263. TIME FOR REMITTING CERTAIN MERCHANDISE PROCESSING FEES.

(a) IN GENERAL.—Notwithstanding any other provision of law, any fees authorized under paragraphs (9) and (10) of section 13031(a) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a) (9) and (10)) with respect to processing merchandise entered on or after October 1, 2012, and before November 12, 2012, shall be paid not later than September 25, 2012, in an amount equivalent to the amount of such fees paid by the person responsible for such fees with respect to merchandise entered on or after October 1, 2011, and before November 12, 2011, as determined by the Secretary of the Treasury.

(b) RECONCILIATION OF MERCHANDISE PROCESSING FEES.—

(1) IN GENERAL.—Not later than December 12, 2012, the Secretary of the Treasury shall reconcile the fees paid pursuant to subsection (a) with the fees for services actually provided on or after October 1, 2012, and before November 12, 2012.

(2) REFUNDS OF OVERPAYMENTS.—

(A) After making the reconciliation required under paragraph (1), the Secretary of the Treasury shall refund with interest any overpayment of such fees made under subsection (a) and make proper adjustments with respect to any underpayment of such fees.

(B) No interest may be assessed with respect to any such underpayment that was based on the amount of fees paid for merchandise entered on or after October 1, 2012, and before November 12, 2012.

MORNING BUSINESS

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senator MORAN to be recognized for up to 10 minutes; that following his remarks that the Senate recess subject to the call of the Chair.

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

The Senator from Kansas.

MIDDLE EAST PEACE

Mr. MORAN. Madam President, this is a historically significant week for the United States and for all those who care about peace and stability in the Middle East. As we know, it is a region that is already roiled by protests and war and faces the prospect now of even more tension, more uncertainty, and potentially more violence.

We know this to be the case if the Palestinian Authority's President Abbas goes forward with his plan to seek recognition of Palestinian statehood at the United Nations in New York. We have known for some time that this was coming and, thankfully, the U.S. Government has expressed opposition to this ill-conceived idea, and the administration plans to direct a veto of the measure.

Our government has also worked to persuade other nations to join us in opposing the Palestinian statehood bid. But I am afraid we have not done enough to convince the Palestinians there will be consequences for their actions.

By pursuing recognition of a state at the U.N., President Abbas is choosing confrontation rather than negotiations with Israel. In doing so, he is violating the Oslo peace agreements signed 18 years ago which state that the conflict between Israel and the Palestinians must be solved through direct negotiations between the two parties. Direct negotiations are not just the best way to achieve peace, they are the only way to achieve lasting peace.

Direct negotiations are meant to bring the two sides to the finish line, where all the final status issues, including borders, can be resolved. By rejecting negotiations with Israel and appealing to the U.N., the Palestinians are trying to make the previous agreed-upon finish line the new start line. If President Abbas pursues statehood this week at the U.N., the Palestinians will find it more difficult to

compromise in the future, given the terms of the state they are seeking recognition for.

Israel will also find it more difficult to enter into future talks when the starting point is already an unacceptable result. Years of American efforts to foster peace will be set back and threats to security will increase once the Palestinians discover that votes in favor of their statehood have not changed any of the circumstances of their daily lives.

The Palestinian statehood bid will do nothing to bring Palestinians or Israel peace, for peace cannot be made by votes in the Security Council or the General Assembly. All parties involved stand to lose if President Abbas pursues statehood at the United Nations.

It is important the truth be told. Israel is not what stands in the way of a Palestinian state; neither is the United States standing in the way of a Palestinian state, for both the United States and Israel have endorsed the creation of that future state. What prevents the state's creation is the Palestinian refusal to recognize Israel as a Jewish state with historical rights going back thousands of years, to the land and to Jerusalem.

The Palestinians must recognize Israel's right to exist as a Jewish state and must return to the negotiating table. Rejecting these terms and instead going to the United Nations will result in widespread repercussions. The Palestinian Authority and the Palestinian people rely heavily upon international donors and support. Chief among those benefactors are the American taxpayer. Last year, Americans sent about $550 million to the Palestinians.

In June, this Senate unanimously passed a resolution cosponsored by 90 Senators, including me. That resolution stated that the Senate intends to consider reductions and restrictions on aid to the Palestinian Authority should it continue its efforts to circumvent direct negotiations by turning to the United Nations.

My request this evening of my colleagues is that we should abide by this resolution. There might be consequences. Lasting peace requires it.

I yield the floor.

RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess subject to the call of the Chair.

Thereupon, the Senate, at 6:54 p.m., recessed subject to the call of the Chair and reassembled at 8:21 p.m., when called to order by the Presiding Officer (Mrs. SHAHEEN).

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

SOLIDARITY WITH ISRAEL ACT

Mr. HATCH. Madam President, I ask unanimous consent to add Senator MITCH MCCONNELL from Kentucky and Senator CORNYN from Texas as cosponsors on S. 1595, the Solidarity with Israel Act.

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

Mr. HATCH. Madam President, I encourage all Senators to get on board with that bill. It is time to send messages that the U.N. will understand.

Madam President, it appears the leader of the Palestinian Liberation Organization and the Palestinian Authority, Mahmoud Abbas, is going to request that the United Nations recognize Palestine as a member state. This action will create a major, unnecessary, and avoidable obstacle for peace. It is quite simply intolerable.

For that reason, yesterday I, along with 15 of my colleagues, including my colleague and friend from Kentucky, the Republican leader, introduced S. 1595, the Solidarity with Israel Act. Should the United Nations recognize a Palestinian state, this legislation would terminate the U.S. funding for the U.N.

I recognize that the consequences for recognizing a Palestinian state are severe, but they are appropriate.

Recognition of a Palestinian state at this point would undermine the peace process, and some have even questioned its legality. It would be a deeply irresponsible action that brings into further doubt the legitimacy of the United Nations as a good-faith actor in securing a more peaceful, more free, and more democratic world.

As I, and many of my colleagues have repeatedly stated on the floor of the Senate, the sole means to create a lasting and enduring peace between Israel and the Palestinians is through direct negotiations. By attempting an end run around these negotiations—and make no mistake, that is the aspiration of this Palestinian endeavor—the only result would be to delay the critical decisions which must be made to obtain a durable peace.

What is required is leadership—real leadership—to impress upon the Palestinians and the world community that if the United Nations capitulates and changes Palestine's status before a comprehensive peace agreement is reached, there will be consequences. Unfortunately, President Obama, in his speech to the United Nations yesterday, failed to provide that leadership and to take control of this quickly deteriorating situation.

Accordingly, yesterday, I and my colleagues introduced the Solidarity with Israel Act. The United States can and should exercise its Security Council veto if the Palestinians make good on their threat to attempt to change their U.N. status. However, the use of our veto power might not be enough to stop this subterfuge.

There are two methods by which the Palestinians could attempt to change their United Nations status. The first is to have the Security Council recommend to the General Assembly that Palestine become a member nation of the United Nations. But in the Security Council, the United States can veto a proposed change. However, the Palestinians also have another means to alter their status. They could petition the General Assembly directly—where the United States does not have a veto—and seek an upgrade from their current position as a permanent observer entity to a nonobserver state. If this occurs, the Palestinians will be in a much better position to manipulate U.N.-affiliated agencies, such as the International Criminal Court.

It should go without saying, but I will remind this body that the prospect of Palestinians bringing actions against Israel's leaders and military forces for defending our sovereign ally's right to exist is completely unacceptable.

We should expect more from the United Nations, but in spite of its sweeping statements in support of individual rights and peace, it has a mixed record at best when it comes to the treatment of Israel, a liberal democracy. The low point of its long and tarnished history on this subject was the General Assembly's contemptible 1975 resolution equating Zionism with racism. A General Assembly upgrade of the Palestinians to nonobserver statehood status would be another in a long line of hostile acts toward Israel and another hindrance to the peace prospect and process.

Deterring this outcome is the primary objective of the Solidarity with Israel Act. Israel is a friend and ally of the United States. It is a beacon of democracy and liberality in a part of the world that is too frequently lacking in both. Although the Palestinians have officially recognized Israel's right to exist, their rhetoric continues to bring the strength of this commitment into question.

Therefore, we cannot sit passively while the United Nations undermines Israel. Simply put, if the United Nations votes to harm our trusted ally by changing Palestine's U.N. status, this legislation would require termination of U.S. funding of the United Nations until a comprehensive peace agreement is reached with Israel.

The message of our legislation is also simple. The time for these types of games has ended. We will not stand by and allow a political spectacle to be created which only maligns our ally. The Solidarity with Israel Act seeks to deter those who would engage in false charades and redirect the international community toward promoting the only means to truly achieve a lasting peace: direct negotiations between Israel and the Palestinians.

It is my earnest hope that even greater numbers of Members will join us in this cause. I think this is an important issue, and I hope we can get every Member of this community, of this Senate, to join with us in this particular cause.

TRIBUTE TO IRA JACKSON ''RED'' CORNETT

Mr. MCCONNELL. Madam President, I rise today to recognize a very successful and hard-working Kentuckian, Mr. Ira Jackson Cornett. Ira—known to his friends as ''Red''—celebrated his 95th birthday September 12 and is the proud founder and owner of the internationally known engine rebuilding firm, Cornett Machine Shop. Red is extremely proud of his God-given ability to rebuild all types of engines and claims if you can break it, then he can certainly fix it.

Red was born in London, KY, and moved to Oregon with his family when he was young. He later returned to Somerset where in 1948, he bought land and established Cornett Machine Shop, which specializes in the rebuilding of racing engines from all over the world. Over the years, Red's unique skills have been crucial to his success and helped him gain international recognition. Red once sold an engine to Tiger Woods' caddy and shipped it to New Zealand. Another time, Red had the opportunity to rebuild a V–12 airplane engine like the one flown by Eddie Rickenbacker, a famous American fighter ace in World War I. Currently, Cornett Machine Shop is rebuilding a Jones car that was made in Kansas in 1917—a car he feels very few these days realize were ever made.

Red's Cornett Machine Shop has been a successful and reputable business for decades. Now located on a hilltop on the west side of south U.S. 27, the business is still running full tilt and Red has faith the tradition will continue as he has passed along his talents to his sons, David and Jack. However, until then, Red says he plans to keep on going, as he still has a lot of work to do.

Mr. Ira Jackson ''Red'' Cornett continues to exemplify the character and success that define generation after generation of Kentuckians; I ask unanimous consent that a recent article published in Kentucky's Pulaski County-area Commonwealth Journal that highlights Red's lifelong achievements be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Commonwealth Journal, Sept. 22, 2011]

RED CORNETT: ENGINE BUILDER GOING STRONG AT 95

(By Bill Mardis, Editor Emeritus)

''The Lord gave everybody a talent to make a living and a person ought to enjoy doing it.''

Ira Jackson Cornett—his friends and everybody call him ''Red''—has been using his God-given talent longer than most people live. He passed his 95th birthday September 12. That's correct. He has been living for nine decades and a half and just keeps on going. ''Red'' Cornett shows up for work every day at his beloved Cornett Machine Shop.

''I go home for lunch,'' Cornett reflected. His wife, Mary Elizabeth, is in poor health and he goes home to see about her. They've been married 70 years.

''I've still got a lot of work to do,'' said Cornett, grinning and guiding his power chair among sophisticated machinery in the sprawling Cornett Machine Shop on South U.S. 27.

Cornett loves to talk about his business. He relaxes in his chair, stopping a moment as he and a visitor toured the plant.

Someone spoke, calling him ''Red.'' He rubbed a hand through a headful of gray hair. ''My hair used to be bright red,'' he laughed. ''My whiskers still are . . . and they're thick too.''

Cornett Machine Shop is his baby. He loves it. It is part of his life. The internationally known engine rebuilding firm rebuilds engines, all kinds of engines; racing engines; engines from all over the world. ''Red'' Cornett knows how it works.

''The Lord gave me a talent . . . if you can break it I can fix it,'' said Cornett. ''If nobody else wants to tackle it, I'll do it.'' He has passed his talents along to son, David, who manages the machine shop, and to Jack, who is in charge of the Racing Division.

''We sold (golfer) Tiger Woods' caddy an engine last week,'' noted Cornett. ''We shipped it to New Zealand. We sent an engine to Bend, Oregon, yesterday.''

Recently, Cornett Machine Shop rebuilt a V–12 airplane engine like the one flown by Eddie Rickenbacker, an American fighter ace in World War I. ''We built parts for it,'' Cornett said.

Cornett Machine Shop currently is rebuilding a Jones car made in Kansas in 1917.

''Very few people know there was a Jones car,'' Cornett laughed. ''They were making them back in 1902 and 1903.'' Nearby was a flathead Ford engine circa 1939–40.

Currently, Cornett Machine Shop has 16 employees. ''One fellow has been here for 55 years,'' Cornett said. ''At one time I had about 30 employees,'' he related. Each employee has his own private air-conditioned room in which to work.

Age has not tempered Cornett's strong opinions. ''Young people don't have the same work ethics we have,'' he declared. ''They don't love their work like we do.''

Cornett didn't reveal his political persuasion, but he isn't too impressed with the current administration in Washington. ''Obama sure has been a disappointment,'' he offered.

About the economy, Cornett has an unusual perspective. ''Things are no higher than they ever were. Money is junk . . . it's getting more worthless.''

''I started out on my own in 1948,'' he recalls. His first machine shop was located on South Main Street. '' . . . The telephone company and me were in the same block,'' he said.

Next, Cornett Machine Shop moved to U.S. 27 where the Tradewind shopping center is now located. ''(U.S. 27) was a single lane (each way) then,'' he remembers. ''Finley's (Drive-in) was the next thing that built out there.''

''I bought that lot (Tradewind location) for $2,000,'' Cornett remembers. ''I went to Pope Walker at First and Farmers Bank and he told me I could borrow all the money I needed.'' Cornett Machine Shop has since located on a hilltop farther south on the west side of U.S. 27, now a six-lane boulevard.

Cornett was born in nearby London but his family moved to Oregon. They later returned to Somerset.

''I worked for the forest service in Idaho for $7.50 an hour,'' Cornett recalls. His love for the outdoors has lingered throughout his life. His hobbies are shooting, and big-game hunting. ''I've killed moose, elk, deer, antelope and millions of prairie dogs in South Dakota and Montana.''

In addition to David and Jack, the Cornett's have two daughters, Mary Ann Bingham who lives in Alabama, and Arlene Warner of Somerset.

Cornett is not letting 95 years stand in his way. ''I plan to keep on going. That's my talent; that's what God said for me to do. If you enjoy it, why not?''

TRIBUTE TO JIM MOORE

Mr. MCCONNELL. Madam President, I rise today to pay tribute to a proud and grateful Kentucky veteran. Mr. Jim Moore was born and raised in Laurel County, KY, and takes pride in the many changes he has witnessed over the past 80 years. One of 12 children, Jim grew up on a small farm on McWhorter Road and recalls the tears and triumphs of growing up in Laurel County.

Jim's parents, John and Lillie, provided food from the family farm as well as occasionally peddled on Main Street to make ends meet. Jim's parents set up a booth every year at the Laurel County Fair and sold everything from corn stalks and tobacco to canned goods and bakery products.

Jim, along with his siblings, attended school in a one-room schoolhouse where one teacher taught all subjects to 60–70 students at a time. Jim recalls being expelled from the school on his very first day; Jim's teacher wrote a note to his mother after he deliberately disobeyed the teacher's orders to not leave school grounds. Jim returned to school the next year and began first grade.

Jim also remembers the time when one of the first cars appeared in Laurel County. Jim was in school one afternoon when everyone heard the unfamiliar sound of a car coming down the road. Everyone, including the teacher, ran outside to get a glimpse of it as it drove by. To Jim's surprise, the car was in his driveway when he returned home after school—Jim's Uncle Leslie was the proud owner of the vehicle and had driven it all the way from Oregon. Jim reminisces how his family thought that his uncle was rich because he would make multiple trips to get all 16 members of the family to the Reda movie theater and paid 10 cents per person to get everyone in.

Jim eventually joined the U.S. Army and served for several years before being discharged. Once out of the military, Jim drove a freight truck for 35 years before eventually retiring. Like countless other Kentuckians, Jim cherishes his childhood memories and is very fond of his deep roots in our great Commonwealth.

Madam President, the Laurel County Sentinel Echo recently published an article highlighting Mr. Jim Moore's life and memories. I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Laurel County Sentinel Echo, June 6, 2011]

MOORE THINKS TIMES ARE GOOD, BETTER THAN PAST

(By Carol Mills, Staff Writer)

Jim Moore, 82, grew up in the depression when times were tough, but there was always food on the table.

He was born and raised in Laurel County on a farm on McWhorter Road. There were 12 children in his family and only one, besides him, Bill, is still living.

''We raised most of what we needed on our land,'' he said. ''People who lived in big cities had to wait in soup lines two times a day because they didn't have any land to farm.''

His parents peddled what they could at the Laurel County Fair, which was on south U.S. 25 about where Tincher-Williams is now.

''Every year they would set up a booth at the fair,'' Moore recalled. ''They would take corn stalks, tobacco, canned goods, and bakery products. Mom got two or three blue ribbons about every year for her canning.''

Moore's father, John, and mother, Lillie, also peddled on Main Street.

''I've seen it when the wagons were lined up and down Main Street and people sold watermelons, cantaloupes, whatever they had to sell. Watermelons sold for a nickel, dime or quarter depending on the size.''

The family also went to the Laurel County Homecoming every year.

''One year someone was selling R.C. Cola and dad bought some bottles for about a nickel each and we would take a drink and pass it around.''

The Moore children all went to school in a one-room schoolhouse and one teacher taught all the classes. There were about 60 or 70 students.

''I got expelled the first day I went to school,'' Moore laughed. ''I disobeyed the teacher. The teacher told two of the guys to go to a neighbor's house and carry buckets of water to the school. I started to go with them and she told me not to. I thought, 'Who are you to tell me not to go somewhere.' I went and she wrote a letter to my mom.''

Moore went back to school the next year and started first grade. He said he was too young the previous year anyway.

Moore said hardly anybody had a car back then.

''One day at school we saw a car coming down the road,'' he said. ''All of us, the teacher too, went to the banks along the road to the schoolhouse to wait on the car. When the car came by, we were all waving.''

When Moore got home from school, the car was sitting at his house.

''It was my dad's brother, Uncle Leslie, and his wife. They drove that Model A all the way from Oregon. One day he took us to the movies at the Reda Theater in town. The car had a rumble seat. There were 16 of us altogether including grandma and grandpa. I don't know how many trips he took to take us up there and then going back and getting the rest. He paid 10 cents for each of us to see the movie. We thought he was a rich guy.''

His father gave up some of his land so that Johnson Elementary School could be built.

''He gave the school board 10 acres,'' Moore recalled. ''He might have gotten $2,000 or $3,000 out of it. I don't know back then. It was in the corner of the farm. We had a one-room schoolhouse and a church on McWhorter Road. That was in the Maplesville district. The school and church were both called Macedonia. Up the road, they had a Johnson School there on the corner of Old 80 and Johnson Road before they built the one on McWhorter.''

There was someone on the school board by the name of Johnson at the time so that is where the school got its name, Moore said.

Because Moore's father had 12 children, he was not drafted into WWII.

''That's the only way you got out was to have an extra-large family,'' Moore said.

One day Moore's mother loaded up five of her children and took them to Dr. H.V. Pennington to have their tonsils taken out. He had an office above Begley Drug Store, where Pocket Park is today. They came back home that evening.

''They didn't want us to eat anything that day, but I wanted a biscuit and molasses. I cried my eyes out. I thought they were going to starve me to death.''

''That amazes me,'' said Mildred, Moore's wife. ''She took five kids to get their tonsils take out at one time. Can you imagine taking care of five? One's bad enough.''

''They put a cloth over my face and then sprinkled ether over it until you fell asleep,'' Moore said. ''I can still smell that ether now.''

Moore also recalled there used to be a Poor House in London at the location of Laurel Heights Home for the Elderly. He said whole families could stay there, much like the Christian Shelter for the Homeless on Fourth Street.

Moore remembered the first radio to come into his neighborhood. His grandfather bought it.

''It had a dry battery and a wet battery and had a wire going through the garden to pick up signals. Everyone would come in on Saturday night and listen to the radio, especially the Grand Ole Opry. I think it's the oldest radio station in the nation.''

''They also had the ring-a-ding telephones,'' he continued. ''Your ring might be two short, one long, or one long, two short. Everybody had a different ring. You could pick up the phone and hear anybody talking. It was a party line.''

When he was 16 or 17, Moore joined the U.S. Army. He stayed in the army for three or four years and after he was discharged, he drove a freight truck for 35 years before retiring.

Moore was married to his first wife, Ethel, for 51 years before she passed away. Mildred, his second wife, said they will be married for three years this December. They both had been widowed for several years when they met at the VFW Club while going to one of their dances.

Moore said he has had a good life overall, but the best time is the present.

''We have running water. No more getting up in the cold morning and having to build a fire.''

RECOGNIZING HEIMERDINGER CUTLERY

Mr. MCCONNELL. Madam President, I rise today to pay tribute to one of Louisville, KY's oldest and most renowned locally owned businesses, a true treasure of my hometown that adds to the River City's charm. I am speaking of Heimerdinger Cutlery, a family-owned business that celebrates 150 years as a Louisville institution this month. Heimerdinger was first listed in the Louisville city directory in 1861 as ''A. Heimerdinger: Cutler and Sewing Machine Repair.''

In the 150 years since, Heimerdinger Cutlery has become one of Louisville's premier shops for kitchen and pocket knives, scissors, shaving needs, sharpening stones, magnifiers and many other items as well as a first stop for learning about blade quality. It is one of the oldest family-owned cutlery stores in the Nation.

Heimerdinger Cutlery celebrated its 150th anniversary with a special ceremony and ribbon cutting earlier this month in Louisville, kicking off a week-long celebration event for its customers. This celebration included a special promotion honoring America's servicemen and women.

Residents of the Louisville area were also able to meet and learn from one of the editors of Knife World Newspaper, who came to Heimerdinger Cutlery to assess the value of older, collectible knives and sign books. Heimerdinger Cutlery also celebrated its anniversary with products from another Louisville institution, Louisville Stoneware.

Heimerdinger Cutlery is currently owned and operated by two proud Louisvillians, Carl and Glenna Heimerdinger, who carry on the family business started in 1861 by Carl's great-great grandfather August Heimerdinger, originally born in Germany. When August started the company, he focused on scissors, butcher knives and sewing machine repair.

Over the years, Heimerdinger Cutlery expanded into barber and beauty supplies and secured the original patent on grass shears. In 1996, to celebrate their 135th anniversary, Heimerdinger Cutlery had a ''Hanging of the Shears Day,'' and placed a 6-foot-long, 70-pound, working pair of shears on display in their store.

I congratulate Carl and Glenna Heimerdinger for the success of their Louisville institution. Businesses like theirs are the reason the city of Louisville and the Commonwealth of Kentucky will continue to thrive and grow. Here's hoping for many more years of success to Heimerdinger Cutlery of Louisville.

SECURING AIRCRAFT COCKPITS

Mr. WHITEHOUSE. Madam President, this February I joined with colleagues from both sides of the aisle to offer an amendment to the FAA Air Transportation Modernization and Safety Act to secure aircraft cockpits by making it a Federal criminal offense to knowingly aim the beam of a laser at an aircraft. Our commonsense and bipartisan amendment to protect passengers and pilots received overwhelming support in this body, and was agreed to by a vote of 96 to 1. A similar measure subsequently passed the House, without controversy, by voice vote under the suspension rules. Unfortunately, the larger bill to which my amendment was attached has been held up because of unrelated issues. As a result, today I am joining with Senators KIRK, BOXER, and FEINSTEIN to re-introduce this provision as a stand-alone bill.

When targeted at aircraft, laser pointer strikes can instantly flash throughout the cockpit, temporarily

blinding the pilot and crew. One pilot described the feeling of being hit by a laser like this: ''It immediately [lit] up the whole cockpit and it hit both of my eyes and burned both of my corneas. Instantly, I was blinded. It felt like I was hit in the face with a baseball bat—just an intense, burning pain.'' FAA Administrator Randy Babbitt warned that lasers can ''damage a pilot's eyes or cause temporary blindness.'' In an event on this topic held last year at T.F. Green Airport in my home state of Rhode Island, a pilot explained that the temporary blindness from a laser hit can last several seconds or longer, and when a plane is rapidly approaching the ground for landing, ''one second can make a big difference.''

This kind of threat to a pilot's sight—particularly during the critical phases of takeoff and landing—poses an unacceptable risk to the travelling public, our pilots and crew, and citizens on the ground. Secretary of Transportation Ray LaHood has thus described laser incidents as ''a serious safety issue.''

The problem has grown in recent years. According to a report earlier this year by the Federal Aviation Administration, 2,836 pilots reported they were targeted with lasers in 2010, nearly double the number in 2009. These strikes occur at airports all across the country. At T.F. Green Airport, for example, there were 12 such reported incidents last year. The threat, which puts interstate commerce and travel at risk, requires attention at the national level.

Current Federal law does not provide prosecutors with sufficient tools to prosecute and deter this dangerous conduct. Ill-fitting existing statutes can only be used in limited cases, leaving even identified perpetrators to go unpunished. My legislation would solve this problem by creating a criminal offense that clearly covers this harmful conduct. It would explicitly criminalize knowingly aiming the beam of a laser pointer at an aircraft. Violations would lead to punishment of imprisonment for up to 5 years or fines up to $250,000. The bill would exempt valid uses of laser pointers in the aviation context, such as designated research and development activities, flight test operations, training, and emergency signaling. Prosecutors thus would have a new valuable tool to protect air safety without any burden being imposed on legitimate use of lasers.

I thank Senators KIRK, BOXER, and FEINSTEIN for their leadership on this issue, and our partners in the House for their work. I hope Senators from both sides of the aisle will join me in enacting this legislation to protect American aviation.

CENTRAL AMERICA REPORT

Mrs. FEINSTEIN. Madam President, as chairman of the Senate Caucus on International Narcotics Control, I am pleased to release a report today outlining key steps that the United States can take to assist our friends in Central America as they try to reduce escalating violence. The report—entitled ''Responding to Violence in Central America''—is endorsed by all seven Senators on the Caucus. In particular, I want to thank my cochairman Senator GRASSLEY for his efforts on this report.

Violence in Central America has reached crisis levels. Throughout Central America, Mexican drug trafficking organizations, local drug traffickers, transnational youth gangs, and other illegal criminal networks are taking advantage of weak governance and underperforming justice systems.

Contrary to what many might think, the murder rates in Central America last year were significantly higher than those in Mexico. In 2010, there were 18 homicides per 100,000 people in Mexico. In comparison, there were 50 murders per 100,000 people in Guatemala, 66 in El Salvador and 77 in Honduras. GEN Douglas Fraser—the Commander of U.S. Southern Command—said that ''the northern triangle of Guatemala, El Salvador and Honduras is the deadliest zone in the world outside of war zones.''

Our report calls for security in Central America to become a greater priority across all U.S. Government agencies. The caucus calls for a two-track approach to U.S. assistance to Central America focusing in the short term on highly vetted law enforcement units while not losing sight of the long-term goal of strengthening institutions.

The report's key recommendations include:

Expand vetted units: The caucus calls for the expansion of vetted law enforcement units which work with the Drug Enforcement Administration—known as sensitive investigative units—to all seven countries in Central America. Vetted units provide a trusted partner to U.S. law enforcement in countries where corruption is often rampant. I supported language that was included in the Senate Appropriations Subcommittee on Commerce, Justice and Science's Fiscal Year 2012 Appropriations bill that recommends the expansion of these units throughout Central America.

Speed up security assistance: Our report calls on the State Department to speed up the arrival of security assistance to Central America by changing it from being managed remotely by the U.S. Embassy in Mexico to allowing it to be managed directly by each of the U.S. embassies in Central America.

Increase drug traffickers' extraditions: Our report recommends that the Obama administration encourage our partners in Central America to increase the extradition to the United States of their nationals who are involved in international drug trafficking. Currently, Panama, Honduras, and Costa Rica will not extradite their nationals to the United States.

The caucus believes that extradition from Mexico to the United States has been a critical tool in combating Mexican drug trafficking organizations. Bringing these fugitives to the United States for prosecution ensures that they cannot evade justice through bribes or threats of violence in their home countries.

Support witness, judge and prosecutor protection programs: Next, our report calls for the State Department and USAID to use existing funds to provide support for witness, judge and prosecutor protection programs in Central America. Far too often, witnesses in Central America are afraid to testify at hearings because of corruption in the judicial system and fear of retaliation. Judges and prosecutors are equally afraid to pursue cases against high-profile criminals.

Map sources of violence: Our report recommends that the countries of Central America map the causes and sources of violence in the region. Without a clear understanding of the causes and sources of violence, it will be difficult to provide relevant solutions to the security situation in Central America.

Reduce the U.S. demand for drugs: Last, but certainly not least, the caucus's report emphasizes that drug consumption in the United States fuels violence in Central America. The United States continues to be the world's largest consumer of illegal drugs. The 2010 National Survey on Drug Use and Health found that 22.6 million Americans aged 12 or older were current illegal drug users.

Senator GRASSLEY and I have asked the Government Accountability Office to conduct a study to evaluate the successes and shortcomings of drug prevention and treatment programs in the United States. I have also asked my staff to prepare a report on how to most effectively reduce the U.S. demand for drugs.

Central America is at a dangerous crossroads. A further deterioration of the security situation in Central America could severely damage already weak institutions and justice systems. I, therefore, urge the Obama administration and my colleagues in Congress to make security in Central America a priority.

TRIBUTE TO MICHAEL DAVIDSON

Mrs. FEINSTEIN. Madam President, I rise today to recognize Mr. Michael Davidson, the former General Counsel of the Select Committee on Intelligence, for his long and distinguished service to the U.S. Senate. Mike quietly retired from the U.S. Senate for the second time on Labor Day, September 5, 2011.

At the Select Committee on Intelligence, where he worked for 8 years during his second career here in the Senate, he was always a source of wisdom and optimism. Mike was invariably calm, thoughtful and constructive. These qualities, in combination

with his brilliant legal mind and prodigious memory, made him an invaluable member of the committee staff. Indeed, Mike had a unique ability to recall past legislation, reports, or other parts of Senate history, and find them in archives and mostly forgotten records, to make sure that present day decisions were informed by the past.

In addition, Mike was known and respected throughout Washington. He will be greatly missed, not only by our committee, but by the many people who have had the privilege to work with him from other offices in the Congress, the executive branch, and the private sector. I know, and am appreciative, that the Office of the Director of National Intelligence will be honoring Mike in October for his numerous services to the committee and the intelligence community.

I have often been amazed at the varied backgrounds of Senators and Senate staff alike, and Mike Davidson is another example why. He grew up in Brooklyn, NY, where his father was a professor of theater at Brooklyn College, and where we believe his devotion to the New York Mets was born. Mike received his bachelor of arts in history from Cornell University in 1961 and his law degree from the University of Chicago in 1964. With law degree in hand, Mike became one of the first Peace Corps volunteers in Kenya where he served for 3 years. Upon his return to the United States, he worked at the NAACP Legal Defense Fund between 1967 and 1973, trying civil rights cases and arguing appeals in various Federal courts. From 1974 to 1977, Mike taught clinical law at the State University of New York at Buffalo. Moving to Washington in 1977, he served as the chief staff counsel for the U.S. Court of Appeals for the District of Columbia.

In 1979, Mike became the Senate's very first legal counsel, representing the Senate in separation-of-powers and other litigation, and assisting committees in ethics, impeachment and other special investigations. One of the separation-of-powers cases Mike argued before the Supreme Court was INS v. Chadha. It turned out that Mike from his Peace Corps days actually knew the appellee Jagdish Chadha, who had been born in Kenya of Indian parents. Not only did Mr. Chadha not take personal offense that the Congress, through opposing counsel Michael Davidson, was trying to deport him, but because of his respect and admiration for Mike, Mr. Chadha brought a bottle of champagne to the Senate Legal Counsel's Office the next day to celebrate Mike's appearance before the Court.

In 1995, Mike retired from the Senate for the first time, but he soon found himself directing or serving as counsel to projects led by current or former U.S. Senators, including a project at the Aspen Institute, a joint project of the American Enterprise Institute and Brookings Institution, and a project at the Constitution Project.

Mike returned to the Senate in 2002 to serve as the general counsel for the Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 11, 2001. Mike's work for the joint inquiry involved not only fact finding about the conduct of U.S. intelligence agencies prior to the terrorist attacks, but also successful advocacy before Judge Leonie Brinkema in the case of United States v. Moussaoui. The appearance was necessary to ensure that the congressional Joint Inquiry had the testimony it needed to tell the story of the FBI's Moussaoui investigation prior to the 9/11 attacks without interfering with the Moussaoui proceedings or other pending criminal prosecutions and investigations. Shortly after the completion of the Joint Inquiry in 2003, Mike joined the Select Committee on Intelligence as minority counsel for then-Vice Chairman JAY ROCKEFELLER. In 2007, he became the committee's general counsel, first for Chairman ROCKEFELLER and later myself.

As general counsel, Mike led the work of the committee on all legislation referred to it and reported from it. Mike's tireless efforts, and his skill in bringing people together to talk about the issues, even after others had given up, led to the passage of an intelligence authorization act signed into law in October 2010, the first authorization bill for the intelligence community enacted in 6 years.

I can certainly attest that passage of that legislation was far from assured. The administration showed little enthusiasm for it, other committees objected to numerous provisions included, and the House of Representatives appeared insistent on two provisions—having to do with intelligence notifications to Congress and with investigations by the Government Accountability Office into intelligence matters—that were subject to veto threats. Mike was instrumental in resolving both those issues, and with working through countless other hurdles, in achieving enactment.

Within 9 months, the committee also saw passage and enactment of its second intelligence authorization act, with the fiscal year 2011 bill signed into law on June 8, 2011. We are well on our way with a third authorization bill in 12 months with the intelligence authorization act for fiscal year 2012.

Mike's careful legislative approach was very much in evidence during the much more prolonged congressional consideration of the Foreign Intelligence Surveillance Act Amendments Act of 2008, during which he worked patiently to find legislative solutions that would satisfy the concerns of the intelligence community in modernizing one of the most important of its authorizing statutes, while also addressing a range of views in the Senate and the House and respecting the privacy and civil liberties concerns of Americans. Mike's painstaking attention to detail in the committee's reports and statements, with this act and throughout his tenure, has resulted in exemplary legislative histories for the bills we have reported—an important, and sometimes neglected, aspect in how our laws are implemented and interpreted.

Mike also paid special attention to building the public record concerning the work of the Intelligence Committee. Because of his efforts, the committee has greatly increased the number of public documents available on the committee's website, from the committee's own biennial activities reports to the yearly legislative request from the executive branch. Behind the scenes, Mike sought systematic approaches to informing the public about U.S. intelligence activities to the maximum extent possible consistent with national security.

Mr. Davidson was also essential in the committee's efforts to honor the sacrifices made by the men and women of the intelligence community, and their families, and to ensure that all intelligence agency employees received fair treatment and appropriate recognition by the Nation they served. All Senators understand the importance of taking care of their constituents. The Intelligence Committee attempts, where possible, to take care of intelligence professionals who often have no other place to turn. Not surprisingly to those who know him, Mike took special care with this responsibility. I recall one example—involving a legal dispute over a family member of an intelligence officer—where Mike's intervention led to justice being done, a family being preserved, and an intelligence professional being able subsequently to focus his attention on an absolutely essential operation.

As I mentioned, Mike retired from the Senate very quietly, working away on committee business to the last minute of his last day on the job. We know, however, that he is relishing the chance to spend more time in the Rocky Mountains of Colorado where he and his wife Karen have a second home near Denver, the home of son Jesse, daughter-in-law Ellen, and grandchildren Jordan and Garrett, and where his daughter Kate often visits. We fully expect, however, that with Mike's great energy and legal abilities he will continue to make a contribution to his country from his home here in the District of Columbia as well.

With gratitude for his service to the Senate and the Nation, for myself and the many others who have benefited from that service, I wish Mike the very best in all his future endeavors.

CONGRESSIONAL COALITION ON ADOPTION INSTITUTE

Ms. LANDRIEU. Madam President, today I rise to commemorate the 10th anniversary of a very special organization that is near and dear to my heart, the Congressional Coalition on Adoption Institute, or CCAI as it is more commonly known. This institute was formally established in 2001, but sprang

from the bicameral, bipartisan congressional caucus known as the Congressional Coalition on Adoption that began in 1985. CCAI is a nonprofit organization that works to raise awareness about the needs of children without families and to remove policy barriers that hinder children from experiencing the love and support a family provides.

In 1998, the congressional leaders of the Congressional Coalition on Adoption Caucus decided it was time that the coalition organize more formally and hire staff to carry out this important work. It was at this point that we hired our first staff member, Kerry Hasenbalg, who was later to become the first executive director of CCAI.

Kerry came to the coalition with extensive knowledge of orphan care and adoption policy having worked in the field for many years. Kerry worked both internationally and domestically on orphan care and adoption issues, and was often sent to Washington, DC, as a liaison to meet with other professionals, leaders and both U.S. and international government officials on international adoption issues. She also traveled extensively abroad to meet with foreign officials and in-country workers, and most importantly she spent time in many orphanages getting to know the children themselves. But even more than her professional experience, Kerry came to the Coalition with a heart and passion for changing the lives of orphans and foster youth, one child at a time.

The Congressional Coalition leaders designated members of their personal staffs to work with Kerry to develop and advance the goals and vision of the coalition. These appointed congressional staff consisted of: Kathleen Strottman from my staff, Brooke Roberts from Senator Larry Craig's office, Bill Dolbow from Congressman Tom Bliley's office and Chip Gardiner from Congressman Jim Oberstar's office. Through the dedicated leadership of the Coalition's Congressional leadership, and the hard work of Kerry and the designated congressional staff, it soon became evident that the coalition could be more effective and have a greater impact if an institute was created to enhance and expand the work of the adoption caucus. After much research and investigation, it was determined that the nonprofit Congressional Coalition on Adoption Institute should be formed.

In May 2001, the Congressional Coalition on Adoption Institute was born and Kerry Hasenbalg was designated as the first executive director where she served for 3½ years. Under her leadership, many of the flagship programs still in existence today were developed and implemented. In addition to the congressional leadership, CCAI's founding Board members included: Maxine B. Baker, President and CEO of the Freddie Mac Foundation and Barbara W. Walzer, a philanthropist and longtime, dear friend of Kerry's.

Although Kerry left her position as executive director when she and her husband Scott had the first of their three beautiful children, Cole, Maya and Leah, Kerry continues to advocate for children in need of loving homes as a sought after keynote speaker, writer and consultant on orphan care and adoption topics. She is also an advisory board member for CCAI.

CCAI's initial and continued mandate includes service to the congressional members of the Congressional Coalition on Adoption Caucus through the following programs:

The Congressional Resource Program: CCAI presents and informs congressional offices regarding current domestic and international orphan care and adoption issues by hosting briefings, meetings and other events to best support congressional members as they serve their constituents.

Congressional delegations: CCAI plans and arranges travel to strategic countries to further discussions on adoption, orphan care and vulnerable children. The first of many delegation trips organized and hosted by CCAI began with a trip to China where the congressional delegation met with President Jiang Zemin for nearly 2 hours. At the time, more Americans were adopting from China than any other country. This meeting was critical to further establish ties between our countries regarding adoption and orphan care. Additional trips during the early years of CCAI included congressional delegations to: Romania, Russia, Guatemala, El Salvador, Honduras, Uganda, and India. More recent delegations have visited Haiti, Guatemala and Ethiopia and have begun to include domestic delegations on child welfare as well.

Foster Youth Internship Program: This unique and very valuable program provides internship positions in both Houses of Congress to college students who have emancipated or spent time in the U.S. foster care system. This program gives a voice to the near half a million children in the U.S. foster care system and gives Congress a first-hand perspective on what it means to grow up in the system. In the past several years these foster youth interns have researched and compiled recommendations for Congress on policy and legislative changes that could be made that would improve the foster care system. Some of their recommendations have already been made into law.

National Adoption Day: CCAI is part of a collective national effort to raise awareness of the over 107,000 children in foster care waiting to find permanent homes and loving families through adoption. National Adoption Day has made the dreams of thousands of children come true by working with courts, judges, attorneys, adoption professionals, child welfare agencies and advocates to finalize thousands of adoptions for children out of foster care.

Angels in Adoption™: This very special annual event gives congressional members an opportunity to highlight the unsung heroes in their states or districts who tirelessly serve and advocate for children in the U.S. and around the world in need of permanent and loving homes. Without these advocates, many more children would be alone without families to love and support them. In the years since the Angels in Adoption awards program has been in place, more than 1800 individuals, couples and organizations from around the nation have been honored by their Members of Congress.

Now, 10 years later, the same mission and vision of the founders of CCAI remains, due in large part to the leadership of its current executive director, my former legislative director and my dear friend, Kathleen Strottman. At the helm, Kathleen not only maintains the original mission, integrity and continuity of CCAI, but continues to pour her heart and soul into furthering the cause of the orphan. Kathleen has been there from the founding of CCAI as one of the original congressional staff and worked side by side with Kerry as the vision and mission of CCAI grew and developed into what it is today.

Kathleen comes to her position as executive director with not only the historical experience of CCAI but with Capitol Hill experience as well. Kathleen served for nearly 8 years as my trusted adviser and in that role she worked to pass legislation such as the No Child Left Behind Act, the Medicare Modernization Act, the Inter-Country Adoption Act, the Child Citizenship Act of 2000, the Adoption Tax Credit and the Family Court Act. Kathleen has worked to increase the opportunity for positive dialogue andthe exchange of best practices between the United States and countries such as Ethiopia, China, Romania, Russia, Guatemala, Honduras, El Salvador and India. Prior to joining my staff, Kathleen attended Whittier Law School's Center for Children's Rights where she graduated with honors and received a State certified specialty in juvenile advocacy. She and her very supportive husband, Matt, are the proud parents of three children, Grace, Noah and Liam.

I am proud to stand here today and honor CCAI on its 10th anniversary along with Kerry Hasenbalg and Kathleen Strottman without whom this institute would not be where it is today and whose personal dedication and sacrifice have changed the lives of children around the world. CCAI has not only stayed true to its original founding principles and mission, but under the dedicated leadership of its congressional members, board and executive directors, CCAI has grown and expanded to further enhance the important work of making a difference in the lives of children both here in the United States and around the world. May God continue to bless the work of CCAI.

ADDITIONAL STATEMENTS

TRIBUTE TO SHIRLEY NATHAN-PULLIAM

● Mr. CARDIN. Madam President, today I wish to recognize and pay tribute to a dear friend, fellow Marylander and 16-year member of the Maryland House of Delegates, Shirley Nathan-Pulliam. Shirley has been a tireless advocate for eliminating health disparities throughout her career as a public servant. The Maryland Department of Health & Mental Hygiene is appropriately honoring her on October 4 by announcing the establishment of the ''Shirley Nathan-Pulliam Health Equity Lecture Series'' at this year's annual Maryland Health Disparity Conference.

Shirley has strong convictions and has often stated: ''In a country as rich and powerful as the United States of America, no person should be without a basic plan of health care.'' As a registered nurse and former faculty associate at the Johns Hopkins University School of Nursing, Shirley has seen firsthand how minorities are disproportionately harmed by certain diseases and the inequality in care across racial and ethnic lines. Her belief that health care is a basic human right, and not a privilege, has compelled her to serve in public office—a decision that has benefited all Marylanders and has helped improve health equality in our State.

Shirley has had many successes as a legislator, but one of the most important has been her work in establishing the Maryland Office of Minority Health and Health Disparities in 2004. This office is charged with promoting health equity for African Americans, Hispanic Americans, Asian Americans, Native Americans, and other groups experiencing health disparities. Another key legislative accomplishment of Shirley's was her success in providing health care coverage to more than 100,000 children in Maryland.

Shirley is not a woman who idly witnesses society's inequities. Her compassion and empathy drive her to come up with solutions for the problems she sees. As a sponsor or cosponsor of hundreds of bills that have been signed into law, Shirley has been instrumental in improving the lives of Marylanders in countless ways. When Shirley discovered Maryland had the third highest oral cancer rate for African-American men in the Nation, she secured $500,000 to fight the disease. She also was lead sponsor of legislation providing $2.6 million annually for breast cancer treatment for low-income women living in Maryland.

Shirley has been an indispensable partner and an inspiration in my efforts to address health disparities at the federal level. We worked together to codify the National Institute for Minority Health and Health Disparities, correcting a long-standing bias in our health care system that was ill-equipped to deal with disparities among different populations.

I wish the University of Maryland's Center for Health Equity and the State Office of Minority Health great success in their stewardship of the ''Shirley Nathan-Pulliam Health Equity Lecture Series.'' There is still a great deal of work to be done in achieving Shirley's dream of erasing health disparities and making health care a right for every human being. But with her leadership and legacy to follow, I am confident her dream will one day become a reality.●

ST. PETER'S CENTENNIAL

● Ms. COLLINS. Madam President, on October 16, 1911, the first Italian Catholic congregation in the city of Portland, ME, met under the guidance of Father Agnello Santagnello. Seventy-five families came together, and plans were laid to build a church for the small but growing community of new Americans.

Before year's end, just in time for Christmas mass, an old stable was transformed into a chapel at a cost of just under $2,800 and much hard work. That modest chapel was named St. Peter's—the rock of the Church on the rocky coast of Maine.

By the mid-1920s, the parish numbered nearly 1,000 families and the thriving Italian-American community needed a larger spiritual home. Father Teresio DiMingo, who took the reins of the congregation in 1927, went house-to-house throughout Portland's Little Italy neighborhood soliciting funds, and found generosity at every door.

The new church was under construction in 1929 when disaster struck—the stock market crash and the ensuing Great Depression. Father DiMingo returned the contributions to those in need. He matched that act of compassion with determination, and continued the construction with his own life savings.

The Church of St. Peter was dedicated that August. That great celebration included the blessing of Father DiMingo's second great gift to his parish—a cross made from fragments of the True Cross.

Since that day, worshipers have noticed a curious inscription above the doorway—the letters ''L & L.'' That was yet another gift from Father DiMingo. Those letters represent the Latin words for ''him'' and ''her.'' St. Peter's was then, and is today, a church for families.

Today, in this centennial year, the families of St. Peter's continue to build on that solid foundation. Their vibrant church remains a rock of faith.

And it grows as a center of charity and caring. In the early 1950s, an Italian priest came to America seeking aid for children orphaned during the Second World War. The generous response from Portland led to the founding of the Italian Heritage Center, which continues to enrich the city with a culture of great food, music, and festivals.

That a small fellowship of faith was born in a stable and grew into a something mighty and lasting is more than powerful symbolism. It is a testament to the spirit, the resolve, and the energy of Portland's Italian-American community. On the 100th anniversary of St. Peter's Roman Catholic Church, I offer the members of that parish the traditional Italian wish for a long life of health and happiness—''Cent'anni!''●

MICHIGAN VOLUNTARISM

● Mr. LEVIN. Madam President, our Nation's veterans made enormous sacrifices in defense of our Nation through their military service. One of the many ways we recognize their service is through essential government programs that form the foundation of our Nation's promise to care for veterans. These programs are made stronger by the valuable contributions of volunteers. Volunteers who freely offer their time to improve the quality of life of American veterans provide a personal reminder that a grateful nation will always remember and value their sacrifice. This spirit of generosity and compassion is embodied at the Grand Rapids Home for Veterans in west Michigan. A banquet to honor the positive impact these volunteers have had over the past year will take place on September 27, 2011.

In operation since 1886, the Grand Rapids Home for Veterans is a 758-bed home for veterans in need of long-term care. Residents are cared for by a professional staff of doctors, nurses and social workers, all of whom tirelessly work to fulfill the home's mission of providing quality interdisciplinary care and helping residents ''achieve their highest potential of independence, self worth, wellness and dignity.'' Supporting the professional staff in these efforts is a capable and compassionate army of volunteers. In 2010 alone, almost 900 different volunteers served at the home, with approximately 200 volunteers putting in at least 100 hours of service. Some volunteers are veterans themselves; some are family members of current or past residents; others have no personal connection to the home other than the desire to help American heroes.

Volunteers provide a host of services for the veterans and hold events that improve the residents' quality of life. Perhaps the most essential service volunteers provide is something that most people take for granted: visiting with veterans individually, offering human companionship. For veterans in homes, especially the elderly or disabled, having someone read or play cards with them, or simply have a conversation with them can provide great comfort. In addition to providing a simple yet powerful human connection, volunteers ensure that veterans at the home live active lives by helping to run the home's woodshop, bowling alley and library, as well as escorting residents to painting and ceramics classes. Residents also enjoy the animal therapy

program where volunteers bring in their own pet dogs and cats.

Last year, volunteers organized a number of special events, including a Super Bowl Party, a Las Vegas Day, three fishing tournaments, a carnival, a fall harvest festival, and a Christmas celebration called the Veterans Star Christmas Project. As part of the project, volunteers distributed more than 700 donated gifts to residents on Christmas Day. According to one resident, the celebration was especially meaningful because ''this kind of brightens our year, to know that there are people thinking about you, that care about you.'' Surely, that kind of reaction is all the reward volunteers want for their efforts. Every day, these generous and dedicated men and women show the residents of the Grand Rapids Home for Veterans that the American people have not forgotten them or their service to our Nation.

It is in this spirit of generosity that I know my colleagues will join me in recognizing and thanking all those who volunteered at the Grand Rapids Home for Veterans. The positive impact they have had on the lives of Michigan veterans is tremendous, and I extend my deepest appreciation for their service.●

TRIBUTE TO ARTHUR W. DIVENS, JR.

● Ms. MIKULSKI. Madam President, today I recognize an outstanding public servant and longstanding resident of the great State of Maryland, Arthur W. Divens, Jr., as he completes more than 31 years of continuous service within the civilian leadership of the Department of Defense. Mr. Divens began his public service life in naval shipbuilding as a project engineer/contracting representative for the Military Sealift Command and is ending it as executive director for the Amphibious Warfare and Sealift Office, Program Executive Office, Ships, where he oversees one of the broadest acquisition portfolios in the Navy—including more than $30 billion in complex shipbuilding procurements. Highly respected throughout the DOD acquisition community as a visionary leader and a man of uncommon character, he has left a long and lasting legacy to our Nation—both through his unparalleled contributions to the strength and flexibility of our Navy's surface forces and through the generation of professionals that he has mentored throughout his time in Federal service. Today, it is my great pleasure to recognize his achievements and to thank him and his family for their service to the Navy and our Nation.

Mr. Divens has a long and distinguished career of innovative thinking and aggressive execution of shipbuilding programs across the entire spectrum of naval shipbuilding. He has been directly involved in the design, construction, or delivery of over 150 ships and over 1,000 small boats and craft, more than any other individual in the Department of the Navy. Since joining Federal service in 1980 and the Senior Executive Service in 2000, he has held a variety of key leadership roles throughout his professional life, including positions with the Space and Naval Warfare Systems Command, the Military Sealift Command, and the Naval Sea Systems Command. He has also provided strong leadership to groups such as the National Shipbuilding Research Program and the Marine Engineering and Shipyard Management Program, where he has worked tirelessly with his peers throughout government and industry to promote the open interchange of ideas and information and constantly improve shipbuilding and ship repair processes and technology.

In 2002, Mr. Divens joined the Program Executive Office, Ships, where he has played a critical role in defining and fielding our Navy's future Surface Fleet. During his tenure and as a result of his sound stewardship, 31 ships have been delivered to the U.S. Navy and our allies, including two first of class vessels—USS SAN ANTONIO (LPD 17) and USNS LEWIS AND CLARK (T-AKE 1)—and the amphibious assault ship USS MAKIN ISLAND (LHD 8), widely lauded for its revolutionary application of hybrid technology and integration of environmental efficiencies and fuel conservation initiatives in the earliest stages of ship design. In the past year, he has worked tirelessly with General Dynamics NASSCO to contract for three affordable and flexible mobile landing platforms, saving the Navy nearly $2.1 billion and preserving the shipbuilding capability of the Navy's only west coast shipyard. He has been an influential advisor to the LHA 8 analysis of alternatives which will result in a well deck ship configuration for the next Marine Corps large deck amphibious ship, and has worked to maximize competition in the Ship to Shore Connector Program, which will provide an unprecedented level of support to amphibious forces. He has been the central figure in some of the Navy's toughest negotiations involving nearly $10 billion in Navy shipbuilding funding, to include the award of LPD 22–26 and the LHA 6 amphibious assault ship, the joint high speed vessel competition, and the Landing Craft Air Cushion Service Life Extension Program. At the heart of his efforts has been a relentless drive to improve the strength, capability, and flexibility of our operating forces at the best possible value to the American public.

Mr. Divens is also responsible for more than 100 foreign military sales cases, with more than 30 nations and a collective value of nearly $2 billion. Of special note has been his direct effort with United States Forces—Iraq, helping Iraqi security forces develop the tools they need to defeat terrorism and sustain an environment where they can live free.

Mr. Divens' contributions to our Nation extend far beyond his material achievements and programmatic accomplishments. He has served as an inspiration to all who have served with him, ensuring that all members of his team are keenly aware of their importance to the Navy and the true appreciation that he holds for their efforts. His unique ability to recognize talent and to foster respect and camaraderie throughout the workforce has had an enormous influence on junior Sailors and civilians and will continue to steer the course of our Navy well into the future.

Mr. Divens received his bachelor of science degree from the U.S. Merchant Marine Academy in Kings Point, NY in 1979 and his master of science degree from the University of Maryland in 1997. Throughout his distinguished Federal service career, he has been honored with numerous awards for his exceptional service, including the Navy Distinguished Civilian Service Medal, the Meritorious Presidential Rank Award and, most recently, the Rear Admiral Wayne E. Meyer Memorial Award.

Mr. Divens' tireless leadership and lifelong commitment to the Navy's shipbuilding capability have earned him the deep respect of his peers and shipmates throughout the Navy acquisition and fleet support communities. It is, therefore, a pleasure to recognize him for his many contributions in a life devoted to our nation's security. I know my colleagues join me in wishing him, his wife Joan, his daughters Alison, Laura and Molly, and his grandson Daniel much happiness and fair winds and following seas as they begin a new chapter in their lives together.●

RECOGNIZING BLACKSMITHS WINERY

● Ms. SNOWE. Madam President, my home State of Maine's long tradition of entrepreneurship includes a marked dedication to creative and quality craftsmanship. Small businesses in Maine strive to be both imaginative in design and superior in value. One such small business is Blacksmiths Winery of South Casco, one of Maine's largest wineries and the first in the State to be awarded both the silver and bronze medals in international wine competitions. Today I commend Blacksmiths Winery on their continued success and commitment to excellence.

In the late 1800s, William Watkins lived and worked as an apprentice and blacksmith in South Casco. He was known to be an exacting craftsman, insisting upon making his own nails to ensure quality, rather than using the machine made variety. After William stopped working the blacksmith's forge, his son Albert shouldered the responsibility of the family business.

Over 100 years later, Blacksmiths Winery opened in the same location, which remains full of entrepreneurial vigor. The original buildings, including Watkins' home, barn, and shop make up the main structures of Blacksmiths Winery. As it takes its name from the profession of the earlier tenants, so Blacksmiths Winery certainly carries on the same enthusiasm for craftsmanship.

Blacksmiths Winery opened its doors in 1999, producing 1,000 cases of wine in the first year, and has since continually grown and expanded their award-winning product. Blacksmiths Winery now offers its customers a wide variety of over 20 different wines and sodas. They produce the more traditional red and white wines, such as Cabernet Sauvignon, but are widely popular for their fruitier and more adventurous flavors, including raspberry and rhubarb wines. Many of Blacksmiths' products are based on the flavors of locally grown Maine blueberries, elderberries, cranberries, and apples. Blacksmiths also makes nonalcoholic soda from wine grapes, including Merlot and Riesling flavors, and is continually seeking to expand its offerings. Visitors can taste these wines and sodas any day of the week, and on weekends, Blacksmiths opens its beautiful porch to guests where they can relax and enjoy a variety of beverages.

Highlighting Blacksmiths ingenuity, one of the company's popular fruit wines came about completely by chance. Through a packaging flaw, Blacksmiths acquired a large bunch of raspberries. Rather than waste the fruit, the company produced sample batches of what has become its raspberry dessert wine. This happy accident was then sent to the shelves at retail locations across Maine, to the delight of thirsty wine drinkers. This ingenuity is an example of the sort of creativity and adaptability, so characteristic of Maine entrepreneurs, that continues to keep the markets fresh with new and interesting products for consumers.

Blacksmiths Winery has demonstrated a never quenching thirst to utilize new techniques and experiment with unique flavor combinations, a quality which has led in large measure to their growing recognition. Indeed, the company's popularity is growing, as it has recently begun shipping its award-winning wines to a number of out-of-state locations. I thank everyone at the Blacksmiths Winery for their hard work and innovation, and wish them the best success in years to come.●

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.)

MESSAGES FROM THE HOUSE

At 10:52 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2883. An act to amend part B of title IV of the Social Security Act to extend the child and family services program through fiscal year 2016, and for other purposes.

H.R. 2943. An act to extend the program of block grants to States for temporary assistance for needy families and related programs through December 31, 2011.

The message also announced that the House passed the following bill, without amendment:

S. 846. An act to designate the United States courthouse located at 80 Lafayette Street in Jefferson City, Missouri, as the Christopher S. Bond United States Courthouse.

The message further announced that the House agreed to the following concurrent resolution, without amendment:

S. Con. Res. 28. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to award the Congressional Gold Medal, collectively, to the 100th Infantry Battalion, 442nd Regimental Combat Team, and the Military Intelligence Service, United States Army, in recognition of their dedicated service during World War II.

ENROLLED BILL SIGNED

At 5:42 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 846. An act to designate the United States courthouse located at 80 Lafayette Street in Jefferson City, Missouri, as the Christopher S. Bond United States Courthouse.

The enrolled bill was subsequently signed by the President pro tempore (Mr. INOUYE).

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1619. A bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, September 22, 2011, she had presented to the President of the United States the following enrolled bill:

S. 846. An act to designate the United States courthouse located at 80 Lafayette Street in Jefferson City, Missouri, as the Christopher S. Bond United States Courthouse.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3336. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval, and Promulgation of Air Quality Implementation Plans; Indiana; Redesignation of the Evansville Area to Attainment of the Fine Particulate Matter Standard'' (FRL No. 9469–5) received in the Office of the President of the Senate on September 20, 2011; to the Committee on Environment and Public Works.

EC–3337. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Transportation Conformity Regulations'' (FRL No. 9470–2) received in the Office of the President of the Senate on September 20, 2011; to the Committee on Environment and Public Works.

EC–3338. A communication from the Director of the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Guaranteed Loan Fees'' (RIN0560–AH41) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3339. A communication from the Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, the Office of Financial Research's annual report on recruitment and retention, training and workforce development, and workforce flexibilities; to the Committee on Banking, Housing, and Urban Affairs.

EC–3340. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, an annual report relative to the United States Participation in the United Nations; to the Committee on Foreign Relations.

EC–3341. A communication from the Chief Privacy Officer, Privacy Office, Department of Homeland Security, transmitting, pursuant to law, a report entitled ''Department of Homeland Security Privacy Office 2011 Annual Report to Congress''; to the Committee on Homeland Security and Governmental Affairs.

EC–3342. A communication from the Chief Privacy Officer, Privacy Office, Department of Homeland Security, transmitting, pursuant to law, a report entitled ''Privacy Office Third Quarter Fiscal Year 2011 Report to Congress''; to the Committee on Homeland Security and Governmental Affairs.

EC–3343. A communication from the Officer for Civil Rights and Civil Liberties, Department of Homeland Security, transmitting, pursuant to law, a report entitled ''Department of Homeland Security Office for Civil Rights and Civil Liberties Fiscal Year 2010 Annual and Consolidated Reports to Congress''; to the Committee on Homeland Security and Governmental Affairs.

EC–3344. A communication from the Acting District of Columbia Auditor, transmitting,

pursuant to law, a report entitled ''Audit of the Urban Forestry Administration of the District Department of Transportation''; to the Committee on Homeland Security and Governmental Affairs.

EC–3345. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, legislative proposals relative to strengthening the protections afforded to servicemembers and their families under existing civil rights laws; to the Committee on the Judiciary.

EC–3346. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Apache Pier Labor Day Weekend Fireworks Display, Atlantic Ocean, Myrtle Beach, SC'' ((RIN1625–AA00) (Docket No. USCG–2011–0713)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3347. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Thunder on Niagara, Niagara River, North Tonawanda, NY'' ((RIN1625–AA00) (Docket No. USCG–2011–0718)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3348. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Patuxent River, Patuxent River, MD'' ((RIN1625–AA00) (Docket No. USCG–2011–0426)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3349. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; August Fireworks Displays and Swim Events in the Captain of the Port New York Zone'' ((RIN1625–AA00) (Docket No. USCG–2011–0688)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3350. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; ESI Ironman 70.3 Augusta Triathlon, Savannah River, Augusta, GA'' ((RIN1625–AA00) (Docket No. USCG–2011–0691)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3351. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; 2011 Rohto Ironman 70.3 Miami, Biscayne Bay, Miami, FL'' ((RIN1625–AA00) (Docket No. USCG–2011–0195)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3352. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Labor Day Fireworks, Ancarrows Landing Park, James River, Richmond, VA'' ((RIN1625–AA00) (Docket No. USCG–2011–0546)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3353. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Cleveland National Air Show, Lake Erie, Cleveland, OH'' ((RIN1625–AA00) (Docket No. USCG–2011–0795)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3354. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Coast Guard Exercise, Detroit River, Ambassador Bridge to the Western Tip of Belle Isle'' ((RIN1625–AA00) (Docket No. USCG–2011–0754)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3355. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Port Huron Float Down, St. Clair River, Port Huron, MI'' ((RIN1625–AA00) (Docket No. USCG–2011–0752)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3356. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; ISAF Nations Cup Grand Final Fireworks Display, Sheboygan, WI'' ((RIN1625–AA00) (Docket No. USCG–2011–0755)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3357. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; TriMet Bridge Project, Willamette River; Portland, OR'' ((RIN1625–AA00) (Docket No. USCG–2011–0279)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3358. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Discovery World Private Wedding Firework Displays, Milwaukee, WI'' ((RIN1625–AA00) (Docket No. USCG–2011–0717)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3359. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Suttons Bay Labor Day Fireworks, Suttons Bay, Grand Traverse Bay, MI'' ((RIN1625–AA00) (Docket No. USCG–2011–0719)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3360. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Allegheny River; Pittsburgh, PA'' ((RIN1625–AA00) (Docket No. USCG–2011–0695)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3361. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Missouri River From the Border Between Montana and North Dakota'' ((RIN1625–AA00) (Docket No. USCG–2011–0511)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3362. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Upper Mississippi River, Mile 180.0 to 179.0'' ((RIN1625–AA00) (Docket No. USCG–2011–0385)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3363. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Big Sioux River From the Military Road Bridge North Sioux City to the Confluence of the Missouri River, SD'' ((RIN1625–AA00) (Docket No. USCG–2011–0528)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3364. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Labor Day at the Landing Santa Rosa Sound, Fort Walton Beach, FL'' ((RIN1625–AA00) (Docket No. USCG–2011–0709)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3365. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones; Eleventh Coast Guard District Annual Fireworks Events'' ((RIN1625–AA00) (Docket No. USCG–2009–0559)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3366. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; Potomac River, Georgetown Channel, Washington, DC'' ((RIN1625–AA87) (Docket No. USCG–2011–0760)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3367. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; 2011 Seattle Seafair Fleet Week Moving Vessels, Puget Sound, Washington; correction'' (Docket No. USCG–2011–0505) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3368. A communication from the Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; E911 Requirements for IP-Enabled Service Providers; Internet-Based Telecommunications Relay Service Numbering'' ((RIN3060–AI15) (FCC 11–123)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3369. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Bonfouca Bayou, Slidell, LA'' ((RIN1625–AA09) (Docket No. USCG–2009–0863)) received

in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3370. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Eleventh Coast Guard District Annual Marine Events'' ((RIN1625–AA08) (Docket No. USCG–2009–0558)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3371. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulation Navigation Area; Portsmouth Naval Shipyard, Portsmouth, NH'' ((RIN1625–AA11) (Docket No. USCG–2011–0708)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3372. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special and Local Regulation and Safety Zones; Marine Events in Captain of the Port Long Island Sound Zone'' ((RIN1625–AA00, RIN1625–AA08) (Docket No. USCG–2011–0553)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3373. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special and Local Regulation and Safety Zones; Mattaponi Madness Drag Boat Race, Mattaponi River, Wakema, VA'' ((RIN1625–AA08) (Docket No. USCG–2011–0744)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3374. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations; Sabine River, Orange, TX'' ((RIN1625–AA08) (Docket No. USCG–2011–0194)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3375. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations for Marine Events; Patuxent River, Solomons, MD'' ((RIN1625–AA08) (Docket No. USCG–2011–0266)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3376. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; Columbus Day Weekend, Biscayne Bay, Miami, FL'' ((RIN1625–AA11) (Docket No. USCG–2011–0044)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3377. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; Arthur Kill, NY and NJ'' ((RIN1625–AA11) (Docket No. USCG–2011–0727)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HARKIN, from the Committee on Appropriations, without amendment:

S. 1599. An original bill making appropriations for Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2012, and for other purposes (Rept. No. 112–84).

By Mr. LEAHY, from the Committee on Appropriations, without amendment:

S. 1601. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2012, and for other purposes (Rept. No. 112–85).

By Mr. INOUYE, from the Committee on Appropriations:

Special Report entitled ''Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2012'' (Rept. No. 112–86).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment:

H.R. 2480. A bill to amend title 5, United States Code, to authorize appropriations for the Administrative Conference of the United States for fiscal years 2012, 2013, and 2014, and for other purposes.

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1151. A bill to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information.

S. 1535. A bill to protect consumers by mitigating the vulnerability of personally identifiable information to theft through a security breach, providing notice and remedies to consumers in the wake of such a breach, holding companies accountable for preventable breaches, facilitating the sharing of post-breach technical information between companies, and enhancing criminal and civil penalties and other protections against the unauthorized collection or use of personally identifiable information.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. LEAHY for the Committee on the Judiciary.

David B. Barlow, of Utah, to be United States Attorney for the District of Utah for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HARKIN:

S. 1599. An original bill making appropriations for Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. MORAN (for himself, Mr. BLUNT, and Mr. BARRASSO):

S. 1600. A bill to enhance the ability of community banks to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes; to the Committee on Finance.

By Mr. LEAHY:

S. 1601. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2012, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. CRAPO (for himself, Ms. CANTWELL, Mr. RISCH, and Mr. WYDEN):

S. 1602. A bill to amend the Internal Revenue Code of 1986 to expand the technologies through which a vehicle qualifies for the credit for new qualified plug-in electric drive motor vehicles; to the Committee on Finance.

By Ms. CANTWELL (for herself and Mr. LUGAR):

S. 1603. A bill to enable transportation fuel competition, consumer choice, and greater use of domestic energy sources in order to reduce our Nation's dependence on foreign oil; to the Committee on Commerce, Science, and Transportation.

By Mr. CORNYN:

S. 1604. A bill to provide additional resources and funding for construction and infrastructure improvements at United States land ports of entry, to open additional inspection lanes, to hire more inspectors, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KERRY (for himself, Mrs. GILLIBRAND, Mr. HARKIN, Mr. INOUYE, Mr. MERKLEY, Mrs. MURRAY, Mr. WHITEHOUSE, and Mr. COONS):

S. 1605. A bill to amend the Fair Housing Act, and for other purposes; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself, Mr. PRYOR, and Ms. COLLINS):

S. 1606. A bill to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BLUMENTHAL (for himself and Mr. LIEBERMAN):

S. 1607. A bill to include shellfish to the list of crops eligible for the noninsured crop disaster assistance program and the emergency assistance for livestock program of the Department of Agriculture; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. WHITEHOUSE (for himself, Mr. KIRK, Mrs. BOXER, Mrs. FEINSTEIN, Mr. INOUYE, and Mr. CASEY):

S. 1608. A bill to amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes, and for other purposes; to the Committee on the Judiciary.

By Mr. HARKIN (for himself, Mr. LEAHY, and Mr. INOUYE):

S. 1609. A bill to require the Secretary of Health and Human Services to establish a demonstration program to award grants to, and enter into contracts with, medical-legal partnerships to assist patients and their families to navigate health-related programs and activities; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BARRASSO (for himself, Mr. MANCHIN, Mr. BLUNT, and Ms. LANDRIEU):

S. 1610. A bill to provide additional time for the Administrator of the Environmental Protection Agency to promulgate achievable standards for cement manufacturing facilities, and for other purposes; to the Committee on Environment and Public Works.

By Mr. JOHNSON of Wisconsin (for himself, Ms. AYOTTE, Mr. PAUL, and Mr. JOHANNS):

S. 1611. A bill to reduce the size of the Federal workforce through attrition, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. SCHUMER, Mr. BLUMENTHAL, Mr. CASEY, Mr. UDALL of New Mexico, and Mr. WYDEN):

S. 1612. A bill to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity; to the Committee on the Judiciary.

By Mr. REED (for himself and Mrs. HUTCHISON):

S. 1613. A bill to improve and enhance research and programs on childhood cancer survivorship, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY:

S. 1614. A bill to provide grants to State educational agencies and institutions of higher education to strengthen elementary and secondary computer science education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SHELBY (for himself, Mr. CRAPO, Mr. CORKER, Mr. DEMINT, Mr. VITTER, Mr. JOHANNS, Mr. TOOMEY, Mr. KIRK, Mr. MORAN, and Mr. WICKER):

S. 1615. A bill to require enhanced economic analysis and justification of regulations proposed by certain Federal banking, housing, securities, and commodity regulators, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MENENDEZ (for himself and Mr. ENZI):

S. 1616. A bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes; to the Committee on Finance.

By Mr. REED (for himself, Mr. JOHANNS, Mrs. BOXER, Mr. MERKLEY, and Mr. FRANKEN):

S. 1617. A bill to establish the Council on Healthy Housing and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER (for himself, Mr. LEAHY, Mrs. GILLIBRAND, and Mr. FRANKEN):

S. 1618. A bill to amend section 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to extend the eligibility period for supplemental security income benefits for refugees, asylees, and certain other humanitarian immigrants, and for other purposes; to the Committee on Finance.

By Mr. BROWN of Ohio (for himself, Mr. SCHUMER, Mr. GRAHAM, Ms. SNOWE, Ms. STABENOW, Mr. SESSIONS, Mr. CASEY, Mr. BURR, Mr. WHITEHOUSE, Mr. REED, Mr. BLUMENTHAL, Mr. CONRAD, Ms. COLLINS, Mr. CARDIN, Mr. LEVIN, Mrs. GILLIBRAND, Mr. MENENDEZ, Mrs. HAGAN, Mr. MANCHIN, and Mr. NELSON of Nebraska):

S. 1619. A bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes; read the first time.

By Mr. BEGICH (for himself and Ms. CANTWELL):

S. 1620. A bill to ensure the icebreaking capabilities of the United States and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MENENDEZ (for himself, Mr. REED, Mr. BENNET, Mr. HARKIN, Mr. LAUTENBERG, Mr. FRANKEN, Mr. MERKLEY, Mr. SANDERS, Mr. BLUMENTHAL, Mr. WYDEN, Mr. DURBIN, Mr. CARDIN, Mr. AKAKA, Mr. WHITEHOUSE, Mr. COONS, Mrs. SHAHEEN, Ms. LANDRIEU, and Mr. LEAHY):

S. 1621. A bill to create livable communities through coordinated public investment and streamlined requirements, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WHITEHOUSE (for himself, Mr. REED, Mr. FRANKEN, Mr. SANDERS, Mrs. GILLIBRAND, Mr. LAUTENBERG, Mr. BLUMENTHAL, and Mr. BROWN of Ohio):

S. Res. 274. A resolution expressing the sense of the Senate that funding for the Federal Pell Grant program should not be cut in any deficit reduction program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BINGAMAN (for himself, Mr. ALEXANDER, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Ms. CANTWELL, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. CRAPO, Mr. MCCONNELL, and Mr. CORKER):

S. Res. 275. A resolution designating October 30, 2011, as a national day of remembrance for nuclear weapons program workers; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 25

At the request of Mr. KIRK, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 25, a bill to phase out the Federal sugar program, and for other purposes.

S. 28

At the request of Mr. ROCKEFELLER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 28, a bill to amend the Communications Act of 1934 to provide public safety providers an additional 10 megahertz of spectrum to support a national, interoperable wireless broadband network and authorize the Federal Communications Commission to hold incentive auctions to provide funding to support such a network, and for other purposes.

S. 102

At the request of Mr. MCCAIN, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 102, a bill to provide an optional fast-track procedure the President may use when submitting rescission requests, and for other purposes.

S. 277

At the request of Mr. BURR, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 277, a bill to amend title 38, United States Code, to furnish hospital care, medical services, and nursing home care to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune, and for other purposes.

S. 296

At the request of Ms. KLOBUCHAR, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 296, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide the Food and Drug Administration with improved capacity to prevent drug shortages.

S. 634

At the request of Mr. SCHUMER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 634, a bill to ensure that the courts of the United States may provide an impartial forum for claims brought by United States citizens and others against any railroad organized as a separate legal entity, arising from the deportation of United States citizens and others to Nazi concentration camps on trains owned or operated by such railroad, and by the heirs and survivors of such persons.

S. 752

At the request of Mrs. FEINSTEIN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 752, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 838

At the request of Mr. TESTER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 838, a bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act.

S. 889

At the request of Mr. ROCKEFELLER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 889, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Mother's Day.

S. 1025

At the request of Mr. LEAHY, the names of the Senator from Utah (Mr. LEE) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1048

At the request of Mr. MENENDEZ, the name of the Senator from North Carolina (Mr. BURR) 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. 1131

At the request of Mrs. HAGAN, the name of the Senator from Connecticut

(Mr. BLUMENTHAL) was added as a cosponsor of S. 1131, a bill to authorize the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to establish and implement a birth defects prevention, risk reduction, and public awareness program.

S. 1211

At the request of Mrs. FEINSTEIN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1211, a bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases.

S. 1214

At the request of Mrs. GILLIBRAND, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1214, a bill to amend title 10, United States Code, regarding restrictions on the use of Department of Defense funds and facilities for abortions.

S. 1280

At the request of Mrs. BOXER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1280, a bill to amend the Peace Corps Act to require sexual assault risk-reduction and response training, and the development of sexual assault protocol and guidelines, the establishment of victims advocates, the establishment of a Sexual Assault Advisory Council, and for other purposes.

At the request of Mr. ISAKSON, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1280, supra.

S. 1301

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

S. 1381

At the request of Mr. BLUMENTHAL, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1381, a bill to provide for the expansion of Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme and other tick-borne disease, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 1460

At the request of Mr. BAUCUS, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 1460, a bill to grant the congressional gold medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 1512

At the request of Mr. CARDIN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1512, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1514

At the request of Mr. TESTER, the names of the Senator from California (Mrs. BOXER), the Senator from Vermont (Mr. SANDERS), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from New York (Mrs. GILLIBRAND), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1514, a bill to authorize the President to award a gold medal on behalf of the Congress to Elouise Pepion Cobell, in recognition of her outstanding and enduring contributions to American Indians, Alaska Natives, and the Nation through her tireless pursuit of justice.

S. 1528

At the request of Mr. JOHANNS, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1528, a bill to amend the Clean Air Act to limit Federal regulation of nuisance dust in areas in which that dust is regulated under State, tribal, or local law, to establish a temporary prohibition against revising any national ambient air quality standard applicable to coarse particulate matter, and for other purposes.

S. 1539

At the request of Mr. CORNYN, the names of the Senator from Texas (Mrs. HUTCHISON) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 1539, a bill to provide Taiwan with critically needed United States-built multirole fighter aircraft to strengthen its self-defense capability against the increasing military threat from China.

S. 1542

At the request of Mr. BAUCUS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1542, a bill to amend part B of title IV of the Social Security Act to extend the child and family services program through fiscal year 2016, and for other purposes.

S. 1577

At the request of Mr. BAUCUS, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1577, a bill to amend the Internal Revenue Code of 1986 to increase and make permanent the alternative simplified research credit, and for other purposes.

S. 1584

At the request of Mr. BENNET, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1584, a bill to provide for additional quality control of drugs.

S. 1595

At the request of Mr. HATCH, the names of the Senator from Kentucky (Mr. MCCONNELL) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 1595, a bill to prohibit funding for the United Nations in the event the United Nations grants Palestine a change in status from a permanent observer entity before a comprehensive peace agreement has been reached with Israel.

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 1595, supra.

S.J. RES. 19

At the request of Mr. HATCH, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S. CON. RES. 27

At the request of Mr. UDALL of New Mexico, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. Con. Res. 27, a concurrent resolution honoring the service of Sergeant First Class Leroy Arthur Petry, a native of Santa Fe, New Mexico and the second living recipient of the Medal of Honor since the Vietnam War.

S. RES. 232

At the request of Mr. MENENDEZ, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. Res. 232, a resolution recognizing the continued persecution of Falun Gong practitioners in China on the 12th anniversary of the campaign by the Chinese Communist Party to suppress the Falun Gong movement, recognizing the Tuidang movement whereby Chinese citizens renounce their ties to the Chinese Communist Party and its affiliates, and calling for an immediate end to the campaign to persecute Falun Gong practitioners.

AMENDMENT NO. 634

At the request of Mrs. HUTCHISON, her name was added as a cosponsor of amendment No. 634 proposed to H.R. 2832, a bill to extend the Generalized System of Preferences, and for other purposes.

At the request of Mr. BROWN of Massachusetts, his name was added as a cosponsor of amendment No. 634 proposed to H.R. 2832, supra.

AMENDMENT NO. 650

At the request of Mr. BROWN of Massachusetts, his name was added as a cosponsor of amendment No. 650 proposed to H.R. 2832, a bill to extend the Generalized System of Preferences, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. CANTWELL (for herself and Mr. LUGAR):

S. 1603. A bill to enable transportation fuel competition, consumer choice, and greater use of domestic energy sources in order to reduce our Nation's dependence on foreign oil; to the Committee on Commerce, Science, and Transportation.

Ms. CANTWELL. Mr. President, I rise today to introduce legislation aimed at breaking oil's monopoly over our Nation's transportation system. I would like to thank Senator LUGAR for helping develop and agreeing to cosponsor this important bill.

The Open Fuels Standard Act of 2011 would introduce competition among fuels in the U.S. transportation market by ensuring that most new vehicles in the United States will be capable of running on a range of domestically produced alternative fuels.

By introducing competition among fuels, the Open Fuels Standard, OFS, Act aims to bring bout significant reductions in the high prices paid by U.S. consumers at the gas pump and in our Nation's dangerous overdependence on foreign oil. According to the Department of Energy, this lack of competition imposes a ''monopoly premium'' of more than $200 billion on the economy each year—a direct transfer of U.S. wealth to the treasuries of OPEC countries and other foreign oil producers. Keeping this money within U.S. borders would sharply cut the U.S. trade deficit, safeguard U.S. household income, and provide capital and market incentive for investment in new U.S. energy infrastructure.

The Open Fuels Standard Act requires that starting in 2015, 50 percent of new vehicles manufactured or sold in the United States be flex fuel capable—that is, able to run on non-petroleum fuels. These fuels would include domestically-produced ethanol or methanol or other alcohols in addition to—or instead of—petroleum-based fuels. In 2018, 80 percent of new vehicles would need to be flex-fuel capable. Adoption of an Open Fuels Standard would spur the development and use of alcohol fuels such as ethanol and methanol that can be made from a wide variety of domestic energy resources including agricultural waste, energy crops, natural gas, and even trash. By increasing the share of these abundant domestic fuels in the U.S. market, the Open Fuels Standard Act has the potential to eliminate major drag on the American economy, creating new jobs, strengthening our national security, and addressing challenging environmental concerns such as air quality and climate change.

Today's introduction of the Open Fuels Standard Act coincides with yesterday's launch of the United States Energy Security Council. The new Council's purpose is to focus on reducing U.S. energy vulnerability and enhancing national security by finding alternatives to foreign oil. This new group's members include former Secretary of State George Shultz, former Secretaries of Defense William Perry and Harold Brown, as well as three former national security advisers, a former C.I.A. director, two former senators, a Nobel laureate, a former Federal Reserve chairman, and several Fortune-50 chief executives.

The U.S. Energy Security Council is calling for Congress to enact a requirement such as the Open Fuels Standard to end oil's monopoly as the lynchpin of U.S. energy security, according to a New York Times op-ed on September 21 by council members former National Security Advisor Robert C. McFarlane and former Director of Central Intelligence R. James Woolsey.

The Open Fuels Standard Act will also complement and advance other key legislation that Congress has passed in recent years with the goals of transforming the U.S. energy system to make it more secure, more affordable, and more environmentally sustainable. For example, the 2007 Energy Independence and Security Act included the Renewable Fuels Standard, requiring the production of 36 billion gallons of biofuels by 2022, and raising CAFE standards, corporate average fuel economy, for the first time in 20 years for SUVs and trucks. The Open Fuels Standard Act, in conjunction with policies such as these that we fought hard for in previous Congresses, will play a major role in achieving our long-term national energy goals.

Oil has had a monopoly over transportation fuel for too long and American drivers have had no choice but to pay volatile and elevated prices at the pump. I am encouraged by the broad bipartisan and stakeholder support for the Open Fuels Standard Act, and again would like to thank Senator LUGAR, which I believe is a recognition that this approach will really help diversify our Nation's energy supply and spur investment and job creation.

By Mr. PORTMAN (for himself, Mr. PRYOR, and Ms. COLLINS):

S. 1606. A bill to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents; to the Committee on Homeland Security and Governmental Affairs.

Mr. PRYOR. Mr. President, I have heard from many Arkansans and businesses, particularly small businesses, which are struggling to meet an increasing regulatory burden. Each year, Federal agencies issue more than 3,000 final rules, many of which have significant economic impact. In Executive Order 13563, President Obama emphasized that our regulatory system should promote ''economic growth, innovation, competitiveness, and job creation.'' I agree. We need a 21st-century regulatory system that promotes future prosperity. However, there are some rules where that goal appears to have been ignored and as a result our economy suffers.

Experience suggests that improvements in the regulatory process are necessary to ensure that all agencies pay close attention to the impact their regulatory actions have on jobs and on the economy.

For example, the EPA is currently considering more stringent regulations of dust as part of the national ambient air quality. From county roads to farm fields, dust is an unavoidable reality in rural areas. Imposing strict dust regulations on these communities would hurt family farmers and rural economies across Arkansas and our Nation.

Another example comes from a county judge in Arkansas. He was rightly concerned about a regulation stemming from the Bush administration that would have cost municipalities and counties and States across the country tens of millions of dollars to replace their street signs. The burden of paying for hundreds of thousands of new signs at costs ranging anywhere from $30 to $110 would have fallen to State and local governments, and that means State and local taxpayers. Fortunately, as part of the administration's review of regulations, Transportation Secretary Ray LaHood has decided that a specific deadline for replacing street signs makes no sense and that local and State transportation agencies are best equipped to determine when they need to replace these signs in the course of their daily work.

In his Executive order, President Obama remarked that the regulatory system ''must identify and use the best, most innovative, and least burdensome tools for achieving regulatory ends.'' Last month, Cass Sunstein, the Administrator of the Office of Information and Regulatory Affairs, wrote in the Wall Street Journal that Cabinet Secretaries were instructed to minimize regulatory costs, avoid imposing excessive regulatory burdens, and prioritize regulatory actions that promote economic growth and job creation. I applaud the administration's new directive.

One difference in what the administration is doing versus what we are doing in the Portman-Pryor legislation is that the President is looking retrospectively. He is doing a review of regulations that are on the books now, which is good. I welcome that. But the Portman-Pryor legislation will be prospective; it will go forward. We will talk about that more as we go.

I think it is time that Congress reviewed several of the laws that form the basis of our Federal regulatory system. We need to find ways to make these laws more fair, reasonable, and effective in meeting the dual challenges of protecting the public while making our economy stronger and more competitive. That is why I have teamed up with Senator PORTMAN on this important legislation.

Done right, I believe regulatory reform can lead to better, cheaper, and faster rulemaking. Specifically, agencies should, one, propose or adopt regulations only when the benefits justify the costs; two, write regulations so that they impose the least burden on society; and three, in choosing among alternative regulatory approaches, select those that strike the right balance between minimizing costs and maximizing benefits.

Portman-Pryor amends the Administrative Procedures Act to place greater

emphasis on early engagement between agencies and parties subject to high-impact rules costing $1 billion or more per year and major rules costing $100 million or more. These expensive rules are where our focus should be. In fact, as a historical footnote, the Administrative Procedures Act was written in 1946 and has not really been revised and updated since that time. So now that it is 65 years old, I think it is time to look at it and update it.

Portman-Pryor makes better use of two existing regulatory tools. It requires an advanced notice of proposed rulemaking for high-impact and major rules to enable agencies to solicit written data, views, or arguments from interested parties. Second, although the Administrative Procedures Act already allows for formal hearings, agencies rarely use this option. Portman-Pryor requires an agency to conduct a formal rulemaking hearing for high-impact rules and, in some cases, major rules so that data and information can be debated on the record—here again, on the record. We are trying to make this process more transparent.

Portman-Pryor strikes a balance between minimizing costs and maximizing benefits. The bill makes clear that the agencies are encouraged to choose the least costly alternative that would achieve the objectives of the statute authorizing the rule. However, the bill also makes clear that the agency may choose—may choose—a more costly rule so long as it does two things: one, explains why it has done so based on policy concerns addressed by the statute authorizing the rule and, two, shows that the added benefits are greater than the added costs, which is by definition a push toward ''maximizing benefits.''

Today, the length of rulemaking varies widely from a few months to several years. After this reform, times will still vary in about that same amount, but the final rules should be more stable and more credible. A principal goal of Portman-Pryor is that the bill may shorten the rulemaking process because the final rule will be based on more sound, thorough information and that fewer high-impact and major rules will be vacated by courts and sent back to the agency.

Finally, the bill reinforces that agencies must assess both the costs and benefits of their rules. However, the bill requires the Administrator of OIRA to establish guidelines so that costs-benefit analysis can be commensurate with the economic impact of the rule.

Regulatory reform is not an exciting subject, I know, but it is vitally important to our Nation's economic recovery. I look forward to working with Senator PORTMAN on this important legislation. I also look forward to working with other colleagues to try to get them interested and possibly cosponsoring and helping us get this bill through the process.

My final point is that this is a piece of legislation which not only is bipartisan but is bicameral. We have two Members of the U.S. House of Representatives who have announced this legislation with us today: LAMAR SMITH, who is chairman of the Judiciary Committee, and COLLIN PETERSON, who is the ranking member on the Agriculture Committee in the House. So it is rare when we get bipartisan, bicameral legislation coming in this Congress.

I hope—I sincerely hope—I will have colleagues on both sides of the aisle who will look at this legislation. I hope we will get broad bipartisan support and we will be able to move it through the committees and get it to the floor in a timely fashion.

By Mr. HARKIN (for himself, Mr. LEAHY, and Mr. INOUYE):

S. 1609. A bill to require the Secretary of Health and Human Services to establish a demonstration program to award grants to, and enter into contracts with, medical-legal partnerships to assist patients and their families to navigate health-related programs and activities; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, today I join Senators LEAHY and INOUYE to introduce the Medical-Legal Partnership for Health Act. This legislation will reduce our Nation's health care costs and improve the health of vulnerable patients by building upon the great work that medical-legal partnerships are doing every day, all across the United States.

Medical-legal partnerships bring legal aid services into medical settings, such as hospitals and community health centers, to help patients overcome problems that create and perpetuate poor health. In today's difficult economy, many Americans are struggling to meet the basic health needs of themselves and their children. This may mean struggling to pay the high costs of medical care or prescription drugs, or putting off an annual checkup until next year.

But some health care needs are nonmedical in nature, like making sure your home is properly heated in the winter; that it is not infested by insects or rodents; and that it is free of domestic violence. These needs may require more than just medical care; they may require legal assistance.

Unfortunately, most health care providers are not equipped to deal with the non-medical issues that lead some patients to seek medical care repeatedly or on an ongoing basis. Despite the perception that legal issues frequently affect their patients, a survey of physicians at Boston Medical Center revealed that fewer than 20 percent of doctors knew how to refer patients to legal resources. As a result, many patients never address the root cause of their health problems, leading to costly visits to the emergency room and lengthy hospital stays.

Medical-legal partnerships connect patients with the legal assistance they need to address these root causes. Rather than just applying a temporary fix to a health issue, they help patients get healthy and stay healthy.

In the process, medical-legal partnerships generate substantial cost savings for families and the entire health care system. One study found a 50 percent reduction in emergency room visits following the intervention of medical-legal partnerships, saving families hundreds of dollars per visit. Another study showed that medical-legal partnerships reduced the cost per pediatric asthma patient from $735 to $181 through fewer emergency room visits, while also resulting in decreased frequency and duration of asthma attacks following an intervention. These cost savings not only help keep families out of potentially crippling debt, but they also help reduce emergency room overcrowding and decrease health care expenditures on preventable health conditions.

Unfortunately, many patients are unlikely to seek legal services on their own. Eighty-five percent of patients who sought legal assistance from one medical-legal partnership in California had not used legal resources before and more than 78 percent were not previously aware of legal services at all. By embedding legal services in health care settings, medical-legal partnerships raise awareness of legal services so that patients are more likely to address problems before they turn into crises.

In an article about medical-legal partnerships last year, the Los Angeles Times told the story of Maria Perez. Maria had a fever of 103, her body ached and she had trouble breathing. After being told in the emergency room that she had pneumonia, she went to a clinic in South Los Angeles for a follow-up appointment. The doctor asked Perez about her housing situation. Her apartment had cockroaches and mice, and rain fell through a broken window and filled the walls with mold. The doctor wrote prescriptions to treat the pneumonia and an asthma flare-up and then sent her down the hall to talk to a lawyer.

After the attorney contacted both the landlord and the Los Angeles Housing Department, Maria's living conditions improved, and so did her health. She told the Times: ''The medicine wasn't what cured me. It was [my lawyer] and what he did.''

Medical-legal partnerships also offer a critical lifeline to victims of domestic violence. In my home state of Iowa, a young woman named Brenda sought help to escape an abusive marriage. Her husband was a gang member and threatened to kill her or have members of his gang kill her. One night, while attempting to flee an attack, Brenda's husband pulled her back into the house and beat and choked her until she lost consciousness. When Brenda sought medical care the next day, her care providers referred her to Iowa Legal Aid's Health and Law Project for help.

Iowa Legal Aid helped Brenda obtain a protective order, which included custody of the couple's daughter. Iowa Legal Aid is currently helping Brenda with a divorce so that she and her daughter will have protection and long-term autonomy from her abuser; thereby reducing the need for ongoing health care.

The success of these programs is catching on. The first medical-legal partnership was created nearly two decades ago at Boston Medical Center. By 2009, there were 60 such partnerships across the country. Today there are 90 medical-legal partnerships working with more than 240 health services providers.

Medical-legal partnerships have attracted the attention of corporate America, too. In July, Walmart became the first corporation to take a lead role in a medical-legal partnership, and I commend them for recognizing the valuable role these programs can play in our communities.

After graduating from law school, I served as a Legal Services attorney in Iowa. I learned first-hand how crucial this assistance is to struggling families and individuals who have no place else to turn when they are taken advantage of or abused. I know the invaluable legal help provided to battered women trying to leave abusive relationships while fearing for their safety and the safety of their children. I know that, without access to the legal system, the poor are often powerless against the injustices they suffer.

I am particularly proud of the success of a medical-legal partnership in my home state of Iowa. The Iowa Legal Aid Health and Law Project harnesses the talents of Iowa physicians and attorneys to improve the lives of vulnerable Iowans. By partnering with 17 hospitals and health centers across my state, the Iowa Legal Aid Health and Law Project is able to extend services from Sioux City to Dubuque, and from Council Bluffs to Fort Dodge. In 2009, the program served 880 Iowans, and 94 percent of their cases had a positive outcome. The Iowa Legal Aid Health and Law Project does a remarkable job. They are just one example of the great work going on across the country.

You may be surprised to learn that when it comes to medical-legal partnerships, a little money can go a long way. Iowa's program was started with a federal investment of less than $300,000. The program prevents hospital admissions and emergency room visits that cost hospitals and patients many thousands of dollars in health care costs and insurance premiums. A modest investment in these community programs can help people achieve healthier, safer lives and prevent future hospitalizations and health care costs. That sounds like common sense to me. And that's why, today, I am proud to introduce the Medical-Legal Partnership for Health Act: to give health care providers and lawyers across the country the opportunity to start such programs.

The Act creates a federal demonstration program to help create, strengthen, and evaluate medical-legal partnerships. Overall, this legislation will support 60 partnership sites in community health centers, the Veterans Administration, hospitals, and other health care settings.

I was proud to have the support of former Senator Kit Bond of Missouri when I introduced this legislation during the previous Congress. I know there are many Americans who think that the two political parties in Washington can't agree on anything these days, but this is an issue that has attracted bipartisan support in the past and it is my strong hope that it will do so again. In the spirit of compromise and bipartisanship, I have taken contentious issues off the table: the bill excludes federal money from being used toward class action law suits, medical malpractice cases, representation of undocumented individuals, and abortion or abortion-counseling services.

Medical-legal partnerships also have broad support from prominent organizations representing physicians and attorneys. They've received the endorsement of the American Medical Association, the American Bar Association, the American Academy of Pediatrics, the American Hospital Association, and the Accreditation Council of Graduate Medical Education, to name just a few.

Through this community-based, common-sense investment, we will be able to help some of our most vulnerable citizens avoid illness and hospitalization, while reducing costs across the entire health care system.

I urge my colleagues to join me in supporting this investment in medical-legal partnerships.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1609

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Medical-Legal Partnership for Health Act''.

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Numerous studies and reports, including the annual National Healthcare Disparities Report and Unequal Treatment, the 2002 Institute of Medicine Report, document the extensiveness to which vulnerable populations suffer from health disparities across the country.

(2) These studies have found that, on average, racial and ethnic minorities and low-income populations are disproportionately afflicted with chronic and acute conditions such as asthma, cancer, diabetes, and hypertension and suffer worse health outcomes, worse health status, and higher mortality rates.

(3) Several recent studies also show that health and healthcare quality are a function of not only access to healthcare, but also the social determinants of health, including the environment, the physical structure of communities, socio-economic status, nutrition, educational attainment, employment, race, ethnicity, geography, and language preference, that directly and indirectly affect the health, healthcare, and wellness of individuals and communities.

(4) Formally integrating medical and legal professionals in the health setting can more effectively address the health needs of vulnerable populations and ultimately reduce health disparities.

(5) All over the United States, healthcare providers who take care of low-income individuals and families are partnering with legal professionals to assist them in providing better quality of healthcare.

(6) Medical-legal partnerships integrate lawyers in a health setting to help patients navigate the complex government, legal, and service systems in addressing social determinants of health, such as income supports for food insecure families and mold removal from the home of asthmatics.

(b) PURPOSES.—The purposes of this Act are to—

(1) support and advance opportunity for medical-legal partnerships to be more fully integrated in healthcare settings nationwide;

(2) to improve the quality of care for vulnerable populations by reducing health disparities among health disparities populations and addressing the social determinants of health; and

(3) identify and develop cost-effective strategies that will improve patient outcomes and realize savings for healthcare systems.

SEC. 3. MEDICAL-LEGAL PARTNERSHIPS.

(a) IN GENERAL.—The Secretary of Health and Human Services shall establish a nationwide demonstration project consisting of—

(1) awarding grants to, and entering into contracts with, medical-legal partnerships to assist patients and their families to navigate programs and activities; and

(2) evaluating the effectiveness of such partnerships.

(b) TECHNICAL ASSISTANCE.—The Secretary may, directly or through grants or contracts, provide technical assistance to grantees under subsection (a)(1) to support the establishment and sustainability of medical-legal partnerships. Not to exceed 5 percent of the amount appropriated to carry out this section in a fiscal year may be used for purposes of this subsection.

(c) FUNDING.—

(1) USE OF FUNDS.—Amounts received as a grant or pursuant to a contract under this section shall be used to assist patients and their families to navigate health-related programs and activities for purposes of achieving one or more of the following goals:

(A) Enhancing access to healthcare services.

(B) Improving health outcomes for low-income individuals, as defined in subsection (g).

(C) Reducing health disparities among health disparities populations.

(D) Enhancing wellness and prevention of chronic conditions and other health problems.

(E) Reducing cost of care to the healthcare system.

(F) Addressing the social determinants of health.

(G) Addressing situational contributing factors.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary, but not to exceed $10,000,000, for each of the fiscal years 2012 through 2016.

(3) MATCHING REQUIREMENT.—For each fiscal year, the Secretary may not award a

grant or contract under this section to a entity unless the entity agrees to make available non-Federal contributions (which may include in-kind contributions) toward the costs of a grant or contract awarded under this section in an amount that is not less than $1 for each $10 of Federal funds provided under the grant or contract.

(4) ALLOCATION.—Of the amounts appropriated pursuant to paragraph (2) for a fiscal year, the Secretary may obligate not more than 5 percent for the administrative expenses of the Secretary in carrying out this section.

(d) ELIGIBLE ENTITIES.—To be eligible to receive a grant or contract under this section, an entity shall—

(1) be an organization experienced in bridging the medical and legal professions on behalf of vulnerable populations nationally; and

(2) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including information demonstrating that the applicant has experience in bridging the medical and legal professions or a strategy or plan for cultivating and building medical-legal partnerships.

(e) PROHIBITIONS.—No funds under this section may be used—

(1) for any medical malpractice action or proceeding;

(2) to provide any support to an alien who is not—

(A) a qualified alien (as defined in section 431 of the Immigration and Nationality Act);

(B) a nonimmigrant under the Immigration and Nationality Act; or

(C) an alien who is paroled into the United States under section 212(d)(5) of such Act for less than one year;

(3) to provide legal assistance with respect to any proceeding or litigation which seeks to procure an abortion or to compel any individual or institution to perform an abortion, or assist in the performance of an abortion; or

(4) to initiate or participate in a class action lawsuit.

(f) REPORTS.—

(1) FINAL REPORT BY SECRETARY.—Not later than 6 months after the date of the completion of the demonstration program under this section, the Secretary shall conduct a study of the results of the program and submit to the Congress a report on such results that includes the following:

(A) An evaluation of the program outcomes, including—

(i) a description of the extent to which medical-legal partnerships funded through this section achieved the goals described in subsection (b);

(ii) quantitative and qualitative analysis of baseline and benchmark measures; and

(iii) aggregate information about the individuals served and program activities.

(B) Recommendations on whether the programs funded under this section could be used to improve patient outcomes in other public health areas.

(2) INTERIM REPORTS BY SECRETARY.—The Secretary may provide interim reports to the Congress on the demonstration program under this section at such intervals as the Secretary determines to be appropriate.

(3) REPORTS BY GRANTEES.—The Secretary may require each recipient of a grant under this section to submit interim and final reports on the programs carried out by such recipient with such grant.

(g) DEFINITIONS.—In this section:

(1) The term ''health disparities populations'' has the meaning given such term in section 485E(d) of the Public Health Service Act.

(2) The term ''low-income individuals'' refers to the population of individuals and families who earn up to 200 percent of the Federal poverty level.

(3) The term ''medical-legal partnership'' means an entity—

(A) that is a partnership between—

(i) a community health center, public hospital, children's hospital, or other provider of healthcare services to a significant number of low-income beneficiaries; and

(ii) one or more legal professionals; and

(B) whose primary mission is to assist patients and their families navigate health-related programs, activities, and services through the provision of relevant civil legal assistance on-site in the healthcare setting involved, in conjunction with regular training for healthcare staff and providers regarding the connections between legal interventions, social determinants, and health of low-income individuals.

(4) The term ''Secretary'' means the Secretary of Health and Human Services.

By Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. SCHUMER, Mr. BLUMENTHAL, Mr. CASEY, Mr. UDALL of New Mexico, and Mr. WYDEN):

S. 1612. A bill to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise to introduce the Targeting Transnational Drug Trafficking Act of 2011 with my colleagues and friends, Senator CHARLES GRASSLEY, Senator CHARLES SCHUMER, Senator RICHARD BLUMENTHAL, Senator TOM UDALL, Senator ROBERT CASEY and Senator RON WYDEN.

This bill will support the Obama Administration's recently released Strategy to Combat Transnational Organized Crime by providing the Department of Justice with crucial tools to help combat the international drug trade. As drug traffickers find new and innovative ways to avoid prosecution, we must keep up with them rather than allowing our laws to lag behind.

This legislation has three main components. First, it puts in place penalties for extraterritorial drug trafficking activity when individuals have reasonable cause to believe that illegal drugs will be trafficked into the United States. Current law says that drug traffickers must know that illegal drugs will be trafficked into the United States and this legislation would lower the knowledge threshold to reasonable cause to believe.

The Department of Justice has informed my office that with increasing frequency, it sees drug traffickers from Colombia, Ecuador and Peru who produce cocaine in their countries but leave transit of cocaine to the United States in the hands of Mexican drug trafficking organizations such as the Zetas. Under current law, our ability to prosecute source-nation traffickers from Colombia, Ecuador and Peru is limited since there is often no direct evidence of their knowledge that illegal drugs were intended for the United States.

Second, this bill ensures that current penalties apply to precursor chemical producers from other countries. This includes those producing pseudoephedrine used for methamphetamine who illegally ship precursor chemicals into the United States knowing that these chemicals will be used to make illegal drugs.

Third, this bill will expand conspiracy liability when controlled substances are destined to the United States from a foreign country. This means that members of any conspiracy to distribute controlled substances will be subject to U.S. jurisdiction when at least one member of the conspiracy intends or knows that illegal drugs will be unlawfully imported into the United States.

As Chairman of the Senate Caucus on International Narcotics Control and as a public servant who has focused on law enforcement issues for many years, I know that we cannot sit idly by as drug traffickers find new ways to circumvent our laws. We must provide the Department of Justice with all of the tools it needs to prosecute drug kingpins both here at home and abroad.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1612

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Targeting Transnational Drug Trafficking Act of 2011''.

SEC. 2. POSSESSION, MANUFACTURE OR DISTRIBUTION FOR PURPOSES OF UNLAWFUL IMPORTATIONS.

(a) POSSESSION, MANUFACTURE OR DISTRIBUTION FOR PURPOSES OF UNLAWFUL IMPORTATIONS.—Section 1009 of the Controlled Substances Import and Export Act (21 U.S.C. 959) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) in subsection (a), by striking ''It shall'' and all that follows and inserting the following: ''It shall be unlawful for any person to manufacture or distribute a controlled substance in schedule I or II or flunitrazepam intending, knowing, or having reasonable cause to believe that such substance will be unlawfully imported into the United States or into waters within a distance of 12 miles of the coast of the United States.

''(b) It shall be unlawful for any person to manufacture or distribute a listed chemical—

''(1) intending or knowing that the listed chemical will be used to manufacture a controlled substance; and

''(2) intending, knowing, or having reasonable cause to believe that the controlled substance will be unlawfully imported into the United States.''.

(b) ATTEMPT AND CONSPIRACY.—Section 1013 of the Controlled Substances Import and Export Act (21 U.S.C. 963) is amended by adding at the end the following: ''For a conspiracy to commit such an offense that requires the person to intend, know, or have reasonable cause to believe that a controlled substance will be unlawfully imported into

the United States, it is sufficient to prove a conspiracy to commit the offense that only 1 member of the conspiracy intended, knew, or had reasonable cause to believe that the controlled substance would be unlawfully imported into the United States.''.

By Mr. REED (for himself and Mrs. HUTCHISON):

S. 1613. A bill to improve and enhance research and programs on childhood cancer survivorship, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, I am pleased to be joined today by Senator HUTCHISON in the introduction of the Pediatric, Adolescent, and Young Adult Cancer Survivorship Research and Quality of Life Act of 2011.

The population of survivors of childhood cancer has grown exponentially over the years. In 1960, only 4 percent of children with cancer survived more than 5 years. Today, nearly 80 percent of children with cancer survive more than five years. While this is heartening news, as a result of their cancer and treatment, many of these children unfortunately have health complications, often life-threatening, for years to come. Indeed, after beating cancer, as many as ⅔ of these children suffer from late effects of their disease or treatment, including second cancers and heart and lung damage. There are also serious psychosocial impacts that these survivors face.

With so many facing the risk of these late effects, it is critical that resources are made available to help these survivors, especially those in underserved communities. Our legislation would enhance research on the late effects of childhood cancers and improve collaboration among providers so that doctors are better able to care for this population as they age. It would also establish a new pilot program to begin to explore models of care for childhood cancer survivors. Creating standard protocols and procedures will help providers, patients, and families know what to expect after beating cancer, including when to get certain check-ups and tests that guard against late effects.

This bill is part of a continuing effort to focus greater attention on childhood cancers. In 2008, I worked on a bipartisan basis to enact, the Caroline Pryce Walker Conquer Childhood Cancer Act. This law has increased support for research on childhood cancers and improved treatment for patients. But we must not stop there.

The legislation Senator HUTCHISON and I are introducing today to address the late effects of childhood cancer, will do more to help childhood cancer patients. I look forward to working with my colleagues to pass this legislation and help ensure that children who survive cancer live a long and healthy life.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1613

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Pediatric, Adolescent, and Young Adult Cancer Survivorship Research and Quality of Life Act of 2011''.

SEC. 2. FINDINGS.

Congress finds as follows:

(1) An estimated 12,400 children and adolescents under age 20 are diagnosed with cancer each year.

(2) In 1960, only 4 percent of children with cancer survived more than 5 years, but by 2011, cure rates have increased to 78 percent for children and adolescents under age 20.

(3) The population of survivors of childhood cancers has grown dramatically, to more than 300,000 individuals of all ages as of 2007.

(4) As many as ⅔ of childhood cancer survivors are likely to experience at least one late effect of treatment, with as many as ¼ experiencing a late effect that is serious or life-threatening. The most common late effects of childhood cancer are neurocognitive, psychological, cardiopulmonary, endocrine, and musculoskeletal effects and secondary malignancies.

(5) The late effects of cancer treatment may change as treatments evolve, which means that the monitoring and treatment of cancer survivors may need to be modified on a routine basis.

(6) The Institute of Medicine, in its reports on cancer survivorship entitled ''Childhood Cancer Survivorship: Improving Care and Quality of Life'', states that an organized system of care and a method of care for pediatric cancer survivors is needed.

SEC. 3. CANCER SURVIVORSHIP PROGRAMS.

(a) CANCER SURVIVORSHIP PROGRAMS.—Subpart 1 of part C of title IV of the Public Health Service Act (42 U.S.C. 285 et seq.) is amended by adding at the end the following:

''SEC. 417G. PILOT PROGRAMS TO EXPLORE MODEL SYSTEMS OF CARE FOR PEDIATRIC CANCER SURVIVORS.

''(a) IN GENERAL.—The Secretary may make grants to eligible entities to establish pilot programs to develop, study, or evaluate model systems for monitoring and caring for childhood cancer survivors.

''(b) ELIGIBLE ENTITIES.—In this section, the term 'eligible entity' means—

''(1) a medical school;

''(2) a children's hospital;

''(3) a cancer center; or

''(4) any other entity with significant experience and expertise in treating survivors of childhood cancers.

''(c) USE OF FUNDS.—The Secretary may make a grant under this section to an eligible entity only if the entity agrees—

''(1) to use the grant to establish a pilot program to develop, study, or evaluate one or more model systems for monitoring and caring for cancer survivors; and

''(2) in developing, studying, and evaluating such systems, to give special emphasis to—

''(A) the design of protocols for different models of follow-up care, monitoring, and other survivorship programs (including peer support and mentoring programs);

''(B) the development of various models for providing multidisciplinary care;

''(C) the dissemination of information and the provision of training to health care providers about how to provide linguistically and culturally competent follow-up care and monitoring to cancer survivors and their families;

''(D) the development of support programs to improve the quality of life of cancer survivors;

''(E) the design of systems for the effective transfer of treatment information and care summaries from cancer care providers to other health care providers (including risk factors and a plan for recommended follow-up care);

''(F) the dissemination of the information and programs described in subparagraphs (A) through (E) to other health care providers (including primary care physicians and internists) to cancer survivors and their families, where appropriate; and

''(G) the development of initiatives that promote the coordination and effective transition of care between cancer care providers, primary care physicians, and mental health professionals.

''(d) FUNDING.—For each of fiscal years 2013 through 2017, the Secretary may transfer out of funds otherwise appropriated to the Department of Health and Human Services for a fiscal year the amount necessary to carry out this section.

''SEC. 417G–1. WORKFORCE DEVELOPMENT COLLABORATIVE ON MEDICAL AND PSYCHOSOCIAL CARE FOR CHILDHOOD CANCER SURVIVORS.

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of the Pediatric, Adolescent, and Young Adult Cancer Survivorship Research and Quality of Life Act of 2011, the Secretary may convene a Workforce Development Collaborative on Medical and Psychosocial Care for Pediatric Cancer Survivors (referred to in this paragraph as the 'Collaborative'). The Collaborative shall be a cross-specialty, multidisciplinary group composed of educators, consumer and family advocates, and providers of psychosocial and biomedical health services.

''(b) GOALS AND REPORTS.—The Collaborative shall submit to the Secretary a report establishing a plan to meet the following objectives for medical and psychosocial care workforce development:

''(1) Identifying, refining, and broadly disseminating to healthcare educators information about workforce competencies, models, and preservices curricula relevant to providing medical and psychosocial services to individuals with pediatric cancers.

''(2) Adapting curricula for continuing education of the existing workforce using efficient workplace-based learning approaches.

''(3) Developing the skills of faculty and other trainers in teaching psychosocial health care using evidence-based teaching strategies.

''(4) Strengthening the emphasis on psychosocial healthcare in educational accreditation standards and professional licensing and certification exams by recommending revisions to the relevant oversight organizations.

''(5) Evaluating the effectiveness of patient navigators in pediatric cancer survivorship care.

''(6) Evaluating the effectiveness of peer support programs in the psychosocial care of pediatric cancer patients and survivors.

''(c) FUNDING.—For each of fiscal years 2013 through 2017, the Secretary may transfer out of funds otherwise appropriated to the Department of Health and Human Services for a fiscal year the amount necessary to carry out this section.''.

(b) TECHNICAL AMENDMENT.—

(1) IN GENERAL.—Section 3 of the Hematological Cancer Research Investment and Education Act of 2002 (Public Law 107–172; 116 Stat. 541) is amended by striking ''section 419C'' and inserting ''section 417C''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if included in section 3 of the Hematological Cancer Research Investment and Education Act of 2002 (Public Law 107–172; 116 Stat. 541).

SEC. 4. GRANTS TO IMPROVE CARE FOR PEDIATRIC CANCER SURVIVORS.

Section 417E of the Public Health Service Act (42 U.S.C. 285a–11) is amended—

(1) in the heading, by striking ''**RESEARCH AND AWARENESS**'' and inserting ''**RESEARCH, AWARENESS, AND SURVIVORSHIP**'';

(2) in subsection (a)—

(A) by redesignating paragraph (2) as paragraph (4); and

(B) by inserting after paragraph (1) the following:

''(2) RESEARCH ON CAUSES OF HEALTH DISPARITIES IN PEDIATRIC CANCER SURVIVORSHIP.—

''(A) GRANTS.—The Director of NIH, acting through the Director of the Institute, in coordination with ongoing research activities, may make grants to entities to conduct research relating to—

''(i) needs and outcomes of pediatric cancer survivors within minority or other medically underserved populations;

''(ii) health disparities in pediatric cancer survivorship outcomes within minority or other medically underserved populations;

''(iii) barriers that pediatric cancer survivors within minority or other medically underserved populations face in receiving follow-up care; and

''(iv) familial, socioeconomic, and other environmental factors and the impact of such factors on treatment outcomes and survivorship.

''(B) BALANCED APPROACH.—In making grants for research under subparagraph (A)(i) on pediatric cancer survivors within minority or other medically underserved populations, the Director of NIH shall ensure that such research addresses both the physical and the psychological needs of such survivors.

''(3) RESEARCH ON LATE EFFECTS AND FOLLOW-UP CARE FOR PEDIATRIC CANCER SURVIVORS.—The Director of NIH, in coordination with ongoing research activities, shall conduct or support research on follow-up care for pediatric cancer survivors, with special emphasis given to—

''(A) the development of indicators used for long-term patient tracking and analysis of the late effects of cancer treatment for pediatric cancer survivors;

''(B) the identification of risk factors associated with the late effects of cancer treatment;

''(C) the identification of predictors of neurocognitive and psychosocial outcomes;

''(D) initiatives to protect cancer survivors from the late effects of cancer treatment;

''(E) transitions in care for pediatric cancer survivors;

''(F) training of professionals to provide linguistically and culturally competent follow-up care to pediatric cancer survivors; and

''(G) different models of follow-up care.''; and

(3) in subsection (d), by striking ''2013'' and inserting ''2017''.

By Mr. MENENDEZ (for himself and Mr. ENZI):

S. 1616. A bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes; to the Committee on Finance.

Mr. MENENDEZ. Mr. President, I rise to introduce a critical bill for our economic recovery. As communities across the country continue to recover from the economic downturn and devastating falling property values, commercial real estate properties throughout the nation are confronting a severe equity crisis. Just as the crash in the residential real estate market triggered the most severe economic recession in generations, the looming crisis in the commercial real estate market, if left unchecked, could prove to be devastating for our fragile economic recovery.

Studies have shown that more than $1 trillion of commercial real estate loans will be maturing in just the next few years. In fact, by 2018 more than $2.4 trillion dollars of loans held by insurance companies, thrifts, banks, and in commercial mortgage-backed securities will mature. Just as we saw with home mortgages, if these borrowers can't secure other funding options when these payments come due, commercial properties across the country will go into foreclosure, leaving communities with even more vacant storefronts, less jobs, lower tax revenues, and a deeper economic hole to dig themselves out of.

Simply put, the commercial real estate industry has an equity problem too large for domestic investment alone to solve.

Unfortunately, certain tax rules—most of which were drafted 30 years ago, before the current crisis could be foreseen—impose significant penalties on foreign investments in domestic real estate that do not exist on other types of U.S. investments such as corporate stocks and bonds. As a result, overseas investors are discouraged from investing in U.S. real estate at a time when their capital is sorely needed.

These rules, created by the Foreign Investment in Real Property Tax Act, or FIRPTA as it is come to be known, freeze out foreign investment in our real estate markets by imposing an arbitrary withholding tax on the gains realized by overseas capital invested in domestic properties.

Not only is this different treatment questionable as a policy, it is damaging to the economy. At no point have these rules been more damaging to the economy than today. They continue to keep capital out of the U.S. at a time when commercial real estate in all of our communities desperately needs the equity investment.

If these rules are not reformed, it is a real possibility that hundreds of billions of dollars in debt would go into default, triggering massive foreclosures, significant decreases in property values and a severe constriction of capital available for U.S. consumers and businesses—absolutely the last thing this economy needs right now.

That is why today, Senator ENZI and I are introducing bipartisan, bicameral legislation that would implement efficient and meaningful reform of these tax rules to encourage more equity investment in U.S. real estate.

These reforms would help save communities all across America from the drag of a wave of commercial real estate foreclosures, help to restart the credit markets, and free up capital to create jobs and economic opportunities for families in every region of the country.

These provisions are modest but effective.

We are not tackling the bigger question of whether or not the existing FIRPTA rules are effective in a 21st century economy. This legislation simply creates targeted opportunities for investment in American real estate while preserving the underlying foreign ownership limits imposed by these tax rules.

We may not agree on a whole lot these days, but today we offer a bipartisan, bicameral solution to help the U.S. economy. I hope all of my colleagues can take the time to look at this bill, understand the positive effects it will have for every State, and we can get this done for the American people.

By Mr. REED (for himself, Mr. JOHANNS, Mrs. BOXER, Mr. MERKLEY, and Mr. FRANKEN):

S. 1617. A bill to establish the Council on Healthy Housing and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, I introduce with my colleague Senator JOHANNS, the Healthy Housing Council Act. I thank Senators BOXER, MERKLEY, and FRANKEN for joining us as original cosponsors of this bill.

Many factors impact health and wellness. Typically, doctors and other health professionals are able to counsel patients on the importance of exercise and healthy eating, for example, to prevent diseases and conditions. Too frequently, however, these providers overlook the possibility of housing-related health hazards that patients knowingly or unknowingly come into contact with, which can also cause a variety of preventable diseases and conditions like cancer, lead poisoning, and asthma.

While there are many programs in place to address these hazards, these programs are fragmented and spread across many agencies. Our legislation, the Healthy Housing Council Act, would establish an independent interagency Council on Healthy Housing in the executive branch in order to improve the coordination of existing but fragmented programs, bringing these various efforts out of their respective silos and reducing duplication to improve the efficiency and efficacy of these efforts.

Through periodic meetings, Federal, State, and local government representatives, along with industry and nonprofit representatives will meet to discuss ways to educate individuals and families on how to recognize housing-related health hazards and access the necessary services and preventive measures to combat these hazards. This collaboration is particularly critical as every member of the council

will bring a different perspective to the table on how to review, monitor, and evaluate existing housing, health, energy, and environmental programs and work together to collectively improve these programs for the future. Then, in order to ensure that members of the public are informed of and benefit from the council's activities, the council would hold biannual stakeholder meetings, maintain an updated website, and work to unify healthy housing data collection and maintenance.

It is our goal for this council to help reduce the more than 5.7 million households living in conditions with moderate or severe health hazards, 23 million additional homes with lead-based paint hazards, 14,000 unintentional injury and fire deaths every year that result from housing-related hazards, and 21,000 radon-associated lung cancer deaths every year. Indeed, the council will help us embark on a path to assure that affordable and decent homes are also healthy.

This council could also be critical in helping to curb overall health care expenditures. For example, the annual cost of environmentally attributable childhood diseases, including cancer, lead poisoning, and cancer was $76 billion in 2008 dollars, 3.5 percent of total health costs. Low-income and minority individuals and families who are disproportionately affected by housing-related health hazards are the same individuals and families who are typically enrolled in Medicaid or forgo insurance altogether, which costs Federal and States governments. Helping to improve housing conditions can help prevent an estimated 250,000 children under the age of 6 from having elevated blood levels each year, nearly 10,000 emergency department visits for carbon monoxide exposure, and 12.3 million asthma attacks. Keeping children out of the doctor's office and emergency rooms will save families and the government money.

As Congress continues to explore methods to reduce spending and reign in our deficit and improve the health of individuals, children, and families, promoting low-cost measures to eliminate subpar housing can make a dramatic and meaningful difference, and I urge my colleagues to join me and Senators JOHANNS, BOXER, MERKLEY, and FRANKEN in supporting this bipartisan bill and other healthy housing efforts.

Mr. President I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1617

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Healthy Housing Council Act of 2011''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) In the United States—

(A) 5,757,000 households live in homes with moderate or severe physical hazards;

(B) 23,000,000 homes have significant lead-based paint hazards;

(C) 6,000,000 homes have had signs of mice in the last 3 months; and

(D) 1 in 15 homes have dangerous levels of radon.

(2) Residents of housing that is poorly designed, constructed, or maintained are at risk for cancer, carbon monoxide poisoning, burns, falls, rodent bites, childhood lead poisoning, asthma, and other illnesses and injuries. Vulnerable subpopulations, such as children and the elderly, are at elevated risk for housing-related illnesses and injuries.

(3) Because substandard housing typically poses the greatest risks, the disparities in the distribution of housing-related health hazards are striking. One million two hundred thousand housing units with significant lead-based paint hazards house low-income families with children under 6 years of age.

(4) Housing-related illnesses, including asthma and lead poisoning, disproportionately affect children from lower-income families and from specific racial and ethnic groups. The prevalence of being diagnosed with asthma in a lifetime is 24 percent among Puerto Rican children, 10.1 percent for Mexican-American children, 12.4 percent for non-Hispanic White children, and 21.8 percent for non-Hispanic Black children. Black children are twice as likely to die from residential injuries as White children, and 3 percent of Black children and 2 percent of Mexican-American children have elevated blood lead levels, as compared to only 1.3 percent of White children.

(5) The annual costs for environmentally attributable childhood diseases in the United States, including lead poisoning, asthma, and cancer, total $76,000,000,000 in 2008 dollars. This amount is approximately 3.5 percent of total health care costs.

(6) Appropriate housing design, construction, and maintenance, timely correction of deficiencies, planning efforts, and low-cost preventive measures can reduce the incidence of serious injury or death, improve the ability of residents to survive in the event of a major catastrophe, and contribute to overall well-being and mental health. Lead hazard control in homes with lead-based paint hazards can reduce children's blood lead levels by as much as 34 percent. Properly installed and maintained smoke alarms reduce the risk of fire deaths by 50 percent.

(7) Providing healthy housing to families and individuals in the United States will help prevent an estimated 250,000 children from having elevated blood lead levels, 18,000 injury deaths, 12,000,000 nonfatal injuries, 3,000 deaths in house fires, 9,600 emergency department visits for carbon monoxide exposure, and 21,000 radon-associated lung cancer deaths that occur in United States housing each year, as well as 12,300,000 asthma attacks, and 14,000,000 missed school days.

(8) While there are many programs in place to address housing-related health hazards, these programs are fragmented and spread across many agencies, making it difficult for at-risk families and individuals to access assistance or to receive comprehensive information.

(9) Better coordination among Federal agencies is needed, as is better coordination at State and local levels, to ensure that families and individuals can access government programs and services in an effective and efficient manner.

SEC. 3. DEFINITIONS.

In this Act, the following definitions shall apply:

(1) COUNCIL.—The term ''Council'' means the Interagency Council on Healthy Housing established under section 4.

(2) HEALTHY HOUSING.—The term ''healthy housing'' means housing that is designed, constructed, rehabilitated, and maintained in a manner that supports the health of the occupants of such housing.

(3) HOUSING.—The term ''housing'' means any form of residence, including rental housing, homeownership, group home, or supportive housing arrangement.

(4) HOUSING-RELATED HEALTH HAZARD.—The term ''housing-related health hazard'' means any biological, physical, or chemical source of exposure or condition either in, or immediately adjacent to, housing, that can adversely affect human health.

(5) LOW-INCOME FAMILIES AND INDIVIDUALS.—The term ''low-income families and individuals'' means any household or individual with an income at or below 200 percent of the Federal poverty line.

(6) POVERTY LINE.—The term ''poverty line'' means the official poverty line defined by the Office of Management and Budget based on the most recent data available from the Bureau of the Census.

(7) PROGRAM.—The term ''program'' includes any Federal, State, or local program providing housing or financial assistance, health care, mortgages, bond and tax financing, homebuyer support courses, financial education, mortgage insurance or loan guarantees, housing counseling, supportive services, energy assistance, or other assistance related to healthy housing.

(8) SERVICE.—The term ''service'' includes public and environmental health services, housing services, energy efficiency services, human services, and any other services needed to ensure that families and individuals in the United States have access to healthy housing.

SEC. 4. INTERAGENCY COUNCIL ON HEALTHY HOUSING.

(a) ESTABLISHMENT.—There is established in the executive branch an independent council to be known as the Interagency Council on Healthy Housing.

(b) OBJECTIVES.—The objectives of the Council are as follows:

(1) To promote the supply of and demand for healthy housing in the United States through capacity building, technical assistance, education, and public policy.

(2) To promote coordination and collaboration among the Federal departments and agencies involved with housing, public health, energy efficiency, emergency preparedness and response, and the environment to improve services for families and individuals residing in inadequate or unsafe housing and to make recommendations about needed changes in programs and services with an emphasis on—

(A) maximizing the impact of existing programs and services by transitioning the focus of such programs and services from categorical approaches to comprehensive approaches that consider and address multiple housing-related health hazards;

(B) reducing or eliminating areas of overlap and duplication in the provision and accessibility of such programs and services;

(C) ensuring that resources, including assistance with capacity building, are targeted to and sufficient to meet the needs of high-risk communities, families, and individuals; and

(D) facilitating access by families and individuals to programs and services that help reduce health hazards in housing.

(3) To identify knowledge gaps, research needs, and policy and program deficiencies associated with inadequate housing conditions and housing-related illnesses and injuries.

(4) To help identify best practices for achieving and sustaining healthy housing.

(5) To help improve the quality of existing and newly constructed housing and related programs and services, including those programs and services which serve low-income families and individuals.

(6) To establish an ongoing system of coordination among and within such agencies or organizations so that the healthy housing needs of families and individuals are met in a more effective and efficient manner.

(c) MEMBERSHIP.—The Council shall be composed of the following members:

(1) The Secretary of Health and Human Services.

(2) The Secretary of Housing and Urban Development.

(3) The Administrator of the Environmental Protection Agency.

(4) The Secretary of Energy.

(5) The Secretary of Labor.

(6) The Secretary of Veterans Affairs.

(7) The Secretary of the Treasury.

(8) The Secretary of Agriculture.

(9) The Secretary of Education.

(10) The head of any other Federal agency as the Council considers appropriate.

(11) Six additional non-Federal employee members, as appointed by the President to serve terms not to exceed 2 years, of whom—

(A) 1 shall be a State or local Government Director of Health or the Environment;

(B) 1 shall be a State or local Government Director of Housing or Community Development;

(C) 2 shall represent nonprofit organizations involved in housing or health issues; and

(D) 2 shall represent for-profit entities involved in the housing, banking, or health insurance industries.

(d) CO-CHAIRPERSONS.—The co-Chairpersons of the Council shall be the Secretary of Housing and Urban Development and the Secretary of Health and Human Services.

(e) VICE CHAIR.—Every 2 years, the Council shall elect a Vice Chair from among its members.

(f) MEETINGS.—The Council shall meet at the call of either co-Chairperson or a majority of its members at any time, and no less often than annually.

SEC. 5. FUNCTIONS OF THE COUNCIL.

(a) RELEVANT ACTIVITIES.—In carrying out the objectives described in section 4(b), the Council shall—

(1) review Federal programs and services that provide housing, health, energy, or environmental services to families and individuals;

(2) monitor, evaluate, and recommend improvements in programs and services administered, funded, or financed by Federal, State, and local agencies to assist families and individuals in accessing healthy housing and make recommendations about how such agencies can better work to meet the healthy housing and related needs of low-income families and individuals; and

(3) recommend ways to—

(A) reduce duplication among programs and services by Federal agencies that assist families and individuals in meeting their healthy housing and related service needs;

(B) ensure collaboration among and within agencies in the provision and availability of programs and services so that families and individuals are able to easily access needed programs and services;

(C) work with States and local governments to better meet the needs of families and individuals for healthy housing by—

(i) holding meetings with State and local representatives; and

(ii) providing ongoing technical assistance and training to States and localities in better meeting the housing-related needs of such families and individuals;

(D) identify best practices for programs and services that assist families and individuals in accessing healthy housing, including model—

(i) programs linking housing, health, environmental, human, and energy services;

(ii) housing and remodeling financing products offered by government, quasi-government, and private sector entities;

(iii) housing and building codes and regulatory practices;

(iv) existing and new consensus specifications and work practices documents;

(v) capacity building and training programs that help increase and diversify the supply of practitioners who perform assessments of housing-related health hazards and interventions to address housing-related health hazards; and

(vi) programs that increase community awareness of, and education on, housing-related health hazards and available assessments and interventions;

(E) develop a comprehensive healthy housing research agenda that considers health, safety, environmental, and energy factors, to—

(i) identify cost-effective assessments and treatment protocols for housing-related health hazards in existing housing;

(ii) establish links between housing hazards and health outcomes;

(iii) track housing-related health problems including injuries, illnesses, and death;

(iv) track housing conditions that may be associated with health problems;

(v) identify cost-effective protocols for construction of new healthy housing; and

(vi) identify replicable and effective programs or strategies for addressing housing-related health hazards;

(4) hold biannual meetings with stakeholders and other interested parties in a location convenient for such stakeholders, or hold open Council meetings, to receive input and ideas about how to best meet the healthy housing needs of families and individuals;

(5) maintain an updated website of policies, meetings, best practices, programs and services, making use of existing websites as appropriate, to keep people informed of the activities of the Council; and

(6) work with member agencies to collect and maintain data on housing-related health hazards, illnesses, and injuries so that all data can be accessed in 1 place and to identify and address unmet data needs.

(b) REPORTS.—

(1) BY MEMBERS.—Each year the head of each agency who is a member of the Council shall prepare and transmit to the Council a report that briefly summarizes—

(A) each healthy housing-related program and service administered by the agency and the number of families and individuals served by each program or service, the resources available in each program or service, and a breakdown of where each program and service can be accessed;

(B) the barriers and impediments, including statutory or regulatory, to the access and use of such programs and services by families and individuals, with particular attention to the barriers and impediments experienced by low-income families and individuals;

(C) the efforts made by the agency to increase opportunities for families and individuals, including low-income families and individuals, to reside in healthy housing, including how the agency is working with other agencies to better coordinate programs and services; and

(D) any new data collected by the agency relating to the healthy housing needs of families and individuals.

(2) BY THE COUNCIL.—Each year, the Council shall prepare and transmit to the President and the Congress, a report that—

(A) summarizes the reports required in paragraph (1);

(B) utilizes recent data to assess the nature of housing-related health hazards, and associated illnesses and injuries, in the United States;

(C) provides a comprehensive and detailed description of the programs and services of the Federal Government in meeting the needs and problems described in subparagraph (B);

(D) describes the activities and accomplishments of the Council in working with Federal, State, and local governments, nonprofit organizations and for-profit entities in coordinating programs and services to meet the needs described in subparagraph (B) and the resources available to meet those needs;

(E) assesses the level of Federal assistance required to meet the needs described in subparagraph (B); and

(F) makes recommendations for appropriate legislative and administrative actions to meet the needs described in subparagraph (B) and for coordinating programs and services designed to meet those needs.

SEC. 6. POWERS OF THE COUNCIL.

(a) HEARINGS.—The Council may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Council considers advisable to carry out the purposes of this Act.

(b) INFORMATION FROM AGENCIES.—Agencies which are represented on the Council shall provide all requested information and data to the Council as requested.

(c) POSTAL SERVICES.—The Council may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) CONTRACTS AND INTERAGENCY AGREEMENTS.—The Council may enter into contracts with State, Tribal, and local governments, public agencies and private-sector entities, and into interagency agreements with Federal agencies. Such contracts and interagency agreements may be single-year or multi-year in duration.

SEC. 7. COUNCIL PERSONNEL MATTERS.

(a) STAFF.—

(1) EXECUTIVE DIRECTOR.—The Council shall appoint an Executive Director at its initial meeting. The Executive Director shall be compensated at a rate not to exceed the rate of basic pay payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(2) COMPENSATION.—With the approval of the Council, the Executive Director may appoint and fix the compensation of such additional personnel as the Executive Director considers necessary to carry out the duties of the Council, except that the rate of pay for any such additional personnel may not exceed the rate of basic pay payable for level V of the Executive Schedule under section 5316 of such title.

(b) TEMPORARY AND INTERMITTENT SERVICES.—In carrying out its objectives, the Executive Director with the approval of the Council, may procure temporary and intermittent services of consultants and experts under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of such title.

(c) DETAIL OF GOVERNMENT EMPLOYEES.—Upon request of the Council, any Federal Government employee may be detailed to the Council with reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(d) ADMINISTRATIVE SUPPORT.—The Secretary of Housing and Urban Development shall provide the Council with such administrative (including office space) and support services as are necessary to ensure that the Council can carry out its functions in an efficient and expeditious manner.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act, $750,000 for each of fiscal years 2012 through 2016.

(b) AVAILABILITY.—Amounts authorized to be appropriated by subsection (a) shall remain available for the 2 fiscal years following such appropriation.

By Mr. MENENDEZ (for himself, Mr. REED, Mr. BENNET. Mr. HARKIN, Mr. LAUTENBERG, Mr. FRANKEN, Mr. MERKLEY, Mr. SANDERS, Mr. BLUMENTHAL, Mr. WYDEN, Mr. DURBIN, Mr. CARDIN, Mr. AKAKA, Mr. WHITEHOUSE, Mr. COONS, Mrs. SHAHEEN, Ms. LANDRIEU, and Mr. LEAHY):

S. 1621. A bill to create livable communities through coordinated public investment and streamlined requirements, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. MENENDEZ. Mr. President, I rise to announce the introduction of the Livable Communities Act of 2011.

The Livable Communities Act presents an opportunity to save taxpayer dollars, reduce household expenditures, improve partnerships, and help local communities create places of lasting value, where businesses want to invest and families want to live.

It will strengthen rural, suburban, and urban communities by supporting local planning efforts to establish a vision for a desired future and chart a realistic course for getting there. The bill promotes local leadership by encouraging communities to partner strategically to develop solutions that are innovative and reflect their unique character, assets, and needs. It also directs public agencies to use taxpayer dollars more efficiently by coordinating investments in infrastructure, facilities, and services to meet multiple economic, environmental, and community objectives.

This bill is the next important step in transforming the Federal Government into a better partner in community efforts to achieve locally-defined goals, support families when they need it most, and keep the U.S. competitive in the global economy.

Dealing with change can be a real challenge—in our professional and personal lives, with our families, and in our communities. But change is an opportunity to move forward, if only we are open to recognizing it. We can accept and manage change or we can be steam-rolled by it.

I have heard horror stories from across the country about veterans hospitals being built in places that are not accessible by public transportation. I have heard of homebuyers who ''drive to qualify'' for mortgage financing only to rack up transportation costs that break their budgets when gas prices go up. Many of these families are paying 50 percent of their household income on housing and transportation costs alone. It may seem cheaper and easier in the short term to build on a corn field outside of town than it is to re-use land located close to existing transportation, power, and water infrastructure, but it often does not make sense in the long run.

This is why I welcomed the opportunity to work with Chairman Dodd on the Livable Communities Act in 2009 and why I am honored to be the leading sponsor of the updated legislation today. It is the most comprehensive piece of planning legislation that has been proposed in decades. If passed, it will have a transformative impact on the way the federal government supports locally-driven planning processes.

Unfortunately, when many on the other side of the aisle hear the word ''livable,'' they cringe. They think of top-down mandates from the Federal Government. What they fail to understand is that the beauty of what is ''livable'' is defined by the communities themselves to reflect the unique character, assets, and needs of that community.

The fact is the private sector wants to be located in communities that have dependable transportation systems to get their goods to market and their workers to their jobs. Businesses want to attract and retain workers and ensure that their enterprise will be viable in the long run. Private enterprise has spearheaded some of the most notable past and current planning efforts and the Federal Government should be a supportive, versatile partner in this work.

I invited bipartisan cooperation on the bill numerous times and although some offices quietly praise the good work going on in their communities, political pressure prevents them from doing so publicly. We remain optimistic that supporting community efforts to proactively plan for the future and save money by coordinating capital investment strategies are values we all support, regardless of the terminology we use to describe them.

The Livable Communities Act of 2011 is a streamlined approach that would keep the good work at the U.S. Department of Housing and Urban Development going. Its intent is to find better ways to coordinate interconnected but often silo-ed programs and policies that impact housing, transportation, and the environment and affect the way we live our daily lives.

The bill would formally authorize the existing HUD Office of Sustainable Housing and Communities, to work with the Department of Transportation and Environmental Protection Agency, to provide technical assistance and capacity support to communities working on integrated planning for housing, transportation, water and sewer infrastructure needs. These tools help communities develop projects that support job creation, leverage significant private sector investment, and bolster long-term economic resilience by creating places where businesses want to invest. Increased coordination at the regional and Federal level will cut red tape and save communities money as they plan for their future needs. The bill also directs the Office of Sustainable Housing and Communities to provide best practices and technical assistance to ensure that communities of all sizes learn from each other's success.

The Livable Communities Act of 2011 also directs HUD to coordinate with DOT and EPA to identify and eliminate Federal barriers to sustainable development. The Office of Sustainable Housing and Communities will coordinate Federal sustainable development policies and research agendas to facilitate Federal collaboration by streamlining and reconciling program requirements and policies. It will also administer grant programs to support local planning for long-term housing and infrastructure needs. This will enable communities to foster economic development in an efficient and inclusive way. Selection criteria and eligible activities would be flexible to allow all sizes and types of communities to plan for a more sustainable future, including job creation; revitalizing existing small town Main Streets; reducing traffic congestion and pollution; protecting farmland, working landscapes, and green space; addressing vacant, abandoned, and foreclosed properties; and building more affordable and healthy housing.

The bill would also spur private investment in transit-oriented development, TOD, by helping communities overcome initial financing hurdles that so often lock up private investment and prevent desired transit-oriented, mixed-use development. Locally directed TOD provides numerous economic benefits, including increased property values and business activity as well as congestion reduction. TOD also promotes economic competitiveness by efficiently connecting our work force to educational and employment opportunities. This creates avenues for business growth in communities across the country and keeps America competitive in the global economy.

I know how important planning is to our communities. My home State of New Jersey is the most densely populated in the country, so we know the value of good community planning. Over the years we have learned some important lessons about how vital it is to make sure that our development projects are functional, serviceable, and livable at the human scale, places where people feel safe, where they want to spend time, relax as well as work—places where they can live, shop, and be connected to their surroundings. If this economic crisis is teaching us anything, it is to live within our means,

think creatively about opportunities to leverage resources, and to invest now for future prosperity.

Good planning means saving $122 billion on water, sewer, and roads over the next 25 years. It means protecting housing values by putting housing near transit. As President Obama remarked over two years ago, our days of building mindless sprawl are over. We simply cannot afford it. Now is the time to reinvest in our communities and infrastructure. The HUD-DOT-EPA Partnership for Sustainable Communities is doing this in a very active way. There are many members of Congress who support this important work, but we need to convince more of them that we are right, and that—for the good of their communities—they should be on our side.

The fact is, we all have a role to play. The environment is substantially different today than it was ten years ago—twenty years ago when I was trying to get people on board with the idea reactivating an existing right of way to serve as the Hudson Bergen Light Rail when I was Mayor of Union City.

Today, communities are catching on. Innovation is happening. The Federal Government can be an important partner in helping communities achieve their goals. I can tell you that in Jersey City, ''livable'' means the transforming 111 acres of under-utilized industrial land into a mixed use, walkable community along the Hudson Bergen Light Rail. A quiet revolution is underway and communities like Jersey City are leading by example. It's time for the Federal Government to catch up.

It is our job—together—all of us—to provide the information, tools, and encouragement these communities need, that Federal, State, and local agencies and elected officials need—to achieve the aspirations that they set for themselves.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1621

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Livable Communities Act of 2011''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) When rural, suburban, and urban communities plan transportation, housing, and water infrastructure strategically it is estimated that these communities could save nearly $122,000,000,000 in infrastructure costs over the next 25 years.

(2) Key Federal programs are missing a vital opportunity to boost economic growth at the local and regional level through better coordination of housing, transportation, and related infrastructure investments.

(3) Federal regulations and policies should support community efforts to implement and sustain progress toward the achievement of locally-defined development goals, in terms of—

(A) geographic location and proximity to existing resources; and

(B) maintaining structural and indoor environmental quality and minimizing health hazards.

(4) Greater coordination of public investment will provide direct support for immediate job creation and lay the groundwork for long-term resilience and prosperity by leveraging significant private sector and philanthropic investment to make the most of Federal funding.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to strengthen rural, suburban, and urban economies by enabling communities to establish goals for the future and to chart a course for achieving such goals;

(2) to promote local leadership by encouraging communities to develop innovative solutions that reflect the unique economic assets and needs of the communities;

(3) to maximize returns on Federal funding of housing, transportation, and other infrastructure projects through the coordination of Federal grant programs, regulations, and requirements, by reducing the number of duplicative Federal programs and improving the efficiency and effectiveness of programs and policies of the Department of Housing and Urban Development, the Department of Transportation, the Environmental Protection Agency, and other Federal agencies, as appropriate; and

(4) to ensure that Federal funding supports locally defined long range development goals.

SEC. 4. DEFINITIONS.

In this Act, the following definitions shall apply:

(1) AFFORDABLE HOUSING.—The term ''affordable housing'' means housing, the cost of which does not exceed 30 percent of the income of a family.

(2) COMPREHENSIVE REGIONAL PLAN.—The term ''comprehensive regional plan'' means a plan that—

(A) uses a cooperative, locally controlled and inclusive public engagement process to identify needs and goals across a region and to integrate related planning processes;

(B) prioritizes projects for implementation, including healthy housing projects; and

(C) is tied to short-term capital improvement programs and annual budgets.

(3) DEPARTMENT.—The term ''Department'' means the Department of Housing and Urban Development.

(4) DIRECTOR.—The term ''Director'' means the Director of the Office of Sustainable Housing and Communities established under section 5.

(5) EXTREMELY LOW-INCOME FAMILY.—The term ''extremely low-income family'' means a family that has an income that does not exceed—

(A) 30 percent of the median income in the area where the family lives, as determined by the Secretary, with appropriate adjustments for the size of the family; or

(B) a percentage of the median income in the area where the family lives, as determined by the Secretary upon a finding by the Secretary that such percentage is necessary due to unusually high or low family incomes in the area where the family lives.

(6) HEALTHY HOUSING.—The term ''healthy housing'' means housing that is designed, constructed, rehabilitated, and maintained in a manner that supports the health of the occupants of the housing.

(7) HOUSING-RELATED HEALTH HAZARD.—The term ''housing-related health hazard'' means any biological, physical, or chemical source of exposure or condition in, or immediately adjacent to, housing that could adversely affect human health.

(8) INDIAN TRIBE.—The term ''Indian tribe'' has the same meaning as in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

(9) LIVABLE COMMUNITY.—The term ''livable community'' means a metropolitan, urban, suburban, or rural community that—

(A) provides safe, reliable, and accessible transportation choices;

(B) provides long-term affordable, accessible, energy-efficient, and location-efficient housing choices for people of all ages, incomes, races, and ethnicities;

(C) supports, revitalizes, and encourages the growth of existing communities and maximizes the cost-effectiveness of existing infrastructure;

(D) promotes economic development and economic competitiveness;

(E) preserves the environment and natural resources;

(F) protects agricultural land, rural land, and green spaces; and

(G) supports public health and improves the quality of life for residents of, and workers in, the community.

(10) LOCATION-EFFICIENT.—The term ''location-efficient'' characterizes mixed-use development or neighborhoods that integrate housing, commercial development, and facilities and amenities—

(A) to lower living expenses for working families;

(B) to enhance mobility;

(C) to encourage private investment in transit-oriented development; and

(D) to encourage private sector infill development and maximize the use of existing infrastructure.

(11) LOW-INCOME FAMILY.—The term ''low-income family'' has the meaning given that term in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

(12) METROPOLITAN PLANNING ORGANIZATION.—The term ''metropolitan planning organization'' means a metropolitan planning organization described in section 134(b) of title 23, United States Code or section 5303(b) of title 49, United States Code.

(13) OFFICE.—The term ''Office'' means the Office of Sustainable Housing and Communities established under section 5.

(14) REGIONAL COUNCIL.—The term ''regional council'' means a multiservice regional organization with State and locally defined boundaries that is—

(A) accountable to units of general local government;

(B) delivers a variety of Federal, State, and local programs; and

(C) performs planning functions and provides professional and technical assistance.

(15) RURAL PLANNING ORGANIZATION.—The term ''rural planning organization'' means a voluntary regional organization of local elected officials and representatives of local transportation systems that—

(A) works in cooperation with the department of transportation (or equivalent entity) of a State to plan transportation networks and advise officials of the State on transportation planning; and

(B) is located in a rural area—

(i) with a population of not less than 5,000; and

(ii) that is not located in an area represented by a metropolitan planning organization.

(16) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

(17) STATE.—The term ''State'' has the meaning given that term by the Secretary, by rule.

(18) TRANSIT-ORIENTED DEVELOPMENT.—The term ''transit-oriented development'' means high-density, walkable, location-efficient, mixed-use development, including commercial development, affordable housing, and market-rate housing, that is within walking distance of and accessible to 1 or more public transportation facilities.

(19) UNIT OF GENERAL LOCAL GOVERNMENT.—The term ''unit of general local government'' means—

(A) a city, county, town, township, parish, village, or other general purpose political subdivision of a State; or

(B) a combination of general purpose political subdivisions, as determined by the Secretary.

(20) UNIT OF SPECIAL PURPOSE LOCAL GOVERNMENT.—The term ''unit of special purpose local government''—

(A) means a division of a unit of general purpose government that serves a special purpose and does not provide a broad array of services; and

(B) includes an entity such as a school district, a housing agency, a transit agency, and a parks and recreation district.

(21) VERY LOW-INCOME FAMILY.—The term ''very low-income family'' has the same meaning as in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

SEC. 5. OFFICE OF SUSTAINABLE HOUSING AND COMMUNITIES.

(a) OFFICE ESTABLISHED.—There is established in the Department an Office of Sustainable Housing and Communities, which shall—

(1) coordinate Federal policies that—

(A) encourage locally directed comprehensive and integrated planning and development at the State, regional, and local levels;

(B) encourage coordinated public investments through the development of comprehensive regional plans;

(C) provide long-term affordable, accessible, energy-efficient, healthy, location-efficient housing choices for people of all ages, incomes, races, and ethnicities, particularly for low-, very low-, and extremely low-income families; and

(D) achieve other goals consistent with the purposes of this Act;

(2) review Federal programs and policies to determine barriers to interagency collaboration and make recommendations to promote the ability of local communities to access resources in the Department and throughout the Federal Government and coordinate with and conduct outreach to Federal agencies, including the Department of Transportation and the Environmental Protection Agency, on methods to reduce duplicative programs and improve the efficiency and effectiveness of programs within the Department of Transportation, the Environmental Protection Agency, and the Department of Housing and Urban Development;

(3) conduct research and advise the Secretary on the research agenda of the Department relating to coordinated development, in collaboration with the Office of Policy Development and Research of the Department;

(4) implement and oversee the grant programs established under this Act by—

(A) developing the process and format for grant applications for each grant program;

(B) promulgating regulations or guidance relating to each grant program;

(C) selecting recipients of grants under each grant program;

(D) creating performance measures for recipients of grants under each grant program;

(E) developing technical assistance and other guidance to assist recipients of grants and potential applicants for grants under each grant program;

(F) monitoring and evaluating the performance of recipients of grants under each grant program; and

(G) carrying out such other activities relating to the administration of the grant programs under this Act as the Secretary determines are necessary;

(5) provide guidance, information on best practices, and technical assistance to communities seeking to adopt sustainable development policies and practices;

(6) administer initiatives of the Department relating to the policies described in paragraph (1), as determined by the Secretary; and

(7) work with the Federal Transit Administration of the Department of Transportation and other offices and administrations of the Department of Transportation, as appropriate—

(A) to encourage transit-oriented development; and

(B) to coordinate Federal housing, community development, and transportation policies, including the policies described in paragraph (1).

(b) DIRECTOR.—The head of the Office shall be the Director of the Office of Sustainable Housing and Communities.

(c) DUTIES RELATING TO GRANT PROGRAMS.—

(1) IN GENERAL.—The Director shall carry out the grant programs established under this Act.

(2) SMALL AND RURAL COMMUNITIES GRANTS PROGRAM.—The Director shall coordinate with the Secretary of Agriculture to make grants to small and rural communities under sections 7 and 8.

(3) TECHNICAL ASSISTANCE FOR GRANT RECIPIENTS AND APPLICANTS.—The Director may—

(A) coordinate with other Federal agencies to establish interagency and multidisciplinary teams to provide technical assistance to recipients of, and prospective applicants for, grants under this Act;

(B) by Federal interagency agreement, transfer funds to another Federal agency to facilitate and support technical assistance; and

(C) make contracts with third parties to provide technical assistance to grant recipients and prospective applicants for grants.

SEC. 6. COMPREHENSIVE PLANNING GRANT PROGRAM.

(a) DEFINITIONS.—In this section—

(1) the term ''consortium of units of general local governments'' means a consortium of geographically contiguous units of general local government that the Secretary determines—

(A) represents all or part of a metropolitan statistical area, a micropolitan statistical area, or a noncore area;

(B) has the authority under State, tribal, or local law to carry out planning activities, including surveys, land use studies, environmental or public health analyses, and development of urban revitalization plans; and

(C) has provided documentation to the Secretary sufficient to demonstrate that the purpose of the consortium is to carry out a project using a grant awarded under this Act;

(2) the term ''eligible entity'' means—

(A) a partnership between a consortium of units of general local government and an eligible partner; or

(B) an Indian tribe, if—

(i) the Indian tribe has—

(I) a tribal entity that performs housing and land use planning functions; and

(II) a tribal entity that performs transportation and transportation planning functions; and

(ii) the Secretary determines that the isolated location and land expanse of the Indian tribe require the Secretary to treat the tribe as an eligible entity for purposes of carrying out activities using a grant under this section;

(3) the term ''eligible partner'' means—

(A) a metropolitan planning organization, a rural planning organization, or a regional council; or

(B) a metropolitan planning organization, a rural planning organization, or a regional council, and—

(i) a State;

(ii) an Indian tribe;

(iii) a State and an Indian tribe; or

(iv) an institution of higher education;

(4) the term ''grant program'' means the comprehensive planning grant program established under subsection (b); and

(5) the term ''noncore area'' means a county or group of counties that are not designated by the Office of Management and Budget as a micropolitan statistical area or metropolitan statistical area.

(b) COMPREHENSIVE PLANNING GRANT PROGRAM ESTABLISHED.—The Director shall establish a comprehensive planning grant program to make grants to eligible entities to carry out a project—

(1) to coordinate locally defined planning processes, across jurisdictions and agencies;

(2) to identify regional partnerships for developing and implementing a comprehensive regional plan;

(3) to conduct or update assessments to determine regional needs and promote economic and community development;

(4) to develop or update—

(A) a comprehensive regional plan; or

(B) goals and strategies to implement an existing comprehensive regional plan and other related activities; and

(5) to identify local zoning and other code changes necessary to implement a comprehensive regional plan and promote sustainable development.

(c) GRANTS.—

(1) DIVERSITY OF GRANTEES.—The Director shall ensure geographic diversity among and adequate representation from each of the following categories:

(A) SMALL AND RURAL COMMUNITIES.—Eligible entities that represent all or part of a noncore area, a micropolitan area, or a small metropolitan statistical area with a population of not more than 200,000.

(B) MID-SIZED METROPOLITAN COMMUNITIES.—Eligible entities that represent all or part of a metropolitan statistical area with a population of more than 200,000 and not more than 500,000.

(C) LARGE METROPOLITAN COMMUNITIES.—Eligible entities that represent all or part of a metropolitan statistical area with a population of more than 500,000.

(2) AWARD OF FUNDS TO SMALL AND RURAL COMMUNITIES.—

(A) IN GENERAL.—The Director shall—

(i) award not less than 15 percent of the funds under the grant program to eligible entities described in paragraph (1)(A); and

(ii) ensure diversity among the geographic regions and the size of the population of the communities served by recipients of grants that are eligible entities described in paragraph (1)(A).

(B) INSUFFICIENT APPLICATIONS.—If the Director determines that insufficient approvable applications have been submitted by eligible entities described in paragraph (1)(A), the Director may award less than 15 percent of the funds under the grant program to eligible entities described in paragraph (1)(A).

(3) FEDERAL SHARE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Federal share of the cost of a project carried out using a grant under the grant program may not exceed 80 percent.

(B) EXCEPTIONS.—

(i) SMALL AND RURAL COMMUNITIES.—In the case of an eligible entity described in paragraph (1)(A), the Federal share of the cost of a project carried out using a grant under the grant program may be 90 percent.

(ii) INDIAN TRIBES.—In the case of an eligible entity that is an Indian tribe, the Federal share of the cost of a project carried out using a grant under the grant program may be 100 percent.

(C) NON-FEDERAL SHARE.—

(i) IN-KIND CONTRIBUTIONS.—For the purposes of this section, in-kind contributions may be used for all or part of the non-Federal share of the cost of a project carried out using a grant under the grant program.

(ii) OTHER FEDERAL FUNDING.—Federal funding from sources other than the grant program may not be used for the non-Federal share of the cost of a project carried out using a grant under the grant program.

(4) AVAILABILITY OF FUNDS.—

(A) IN GENERAL.—An eligible entity that receives a grant under the grant program shall—

(i) obligate any funds received under the grant program not later than 2 years after the date on which the grant agreement under subsection (g) is made; and

(ii) expend any funds received under the grant program not later than 4 years after the date on which the grant agreement under subsection (g) is made.

(B) UNOBLIGATED AMOUNTS.—After the date described in subparagraph (A)(i), the Secretary may award to another eligible entity, to carry out activities under this section, any amounts that an eligible entity has not obligated under subparagraph (A)(i).

(d) APPLICATION.—

(1) IN GENERAL.—An eligible entity that desires a grant under this section shall submit to the Director an application, at such time and in such manner as the Director shall prescribe, that contains—

(A) a description of the project proposed to be carried out by the eligible entity;

(B) a budget for the project that includes the anticipated Federal share of the cost of the project and a description of the source of the non-Federal share;

(C) the designation of a lead agency or organization, which may be the eligible entity, to receive and manage any funds received by the eligible entity under the grant program;

(D) a signed copy of a memorandum of understanding among local jurisdictions, including, as appropriate, a State, a tribe, units of general purpose local government, units of special purpose local government, metropolitan planning organizations, rural planning organizations, and regional councils that demonstrates—

(i) the creation of an eligible entity;

(ii) a description of the nature and extent of planned collaboration between the eligible entity and any partners of the eligible entity;

(iii) a commitment to develop a comprehensive regional plan; and

(iv) a commitment to implement the plan after the plan is developed;

(E) a certification that the eligible entity has—

(i) secured the participation, or made a good-faith effort to secure the participation, of transportation providers and public housing agencies within the area affected by the comprehensive regional plan and the entities described in clause (ii); and

(ii) created, or will create not later than 1 year after the date of the grant award, a regional advisory board to provide input and feedback on the development of the comprehensive regional plan that includes representatives of a State, the metropolitan planning organization, the rural planning organization, the regional council, local jurisdictions, non-profit organizations, and others, as deemed appropriate by the eligible entity, given the local context of the comprehensive planning effort; and

(F) a certification that the eligible entity has solicited public comment on the contents of the project description under subparagraph (A) that includes—

(i) a description of the process for receiving public comment relating to the proposal; and

(ii) such other information as the Director may require;

(G) a description of how the eligible entity will carry out the activities under subsection (f); and

(H) such additional information as the Director may require.

(2) INDIAN TRIBES.—An eligible entity that is an Indian tribe is not required to submit the certification under paragraph (1)(E).

(e) SELECTION.—In evaluating an application for a grant under the grant program, the Director shall consider the extent to which the application—

(1) demonstrates the technical capacity of the eligible entity to carry out the project;

(2) demonstrates the extent to which the consortium has developed partnerships throughout an entire region, including, as appropriate, partnerships with the entities described in subsection (d)(1)(D);

(3) demonstrates integration with local efforts in economic development and job creation;

(4) demonstrates a strategy for implementing a comprehensive regional plan through regional infrastructure investment plans and local land use plans;

(5) promotes diversity among the geographic regions and the size of the population of the communities served by recipients of grants under this section;

(6) demonstrates a commitment to seeking substantial public input during the planning process and public participation in the development of the comprehensive regional plan;

(7) demonstrates that a Federal grant is necessary to accomplish the project proposed to be carried out;

(8) minimizes the Federal share necessary to carry out the project and leverages State, local, or private resources;

(9) has a high quality overall; and

(10) demonstrates such other qualities as the Director may determine.

(f) ELIGIBLE ACTIVITIES.—An eligible entity that receives a grant under this section shall carry out a project that includes 1 or more of the following activities:

(1) Coordinating locally defined planning processes across jurisdictions and agencies.

(2) Identifying potential regional partnerships for developing and implementing a comprehensive regional plan.

(3) Conducting or updating assessments to determine regional needs, including healthy housing, and promote economic and community development.

(4) Developing or updating—

(A) a comprehensive regional plan; or

(B) goals and strategies to implement an existing comprehensive regional plan.

(5) Implementing local zoning and other code changes necessary to implement a comprehensive regional plan and promote sustainable development.

(g) GRANT AGREEMENT.—Each eligible entity that receives a grant under this section shall agree to establish, in coordination with the Director, performance measures, reporting requirements, and any other requirements that the Director determines are necessary, that must be met at the end of each year in which the eligible entity receives funds under the grant program.

(h) PUBLIC OUTREACH.—

(1) OUTREACH REQUIRED.—Each eligible entity that receives a grant under the grant program shall perform substantial outreach activities—

(A) to engage a broad cross-section of community stakeholders in the process of developing a comprehensive regional plan, including low-income families, minorities, older adults, and economically disadvantaged community members; and

(B) to create an effective means for stakeholders to participate in the development and implementation of a comprehensive regional plan.

(2) FINALIZATION OF COMPREHENSIVE REGIONAL PLAN.—

(A) IN GENERAL.—An eligible entity that receives a grant under the grant program may not finalize a comprehensive regional plan before the eligible entity holds a public hearing to obtain the views of citizens, public agencies, and other interested parties.

(B) AVAILABILITY OF INFORMATION.—Not later than 30 days before a hearing described in subparagraph (A), an eligible entity shall make the proposed comprehensive regional plan and all information relevant to the hearing available to the public for inspection during normal business hours.

(C) NOTICE.—Not later than 30 days before a hearing described in subparagraph (A), an eligible entity shall publish notice—

(i) of the hearing; and

(ii) that the information described in subparagraph (B) is available.

(i) VIOLATION OF GRANT AGREEMENT OR FAILURE TO COMPLY WITH PUBLIC OUTREACH REQUIREMENTS.—If the Director determines that an eligible entity has not met the performance measures established under subsection (g), is not making reasonable progress toward meeting such measures, is otherwise in violation of the grant agreement, or has not complied with the public outreach requirements under subsection (h), the Director may—

(1) withhold financial assistance until the requirements under the grant agreement or under subsection (h), as applicable, are met; or

(2) terminate the grant agreement.

(j) REPORT ON THE COMPREHENSIVE PLANNING GRANT.—

(1) IN GENERAL.—Not later than 90 days after the date on which the grant agreement under subsection (g) expires, an eligible entity that receives a grant under the grant program shall submit a final report on the project to the Secretary.

(2) CONTENTS OF REPORT.—The report shall include—

(A) a detailed explanation of the activities undertaken using the grant, including an explanation of the completed project and how it achieves specific transit-oriented, transportation, housing, or sustainable community goals within the region;

(B) a discussion of any obstacles encountered in the planning process and how the eligible entity overcame the obstacles;

(C) an evaluation of the success of the project using the performance standards and measures established under subsection (g), including an evaluation of the planning process and how the project contributes to carrying out the comprehensive regional plan; and

(D) any other information the Director may require.

(3) INTERIM REPORT.—The Director may require an eligible entity to submit an interim report, before the date on which the project for which the grant is awarded is completed.

(k) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION.—There are authorized to be appropriated to the Secretary for the award of grants under this section, to remain available until expended—

(A) $100,000,000 for fiscal year 2012; and

(B) $125,000,000 for each of fiscal years 2013 through 2016.

(2) TECHNICAL ASSISTANCE.—The Director may use not more than 2 percent of the amounts made available under this subsection for a fiscal year for technical assistance under section 5(c)(3).

SEC. 7. COMMUNITY CHALLENGE GRANT PROGRAM.

(a) DEFINITIONS.—In this section—

(1) the terms ''consortium of units of general local governments'', ''eligible entity'', and ''eligible partner'' have the same meaning as in section 6; and

(2) the term ''grant program'' means the community challenge grant program established under subsection (b).

(b) COMMUNITY CHALLENGE GRANT PROGRAM ESTABLISHED.—The Director shall establish a community challenge grant program to make grants to eligible entities to—

(1) promote integrated planning and investments across policy and governmental jurisdictions; and

(2) implement projects identified in a comprehensive regional plan.

(c) GRANTS.—

(1) DIVERSITY OF GRANTEES.—The Director shall ensure geographic diversity among and adequate representation from eligible entities in each of the categories described in section 6(c)(1).

(2) TERMS AND CONDITIONS.—Except as otherwise provided in this section, a grant under the grant program shall be made on the same terms and conditions as a grant under section 6.

(3) EXPENDING FUNDS.—An eligible entity that receives a grant under the grant program shall expend any funds received under the grant program not later than 5 years after the date on which the grant agreement under subsection (g) is made.

(d) APPLICATION.—

(1) CONTENTS.—An eligible entity that desires a grant under the grant program shall submit to the Director an application, at such time and in such manner as the Director shall prescribe, that contains—

(A) a copy of the comprehensive regional plan, whether developed as part of the comprehensive planning grant program under section 6 or developed independently;

(B) a description of the project or projects proposed to be carried out using a grant under the grant program;

(C) a description of any preliminary actions that have been or must be taken at the local or regional level to implement the project or projects under subparagraph (B), including the revision of land use or zoning policies;

(D) a signed copy of a memorandum of understanding among local jurisdictions, including, as appropriate, a State, units of general purpose local government, units of special purpose local government, metropolitan planning organizations, rural planning organizations, and regional councils that demonstrates—

(i) the creation of a consortium of units of general local government; and

(ii) a commitment to implement the activities described in the comprehensive regional plan; and

(E) a certification that the eligible entity has solicited public comment on the contents of the project or projects described in subparagraph (B) that includes—

(i) a certification that the eligible entity made information about the project or projects available and afforded citizens, public agencies, and other interested parties a reasonable opportunity to examine the content of the project or projects and to submit comments;

(ii) a description of the process for receiving public comment, and a description of the outreach efforts to affected populations and stakeholders;

(iii) a certification that the eligible entity—

(I) held a public hearing to obtain the views of citizens, public agencies, and other interested parties;

(II) made the proposed project and all information relevant to the hearing available for inspection by the public during normal business hours not less than 30 days before the hearing under subclause (I); and

(III) published a notice informing the public of the hearing under subclause (I) and the availability of the information described in subclause (II); and

(F) a budget for the project that includes the Federal share of the cost of the project or projects requested and a description of the source of the non-Federal share; and

(G) such additional information as the Director may require.

(2) INDIAN TRIBES.—An eligible entity that is an Indian tribe is not required to submit a memorandum of understanding under paragraph (1)(D).

(e) SELECTION.—In evaluating an application for a grant under the grant program, the Director shall consider the extent to which the application—

(1) demonstrates the technical capacity of the eligible entity to carry out the project;

(2) demonstrates the extent to which the eligible entity has developed partnerships throughout an entire region, including partnerships with units of special purpose local government and transportation providers;

(3) demonstrates clear and meaningful interjurisdictional cooperation and coordination of housing (including healthy housing), transportation, and environmental policies and plans;

(4) demonstrates a commitment to implementing a comprehensive regional plan and documents action taken or planned to implement the plan;

(5) minimizes the Federal share necessary to carry out the project and leverages a significant amount of State, local, or private resources;

(6) identifies original and innovative ideas to overcoming regional problems, including local land use and zoning (or other code) obstacles to carrying out the comprehensive regional plan;

(7) promotes diversity among the geographic regions and the size of the population of the communities served by recipients of grants under the grant program;

(8) demonstrates a commitment to substantial public input throughout the implementation process;

(9) demonstrates that a Federal grant is necessary to accomplish the project or projects proposed to be carried out;

(10) has a high quality overall; and

(11) demonstrates such other qualities as the Director may determine.

(f) GRANT ACTIVITIES.—

(1) PLANNING ACTIVITIES.—An eligible entity that receives a grant under the grant program may use not more than 10 percent of the grant for planning activities. Activities related to the updating, reform, or development of a local code, plan, or ordinance to implement projects contained in a comprehensive regional plan shall not be considered planning activities for the purposes of a grant under the grant program.

(2) PROJECTS AND INVESTMENTS.—An eligible entity that receives a grant under the grant program shall carry out 1 or more projects that are designed to achieve the goals identified in a comprehensive regional plan.

(g) GRANT AGREEMENT.—Each eligible entity that receives a grant under the grant program shall agree to establish, in coordination with the Director, performance measures, reporting requirements, and any other requirements that the Director determines are necessary, that must be met at the end of each year in which the eligible entity receives funds under the grant program.

(h) VIOLATION OF GRANT AGREEMENT.—If the Director determines that an eligible entity has not met the performance measures established under subsection (g), is not making reasonable progress toward meeting such measures, or is otherwise in violation of the grant agreement, the Director may—

(1) withhold financial assistance until the requirements under the grant agreement are met; or

(2) terminate the grant agreement.

(i) REPORT ON THE COMMUNITY CHALLENGE GRANT.—

(1) IN GENERAL.—Not later than 90 days after the date on which the grant agreement under subsection (g) expires, an eligible entity that receives a grant under the grant program shall submit a final report on the project to the Secretary.

(2) CONTENTS OF REPORT.—The report shall include—

(A) a detailed explanation of the activities undertaken using the grant, including an explanation of the completed project and how it achieves specific transit-oriented, transportation, housing, or sustainable community goals within the region;

(B) a discussion of any obstacles encountered in the planning and implementation process and how the eligible entity overcame the obstacles;

(C) an evaluation of the success of the project using the performance standards and measures established under subsection (g), including an evaluation of the planning and implementation process and how the project contributes to carrying out the comprehensive regional plan; and

(D) any other information the Director may require.

(3) INTERIM REPORT.—The Director may require an eligible entity to submit an interim report, before the date on which the project for which the grant is awarded is completed.

(j) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION.—There are authorized to be appropriated to the Secretary for the award of grants under this section, to remain available until expended—

(A) $30,000,000 for each of fiscal years 2012 and 2013;

(B) $35,000,000 for fiscal year 2014;

(C) $40,000,000 for fiscal year 2015; and

(D) $45,000,000 for fiscal year 2016.

SEC. 8. CREDIT FACILITY TO SUPPORT TRANSIT-ORIENTED DEVELOPMENT.

(a) DEFINITIONS.—In this section—

(1) ELIGIBLE APPLICANT.—The term ''eligible applicant'' means a State or local government.

(2) ELIGIBLE AREA.—The term ''eligible area'' means the area within ½ mile of an existing or planned major transit facility.

(3) ELIGIBLE BORROWER.—The term ''eligible borrower'' means—

(A) a governmental entity, authority, agency, or instrumentality;

(B) a corporation, partnership, joint venture, or trust on behalf of which an eligible applicant has submitted an application under subsection (c); or

(C) any other legal entity undertaking an infrastructure development project on behalf of which an eligible applicant has submitted an application under subsection (c).

(4) MAJOR TRANSIT FACILITY.—The term ''major transit facility'' means—

(A) a fixed-guideway transit station;

(B) a high speed rail or intercity rail station;

(C) a transit hub connecting more than 3 local transit lines; or

(D) a transit center located in an area other than an urbanized area.

(5) PLANNED MAJOR TRANSIT FACILITY.—The term ''planned major transit facility'' means a major transit facility for which appropriate environmental reviews have been completed and for which funding for construction can be reasonably anticipated.

(6) PROJECT.—The term ''project'' means an infrastructure project that is used to support a transit-oriented development in an eligible area, including—

(A) property enhancement, including conducting environmental remediation, park development, and open space acquisition;

(B) improvement of mobility and parking, including rehabilitating, or providing for additional, streets, transit stations, structured parking, walkways, and bikeways;

(C) utility development, including rehabilitating existing, or providing for new drinking water, wastewater, electric, and gas utilities; or

(D) community facilities, including child care centers.

(b) LOAN PROGRAM ESTABLISHED.—The Secretary may make or guarantee loans under this section to eligible borrowers for projects.

(c) APPLICATION.—

(1) IN GENERAL.—An eligible applicant may submit to the Secretary an application for a loan or loan guarantee under this section—

(A) to fund a project carried out by the eligible applicant; or

(B) on behalf of an eligible borrower, to fund a project carried out by the eligible borrower.

(d) SELECTION CRITERIA.—

(1) IN GENERAL.—The Secretary may make a loan or loan guarantee under this section for a project that—

(A) is part of a community-wide development plan, as defined by the Secretary;

(B) promotes sustainable development; and

(C) ensures that not less than 15 percent of any housing units constructed or substantially rehabilitated as part of transit-oriented development supported by the project are affordable over the long-term to, and occupied at time of initial occupancy by—

(i) renters with incomes at or below 60 percent of the area median; or

(ii) homeowners with incomes at or below 100 percent of the area median.

(2) CONSIDERATIONS.—The Secretary shall select the recipients of loans and loan guarantees under this section based on the extent to which—

(A) the transit-oriented development supported by the project will encourage increased use of transit;

(B) the transit-oriented development supported by the project will create or preserve long-term affordable housing units in addition to the housing units required to be made available under paragraph (1)(C) or will provide deeper affordability than required under paragraph (1)(C);

(C) the project will facilitate and encourage additional development or redevelopment in the overall transit station area;

(D) the local government has adopted policies that—

(i) promote long-term affordable housing; and

(ii) allow high-density, mixed-use development near transit stations;

(E) the transit-oriented development supported by the project is part of a comprehensive regional plan;

(F) the eligible borrower has established a reliable, dedicated revenue source to repay the loan;

(G) the project is not financially viable for the eligible borrower without a loan or loan guarantee under this section; and

(H) a loan or loan guarantee under this section would be used in conjunction with non-Federal loans to fund the project.

(e) ELIGIBLE SOURCES OF REPAYMENT.—A loan made or guaranteed under this section shall be repayable, in whole or in part, from dedicated revenue sources, which may include—

(1) user fees;

(2) property tax revenues;

(3) sales tax revenues;

(4) other revenue sources dedicated to the project by property owners and businesses; and

(5) a bond or other indebtedness backed by one of the revenue sources listed in this paragraph.

(f) INTEREST RATE.—The Secretary shall establish an interest rate for loans made or guaranteed under this section with reference to a benchmark interest rate (yield) on marketable Treasury securities with a maturity that is similar to the loans made or guaranteed under this section.

(g) MAXIMUM MATURITY.—The maturity of a loan made or guaranteed under this section may not exceed the lesser of—

(1) 35 years; or

(2) 90 percent of the useful life of any project to be financed by the loan, as determined by the Secretary.

(h) MAXIMUM LOAN GUARANTEE RATE.—

(1) IN GENERAL.—The guarantee rate on a loan guaranteed under this section may not exceed 75 percent of the amount of the loan.

(2) LOWER GUARANTEE RATE FOR LOW-RISK BORROWERS.—The Secretary shall establish a guarantee rate for loans to eligible borrowers that the Secretary determines pose a lower risk of default that is lower than the guarantee rate for loans to other eligible borrowers.

(i) FEES.—The Secretary shall establish fees for loans made or guaranteed under this section at a level that is sufficient to cover all or part of the costs to the Federal Government of making or guaranteeing a loan under this section.

(j) NONSUBORDINATION.—A loan made or guaranteed under this section may not be subordinated to the claims of any holder of an obligation relating to the project in the event of bankruptcy, insolvency, or liquidation.

(k) COMMENCEMENT OF REPAYMENT.—The scheduled repayment of principal or interest on a loan made or guaranteed under this section shall commence not later than 5 years after the date of substantial completion of the project.

(l) REPAYMENT DEFERRAL FOR LOANS.—

(1) IN GENERAL.—If, at any time after the date of substantial completion of a project, the Secretary determines that dedicated revenue sources of an eligible borrower are insufficient to make the scheduled loan repayments of principal and interest on a loan made or guaranteed under this section, the Secretary may, subject to criteria established by the Secretary, allow the eligible borrower to add unpaid principal and interest to the outstanding balance of the loan.

(2) TREATMENT OF DEFERRED PAYMENTS.—Any payment deferred under this section shall—

(A) continue to accrue interest until fully repaid; and

(B) be scheduled to be amortized over the remaining term of the loan.

(m) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the cost of loans and loan guarantees under this section $20,000,000 for each of fiscal years 2012 through 2016.

SEC. 9. HEALTHY HOMES.

(a) FEDERAL INITIATIVE TO SUPPORT HEALTHY HOUSING AND ERADICATE HOUSING-RELATED HEALTH HAZARDS.—The Secretary, acting through the Director of the Office of Healthy Homes and Lead Hazard Control and in consultation with the Secretary of Energy, the Administrator of the Environmental Protection Agency, the Secretary of Agriculture, the Director of the National Institute of Standards and Technology, the Director of the National Institute of Environmental Health Sciences, and the Director of the Centers for Disease Control, shall lead the Federal initiative to support healthy housing and eradicate housing-related health hazards by—

(1) reviewing, monitoring, and evaluating Federal housing, health, energy, and environmental programs and identifying areas of overlap and duplication that could be improved;

(2) identifying best practices and model programs, including practices and programs that link services for low-income families and services for health hazards;

(3) identifying best practices for finance products, building codes, and regulatory practices;

(4) researching training programs and work practices that can accurately assess housing-related health hazards;

(5) promoting collaboration among Federal, State, local, and tribal agencies and non-governmental organizations; and

(6) coordinating with all relevant Federal agencies.

(b) ASSESSMENT.—The Secretary shall conduct a collaborative, interagency assessment of best practices for—

(1) coordinating activities relating to healthy housing;

(2) removing unnecessary barriers to interagency coordination in Federal statutes and regulations; and

(3) creating incentives in programs of the Federal Government to advance the complementary goals of improving environmental health, energy conservation, and the availability of housing.

(c) STUDY AND REPORT ON SUSTAINABLE BUILDING FEATURES AND INDOOR ENVIRONMENTAL QUALITY IN HOUSING.—

(1) STUDY.—The Secretary, in consultation with the Secretary of Energy, the Director of the National Institute of Standards and Technology, the Director of the National Institute of Environmental Health Sciences, the Director of the Centers for Disease Control, and any other Federal agency that the Secretary determines is appropriate, shall conduct a detailed study of how sustainable building features in housing, such as energy efficiency, affect—

(A) the quality of the indoor environment;

(B) the prevalence of housing-related health hazards; and

(C) the health of occupants of the housing.

(2) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Financial Services and the Committee on Appropriations of the House of Representatives a report containing the results of the study under paragraph (1).

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 10. INELIGIBILITY OF INDIVIDUALS WHO ARE NOT LAWFULLY PRESENT.

No housing assisted using a grant under this Act may be made available to an individual who is not lawfully present in the United States. Nothing in this Act may be construed to alter the restrictions or definitions under section 214 of the Housing and

Community Development Act of 1980 (42 U.S.C. 1436a).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 274—EXPRESSING THE SENSE OF THE SENATE THAT FUNDING FOR THE FEDERAL PELL GRANT PROGRAM SHOULD NOT BE CUT IN ANY DEFICIT REDUCTION PROGRAM

Mr. WHITEHOUSE (for himself, Mr. REED of Rhode Island, Mr. FRANKEN, Mr. SANDERS, Mrs. GILLIBRAND, Mr. LAUTENBERG, Mr. BLUMENTHAL, and Mr. BROWN of Ohio) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 274

Whereas the Federal Pell Grant program has been the cornerstone of the Federal financial aid system since grants were first distributed in the 1970s;

Whereas during 2010, almost 9,000,000 students in the United States received a Federal Pell Grant;

Whereas the number of students receiving a Federal Pell Grant increased by 26 percent between the 2008-2009 academic year and the 2009-2010 academic year;

Whereas when Federal Pell Grants were first distributed in 1976, such grants paid for 72 percent of the average cost of a 4-year public institution of higher education while in 2011 the maximum Federal Pell Grant covers only 34 percent of such cost;

Whereas 61 percent of students who received a Federal Pell Grant during the 2008-2009 academic year came from households that earned less than $30,000 and 99 percent of such students came from households that earned $50,000 a year or less;

Whereas during the 2008-2009 academic year, 68 percent of students receiving a Federal Pell Grant were 21 years of age or older;

Whereas the unemployment rate for individuals with a baccalaureate degree is consistently half of the unemployment rate for individuals with only a secondary school diploma; and

Whereas education is a vital part of ensuring that the United States workforce is prepared for the 21st Century and the United States remains the world leader in innovation: Now, therefore, be it

Resolved, That it is the sense of the Senate that funding for the Federal Pell Grant program should not be cut in any deficit reduction package.

SENATE RESOLUTION 275—DESIGNATING OCTOBER 30, 2011, AS A NATIONAL DAY OF REMEMBRANCE FOR NUCLEAR WEAPONS PROGRAM WORKERS

Mr. BINGAMAN (for himself, Mr. ALEXANDER, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Ms. CANTWELL, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. CRAPO, Mr. MCCONNELL, and Mr. CORKER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 275

Whereas, since World War II, hundreds of thousands of men and women, including uranium miners, millers, and haulers, have served the United States by building the nuclear defense weapons of the United States;

Whereas these dedicated workers paid a high price for their service to develop a nuclear weapons program for the benefit of the United States, including having developed disabling or fatal illnesses;

Whereas the Senate recognized the contribution, service, and sacrifice these patriotic men and women made for the defense of the United States in Senate Resolution 151, 111th Congress, agreed to May 20, 2009, and Senate Resolution 653, 111th Congress, agreed to September 28, 2010;

Whereas a national day of remembrance time capsule has been crossing the United States, collecting artifacts and the stories of the nuclear workers relating to the nuclear defense era of the United States;

Whereas these stories and artifacts reinforce the importance of recognizing these nuclear workers; and

Whereas these patriotic men and women deserve to be recognized for the contribution, service, and sacrifice they have made for the defense of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 30, 2011, as a national day of remembrance for nuclear weapons program workers, including uranium miners, millers, and haulers, of the United States; and

(2) encourages the people of the United States to support and participate in appropriate ceremonies, programs, and other activities to commemorate October 30, 2011, as a national day of remembrance for past and present workers in the nuclear weapons program of the United States.

Mr. BINGAMAN. Mr. President, I rise today to submit a resolution to encourage all Americans to support October 30, 2011 as a national day of remembrance for past and present workers in the U.S. nuclear weapons program. I am pleased that Senators ALEXANDER, CANTWELL, CRAPO, CORKER, GILLIBRAND, GRAHAM, MCCONNELL, MARK UDALL and TOM UDALL, have joined me in introducing this bipartisan legislation.

Since World War II, hundreds of thousands of men and women, including uranium miners, millers, and haulers, have served the United States by building our nuclear defense weapons. We should all take time to remember our fellow Americans who have paid a high price for their service to develop the nuclear program for United States.

Some of these workers have developed disabling or fatal illnesses, and we should recognize their sacrifice and contributions. By honoring nuclear complex workers and uranium miners who have contributed to our nation's defense over the past 6 decades, we will also recognize the sacrifices made by family members who have cared for sick and injured workers. Additionally, the commemoration on October 30th will serve to remind Americans that we still have work to do in ensuring the health and benefits of our nuclear weapons workers.

I urge my colleagues to support this important resolution.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. CASEY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on September 22, 2011, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CASEY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 22, 2011, at 10 a.m.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on September 22, 2011, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct a oversight hearing entitled ''Tribal Law and Order Act One Year Later: Have We Improved Public Safety and Justice Throughout Indian Country?''

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

COMMITTEE ON THE JUDICIARY

Mr. CASEY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on September 22, 2011, at 10 a.m., in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. CASEY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 22, 2011, at 2:30 p.m.

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

SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT AND THE COURTS

Mr. CASEY. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Administrative Oversight and the Courts, be authorized to meet during the session of the Senate on September 22, 2011, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Protecting Seniors and Persons with Disabilities—An Examination of Court-Appointed Guardians.''

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

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mr. CASEY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on

Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on September 22, 2011, at 1:30 p.m., to conduct a hearing entitled, ''Improving Educational Outcomes for our Military and Veterans.''

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

SUBCOMMITTEE ON SECURITY AND INTERNATIONAL TRADE AND FINANCE

Mr. CASEY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs, Subcommittee on Security and International Trade and Finance be authorized to meet during the session of the Senate on September 22, 2011, at 2:30 p.m., to conduct a hearing entitled, ''The European Debt and Financial Crisis: Origins, Options and Implications for the U.S. and Global Economy.''

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

CHILD AND FAMILY SERVICES IMPROVEMENT AND INNOVATION ACT

Mr. REID. Madam President, I ask unanimous consent that we now proceed to H.R. 2883.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2883) to amend part B of title IV of the Social Security Act to extend the child and family services program through fiscal year 2016, and for other purposes.

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

Mr. REID. Madam President, I do not think there is any further debate on this measure.

The PRESIDING OFFICER. Is there further debate? If not, the bill is read a third time and the question is on passage of the bill.

The bill (H.R. 2883) was ordered to a third reading, was read the third time and passed.

Mr. REID. I ask unanimous consent that the motion to reconsider be laid on the table with no intervening action or debate and any statements be printed in the RECORD as if read.

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

MEASURE READ THE FIRST TIME—S. 1619

Mr. REID. Madam President, I understand that S. 1619 is at the desk and due for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 1619) to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

Mr. REID. I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

ORDERS FOR FRIDAY, SEPTEMBER 23, 2011

Mr. REID. Madam President, I now ask unanimous consent that when the Senate completes its business today, it adjourn until 9 a.m., on Friday, September 23; 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; following any leader remarks, the Senate be in a period of morning business with Senators permitted to speak up to 10 minutes each.

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

PROGRAM

Mr. REID. We await the House action on the continuing resolution. We will notify Senators when the votes are scheduled.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. REID. 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 8:23 p.m., adjourned until Friday, September 23, 2011, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

JACQUELINE H. NGUYEN, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE A NEW POSITION CREATED BY PUBLIC LAW 110–177, APPROVED JANUARY 7, 2008.

BRIAN C. WIMES, OF MISSOURI, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN AND WESTERN DISTRICTS OF MISSOURI, VICE NANETTE K. LAUGHREY, RETIRED.

DEPARTMENT OF JUSTICE

MICHAEL A. HUGHES, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES MARSHAL FOR THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FOUR YEARS, VICE STEPHEN THOMAS CONBOY, RESIGNED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. PETER M. VANGJEL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. GILL P. BECK

EXTENSIONS OF REMARKS

IN HONOR OF THE 50TH ANNIVERSARY OF PEACE CORPS

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. FARR. Mr. Speaker, I rise to honor the 50th Anniversary of Peace Corps. Fifty years ago today, Congress passed legislation authorizing Peace Corps, and giving it the mandate to "promote world peace and friendship." Since then, over 200,000 Americans—including myself—have served our great country in the name of peace and friendship.

I am so proud of the 18 Volunteers currently serving from my district. Among them are Tim and Chelsea Tibbs, a husband and wife from Santa Cruz who are serving in Guyana. Chelsea created a Youth Friendly Center at a local health clinic that has been highlighted by the Ministry of Health's Adolescent Unit as one of the best models for successful and targeted programs in the region. And Tim has been working with Guyana's Regional Education Office to develop and implement teacher training modules. But Tim and Chelsea are just a few examples of how the 8,655 current Peace Corps Volunteers serving in nearly 80 countries around the world are changing lives and creating hope.

But Peace Corps also has a strong presence right here in the United States. In 1987, Peace Corps established the Peace Corps Masters International program, an innovative opportunity that enables students to combine a graduate education with Peace Corps service. In my district, the Monterey Institute for International Studies (MIIS) has 76 PCMI students, making it the fourth largest PCMI program in the country! That's an incredible 10% of the MIIS student body that has dedicated their brains and their hearts to realizing America's commitment to peace.

In honor of Peace Corps' 50th Anniversary, MIIS is hosting Monterey Institute and the Peace Corps: Celebrating 50 Years of Global Engagement on October 8th. I am honored to be a part of this inspiring day of panel discussion and movie showings that honor Peace Corps' legacy of service at MIIS.

This is just one of many celebrations around the country and around the world in honor of Peace Corps' first 50 years of service. For a complete list of events, please visit http://events.peacecorps50.org/.

I urge my colleagues to honor the past and present Peace Corps Volunteers in their districts, and I hope you will join me in celebrating America's 50-year legacy of service in the name of peace.

A TRIBUTE TO PRINCIPAL STEVE KWIKKEL

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize Iowa's excellence in education, and to specifically congratulate Waverly-Shell Rock Junior High School Principal Steve Kwikkel of Waverly, Iowa for being named Iowa Middle School Principal of the year by the School Administrators of Iowa.

Mr. Kwikkel's career began as a sixth grade classroom teacher in rural Iowa in 1986. In 1994 Steve earned his master's degree in secondary school administration from the University of Northern Iowa. Steve has made a name for himself serving as an administrator for four schools, most recently joining the team at Waverly-Shell Rock Junior High School in 2002.

Since Steve became principal of Waverly-Shell Rock, the school has enjoyed much acclaim from Steve's commitment to improvements in school transformation, systems thinking, school culture and student achievement. In addition to his achievements at Waverly-Shell Rock Junior High School, Mr. Kwikkel has also served as the Executive Director for the Iowa Association for Middle Level Education and currently leads the Cedar Valley Middle School principal's cadre.

Mr. Speaker, I consider it a great honor to represent a state with such a proud academic tradition. Principal Kwikkel, the teachers, students, and parents of Waverly-Shell Rock should be very proud of what they have accomplished. Their future is certainly bright and I wish Mr. Kwikkel and all of Waverly-Shell Rock Junior High School continued academic excellence as they continue to have a positive impact on the future leaders of our state and country.

RECOGNIZING THE CITY OF OWENSVILLE ON ITS CENTENNIAL ANNIVERSARY

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. LUETKEMEYER. Mr. Speaker, I rise today to recognize the City of Owensville, located in Gasconade County in Missouri, as the community recently celebrated its centennial anniversary.

What is now the City of Owensville began as an early trail called the Potosi to Boonslick Trail. Spurs from this main trail went to the current city, creating a crossroads that later became the St. Louis to Springfield Road and the St. James to Hermann Road, called the "Iron Road."

The city was originally laid out in 1886 by the Owensville Improvement Company, whose owner, Frank Owens, is the town's namesake. According to legend, businessman Frank Owens and blacksmith Edward Luster were both vying to be the town's namesake and held a horseshoe pitching contest to determine who would win. Owens won, and Owensville residents believe their city is the only place named as a result of a horseshoe pitching contest. Owensville was incorporated as a fourth-class city on May 27, 1911.

Over the past century, industries such as a corn cob pipe factory, a tomato cannery, shoe factories and clay mining supported the town. Today, the RR Donnelly printing company and Emhart Glass Manufacturing are located there. Owensville is a thriving town and a proud community of more than 2,500 residents.

In closing, I ask all my colleagues to join me in wishing the residents of the City of Owensville congratulations on their centennial anniversary.

IN RECOGNITION OF THE 10TH ANNIVERSARY OF THE DISASTER AT THE JIM WALTER RESOURCES #5 MINE

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. GEORGE MILLER of California. Mr. Speaker, ten years ago, on September 23, 2001, 13 brave miners lost their lives in two mine explosions in the depths of the Jim Walter Resources, JWR, #5 Mine, which is located approximately two miles from Brookwood, Alabama.

This mine is located in the deepest and most gas laden coal mine seam in the United States, some 2,100 feet below ground. The miners are represented by the United Mine Worker of America, who conducted a thorough investigation and report on this tragedy.

Four miners were building wooden cribs to fix a badly supported mine roof, when the roof collapsed nearby. Shortly thereafter, there was an explosion that injured these four miners. The roof fall occurred on top of a large six-ton, 64-volt scoop battery that was suspended from the mine roof in a track entry. The battery was connected to a battery charger, according to reports. The first explosion was likely caused by the scoop battery, which was damaged and short circuited, igniting methane that had become trapped due to the lack of adequate ventilation caused by the roof fall.

A chaotic emergency response followed and miners tried to assist those who were injured. About 55 minutes after the first explosion, a larger and more violent explosion rocked throughout the mine, and 13 miners were killed—12 rescuers and one miner who had been hurt and unable to move after the initial explosion. The second explosion was, according to reports, fueled by methane and float coal dust. This explosion took the lives of Gaston Adams, Jr., Raymond Ashworth, Nelson Banks, David Blevins, Clarence "Bit"

Boyd, Wendell Johnson, John Knox, Dennis Mobley, Charles Nail, Joe Riggs, Charles Smith, Joe Sorah and Terry Stewart.

Rescue and recovery was difficult, since the ventilation controls were destroyed. It took seven weeks—until early November—until teams could recover 12 of the victims. It took eight months to rehabilitate the mine so it was safe enough to resume operations.

At the time of this mine disaster, the Nation's attention was focused the events of 9/11, which had occurred only two weeks earlier. As such, no mining law changes followed.

Five years after the JWR #5 disaster, a series of tragedies at Sago, Aracoma Alma and Darby spurred enactment of the MINER Act. The law largely focused on improvements to post-accident emergency response, and mandates for operators to provide tracking, communications and shelters. Had Congress acted in a timely way after the JWR #5 disaster, it is likely that other miners' lives could have been saved.

Important mine law changes have yet to be mandated by Congress from the JWR #5 disaster that should be acted upon.

For example, the National Institute for Occupational Safety and Health has developed coal dust explosivity meters, which can give miners real time information on the presence of explosive coal dust—a substance ten times as explosive as methane—and can signal whether additional rock dust is needed to prevent mine explosions. The Robert C. Byrd Miner Safety and Health Act, which was introduced in 2010 but was not enacted, mandates that mine operators use coal dust explosivity meters as a way to assure more timely compliance with rock dusting requirements.

Independent investigations of major mine tragedies are needed to assure there is no conflict of interest involving questions about the adequacy of mine safety oversight and the performance of state and federal regulators. The Byrd bill contained a requirement for independent investigations.

Battery chargers, which ventilate explosive gases such as hydrogen, need to be directly vented to the returns in mines so that they cannot ignite fires. Roof control plans need to assure that areas around battery chargers have robust roof support.

As the senior Democratic Member on the Committee on Education and the Workforce, I strongly urge Congress to follow up on the lessons from the JWR #5 mine disaster, as well as the Upper Big Branch Mine disaster, which took the lives of 29 miners on April 5, 2010. Miners' blood should not be spilled in vain. Continued inaction by Congress on matters of the health and safety our Nation's miners is simply inexcusable.

HONORING THE WORLD WAR II VETERANS PARTICIPATING IN THE QUAD CITIES HONOR FLIGHT

HON. DAVID LOEBSACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. LOEBSACK. Mr. Speaker, today I have the great honor of welcoming to our nation's capital 90 Iowa veterans of the Greatest Generation. Accompanied by over 70 volunteer guardians, these veterans have travelled to Washington, DC to visit the monument that was built in their honor.

For many of these veterans, today will be the first time they have seen the National World War II Memorial. I am deeply honored to have been invited to join them when they see their memorial for the first time and to have the opportunity to personally thank these heroes.

I am proud to have a piece of marble from the quarry that supplied the marble that built the World War II Memorial in my office. Like the memorial that it built, that piece of marble reminds me of the sacrifices of a generation of Americans. When our country was threatened, they rose to defend not just our nation but the freedoms, democracy, and values that make our country the greatest nation on earth. They did so as one people and one country. Their sacrifices and determination in the face of great threats to our way of life are both humbling and inspiring.

The sheer magnitude of what the Greatest Generation accomplished, not just in war but in the peace that followed, continues to inspire us today. They did not seek to be tested both abroad by a war that fundamentally challenged our way of life and at home by the Great Depression and the rebuilding of our economy that followed. But, when called upon to do so, they defended and then rebuilt our nation to make it even stronger. Their patriotism, service, and great sacrifice not only defined their generation—they stand as a testament to the fortitude of our nation.

I am tremendously proud to welcome the Quad City Honor Flight and Iowa's veterans of the Second World War to our nation's capital today. On behalf of every Iowan I represent, I thank them for their service to our country.

SMAST PROFESSOR HONORED FOR FISHERIES WORK

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. FRANK of Massachusetts. Mr. Speaker, I rise today to commemorate the latest award recognizing the distinguished career of Dr. Brian Rothschild of the University of Massachusetts Dartmouth School for Marine Science and Technology.

Dr. Brian Rothschild was recently presented the prestigious Oscar Elton Sette Award for ''sustained excellence in marine fishery biology'' by the American Fisheries Society. For many years, it has been my privilege to work closely with Dr. Rothschild on numerous issues involving the fishing industry as well as marine science, maritime safety, and ocean studies. This has included discussions on global warming and renewable energy possibilities in the northeast as well as the development of critical partnerships abroad such as that which now exists between the University of the Azores and the University of Massachusetts Dartmouth where he is the Montgomery Charter Professor of Marine Science. He has advised me and my staff on the critical issues that face both fishermen and scientists as these stewards of our oceans work to find that critical balance between sustainable fishing and conservation of fish stocks.

Dr. Rothschild has dedicated himself to public service by working in various government roles that have dealt with both fishery management and oceanography. I submit the following article into the record, which describes how Dr. Rothschild was recently honored by his peers for his important contributions to fishery science. I congratulate him, and thank him for his commitment to our community.

[From SouthCoastToday.com, Sept. 20, 2011]

SMAST PROFESSOR HONORED FOR FISHERIES WORK

(By Don Cuddy)

Dr. Brian Rothschild, a distinguished professor at UMass Dartmouth's School for Marine Science and Technology, has again been honored by his peers in the scientific community.

Rothschild traveled to Seattle earlier this month as this year's recipient of the Oscar Elton Sette Award, presented annually by the American Fisheries Society to an individual who has made ''sustained and important contributions to marine fishery biology.''

Oscar Elton Sette was a pioneer in the development of fisheries oceanography and is regarded by many fisheries scientists as the father of modern fisheries oceanography in the United States. A National Oceanographic and Atmospheric Administration research vessel based in Hawaii is named for him.

Rothschild was a friend and colleague of Sette in Honolulu and while Sette was at Stanford University, and the pair co-authored a report on skipjack tuna in 1996.

The American Fisheries Society describes itself as ''the world's oldest and largest organization dedicated to strengthening the fisheries profession, advancing fisheries science and conserving fisheries resources.'' Its first president was elected in 1870.

Rothschild has been working in fisheries for close to 60 years. As director of policy at NOAA, he oversaw the successful implementation of the Magnuson-Stevens Fishery Conservation and Management Act of 1976.

In 1986, Harvard University Press published his book ''Dynamics of Marine Fish Populations.'' This was the first book to comprehensively address the abundance of fish populations in historical, life-history and modeling contexts, according to professor Changsheng Chen, one of his colleagues at SMAST who put forward the nomination.

Among the major accomplishments credited to Rothschild is his work on the scallop fishery. ''His innovative sampling strategy, along with Kevin Stokesbury, for ocean scallops allowed new assessments to be made, allowing the opening of scallop beds and preventing the collapse of the most valuable fishery in the U.S.,'' Cheng wrote in the nomination letter.

The citation on the award reads: ''For sustained excellence in marine fishery biology through research, teaching, administration or a combination of all three.''

Rothschild, who left for a global fishery conference in Gdansk, Poland, on Friday, said he felt honored to receive the award.

''I would like to thank all of my colleagues,'' he said. ''It's so great to be working in a field that is so important to so many people.''

HONORING CLIFF EVERTS

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. YOUNG of Alaska. Mr. Speaker, over the course of many years, I have observed the

work ethics, tenacity, and love of Alaska by a Pioneer of Alaska Aviation. Today, I stand in recognition and honor Mr. Cliff Everts.

Mr. Everts was an instructor for the predecessor of Alaska Airlines, Alaska Star Airlines. In 1945 he joined the team of Wien Alaska flying Boeing 247s and Lockheed Lodestars hauling fuel from Barrow to Umiat and after 15 years saw an opportunity to begin his first business experience. When Wien's business plan dropped fuel delivery, he purchased one of the C–46s and continued delivering fuel to Alaska's villages. Wien was lucky to keep Mr. Everts as one of their team until 1980 when he retired after 35 years and 30,000 hours in a cockpit.

Mr. Everts has flown at forty below temperatures, through dark days and nights, in snow, sleet, and rain, to supply the needs of village residents. He is a true Alaskan with a frontier spirit.

One of the most interesting adventures of Cliff was delivering 110 reindeer from Nome to Colorado so that people in the ''lower forty-eight'' could experience a Santa Clause sleigh ride. Somewhere today there are decedents of one of the escapees there in Colorado along with our Alaskan wolves!

Cliff also gave new meaning to ''when pigs fly'' when he delivered several dozen pigs in a C–46 from Ohio to Big Delta for a farm project.

As a committed Alaskan, he realized early the opportunity in our State and the value of our resources, our people, and our commodities. He purchased surplus equipment and resold or rented it. His renowned collection of planes with historical nose art, which are still flying today, is an example in recycling and honorable use of assets, when others may have disregarded them for lack of value.

Cliff has contributed to Alaska with the creation of more than one successful company; the leadership today exemplifies his integrity, values, commitment to community and family, and love for our State and Country. Cliff and his planes have provided fuel to villages and mines, while not only improving quality of life, but often saving life. Our State would be less today without you and Pioneers like him.

I rise today to congratulate Mr. Cliff Everts on this day as we place a plaque and memory in perpetuity on the East Ramp of the Fairbanks International Airport.

THE 40TH ANNIVERSARY OF CENTER POINT

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. SULLIVAN. Mr. Speaker, I rise today to commemorate the 40th anniversary of Center Point and Dr. Sushma Taylor who serves as President and CEO. Center Point was founded in 1971 as a private, not-for-profit corporation which offers rehabilitation and a spectrum of health and social services to high risk families, men, women, women with dependent children and youth. Since its founding, Center Point has served over 450,000 men, women, families and veterans.

Center Point's mission is to provide comprehensive social, educational, vocational, medical, psychological, housing and rehabilitation services to combat social problems including substance abuse, poverty and unemployment. Center Point provides rehabilitation and treatment services to interrupt abusive cycles of psychological, social and economic dislocation by providing critical training and support so that individuals can claim self-worth and dignity through accountability and self-responsibility.

Center Point's leader, Dr. Taylor, first joined Center Point as its Executive Director in 1981. Dr. Taylor has sought to create opportunities and help individuals and families overcome the barriers of drug and alcohol abuse, homelessness, criminal justice involvement, unemployment, poor health and mental health problems to make a positive contribution to society. Under Dr. Taylor's leadership, Center Point has grown to develop and provide a wide array of services to those in need in California, Oklahoma, Texas, and Louisiana.

Oklahoma's female incarceration rate ranks number one in the Nation and in my district Center Point is making a difference with the Tulsa Women's Program. The burgeoning program helps women transition away from the criminal justice system and back into society. Center Point, the Tulsa Women's Program and the passionate leadership of Dr. Taylor provide countless inspiring examples of how treatment and rehabilitation can work to restore dignity to an individual and help people take responsibility for their own lives.

I am grateful for the contributions of Center Point and Dr. Taylor as we commemorate their 40th anniversary and their positive and lasting contributions to society.

A TRIBUTE TO PRINCIPAL DALE BARNHILL

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize Iowa's excellence in education, and to specifically congratulate Norwalk High School Principal Dale Barnhill of Norwalk, Iowa, for being named Iowa High School Principal of the year by the School Administrators of Iowa.

Dale Barnhill's vision for becoming a teacher began to take form after graduating from Twin Cedars High School in Bussey, Iowa. Dale would then graduate from Iowa State University with a bachelor's degree in history and then from Northeast Missouri State University with a master's degree in guidance and counseling. After earning his administrative certification from Iowa State, Dale began his career in Iowa as a teacher and a coach at Ringsted Community School. Dale would go on to attain his first administrative position in Winthrop, Iowa, and later serve as the Assistant Principal at Pella High School in Pella, Iowa. Mr. Barnhill's entire career in education has been in Iowa and our state has benefited greatly from it.

Since Dale joined Norwalk Schools in 1998, the high school has enjoyed more than a decade of positive growth. Mr. Barnhill's work with improving the high school and its students has directly led to the increased quality of Norwalk's programs. Additionally, Dale took Norwalk High School into the 21st century by implementing electronic portfolios for students to facilitate exit interviews for graduating seniors and an improved method for calculating class rank. Mr. Barnhill has not been shy about pushing students to challenge themselves academically, and the result has been demonstrably effective for both students and the school itself.

Mr. Speaker, I consider it a great honor to represent Norwalk High School Principal Dale Barnhill, the teachers, students, school board members and administrators of the Norwalk Community School District in the United States Congress. I wish Mr. Barnhill and all of Norwalk High School continued academic excellence as they continue to have a positive impact on the future leaders of our state and country.

CELEBRATING THE END OF DON'T ASK, DON'T TELL

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to mark the end of the discriminatory Don't Ask, Don't Tell policy, and to celebrate that qualified men and women who have the desire to serve their country can no longer be denied simply because of sexual orientation.

Don't Ask, Don't Tell limited the ability of our armed forces to recruit and retain talented Americans. Hundreds of men and women with critical abilities, including language skills, have been discharged under this policy.

Meanwhile, many of our closest allies have demonstrated that allowing open service does not harm unit cohesion or military performance.

Most importantly, Don't Ask, Don't Tell institutionalized discrimination in our military. It was a policy that forced men and women to lie about their identity in order to serve their country.

As of this week, no one is prohibited from serving the country they love because of whom they love.

HONORING THE 50TH ANNIVERSARY OF THE BOYS & GIRLS CLUBS OF LAS VEGAS

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Ms. BERKLEY. Mr. Speaker, today I urge my colleagues to join me in recognizing the 50th anniversary of the Boys & Girls Clubs of Las Vegas.

The Boys & Girls Clubs of Las Vegas opened their first club in 1961 in a casino basement in North Las Vegas and today serves over 14,000 children in eight dedicated facilities throughout Clark County.

Their mission is to enable all young people to reach their full potential as productive, caring, responsible citizens. Several of the Clubs are placed to serve the neighborhoods, where children are most at-risk for educational and financial failure, drug and alcohol abuse, gang involvement, and teen pregnancy.

Many children come home to an empty house while their parents are at work. It is important for those children to know that they have a place to go where people care for them. That is where the Boys & Girls Clubs of Las Vegas fills a vital role.

Their programs engage young people in activities with adults, peers, and family members that enable them to grow and flourish. Based on the interests and needs of the boys and girls they serve, clubs offer diverse program activities in five areas: character and leadership development, education and career development, the arts, sports, fitness and recreation, and health and life skills.

A survey conducted on the Boys & Girls Clubs determined that over half of the adults that participated in Club events as children attributed the Boys & Girls Clubs to saving their lives. Eighty percent said they learned right and wrong from a member of the Club staff.

While many Club alumni have achieved distinction in fields such as entertainment, business, politics, and sports, the average alumnus is not famous. Most have achieved success by getting an education, raising families, serving their country, pursuing careers, and supporting their communities.

The Boys & Girls Clubs of Las Vegas uses a lineup of tested and proven nationally recognized programs that address today's most pressing youth issues, teaching young people the skills they need to succeed in life.

Nearly a third of the Clubs' members who participate in the homework assistance and tutoring program are on their schools' honor rolls. Most importantly, those children have a safe place they can stay while their parents are at work.

As the Representative for Nevada's First Congressional District, it gives me immense pride to recognize the 50th anniversary of the Boys & Girls Clubs of Las Vegas.

HONORING DR. JERRY PREVO FOR 40 YEARS OF SERVICE

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. YOUNG of Alaska. Mr. Speaker, I rise today to honor Dr. Jerry Prevo and the 40 years of service he has given to the Anchorage Baptist Temple community in Alaska where he is the pastor of one of the State's largest and most active churches. Sporting an auditorium able to seat over 2,000 people and a regular congregation of 2,200 it is difficult to imagine the church's very humble origins.

The church was founded as the Bible Baptist Church in 1956 by Missionary Don White who oversaw a congregation of 300 people until, in 1971, a young graduate of the Baptist Bible College in Springfield, Missouri, was called. In just a few short years under his careful and dutiful stewardship, Pastor Prevo saw attendance increase rapidly, until there was just no more room.

He needed to do something about it. In 1973 he proposed to move the church to their present location on Northern Lights Boulevard—a magnificent 20-acre estate. The community needed a church, the church needed the community. Answering the call, the new building was built, largely, by hundreds of church members who freely volunteered their time and talents in an outstanding example of community-wide cooperation. It was then that the church was renamed Anchorage Baptist Temple.

Pastor Prevo, always committed to the education of future generations, saw the opportunity to found the Anchorage Christian Schools. Within just 5 years more classrooms and a gymnasium had to be built due to its massive popularity. Decades later the school and the Children's Ministry Center consists of 26 classrooms, a 300-seat gymnasium, library, music department, computer lab, and a chemistry lab over a 350,000 square feet complex—all built from the community's generous donations with no debt incurred. The Christian School now has over 750 students as well as a Sunday school, a preschool and all-day child care.

In the midst of running a school and a church the Pastor Prevo took the time to pursue a Doctor of Divinity degree at Hyles Anderson College and the Liberty Baptist Theological in 1978 and 1993, respectively. He expanded his community work to philanthropy by serving on the Board of Samaritan's Purse and on the Board of Liberty University in Virginia.

Today, through three radio stations, a contemporary Christian music station, and a television station he can be seen and heard daily by over half the population of Alaska.

On a personal note, Pastor Prevo has been there for me during some tough times. The loss of my wife, Lu, was sudden and painful and Pastor Prevo helped by offering the use of the Anchorage Baptist Temple and its ability to broadcast to a good portion of the State for her memorial service. In the two years since her passing I have come to rely on his spiritual leadership and guidance.

As a result of his far-reaching state-wide community work and success in reforming and growing one of Alaska's largest churches, and his extensive outreach in Europe and the Middle East, the Alaska Journal of Commerce has listed him as one of the 25 most influential individuals in Alaska.

Dr. Jerry Prevo has always worked hard and been nothing but loyal to his community and church and I commend him for his 40 years of service.

RECOGNIZING THE CITY OF ROSEBUD ON ITS CENTENNIAL ANNIVERSARY

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. LUETKEMEYER. Mr. Speaker, I rise today to recognize the city of Rosebud, located in Gasconade County in Missouri, as the community will be celebrating its centennial anniversary.

What is now the city of Rosebud was organized in 1911, receiving its name from the wild rose bushes that reside in the community. By 1911, Rosebud had expanded to considerable size because of the Rock Island Railroad, farming, clay mining, selling wood to kilns in St. Louis and many other industrious endeavors of the time. A number of citizens wished to have their village incorporated in Gasconade County, so they sent a letter to the County Court in Hermann. Within the year, the city received incorporation. Over the years, Rosebud's population, infrastructure and economic activity have increased.

Over the past century, industries such as antique and craft shops, restaurants, churches and thoroughfare from Highway 50 have supported the town. Today, Finale International Tool Inc. is the top employer in the community. The proud community of Rosebud is home to 378 residents.

In closing, I ask all my colleagues to join me in wishing the residents of the city of Rosebud congratulations on their centennial anniversary.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. COFFMAN of Colorado. Mr. Speaker, today our national debt is $14,705,188,086,992.02.

On January 6, 2009, the start of the 111th Congress, the national debt was $10,638,425,746,293.80.

This means the national debt has increased by $4,066,762,340,698.22 since then. This debt and its interest payments we are passing to our children and all future Americans.

IN HONOR OF THE 50TH ANNIVERSARY OF THE PEACE CORPS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of the 50th anniversary of the Peace Corps, an organization of volunteers who are dedicated to helping individuals build better lives for themselves by living and working in developing countries.

Following President John F. Kennedy's challenge to 5,000 students at the University of Michigan to dedicate two years of their lives to help people in developing countries, the Peace Corps was officially established on March 1, 1961. Young people throughout the country were inspired, and by June 22, 1961, Peace Corps Director Sargent Shriver had received 11,000 applications. On August 30, 1961, the first group of Peace Corps volunteers arrived to serve as teachers in Ghana. By December of 1961, more than 500 volunteers were working in nine countries around the world.

Today, 50 years after the Peace Corps began; there are more than 8,600 active volunteers and trainees working in 76 different countries. The mission of the Peace Corps that was adopted in 1961 still remains the organization's mission today. ''Helping the people of interested countries in meeting their need for trained men and women. Helping promote a better understanding of Americans on the part of the peoples served. Helping promote a better understanding of other peoples on the part of Americans.''

Throughout its history, the Peace Corps has continued to adapt to the needs of developing countries. Volunteers work in areas such as education, business development, environmental preservation, youth development, agriculture and HIV/AIDS relief. Returned Peace Corps volunteers return to the U.S. with incomparable experience and have gone on to become directors of the Peace Corps, Members of Congress, presidents of universities and CEOs in the business world.

Mr. Speaker and colleagues, please join me in honor of the more than 200,000 volunteers who have dedicated themselves to promoting world peace and friendship throughout 139 countries over the past 50 years.

ON THE OCCASION OF CELEBRATING RABBI DANNEL SCHWARTZ'S FORTIETH ANNIVERSARY IN THE RABBINATE AND HIS RETIREMENT AS SENIOR RABBI OF TEMPLE SHIR SHALOM

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. PETERS. Mr. Speaker, I rise today to honor Rabbi Dannel Schwartz of Temple Shir Shalom in West Bloomfield, Michigan, on the occasion of his retirement after forty years in the rabbinate and a lifetime of service to the Jewish community in Michigan and beyond.

Like many who heed to a call to serve their community, Rabbi Schwartz's leadership began early in his life when he served as President of the Bronx and Manhattan Federation of Temple Youth. Rabbi Schwartz completed his rabbinical training in 1972 and has served the Jewish community of Southeast Michigan as Senior Rabbi of Temple Beth El of Bloomfield, Michigan, and for the last two decades has served as Founding and Senior Rabbi of Temple Shir Shalom. For the past two years, Rabbi Schwartz has also served as CEO of The Corners, an institution that provides affordable space and resources to nonprofit organizations.

Rabbi Schwartz has not only taught the values of Judaism, but has also set an example for his congregation and the Greater Detroit community through his commitment to service. As a member of the Michigan Board of Rabbis and its former president, Rabbi Schwartz devoted considerable time and energy to providing spiritual leadership beyond his own congregation. Rabbi Schwartz also serves as Chaplain at Beaumont Hospital in Royal Oak, Michigan, and through his work there has offered patients and their families important emotional and spiritual support in times of difficulty. And as a believer in lifelong learning, Rabbi Schwartz has continued his education both formally by obtaining a doctoral degree from the Jewish Institute of Religion and informally through his experiences with his congregation, family, and friends.

On many occasions Rabbi Schwartz has demonstrated his ability as a leader in Michigan's Jewish community, but one occasion serves as a seminal example of his leadership: the founding of Temple Shir Shalom. It was Rabbi Schwartz who gathered together with thirty families just over twenty years ago to establish their new congregation. And through his guidance and support of those families, the congregation of Shir Shalom has prospered and grown to over nine hundred families. Along the path of the Temple's history there have been many obstacles, including the need to construct a permanent home for the congregation, which was first housed in a converted office building, but with Rabbi Schwartz's unyielding efforts, the congregation of Shir Shalom overcame those challenges.

Mr. Speaker, the congregation of Temple Shir Shalom and the Jewish community of Michigan are blessed to have benefitted from the wisdom, knowledge, and service of Rabbi Dannel Schwartz over the last forty years and I know his retirement will affect generations of worshippers. I wish Rabbi Schwartz well in his retirement and I know his commitment to service will continue through his volunteer work and the Rabbi Dannel Schwartz Legacy Foundation.

RECOGNIZING THE LINN STATE TECHNICAL COLLEGE

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. LUETKEMEYER. Mr. Speaker, I rise today to recognize the Linn State Technical College, located in Osage County in Missouri, for its exceptional performance in training scholars of higher education.

Linn State Technical College, LSTC, founded in 1961, is Missouri's only two-year public technical college with a statewide mission. Originating as Linn Technical Junior College, the college became a part of the public higher education system in Missouri in 1996 as a result of legislation by the 88th General Assembly.

Linn State Technical College is accredited by The Higher Learning Commission and is a member of the North Central Association. Thirteen programs are accredited by the Association of Technology, Management and Applied Engineering, ATMAE. In addition, 15 other program-level professional accreditations and certifications have been obtained by programs at the college.

Linn State Technical College monitors the economic, industrial and technological needs of the state as new programs are proposed for development. In response to industry demand over the last decade, Linn State Technical College has started 19 degree and certificate programs.

In closing, I ask all my colleagues to join me in wishing the faculty, staff and students of Linn State Technical congratulations in their pursuit of higher education.

RECOGNIZING SUZANNE KILBY ETGEN FOR HER SERVICE AS AN ENVIRONMENTAL EDUCATOR

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. SARBANES. Mr. Speaker, I rise today to congratulate Suzanne Kilby Etgen, the 2011 recipient of the Jan Hollmann Environmental Education Award, for her service as an educator and advocate for environmental preservation.

The Jan Hollmann Environmental Education Award was established in 1994 to recognize an individual or organization which demonstrates outstanding effectiveness as an environmental educator. This year, Suzanne Etgen has been recognized for her work as the coordinator of the Anne Arundel County Watershed Stewards Academy. At the Academy, Ms. Etgen teaches members of the community how to preserve and protect watersheds by minimizing the damage caused by water runoff in the area. Addressing issues such as rainscaping, pollution reduction strategies, and community outreach and engagement, Ms. Etgen has worked tirelessly to improve the health of the Chesapeake Bay watershed and its inhabitants.

Getting citizens involved in protecting the rivers and streams that make up the Chesapeake watershed is the key to the future health of the Bay. That is why I introduced the No Child Left Inside Act, which seeks to better incorporate environmental education in the curriculum as a means to teach students about their natural surroundings and spark their interest in science. It is critical that the next generation be armed with the knowledge that Ms. Etgen has dedicated her life to sharing. Throughout her years of work as an environmental advocate, Suzanne Etgen has played a pivotal role in ensuring that our natural environment remains as majestic as ever.

Mr. Speaker, I would like to once again congratulate Suzanne Kilby Etgen for her dedication to environmental awareness and protection.

HONORING FORMER CONGRESSWOMAN CARRIE MEEK

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor a former Member of the Florida state and U.S. House of Representatives, Congresswoman Carrie Meek. Congresswoman Meek has also served in the Florida State Senate in what was a small part of a diverse history of public service.

With over 24 years of combined public service on both the state and national level, Congresswoman Meek has a true understanding of what it takes to enrich the lives of others. Her service, as a teacher before winning her seat in the Florida State House is yet another testament to her public contributions.

Congresswoman Meek had all throughout her career a reputation for being a strong legislator. She was the first African American woman elected to the Florida Senate and the first African American to serve there since Reconstruction. In the Florida State Legislature, she staunchly promoted literacy and championed minority business enterprise laws.

Her career in the U.S. House was no less distinguished than it was on the state level. Almost immediately, the Congresswoman established herself as a champion of expanding federal programs to create jobs and providing

initiatives for African American business owners. In a battle that is still being fought today, Congresswoman Meek passionately opposed cuts to social welfare programs in the 90s to prevent the financial burden from being carried on the backs of the middle class and the disadvantaged.

Mr. Speaker, Congresswoman Meek has been an asset to this country and it is important that we recognize her lasting contributions to her district and our nation. It is always my pleasure to honor an individual with such exemplary character and integrity such as my dear friend Congresswoman Carrie Meek.

INTRODUCING THE FEDERAL EMPLOYEES LEAVE TRANSFER ACT OF 2011

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. MORAN. Mr. Speaker, I rise today to introduce the Federal Employees Leave Transfer Act of 2011. Put simply, this bill will permit federal employees to transfer unused sick leave, without compensation, to agency sick leave banks.

I offer this bill during a time when federal employee benefits and service are under attack. Unlike some voices, I believe that public service as a worthwhile endeavor, and that the civil service is a talented workforce that needs to be carefully managed and developed.

Though this bill is a small change to existing law, it is an important one because it reassures federal employees that if they became catastrophically ill, or require extended leave due to the illness of a loved one, other federal employees can come to their assistance through the donation of their excess sick leave.

This bill is expected to be nearly cost-neutral. The bill states that federal employees cannot be compensated for transferring their sick leave to a sick leave bank. That provision is expected to nearly eliminate the cost of the bill, with the small exception of program administration.

Mr. Chairman, as you know, until 2014, Federal Employee Retirement System (FERS) employees will be allowed to use one-half of their accumulated sick leave for annuity purposes. This bill will allow federal employees to donate their excess leave to a sick bank, rather than suffering from the ''FERS flu.'' This bill could even increase productivity by preventing the abuse of sick leave.

Sick leave donation programs and banks are abundant in state and local government, at public and private universities, and in the private sector. Therefore this bill will not grant federal employees a benefit not enjoyed by the private sector.

For those who believe this bill may contribute to abuse, it must be noted that a federal employee cannot draw from a leave bank unless he/she donates to the bank in the first place. That incentivizes participation. Second, a federal employee cannot actually draw from a leave bank until he/she has exhausted all of their own sick and annual leave. Therefore, leave banks are shielded from abuse since federal employees cannot take advantage of this benefit until they have significant skin in the game.

Finally, I am proud that this bill has 4 esteemed public servants as original co-sponsors: Congressmen CONNOLLY, WOLF, SARBANES and VAN HOLLEN. This bill is also supported by the American Federation of Government Employees, the National Treasury Employees Union, the National Active and Retired Federal Employees Association, the Federal Law Enforcement Officers Association, and Federal Managers Association.

RECOGNIZING THE CITY OF LINN ON ITS CENTENNIAL ANNIVERSARY

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. LUETKEMEYER. Mr. Speaker, I rise today to recognize the city of Linn, located in Osage County in Missouri, as the community recently celebrated its centennial anniversary.

In what is now the city of Linn settled a diverse group of people with different nationalities and backgrounds. They settled in the region that is currently Osage County, calling the settlement Linnville but then later renamed the town more simply Linn, after the U.S. Senator Lewis F. Linn. It was in 1842 that Linn was designated the County Seat for Osage County.

Here is the home of Linn State Technical College. The college was started with some of the foresight that is indicative of this region, recognizing the need for training a talented workforce. This vision has grown with the community for the last fifty years, putting technical education as an integral part of the community.

Over the past century, a multitude of trades and occupations supported the town. Today, Linn is known for its diverse population, collection of many religious ideologies and exceptional school system. Linn is a thriving town and a proud community, thankful for those that have paved the way to the present and laid the foundation for our tomorrow.

In closing, I ask all my colleagues to join me in wishing the residents of the city of Linn congratulations on their centennial anniversary.

IN RECOGNITION OF THE DEDICATION OF THE UNIVERSITY OF AKRON LAKEWOOD HIGHER EDUCATION CENTER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the dedication of The University of Akron Lakewood Higher Education Center. The University of Akron Lakewood will give students throughout Cuyahoga County an opportunity to benefit from the quality education that The University of Akron (UA) has been providing its students for more than one hundred years.

Founded in 1870 by John R. Buchtel, the University of Akron was originally Buchtel College. When Butchel College first opened its doors in 1872, 46 collegiate students were taught by seven faculty members. Over the past 140 years, UA has expanded and in 2010 welcomed 4,796 freshman students, the largest incoming class in the school's history. Today, the University of Akron offers 300 undergraduate and graduate programs to more than 29,000 students. The Princeton Review listed UA among the ''Best in the Midwest'' in its 2011 edition of Best Colleges: Region-by-Region.

The University of Akron Lakewood Higher Education Center will be housed in downtown Lakewood's Bailey Building on the corner of Warren Road and Detroit Avenue. The Lakewood location will offer variety of classes for students enrolled in the College of Nursing, College of Education and College of Business. Additionally, general education courses will be offered to high school students who wish to pursue dual-enrollment.

Mr. Speaker and colleagues, please join me in recognition of the new University of Akron Lakewood Higher Education Center.

PERSONAL EXPLANATION

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. PAYNE. Mr. Speaker, due to unforeseen circumstances I was absent on September 21, 2011 for the vote on H.R. 2608, The Continuing Appropriations Act of 2012. However, had I been present I would have voted no for H.R. 2608.

RECOGNIZING THE CITY OF HERMANN ON ITS 175TH ANNIVERSARY

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. LUETKEMEYER. Mr. Speaker, I rise today to recognize the city of Hermann, located in Gasconade County in Missouri, as the community recently celebrated its 175th anniversary.

What is now the city of Hermann began as a small colony of the German Settlement Society of Philadelphia, Pennsylvania, in 1836. Hermann has remained the county seat of Gasconade County since 1842.

The city was originally laid out by the German Settlement Society of Philadelphia, Pennsylvania, with the intent of preserving the German language and culture. In 1847 what is known today as Stone Hill Wine Company was formed. Today the winery hits an annual wine output of 1,250,000 gallons. Hermann became the ''Wine City of Missouri,'' and today is still the center of Missouri's wine industry.

Over the past century, industries involved in the cultivation of grapes, production of wine, shoemaking and tourism have supported the town. Hermann is a thriving town and a proud community known for its many festivals and also as ''The Bed and Breakfast Capital of Missouri.''

In closing, I ask all my colleagues to join me in wishing the residents of the city of Hermann congratulations on its 175th anniversary.

HONORING THE SERVICE OF DR. JOSEPH R. FINK

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Ms. WOOLSEY. Mr. Speaker, I rise today to honor Dr. Joseph R. Fink and recognize his contribution to higher education and community involvement in Marin County, California. Dr. Fink is retiring as the President of Dominican University of California.

It has been my privilege to work closely with Dr. Fink for many years, during which time his friendship and assistance have been invaluable. Under his leadership Dominican has established itself as a successful university with high ideals and a big vision. Establishing the Green MBA Program and the Center for Sustainability, Dominican University has emerged as an innovative school whose students are working to develop creative solutions to some of the world's toughest problems.

Dr. Fink earned a doctorate in American History from Rutgers University and began his career as an Associate Professor of History and Assistant to the President at a small liberal arts college. Before coming to Dominican University, he served as Dean of Arts and Sciences at the City Colleges of Chicago, president of a public college in New Jersey, and president of an independent liberal arts college in Pennsylvania. He is the recipient of many awards and recognitions, including four honorary doctorate degrees for his achievements in higher education and community service.

Starting at Dominican University in 1988, during a period of transition, Dr. Fink restructured the management of the university to move it from small college to university status. He worked with the Board of Trustees and the faculty to successfully assume control of academic and fiscal affairs to put the university on a whole new course. With his expertise in management, the university's enrollment almost quadrupled while the average SAT scores rose by more than 180 points. A leader with considerable collaborative skills, he has been innovative in creating opportunities for friends of the university to support its mission. With increased fundraising, the annual operating budget rose dramatically allowing extensive campus renovation, the building of a new recreation complex, new residence halls, and a state-of-the-art science research center.

In addition to being a very competent administrator, Dr. Fink is an outstanding member of the community, serving on the boards of a variety of organizations, including the Council of Independent Colleges, the World Affairs Council of Northern California, the Marin Symphony, the American Land Conservancy, and the Commonwealth Club of California.

Mr. Speaker, Dr. Fink is a man of remarkable talent and considerable commitment, he will be missed in the community and at the university, but we honor him today and wish him well in his next endeavor. Congratulations, Joseph Fink.

HONORING FORMER REPRESENTATIVE CARRIE P. MEEK

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. HOYER. Mr. Speaker, I had the honor and the privilege of serving in this house with Carrie Meek for ten years. The granddaughter of a slave and a daughter of sharecroppers, Carrie has always held in her heart a deep and abiding concern for the rights and the welfare of others. She made public service a life's calling, and her time as a member of this body was but one chapter in a lengthy career doing what she loves most: fighting for justice and the advancement of those who have something to contribute but are not given the chance.

When Carrie was determined to pursue a graduate degree, the high obstacle of segregation was the first of many she would overcome. Her fourteen years of service in the Florida legislature, in both the House and Senate, helped make Floridians safer from crime, opened new opportunities to Florida's students to achieve higher education, and provided affordable housing to those facing financial difficulty. Her historic election in 1992 as the first African American to represent a Florida district in Congress since Reconstruction began a decade of distinguished service here in Washington.

In Congress, Carrie championed economic development, housing, education, and access to affordable health care. Her relentless advocacy on behalf of her constituents in the aftermath of Hurricane Andrew brought over $100 million in assistance to rebuild communities across Miami-Dade County and South Florida. Since her retirement from Congress in 2003, Carrie has continued her work at the helm of the Carrie Meek Foundation, a charitable venture committed to improving the lives of Americans by supporting programs in housing, education, health care, and community development.

I am grateful to call Carrie my friend, and I join with my colleagues in celebrating her service to the people of Florida in Congress and her continuing commitment to her fellow Americans across the country.

HONORING THE NEVADA GOES FALL FREE COALITION

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Ms. BERKLEY. Mr. Speaker, today I urge my colleagues to join me in recognizing the Nevada Goes Fall Free Coalition on the occasion of the Nevada Fall Prevention Day.

The Nevada Goes Fall Free Coalition has fostered community partnerships across the aging and disabilities service network to provide education and fall prevention programs to local residents.

Nevada Fall Prevention Day is sponsored by the Nevada Goes Fall Free Coalition; a community based task force supported by the National Council on Aging.

The Coalition was formed to promote collaboration among members, to bring awareness to this issue, to promote the effectiveness of risk factor identification and intervention, and to work toward the implementation of the 36 strategies contained within the National Action Plan.

It is estimated that nearly 12 percent of Nevadans are over the age of 65. Additionally, it is estimated that in the United States one-third of all people over the age of 65 will fall each year. Furthermore, over half of the seniors over the age of 80 will fall each year. This would result in medical costs that would exceed $27 billion annually.

Falls are the leading cause of injury deaths among people over the age of 65 and the leading cause of nonfatal injuries and hospital admissions for trauma.

Falling and the fear of falling, can lead to depression, hopelessness, loss of mobility, and loss of functional independence. However, falls and injuries from falls are largely a preventable community health problem.

As the Representative for Nevada's First Congressional District, it gives me immense pride to recognize the Nevada Goes Fall Free Coalition on the occasion of the Nevada Fall Prevention Day.

20TH ANNIVERSARY OF ARMENIAN INDEPENDENCE

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. CROWLEY. Mr. Speaker, I rise today to commemorate the 20th anniversary of the full declaration of Armenian independence on September 21st, and to acknowledge the numerous contributions of Armenian-Americans to the history, society, and culture of the United States.

The legacy of the Armenian people is one of strength, resilience, and determination, and we pay tribute to those who struggled for and won their independence twenty years ago today.

The thorny path to freedom is difficult for so many throughout the world, and I am proud to stand alongside the Armenian people as they continue to consolidate the gains of independence. Over the past two decades, Armenia has moved toward a modern, dynamic economy, reduced poverty and inequality, and built a vibrant civil society. I personally experienced the warmth and generosity of the Armenian people first-hand during my visit there.

Here in the United States, the contributions of Armenian-Americans are innumerable. Hundreds of thousands of Armenian-Americans have contributed to the strength, prosperity and creativity of this country by leading the way in diverse fields such as medicine, literature, business, the arts, human rights, and science. The contributions of the Armenian-American community to the United States—and in particularly to life in New York—cannot be fully appreciated quantitatively. It can only be realized by those who walk the streets of New York and interact with the Armenian-American community there and throughout the country.

All those of Armenian heritage throughout the world rightfully celebrate this national day with pride in their hearts and hope for the future. It is my honor to send congratulations to the people of Armenia, along with best wishes for a peaceful and prosperous year ahead.

IN RECOGNITION OF INTERNATIONAL DAY OF PEACE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of International Day of Peace. This year represents the 30th anniversary of this global celebration and focus on international peace.

In 1981, the United Nations (UN) General Assembly first established the International Day of Peace. It mandated that it be observed annually on the third Tuesday of September, coinciding with the opening of the General Assembly. The resolution was introduced jointly by the United Kingdom and Costa Rica. The first International Day of Peace, also known as World Peace Day, was observed in 1982. In 2001, a new resolution passed the UN General Assembly, specifying September 21st as the annual day of non-violence and cease-fire.

Today, September 21, 2011, marks the 30th anniversary of International Peace Day. This year's theme is ''Peace and Democracy: Make Your Voice Heard.'' The UN welcomes nations throughout the world ''to honor a cessation of hostilities during the Day, and to otherwise commemorate the Day through education and public awareness on issues related to peace.'' UN Secretary General, Ban Ki-moon will also ring the Peace Bell today at the UN Headquarters. The Peace Bell was donated by Japan in 1549 and is inscribed with the phrase, ''Long live absolute world peace.''

Mr. Speaker and colleagues, please join me as the global community comes together to celebrate the UN's International Day of Peace.

HONORING THE COUNTY COLLEGE OF MORRIS

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the County College of Morris, located in Randolph, New Jersey, for its outstanding record as an academic institution.

CCM has long been representative of academic excellence in the State of New Jersey. Since the opening of its doors in 1968, the school has provided a diverse and enriching environment for both students and faculty alike. With the understanding that their institution provides our future leaders with the knowledge, education and experience they will need to excel in their lives, the faculty and staff of CCM have embraced the responsibility of creating a solid foundation from which our young people will grow.

Much of the CCM's success can be attributed to the exceptional leadership of Dr. Edward J. Yaw, who is celebrating his 25th Anniversary as President of CCM. In accordance with its mission to provide dynamic, challenging, high quality and accessible academic programs, Dr. Yaw helped to establish the CCM Foundation in 1987, which aims to help ease the burden of college. Since its inception, the CCM Foundation has raised more than $7 million to support programs, scholarships, staff development and numerous other projects that, while not funded through tuition and public support, are vital to the development of CCM students.

Under the leadership of Dr. Yaw, who was awarded the Community College Spirit Award in 2008 for his exemplary service to New Jersey's community colleges, CCM continues to modernize and expand the college's facilities. In a burgeoning society that is ever introducing new technology, CCM ensures its students have access to the resources necessary to develop the skills vital to success in the world beyond the classroom.

Since its founding, CCM has been a positive force in the lives of thousands of men and women who pass through its halls. Those it has influenced over the years continue to serve as leaders and role models in communities all over the world. Thanks to devoted faculty and staff, like Dr. Yaw, CCM continues to flourish and provide education for those seeking to further their knowledge and learning.

Mr. Speaker, I ask you and my colleagues to join me in honoring and recognizing the achievements of the County College of Morris and those who devote themselves to its continuing success as an institution of higher learning.

COMMEMORATING HUNGER ACTION MONTH AND HONORING ARLINGTON FOOD ASSISTANCE CENTER

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. MORAN. Mr. Speaker, I rise today to commemorate Hunger Action Month and to honor the Arlington Food Assistance Center, located in the Eighth Congressional District.

Hunger Action Month was established to help inform individuals, communities, corporations and policy makers that hunger is a severe domestic issue and deserves our critical attention. The Arlington Food Assistance Center's sole mission is to feed the hungry. This important action allows their clients to make other necessary purchases, such as paying for rent and utilities, without having to sacrifice their health and nutritional needs.

Despite the fact that Arlington County is one of the wealthiest areas in the country, plenty of local residents do not have enough to eat. The Arlington Food Assistance Center seeks to remedy this problem by distributing fruit, vegetables, meat, milk, eggs, bread and other food items to those in Arlington who are in need. It currently distributes food to approximately 1,350 clients each week, amounting to 2.1 million pounds of food provided directly to Arlington families last year. About 65 percent of this food was donated from bakeries, supermarkets, farmers' markets, food drives, schools, congregations, businesses and private donors in the local community.

I would like to commend the staff and volunteers of the Arlington Food Assistance Center for their hard work providing food for Arlington's needy families and raising awareness of hunger in our communities.

HONORING PRINCIPAL MARTHA GUSTAFSON

HON. CORY GARDNER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. GARDNER. Mr. Speaker, I rise today to honor Martha Gustafson, the Principal of Walt Clark Middle School in Loveland, Colorado.

In 2011, Ms. Gustafson was given the Colorado Middle Level Principal of the Year award by the Colorado Association of School Executives.

Just two years after being named Principal of Walt Clark, the school has improved significantly, most notably with strong growth by students in math.

In the Thompson School District of Colorado, Walt Clark Middle is a leader in academic growth for reading and writing. The tremendous leadership of Ms. Gustafson has provided the highest quality standards of learning.

Ms. Gustafson has utilized new and creative measures to motivate teachers. Walt Clark's academic achievements prove that Ms. Gustafson's plan is succeeding.

Each week, teachers analyze data regarding student performance and discuss strategies on how to improve. Ms. Gustafson's direction is innovative and illustrates that Walt Clark is consistently striving to better their students and surrounding community.

This dedication to public education is moving and I am privileged to have such an outstanding educator in my Congressional District.

Her commitment to public education gives inspiration to all educators that want to make a difference in every student's life.

I am proud to recognize Colorado Middle Level Principal of the Year, Martha Gustafson on the House Floor.

IN MEMORY OF RAYMOND C. SINGLETARY, JR.

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to a great American farm advocate, successful businessman and dedicated community leader from the State of Georgia, Raymond C. Singletary, Jr.

Mr. Singletary, a pillar in Georgia's agricultural community, recently passed away at the age of 99 at Pioneer Community Hospital of Early in Blakely, Georgia. His funeral service was held at the First United Methodist Church on Saturday, September 17, 2011.

He was born March 26, 1912 to the late Raymond Cook Singletary, Sr. and Emma Quillian Singletary. He was preceded in death by his loving wife Margaret Sparks Singletary, his two sons Raymond Clifford Singletary and Marvin Sparks Singletary, and a brother A.J. Singletary and a sister Alice S. Dunn.

A lifelong Georgian, Mr. Singletary attended Sewanee Military Academy and graduated from Emory University in 1932 where he was a member of Sigma Alpha Epsilon fraternity.

Following his graduation from college, Mr. Singletary embarked on a tenured and successfully dynamic professional career in the

fields of agriculture, banking and community service. He was a member of the Blakely Peanut Company and served as President from 1944 until 1978, and as Chairman of the Board from 1944 to 1985. Additionally, he was a member of the National Peanut Council, and served as the association's Chairman in 1966.

Along with his advocacy efforts on behalf of Georgia's peanut farmers, Mr. Singletary was the Supervisor of the Flint River Soil and Water Conservation District from 1944 to 1971, and was Supervisor Emeritus from 1977 to 2011. Moreover, he served as a member of the Presidential Commission on World Hunger from 1979 to 1980.

Despite the demanding commitments associated with his occupational duties and agricultural advocacy initiatives, Mr. Singletary still found time to remain actively involved with other community organizations. He was a Mason, a Shriner, former Chairman of the Board of the First United Methodist Church and a distinguished member of the Blakely Rotary Club. In 2009, he received the Rotary Club's most prestigious award, the Four Avenues of Service Award.

He is survived by a daughter, Anne S. Hammack and her husband Albert of Dalton, Ga.; a daughter-in-law, Henrietta Singletary of Albany, Ga.; a sister, Emily S. Garner of Milledgeville, Ga.; 5 grandchildren: James Albert Hammack, III and wife Elizabeth of Atlanta, Ga; Margaret H. Long and husband Jason of Atlanta, Ga; McArthur Singletary and Duncan Singletary, both of St. Simmons Island, Fl. and Raymond Singletary of Atlanta, Ga.; 2 great-grandchildren: James Albert Hammack IV and Mary Moore Hammack of Atlanta, Ga.

I would like to ask my colleagues to join me in paying homage to Raymond C. Singletary, Jr. He lived a full life and the people of southwest Georgia will always be indebted to him for his unyielding support of our state's peanut farmers and our agricultural community at-large. Our thoughts and prayers are with his family, friends and the Blakely, Georgia community at this time of great loss.

CORRESPONDENCE WITH DEFENSE SECRETARY PANETTA ON THE AFGHANISTAN/PAKISTAN STUDY GROUP

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. WOLF. Mr. Speaker, I submit my correspondence with the administration on my call for an Afghanistan/Pakistan Study Group. My letters to Defense Secretary Leon Panetta of July 19, 2011; August 1, 2011; and August 8, 2011 follow:

HOUSE OF REPRESENTATIVES,
July 19, 2011.

Hon. LEON PANETTA,
Secretary of Defense,
The Pentagon, Washington, DC.

DEAR LEON: I write today concerning the U.S. mission in Afghanistan and Pakistan. My amendment, which gives the Secretary of Defense the authority to establish an Afghanistan/Pakistan (Af/Pak) Study Group, was included in the House-passed FY 2012 Defense Appropriations bill. I pressed for the amendment because I believe fresh eyes are needed now to examine the situation on the ground and the overall U.S. mission.

I envision the Af/Pak Study Group being modeled after the Iraq Study Group (ISG). Both you and your predecessor Bob Gates served on the ISG and know better than most the benefits it provided after three years of fighting in Iraq. Now that the U.S. is in its 10th year in Afghanistan, I believe a similar effort is necessary.

Before he was appointed as ambassador to Afghanistan, Ryan Crocker supported creating an Af/Pak Study Group, along with Ambassador Ronald Neumann and Jim Dobbins from the RAND Corporation. American men and women are fighting and dying in Afghanistan. If we are asking them to put their lives on the line daily, I believe we have an obligation to provide an independent evaluation of the U.S. mission. We owe our military forces nothing less.

I do not have the answers. But as you know, there is a movement building in Congress in favor of pulling troops out of Afghanistan. An amendment offered by Rep. Jim McGovern earlier this year to the National Defense Authorization Act to accelerate U.S. departure from Afghanistan was narrowly defeated 204–215. If six members had changed their vote, the amendment would have passed. I have talked to several members who voted against the McGovern amendment who are seriously concerned about the war in Afghanistan and could change their vote if the situation on the ground does not improve rapidly.

I also believe it is critical that Afghanistan be examined in tandem with the facts on the ground in Pakistan. It is clear that in order to be successful in Afghanistan, we must have a clear understanding of how Pakistan is influencing U.S. operations. Just look at the recent news from the region. Hamid Karzai's half-brother was murdered and his funeral bombed, Karai advisor Jan Mohammed Kahn was murdered, and militants attacked and laid siege to the Intercontinental Hotel in Kabul. The enclosed article printed recently in the Washington Post states, ''. . . optimism and energy vanished long ago, gradually replaced by cynicism and fear. The trappings of democracy remained in place . . . but the politics of ethnic dog fights, tribal feuds and personal patronage continued to prevail.''

The men and women serving in Afghanistan deserve to have fresh eyes look at this region as soon as possible. With House passage of the A/Pak amendment, I ask that you use your authority as secretary and move quickly to create this study group. I have discussed my amendment with John Hamre at the Center for Strategic and International Studies (CSIS) and he has offered to coordinate the group with professionals with a wide range of expertise.

I would appreciate the opportunity to meet with you to discuss this important initiative and look forward to working with you to ensure we are successful in Afghanistan and Pakistan.

Best wishes.

Sincerely,

FRANK R. WOLF,
Member of Congress.

HOUSE OF REPRESENTATIVES,
August 2, 2011.

Hon. LEON PANETTA,
Secretary of Defense,
The Pentagon, Washington, DC.

DEAR LEON: I want to follow up on my previous letter regarding Afghanistan policy and bring to your attention a book I am reading, The Wars in Afghanistan, discussed in the enclosed Washington Post book review. Its author, Ambassador Peter Tomsen, is a veteran of the Foreign Service and has an impressive background in the South Asia region. If you have not read his book, I highly recommend it to you. The Post review concludes: ''This long overdue work. . .is the most authoritative account yet of Afghanistan's wars over the last 30 years and should be essential reading for those wishing to forge a way forward without repeating the mistakes of the past.''

After three years of the Iraq war, the formation of the Iraq Study Group garnered the support of Secretary Rumsfeld, Secretary Rice, and Joint Chiefs General Pace. Our military men land women have been putting their lives on the line in Afghanistan every day for 10 years, seven years longer than when the decision was made to create the ISG to provide the independent assessment needed for U.S. policy in Iraq. I believe we owe it to our brave soldiers to focus now with fresh eyes on the target in Afghanistan.

I have spoken with Ambassador Tomsen about a framework for moving forward in Afghanistan, and he would be happy to meet with you and your team to discuss his breadth of experience there. I urge you to take him up on his offer.

Best wishes.

Sincerely,

FRANK R. WOLF,
Member of Congress.

HOUSE OF REPRESENTATIVES,
August 8, 2011.

Hon. LEON PANETTA,
Secretary of Defense,
The Pentagon, Washington, DC.

DEAR LEON: I want to draw your attention to the enclosed letter I received from retired Marine Corps General Charles Krulak regarding an Afghanistan/Pakistan (Af/Pak) Study Group.

General Krulak makes an important point that we cannot be successful in Afghanistan if we do not address the ongoing tensions and frequent hostilities between Pakistan and India. I again ask you to take the language in the FY 2012 Defense Appropriations bill and use your authority to create the Af/Pak Study Group. Every day we delay is another missed opportunity to successfully address U.S. policy in South Asia.

Thank you for your time and I look forward to meeting with you in the near future to discuss this important issue.

Best wishes,

Sincerely,

FRANK R. WOLF,
Member of Congress.

BIRMINGHAM-SOUTHERN COLLEGE,
Birmingham, AL, July 25, 2011.

Hon. FRANK R. WOLF,
Cannon House Office Building,
Washington, DC.

DEAR CONGRESSMAN WOLF: Thank you so much for your letter of July, 20, 2011 forwarding me your letter to Secretary Panetta. You asked for my thoughts on the proposed Af/Pak Study Group and here they are:

I think you are spot on! It should be obvious to everyone concerned that the time has come to do a professional evaluation of the current policy in the region. When I mention ''region'', I believe it is important to include India. At the end of the day, Afghanistan, Pakistan and India are inextricably linked . . . you cannot establish policies in a stove pipe manner. The Study Group will immediately recognize that fact and accommodate it.

It is important to understand that conflict occurs at three levels . . . Strategic, Operational, and Tactical. Too often we look at the tactical level . . . see the heroism and accomplishments of our servicemen and women . . . and make conclusions re. the conduct of the war. Unfortunately, that is

NOT the way to look at this current conflict. Like Vietnam, we can do a solid job at the Tactical Level and lose the war at the Operational and Strategic Levels. This is where we find ourselves today in Afghanistan . . . and the path to any kind of victory is closely linked to success in Pakistan and India. The possibility of achieving such success across all three countries is small . . . certainly following the policies in place today (and yesterday.)

Again, I applaud your work and on behalf of those young men and women who are sacrificing so far from home, I thank you.

Semper Fidelis.

CHARLES C. KRULAK,
General, USMC (Ret.).

ON THE OCCASION OF THE END OF ''DON'T ASK, DON'T TELL''

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. KUCINICH. Mr. Speaker, yesterday the military's "Don't Ask, Don't Tell" (DADT) policy officially ended.

Yesterday, J.D. Smith, a 25 year-old Air Force officer and gay rights advocate could drop his pseudonym and come out as who he is—1st Lieutenant Josh Seefried.

Yesterday, Maj. Darrel Choat, a gay Marine officer wrote in The Washington Post: "I am a patriotic American. I am an officer who loves country and Corps. I am doing my best to serve honorably and proudly. And I happen to be gay."

Yesterday, a policy that since 1993 has led to over 14,000 servicemembers being fired simply for being open about their sexual orientation officially ended, allowing Major Choat, 1st Lt. Seefried and thousands of other servicemembers to continue their service in the U.S. military without having to hide who they are.

Policies like "Don't Ask, Don't Tell", which created an atmosphere of fear and mistrust among colleagues serving side-by-side, have no place in the military.

I applaud the official end of "Don't Ask, Don't Tell" and the significance of its repeal in ensuring equality in our military and in securing rights for members of the Lesbian, Gay, Bisexual and Transgender community.

WHEN WILL MARINE LEADERSHIP STAND UP FOR GAY SERVICE MEMBERS?

(By Darrel Choat)

If President Obama could have ended ''don't ask, don't tell'' by announcing a policy change, rather than his intent to work with Congress to repeal the law, in his 2010 State of the Union address, I might have served in the Marines openly but quietly. But the repeal debate turned ugly, and as gay veterans and gay soldiers and Marines serving in Iraq and Afghanistan were disrespected by military and civilian leaders, I realized that a quiet transition was not an honorable course of action.

Remarks by senior Marine leaders made clear that their conception of ''Marine'' did not include those who were gay. During and following his confirmation hearings in fall 2010, Commandant Gen. James F. Amos said that he did not want his Marines dying because of a ''distraction.'' He probably meant that managing the repeal would be a distraction, but many gay Marines, myself included, felt that Amos was saying that we were the distraction that would get our fellow Marines killed. Given the number of gay Marines in combat, this comment was deeply hurtful.

I am a patriotic American. I am an officer who loves country and Corps. I am doing my best to serve honorably and proudly. And I happen to be gay.

My challenge is not to simply acknowledge my sexuality as a Marine officer but for my actions to reflect the legacy of the Declaration of Independence—that all Americans are created equal and deserve equal consideration from their government. My task is to demand no less from my country and Corps. I understand that my statements will prompt anger and disgust among some active-duty and retired Marines. History demonstrates, however, that deliberate steps are necessary to overcome the legacy of dishonor and prejudice such as that inspired by ''don't ask, don't tell.'' I have confidence that my Corps will take those steps.

While working in the Senate in the 1990s, I remember Sen. Jesse Helms (R–N.C.) taking to the floor and disparaging the ''agenda'' of gays and their ''sinful'' and ''deviant'' behavior. I felt helpless. One day Helms stepped into an elevator in which I alone was riding. Slowly, I realized no words could be adequate to confront him. His hate and ignorance could not be rationally discussed. The only effective course, it seemed to me, would be to disprove him by example, by personifying a proud, honorable and gay American who—simply by existing—refuted Helms's demagoguery.

I came out to my family years earlier, and I had long been in the habit of letting coworkers become aware of my sexual orientation. Often I made no pronouncements. Engaging in honest discussions about weekend activities or personal relationships was all that was necessary. My guiding principle was simple: If I felt I had to say something or compromise out of fear or shame because I was gay, I had to stop and take the honest course. If I got fired, I got fired. No job was worth the sacrifice of my honor and courage.

In 1981, I had been awarded a four-year Marine Corps Reserve Officer Training Corps scholarship. I was aware that I was different—I hated being different—and I was self-conscious. I found it difficult to interact with other midshipmen and Marines, so I left the program. In 1997, however, I knew that ''don't ask, don't tell'' did not preclude my service; it simply required that I shut up about being gay. So I applied and was accepted to attend Officer Candidate School in Quantico in October 1997. I greatly underestimated the personal cost of this compromise.

After the Battle of Saipan in 1944, Marine Commandant Gen. Alexander Vandegrift said, ''The Negro Marines are no longer on trial. They are Marines, period.'' His predecessor, Gen. Thomas Holcomb, had said that ''Negroes did not have the right to demand a place in the corps'' and that ''If it were a question of having a Marine Corps of 5,000 whites or 250,000 Negroes, I would rather have the whites.'' It took leadership for Vandegrift to recognize the heroic service of African American Marines and end officially sanctioned segregation in the Corps.

While Sgt. Maj. Micheal Barrett, the service's senior enlisted official, clearly stated in June that a Marine is a Marine, regardless of sexual orientation, I am aware of no senior Marine officer who has followed Vandegrift's lead and set a leadership tone that will turn the page on the prejudice of the past. A January video by Amos and Barrett's predecessor, Sgt. Maj. Carlton Kent, sent the message simply that the don't-ask law has changed and that Marines follow the law. Action to overcome the legacy of ''don't ask, don't tell'' is still necessary.

Vandegrift is an example of the possible. With the formal repeal today of ''don't ask, don't tell,'' it is time for the Marine Corps to end the bigotry and prejudice regarding sexual orientation and to give Marines, combat veterans and Purple Heart recipients the respect and consideration they have earned. Marine Maj. Darrel Choat, a student at the Marine Corps University in Quantico, is the author of a report and personal essay in ''The End of Don't Ask, Don't Tell,'' a forthcoming book from Marine Corps University Press. The views expressed here are his own.

IN HONOR OF THE BUCKS COUNTY CONSERVATION DISTRICT

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. FITZPATRICK. Mr. Speaker, I rise today to honor the 50th anniversary of the Bucks County Conservation District. Their mission is to provide for the wise use, management, and development of Bucks County's soil, water, and other important natural resources.

Through a comprehensive approach which includes traditional advocacy as well as educational efforts such as school-based programs to present lessons to students on soil and water conservation, and watershed education for teachers to educate them on the importance of protecting our watersheds, Bucks County Conservation District is leading the conservation efforts in my district.

Local solutions that originate in groups like the Bucks County Conservation District are often the best solutions, and I congratulate them on celebrating 50 years of success and I wish them the best of luck as they work to preserve vital soil and water resources for generations to come.

IN HONOR OF MAYOR STEVE BACH

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. LAMBORN. Mr. Speaker, I rise today to honor and congratulate the new mayor of Colorado Springs, Steve Bach. Situated at the heart of my district, Colorado Springs is an exceptional community that deserves an exceptional leader. Mayor Bach is that man.

In 2010, Colorado Springs voters adopted a strong mayor-council form of government. As the city's first mayor under this new model, Steve will lead Colorado Springs through this historic transition. For the first time in the city's 140-year history, the Mayor will have broad powers over hiring and firing city workers.

Mayor Bach has a unique opportunity to shape the city's direction for years to come. Mayor Bach has lived in Colorado Springs for over 40 years and has seen the city change from a small town nestled in the foothills of the Rocky Mountains to the 41st largest metro area in the country.

Mayor Bach previously was a commercial real estate broker who retains longstanding ties to the business community. He promises to improve the business climate by cutting red tape at City Hall. His fresh ideas on job creation and his history of building coalitions in

the community will no doubt bring new vigor to the area's economy.

As a devoted husband and family man, Mayor Bach knows the kind of values and ideals that are required to lead in a responsible and conservative manner. I wish the Mayor success in his new job. I know that Colorado Springs could not ask for a better mayor at this critical time.

RECOGNITION OF ADMIRAL MIKE MULLEN'S FORTY-THREE YEARS OF DISTINGUISHED SERVICE IN THE UNITED STATES NAVY

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. MCKEON. Mr. Speaker, I rise today to pay tribute to Admiral Mike Mullen who is retiring as the 17th Chairman of the Joint Chiefs of Staff after more than 43 years of distinguished service to his country.

A proud graduate of the U.S. Naval Academy's Class of 1968, his rise in the Navy started at sea, when Ensign Mullen deployed to the western Pacific and participated in combat operations off the coast of Vietnam aboard USS *Collett*. Over the course of his career at sea he subsequently served on six other warships, including command of three of those vessels. Admiral Mullen also commanded the *George Washington* Carrier Strike Group and U.S. Second Fleet.

In July of 2005, Admiral Mullen was sworn in as the 28th Chief of Naval Operations, serving as the top uniformed leader and representative to the Joint Chiefs of Staff. During his tenure, he oversaw the service's efforts to man, train, and equip our Navy to fulfill its traditional missions at sea. Additionally, he conceived and championed the Navy's contributions to the fight on the ground in Iraq, Afghanistan, and other nations in support of our country's effort to combat violent extremism.

After successfully completing his tour as Chief of Naval Operations, Admiral Mullen assumed duties as the 17th Chairman of the Joint Chiefs of Staff on October 1, 2007. Since assuming duties as Chairman, he has, in concert with our Nation's leadership, overseen multiple, sustained joint military operations that disrupted terrorist networks, provided humanitarian assistance at home and abroad, and improved the security and stability in Iraq and Afghanistan.

While continuing to lead our men and women in uniform around the world, Admiral Mullen has been the catalyst for a nationwide dialogue to advance awareness and support for our warriors, veterans, and their families. I have no doubt his commitment to these Americans who have given so much will indeed be enduring, lasting far beyond his days in uniform.

Please join me in recognizing and commending Admiral Mike Mullen for a lifetime of service to his country and to wish him the best in his retirement. May God bless Mike and Deborah, and their family, for all they have given and continue to give our country. The United States Navy and our military will dearly miss one of its most respected and valued leaders.

CELEBRATING THE LIFE AND ACCOMPLISHMENTS OF MASTER SERGEANT RICHARD FRANCIS MURPHY

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise today to honor the life and accomplishments of Master Sergeant, Richard Francis Murphy.

Richard was born in Providence Rhode Island on May 10, 1917. He enlisted in the U.S. Army Air Corps at the age of 19 and continued to show his dedication to our country for years to come. He served in both World War II and the Korean War before retiring as a Master Sergeant.

After his retirement from the Air Force, Richard went to work for the Electric and Water Department for the City of Santa Clara. He volunteered in his community, serving on many civic and veterans organizations including the United Veterans Council of Santa Clara County and the Air Force Sergeants Association. Richard was easily recognizable in San Jose, as he helped organize our Veterans Day parade and the Memorial Day ceremony at Oak Hill Cemetery.

On August 21st of this year, Richard passed away in his home in San Jose at the age of 94. Richard and his wife Kay had been married for 69 years. In that time they saw the birth of five children, four grandchildren, and three great grandchildren.

Richard was not only a dear friend of mine, but he was a friend to the entire veteran community in San Jose. He was proud of his service and grateful to others who served. I wish to honor the life of this American hero and memorialize our gratefulness for his dedication to his community and country.

IN RECOGNITION OF HELEN BRADLEY

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. SESSIONS. Mr. Speaker, I rise today to recognize Helen Bradley, this year's recipient of the Outstanding Teaching of the Humanities Award from Humanities Texas.

After graduating from the University of Dallas, Ms. Bradley joined the Social Studies Department at Nimitz High School in Irving, Texas. Her belief in and commitment to the concept of opportunity is evident in her approach to her U.S. history and government classes. By helping students recognize America's unique opportunities for all and elevating the material with visits to the Dallas Holocaust Museum and the Sixth Floor Museum, Ms. Bradley creates a distinct, positive, and enjoyable learning experience for her students. She exhibits great leadership by coordinating with teachers from other departments and different grade levels to enhance the material and ensure her students are informed, knowledgeable, and proud of our Nation's rich history.

Her lessons extend beyond the classroom. For over twenty years, Ms. Bradley devoted the third Friday of every month to community service, volunteering alongside a group of her students and Nimitz alumni. What she teaches her students is not merely U.S. history; it encompasses life lessons and the values of opportunity and service. Ms. Bradley exemplifies the important role of educators play in shaping our youth and preparing them to be the next generation of great leaders.

This prestigious award recognizes her outstanding contributions in teaching and service to the humanities. It is my great pleasure and privilege to honor Ms. Bradley for her passion for teaching, commitment to service, and belief in the importance of education and opportunity. Mr. Speaker, I ask my esteemed colleagues to join me in congratulating Ms. Bradley.

HONORING LONG-SERVING MEMBERS OF THE NATIONAL ASSOCIATION OF LETTER CARRIERS IN WESTERN NEW YORK

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. HIGGINS. Mr. Speaker, in today's time of challenging budgets and fiscal uncertainty, at a time when the long term success of the United States Postal Service hangs in the balance, it is altogether fitting and proper that we recognize the dedicated public servants who have populated the rank and file membership of the Postal Service in Western New York.

The role of a letter carrier remains among the most fundamental in American society. It remains an amazing feat that a letter dropped into a mailbox in Buffalo, New York will shortly arrive at its destination, be it across town or across the country. Letter carriers face a wide array of complications, obstacles, hazards and other challenges as they complete their daily routes. Citizens across the United States open their mailboxes and routinely retrieve their mail, seldom stopping to reflect upon the work performed by letter carriers each day.

Beyond their professional responsibilities, Letter Carriers are integral members of our community as well. While Letter Carriers participate in dozens of charitable events throughout the year, they are particularly effective in the annual ''Stamp Out Hunger'' food drive, where millions of pounds of nonperishable food items are delivered to community food banks throughout the United States. I'm proud to add that the Buffalo region was the first to undertake this effort, and our region routinely leads the nation in tons of food collected for this annual event.

On Saturday, September 24th, Branch 3 of the National Association of Letter Carriers, representing Buffalo and Western New York, will hold its annual ''Old Timers' Night.'' This event will pay tribute to the careers of eleven letter carriers, each having more than 50 years of service.

Scheduled to be honored are the following members with 55 years of service: Chester Gawel, Richard Miller, Albert Schattner, Chester Stuben, and John Zelli.

Those with 50 years of service who are to be honored include: Richard Bailoni, Edward Dudkowski, Robert Hibbard, Salvatore Iannello, Joseph Sikorski, and John Tutaro.

In addition, Life Members (past honorees with more than 50 years' service) will also be on hand for the event. They include: Florian Chmurzynski, Robert Connors, Frederick Diringer, Ronald Dubois, Norman Gast, Edward Jarnot, Kenneth Kreger, Albert Martin, Guy Merritt, James Mooney, Robert Ohlenschlager, and Thomas Trotta.

The inscription at New York City's James Farley Post Office reads, "Neither snow nor rain nor heat nor gloom of night stays these couriers from the swift completion of their appointed rounds." I am pleased to join with Branch 3 of the National Association of Letter Carriers to honor these fine public servants, and to wish to them good luck and Godspeed in the months and years to come.

HONORING U.S. ARMY SERGEANT GARRICK L. EPPINGER, JR.'S SERVICE IN AFGHANISTAN

HON. REID J. RIBBLE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. RIBBLE. Mr. Speaker, I rise today to remember and honor the life and sacrifice of Sergeant Garrick L. Eppinger, Jr. A resident of Appleton, Wisconsin, Sergeant Eppinger died while serving our country in the Parwan Province of Afghanistan. He was assigned to the 395th Ordnance Company, 687th Combat Sustainment Support Brigade, 646th Regional Support Group, 310th Expeditionary Sustainment Command, U.S. Army Reserve, Wausau, Wisconsin. Garrick Eppinger, Jr. died protecting the freedoms we take for granted every day. His heroic sacrifice will not soon be forgotten.

Mr. Speaker, Sergeant Eppinger embodied the best qualities of a true American soldier. He served this country with honor and exhibited profound bravery and selflessness during his three overseas deployments. Sergeant Eppinger was a loving son, a devoted father and now he will forever be known as an American hero. He is remembered by friends and family as a man with a courageous and strong spirit who earned the unwavering respect of his peers. Although the loss of Sergeant Eppinger left a void in the hearts of many, his dedication and exemplary service has made Northeast Wisconsin and his country proud.

It is my honor to commemorate him and I urge my colleagues to join me today in honoring the life of Sergeant Garrick Eppinger, Jr. for the sacrifice he made for the United States of America.

RECOGNIZING THE CRUTCHFIELD FAMILY AS THE 2011 OKALOOSA COUNTY OUTSTANDING FARM FAMILY OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. MILLER of Florida. Mr. Speaker, it is a great pleasure for me to rise today to recognize the Crutchfield family for being selected as the 2011 Okaloosa County, Florida Outstanding Farm Family of the Year.

Reginald Crutchfield is a fifth generation farmer who truly understands the value of a strong work ethic and good soil, and he instills those values in his family every day. With the help of his wife Regina and his son Phillip, Reggie sows and harvests nearly 500 acres of peanuts, wheat and corn.

Throughout his life, Reggie has epitomized the true meaning of hard work. In 1981, Future Farmers of America (FFA) recognized his dedication to the farming industry and awarded him with the title of FFA Star State Farmer. Since that time, Reggie has worked independently as a farmer among other jobs in order to provide for his family. His impressive career includes work as a researcher of beef cattle with the University of Florida and as a golf course superintendent overseeing grass production. In 2008, Reggie successfully battled cancer and went back to work as a full-time farmer, replanting his crops and expanding his business.

Reggie and Regina have raised their children, Jhanna, Phillip, Bailey, and Paige, to respect the land and to be active members of their community. In addition to helping her husband out on the farm throughout their 27 years of marriage, Regina works as a speech pathologist for the Okaloosa County School District. The Crutchfields are members of First United Methodist Church of Crestview and the Okaloosa County Farm Bureau. This outstanding farm family has overcome constant challenges and continues to inspire those around them with their love of the land and their commitment to family.

Mr. Speaker, our great nation was built by farmers and their families. The Okaloosa County Outstanding Farm Family of the Year award is a reflection of the Crutchfield family's tireless work and dedication to family, faith and trade. On behalf of the United States Congress, I would like to offer my congratulations to the Crutchfield family for this great accomplishment. My wife Vicki and I wish them the best for continued success.

PERSONAL EXPLANATION

HON. ERIC A. "RICK" CRAWFORD

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. CRAWFORD. Mr. Speaker, on Thursday, September 15, 2011, I was inadvertently detained on rollcall vote 709. Had I been present to vote, I would have voted "yes."

HONORING MICHAEL FORAN

HON. CHRISTOPHER S. MURPHY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. MURPHY of Connecticut. Mr. Speaker, I rise today to honor the extraordinary service of Michael Foran, the 2012 MetLife/NASSP National High School Principal of the Year. A native of Newington, Connecticut, Mr. Foran has worked for 20 years within the New Britain school district and became Principal of New Britain High School in 2006. In this time, he has been instrumental in providing the 2,700 students of New Britain High School with the foundation they will need to succeed in today's competitive economy.

Among many of his notable initiatives, Mr. Foran's focus on career education led to the start of the New Britain Academy for Health Professions, which helps students prepare for careers in health care. He has also greatly expanded the school's mentoring programs for at-risk students. Despite school budget reductions and layoffs, Foran has sustained and advanced his school's reputation by building a more collaborative work environment between administrators, teachers and ancillary staff. As a result, since 2006, test scores have risen, more students are taking AP courses, and fewer students are dropping out. This can be credited to better instruction due to Foran's excellent leadership attributes, which were essential in awarding him the honor of National Principal of the Year.

The MetLife/NASSP program honors secondary school principals who have arrived at administering distinctive learning opportunities for students. High school and middle school principals from every state in the nation are nominated. From this accomplished pool, 6 finalists are chosen as contenders to be named Principal of the Year. This program recognizes the very pivotal role that principals such as Mr. Foran play in the education system as leaders and role models who excel in maintaining a positive community for both students and teachers.

Mr. Speaker, I believe that we can all learn from Mr. Foran's dedication to education and service, and so I ask my colleagues to join me, and the people of Connecticut, in recognizing Michael Foran as the National Principal of the Year.

PERSONAL EXPLANATION

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. LUETKEMEYER. Mr. Speaker, on rollcall No. 715, I was attending a meeting that ran long, and therefore, I was unable to vote on rollcall No. 715.

Had I been present, I would have voted "yea."

TRIBUTE TO THE DEFENSE INTELLIGENCE AGENCY'S 50TH ANNIVERSARY

HON. ROSCOE G. BARTLETT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. BARTLETT. Mr. Speaker, I rise today to pay tribute to the Defense Intelligence Agency on the occasion of its' 50th Anniversary.

Created in 1961, DIA is our nation's premier provider of intelligence on foreign military intentions and capabilities. DIA's workforce of over 16,500 military and civilian intelligence professionals conducts all-source analysis, human and technical intelligence collection, counterintelligence and provides secure information technology support worldwide for military commanders, warfighters and policymakers.

DIA is responsible for the Defense Attaché System, Defense Counterintelligence and HUMINT Center, National Defense Intelligence College, National Media Exploitation Center, National Center for Credibility Assessment and several specialized intelligence centers: the Underground Facility Analysis Center, the Missile and Space Intelligence Center and the Joint Intelligence Task Force—Combating Terrorism.

In addition to these components, I am especially pleased that DIA's National Center for Medical Intelligence, NCMI, is located in my Congressional District on Fort Detrick. NCMI's 150 civilian and military intelligence analysts and scientists are charged with preparing and coordinating intelligence on foreign health threats and medical issues to protect U.S. interest worldwide.

As a member of the House Armed Services Committee and a frequent visitor to NCMI and Fort Detrick, I have received numerous briefings from DIA and NCMI personnel. Each time I have been briefed by DIA analysts I have been impressed by the Agency's expertise identifying medical threats to U.S. forces and our allies, and the insights these intelligence professionals bring on foreign military intentions and capabilities.

During DIA's five decades of existence, the Agency has remained agile in the face of evolving national security threats. From the Cold War, to the Vietnam War, to the first Gulf War, DIA's early efforts focused on understanding and, if necessary, defeating state-sponsored militaries and providing strategic warning.

Since the 9/11 terrorist attacks, DIA has responded to the asymmetric threat posed by transnational terrorist groups such as al-Qaida by pushing more analytic and collection capabilities forward in direct support of our military forces in Iraq, Afghanistan and elsewhere. Today intelligence professionals from across DIA, including personnel from NCMI are forward deployed alongside our troops to provide the best and most timely military intelligence possible.

Mr. Speaker, I congratulate the men and women of DIA on 50 years of service. Guided by their Agency motto ''Committed to Excellence in Defense of the Nation'', I am confident that DIA will be standing watch to defeat the threats we face today and to indentify and meet the national security challenges of the next 50 years and beyond.

CONGRATULATING COLUMBUS CLIPPERS

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. STIVERS. Mr. Speaker, I rise today to congratulate the Columbus Clippers on winning their ninth, and second consecutive, Governor's Cup. The Governor's Cup is a baseball tradition dating back to 1933 and is awarded annually to the International League's champion.

First at Cooper Stadium and now at Huntington Park, since 1977 the Columbus Clippers have been a Central Ohio institution. The Clippers are a world-class organization, and attending a game at Huntington Park is a world-class experience. I have enjoyed many warm summer evenings cheering on the Clippers, and I know countless other Ohio families have shared similar fun-filled experiences enjoying America's favorite pastime in each other's company.

In Columbus, we take our sports seriously, and the Clippers have always been a point of pride for us. Their past two seasons have been particularly impressive with the team winning back-to-back championships. A single Governor's Cup win is an impressive achievement but two in a row is truly extraordinary. Over the years the Clippers have made their city and state proud with similar championship streaks, including holding on to the Governor's Cup for three consecutive years from 1979–1981.

A winning season takes hard work and many hours of practice and a great deal of effort. The team's success brings City of Columbus together to celebrate as a community. To the Columbus Clippers, I offer my congratulations on this season' championship and my best wishes for a strong season next year.

Columbus Clippers, RING YOUR BELL!

TRIBUTE TO CONGRESSWOMAN CARRIE MEEK

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Ms. BROWN of Florida. Mr. Speaker, as a 30-year colleague of Congresswoman Carrie Meek of Miami, I submit this tribute to honor of my dear, dear friend. Ms. Meek's life and career began from the most humble of backgrounds in segregated Tallahassee during the 1930's. She was the granddaughter of slaves and daughter of former sharecroppers, yet graduated from Lincoln High School, and later stayed in north Florida and graduated from Florida A&M University in 1946. Unfortunately, this was still a time when African Americans could not attend graduate school in the state of Florida, yet because of her fearless spirit and tenacity, Ms. Meek did not give up studying; she enrolled in the University of Michigan and received her M.S. degree in 1948. After graduation, Carrie was hired as a teacher at Bethune-Cookman University in Daytona Beach, Florida, and then at her alma mater, Florida A&M University. She then moved to Miami in 1961 to serve as special assistant to the vice president of Miami-Dade Community College, which was desegregated in 1963, largely due to Ms. Meek's integral role in the push for its integration.

I distinctly recall the years we served together in the Florida State legislature in the 1980's. And although Ms. Meek became Florida's first African American female state Senator in 1983, the same year I began my career of public service in the Florida House, we worked jointly on numerous projects beneficial to minority communities across the state of Florida. And since she served on the Education Appropriations Subcommittee, we tag teamed on various projects, including critical funding for HBCU's, affordable housing for minorities and the poor, as well as funding for critical transportation and infrastructure projects in areas previously overlooked.

And in 1992, after a long and bitter legal fight, Ms. Meek and I, along with Congressman ALCEE HASTINGS, became the first African American Members elected to the U.S. House of Representatives since 1871! Together in Washington, Rep. Meek and I worked arduously together on issues such as economic development for underserved areas, both nationally and in the state of Florida, on decreasing disparities in health care treatment and in increasing access to health insurance, as well as on education and housing issues. And as Floridians passionate about improving the conditions on the island nation of Haiti, we also traveled to Haiti together, and worked to advocate for Haitian immigrants and for increased U.S. foreign aid and investment on the island nation of Haiti. I will always fondly remember the years of working together with Ms. Meek, and am pleased to see Members of the Florida delegation coming together on the House Floor this morning to recognize her many achievements during her time in Congress.

THE CHILD AND FAMILY SERVICES IMPROVEMENT AND INNOVATION ACT AND TEMPORARY ASSISTANCE FOR NEEDY FAMILIES EXTENSION

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. REED. Mr. Speaker, I rise today to speak in support of two of today's scheduled bills, the Child and Family Services Improvement and Innovation Act and the Temporary Assistance for Needy Families Extension.

The Child and Family Services Improvement and Innovation Act makes the necessary improvements to the Child Welfare Services and Promoting Safe and Stable Families programs to ensure accountability of the funds spent in the programs. Particularly, the waiver requirements and the required Government Accountability Office study will help reduce the duplication of funds for these programs.

Regarding the Temporary Assistance for Needy Families Extension, I feel that this three month extension will provide the proper time to discuss, debate and research the benefits of mandating drug-testing and substance abuse treatment programs as a requirement for individuals to receive funds under this program. Including such a provision will increase the accountability of means-tested cash recipients and send a message that substance abuse will not be tolerated or supported by the federal government.

I see a direct link in the issue of substance abuse and child maltreatment; I feel that the inclusion of a drug-testing requirement would improve both programs and increase their efficiency.

I look forward to working on this issue with my colleagues in the Subcommittee on Human Resources, the Ways and Means Committee and the House of Representatives at-large.

PARKROSE CENTENNIAL

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. BLUMENAUER. Mr. Speaker, congratulations to Parkrose, Oregon on your Centennial.

Founded by Italian, Dutch, and German farmers in the late 1890s, the community of Parkrose was incorporated by its business community in 1911 and quickly faced the challenges of rapid growth.

By the 1920s, the farmland that supplied nearby Portland with much of its food was developed into motels, serving the travelers that traveled from the Columbia Gorge into the ''big city''. Next came housing developments, changing the landscape even more. In the 1960s, the newly constructed Banfield freeway attracted motorists off of Sandy Boulevard, Parkrose's main thoroughfare.

By the time of annexation by the City of Portland in 1980, Parkrose had faced challenges as great as any part of the metropolitan area. Throughout, Parkrose has fought to retain its identity, as well as its farmland, and have kept its schools an important focal point for the community.

In more recent years, Parkrose has rediscovered its past, celebrating many rich traditions. From its schools and businesses to its community gardens, parks, local farms, and thriving Farmers Market, the residents of Parkrose continue to shape their community into one that will be treasured and celebrated 100 years from now.

I offer my congratulations to the good citizens of Parkrose, Oregon as they begin their next century.

HONORING THE FAIRFIELD VOLUNTEER FIRE DEPARTMENT

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Fairfield Volunteer Fire Department, located in Essex County, New Jersey, as it celebrates 100 years of dedicated volunteer service to the Township of Fairfield.

The Fairfield Volunteer Fire Department, formerly the Township of Caldwell Volunteer Fire Department, was founded in 1911, with the help of a handful of residents. The very first firehouse in the township was built in 1912, on the lands given to the department by a generous donor. Unfortunately, the building burned in 1915. Due to a lack of necessary firefighting equipment, the department was helpless to combat the flames.

After the devastating fire, the department assumed a somewhat inactive status until a group of citizens reorganized in 1924 and erected a new firehouse in 1925 at the site of the old structure. To finance its new building, a $1500 mortgage was assumed. In 1927, the township's first fire truck, a 1926 Day-Elder Pumper, was purchased. Three years later the township purchased the truck to help alleviate the department's costs. Since that time, the township has purchased all necessary equipment used by the fire department.

In 1948, the Day-Elder was retired and replaced by a new 1948 GMC Pumper. Subsequently in 1952, the Township purchased a second GMC 1000 gallon Pumper. These two vehicles were housed at town hall, the location of the present day municipal building and Firehouse No. 1. In 1964, the department acquired a FWD four wheel drive GMC 1000 GPM Pumper, ''Old Engine 3.'' Then, in the spring of 1970, the present Firehouse No. 2 located on Plymouth Street was constructed and dedicated.

Continuing through the rapid growth of the town and the fire department, March 1974 brought the addition of the new 1500 GPM Hahn Pumper, Engine 4. Three years later, in September 1977, the nearly 30 year old GMC's were retired and replaced by two new twin Hahn 1500 GPM Custom Pumpers, Engines 1 and 2, rounding the arsenal to 4 modern pieces of apparatus.

In 1981, the members of the department designed and constructed a new Firemen's Recreation and Training Hall on land received from the town, adjacent to the Plymouth Street Firehouse. The organization sold the old firehouse which still stands today, now occupied by a privately owned business.

Three years later, the department purchased a 1984 LT1 100-foot Ladder Tower with a 1500 GPM pump. This vehicle was added to the Township's firefighting capabilities in response to the rapid growth of larger office buildings and multi-floor hotels. After 30 years of service, Old Engine 3 was soon replaced with a new Pierce 2000 GPM custom built Pumper. This engine represented the epitome of modern firefighting, with a fully enclosed cab, up-to-date radio equipment and computerized pump controls. The department also purchased a 1995 GMC Suburban Incident Command Vehicle, complete with radio equipment; enabling the department to directly communicate with any of the surrounding fire departments, State Police, West Essex First Aid Squad, paramedics and NorthStar Medical Helicopter.

Rounding off its modern arsenal of firefighting apparatus, the two 1976 Hahns were retired and replaced with twin Pierce 2000 GPM Custom Pumper Engines 1 and 2. Both trucks came with safety features and capabilities that far outperform the old equipment, including fully enclosed 6 seat cabs and computerized pump controls. The latest piece of apparatus replaced the first ladder truck with a 2005 Pierce 100 foot ladder tower with the newest technology.

Due to the high volume of industry, waterways and major highways, the department's duties have increased from basic firefighting to extra services including vehicle extrications and water rescue that demands not only the purchasing of specialized equipment but also many extra training hours. As an all-volunteer department, the members give their own time and sacrifice their safety for the good of their community and mutual aid to surrounding towns. Many members have surpassed 50 years of volunteer service to the department and for that they are commended.

From past to present the Fairfield Volunteer Fire Department has worked through many hard times, experienced its share of success and tragedies, and has developed and grown right along with the community it serves. Its past and present members should feel pride to be part of such a group of dedicated individuals.

Mr. Speaker, I ask you and my colleagues to join me in recognizing the Fairfield Fire Department as it celebrates 100 years of volunteer service.

HONORING THE LIFE OF JUDGE GILLIS E. POWELL, SR.

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. MILLER of Florida. Mr. Speaker, on behalf of the United States Congress, it is an honor for me to rise today to recognize the life of northwest Florida's beloved Judge Gillis E. Powell, Sr.

Over the course of his life, Judge Powell was a fixture in the northwest Florida community. His family was one of the first families to settle in Crestview, and his mother was a founding member of the First Presbyterian Church of Crestview. Judge Powell's assiduous work ethic was apparent when he began working as a delivery boy at Sullivan's Grocery Store at the young age of 12. In 1938, Judge Powell graduated from Crestview High School and went on to study business administration at the University of Florida (UF).

Judge Powell was also a true patriot, and when his country called him to duty during World War II, he responded with honor and distinction. In 1942, as a Second Lieutenant, he was one of only five officers from his squadron chosen to attend intelligence training at Yale University. While training at Yale, he married his childhood sweetheart, Avis Elizabeth Moore. After finishing his intelligence training, Judge Powell served as an intelligence officer in north Africa, rising to the rank of Major and becoming a squadron commander. During his military career, he was recognized by President Franklin D. Roosevelt for his role in preparing for the Big Three Conference between President Roosevelt, Winston Churchill, and Joseph Stalin in Tehran, Iran.

After fulfilling his service commitment, Judge Powell returned to Florida with his wife, Avis, where he finished his bachelor's degree at UF, before earning his law degree from UF's College of Law. Judge Powell had a true aptitude for business and passion for law. He started his first business near UF—The Tackle Box—which started as a small bait shop and has grown over the course of 60 years into a large sporting goods store.

In 1951, he returned to his native Crestview to establish his own law firm. During his accomplished legal career, he served in his private practice and as an Assistant State Attorney, before being appointed in 1971 to serve as Circuit Judge in the First Judicial Circuit of Florida. He served as a Circuit Judge until he retired from the bench in 1977, when he returned to private practice with his oldest son, Gill. Over the years, the law firm of Powell, Powell & Powell grew to include his daughter, Ava, and younger son, Dixie; as well as his granddaughter, Lacey and her husband, James; his granddaughter, Ginny; and his grandson, Gillis E. Powell III. In 1991, while serving as the City Attorney for City of Niceville, Judge Powell argued and won a case before the United States Supreme Court and was featured on NBC's ''Today Show.'' Judge Powell remained active in his law practice until his recent retirement at the age of 87.

To some, Judge Gillis E. Powell, Sr. will be remembered as a courageous member of our armed services who answered the call of duty during one of our Nation's most trying hours; to others, he will be remembered for his acumen in law and business. Judge Powell was a distinguished attorney, judge, businessman, and Air Force officer; however, above all Judge Powell was a true family man. He was especially proud of being able to work with his children and grandchildren in his law practice, and he loved nothing more than spending time with his family cheering his Gators to victory. Northwest Florida mourns the loss of a true leader, and his service to the community and this Nation will not be forgotten.

Mr. Speaker, on behalf of the United States Congress, it gives me great pride to honor the life of Judge Gillis E. Powell, Sr. and his living legacy. My wife Vicki and I extend our most sincere condolences to the entire Powell family.

HONORING THE MEMORY OF PAUL WILLIAM BELTZ

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. HIGGINS. Mr. Speaker, Tuesday, September 20, 2011 we lost a good and honorable citizen and someone I considered a friend. Mr. Paul William Beltz of Buffalo, New York and North Palm Beach, Florida died at the age of 85 years old in his home in Buffalo surrounded by his loving family.

Mr. Beltz was one of Buffalo's leading trial attorneys and founder of the law firm that bears his name. He personified all that is honest, all that is good in the legal profession and built a firm that embodied Mr. Beltz's honorable reputation, his steadfast determination, unmatched work ethic and a firm that believed in family and commitment to one's family.

Mr. Beltz lived his life, and instilled in the lives of his children and grandchildren, that if you work hard, love your family and your country and give back to your community, you will have truly lived. We are grateful to Mr. Beltz who served our nation during World War II with the Army in the Pacific.

Mr. Beltz graduated from St. Bonaventure University and Cornell Law School and received numerous recognitions for his contributions to Education and Law. In 2001, Mr. Beltz was named Lawyer of the Year by the Erie County Bar Association. In 2005, Mr. Paul William Beltz received the Gaudete Medal, from St. Bonaventure University which recognizes business and community leaders for service in the tradition of St. Francis of Assisi.

Mr. Speaker, I wish to express my deepest condolences to the family of Mr. Paul William Beltz, to his wife Catherine, his children Anne and Phil Rimmler, Margaret and Bill Gellatly, Kate and Steve Foley, John and Katherine Beltz, Mary Elizabeth and Naill Falls, and Sara and Mario Rodriguez and to his sixteen grandchildren, as well as his surviving family and friends. It was evident from the first time I met Mr. Beltz that he was a kind and generous man who had earned the respect of many. Although words cannot truly express the man that Paul William Beltz was, it is my hope that the memories and stories of Mr. Beltz can serve as a lasting tribute to his life, his service, and his impressive career. I will remember Mr. Beltz for his generous spirit, for his hard work on behalf of so many working men and women in our community and for the impact he had on so many families throughout Western New York.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Ms. LEE of California. Mr. Speaker, I was unable to cast my vote on the Motion on Ordering the Previous Question on the Martial Law Authority Rule. Had I cast my vote, I would have voted "no."

HONORING MENTAL ILLNESS AWARENESS WEEK 2011

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. GRIJALVA. Mr. Speaker, I rise today to recognize Mental Illness Awareness Week. Every year the American Psychiatric Association, the National Alliance on Mental Illness and the National Mental Health Association designate one week in October to put the spotlight on mental illness and the associated policy issues. This year we recognize this important time on October 2nd through 8th.

Mental illness doesn't discriminate. One in five Americans bear mental illness, ranging from mild depression to severe disorders such as schizophrenia and bipolar disorder. One in five children endures a diagnosable disorder and one in ten children suffer from a serious disorder which, if unaddressed, can lead to poor school performance, social anxiety and seclusion and even violence against themselves and other people. Unfortunately, less than one-third of adults and less than half of children receive treatment for diagnosed serious disorders, leading to an average lifespan 25 years less than the general population.

Organizations like the American Psychiatric Association, the National Alliance on Mental Illness and the National Mental Health Association and their field partners work with municipal and state governments to make sure those who need care have access to it. In my district and around the country, local governments such as the Pima County Board of Supervisors are working diligently to ensure high-quality, cost-efficient community mental healthcare is available.

However, there is still much work to be done. When there is a lack of mental healthcare in a community, we see more lost jobs, more people out on the streets and more broken families. Often these communities see more emergency room visits, larger prison populations and higher social services costs all around. We must stay diligent in addressing mental illness and always stay focused on the individual.

Again, I want to recognize these organizations for their important work, and I urge those who need help to ask for it.

PERSONAL EXPLANATION

HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. MARINO. Mr. Speaker, during the recent severe flooding events that occurred in the 10th District of Pennsylvania, I remained in home to assist people who had been impacted. Due to this, I missed the votes that occurred from September 8 through 15. Had I been present I would have voted: Vote 693—Aye; Vote 694—Aye; Vote 695—Aye; Vote 696—Aye; Vote 697—No; Vote 698—Aye; Vote 699—Aye; Vote 700—Aye; Vote 701—Aye; Vote 702—No; Vote 703—No; Vote 704—No; Vote 705—Aye; Vote 706—Aye; Vote 707—Aye; Vote 708—Aye; Vote 709—Aye; Vote 710—No; Vote 711—Aye.

CONGRATULATING MELISSA SEIBERT

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. RENACCI. Mr. Speaker, I want to congratulate Melissa Seibert, of the Stark County Chapter of the American Red Cross, for receiving the Ohio Commendation Medal. This is the highest Ohio military honor and is awarded to only a few distinguished persons each year. It is presented to each person who, while a member of the state military forces, distinguishes himself/herself while serving in any military capacity by meritorious achievement and in an outstanding manner.

Melissa Seibert began her work with the Red Cross in 1999, where she started as a First Aid and Disaster Action Team volunteer. Shortly after, she was asked to be the Health and Safety Instructor; leading to a promotion to a position in the Health and Safety Services Department. In 2004, Melissa became the Assistant Director of Emergency Services, and in 2008 was challenged with the opportunity to develop a new Military Outreach program.

The development of the Military Outreach Program has become a vital part of the military community in the Stark County area. Melissa's passion and dedication has taken the program to great heights, providing military families in the community with much-needed support, resources and strength. She provides support for military personnel during times of deployment and organizes many "Welcome Home" and "Send Offs" for the military men, women and family members. Melissa is the foundation of the "Military Family Connection" support group, where family members of service personnel meet to support each other and gain valuable information on many local resources. She also hosts quarterly "Psychological First Aid" programs for local families dealing with the stress and emotions that come with the deployment of a loved one.

Ms. Seibert has successfully networked with countless military groups and associations in the community; strengthening the common bonds that tie these families together. She works closely with Blue Star Mothers, USO, the Regional Inter-Service Family Assistance Committee and the Gold Star Mothers. In addition, Melissa participates on the board for

the Stark County Safe Kids and the Federal Emergency Management Agency, FEMA.

Since the inception of the Military Outreach Program, Melissa Seibert has helped over 5,000 individuals. True to her nature, she is now helping start similar outreach programs in the Ohio Red Cross chapters of Alliance and Muskingum Lakes. Recognized by her peers, she will soon be seeing her ideas applied nationally as her program is cloned in communities across our land. Melissa thoroughly enjoys working with Military Services and says, ''It's not a job, it's a calling. A job is doing something because you are required to do it. A calling is doing something because you are passionate about it.''

Ms. Seibert's dedication to Ohio military personnel and their families has warranted this prestigious award. Her selfless endeavors and meaningful contributions remind us of what can be accomplished when we give of ourselves for the benefit of others.

RECOGNIZING MARINE SERGEANT DANIEL J. PATRON

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. RENACCI. Mr. Speaker, I rise today to recognize Marine Sergeant Daniel J. Patron. Sgt. Patron—a member of the 8th Engineer Support Battalion, 2nd Marine Logistics Group, II Marine Expeditionary Force—was tragically killed on August 6 while trying to defuse a roadside bomb in the Helmand province of Afghanistan.

Our Explosive Ordinance Disposal, or EOD, teams are even more important and face even more dangerous tasks now that we are dealing with an enemy who relies on improvised explosive devices. From the start of our combat operations in Afghanistan and Iraq, insurgents have often refused to fight our forces in the open, choosing instead to hide in the shadows waiting to attack our brave men and women from afar.

Standing between our soldiers, sailors, airmen, and marines and those insurgents are our EOD teams. They selflessly place themselves face-to-face with increasing advanced and intricate explosives. Their office resides fully in harm's way, and they know one loose wire or one extra-sensitive detonator could kill them or their team members. Still they accept the job of protecting their brothers and sisters, too often laying down their own lives in the process.

I have no doubt Sgt. Patron knew the risks he took on a daily basis. He knew that each day the challenges would be great and the task at hand would be vitally important. That kind of noble commitment to others may seem incredible to many of us. But what it is truly remarkable is how often we see it from those who serve in our Armed Forces. Daniel was certainly no exception.

Sgt. Patron leaves behind his wife Cody Drace Patron, his parents Frank and Kathy, and his older brother Matthew. I would like to pass on my deepest condolences to his family and share with them the thanks of a grateful nation. Daniel was, and will remain, a shining example of the best America has to offer.

I honor Daniel's life, his sacrifice and his memory. He will surely be missed by many, but he—along with all of our fallen heroes—will not be forgotten.

Daily Digest

HIGHLIGHTS

Senate passed H.R. 2832, Generalized System of Preferences Act, as amended.

Senate

Chamber Action

Routine Proceedings, pages S5849–S5920

Measures Introduced: Twenty-three bills and two resolutions were introduced, as follows: S. 1599–1621, and S. Res. 274–275. **Pages S5902–03**

Measures Reported:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2012". (S. Rept. No. 112–86)

S. 1599, making appropriations for Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2012. (S. Rept. No. 112–84)

S. 1601, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2012. (S. Rept. No. 112–85)

H.R. 2480, to amend title 5, United States Code, to authorize appropriations for the Administrative Conference of the United States for fiscal years 2012, 2013, and 2014, with an amendment.

S. 1151, to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information, with an amendment in the nature of a substitute.

S. 1535, to protect consumers by mitigating the vulnerability of personally identifiable information to theft through a security breach, providing notice and remedies to consumers in the wake of such a breach, holding companies accountable for preventable breaches, facilitating the sharing of post-breach technical information between companies, and enhancing criminal and civil penalties and other protections against the unauthorized collection or use of personally identifiable information, with an amendment in the nature of a substitute. **Page S5902**

Measures Passed:

Generalized System of Preferences Act: By 70 yeas to 27 nays (Vote No. 150), Senate passed H.R. 2832, to extend the Generalized System of Preferences, by the order of the Senate of Wednesday, September 21, 2011, 60 Senators having voted in the affirmative, and after taking action on the following amendments proposed thereto: **Pages S5853–91**

Adopted:

By 69 yeas to 28 nays (Vote No. 149), Reid (for Casey) Amendment No. 633, to extend and modify trade adjustment assistance. (Pursuant to the order of Wednesday, September 21, 2011, the amendment having achieved 60 affirmative votes, was agreed to.) **Pages S5853, S5873–78, S5881–82**

Rejected:

By 34 yeas to 62 nays (Vote No. 146), Rubio Amendment No. 651 (to Amendment No. 633), to limit eligibility for trade adjustment assistance to workers who are laid off because of an increase in imports from, or a shift in production to, a country with which the United States has a free trade agreement in effect. (Pursuant to the order of Wednesday, September 21, 2011, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S5857–60, S5866, S5878**

By 44 yeas to 52 nays (Vote No. 147), Thune Amendment No. 650, to require a report on the consequences of failing to act on trade agreements. (Pursuant to the order of Wednesday, September 21, 2011, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S5866–73, S5879**

By 48 yeas to 48 nays (Vote No. 148), Cornyn Amendment No. 634, to provide Taiwan with critically needed United States-built multirole fighter aircraft to strengthen its self-defense capability against the increasing military threat from China. (Pursuant to the order of Wednesday, September 21,

2011, the amendment having failed to achieve 60 affirmative votes, was not agreed to.)

Pages S5853–57, S5860–66, S5879–81

Child and Family Services Improvement and Innovation Act: Senate passed H.R. 2883, to amend part B of title IV of the Social Security Act to extend the child and family services program through fiscal year 2016. **Page S5920**

Nominations Received: Senate received the following nominations:

Jacqueline H. Nguyen, of California, to be United States Circuit Judge for the Ninth Circuit.

Brian C. Wimes, of Missouri, to be United States District Judge for the Eastern and Western Districts of Missouri.

Michael A. Hughes, of the District of Columbia, to be United States Marshal for the Superior Court of the District of Columbia for the term of four years.

2 Army nominations in the rank of general.

Page S5920

Messages from the House: **Page S5900**

Measures Read the First Time: **Pages S5900, S5920**

Enrolled Bills Presented: **Page S5900**

Executive Communications: **Pages S5900–02**

Executive Reports of Committees: **Page S5902**

Additional Cosponsors: **Pages S5903–04**

Statements on Introduced Bills/Resolutions: **Pages S5904–19**

Additional Statements: **Pages S5898–S5900**

Authorities for Committees to Meet: **Pages S5919–20**

Record Votes: Five record votes were taken today. (Total—150) **Pages S5878–79, S5881–82, S5885**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 8:23 p.m., until 9 a.m. on Friday, September 23, 2011. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S5920.)

Committee Meetings

(Committees not listed did not meet)

AFGHANISTAN AND IRAQ

Committee on Armed Services: Committee concluded a hearing to examine United States strategy in Afghanistan and Iraq, after receiving testimony from Leon E. Panetta, Secretary, and Admiral Michael Mullen, USN, Chairman, Joint Chiefs of Staff, both of the Department of Defense.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nominations of Alan B. Krueger, of New Jersey, to be a Member of the Council of Economic Advisers, Executive Office of the President, David A. Montoya, of Texas, to be Inspector General, Department of Housing and Urban Development, and Cyrus Amir-Mokri, of New York, to be Assistant Secretary of the Treasury, after the nominees testified and answered questions in their own behalf.

EUROPEAN DEBT AND FINANCIAL CRISIS

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Security and International Trade and Finance concluded a hearing to examine the European debt and financial crisis, focusing on origins, options and implications for the United States and global economy, after receiving testimony from Nicolas Veron, Peterson Institute for International Economics, Domenico Lombardi, The Oxford Institute for Economic Policy, and J.D. Foster, The Heritage Foundation, all of Washington, D.C.; and Joachim Fels, Morgan Stanley, New York, New York.

IMPROVING EDUCATIONAL OUTCOMES

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security concluded a hearing to examine improving educational outcomes for our military and veterans, after receiving testimony from Senator Webb; Curtis L. Coy, Deputy Under Secretary for Economic Opportunity, and Keith Wilson, Director, Education Services, both of the Veterans Benefits Administration, Department of Veterans Affairs; Theodore L. Daywalt, VetJobs, Nashville, Tennessee; Ryan M. Gallucci, Veterans of Foreign Wars of the United States, Reston, Virginia; Russell S. Kitchner, American Public University System, Arlington, Virginia; and Greg Von Lehmen, University of Maryland University College, Baltimore.

TRIBAL LAW AND ORDER ACT ONE YEAR LATER

Committee on Indian Affairs: Committee concluded an oversight hearing to examine the "Tribal Law and Order Act" one year later, focusing on improved public safety and justice throughout Indian country, after receiving testimony from Thomas J. Perrelli, Associate Attorney General, and Brendan V. Johnson, United States Attorney for the District of South Dakota, both of the Department of Justice; Larry Echo Hawk, Assistant Secretary of the Interior for

Indian Affairs; Pamela S. Hyde, Administrator, Substance Abuse and Mental Health Services Administration, and Rose Weahkee, Director, Division of Behavioral Health, Indian Health Service, both of the Department of Health and Human Services; Troy A. Eid, Indian Law and Order Commission, Denver, Colorado; Ivan D. Posey, Eastern Shoshone Business Council, Fort Washakie, Wyoming; Theresa M. Pouley, Tulalip Tribal Court, Tulalip, Washington; and Jacqueline Johnson Pata, National Congress of American Indians, Washington, D.C.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 1151, to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information, with amendments;

S. 1408, to require Federal agencies, and persons engaged in interstate commerce, in possession of data containing sensitive personally identifiable information, to disclose any breach of such information, with an amendment in the nature of a substitute;

S. 1535, to protect consumers by mitigating the vulnerability of personally identifiable information to theft through a security breach, providing notice and remedies to consumers in the wake of such a breach, holding companies accountable for preventable breaches, facilitating the sharing of post-breach technical information between companies, and enhancing criminal and civil penalties and other protections against the unauthorized collection or use of personally identifiable information, with an amendment in the nature of a substitute;

H.R. 2480, to amend title 5, United States Code, to authorize appropriations for the Administrative Conference of the United States for fiscal years 2012, 2013, and 2014, with an amendment; and

The nomination of David B. Barlow, to be United States Attorney for the District of Utah, Department of Justice.

PROTECTING SENIORS AND PERSONS WITH DISABILITIES

Committee on the Judiciary: Subcommittee on Administrative Oversight and the Courts concluded a hearing to examine protecting seniors and persons with disabilities, focusing on improving oversight of federal fiduciaries and court-appointed guardians, after receiving testimony from Kay E. Brown, Director, Education, Workforce, and Income Security, Government Accountability Office; Deb Holtz, Minnesota Board on Aging Office of Ombudsman for Long-Term Care, St. Paul; Naomi Karp, AARP Public Policy Institute, Washington, D.C.; Robert N. Baldwin, National Center for State Courts, Williamsburg, Virginia; and Michelle R. Hollister, Solkoff Legal, PA., Delray Beach, Florida.

NOMINATION

Select Committee on Intelligence: Committee concluded a hearing to examine the nomination of Irvin Charles McCullough III, of Maryland, to be Inspector General of the Intelligence Community, Office of the Director of National Intelligence, after the nominee testified and answered questions in his own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 30 public bills, H.R. 3008–3037; and 5 resolutions, H. Con. Res. 81; and H. Res. 410–411, 413–414 were introduced. **Pages H6412–15**

Additional Cosponsors: **Pages H6415–16**

Reports Filed: Reports were filed today as follows:

Supplemental report on H. Res. 409, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 112–214, Pt. 2) and H. Res. 412, providing for consideration of the Senate amendment to the bill (H.R. 2608) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes (H. Rept. 112–215). **Page H6412**

Speaker: Read a letter from the Speaker wherein he appointed Representative Ellmers to act as Speaker pro tempore for today. **Page H6347**

Recess: The House recessed at 11:15 a.m. and reconvened at 12 noon. **Page H6354**

Office of Interparliamentary Affairs—Appointment: Pursuant to section 103(c) of Public Law 108–83 (2 U.S.C. 130–2), the Speaker appointed

Janice C. Robinson as Director of the Office of Interparliamentary Affairs of the United States House of Representatives. Page H6355

Recess: The House recessed at 1:34 p.m. and reconvened at 3:34 p.m. Page H6366

Waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules: The House agreed to H. Res. 409, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, by a yea-and-nay vote of 238 yeas to 182 nays, Roll No. 722, after the previous question was ordered by a yea-and-nay vote of 240 yeas to 180 nays, Roll No. 721. Pages H6366–74

Committee Election: The House agreed to H. Res. 411, electing a Member to a certain standing committee of the House of Representatives. Page H6376

Transparency in Regulatory Analysis of Impacts on the Nation Act of 2011: The House began consideration of H.R. 2401, to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency. Further proceedings were postponed.

Pages H6360–66, H6374–89

H. Res. 406, the rule providing for consideration of the bill, was agreed to by a recorded vote of 245 ayes to 175 noes, Roll No. 724, after the previous question was ordered by a yea-and-nay vote of 237 yeas to 184 nays, Roll No. 723. Pages H6374–75

Recess: The House recessed at 7:55 p.m. and reconvened at 9:41 p.m. Page H6389

Small Business Program Extension and Reform Act of 2011: The House concurred in the Senate amendment with an amendment to H.R. 2608, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, by a recorded vote of 219 ayes to 203 noes, Roll No. 727.

Pages H6389–H6410

H. Res. 412, the rule providing for consideration of the Senate amendment, was agreed to by a yea-and-nay vote of 238 yeas to 176 nays, Roll No. 726, after the previous question was ordered by a yea-and-nay vote of 235 yeas to 177 nays, Roll No. 725.

Pages H6398–99

Directing the Clerk to make a correction in the enrollment of H.R. 2608: The House agreed to H. Con. Res. 81, directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 2608. Pages H6410–11

Senate Message: Message received from the Senate today appears on page H6355.

Senate Referrals: S. Con. Res. 17 was referred to the Committee on Foreign Affairs and S. 633 was referred to the Committee on Small Business.

Page H6355

Quorum Calls—Votes: Five yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H6373–74, H6374, H6374–75, H6375, H6398–99, H6399 and H6410. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 12:50 a.m. on Friday, September 23rd.

Committee Meetings

AFGHAN NATIONAL SECURITY FORCES

Committee on Armed Services: Full Committee held a hearing on Afghan national security forces. Testimony was heard from Michéle Flournoy, Undersecretary of Defense for Policy, Department of Defense; and Lieutenant General Robert B. Neller, Director for Operations, J–3, Joint Staff.

DEPARTMENT OF DEFENSE

Committee on Armed Services: Panel on Defense Financial Management and Auditability Reform held a hearing on the Department of Defense's efforts to improve payment and funds control. Testimony was heard from Mark Easton, Deputy Chief Financial Officer, Department of Defense; Daniel Blair, Deputy Inspector General for Auditing, Department of Defense; and Asif Khan, Director, Financial Management and Assurance, Government Accountability Office.

U.S. SPECIAL OPERATIONS FORCES

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities held a hearing on the Future of U.S. Special Operations Forces: Ten Years After 9/11 and Twenty-Five Years After Goldwater-Nichols. Testimony was heard from Michael D. Lumpkin, Acting Assistant Secretary of Defense, Special Operations/Low-Intensity Conflict; and Admiral William McRaven, Commander, U.S. Special Operations Command.

BUDGET PROCESS

Committee on the Budget: Full Committee held a hearing entitled "The Broken Budget Process: Perspectives from Budget Experts." Testimony was heard from former Sen. Phil Gramm; former Rep. Jim Nussle; and public witnesses.

NATIONAL LABOR RELATIONS BOARD

Committee on Education and the Workforce: Subcommittee on Early Childhood, Elementary, and Secondary Education held a hearing entitled "Culture of

Union Favoritism: Recent Actions of the National Labor Relations Board.'' Testimony was heard from public witnesses.

ENVIRONMENTAL PROTECTION AGENCY

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled ''Regulatory Reform Series #7—The EPA's Regulatory Planning, Analysis, and Major Actions.'' Testimony was heard from Lisa P. Jackson, Administrator, Environmental Protection Agency.

CREDIT FOR CONSUMERS

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled ''An Examination of the Availability of Credit for Consumers.'' Testimony was heard from Barry Wides, Deputy Comptroller for Community Affairs, Office of the Comptroller of the Currency; and Robert Mooney, Deputy Director for Consumer Protection and Community Affairs, Federal Deposit Insurance Corporation; and public witnesses.

SECURITIES AND EXCHANGE COMMISSION

Committee on Financial Services: Subcommittee on Oversight and Investigations of the Committee on Financial Services and the Subcommittee on TARP, Financial Services and Bailouts of Public and Private Programs of the Committee on Oversight and Government Reform held a joint hearing entitled ''Potential Conflicts of Interest at the SEC: The Becker Case.'' Testimony was heard from Mary Schapiro, Chairman, Securities and Exchange Commission; H. David Kotz, Inspector General, Securities and Exchange Commission; and David M. Becker, former General Counsel, Securities and Exchange Commission.

HUMAN RIGHTS POLICY

Committee on Foreign Affairs: Subcommittee on the Middle East and South Asia held a hearing entitled ''Axis of Abuse: U.S. Human Rights Policy toward Iran and Syria, Part II.'' Testimony was heard from public witnesses.

CHINA'S ONE-CHILD POLICY

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, and Human Rights held a hearing entitled ''China's One-Child Policy: The Government's Massive Crime Against Women and Unborn Babies.'' Testimony was heard from public witnesses.

TSA REFORM

Committee on Homeland Security: Subcommittee on Transportation Security held a hearing entitled ''TSA Reform: Exploring Innovations in Technology Procurement to Stimulate Job Growth.'' Testimony was heard from Stephen M. Lord, Director, Homeland Security and Justice Issues, Government Accountability Office; and public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on National Parks, Forests and Public Lands held a hearing on the following: H.R. 2852, the ''Action Plan for Public Lands and Education Act of 2011''; and legislation regarding the ''National Forest County Revenue, Schools, and Jobs Act of 2011.'' Testimony was heard from Harris Sherman, Under Secretary of Agriculture for Natural Resources and Environment, U.S. Forest Service, Department of Agriculture; Ron Walter, Commissioner, Chelan County; and public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Indian and Alaska Native Affairs held a hearing on the following legislation: H.R. 443, to provide for the conveyance of certain property from the United States to the Maniilaq Association located in Kotzebue, Alaska; H.R. 444, to provide for the conveyance of certain property located in Anchorage, Alaska, from the United States to the Alaska Native Tribal Health Consortium; H.R. 1461, to authorize the Mescalero Apache Tribe to lease adjudicated water rights; H.R. 1556, to amend the Omnibus Indian Advancement Act to allow certain land to be used to generate income to provide funding for academic programs, and for other purposes; and H.R. 2444, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes. Testimony was heard from Rep. Luján; Rep. Pearce; Jodi Gillette, Deputy Assistant Secretary, Bureau of Indian Affairs, Department of the Interior; Robert McSwain, Deputy Director for Management Operations, Indian Health Service, Department of Health and Human Services.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Water and Power held a hearing on the following legislation: H.R. 1719, the ''Endangered Species Compliance and Transparency Act of 2011''; and H.R. 2915, the ''American Taxpayer and Western Area Power Administration Customer Protection Act of 2011.'' Testimony was heard from Lauren Azar, Senior Advisor to the Secretary, Department of Energy; and public witnesses.

GREEN ENERGY AGENDA

Committee on Oversight and Government Reform: Full Committee held a hearing entitled ''How Obama's Green Energy Agenda Is Killing Jobs.'' Testimony

was heard from Hilda Solis, Secretary, Department of Labor; Daniel B. Poneman, Deputy Secretary of Energy, Department of Energy; and Keith Hall, Commissioner, Bureau of Labor Statistics, Department of Labor.

SMALL BUSINESS PROGRAM EXTENSION AND REFORM ACT OF 2011 (CONTINUING APPROPRIATIONS, 2012)

Committee on Rules: Full Committee held a hearing on H.R. 2608, the "Small Business Program Extension and Reform Act of 2011" (Continuing Appropriations, 2012). The Committee granted, by a record vote of 8 to 4, a rule providing for the consideration of the Senate amendment to H.R. 2608. The rule makes in order a motion by the chair of the Committee on Appropriations that the House concur in the Senate amendment with the amendment printed in Part A of the Rules Committee report accompanying the resolution, as modified by the amendment printed in Part B of the report. The rule waives all points of order against consideration of the motion. The rule provides that the Senate amendment and the motion shall be considered as read. The rule provides one hour of debate on the motion equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

NASA

Committee on Science, Space, and Technology: Full Committee held a hearing entitled "NASA Human Spaceflight Past, Present, and Future: Where Do We Go from Here?" Testimony was heard from Neil A. Armstrong, Commander, Apollo 11; Captain Eugene A. Cernan USN (ret.), Commander, Apollo 17; and public witnesses.

ENERGY POLICY AND TAX POLICY

Committee on Ways and Means: Subcommittee on Select Revenue Measures and Subcommittee on Oversight held a joint hearing on the intersection of energy policy and tax policy, with a focus on the dual priorities of comprehensive tax reform and a sustainable energy policy that addresses our economic, security, and environmental needs. Testimony was heard from J. Russell George, Inspector General, Treasury Inspector General for Tax Administration; Richard E. Byrd, Jr., Commissioner, Wage and Investment Division, Internal Revenue Service; and public witnesses.

INTELLIGENCE ACTIVITIES

House Permanent Select Committee on Intelligence: Full Committee held a hearing of ongoing intelligence activities. This was a closed hearing.

Joint Meetings

REVENUE OPTION AND REFORMING THE TAX CODE

Joint Deficit Reduction Committee: Committee concluded a hearing to examine an overview of revenue options and reforming the tax code, after receiving testimony from Thomas A. Barthold, Chief of Staff, Joint Committee on Taxation.

RUSSIA'S UPCOMING ELECTIONS

Commission on Security and Cooperation in Europe: Commission received a briefing on Russia's upcoming elections and the struggle for public and competitive politics from Leon Aron, American Enterprise Institute, Ariel Cohen, Heritage Foundation, and Vladimir Kara-Murza, Solidarity, all of Washington, D.C.

COMMITTEE MEETINGS FOR FRIDAY, SEPTEMBER 23, 2011

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the nominations of Corinne Ann Beckwith, and Catharine Friend Easterly, both to be an Associate Judge of the District of Columbia Court of Appeals, and Ronald David McCray, of Texas, to be a Member of the Federal Retirement Thrift Investment Board, 10 a.m., SD–342.

House

Committee on Armed Services: Subcommittee on Military Personnel and Subcommittee on Oversight and Investigations, joint hearing on Arlington Cemetery Reforms, 10 a.m., 2212 Rayburn.

Committee on Energy and Commerce: Subcommittee on Health, hearing entitled "Examining the Increase in Drug Shortages." 9:30 a.m., 2322 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled "From DOE Loan Guarantee to Bankruptcy to FBI Raid: What Solyndra's Executives Knew." 9 a.m., 2123 Rayburn.

Committee on Foreign Affairs: Full Committee, hearing entitled "Job Creation Made Easy: The Columbia, Panama, and South Korea Free Trade Agreement." 9:30 a.m., 2172 Rayburn.

Committee on Natural Resources: Subcommittee on Fisheries, Wildlife, Oceans, and Insular Affairs, hearing to review the impact of minimum wage increases in American Samoa and the Commonwealth of the Northern Mariana Islands, 9 a.m., 1334 Longworth.

Committee on Oversight and Government Reform: Subcommittee on Government Organization, Efficiency and Financial Management, hearing entitled "The Department of Defense: Challenges in Financial Management." 10 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology: Subcommittee on Investigations and Oversight and Subcommittee on Energy and Environment, joint hearing entitled ''From NPOESS to JPSS: An Update on the Nation's Restructured Polar Weather Satellite Program.'' 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation, hearing entitled ''Review and Status of the Multi-Billion Dollar Department of Homeland Security Relocation Project in Washington, D.C. and Its Impacts on the U.S. Coast Guard.'' 10 a.m., 2167 Rayburn.

Committee on Ways and Means: Subcommittee on Social Security and Subcommittee on Human Resources, joint hearing on work incentives in Social Security disability programs, 9 a.m., 1100 Longworth.

Next Meeting of the SENATE

9 a.m., Friday, September 23

Senate Chamber

Program for Friday: Senate will be in a period of morning business.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, September 23

House Chamber

Program for Friday: Resume consideration of H.R. 2401—Transparency in Regulatory Analysis of Impacts on the Nation Act of 2011.

Extensions of Remarks, as inserted in this issue

HOUSE

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