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No. 107

## House of Representatives

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

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
July 18, 2011.

I hereby appoint the Honorable MICHAEL K. SIMPSON to act as Speaker pro tempore on this day.

JOHN 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 would now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

### RECESS

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

Accordingly (at 12 o'clock and 1 minute p.m.), the House stood in recess until 2 p.m.

□ 1400

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

### PRAYER

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

We give You thanks, O God, for giving us another day. Please help us to use it well.

We ask Your blessing upon this assembly and upon all to whom the authority of government is given. Help them to meet their responsibilities during these days, to attend to the immediate needs and concerns of the moment, all the while enlightened by the majesty of Your creation and Your eternal Spirit.

We give You thanks that we all can know and share the fruits of Your Spirit, especially in this time the virtues of tolerance and reconciliation, of justice and righteousness, of goodwill and understanding, of patience and loving care for others.

Watch over this House, and cause Your blessing to be upon each Member, that they might serve all the people with sincerity and truth.

May all that is done within the people's House 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.

Mr. NUGENT. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

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

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

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

The point of no quorum is considered withdrawn.

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

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

### DELAYING ON THE DEBT SOLUTION

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

Mr. WILSON of South Carolina. Mr. Speaker, over the weekend, concerned constituents advised me they are tired of hearing politicians grandstand about fixing the Nation's debt ceiling. The current administration has proven it would rather threaten our senior citizens than propose reasonable solutions that would benefit families.

Liberals refuse to listen to the American people. Americans voted for Washington to cut spending. Liberals want to impose "more revenues," which is Washingtonspeak for more job-killing taxes.

In August of 2009, then-Senator Barack Obama stated "raising taxes in a recession would be the last thing you want to do." That is particularly true today, as over 14 million Americans are without jobs. The President's policies of borrow and spend have failed and we must change course.

This debt crisis is a result of Washington spending money it does not have. That is why House Republicans have proposed the Cut, Cap, and Balance plan. Tomorrow, I hope Democrats will join us to vote for this positive proposal to promote more jobs created by small businesses.

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

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



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

#### IT IS NOT ABOUT PROTECTING BILLIONAIRES

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

Mr. DUNCAN of Tennessee. Mr. Speaker, in all the debate about the debt ceiling, the biggest falsehood is that Republicans want to protect the multimillionaires and billionaires. The millionaires and billionaires can take care of themselves; and, in fact, they come out ahead especially when government gets too big. And Republicans lose the superwealthy areas usually by two-to-one margins or more.

The reason we don't want tax increases is because the Federal Government is so wasteful. The least economical, least efficient way to spend money is to turn it over to the Federal Government. Look at how little good the \$862 billion stimulus did. Unemployment went up.

Every dollar that can be kept in the private sector will do much more to create jobs and keep prices down. The ones who will benefit the most from more money in the private sector will be the middle- and lower-income working people. If this wasn't true, the Soviet Union and Cuba would have been heaven on Earth.

It is not about protecting billionaires—not in the least.

#### STOP THE OUT-OF-CONTROL SPENDING

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

Ms. FOXX. I would like to associate myself with the comments of my colleague from Tennessee. I agree with every word he said.

And I would like to ask a question, Mr. Speaker: Why is our national debt so high? It's because spending is too high.

It's pretty simple. Our debt crisis is the result of Washington spending money it doesn't have and leaving the tab for taxpayers and future generations to pick up. That's irresponsible.

The only way out is reducing spending, since at least 40 cents of every dollar we're spending is added directly to the national debt.

And, no, despite what our friends on the other side of the aisle would say, raising tax rates and confiscating more money isn't the solution. That ignores the reality that Washington has a chronic overspending problem, not an undertaxing problem.

If we're going to restore economic certainty, bolster job growth, and keep America competitive, we need to stop spending money we don't have. Mr. Speaker, we've got to start cutting spending, and we've got to start it now.

#### IT'S TIME FOR THE PRESIDENT TO ACT

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

Mr. BURGESS. Mr. Speaker, right now this United States Congress is writing post-dated checks on an overdrawn account. We're on a path to fiscal destruction, one that may threaten the very fabric of our Republic.

In many ways, Mr. Speaker, we may be lucky that we have a statutory debt limit because it forces both branches of the legislative branch of government and the executive branch to sit down and have the hard discussions that are necessary at this point in our Nation's history. Does anyone really believe we would be here having these discussions if we didn't have to?

There is going to be a bill on the floor this week called Cut, Cap, and Balance; and it allows the President his wish for expanding the debt limit at the same time it caps spending, cuts current spending, and allows for a vote on a balanced budget amendment.

The President issued a veto threat today, and I think that is unfortunate. The President has refused to offer any meaningful plan of his own, anything that is scorable. Anything that even has the barest of details the President has failed to provide. And, of course, we all wonder what's happening over in the other body.

This country doesn't need more debt; it needs more jobs. But we need to quit spending money we don't have and put people back to work. Dealing with these important issues is what we need to do, and then let Americans do what they do best: create, innovate, and lead.

#### CUT, CAP, AND BALANCE OUR BUDGET

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

Mr. CHAFFETZ. A short time ago, the President issued an administration policy statement saying that he would veto Cut, Cap, and Balance.

I appreciate the President's offering a moment of clarity. He said: "Instead of pursuing an empty political statement and unrealistic policy goals, it is necessary to move beyond politics as usual and find bipartisan common ground."

All we ask is that we balance our budget. For the President to suggest that balancing our budget is not common ground does provide clarity.

This President has no plan to balance our budget. The budget that he submitted never balances. In fact, it doubles and triples the debt.

We're asking that if the President wants to raise the debt ceiling, we must solve the underlying problem; and the underlying problem is we're

borrowing, taxing, and spending too much money in this country.

The President says, "passing a balanced budget amendment that, in the years ahead, will likely leave the Nation unable to meet its core commitment of ensuring dignity in retirement."

Mr. President, if we don't balance this budget, if we don't take care of our debt, if we don't pay off our debts, this country will be bankrupt.

We're spending and borrowing too much money. We can no longer borrow 40 cents out of every dollar in this country. That's why we must pass Cut, Cap, and Balance.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). Members are reminded to address their remarks to the Chair.

□ 1410

#### CUT, CAP, AND BALANCE

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

Mr. NUGENT. Mr. Speaker, we're here today because this country has a spending addiction. My 36-plus years in law enforcement told me that when someone has an addiction, you have to first address and admit that you have a problem.

Mr. Speaker, there is a bill that is coming up this week called Cut, Cap, and Balance. The important part of that bill is the balance part. This Nation needs a balanced budget amendment, just like 49 States that make up this great Union have a balanced budget amendment.

Mr. Speaker, there's been a threat laid upon us that there will be a veto if we pass this. Mr. Speaker, unless we address our addiction to spending, we will never ever get to a point where the children that we have sitting in the audience, those that are sitting here that have children are never going to be able to pass on a greater opportunity to them, just like was passed on to me by my parents.

#### 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 2 o'clock and 11 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1700

#### AFTER RECESS

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

#### CHURCH PLAN INVESTMENT CLARIFICATION ACT

Mrs. BIGGERT. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 33) to amend the Securities Act of 1933 to specify when certain securities issued in connection with church plans are treated as exempted securities for purposes of that Act, as amended.

The Clerk read the title of the bill. The text of the bill is as follows:

*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 "Church Plan Investment Clarification Act".*

**SEC. 2. SECURITIES ACT OF 1933 AMENDMENT.**

*Section 3(a)(2) of the Securities Act of 1933 (15 U.S.C. 77c(a)(2)) is amended—*

*(1) by inserting "(other than a retirement income account described in section 403(b)(9) of the Internal Revenue Code of 1986, to the extent that the interest or participation in such single trust fund or collective trust fund is issued to a church, a convention or association of churches, or an organization described in section 414(e)(3)(A) of such Code establishing or maintaining the retirement income account or to a trust established by any such entity in connection with the retirement income account)" after "403(b) of such Code"; and*

*(2) by inserting "(other than a person participating in a church plan who is described in section 414(e)(3)(B) of the Internal Revenue Code of 1986)" after "section 401(c)(1) of such Code".*

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentleman from Indiana (Mr. CARSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Illinois.

GENERAL LEAVE

Mrs. BIGGERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to add extraneous material on this bill.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 33, the Church Plan Investment Clarification Act. I would like to thank my colleagues on the Financial Services Committee for their support of this legislation. I would also like to thank Mr. CARSON of Indiana for managing the bill for the other side of the aisle.

H.R. 33, the Church Plan Investment Clarification Act, is a technical corrections bill to amend Public Law 108-359, the Church Pension Fairness Act. It clarifies an exemption in current law to allow church pension plans, like secular pension plans, to invest in collective trusts.

Due to a technical error included in the 2004 law, the necessary exemption from the Securities Act of 1933 was not provided to give church pension plans access to collective trusts. Collective trusts allow pension plans to pool their assets, diversify their investments, and share risk and transaction costs with other pension plans, thereby reaping the benefits of collective buying power. Again, H.R. 33 clarifies that church pension plans, like secular plans, may invest in collective trusts.

On June 22, 2011, the House Committee on Financial Services by voice vote unanimously approved H.R. 33. This bill is similar to the original Church Pension Fairness Act bill, H.R. 1533, which the House passed in 2003 by a vote of 397-0.

Finally, the bill is supported by a number of organizations, including the Church Alliance; the General Board of Pension and Health Benefits of the United Methodist Church; the YMCA Retirement Fund; Everence Financial on behalf of the Mennonite Retirement Trust, the retirement plan for the Mennonite Church USA; the Seventh-Day Adventist Church in North America; Church Pension Group, on behalf of the Church Pension Fund, an independent agency of the Episcopal Church; the Ministers and Missionaries Benefit Board of the American Baptist Churches in the USA; the Board of Pensions of the Evangelical Lutheran Church in America; and the Pensions Board of the United Church of Christ.

With that, I urge my colleagues to support the bill.

I reserve the balance of my time.

Mr. CARSON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill would permit church pension plans to invest in collective trusts by correcting a technical error that resulted from the interaction of the securities laws and the Tax Code. In 2003, Mr. Speaker, Congress passed legislation that was intended to accomplish this goal, but the final law did not make the necessary corrections to the Securities Act of 1933. As such, IRS regulations currently prevent collective trusts from allowing investments by church plans.

This bill will make it more cost-efficient for a religious organization to manage its pension plans by allowing the plan to manage its assets through a collective trust mechanism alongside the assets of other pension plans. Church pension plans will no longer have to be managed separately, which creates greater costs to the plan and its participants. The bill, Mr. Speaker, effectively provides another option for church pension plans and allows them to be managed much more like other kinds of pension plans, and will minimize costs.

This bill is supported by the Church Alliance, a coalition of 37 denominational benefit programs that provide pensions and health benefits to more than 1 million clergy across this country, lay workers, and their family members.

Mr. Speaker, I urge adoption of this bill.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in support of H.R. 33, "The Church Plan Investment Clarification Act." This legislation will allow church pension plans to participate in collective trusts.

Collective trusts allow pension plans to combine assets to invest in various stock and non stock options. This provides pension plans an opportunity to diversify investment portfolios,

while sharing risks and transaction costs with other pension plans.

Under current law, thousands of church pension plans are denied participation in collective trusts, rendering them unable to pool their assets and reap the benefits of collective buying power. Many churches, as a result, experience difficulties and incur expenses when diversifying pension plan investments.

I support the Church Plan Investment Clarifications Act to amend the Securities Act of 1933. Amending current securities legislation will broaden the existing exemption to collective trusts to include church pension plans. This bill will clarify that clergy and lay workers are able to invest in collective trusts, despite their unique tax status. The Act affords church pension plans the same securities law treatment that is extended to governmental plans.

Churches provide invaluable services to our communities. Across the Nation, church pension plans will benefit from this bipartisan bill, including churches in Houston, Texas, where I represent the 18th Congressional District. Churches such as the Bellfort Seventh Day Adventist Church, New Light Christian Church and the Community of Faith Church. This legislation will be of great significance to the Wheeler Avenue Baptist Church, the St. John Missionary Baptist Church on Dowling, the Brooks Hollow Baptist Church, and Houses of worship throughout our community and Nation.

These faith institutions in Houston, as well as throughout the country, will no longer have to individually bear the burden of high fees on investment transactions for their retirement plans. The clergy and lay workers that will benefit from this legislation have spent their entire careers serving others. The least we can offer in return is the opportunity for these pension plans to pool their resources in order to decrease costs associated with funding their retirement plans.

This bill is also supported by The Church Alliance, the Seventh Day Adventist Church, the YMCA Retirement Fund, the Church Pension Group, and others. I thank my friend from Illinois for sponsoring this important legislation, and urge my colleagues to work together to pass the Church Plan Investment Clarification Act.

Mr. CARSON of Indiana. I yield back the balance of my time.

Mrs. BIGGERT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 33, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

RECESS

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

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

Accordingly (at 5 o'clock and 7 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

#### AFTER RECESS

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

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order: the motion to suspend on H.R. 33; and approval of the Journal, if ordered.

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

#### CHURCH PLAN INVESTMENT CLARIFICATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 33) to amend the Securities Act of 1933 to specify when certain securities issued in connection with church plans are treated as exempted securities for purposes of that Act, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 310, nays 1, not voting 120, as follows:

[Roll No. 601]

YEAS—310

Ackerman	Buerkle	Crenshaw
Adams	Burgess	Critz
Aderholt	Butterfield	Cuellar
Alexander	Canseco	Culberson
Altmire	Cantor	Cummings
Austria	Capito	Davis (IL)
Baca	Carnahan	Davis (KY)
Bachus	Carney	DeLauro
Baldwin	Carson (IN)	Denham
Barletta	Cassidy	DesJarlais
Bartlett	Chabot	Deutch
Barton (TX)	Chaffetz	Diaz-Balart
Bass (CA)	Chandler	Dold
Bass (NH)	Chu	Donnelly (IN)
Becerra	Cicilline	Doyle
Benishkek	Clarke (MI)	Dreier
Berg	Clarke (NY)	Duffy
Berkley	Cleaver	Duncan (SC)
Biggert	Clyburn	Duncan (TN)
Bilbray	Coffman (CO)	Edwards
Bishop (UT)	Cohen	Elmiers
Blackburn	Cole	Engel
Bonner	Conaway	Farenthold
Boustany	Connolly (VA)	Fincher
Brady (TX)	Conyers	Fitzpatrick
Braley (IA)	Cooper	Fleischmann
Broun (GA)	Courtney	Fleming
Brown (FL)	Crawford	Flores

Fox	Latham	Rogers (KY)	Granger	McCollum	Rohrabacher
Frank (MA)	LaTourette	Rogers (MI)	Graves (MO)	McCotter	Rokita
Franks (AZ)	Latta	Rooney	Grijalva	McDermott	Rothman (NJ)
Frelinghuysen	Levin	Ros-Lehtinen	Gutierrez	McHenry	Rush
Fudge	Lewis (CA)	Roskam	Harris	McKeon	Sanchez, Loretta
Galleghy	Lewis (GA)	Ross (AR)	Hastings (WA)	McNerney	Schakowsky
Garamendi	LoBiondo	Ross (FL)	Heinrich	Meeks	Schrader
Gardner	Long	Roybal-Allard	Hinchev	Michaud	Shimkus
Garrett	Lowey	Royce	Hultgren	Miller, Gary	Shuster
Gibbs	Lucas	Runyan	Issa	Miller, George	Simpson
Gibson	Luetkemeyer	Ruppersberger	Johnson (IL)	Mulvaney	Slaughter
Gohmert	Lujan	Ryan (OH)	Kaptur	Nunnelee	Smith (WA)
Gonzalez	Lummis	Ryan (WI)	Kinzinger (IL)	Olver	Speier
Goodlatte	Lungren, Daniel E.	Sánchez, Linda T.	Labrador	Owens	Stutzman
Gosar	Maloney	Sarbanes	Lee (CA)	Palazzo	Tiberi
Gowdy	Marino	Scalise	Lipinski	Pascrell	Tsongas
Graves (GA)	Markey	Schiff	Loeb	Paulsen	Walberg
Green, Al	Matheson	Schilling	Lofgren, Zoe	Pence	Waters
Green, Gene	Matsui	Schmidt	Lynch	Perlmutter	Watt
Griffin (AR)	McCarthy (CA)	Schock	Mack	Pingree (ME)	Wilson (FL)
Griffith (VA)	McCarthy (NY)	Schwartz	Manzullo	Poe (TX)	Wu
Grimm	McClintock	Schweikert	Marchant	Pompeo	Young (AK)
Guinta	McGovern	Scott (SC)	McCaul	Quayle	Young (FL)
Guthrie	McIntyre	Scott (VA)			
Hall	McKinley	Scott, Austin			
Hanabusa	Hanna	Scott, David			
Hanna	Harper	Sensenbrenner			
Hartgering	Hartzler	Serrano			
Herrger	Hastings (FL)	Sessions			
Herrera Beutler	Hayworth	Sherman			
Higgins	Heck	Shuler			
Himes	Hensarling	Sires			
Hinojosa	Herger	Smith (NE)			
Hirono	Herrera Beutler	Smith (NJ)			
Hochul	Higgins	Smith (TX)			
Holden	Himes	Southerland			
Holt	Hinojosa	Stark			
Honda	Hirono	Stearns			
Hoyer	Hochul	Stivers			
Huelskamp	Holden	Sullivan			
Huizenga (MI)	Holt	Sutton			
Hunter	Honda	Terry			
Hurt	Hoyer	Thompson (CA)			
Inslee	Huelskamp	Thompson (MS)			
Israel	Huizenga (MI)	Thompson (PA)			
Jackson (IL)	Hunter	Thornberry			
Jackson Lee	Hurt	Tierney			
(TX)	Inslee	Tipton			
Jenkins	Israel	Tonko			
Johnson (GA)	Jackson (IL)	Towns			
Johnson (OH)	Jackson Lee	Turner			
Johnson, E. B.	(TX)	Upton			
Johnson, Sam	Jenkins	Van Hollen			
Jones	Johnson (GA)	Velázquez			
Jordan	Johnson (OH)	Viscosky			
Keating	Johnson, E. B.	Walden			
Kelly	Johnson, Sam	Walsh (IL)			
Kildee	Jordan	Walz (MN)			
Kind	Keating	Wasserman			
King (IA)	Kelly	Schultz			
King (NY)	Kildee	Waxman			
Kingston	Kind	Webster			
Kissell	King (IA)	Welch			
Kline	King (NY)	West			
Kucinich	Kingston	Westmoreland			
Lamborn	Kissell	Whitfield			
Lance	Kline	Wilson (SC)			
Landry	Kucinich	Wittman			
Langevin	Lamborn	Wolf			
Lankford	Lance	Womack			
Larsen (WA)	Landry	Woodall			
Larson (CT)	Langevin	Woolsey			
	Lankford	Yarmuth			
	Larsen (WA)	Yoder			
	Larson (CT)	Young (IN)			

NAYS—1

Amash

NOT VOTING—120

Akin	Burton (IN)	DeGette
Andrews	Calvert	Dent
Bachmann	Camp	Dicks
Barrow	Campbell	Dingell
Berman	Capps	Doggett
Bilirakis	Capuano	Ellison
Bishop (GA)	Cardoza	Emerson
Bishop (NY)	Carter	Eshoo
Black	Castor (FL)	Farr
Blumenauer	Clay	Fattah
Bono Mack	Coble	Filner
Boren	Costa	Flake
Boswell	Costello	Forbes
Brady (PA)	Cravaack	Fortenberry
Brooks	Crowley	Gerlach
Buchanan	Davis (CA)	Giffords
Bucshon	DeFazio	Gingrey (GA)

□ 1858

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 601, I was unable to vote due to previous commitments in my district. Had I been present, I would have voted "yes."

Mr. HARRIS. Mr. Speaker, on rollcall No. 601, I was unavoidably detained from arriving before the close of the vote. Had I been present, I would have voted "aye."

Mr. BLACK. Mr. Speaker, on rollcall No. 601, for final passage of H.R. 33, I was previously detained for a family matter. Had I been present, I would have voted "aye."

Ms. WILSON of Florida. Mr. Speaker, I was unable to attend to votes in the House today. Had I been present, I would have voted "aye" on final passage of H.R. 33, the Church Plan Investment Clarification Act.

#### THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 244, nays 56, answered "present" 1, not voting 130, as follows:

[Roll No. 602]

YEAS—244

Ackerman	Alexander	Bachus
Adams	Austria	Barletta
Aderholt	Baca	Bartlett

Barton (TX)	Hayworth	Price (GA)
Bass (CA)	Hensarling	Price (NC)
Bass (NH)	Herger	Quigley
Becerra	Higgins	Rahall
Benishek	Hinojosa	Rangel
Berg	Hirono	Rehberg
Berkley	Holden	Reichert
Biggert	Holt	Ribble
Bilbray	Hoyer	Richardson
Blackburn	Huelskamp	Richmond
Bonner	Huizenga (MI)	Rigell
Broun (GA)	Hunter	Rivera
Brown (FL)	Hurt	Roby
Buerkle	Inslee	Roe (TN)
Butterfield	Israel	Rogers (AL)
Canseco	Jackson (IL)	Rogers (KY)
Cantor	Jenkins	Rooney
Capito	Johnson (GA)	Ros-Lehtinen
Carnahan	Johnson, E. B.	Roskam
Carney	Johnson, Sam	Ross (AR)
Cassidy	Jordan	Ross (FL)
Chabot	Kelly	Royal-Allard
Chaffetz	Kildee	Royce
Cicilline	King (IA)	Runyan
Clarke (MI)	King (NY)	Ruppenger
Clarke (NY)	Kingston	Ryan (OH)
Cleaver	Kissell	Ryan (WI)
Clyburn	Kline	Sánchez, Linda
Coffman (CO)	Lamborn	T.
Cohen	Lance	Scalise
Cole	Landry	Schiff
Conaway	Langevin	Schilling
Connolly (VA)	Lankford	Schmidt
Conyers	Larson (CT)	Schock
Cooper	LaTourette	Schwartz
Courtney	Latta	Schweikert
Crawford	Levin	Scott (SC)
Crenshaw	Lewis (CA)	Scott (VA)
Critz	Long	Scott, Austin
Culberson	Lowey	Scott, David
Cummings	Lucas	Sensenbrenner
Davis (IL)	Luetkemeyer	Serrano
DeLauro	Luján	Sessions
Denham	Lummis	Sewell
DesJarlais	Lungren, Daniel	Sherman
Deutch	E.	Smith (NE)
Diaz-Balart	Maloney	Smith (NJ)
Doyle	Marino	Smith (TX)
Dreier	McCarthy (CA)	Southerland
Duncan (SC)	McCarthy (NY)	Stark
Duncan (TN)	McClintock	Stearns
Edwards	McGovern	Sutton
Ellmers	McIntyre	Thompson (PA)
Engel	McMorris	Thornberry
Fincher	Rodgers	Tonko
Fleischmann	Mica	Towns
Fleming	Miller (FL)	Turner
Flores	Miller (MI)	Upton
Frank (MA)	Miller (NC)	Van Hollen
Franks (AZ)	Moran	Velázquez
Frelinghuysen	Murphy (CT)	Vislosky
Fudge	Murphy (PA)	Walsh (IL)
Gallegly	Myrick	Walz (MN)
Garamendi	Nadler	Wasserman
Garrett	Neal	Schultz
Gonzalez	Neugebauer	Waxman
Goodlatte	Noem	Webster
Gosar	Nugent	West
Gowdy	Nunes	Westmoreland
Graves (GA)	Olson	Whitfield
Green, Al	Pastor (AZ)	Wilson (SC)
Griffin (AR)	Paul	Wittman
Griffith (VA)	Payne	Wolf
Guinta	Pearce	Womack
Guthrie	Pelosi	Woodall
Hall	Petri	Woolsey
Hanabusa	Pitts	Yarmuth
Harper	Platts	Yoder
Hartzler	Polis	Young (IN)
Hastings (FL)	Posey	

NAYS—56

Altmire	Gibson	Latham
Baldwin	Green, Gene	Lewis (GA)
Boustany	Grimm	LoBiondo
Burgess	Hanna	Matheson
Carson (IN)	Harris	Matsui
Chandler	Heck	McKinley
Chu	Herrera Beutler	Meehan
Cuellar	Himes	Napolitano
Davis (KY)	Hochul	Pallone
Dold	Honda	Peters
Donnelly (IN)	Jackson Lee	Peterson
Duffy	(TX)	Reed
Farenthold	Johnson (OH)	Renacci
Fitzpatrick	Jones	Reyes
Fox	Keating	Sarbanes
Gardner	Kind	Shuler
Gibbs	Kucinich	Stivers

Sullivan	Thompson (CA)	Tipton
Terry	Thompson (MS)	Walden

ANSWERED "PRESENT"—1

Amash

NOT VOTING—130

Akin	Eshoo	Miller, George
Andrews	Farr	Moore
Bachmann	Fattah	Mulvaney
Barrow	Filner	Nunnelee
Berman	Flake	Olver
Bilirakis	Forbes	Owens
Bishop (GA)	Portenberry	Palazzo
Bishop (NY)	Gerlach	Pascrell
Bishop (UT)	Giffords	Paulsen
Black	Gingrey (GA)	Pence
Blumenauer	Gohmert	Perlmutter
Bono Mack	Granger	Pingree (ME)
Boren	Graves (MO)	Poe (TX)
Boswell	Grijalva	Pompeo
Brady (PA)	Gutierrez	Quayle
Brady (TX)	Hastings (WA)	Rogers (MI)
Braley (IA)	Heinrich	Rohrabacher
Brooks	Hinche	Rokita
Buchanan	Hultgren	Rothman (NJ)
Buchan	Issa	Rush
Burton (IN)	Johnson (IL)	Sanchez, Loretta
Calvert	Kaptur	Schakowsky
Camp	Kinzinger (IL)	Schrader
Campbell	Labrador	Shimkus
Capps	Larsen (WA)	Shuster
Capuano	Lee (CA)	Simpson
Cardoza	Lipinski	Sires
Carter	Loebsack	Slaughter
Castor (FL)	Lofgren, Zoe	Smith (WA)
Clay	Lynch	Speier
Coble	Mack	Stutzman
Costa	Manzullo	Tiberi
Costello	Marchant	Tierney
Cravaack	Markey	Tsongas
Crowley	McCaul	Walberg
Davis (CA)	McCollum	Waters
DeFazio	McCotter	Watt
DeGette	McDermott	Welch
Dent	McHenry	Wilson (FL)
Dicks	McKeon	Wu
Dingell	McNerney	Young (AK)
Doggett	Meeks	Young (FL)
Ellison	Michaud	
Emerson	Miller, Gary	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1905

Ms. HOCHUL changed her vote from "yea" to "nay."

So the Journal was approved. The result of the vote was announced as above recorded.

Stated against:  
Mr. FILNER. Mr. Speaker, on rollcall No. 602, I was unable to vote due to previous commitments in my district. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. AKIN. Mr. Speaker, on rollcall No. 601 and 602, I was delayed and unable to vote. Had I been present I would have voted "aye" on both.

PERSONAL EXPLANATION

Mr. PASCHELL. Mr. Speaker, I unavoidably missed two rollcall votes. Had I been present I would have voted "yea" on rollcall vote No. 601 on passage of H.R. 33—To amend the Securities Act of 1933 to specify when certain securities issued in connection with church plans are treated as exempted securities for purposes of that Act. Additionally, had I been present I would have voted "yea" on rollcall vote No. 602, on approving the Journal.

PERSONAL EXPLANATION

Ms. LEE. Mr. Speaker, I was unable to cast my votes today. Had I been present to cast my votes, I would have voted "yes" on H.R. 33 and "yes" on approving the Journal.

ANNIVERSARY OF ATTACK ON AMIA JEWISH COMMUNITY CENTER

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise tonight to mark the anniversary of the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina.

On July 18, 1994, the Iranian regime, through the coordinated efforts of its embassy and extremist proxy Hezbollah, committed one of the deadliest attacks of anti-Semitism in the Western Hemisphere by killing 85 men, women and children and injuring over 300 innocent bystanders. Seventeen years later, Mr. Speaker, the regime has yet to answer for its role in the attack. Its statement this weekend was nothing more than a desperate PR attempt to manipulate the headlines in advance of today's sad anniversary.

And so as we mark the 17th anniversary of this horrible attack and honor the victims and the survivors of that day, we must recommit ourselves to holding the Iranian regime accountable for the AMIA attack and for the threat that it continues to pose to U.S. regional and global security.

IN SUPPORT OF CHURCH PLAN INVESTMENT CLARIFICATION ACT

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

Ms. JACKSON LEE of Texas. Madam Speaker, flying in today, our plane was delayed. I didn't have the opportunity to advance my support for H.R. 33, the Church Plan Investment Clarification Act of 2011. I want to acknowledge the sponsorship of Congresswoman BIGGERT and indicate that under current law thousands of church pension plans are denied participation in collective trusts, rendering them unable to pull their assets or reap the benefits of collective buying power. Many churches, as a result, experience difficulties and incur expenses when diversifying pension plans.

Our churches, our houses of worship provide invaluable service, and many of those in my own community—the Bellfort Seventh Day Adventist Church, the New Life Christian Church, Wheeler Avenue Baptist Church, St. John Missionary Baptist Church on Dowling, Brookhollow, and many others, work throughout our community. We are blessed to have Lakewood Church in our community, as well, that works very hard, a church leadership that I've known for many, many years.

So this bill has been supported by the Church Alliance, the Seventh Day Adventist Church, the YMCA Retirement Fund, the Church Pension Group, and others. And I thank my friend from Illinois, as I said. Churches do missionary work. Their workers need to have the ability to have their pensions.

And I close by saying there are those suffering in Kenya, they are dying, the Somalians who left because of the devastation of the drought, and I know our faith community wants us to do something about it.

#### REMEMBERING STANLEY REED, A GREAT LEADER IN ARKANSAS

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

Mr. CRAWFORD. Madam Speaker, today I rise to remember a great leader from the State of Arkansas, Mr. Stanley Reed. Stanley Reed was prematurely taken away from us last Friday, but his legacy will live on.

Stanley was from Marianna in Lee County, but his influence is felt throughout the entire State of Arkansas. He served as president of the Arkansas Farm Bureau and worked tirelessly for the agriculture community, leading several initiatives to advance Arkansas agriculture.

For 10 years, he served on the Board of Trustees for the University of Arkansas. Stanley placed a great emphasis on the importance of education, and it can be seen through his work at the university.

Stanley was also an advocate for Arkansas businesses. He served on the Board of Arkansas World Trade Center where he shared his vision for Arkansas businesses to compete in the global economy.

Stanley leaves behind his wife, Charlene, his children—Nathan, Haley and Anna—and three grandchildren. Arkansas lost a great leader, advocate, and ambassador last week; but Stanley Reed's legacy will live on through the impact of his work.

□ 1910

#### SOCIAL SAFETY NET PROGRAMS UNDER ATTACK

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

Mr. GARAMENDI. Madam Speaker, later this week, this House will take up the second iteration—the second coming, if you will—of the House Republican budget, a budget designed to destroy Medicare, basically to terminate it for anyone who's 55 years or younger, a plan designed to put Social Security on a track to privatization, a plan designed to take nearly \$700 billion out of the Medicaid program, basically destroying those things that have held the fabric of America together.

Have no illusions about what this is all about. It's not just a constitutional

amendment; it's not just cut and cap. It is really about destroying Medicare, Medicaid, programs that are essential for seniors.

If you want to make a cut in something, why don't you take a third of a trillion dollars out of the war in Afghanistan, which is what we're going to spend over the next 4 years? Now there's a good cut that we ought to make.

#### PRIVATE FIRST CLASS JOE MEADE: AN AMERICAN HERO

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

Mr. ROE of Tennessee. Madam Speaker, I rise today to recognize a true American hero, Private First Class Joe Meade. Private First Class Meade was a member of Mike Company, 3rd Battalion, 26th Marines. He died in Vietnam when his battalion was fighting outside Da Nang. While carrying a wounded comrade to a waiting helicopter, Joe stepped on a land mine and, sadly, was killed. Private Meade was only 19 at the time. In recognition of his valor, he was awarded the Silver Star.

Duane Crawford, Private Meade's former commanding officer, who recently founded a scholarship in his honor, had these words to say about Joe's actions:

"With total disregard for his own life, he continually exposed himself to danger by administering first aid to his wounded comrades, offering them comforting words and helping them to medivac helicopters. His courageous actions saved many lives."

Even though he lived only 19 years, the legacy Joe left behind is truly remarkable. Private First Class Meade exemplified the best of America and the United States Marine Corps. For this reason, I ask you to join me in commemorating the life of this extraordinary marine.

Semper Fi, and this is an honor for the 58,479 of our comrades who died in Vietnam.

#### ONE SOLUTION AND THREE SIMPLE STEPS

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

Mr. FLEMING. Madam Speaker, I have three simple words for President Obama and congressional Democrats: cut, cap, and balance. Last week when our Campaigner in Chief held his news conference, he asked for a plan.

Well, Mr. President, cut, cap and balance is our plan. It's a plan that cuts Federal spending immediately, puts in place enforceable spending caps, and demands a balanced budget amendment to the Constitution. This plan cuts total spending by \$111 billion in 2012 and around \$5.8 trillion over the next 10 years, while not increasing taxes one single penny. We have too much debt

because we spend too much, not because we haven't taxed you enough.

Mr. President, you asked for a plan and here it is. It's your turn to get serious and work with us to solve this problem—not against us. Stop demagoguing this issue with cheap scare tactics and politics because the American people are tired of it and deserve much better.

#### ON THE RECOVERY OF RINGGOLD, GEORGIA

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

Mr. GRAVES of Georgia. Madam Speaker, I rise today to let the American people know that the city of Ringgold, Georgia, is open for business. I know that we all remember the tornadoes that ravaged much of the country in April. Over 180 of these destructive storms were confirmed in just one day, and the Ninth Congressional District of Georgia was not spared. Some of the worst storm damage in north Georgia occurred in the small town of Ringgold. Over 100 businesses and 500 homes were damaged or destroyed on April 27. This was a devastating moment to the local community and the local economy, which relies heavily on travelers passing through on Interstate 75.

However, Ringgold is on the mend and ready to share some of that southern hospitality it is known so well for. Nearly half of the damaged businesses have reopened, homes are being rebuilt, and the jobs are returning. While there is still much to be done, if you find yourself passing through Ringgold on I-75, I encourage you to take exit 348 for gas, a bite to eat, or an overnight stay in Ringgold, enjoy the shops and sights in the historic downtown, and know that you are playing a part in helping this great and resilient community rebuild.

#### CUT, CAP, AND BALANCE

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

Mr. HUELSKAMP. A few hours ago, the President issued a veto threat to Cut, Cap, and Balance. While, of course, this was expected, it is still disappointing. It is disappointing because this legislation answers his demand that we on this side of the aisle offer a plan. It is also disappointing because he doesn't have a plan himself.

My colleagues on the other side of the aisle in the last few years often called the Republicans the "party of no," but this President who ran on "hope" has become President Nope. The President doesn't know what he's for, but he certainly knows what he's against.

His opposition to Cut, Cap, and Balance includes opposition to a balanced budget amendment. He said it's not

necessary, and that lawmakers should simply do their jobs. It's ironic that a President who is so insistent on tying the hands of the private sector with onerous regulations would oppose tying the hands of politicians when it comes to spending and borrowing.

Dodd-Frank, ObamaCare, the EPA—they all restrict what Americans can and cannot do. The President wants no such restrictions on either Congress or himself. No, the only restriction-free zone he wants is Washington, D.C.

Cut, Cap, and Balance recognizes that Washington's solutions have to be long-term and permanent. Quick fixes are what got us into the position we find ourselves in; they are not what will get us out of it.

#### AN UNREALISTIC APPROACH

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

Mr. TIPTON. Madam Speaker, we have a President who likes to talk about polling numbers, while the President seems to completely ignore one of the most important polling numbers that the American people have spoken to, and, that is, asking the Congress of the United States to do exactly what Americans around their kitchen tables are doing this evening: figuring out a way to be able to balance that budget, to be able to fill up that gas tank, to be able to put food on the table. The very thing that 49 of our States are doing on a regular basis, balancing their budget.

Today, we have the President of the United States come out and say a balanced budget amendment is unrealistic. No, Mr. President, your approach is unrealistic. We are on an unsustainable glide path, destroying the future for our children and our grandchildren, if we fail to get our fiscal house in order. Now is the time. This is our opportunity. Cut, caps, and balance. Not cut and run, Mr. President.

This is our opportunity to set America straight, to be able to get our people back to work, and to get America moving again.

□ 1920

#### CUT, CAP, AND BALANCE

The SPEAKER pro tempore (Mrs. ELLMERS). Under the Speaker's announced policy of January 5, 2011, the gentleman from Arizona (Mr. FRANKS) is recognized for 60 minutes as the designee of the majority leader.

Mr. FRANKS of Arizona. Madam Speaker, we are going to discuss tonight the cut, cap, and balance bill that will come before this body tomorrow morning. I just want to express some thoughts about how desperately important I believe this bill is for America. I have seen in the media oftentimes the bill diminished. Madam Speaker, I believe this is an opportunity that is very unusual for those of

us in this body to have, where we can put this Nation on a track to fiscal sanity and where we can truly do that thing that we were sent here to do.

Madam Speaker, let me begin by saying that all financial budgets will eventually balance. No individual, no family, no business, and no government can indefinitely continue to spend more money than they take in without someone having to make up the difference. That includes the budget of the United States Federal Government. Neither Mr. Obama nor congressional Democrats can repeal the laws of mathematics.

The Federal budget of the United States Government will eventually balance, Madam Speaker. The question is whether the House of Representatives, the United States Senate, and the White House will work together to balance this budget ourselves by wise policy, or national bankruptcy and financial ruin will do it for us.

From the day Barack Obama walked into the White House, he has, with breathtaking arrogance, absolutely ignored economic and financial reality. It took America the first 216 years of its existence to accumulate the debt that Barack Obama has accumulated in the short 2½-year span of his Presidency. During his short time in office, Madam Speaker, he has increased our Federal debt by nearly \$4 trillion.

Just to put that nearly \$4 trillion in new debt in perspective, let me put it this way: if all of a sudden a wave of responsibility swept through this Chamber and we stopped all deficit spending and began to pay installments of \$1 million every day to pay down the nearly \$4 trillion debt that Barack Obama has created in just 2½ years, it would take us more than 10,000 years to pay it off. And that's if we didn't have to pay one dime in interest, Madam Speaker.

But, you see, we are not paying off Mr. Obama's debt by \$1 million per day. We are going deeper into debt, more than 4,000 times that \$1 million a day every day under Mr. Obama's own submitted budget and deficit projection. Let me say that again: if we paid down the debt \$1 million a day, the debt that Mr. Obama has accumulated in his 2½ year Presidency, it would take us 10,000 years to do it. But we are not doing that. We are going deeper into debt, 4,000 times that much, every day, almost \$4 billion per day.

And then when speaking of the effort to reduce the deficit, the President has the hubris to tell conservative Republicans to take a balanced approach and to eat our peas. Madam Speaker, if there is anything more catastrophically out of balance than our Federal budget, it is the arrogance to competency ratio of this White House. We have already tried Mr. Obama's way. We have for far too long been testing Democrat economics 101; the theory, as Vice President BIDEN put it, we have to spend money to keep from going bankrupt.

Madam Speaker, when it comes to balancing our budget, Mr. Obama and the liberal media have suggested that Republicans are unwilling to address the revenue side of the equation, but that isn't true either. Just because Republicans are not willing to increase job-killing tax rates on this country doesn't mean that we don't understand the revenue side of the equation.

History and experience have demonstrated time and again that the best way to increase the amount of revenue coming into this government is to get out of the way and allow the private sector to increase the quality and number of jobs for the American people. This has historically resulted in the increased productivity and the broadening of the tax base in this amazing Nation.

And yet the President is willing to ignore that history and the reality of the amazing American economic engine and kill the goose that lays the golden eggs by raising taxes. Madam Speaker, that is like saying putting additional weight on the back of a race horse will help him win more races.

You will recall that the Democrats, when they had control of Congress, raised the debt limit six times. I so clearly remember the surreal spectacle at the time of then-majority leader of the House, STENY HOYER, leading the entire Democrat caucus in a rousing standing ovation after the debt limit was raised by \$2 trillion in 2010. We have watched as President Obama ran up a trillion-dollar deficit for the first time in history and then break that record the very next year, and then say that we would have \$1 trillion-plus deficits "for years to come."

We have watched as Mr. Obama and the administration promised that if we just allowed them to spend another \$800 billion on their stimulus package that the economy would rebound and unemployment would never go beyond 8 percent. Now, Madam Speaker, the American people have awakened, and they are tired of Democrats telling them that 2 plus 2 equals 13.

So as we now find ourselves facing the prospect of raising the debt ceiling yet again, Republicans have said the only way we are going to consent to raising the debt ceiling is if we cut spending by the same amount we increase the debt ceiling and then if we give the people and the States of this Nation the historic opportunity to adopt a balanced budget amendment to our Constitution to put this country back on the track of fiscal sanity once again, Madam Speaker.

Now, I know that Mr. Obama and the Democrats have falsely said that the balanced budget amendment is just a Republican plan to destroy Social Security and Medicare. But the truth is that the bill we will be voting on tomorrow does not cut Social Security, it does not cut Medicare, and it does not cut the compensation to our men and women in uniform by one dime. But the balanced budget amendment does

give us an honest chance of reforming and saving those programs and our country from bankruptcy in the future.

Mr. Obama and the Democrats have constantly said that we need to take a “balanced approach” and include increased taxes in the equation. But I have already said, Madam Speaker, increasing the rate of taxes will decrease the productivity of this Nation and will ultimately decrease the revenue that comes into this government. It is the economic equivalent of mixing dirt and ice cream. It is a poor recipe to embrace in the name of balance.

Madam Speaker, the truly balanced approach to this problem is a balanced budget amendment to the United States Constitution. By passing this cut, cap, and balance bill, along with the balanced budget amendment, we have a rare opportunity, and it is one that may never come again, Madam Speaker, of doing something truly historic that will save this Nation and its people from economic ruin.

Now, if the President and the Democrats will help us do this, together we can restore hope and confidence in capital markets inside the United States and really all over the world because those markets will see in the long run that America is going to make it.

It may take 6 or 7 years to fully ratify this constitutional amendment once it is sent to the States. But we owe it to the States and to the people to give them this chance to save their Nation. In the meantime, we can work hard here to expand this economy and to balance this budget that we work with here every year so that when the amendment is ratified, we will be ready to go forward together as a Nation to embrace the greatest days we have ever seen.

However, Madam Speaker, if the Democrats and the President are not willing to give America and the American people this chance by helping Republicans pass a balanced budget amendment in this Congress, the resulting consequences will be theirs alone, and I believe the people will hold them accountable for whatever financial disaster may follow.

Madam Speaker, long ago Thomas Jefferson said: I wish it were possible to obtain a single amendment to our Constitution. I would be willing to depend on that alone for the reduction of the administration of our government to the genuine principles of its Constitution. I mean an additional article taking from the Federal Government the power of borrowing.

Madam Speaker, it turns out Thomas Jefferson was right the vast majority of the time, and we have been those who have seen the best of some of the principles that he espoused so long ago. How I wish his contemporaries had listened to him about the balanced budget amendment. But in this moment in history, America may get a second chance, Madam Speaker. But we may not get it again.

I don't often quote Shakespeare, but long ago he wrote in a play this quote

that I think applies to us today. He said:

“There is a tide in the affairs of men.

Which, taken at the flood, leads on to fortune;

Omitted, all the voyage of their life

Is bound in shallows and in miseries.

On such a full sea are we now afloat,  
And we must take the current when  
it serves,

Or lose our ventures.”

□ 1930

In this time of crisis, we are also standing in a place where the tide is high and the opportunity is real for us to do something that will truly turn things around for this Nation.

Madam Speaker, this is not the Democrat Congress of last year that gave a standing ovation to a \$2 trillion increase in our debt limit. This is the Congress that was sent here by the American people to turn things around. And that starts by drawing the line on spending and saying thus far and no further and passing a balanced budget amendment to the United States Constitution. By the grace of God, Madam Speaker, that's exactly what we're going to do.

With that, I would like to yield to the gentleman from Indiana for such time as he may consume.

Mr. YOUNG of Indiana. I thank my colleague from Arizona for his learned words and eloquent words, quoting, Madam Speaker, Shakespeare. I'll begin by quoting Yogi Berra, that great fount of wit, wisdom, and good old American common sense. More recently, Yogi Berra said, When you come to a fork in the road, take it. We find ourselves as Americans right now certainly in a fork in the road—a fork in the road as a Nation. Either we must act boldly or some would say we face financial Armageddon. Unemployment is at 9.2 percent. Investment is down. Hiring is sluggish. The American people are anxious about where they're going to find jobs, where they're going to send their kids to school. People in southern Indiana ask me all the time what they're going to do as we fall further into the financial abyss. Our national debt is over \$14 trillion—and growing.

We know we're not in the mess because the American people are taxed too little. We're in this mess because Washington spends too darned much. And we want to address that. So, as the President stands at this fork in the road, having no plan and refusing to lead, we know that we here in Congress must lead. We must act. We must, as we say in the United States Marine Corps, we must have a bias for action. Well, that's why we put forth this Cut, Cap, and Balance Act of 2011. It's a responsible action.

I'll briefly outline its finer points. First, it cuts total spending by \$111 billion in fiscal year 2012. No changes to Social Security, no changes to Medicare, no changes to veterans' benefits. And considering the size and scope of

the massive debt crisis we face in this country, it proposes a very modest cut of \$111 billion next year—certainly a manageable down payment as we work to address this leviathan debt we face. It caps total Federal spending in the future as a portion of our economy—that is the cap component of this cut, cap, and balance plan—and brings down by the end of the decade our Federal spending to less than 20 percent as a proportion of our economy. That's the post-World War II average. Very sensible, very responsible. And then, finally, it balances our budget. It does so through a balanced budget amendment that will come up for a vote later, subject to the normal super majority requirements in each House of Congress. This works in 49 of the 50 States across this great Nation. It will work here in Washington, too. If we have the courage to pass it.

The cut, cap, and balance plan will restore confidence. It will restore confidence in investors around this world, people who are right now eyeballing this body, wondering whether or not we're going to pass a bold plan to address our financial situation and therefore maintain our high AAA credit rating. It will restore confidence in those who create jobs—the entrepreneurs, the innovators, the investors across the fruited plains whom people rely on for their family incomes. It will show them that we understand Washington has a problem, and we are prepared to address it in a very specific way.

Finally, this will calm down, this will restore confidence among those we represent. Yeah, we have a deficit in Washington. And it's not just a financial deficit. It's a leadership deficit. We need to show the American people we understand our Federal Government must balance its books, just like American families and businesses are making hard decisions and balancing their own books during this difficult time.

The President stands at this fork in the road. No plan, no action, no leadership. And he characteristically refuses to choose a path. We have laid out a path. The path is one of leadership. The path is one of choosing. I believe that to lead is to choose. We must choose. I encourage the members of this body, my esteemed colleagues, to choose the Cut, Cap, and Balance Act of 2011.

Mr. FRANKS of Arizona. I would now yield to the gentleman from Georgia for such time as he may consume.

Mr. GRAVES of Georgia. I thank the gentleman from Arizona and my friend from Indiana. This, to me, tomorrow, where we are today, is a monumental time in the history of this Nation. When we think about the decisions and the debate, the discussions, the rhetoric of tomorrow, it will be amazing to see who falls on which side. Because it's truly a choice. It is a decision. And we've heard that this is going to be a time of choosing. Tomorrow is the day.

We've had reckless debt and deficit for years now. It's not a necessarily Democrat problem because Republicans have also been a part of the



problem. We've seen both parties guilty in this time of fiscal nonsense, the recklessness of Washington spending. But it's come to an end. And we have an opportunity before us that I think is going to be incredible.

So, tomorrow, as the debate begins, I hope the Nation is watching. I hope the Nation is listening. I hope the Nation is witnessing their Members of Congress, whom they voted for, sent to office to represent them, watching to see how they will cast their vote. Of course, the President has already shown his cards. We know how he's going to cast his vote. I'd love to see us as a House pass it to the Senate, and the Senate move it to the President, and him look the American people square in the eye and say he is not for balancing the budget. He is not for cutting spending. He is not for capping the Federal Government. How defiant would that be to the American people?

His quote today was, We don't need a constitutional amendment to do our jobs. Mr. President, the Constitution is there to protect the American people from their government. What better opportunity to protect them from the reckless spending of Washington than a balanced budget amendment sent to the States? We do need the Constitution to tell us how to balance the budget because apparently this place can't do it on its own. Year after year after year it's been out of balance, debt limits increased, spending out of control. And yet we have a President who now, without a plan, but a framework, we hear—only through press conference, press releases, and spokespersons—a framework. Is that a plan? No, it's not a plan. We hear the Senate has a plan. It's plan B, though. Why? Because plan A comes before the House tomorrow. Plan A is to cut the Federal Government spending now. It is to cap the Federal Government's size in the future. And it is to balance the budget forevermore. That is what America is seeking right now.

So, the time truly is for choosing. And the question before us tomorrow as we all will watch the board light up, everyone will put in their voting card—they're really casting a couple of different decisions tomorrow. It's not just cut, cap, and balance, but it is: What is our vision for America. What will it be? What will America be in the future? That is the other question. I believe that those who cast that "aye" button tomorrow, the green button, they are casting their decision for a prosperous future for this country—a future in which we do live within our means, a future that ensures prosperity for the next generation. But then there are those, they'll cast a "no" vote. They'll cast the red vote. They will say, No, the status quo is acceptable. Out-of-control spending, yeah, we'll get it through it. The time will come, we will get by. Compromise is necessary. That will be the "no" vote tomorrow.

Tomorrow's vote is so big. It is big. And I thank the gentleman from Ari-

zona for leading this hour tonight because it's a precursor to the debate tomorrow—a debate that will be grand. I believe out of all the votes I've cast in my short time just over a year here, tomorrow's might be one of the most important votes I cast. And I stand before this House tonight, Madam Speaker, before you to say you I'll be casting that green vote for that prosperous future of this great Nation we have, to restore it, reclaim that liberty that we all know is so great and grand. And I look forward to joining many of my colleagues such as the gentleman from Arizona.

Thank you.

□ 1940

Mr. FRANKS of Arizona. I thank the distinguished gentleman.

I now recognize the distinguished gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Thank you.

Madam Speaker, I am honored to speak to the words of my dear colleague from Arizona, and I appreciate that he not only quoted Shakespeare but that he also made a nautical reference to the facts of life when the tides change. As a child of the ocean, I appreciate that.

Let me just say we've all got to understand how we got where we are today. The fact is, in '06, the American people were fed up with the Republicans spending too much, not because we had raised taxes or cut taxes, but they were fed up with our spending habits. Four years later, the same voters threw out the Democrats, not because they hadn't raised taxes but because they had expanded expenditures extraordinarily. So I think, if there were one indication that we ought to understand, it's that when you navigate on the ocean you've learned to know which way the waves are coming, which way the wind is coming, and you learn from your experience that there are some things that you don't want to fight.

One is the will of the American people.

As we look around the world, everybody celebrates the Arab Spring where the average person in Arab countries is standing up and saying, Not just "no," but "hell no." We're going to stand up and say, We've had enough. What's happening there is happening in America, too. The fact is that the average citizens in America, just like around the world, now can communicate through the Internet, and no big government, big operation, big cartel can keep them from communicating. So there is an energy let loose not just in Arab countries but here in the United States that says, America, we've got to live within our budget. You're not going to tax us anymore.

Madam Speaker, I think we've got to remember that the American people saw this coming. They saw starting in '08 a spending spree of extraordinary spending that went off for 2 years. Ac-

tually, even before the new administration went in there, the American people saw that there was going to be spending done by Republicans or Democrats that was going to be used as an excuse to raise taxes, and that's why they said, We're taxed enough already. So we need to get down to the fact that we're talking about where is the credibility of this government. It has to be reinstalled by the fact that we can be trusted with the budget—not trusted with raising taxes, but trusted with spending control. That is going to be the real crisis.

Notable economist Art Laffer just said recently that he almost compares what's being proposed by some in Washington to a couple going out to Monaco and then to Italy and then to France and running up a big bill and then coming back to their boss and saying, Oh, by the way, Boss, we spent all this money. We need a pay raise—or how about this: why don't you split half of the expense of my vacation with me. You pay half of it and I'll pay half of it.

That kind of logic doesn't sell when you're facing off with your employer. It darned well doesn't wash when you're facing off with your employer here in Washington, which is the American taxpayer, and I think we need to recognize that.

So, in all fairness, there are things we can do, Madam Speaker, to stimulate the economy without borrowing money from China. We can bring back almost \$2 trillion of American money to create American jobs here on American soil. Congress and the President just have to agree to do it. The money is out there. It's not being taxed, and it's not coming back if we don't eliminate the 35 percent penalty for it coming back.

Here is a place where we can invest in research and development, like the President wants, and in construction. We can go into manufacturing expansion—things for which the President and the Democrats in the past have borrowed money from China in order to create that kind of stimulus to the economy. We can create a stimulus to the economy, we can create jobs and help to balance the budget, but first we've got to understand that taxing people to death is not the answer to prosperity.

The answer for this family, called the American Nation, is just like that of every other family: living within your means, understanding your limits, spending within those limits, and not asking people to pay for your extravagances.

So as we face a lot of challenges, I've just got to say to everybody that you can look at what's going on in California today. Madam Speaker, it is a State that is controlled by the left, that has driven business out of the State, and the money now has run out. Not only did citizens lose jobs when those businesses left; but because those jobs are not there to pay the taxes, the

citizens of California, who have depended and expected to have their health care paid by the State now are being told they have to expect less because there is no more money to pay for those social benefits that they were promised—promised in such inappropriate ways. As we destroy businesses, we destroy jobs. Even those who are on public assistance will be affected by this kind of destructive behavior.

The difference between raising the debt limit today and in the past is that, in the past, all you had to do was raise the debt limit to have groups like Moody's be able to talk about addressing this issue. Fine, that's enough. Now the people who are raiding our dollar are saying, You can't just raise the limit. You've got to show us that you are serious about controlling the spending. Now this Congress has to do something that no Congress has been forced to do in the past:

We have to address the issue of the debt limit but address the issue of the debt at the same time.

Mr. FRANKS of Arizona. I thank the gentleman from California for his wise and well-placed words.

My friends on the left would have us believe that if we have a balanced budget in this country that somehow it will crush all of the critical programs for the most vulnerable in our society. Madam Speaker, that just simply is not true.

There is very little that I know of that would cause this government to flourish economically than for the Nation, itself, to flourish economically. Oftentimes, we forget that the confidence in the system has a great deal to do with the success of the system. We find that a lot of us on the right talk about the competitive free market, and we do believe in that; but I will tell you there is something that we believe in even more, and that is an element called "trust."

Of those who are the producers of our society, of those who are the job makers of our society, of those who are the captains of industry and productivity, all the way down to the person who makes minimum wage, if they believe that they can trust the environment they're in and if they do what they believe is right—that their contracts will be honored, that their wages will be paid, that government will make sure that they're treated justly and fairly—then they will continue to be productive, and they will continue to do everything that they can collectively to make this country the ongoing great Nation in the history of the world.

Madam Speaker, when that trust is broken—when government sometimes just sets aside its own rules and prints money and deficit spends and completely ignores the important things that it's supposed to do to keep trust with the people that it represents—then oftentimes those who are the producers, those who are the entrepreneurs, those who are the ones who try to make a difference in this world

become discouraged, and they step back because they can't trust their government.

I would suggest to you, Madam Speaker, that that is one of the big challenges that we face today.

People have watched over the last many decades this government continue to spend out of control. They've watched us take advantage of inflation. They've watched the government of this Nation and its leaders use deficit spending to a degree that diminishes their way of life, and they've watched us do all the bailouts and all those kinds of things. I will just tell you, Madam Speaker, that they're getting tired, but the good news is this:

The good news is that people have finally awakened.

I would say to you tonight, Madam Speaker, that nothing encourages me more than knowing that people are finally starting to watch this country. They know that a balanced budget amendment will do something that very few other economic policies have ever done: that it will restore the confidence and trust in this government, that we will begin to have to live within our means, that if we want greater revenue to come through these doors that we will do everything that we can to see business flourish, and that we will put aside this notion, as Fred Bastiat said, of government being that great fiction through which everyone endeavors to live at the expense of everyone else.

We will understand that the secret to the success of this Nation economically is productivity. Then we will have the kind of tax base that will not only support this government but that will allow us to do the things that are important for the most helpless in our society.

□ 1950

I want to yield again to the gentleman from California.

Mr. BILBRAY. Madam Speaker, we are really at a threshold of making decisions of: Are we willing to do what it takes to prove to the American people that this Republican form of government actually can function and address the long-term needs of America?

We're at a point to where we have to be able to show not just the American people, but to people around the world, that our Republican experiment, the Republic that we call the United States of America, can function not just for 200 years but for hundreds of years on top of that because we can make the tough decisions not just to go to war, not just to respond to disasters, but to take care of our financial well-being and that the elected representatives cannot use tax money to buy votes and cannot be bullied by scare tactics away from doing what is essential for the future of this country. That is a real test.

And remember, when we talk about Washington taking money, and I think this is one thing Republicans and Democrats don't talk enough about. I

used to be a mayor. I was a mayor in my twenties. We forget that this is not government—and I say this to my Republican colleagues. We say that too much. This is not government we're talking about, but this is Federal Government. This is totally different than your city council. This is totally different than your county commissioners or supervisors. This is not going to your school board. There, if they tax you, you can go to their meetings and you can stand up at a podium and you can tell that mayor what you think about his spending habits. You can tell the county chairman what you think. The school board member is required, by law, to hear your opinion about that.

But when your money is taken to Washington, you don't have the right to even stand up and speak to the Congress. You try to stand up without getting permission, they've got security to drag you off. There is a big difference between sending your money to city hall and sending your money to Washington, D.C. One, you are vested with rights to participate in how that money is spent. Here in Washington, you are disenfranchised except for one person, your Congressman. And that person darn well is diluted and cannot speak for you personally but has to represent you as part of a group.

So when we talk about Washington taking money, remember you've got school boards, you've got counties, you've got cities. But Washington is not just taking it away from the business community; it's taking it away from the local government agencies that provide the baseline services that are essential to all of us.

We keep talking about Washington is the great safety net. Excuse me. Your city and your counties are the great safety net of civilized services that we get into. The Federal Government, anybody that's lived in Washington, D.C., understands that, that the local government is where the essential services have gone. And when we take money out of a community and bring it here to Washington, we're depriving those same mayors and school board members and county commissioners the essential services that make every day possible for our citizens. And when we do that, even more importantly, we deprive the individual the ability to participate in how their hard-earned money is spent.

So we should take as little as humanly possible to execute the responsibilities and the mandates of the United States Constitution. And maybe if we looked around a little more and focused on the responsibilities that the Constitution gives us, Washington, D.C., as opposed to mayors, council members and State legislators, maybe if we didn't try to be everything to everyone, maybe we wouldn't be so greedy at taking so much from the citizens of the United States. So I think that that is one of those items we've got to constantly try to remember.

And I say this to my Democratic colleagues and my Republican colleagues. When we're talking about the Federal budget, we're not talking about government. We're talking about Federal Government taking these funds. And I think those are the central issues.

Mr. FRANKS of Arizona. I thank the gentleman from California.

I yield to the gentleman from Colorado.

Mr. LAMBORN. I want to thank the gentleman from Arizona for sponsoring this time to talk about the importance of having Cut, Cap, and Balance. This is an historic vote that we're going to be taking in the House tomorrow. And I think that it's critical that we have a solution that will get our fiscal House in order.

Very few of the other people that are negotiating with the House leadership—I am talking about the Senate Democratic leadership, the White House, they're very short on having specific plans. I haven't really seen anything in writing, in fact. I'd love to see something in writing so we could actually do a financial analysis, a fiscal analysis of one of the other plans. But this is a way forward that many of us are looking forward to voting for tomorrow here on the floor.

And as you have been describing it, Representative FRANKS and Mr. BILBRAY of California, the elements of this plan are really wonderful for the fiscal health and the financial future and the prosperity of our country. America is a great country, and I don't want to see her go into decline. And if we don't do something, that is the prospect that we unfortunately have before us.

So I look forward to voting to cut the next year's budget by a manageable amount. Sure, there will be some people who say, Don't cut this; I'd rather you cut something else. But we have to live within our means, so we're cutting from next year's budget.

We're also capping the next 10 years so that instead of the unsustainable 24 or 25 percent spending of our gross domestic product for the Federal Government, it's going to be brought down to about 20 percent or under 20 percent. That is important for living within our means.

Historically, post-World War II, the revenues of the Federal Government have been about 18 percent, nowhere near the 24 or 25 percent. Even 19.9 percent that this calls for after, like, year six or seven is still higher than our revenues, but it's on a glide path, it's on a trajectory that gets toward balance.

And the best thing of all is a balanced budget amendment. And this is something that the minute, should it pass the House and Senate and go to the States and should the three-quarters of the States, 38 of them, pass it in their own legislatures and it becomes part of the U.S. Constitution, at that moment we will live under a balanced budget, whether that's 4 years or 8 years or 12 or however long that would

take. So this has a short-term, a medium-term, and a long-term solution for the fiscal health of our country.

Now, if others say, Well, I don't like that plan; I'm going to vote against it, I'd like to see their plan. The status quo is simply unacceptable. We are headed toward a Greece-type default and bankruptcy, and we just simply do not need to do that. So we have to reduce our spending.

Representative FRANKS, you know this as well as I do. I have watched and respect your voting record, and you're one for holding the line on extraneous spending. And that's what it takes. Every family has to do it. Every business has to do it. Every individual has to do it. When your income is not as much as your outgo, you have to reprioritize. You have to stop spending as much as you want to and you have to live within your means. Every other government in the country has to do that—cities, States, counties. They all have to do it. The Federal Government is, for some reason, the only one that's exempt from these fiscal laws of nature.

So we have this historic vote tomorrow. I'm really looking forward to voting to cut, cap, and balance our Nation's finances. And Representative FRANKS, I'm so glad that you are sponsoring this time so that we can discuss this important issue.

Mr. FRANKS of Arizona. I thank the distinguished gentleman.

Madam Speaker, may I inquire as to the remainder of the time.

The SPEAKER pro tempore. The gentleman has 20 minutes remaining.

Mr. FRANKS of Arizona. With that, I would yield to the gentleman from Indiana.

Mr. YOUNG of Indiana. I thank the gentleman from Arizona.

Just an observation here. I know our President said earlier today that we had—frankly, we don't need a constitutional amendment to do our jobs. He was referring, of course, to this debt limit debate and our insistence here in the House that we get some serious spending cuts in conjunction with that debt limit and come up with a plan to get our debt under control in the longer term.

□ 2000

My response to this idea that we don't need a constitutional amendment to do our jobs, first I look to the Constitution itself. Article V of the Constitution, the first phrase there is pretty clear. "The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution."

I would say it's our duty, when we deem it necessary, to go ahead and propound constitutional amendments to solve various problems here that we think need to be addressed within our Federal Government. First, we are duty-bound to put forward such a solution. Second, history bears out many examples where institutionally or cul-

turally or historically the time has arisen for certain improvements in our way of government.

So we've put forth some fine amendments like, say, the 19th Amendment, which gave women the guaranteed right to vote. I think that's a fine thing. I think it was important that Congress put forth amendments to guarantee women's right to vote so that we would do our job. It was necessary. It was necessary to put forth that amendment, just as it's necessary to put forth a constitutional balanced budget amendment.

I guess the final thing I would say is it's necessary that we pass a constitutional balanced budget amendment as part of this Cut, Cap, and Balance Act of 2011 because it's the only viable plan we have on the table right now. What is the President's plan to get our budget back into balance? I ask that time and again. I have not seen any sort of acceptable answer.

So we need to bind the hands of our political class. I think this Cut, Cap, and Balance Act, which my colleagues have been speaking to over recent minutes, is a very responsible direction to go, and I ask for the consideration of my friends across the aisle as well.

Mr. FRANKS of Arizona. I thank the gentleman from Indiana.

Oftentimes, Madam Speaker, I have friends that come up to me on the street and they say, Trent, why aren't you talking more about this? Why aren't you explaining these things in the media better? Why aren't you going to the floor and telling us about these critical issues? So, oftentimes we do and the media just ignores it or somehow the people don't have the advantage of hearing what we say.

And I hope that doesn't happen to this bill, Madam Speaker, because I truly believe if the American people could just read the Cut, Cap, and Balance legislation that they would understand how profoundly reasonable it really is. All it really says is that we are going to cut our budget at least as much as we raise the debt ceiling, and that we're going to put some steps in place to begin to rein in the spending of this government in a real way; and that as we go forward, we will begin to index the spending of this Nation with a certain percentage of the gross domestic product, or the amount of productivity of our Nation.

Madam Speaker, that's so imminently reasonable because that creates a great deal of incentive on the part of government, then, to see all people in our society successful, to see everyone have gain and to be able to accumulate wealth in every way that they can, from the janitor to the Senator.

And then, finally, this legislation says that we need a balanced budget amendment to our Constitution.

Madam Speaker, I have the privilege of being the chairman of the Subcommittee on the Constitution in this place. I will just suggest to you that the balanced budget amendment seems

so intuitive to me because, as I said earlier, all budgets have to balance at some point.

You know, I have two little babies, Joshie and Gracie, and they have piggy banks. They know that if they take more out of it than they put in it, then it goes empty. They understand that. I don't know why something so fundamental and basic escapes the erudite minds that pervade government. But it seems that we think that somehow because we have Ph.D.s and that because we are able to perpetrate monotonous polysyllabic obfuscation, semantic gymnastics, and verbal circumlocution that people won't know what we're talking about and that somehow we can get away with anything that we want to. And I just think that's so tragic because a reality is still in place that says that if we live outside our means, that pretty soon the entire system begins to collapse. That's where we are, Madam Speaker. We are seeing people losing confidence in their government. And I'm very concerned about that because I believe that it is vital that people have confidence.

Somebody said to me, they said, you know, if all of the gold in Fort Knox were stolen tonight and none of us knew about it, that the gold market wouldn't change much tomorrow morning in *The Wall Street Journal*. But if someone put out a press release, say, from Fort Knox that all of the gold had been stolen in Fort Knox but that that wasn't really true, that all of the gold was still there but somehow the public believed that it had been stolen, that gold markets across the planet the next day would crash because people's perception, their confidence in the system is vital to the system.

Right now, people are losing confidence in our system, and I think there are very few things that threaten us more. We talk about a default. Well, the default is not going to happen on August 2 unless the President chooses to arbitrarily force that to happen. But I am concerned that the markets may begin to say, Maybe the Congress of the United States just doesn't have the courage to do the right thing. Maybe somehow they're going to let politics intervene to the extent that they're actually going to step back and not do what's necessary to stabilize the economic foundation of this Nation. And that is so tragic because it doesn't have to be that way.

This Cut, Cap, and Balance bill can accomplish everything that's reasonable. It can say, okay, we recognize the challenges that we face in this country today. We recognize that we've overspent. We recognize that our country is at a low economically. We recognize that we're not working on full employment. We recognize that the markets don't know whether to jump or go blind. They don't know what this President is going to do next. And if we put this Cut, Cap, and Balance bill in place, all of a sudden, the markets of the world, the person on the street,

they're going to realize, hey, maybe there is hope after all. Maybe America is going to go forward and do what she was destined to do from the born of time and continue to be that great city on a hill that Ronald Reagan spoke of. I believe that it can be that way.

But I am afraid that somehow the people won't understand what's in this bill. I will just suggest to you, in all due deference and respect to the President of the United States, his plan is incumbent upon the people not understanding what it is, and the Republican plan is incumbent upon the people understanding what is really in the bill. And I so hope that the people are able to truly get the information that they need to understand what this bill is all about, rather than letting the left-wing media distort it to the extent that they don't know.

I also hope for something else, Madam Speaker. I am hoping that tomorrow when we vote that we will recognize something else as people in this place: that all too soon we will step from these Chambers one by one and that our time here will be passed, and only those things that we did that truly honored our God and our country and our fellow human beings and the great gift that we've been given in America will really matter at that point. I hope we will realize that we won't have too many votes like this in our career that can make a difference for future generations.

It's been said that the politician looks to the next election; whereas, the statesman looks to the next generation, and that great societies finally come when old men plant trees under whose shade they will never sit. I hope tomorrow that we will embrace this thing called statesmanship and look to the next generation and, quite frankly, Madam Speaker, to look to the next few days and weeks, because what we do is going to send a message to the markets the world over.

If you are an investor and you saw a company that continued to deficit spend and continued to get in debt beyond its means and continued to carelessly spend, would you invest in that company? I think that's what our country has to ask ourselves.

I truly believe that we're going to have a chance tomorrow that may be very unique in our careers, and it's possible that a lot of people are going to succumb to the need to be popular among certain special interest groups. But I will just suggest to them, Madam Speaker, that popularity is history's pocket change. It's courage that is the true currency of history, and we have a chance to be courageous tomorrow. We have a chance to do what's right, to stabilize this country today and tomorrow. We have a chance to make sure that our future generations walk in the light of freedom. I have a chance, as a father, to do what I believe is truly right for my children and their contemporaries so that they might grow up and walk in the light of freedom, as I have.

□ 2010

If we do this, I believe the people will applaud us in the long run. There may be certain exceptions in the short term. But in the long run they will look back and say that those people who stood up and did what was right that day when they voted on cut, cap, and balance and voted for the balanced budget amendment, they'll look back and see that as a historic turning point in this country. And I want so much to see that happen.

Finally, Madam Speaker, I would just say to you again that all budgets do balance, and the equation before us today is, are we going to balance the budget, or is reality going to balance it in a horrifying way for us?

For the sake of my children, for the sake of future generations, and for the sake of all that we love and hold dear in this country, and for the sake of making sure that we are good stewards of the greatest Nation God has ever given to this planet, I hope we do the right thing tomorrow.

I yield the remainder of the time to the gentleman from Indiana.

Mr. YOUNG of Indiana. I thank my colleague from Arizona.

He said a couple of things that I would like to pivot off of. They certainly struck a chord with me. First, the notion that markets deal with perception, as opposed to always reality. I thought it was a brilliant example of Fort Knox, should the gold be taken, the press release versus the actuality of that gold being taken.

It reminded me of a conversation I had just today on the airplane as I headed backed to Washington from my southern Indiana district. I was sitting next to someone who dealt in the financial markets, and I asked him a fairly pointed question. I said, you know, the media, in recent days, in recent weeks, has really sort of ratcheted up attention, even anxiety with respect to the debt limit debate and whether or not the debt ceiling is, in fact, going to be raised, what is going to be attached to a debt ceiling vote.

And I certainly understand this. I take this vote very seriously and have factored into my calculus of voting for and against various measures, the interest rate response we might see.

But the funny thing is there hasn't really been much of an interest rate response. For all the hemming and hawing about what might happen should we not raise the debt ceiling by August 2, there hasn't been an interest rate response. And I find that amazing.

And so I asked my friend why he thought that was, and he put forth one idea. He said certainly, TODD, that these are complicated matters, and there are all different things that factor into them. But in his professional opinion, one reason was that we finally have a group of people in Washington that are taking very seriously this notion we ought not spend more money than we bring in. That's pretty powerful.

I'm proud, as a new Representative, to be part of this group of people supporting the cut, cap, and balance measure that would bring our spending under control. So we ought to be proud. That's an early victory. The markets, at least, believe we are serious about getting this spending under control. I hope we can play this out and prove that we are serious.

The other thing that my colleague from Arizona said that struck a chord with me was this notion that statesmen look not just to the next election, they look to the next generation.

There was a group of people back 150 years ago that entered politics. It was around the 1850s, and they entered politics certainly looking to the next generation. It was their belief that every man, woman, and child should be entitled to the fruits of their labor. They weren't partisans. In fact, they were Know-Nothings. They were independents, some Democrats. They came together with this notion, though, that everyone should be entitled to the fruits of their labor.

Well, when we continue to spend money we don't have, oftentimes on things we don't need, and kick the debt forward another year, another 5 years, another 10 years, another generation or two down the road, ladies and gentlemen, we are committing the fruits of the next generation's labor to pay off our current debt.

Madam Speaker, I think this is wrong. I think this cut, cap, and balance plan is a viable plan, a specific plan to stop this practice so that everyone, my four children, everyone else's grandchildren and great grandchildren, will not be paying off our future debts.

So again, I urge consideration and support of this cut, cap, and balance plan. And for those who are unable to support it, I would ask them to put forth a specific plan of their own, one that will get our spending under control and put this Nation back on the right fiscal course.

Mr. FRANKS of Arizona. Madam Speaker, let me just close with these thoughts. There are a lot of people that have sacrificed profoundly for this Nation. There are people lying out in Arlington National Cemetery tonight, and I wonder what their perspective would be if they could come back among us for just a few moments?

While none of us knows that, Madam Speaker, I would suggest to you that they didn't die so that we could spend our country into bankruptcy, so that we could weaken our Nation on all fronts simply because we weren't fiscally responsible. And they didn't die so that we could put ourselves so deeply in debt that we spent tens of thousands for each little child born today so that they would have to carry that the rest of their lives.

They wanted, as the Founding Fathers talked about, to see every person, not only in America but, ultimately, in the world, to be able to be born and to

lay hold on the miracle of life and to be free and to pursue their dreams. That's what they wanted. Sometimes I am so afraid that we have gotten away from that vision to the extent that we've grown sort of callous and cynical.

I hope that we can revisit those ideals tomorrow, and that we can force ourselves to remember that all of history and all of the future is watching us, and that what we do here tomorrow could mean the difference for America for decades and generations to come.

I believe if we do the right thing, that the loneliest moments in an old age home will be livable because we'll look back and say, you know, that's what we did. We did the right thing. And I hope we do that for the sake of my children, for the sake of America's children, and for the sake, somehow, of the children throughout the world that can be still touched by the message of this, the greatest Republic in the history of humanity.

Madam Speaker, if we will protect our constitutional foundations, if we will protect our economic base, if we will protect those things that make us who we are, then I believe that this government will have all of the revenue that it needs. I believe we will continue and go forward to be more productive than we have ever been, and I believe that America still has great things in the world to do. I hope we make sure that that occurs.

With that, with great respect, Madam Speaker, I yield back the balance of my time.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2560, CUT, CAP, AND BALANCE ACT OF 2011

Mr. WOODALL (during the Special Order of Mr. FRANKS of Arizona) from the Committee on Rules, submitted a privileged report (Rept. No. 112-150) on the resolution (H. Res. 355) providing for consideration of the bill (H.R. 2560) to cut, cap, and balance the Federal budget, which was referred to the House Calendar and ordered to be printed.

#### CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 60 minutes as the designee of the minority leader.

Mrs. CHRISTENSEN. Madam Speaker, I am pleased to be here this evening once again with my Congressional Black Caucus colleagues to talk about the need for jobs, jobs, and more jobs, and how we ought to be dealing with the debt limit and our debt crisis. Let me begin with jobs. That's not a new topic for the Congressional Black Caucus, because our communities unfortunately have a long-term and intractable history of unemployment.

Every year that I have been here, and I'm sure for the 40 years of our exist-

ence, job creation has been a priority, and that includes summer jobs for our young people, something we still have not been able to get the Congress to recognize and fund as critical to the well-being of our young people and our communities. In this Congress alone, CBC members have introduced more than 30 job-creating pieces of legislation, and we've cosponsored many, many more introduced by our Democratic colleague.

Need I remind you that the Republican leadership has still, today, done nothing to create one job. Meanwhile, unemployment remains a crisis in our country, and in the African American community it's a catastrophe.

And where is the patriotism of our corporations who are sitting on billions of dollars and still not hiring? I would say that if there is uncertainty in that sector, the corporate sector, welcome to the club.

As the gentleman from Arizona said, lack of confidence. But the cause of this lack of confidence in the corporate sector, in the banking sector and on Wall Street has got to do more with the gridlock, I think, that's caused by the Republican leadership who won't even consider the balanced approach that the President is asking us to take. And all this time the rest of the world is looking at us, watching this sorry mess that we're calling governing. I can't imagine that our allies in those countries around the world that look to us for leadership have much confidence in us either right now.

I am pleased to be joined this evening, Madam Speaker, by several of my colleagues, but I'd like to begin first to yield such time as he might consume to a reverend, to the former mayor of Kansas City, now our distinguished leader of the Congressional Black Caucus, Congressman EMANUEL CLEAVER.

□ 2020

Mr. CLEAVER. Madam Speaker, let me first of all express appreciation to Congresswoman DONNA CHRISTENSEN, Dr. DONNA CHRISTENSEN, for how she has put forth boundless energy making sure that we keep this issue of joblessness in front of us.

Let me first of all say that I did two interviews during the votes today, one with ABC News. And as I stood before the cameras they showed me two comments, one from a gentleman who said that he was so disgusted with Congress because nothing is being done and he believed that we needed to start trying to deal with the problems. He thought that we should not be raising the taxes on what he called "ordinary" people or low-income working people.

The other interview I did was on Fox and was an interview where I was interviewed about the joblessness among African Americans. I think both of those intersect. And the reason for this is, I said to people that as a Democrat I was embarrassed that during the last session of Congress we failed to listen to the American public. The public said they were interested in jobs.

I would go home to my district in Kansas City, Missouri, and people would simply talk about the need for jobs. I would come back to Washington, and the only thing we talked about was health care. And health care was important, I supported it—it was not the bill that I wanted, but I supported it anyway. And many of us supported it because of the way in which you, Dr. CHRISTENSEN, as a physician, presented us with how valuable it would be. But the point is we never, ever dealt with jobs. We are now into our 194th day into this Congress, and I am sorry and I am embarrassed that we have not created one single job.

African American unemployment is at 16.2. If you use what the Labor Department uses to factor real unemployment—it's called U-6—the U-6 unemployment for African Americans is at 30 percent. This is higher than the Depression. The 1929 fall of Wall Street created unemployment that devastated not only this country, but the entire world.

I am saying here on the floor—in this sacred well—that African American unemployment is at a crisis level. Why would that be important to somebody who's not African American or who lives in a community where there are no African Americans? Well, in the first place, we ought to be concerned about all Americans, period. And the day that I am not concerned with all Americans, I want that to be my last day in this body. I would say at this point that the congressional district from which I come is only 18 percent African American, but the people of good will in my district understand that all Americans should have equal access to jobs.

There are a plethora of reasons for the African American unemployment being so high—I won't get into all of them—but I want to tell you that if we had unemployment among any group in America, whether they were news anchors, whether they were comedians, no matter what the group, I think that this country would be in a crisis mode. We would have commissions; we would have the top economists and labor experts becoming involved, trying to figure out how can we erase or reduce the level of unemployment among this particular group. Now unemployment is at 9.2 percent with all Americans. That is unacceptable in the most powerful, industrialized, technologically advanced Nation on this planet; 9.2 is unacceptable, 16.2 is sinful, it is sinful in this country. I believe that we have got to figure out ways in which we can get something done.

One of the gentlemen said during the pre-interview with me that he believed, to quote him exactly, that "Congress is broke." It pains me, I've got to tell you, that I think he is right. I think it is a broken body, but the public has participated. The public is culpable as well, and that is this, we have people who run thermonuclear campaigns. And instead of public people saying

anybody who would run a nasty campaign is going to be nasty when they get in office, so I'm not going to vote for him or her, but that's not what the public says. They cheer, they rah-rah this negativity on.

And the people who run the nasty campaigns on both sides end up in this body, and they just simply escalate it with more publicity. And until the United States citizenry comes to the conclusion that they are sick and tired of what's going on and begin to punish people for being nasty, it's going to get worse and worse and worse.

I would love to be able to some day close my eyes, fall asleep among the elders, and believe before I go that the United States of America will present to my children—and their children and even their progeny—a state that has opened up opportunities to everyone and a state where the government works. We cannot get anything done because anybody who raises their head and presents something, if they belong to the wrong party, they're not going to get recognized and nothing is going to get done. Republicans do it; Democrats do it. It's wrong no matter who does it.

What we are facing right now is a situation that is grave, and I don't even think the Republican nor Democratic Parties in this body understand that we can't simply go as we are going. We're talking about the debt ceiling. It has to be raised. It is absolutely ridiculous to say that we shouldn't raise it. I sit in my apartment across the street from the Capitol at night looking at television and listening to people who know better say that it's all right, it's no problem, we can let the debt ceiling remain under the \$14.3 trillion and nothing cataclysmic will happen. And they know better. I would feel a lot better if people would say something and really meant it because they didn't know better. But they do know better, but many in the public don't, and so they think there's no big deal.

Look, if we don't raise the debt ceiling, we can pay 60 percent of our debts, but we've got to make some concrete choices on who gets that 60 percent. And no matter who gets it, it will create a cataclysm for the United States and perhaps the entire world. Italy, Spain, Greece and Ireland are already in trouble in Europe. And they don't have central banks like we have. We have the Federal Reserve, and so to some degree we can go out and have an auction of Treasury notes and bring in revenue; they don't. But if we end up having a very, very serious economic problem in this country, it's going to trigger a world-wide recession. Nobody wins. Nobody comes out on top if this happens. And the unemployment numbers, 9.2, they are going to rise.

I don't want people looking at this tonight or any of my colleagues believing that those are my numbers or that I am the only one who believes there is going to be trouble. Ben Bernanke, re-appointed by George Bush, says that if

we make deep cuts in the U.S. budget, it is going to create a problem because right now the only money that is going into the U.S. economy, into the GDP, into the economic activity is coming from the United States Federal Government.

And if you begin to cut back drastically, it cannot help but raise the unemployment numbers. And if we fool around and fail to raise the debt ceiling or just walk to the cliff, walk to the edge, walk to the precipice, the bond rating agencies, who have already warned us—and these are not Democratic bond rating agencies, these are not Congressional Black Caucus bond rating agencies, these are not Republican bond rating agencies, they are the bond rating agencies of the United States of America—and they tell us when we're in trouble and they tell us when we're in good stead. And they have said to us, if you walk to the precipice, we are going to end up getting in trouble because they're going to downgrade our bond rating. What does that mean?

□ 2030

Well, it means that the interest rates are going to rise. China is our number one creditor, external. Most people think that we owe more money to foreign governments than we owe anyplace else, which is not true. The majority of the debt is held by citizens of the United States. China is number one outside the country, and then Japan. Well, China has no other place to make investments, so that's to our advantage. Japan has nowhere else to make investments. That's to our advantage. But they are going to say to us, Look, you guys are not paying your bills, and if you're not going to pay your bills, it is a greater risk to us.

And what happens when there's a greater risk? We're going to raise your interest rates. So if the interest rates are raised on the United States, they're going to be raised in all of the banks and anyplace else where we seek credit. That is going to create a problem.

I don't understand how and why we have allowed all of this false information to go out about how this will not matter and nothing is going to happen. It has nothing to do with the facts. It has to do with the partisanship. It has to do with partisanship. And in this town, in this place, we allow ideology to trump everything. Everything falls second to ideology.

I don't understand how anybody could come to this place and say, I come here so that I won't have to compromise. You have to compromise. There's not a person in the world who has been married for any length of time who doesn't understand the word "compromise." If they don't understand word "compromise," then they understand the word "divorce."

And so what we've got to understand here is that we're going to divorce this Nation—one side red, one side blue, one side left, one side right—and we can't

get anything accomplished as a consolidated Nation.

Let me just say a couple of other things, and I'm through, Madam Speaker, and, that is, if I can go back to the jobs issue just for a moment. We know that only 18,000 jobs were created in the United States last month. We need probably 233,000 jobs each month to be created in the United States. Why? Because that's about the number of new employees or people seeking work who come into the work market, so we've got to constantly create jobs.

People who were laid off work 3 or 4 years and haven't found work, if the economy broke tomorrow and we were allowed to begin to see hiring in the major corporations, the 10 employees who were laid off 3 or 4 years ago would now be three or four employees called back to work. Why? Because technology is constantly growing and advancing, and where we needed 10 line workers 3 or 4 years ago, we only need two or three workers today, which means that we've got to educate the workforce.

What does that mean to the country? Well, if we don't educate the workforce in the United States, it means that the imbalance of trade with other countries is going to rise, because other nations are going to be able to provide what we can't provide and they're going to do it at a lower cost. We've got to have a workforce that can compete with China and India and Japan and Indonesia and Vietnam, because if we don't, American corporations are going to continue to try to do business abroad.

We cannot ignore the fact that a lot of those jobs, positions, were held by African Americans, and they need to be retrained. We need to retool the U.S. workforce. Let me tell you why we have some numbers that are disproportionate with African Americans, because I don't want people doing what has been done in this country for the last 400 years. Some people assume, well, you know, the African American numbers are high because African Americans don't want to work. We've heard all of that unfortunately over the years. The only reason we know what the numbers are is because those are the individuals who are out seeking work, who have gone to the unemployment agencies in their States, and that's how we know that the unemployment numbers are what they are.

But keep in mind, and nobody probably thinks about this. Every time you read about a State laying off workers, a municipality laying off firefighters or police officers, or if you find any government agency laying off, it means that the number of African Americans who are unemployed will rise, and the reason for that is that African Americans disproportionately seek work in the government. We've done it historically because it was always believed that if you could work for the government, the chances are less likely for you to be discriminated against, so we

have a large number of African Americans who work for the government.

You see all of these State layoffs all over the country, and I want people to realize when you see those numbers, please understand that a disproportionate number of them are African American.

Now, while we are here fiddling instead of trying to deal with some real problems in this country, there are people with real problems. People who don't have a job, they have a problem. I'm willing to compromise. I've talked about others who won't. I will. I'm willing to compromise. I've already compromised.

My father turned 89 years old last Friday. Thank God. Glory. Hallelujah. I'm happy. He's in great condition, probably better physical condition than me—doctor, I'm going to do better—and my uncle, who is 87. I'm thrilled and fortunate and blessed that they have this kind of longevity in the Cleaver line. But I'm not ever, ever going to compromise on one aspect, and that is Social Security.

My father has worked since he was a kid. His brother has worked since he was a kid. For me to ever support reducing the benefits for somebody who paid into Social Security—this is not some kind of giveaway program. Everybody in this country who paid the payroll tax paid into Social Security, and in their sunset years, they deserve the opportunity to live as decently and in as healthy an environment as possible. And so I'm not going to compromise on Social Security, at least on the benefits.

I will compromise if we raise the age at which people can qualify, 10 years down the road. I will compromise on lifting the cap on \$106,000. Right now if you earn above \$106,000, you will pay Social Security taxes only on the amount under \$106,000. So you can make 6 gazillion dollars and never pay Social Security taxes on but about \$105,000, which I think is actually silly.

Those of us who have been blessed to earn more than \$106,000 should understand how fortunate we are, and so we should pay above the cap. It's wrong. It's not right for people who earn a meager salary to have to struggle when there are people making \$106,000 and not even paying Social Security tax.

I am representing Missouri's Fifth Congressional District, and I want to focus some attention before I close, Madam Speaker, on a tragedy occurring in Missouri and the entire Midwest region, for that matter. Currently, farmland and homes are underwater along the Missouri River, from Montana to my home State of Missouri. Record snowmelt runoff this spring along with unexpected record rainfall in the upper river basin filled up the reservoirs in eastern Montana and the Dakotas and word is the Army Corps of Engineers plans to release large amounts of water from the reservoirs to keep them from overflowing. That excess water has flowed down-

stream, creating a path of destruction in its wake.

Levees have been breached in Iowa, Nebraska and in my home State in northwest Missouri, causing flooding of farmland, road closures including Interstate 29, and evacuations. More than 500,000 acres of land have been flooded in the seven States along the river. The high waters have moved eastward and further downstream in Missouri, causing high water and flooding in Ray, Saline and Carroll Counties.

□ 2040

I have gone to those areas. I have seen the flooding. I have looked at the fields that farmers would normally have corn growing in underwater. If we are here in Washington twiddling our thumbs, and the farmers in Missouri and other States, for that matter, are struggling just to make it—and with rivers still running above flood stage and soil saturated, forecasters have predicted this summer flooding season could rival the worst in U.S. history. That means what was called the "Great Flood of 1993" during my term as mayor, cost about \$25 billion in damage—this would exceed \$25 billion.

The excessive high temperatures sweeping across the Nation this week cannot erase concerns about river flooding. These high river levels are not going away any time soon, and neither is the risk of flooding. There will be sustained high water along the Missouri River through August as the reservoirs continue releasing high volumes of water. Due to this high water and saturated soil, just a small amount of rain could trigger more flooding in areas that have already seen record flooding in 2011.

Obviously, we cannot plan for every natural disaster. However, we have the responsibility to take preventive measures whenever possible. The original purpose of these upper Missouri basin dams was flood protection. Over the years other priorities may have slipped in. However, I believe now is the time to reevaluate the Corps of Engineers management plans and once again place the safety and livelihood of people who live and work along the river first.

Reservoir levels need to be lowered between October and April so fewer releases are needed during the spring rain season. A goal of targeted releases should be that they not exceed any given flood stage downstream. And, if releases above flood stage levels are required, then a maximum flow of no more than 5 feet over given flood stages for no longer than 15 consecutive days could be set, followed by 5 consecutive days below given flood states. This cycle could be repeated as necessary and would reduce downstream damages. This or other contingency planning is needed to prevent flooding events such as this year's from happening again.

Madam Speaker, we are here dealing with political—I think "shenanigans"

is a word that would fit. People out in the country, the real people, are struggling. Whether it is from flooding or unemployment, they are struggling, and the Congress of the United States needs to act.

You know, one of the reasons we can't get anything done with jobs, as I mentioned earlier, or the flooding problem, is this bickering based on political affiliation. Here is one thing I learned. I am always watching Animal Channel and the Discovery Channel. My family always makes fun of me. But I learned something a few years ago watching the Discovery Channel. Bees cannot sting and make honey at the same time. They either have to become stingers or honey makers. What has happened here is we have become stingers, and, therefore, we are not making any honey or laws to help the American public.

Mrs. CHRISTENSEN. Thank you, Chairman CLEAVER, and thank you for making it so very clear to those listening this evening what the real situation is in this country and how important it is for us to act to help the American people.

You have heard Reverend and Chairman CLEAVER talk about the job situation and the floods and other challenges the American people are facing. And now to add insult to injury, instead of passing a clean increase to the debt ceiling, as we have done in the past, our country and our good credit is being held hostage by Republicans, pushed by their tea party members, who demand drastic and deep spending cuts, cuts beginning in the last quarter of this calendar year, against the advice of some of our most expert economists in this country.

The cuts in this new Cut, Cap, and Balance Act that we heard the talking points on this weekend and tonight, as our Budget ranking member VAN HOLLEN has said, put more Americans out of work while this country is still recovering from the worst recession since the Great Depression.

In the earlier hour, we heard a lot about Republican leadership, but I think they are leading us down the wrong path, the wrong path for this country and for most Americans. That bill, which will be on the floor tomorrow, would cap spending at the levels in the Republican budget that are below 2008 spending levels. It would make it near impossible, if not impossible, to make the investments that we need in education and health care, in research and infrastructure to secure our future. And it would still, with all of that, extend even more tax cuts to special interests. All it would do is hamstring our Nation's growth at a time when we are falling behind. It is not going to help to restore confidence, as the gentleman from Arizona said. Only lifting the debt ceiling will do that.

I have heard my colleagues say that the bill on the floor tomorrow will protect Social Security, Medicare, and

veterans payments, but I am not too sure about that because the cuts and the caps that they will impose are likely to lead us down a primrose path, with no way to fund those programs later on, causing us to have to renege on our promises to our seniors, our veterans, who have protected us, have been willing to make the sacrifices to protect the freedoms we enjoy.

Also targeted in that bill tomorrow, or subject to the caps, are SNAP, or food stamps, at a time when their policies are leaving more of America's families and especially their children hungry. It would include cuts to unemployment when we should really be adding 14 more weeks of unemployment, as the bill that BARBARA LEE has, as H.R. 589 would do. It would be cutting school lunches when sometimes that is the only meal that some children have that is really balanced.

It would cut college loans and Pell Grants, as though we are trying to go back to a time we don't want to go back to when only the wealthy could afford a college education. We cannot move our country forward by denying education to so many of our people. And all of this without letting those tax cuts expire and continuing to let some of the wealthiest in our country go without paying their fair share of taxes. The Cut, Cap, and Balance Act is not the way to go. Lifting the debt ceiling, doing it without having it being held hostage to cuts and bills like this balanced budget amendment, is what we should be doing.

At this time I would yield to the distinguished gentlewoman from Texas, who always comes with a lot of information and words of wisdom and inspiration.

Ms. JACKSON LEE of Texas. I would like to thank the manager and chairwoman of this particular hour, sponsored by the Congressional Black Caucus, and for those of us who care, along with many of our members in the Congressional Black Caucus and in this Congress, I think it is important to note for our colleagues that there are many Members who truly believe in their heart that we can find a common path, a bipartisan path, and are in angst, if you will, because they want to represent their constituents in the best way possible in what seems to be the tyranny, in some instances, of the majority.

□ 2050

Frankly, I do believe in the democratic process. I believe that if you are a victor in elections, you have the right to define your agenda and to present it to the American people. But there's some instances where the American people call upon us to have those agendas set aside so that we can work for America.

So I want to thank the gentle lady for her great work on the Affordable Care Act. We are beginning to see many who never had access to health care begin to be, if you will, the beneficiaries of

preventative care, the parity with mental health issues, more health professionals that we work so hard on in the Congressional Black Caucus, and of course, access to health care for those with preexisting disease.

But I want to talk tonight to reiterate some points that were made about the double-digit unemployment among African Americans and the 36 percent unemployment among youth and just make the point to the American people, to my colleagues, that no jobs bill has been put forward by our Republican friends, absolutely no job bill. This is now July 18. A supermajority is on the other side. They could do so much alone, without any votes from Democrats. Democrats have been pushing for a jobs bill.

The Congressional Black Caucus will be leaving out in a couple of weeks to visit cities all over America to not only say we care but to talk about jobs. This summer we were going to close city pools and community centers in Houston, with temperatures of 100, 105 degrees. I felt if we couldn't find public moneys, let's work to find private moneys. We were able to open over 10 to 15 community centers and pools in my congressional district.

For me it was being able to find resources, meaning that some came forward to give the resources, but, more importantly, it created jobs for youth who could be, if you will, lifeguards. As I visited these pools and talked to young people who would not have had a job, obviously a small measure, but to at least acknowledge the desperation that we have for jobs. As we go out as members of the Congressional Black Caucus, we'll be embracing corporate leadership and others to have job fairs so that individuals can have it. Just a summer or two ago, I had a job fair in the teeming heat and thousands showed up, so much so that people were lined around the block.

Americans want to work. And in a bipartisan partnership, wouldn't it have been just great for Republican colleagues, no matter whether they're a tea party or no party, to come together and say the first act that we will engage in will be creating jobs. And out of that job creation comes growth. We've done a great job under President Obama, and we in the Democratic Party have done a great job. We've actually been creating private sector jobs every single month, and as well we did create 3 million jobs under the American Recovery and Reinvestment. That should be very clear.

And the loss of numbers or the bump in unemployment is, as our colleague indicated, for all of America, was because public sector jobs were being willy-nilly dispensed with—front liners, first responders, sanitation workers, teachers, firefighters, ambulance drivers—all over America by Republican Governors. They laid the people off en masse. In many instances, they didn't need to. There could have been ways to work it out. But they laid



them off en masse, and that gave the bump to the unemployment.

But where does that lead us today? And what I want to focus on is the fact that I want to make it very clear that members of the Congressional Black Caucus have supported many bipartisan efforts to turn our economy right side up. We have worked on infrastructure issues. We have supported transportation legislation to fix America's bridges, highways, dams, because we know how important it is. We have helped resolve our budgetary issues, our revenue issues. We have voted in unison in a bipartisan way for some legislation that may not have been in total agreement with many of our views but we did it for America. We voted for a balanced budget amendment that generated the Children's Health Insurance Program. And we need to continue to discuss this, where we are today, because we need to help the American people. And I've heard the concerns of my constituents.

Today, I was at an announcement of the use of neighborhood stabilization funds, where we work with Habitat for Humanity and open the door of houses for those who weren't ever able to have a house. Oh, you should have seen the excitement of those families. But the seniors there were asking me: Are we going to get our Social Security check?

You can't go anywhere in your district where people are not up in fury. They want to know how we can get this done.

I think it's important to note a little bit of history. Prior to the existence of the debt ceiling, Congress had to approve borrowing each time the Federal Government wished to borrow money in order to carry out its functions. With the onset of World War I and the growth of this Nation, more flexibility was needed to expand the government's capability to borrow money expeditiously in order to meet the rapidly changing requirements. That's where this came from. This is not a Democratic idea. This is not the idea of President Barack Obama.

To address this need, the debt ceiling was established in 1917, allowing the Federal Government to be the umbrella on a rainy day, to come to the aid of Americans during emergencies, to be able to address the question of war and peace. This wasn't something we developed just to agitate Members who believe they are the fiscal hawks of all time, even more so than President Reagan, who understood that the government had certain roles.

Since the debt limit was first put in place, Congress increased it over a hundred times. In fact, it was raised 10 times in the past decade, which includes the era of President George Bush and the wars of Iraq and Afghanistan. Congress last came together and raised the debt ceiling in February of 2010, and it did so with the idea that we were working together.

We understand that we are at \$14-plus trillion. There's no one who is happy

with a growing debt. But many economists will tell you that a deficit is sometimes important to take care of a country's people. Who knows what is going on in Japan right now because they need to take care of their people. They need to ensure that those who are impacted by the tsunami and the earthquake and the nuclear implosion can be taken care of—the sick people, the displaced people. And when I say not knowing what's going on, we know that they are growing a deficit.

But our country is not like Portugal and Greece, and economists that we listened to 2 weeks ago said on the record that this Nation is not broke. Let me say it again, Americans. Don't be intimidated and frightened to believe that America is broke. We can solve this problem. The way in which we are able to address it, the assets that we have, will allow us to extend the cuts over a 12-year period. Every reasoned economist in America says you cannot cut our spending overnight; you cannot cut it. So Congress is entirely within its right to be thoughtful on this issue of the debt.

And it is also important to note that what makes us so strong is we have something called United States Treasury bonds, which have traditionally been one of the safest investments another country or an investor can make. And other countries, including Americans, buy Treasury bonds. Our children are given Treasury bonds. For foreign nations and investors purchasing a U.S. Treasury bond meant that they held something virtually as safe as cash, backed by the full faith and credit of the United States. This is constitutionally worded.

And so my friends who are drawn to the tea party are suggesting that we go straight to the brink. But when you go to the brink, as my colleague has said, you begin to shake the markets. They begin to shudder. And the impact comes to the hardworking American who has been so fiscally responsible that they have put away savings for their children's college, savings for themselves if they retire. They have been dutiful. They have been respectful. But what we will do is force this market to get so shaky that those savings may be jeopardized.

□ 2100

How can we do this—the Democratic Party, the Republican Party, the Tea Party? If it's a registered party or a group of people, if there are members who have come here wearing the banner, they can do nothing more than adhere to that.

So we are here on the floor tonight to look for compromise and reason and to say, in turn, with the proceeds from the bonds that the Federal Government of the world's largest economy is able to finance its operations. That's us, the United States.

Let me remind everyone we have the largest economy in the world. America is not broke. We have to do better. We

have to extend our cuts. We have to balance over a period of time, almost like a household, where they begin to try to analyze what they'll be able to pay and what they'll have to cut out. You've heard families say, We've stopped going out as much as we've gone out. There are unemployed persons who have to make more devastating cuts and go into their savings. That's why I say: Where is the jobs bill that the Republicans are supposed to put on the floor of the House? Where are the jobs? Somebody used to say in an advertisement: "Where's the beef?"

So this week, my friends, we're going to be spending a whole week addressing the question of a bill called Cut, Cap, and Balance. Before I just address to you who will be hurt on Cut, Cap, and Balance—it's a balanced budget amendment that came out of the Judiciary Committee of which I'm a member—I just want you to know that every State can stand up here and say that, but I want to put it on the record that it has come to my attention that:

Social Security beneficiaries in Texas, 3,440,442, likely will be impacted. The total number of Social Security beneficiaries in Harris County—that's where Houston, Texas is, which is the fourth largest city in the Nation and is a very diverse city—is 429,760, which might include SSI, which is for those who are in need of moneys because of their children or they're disabled. There are 780,000 seniors and individuals with disabilities in the metro area who are currently enrolled in Medicare—the lifeline of our seniors—and there are currently 145,000 individuals in the district, the 18th Congressional District, who are on Medicaid. It's interesting to note that the Medicaid issue has not even been discussed.

So here we have a week of Cut, Cap, and Balance. Frankly, the Treasury bond is in jeopardy. The marketplace of innocent, hardworking Americans who have saved and invested in those bonds, who owe nations around the world, who bought what they thought was a rock-solid investment are now teetering because we're willing to take this week to discuss a bill called Cut, Cap, and Balance, which the President of the United States has already indicated that he intends to veto, and there's a question of whether or not the Senate will even address this bill. So we will spend our time wasting and debating so that someone can get a political mark.

Let me express my understanding of Members who need a political mark: I voted for a bill that will never pass and could never be a useful tool in the United States. You can go home, as you bang your chest, and suggest, I showed them. I told them what it was. I voted for the Cut, Cap, and Balance.

By the way, there is no doubt that this will possibly pass, because Republicans have a supermajority, but do you know what this is? This is playing political chicken. Who will blink? We have never played political chicken

with the raising of the debt ceiling. We have never put the American people in this jeopardy. We didn't do it to Ronald Reagan. We didn't do it to Jimmy Carter. We didn't do it to the first George Bush, a distinguished Texan. We didn't do it to President, as I said, Carter. We didn't do it to President Clinton. We didn't do it to President Bush, who was just in office, but here we are with President Barack Obama now at a time that we think we have to do this. This is based upon an ideological view that does not look to the American people.

So let me tell you who is hurt in all of this so that we can understand real people are involved. I'll just call this "working Americans" and this little one who will represent millions of children across America. This is who this will impact.

In the State of Texas, our Governor has already cut \$4 billion from education. He actually took the stimulus money that was supposed to be for education. Governor Rick Perry decided to just snatch the moneys away and put it in a rainy day fund. It looks good when you're going to run for higher office to show off that you saved money. You haven't saved any money. You took the money out of the children's mouths. You're closing schools. You're closing school districts. You're taking away teachers. You're building up the class sizes. You're making our country second and third class in education while other countries are moving forward. So that's who we'll hurt.

Just take this little one who is not yet in school. This is a hardworking nurse, who represents working Americans. This is who will be hurt because, on the Cut, Cap, and Balance bill, though they say they are protecting Medicaid, Medicare and others, you're going to find out that we literally are not going to be able to run this country. My colleague came from Missouri. Everybody saw the tragedy of Joplin, Missouri. So the Cut, Cap, and Balance is going to hurt them. I'm going to call this the "Tap Dance bill" because they're going to be tap dancing around all the people who are going to be hurt.

Next who is going to be hurt are our military families. Now, they say that they're taking care of veterans' benefits, but this is active duty military. They need to be paid. They say they have classified or taken out the security. Well, have they taken out the grandmamas of these soldiers and their wives? Have they taken out the parents of these soldiers and their wives who need Medicare and Social Security? Have they taken out the sisters and brothers who need student loans? No.

So they're tap dancing around the fact that they say they're not hurting these people. It's not the Cap bill. It's the "Tap Dance bill." That's what it's going to be. Then, rather than the Cut and Cap bill, they're going to organize the "Losers' Club of America." We're going to open up a losers' club with what is going to go on on the floor to-

morrow. The "Losers' Club" will be the American people—children, seniors, college students, the jobs that we want to make through the infrastructure. How many people have driven on freeways and bridges and hit potholes? It's because America's infrastructure needs to be rebuilt.

So very quickly let me just say that, as these poster boards take their own life, the "Losers' Club" tomorrow is going to pronounce that we will be giving gifts to millionaires. They'll get \$200,000 because the bill tomorrow is worse than the Republican budget. So the millionaires will get \$200,000. Remember what I said. They call it the Cut, Cap, and Balance. I'm calling it the "Tap Dance, Losers' Club and Bust bill." So we're going to give millionaires \$200,000 a year while seniors will be paying an extra \$6,000 a year for their Medicare because it will bust Medicare as we know it.

Now, how did we get to where we are today? Why are we in this false status where people are saying, "Don't raise the debt limit"?

We brought it on ourselves. The Republicans were in charge when the Bush tax cuts came in, and they never wanted to have it expire. That was a big fight when we came in and when the President came in. That was a big fight. Out of compromise, he said, Let's be fair. So you can see the Bush tax cuts are 37 percent of our debt—37 percent. So, to talk about why we're here, look at what the Republicans have done. Then you have the Iraq war—11 percent. So it's interesting that now they're going to be fiscally responsible, yet they're the cause of the debt.

Let me finish by just saying that I am glad to be here with the Congressional Black Caucus. I want to rename the bill as the "Tap Dance, Losers' Club and Bust the American People bill"—bust the safety net for America. I want to thank the gentlelady by simply saying that I love this country, and I believe we can come together.

I have great respect for my colleagues who have a different view, but what I beg of them to do is to take the Constitution and cherish it like we all do. As to that opening part that says, "we the people," we are now calling on Republicans and Democrats and members of the Tea Party who are in this Congress to be part of the "we the people." Let us not in a frivolous manner take up the floor time that it is going to take to work on a bill that will never be signed and take it away from the resolution of the debt ceiling, which then causes the markets to go in a tailspin. I want to save the American people, and I, frankly, believe that we have the right to do so.

I will simply close by saying to you: Martin King, whose monument will open in just a few weeks, gave us a wonderful challenge—the time that he asked this Nation to believe in his dream.

□ 2110

And he gave us the further challenge of the night before his death. He indicated that he had been to the mountaintop, and he looked out and saw the Promised Land, an opportunity for all of us, no matter who we were, to have an equal opportunity in this country and to respect views but always look for the greater good.

But he said that he as a person, he didn't think that he would get to the Promised Land, but he knew that we as a people, we as Americans, would get to the Promised Land some day. I still believe in that dream and in that charge. And I am asking for my colleagues to work with us to be able to do that—this time on behalf of the American people.

Mrs. CHRISTENSEN. I thank you so much for your charts. You're really pointing out who would be hurt by the Cut, Cap, and Balance, or as you call it, the tap dancing bill. Sometimes you have to call it what it is. So thank you, Congresswoman SHEILA JACKSON LEE, for joining us this evening.

I listened to New York Times columnist Tom Friedman yesterday, and I think we ought to put his talk on with the one that he had with our Nation's governors on DVD and make it required listening for some of our stonewalling colleagues. He put an adjective on the debate or so-called negotiations that have been staged these last few weeks. He called the debate "idiotic." Now, some may agree, some may disagree with that.

But he further said, and this I do agree with, that it is not worthy of our country and a disservice to our children.

So just like the other 74 times since 1962, 74 times that a clean, non-controversial lift of our debt ceiling has been done, we should have done it a long time ago, and that's what we ought to do now. And then after that, whether we use Bowles-Simpson or Rivlin-Domenici or what's left of the Gang of Six—I guess it is now just Democrats—their plan is a starting point; we need to begin coming up with a solid deficit reduction plan that isn't done on the backs of our poor, our middle class, our children, our seniors, and our people with disabilities. And one that is as the President has called for, one of shared sacrifices. It's the only fair way. It's the only American way.

And while important to securing the future, deficit reduction by itself is not enough. We are still in a recession, a recovery, but it's very slow, and it's uneven. What we need now are jobs, jobs, and more jobs. We need to continue the work of the Recovery Act and add to the 3 million jobs that we either saved or created with that bill and that act. We need to rebuild our manufacturing base as the Make It in America Democratic agenda would do. And we have to revive the housing market to help families stay in their homes and restore the opportunity for every American and those who came to live

in this country to achieve what we call the American dream.

We need to do what we have always done best—to create. We need to regain our place as the innovation capital of the world. And to do that and to secure a sustainable future for our children, we have to invest in the work of bringing our country back from 25th in science, 17th in math, 14th in reading, and 12th in college graduates.

The issue should not be cut, cut, cut. I agree with Tom Friedman on that as well. But it should be how do we do what is necessary to bring our beloved Nation back to the first-place standing which is where it always must be and what our families and our children deserve.

As the African proverb said—this is really what's happening now—the elephants are fighting and the grass is getting crushed.

This should not be a fight over political ideology. Democratic leaders have shown their willingness to compromise on many of the programs we hold sacred. What those compromises are and how large they are I think will determine where the CBC stands when the time comes to vote.

But there can be no compromise, as you've heard from my colleagues tonight, on Social Security, which has nothing to do with the deficit whatsoever, or on Medicare, which we have done so much to strengthen and lengthen in the Affordable Care Act, or on Medicaid, which would not only cause undue but grave harm to the poor and all of the States and territories that we represent.

So I say to my fellow Members of Congress on both sides of the aisle, on both sides of the Capitol, let's raise this debt ceiling. Let's forget this crazy debate about cutting programs that hurt our fellow Americans and do it in a clean vote so that we can get back to the important critical business of creating jobs, of rebuilding our country, of putting in place a strong foundation for our future, of restoring our image in the world and holding on to our position of leadership.

I yield the balance of my time to Congresswoman SHEILA JACKSON LEE.

Ms. JACKSON LEE of Texas. I thank the gentlelady.

I want to thank her so very much for her leadership but I wanted to—when I said the bust, I want to equate it to the balanced budget amendment. That is what this Cap, Cut, and Balance is; it is a balanced budget amendment.

But let me be very clear, because you said something very important. The balanced budget amendment, if it was passed, would virtually guarantee that future budgets would cut and end Medicare as well as drastically cut Medicaid, just like the Republican budget. The balanced budget amendment takes two-thirds of the House and the Senate to pass. It is almost impossible for it to pass.

And we are not like States where States do balance but they only have to take care of their State.

Mrs. CHRISTENSEN. What you are saying, though, is we would never be able to raise any revenue because it takes two-thirds of both bodies to be able to do anything to increase revenue.

Ms. JACKSON LEE of Texas. So in Joplin, Missouri, the floods, the tornadoes—and let me finish on this.

We served on Homeland Security. We have seen the death of Mr. Karzai's brother, his very close aide. We have seen Pakistani police officers shot down in a massacre by the Taliban. This is a very serious climate of terrorism in this world.

And the tragedy, the backdrop of 9/11 where we had to bail out the airlines, where we had to rebuild New York and other places, that is a responsibility of America. That's why there is a Federal Government. And if we are to play with this through the Cap, Cut, and Balance, the balanced budget amendment, we will be the tap dance, we will be the losers club, and we will bust the rights of Americans to call upon their Federal Government when they are in need.

This is not a time to play with the lives of Americans. I believe that we are ready to compromise but not to engage in frivolity when it is serious and when we have to do what the American people need us to do.

I am very glad to be with the gentlelady from the Virgin Islands tonight, but I couldn't leave the podium without emphasizing that homeland security cannot be undermined and diminished. It is extremely important and does well to serve and secure the American people. Let's do right by the American people.

Mrs. CHRISTENSEN. I thank the gentlelady from Texas.

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

#### CONSTITUTIONAL CONVENTION FOR A BALANCED BUDGET AMENDMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Alabama (Mr. BROOKS) is recognized for half the remaining time until 10 p.m., 22 minutes.

Mr. BROOKS. Thank you, Madam Speaker.

America is the greatest Nation in the history of the world. We enjoy a standard of living that is envied by most. We have a national defense unmatched in history. We are a beacon of freedom for all.

Have you ever thought about why America is the world's leader? Are we just lucky. No. I would submit to you that there are substantive reasons for our greatness.

We are blessed today because of the sacrifices of others before us, others who gave of themselves to ensure a better future for their children and succeeding generations. History shows us that great nations rise and great nations fall, but they rarely fall from

without without first suffering weakness from within.

Today, the greatest threat to America is not a foreign power. No. America's greatest threat is Washington's irresponsible, dangerous, and insatiable spending habits. Admiral Mullen, Chairman of the Joint Chiefs of Staff, testified recently before the House Armed Services Committee that America's greatest national security threat is our own unsustainable and growing debt burden. It wasn't al Qaeda. It wasn't North Korea. It wasn't the Taliban. It wasn't any other foe across the globe. It was our unsustainable national debt. And he is right.

□ 2120

For years, Washington has been on a spending binge of epic proportions. Why do Washington's politicians risk America's future? Because they have put their own self-interests above America's interests. They spend money we don't have to get votes for the next election. They don't care about who must pay the bill. They don't care about America's future generations. They don't care whether their spending binges risk America's future.

Some say we don't need a balanced budget constitutional amendment to force Washington to spend within our means. They are 100 percent dead wrong. Most recently, the President stated: We don't need a constitutional amendment to do our jobs. The Constitution already tells us to do our jobs—and to make sure that the government is living within its means and making responsible choices.

And he went on: We don't need more studies. We don't need a balanced budget amendment. We simply need to make these tough choices and be willing to take on our bases.

But history has established that we need, in the United States Congress, a balanced budget constitutional amendment because it will provide the backbone that Congress has lacked for so long. History proves those naysayers are wrong. Three years of trillion-dollar-plus deficits proved them wrong. Projected trillion-dollar deficits into the future proved them wrong.

America must rise up and force Washington to live within our means before it is too late. America must give Washington the backbone it lacks. That backbone is a balanced budget constitutional amendment forcing Washington to do the right thing.

If this Congress will not pass an effective balanced budget constitutional amendment, then the States must do it for us. The Lone Star State of Texas recently passed a resolution calling for a constitutional convention for a balanced budget constitutional amendment if Congress fails to act. The great State of Alabama has joined Texas.

I will next read into the RECORD of the United States House of Representatives Alabama's Senate Joint Resolution 100 from Alabama's 2011 regular session just passed by the Alabama

State Legislature. This is Act No. 2011-400. The principal sponsor is Senator Arthur Orr. Cosponsors from the State of Alabama are Senator Scofield, Senator Sanford, Senator Holtzclaw, Senator Williams, Senator McGill, and Senator Beason.

“Enrolled, SJR100, urging Congress to propose a Federal balanced budget amendment.

“Whereas, the reluctance of the Federal Government to incur debt and other obligations was established early in American history, with deficits occurring only in relation to extraordinary circumstances such as war; yet for much of the 20th century and into the 21st, the United States has operated on a budget deficit, including the 2010 budget year, which surpassed an astounding \$1.3 trillion, an annual deficit that exceeded the entire gross State product of many of the States; and

“Whereas, an exception to this pattern was at the turn of the 21st century; in FY 2001, America enjoyed \$128 billion budget surplus; and

“Whereas, since FY 2001, America has been burdened with 10 consecutive years of deficits, to wit:

“FY 2002, \$158 billion deficit; FY 2003, \$377 billion deficit; FY 2004, \$413 billion deficit; FY 2005 \$318 billion deficit; FY 2006 \$248 billion deficit; FY 2007, \$161 billion deficit; FY 2008, \$459 billion deficit; FY 2009 \$1.4 trillion deficit; FY 2010, \$1.3 trillion deficit; FY 2011, \$1.5 trillion deficit (estimated); and

“Whereas, as of January 2011, America’s accumulated national debt exceeded \$12 trillion now estimated at over \$13 trillion; and

“Whereas, the Congressional Budget Office projects that, if current trends continue under the White House’s proposed budget, each of the next 10 years has a projected deficit exceeding \$600 billion; and

“Whereas, the budget deficits of the United States of America are unsustainable and constitute a substantial threat to the solvency of the Federal Government as evidenced by the comments of Standard and Poor’s on April 18, 2011, regarding the longer term credit outlook for the United States; and

“Whereas, Congress has been unwilling or unable to address the persistent problem of overspending and has recently increased the statutory limit on the public debt and enacted a variety of legislation that will ultimately cause the Federal Government to incur additional debt; and

“Whereas, the National Commission on Fiscal Responsibility and Reform in its report ‘The Moment of Truth’ includes recommendations to reduce the Federal deficit that have not been considered by the United States Congress; and

“Whereas, the consequences of current spending policies are far-reaching; United States indebtedness to governments of foreign nations continues to rise; costly Federal programs that are

essentially unfunded or underfunded; mandates to States threaten the ability of State and local governments to continue to balance their budgets; moreover, future generations of Americans inevitably face increased taxation and a weakened economy as a direct result of the bloated debt; and

“Whereas, many States have previously requested that Congress propose a constitutional amendment requiring a balanced budget, but Congress has proven to be unresponsive; anticipating a situation in which Congress at times could fail to act, the drafters of the United States Constitution had the foresight to adopt the language in Article V that establishes that on application of the legislatures of two-thirds of the several States, Congress shall call a convention for proposing amendments; and

“Whereas, in prior years, the Alabama Legislature has called on Congress to pass a balanced budget constitutional amendment, many other States have done the same, all to no avail; and

“Whereas, a balanced budget amendment would require the government not to spend more than it receives in revenues and compel lawmakers to carefully consider choices about spending and taxes; by encouraging spending control and discouraging deficit spending, a balanced budget amendment will help put the Nation on the path to lasting prosperity; now therefore,

“Be it resolved by the Legislature of Alabama, both houses thereof concurring, That the legislature of the State of Alabama hereby respectfully urges the Congress of the United States to propose and submit to the States for ratification a Federal balanced budget amendment to the United States Constitution.

“Be it further resolved, That, in the event that Congress does not submit a balanced budget amendment to the States for ratification on or before December 31, 2011, the Alabama Legislature hereby makes application to the United States Congress to call a convention under Article V of the United States Constitution for the specific and exclusive purpose of proposing an amendment to that Constitution requiring that, in the absence of a national emergency (as determined by the positive vote of such Members of each house of Congress as the amendment shall require), the total of all Federal appropriations made by Congress for any fiscal year not exceed the total of all Federal revenue for that fiscal year.

“Be it further resolved, That, unless rescinded by succeeding legislature, this application by the Alabama Legislature constitutes a continuing application in accordance with Article V of the United States Constitution until at least two-thirds of the legislatures of the several States have made application for a convention to provide for a balanced budget.

“Be it further resolved, That, in the event that Congress does not submit a

balanced budget amendment to the States for ratification on or before December 31, 2011, the Alabama Legislature hereby requests that the legislatures of each of the several States that compose the United States apply to Congress requesting Congress to call a convention to propose such an amendment to the United States Constitution.

“Be it further resolved, That this application is rescinded in the event that a convention to propose amendments to the United States Constitution includes purposes other than providing for a balanced Federal budget.

“Be it further resolved, That the copies of this resolution be provided to the following officials:

“1. The President of the United States.

“2. The Speaker of the United States House of Representatives.

“3. The President of the United States Senate.

“4. All members of the Alabama delegation to Congress with the request that this resolution be officially entered in the CONGRESSIONAL RECORD as an application to the Congress of the United States of America for a convention to propose an amendment to provide for a Federal balanced budget in the event that Congress does not submit such an amendment to the States for ratification on or before December 31, 2011.

“Be it further resolved, That copies of this resolution be provided to the Secretaries of State and to the presiding officers of the legislatures of the other States.”

Signed by Kay Ivey, President and Presiding Officer of the Alabama State Senate; signed by the Speaker of the House of Representatives of the State of Alabama, Mike Hubbard; signed by the Governor of the State of Alabama, the Honorable Robert Bentley on June 7, 2011.

Congress clearly has the duty to pass a balanced budget constitutional amendment to prevent unsustainable spending sprees that threaten America’s future.

□ 2130

Quite frankly, and in my judgment, a balanced budget constitutional amendment is the only way to prevent a Federal Government insolvency and bankruptcy and the ensuing economic and national security consequences of such a bankruptcy. I urge this Congress to do the right thing and pass an effective balanced budget constitutional amendment.

But if Congress shirks its duty to America, then I plead for the States to join Texas and Alabama by demanding a constitutional convention for the limited purpose of drafting a balanced budget constitutional amendment. I urge the States to act with haste. America rapidly approaches an economic abyss. The States are our last best hope for American greatness and surviving in generations to come.

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

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BLUMENAUER (at the request of Ms. PELOSI) for today and the balance of the week on account of the wedding of his daughter.

Ms. MCCOLLUM (at the request of Ms. PELOSI) for today.

Mr. ELLISON (at the request of Ms. PELOSI) for today.

Mr. WU (at the request of Ms. PELOSI) for today.

Ms. WILSON of Florida (at the request of Ms. PELOSI) for today.

Mr. BISHOP of New York (at the request of Ms. PELOSI) for today.

#### ADJOURNMENT

Mr. BROOKS. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 31 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, July 19, 2011, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2516. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Air Force Case Number F08-07, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

2517. A letter from the Under Secretary, Department of Defense, transmitting a letter regarding the provision of compensation under section 439 of title 37, U.S.C.; to the Committee on Armed Services.

2518. A letter from the Under Secretary, Department of Defense, transmitting the Department's final Equipment Delivery Report for fiscal years 2009 and 2010; to the Committee on Armed Services.

2519. A letter from the Acting Under Secretary, Department of Defense, transmitting the biennial report on strategic and critical materials requirements for the National Defense Stockpile, pursuant to 50 U.S.C. 98h-5; to the Committee on Armed Services.

2520. A letter from the Secretary, Department of Health and Human Services, transmitting the annual report on National HIV Testing Goals; to the Committee on Energy and Commerce.

2521. A letter from the Deputy Assistant Administrator, Bureau of Legislative and Public Affairs, Agency for International Development, transmitting a formal response to the GAO Report GAO-10-368; to the Committee on Foreign Affairs.

2522. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a letter regarding the annual report on the Treaty with Australia; to the Committee on Foreign Affairs.

2523. 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.

2524. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting pursuant to section 3(d) of the Arms Export Control Act, as amended, certification regarding the proposed transfer of major defense equipment (Transmittal No. RSAT-10-2257); to the Committee on Foreign Affairs.

2525. A letter from the Director of Congressional Affairs, Central Intelligence Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2526. A letter from the Secretary, Department of Commerce, transmitting a report on the Strategic Plan for FY 2011-FY 2016; to the Committee on Oversight and Government Reform.

2527. A letter from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Chicago, transmitting the 2010 management reports and statements on the system of internal controls of the Federal Home Loan Bank of Chicago, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

2528. A letter from the Director, Office of Management and Budget, transmitting the Office's report entitled, "2011 Report to Congress on the Benefits and Costs of Federal Regulations and Unfunded Mandates on State, Local and Tribal Entities"; to the Committee on Oversight and Government Reform.

2529. A letter from the Deputy Associate Director for Management and Administration and Designated Reporting Official, Office of National Drug Control Policy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2530. A letter from the President, National Council on Radiation Protection and Measurements, transmitting the 2010 Annual Report of an independent auditor who has audited the records of the National Council on Radiation Protection and Measurements, pursuant to 36 U.S.C. 4514; to the Committee on the Judiciary.

2531. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting an extension of the Department's Memorandum of Understanding Between the Government of the Republic of Columbia Concerning the Imposition of Import Restrictions on Certain Categories of Archaeological Material from the Pre-Hispanic Cultures and Certain Ecclesiastical Material from the Republic of Columbia, pursuant to 19 U.S.C. 2602(g)(1); to the Committee on Ways and Means.

2532. A letter from the Assistant Secretary for Economic Development, Department of Commerce, transmitting the annual report on the activities of the Economic Development Administration for Fiscal Year 2010, pursuant to 42 U.S.C. 3213; jointly to the Committees on Transportation and Infrastructure and Financial Services.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 2061. A bill to au-

thorize the presentation of a United States flag at the funeral of Federal civilian employees who are killed while performing official duties or because of their status as a Federal employee; with amendments (Rept. 112-149). Referred to the Committee of the Whole House on the State of the Union.

Mr. WOODALL: Committee on Rules. House Resolution 355. Resolution providing for consideration of the bill (H.R. 2560) to cut, cap, and balance the Federal budget (Rept. 112-150). 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. HINOJOSA:

H.R. 2573. A bill to amend section 242 of the National Housing Act to extend the period of applicability of the exemption for critical access hospitals under the FHA program for mortgage insurance for hospitals; to the Committee on Financial Services.

By Ms. WILSON of Florida:

H.R. 2574. A bill to amend the Workforce Investment Act of 1998 to create a pilot program to award grants to units of general local government and community-based organizations to create jobs, and for other purposes; to the Committee on Education and the Workforce.

By Ms. WILSON of Florida:

H.R. 2575. A bill to amend title 23, United States Code, to require the Secretary of Transportation to withhold a portion of Federal-aid Highway funds apportioned to a State unless the State enacts and implements a law establishing penalties for using a cell phone to make telephone calls or text while driving with a minor in the vehicle; to the Committee on Transportation and Infrastructure.

By Mrs. BLACK:

H.R. 2576. A bill to amend the Internal Revenue Code of 1986 to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs; to the Committee on Ways and Means.

By Mrs. BONO MACK:

H.R. 2577. A bill to protect consumers by requiring reasonable security policies and procedures to protect data containing personal information, and to provide for nationwide notice in the event of a security breach; to the Committee on Energy and Commerce.

By Mr. DENHAM (for himself, Mr. NUNES, Mr. COSTA, and Mr. MCCARTHY of California):

H.R. 2578. A bill to amend the Wild and Scenic Rivers Act related to a segment of the Lower Merced River in California, and for other purposes; to the Committee on Natural Resources.

By Ms. JENKINS (for herself and Mr. TERRY):

H.R. 2579. A bill to require the Corps of Engineers to take into account all available hydrologic data in conducting Missouri River basin operations; to the Committee on Transportation and Infrastructure.

By Mr. KING of New York (for himself and Mr. GRIMM):

H.R. 2580. A bill to provide for the award of a gold medal on behalf of Congress posthumously to Father Mychal Judge, O.F.M., beloved Chaplain of the Fire Department of New York who passed away as the first recorded victim of the September 11, 2001, attacks in recognition of his example to the Nation of selfless dedication to duty and compassion for one's fellow citizens; to the Committee on Financial Services.

By Mr. POSEY (for himself, Mr. WEBSTER, Mr. MILLER of Florida, Mr. AUSTIN SCOTT of Georgia, Mr. LATTA, Mr. GRIFFITH of Virginia, and Mr. FARENTHOLD):

H.R. 2581. A bill to provide that the public debt limit shall not affect timely payment in full of Social Security benefits; to the Committee on Ways and Means.

By Ms. ROS-LEHTINEN (for herself, Mr. BURTON of Indiana, Mr. MEEKS, Mr. ROYCE, Mr. MCCOTTER, Mr. GALLEGLY, Mr. CHABOT, Ms. JACKSON LEE of Texas, Mr. ROHRBACHER, Mr. CALVERT, Mr. SMITH of New Jersey, and Mr. RYAN of Ohio):

H. Res. 356. A resolution urging the European Union and its member states to maintain the arms embargo against the People's Republic of China; to the Committee on Foreign Affairs.

#### 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. HINOJOSA:

H.R. 2573.

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

Article 1, Section 8: The Congress shall have the power to promote the General Welfare

By Ms. WILSON of Florida:

H.R. 2574.

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

Article I, Section 8, Clause 3

The Congress shall have Power \* \* \* To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. WILSON of Florida:

H.R. 2575.

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

Article I, Section 8, Clause 3

The Congress shall have Power \* \* \* To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mrs. BLACK:

H.R. 2576.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution; whereby the Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Furthermore, this bill makes specific changes to existing law, in accordance with the Sixteenth Amendment of the United States Constitution; whereby the Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

By Mrs. BONO MACK:

H.R. 2577.

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

Clauses 1 of Section 8 of Article I of the Constitution the United States Congress

shall have power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes".

By Mr. DENHAM:

H.R. 2578.

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

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 Ms. JENKINS:

H.R. 2579.

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

Article I, Section 8, Clause 14: To make Rules for the Government and Regulation of the land and naval Forces.

By Mr. KING of New York:

H.R. 2580.

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

Article I, Section 8, Clause 5

The Congress shall have the Power to coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

By Mr. POSEY:

H.R. 2581.

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

Article 1, Section 8, Clause 2 of the United States Constitution

#### ADDITIONAL SPONSORS

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

H.R. 100: Mr. CHAFFETZ.

H.R. 157: Mr. MURPHY of Pennsylvania.

H.R. 219: Mr. FORBES and Mr. SCALISE.

H.R. 303: Mr. CHANDLER.

H.R. 440: Mrs. HARTZLER.

H.R. 466: Ms. BALDWIN and Ms. WASSERMAN SCHULTZ.

H.R. 530: Mr. RANGEL.

H.R. 589: Mr. CLARKE of Michigan.

H.R. 593: Mr. BURTON of Indiana, Mrs. ELLMERS, and Mrs. HARTZLER.

H.R. 642: Mr. LOBIONDO.

H.R. 645: Mr. LUETKEMEYER and Mr. DANIEL E. LUNGREN of California.

H.R. 687: Mr. OWENS and Mr. CHANDLER.

H.R. 721: Mrs. ROBY and Ms. SCHWARTZ.

H.R. 750: Mr. LANKFORD.

H.R. 791: Mr. CHANDLER, Mr. CARSON of Indiana, and Mr. LOESACK.

H.R. 886: Mr. GALLEGLY and Mr. SCOTT of South Carolina.

H.R. 891: Mr. SCHOCK.

H.R. 972: Mr. CASSIDY.

H.R. 1041: Mr. MCKEON and Mr. HURT.

H.R. 1042: Mrs. LUMMIS and Mr. ISSA.

H.R. 1063: Mr. MILLER of North Carolina.

H.R. 1161: Mr. FORTENBERRY, Mr. BROUN of Georgia, and Mr. SHULER.

H.R. 1242: Mrs. CAPPES.

H.R. 1269: Mr. ROSS of Arkansas.

H.R. 1322: Mr. RYAN of Ohio.

H.R. 1370: Mr. POE of Texas.

H.R. 1386: Mr. PASCRELL and Mr. MURPHY of Connecticut.

H.R. 1397: Mr. DONNELLY of Indiana.

H.R. 1462: Mr. OLVER.

H.R. 1465: Ms. SCHAKOWSKY, Mr. LEWIS of Georgia, and Mr. FRANK of Massachusetts.

H.R. 1489: Mr. LIPINSKI.

H.R. 1506: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1588: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. CONAWAY.

H.R. 1591: Mr. LAMBORN.

H.R. 1639: Mr. COOPER and Mr. PETRI.

H.R. 1685: Mr. HOLT.

H.R. 1686: Mrs. BIGGERT, Mr. DOLD, and Mr. WALSH of Illinois.

H.R. 1703: Ms. KAPTUR.

H.R. 1723: Mr. LATTA.

H.R. 1834: Ms. ZOE LOFGREN of California.

H.R. 1842: Mr. THOMPSON of California, Ms. WILSON of Florida, and Ms. HANABUSA.

H.R. 1852: Ms. BALDWIN, Ms. HANABUSA, Mr. McDERMOTT, and Mr. CHAFFETZ.

H.R. 1895: Mr. STARK.

H.R. 1953: Mr. LUJÁN, Mrs. CHRISTENSEN, and Mr. MORAN.

H.R. 1970: Mr. COURTNEY.

H.R. 2016: Ms. SCHAKOWSKY, Mr. MEEHAN, and Mr. PASCRELL.

H.R. 2026: Mrs. CAPPES.

H.R. 2030: Mr. BLUMENAUER.

H.R. 2036: Mr. BUCSHON and Mrs. MCMORRIS RODGERS.

H.R. 2091: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 2161: Mr. DEUTCH.

H.R. 2164: Mr. YOUNG of Alaska and Mr. GRIFFIN of Arkansas.

H.R. 2185: Mr. POLIS, Mr. MORAN, and Mrs. MALONEY.

H.R. 2224: Mr. FRANK of Massachusetts.

H.R. 2236: Mr. GOSAR.

H.R. 2250: Mr. BISHOP of Utah, Mr. FINCHER, Mr. BONNER, Mr. DESJARLAIS, and Mrs. CAPITO.

H.R. 2280: Mr. JACKSON of Illinois.

H.R. 2357: Mr. HANNA.

H.R. 2402: Mr. WESTMORELAND and Mr. LAMBORN.

H.R. 2407: Mr. NADLER, Mr. JONES, Mr. MCKINLEY, Ms. KAPTUR, and Mr. COSTELLO.

H.R. 2492: Mr. FARR and Mr. BRADY of Pennsylvania.

H.R. 2529: Mr. BURGESS.

H.R. 2544: Ms. HIRONO, Mr. WELCH, and Mr. CONYERS.

H.R. 2554: Mr. MCGOVERN.

H.R. 2560: Mr. YOUNG of Indiana, Mr. CONAWAY, Mr. SESSIONS, Mr. GUINTA, Mr. MILLER of Florida, Mr. MCCAUL, Mr. BERG, Mr. THORBERRY, Mr. KLINE, Mr. CALVERT, Mr. UPTON, Mr. ROYCE, Mr. LABRADOR, Mrs. MILLER of Michigan, Mr. MCHENRY, Mr. LATTA, Mr. COBLE, Mr. BONNER, Mr. FORBES, Mr. BARTON of Texas, Mr. DUFFY, Mr. SMITH of Nebraska, Mr. SMITH of Texas, Mr. COFFMAN of Colorado, Mr. FLEMING, Mr. PLATTS, Ms. BUERKLE, and Mr. MARCHANT.

H.J. Res. 8: Mr. FILNER.

H.J. Res. 13: Mr. PALAZZO.

H.J. Res. 47: Mr. GRIJALVA.

H. Con. Res. 4: Mr. FILNER.

H. Con. Res. 39: Mr. MCCLINTOCK.

H. Con. Res. 65: Ms. LEE and Ms. BASS of California.

H. Res. 130: Mr. POLIS.

H.Res. 220: Mr. TOWNS.

H.Res. 333: Mr. CHANDLER.

H.Res. 342: Mr. ISRAEL.

H.Res. 353: Mr. FATTAH, Ms. FUDGE, Mr. TOWNS, Mr. JACKSON of Illinois, Mr. MEEKS, Mrs. CHRISTENSEN, Ms. BASS of California, Ms. ROYBAL-ALLARD, Mr. RICHMOND, Mr. BUTTERFIELD, Ms. NORTON, Mr. MCGOVERN, Ms. RICHARDSON, Mr. ISRAEL, Ms. WATERS, and Mr. CUMMINGS.

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

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

OFFERED BY MR. RYAN OF WISCONSIN

The provisions that warranted a referral to the Committee on the Budget in H.R. 2560, the Cut, Cap, and Balance Act of 2011, do not contain any congressional earmarks, limited

*July 18, 2011*

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tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. DREIER

The provisions that warranted a referral to the Committee on Rules in H.R. 2560, to cut, cap, and balance the Federal budget, do not

contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. CAMP

The provisions that warranted a referral to the Committee on Ways and Means in H.R.

2560, to cut, cap, and balance the Federal budget, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the U.S. House of Representatives.



United States  
of America

# Congressional Record

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

Vol. 157

WASHINGTON, MONDAY, JULY 18, 2011

No. 107

## Senate

The Senate met at 2 p.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

### PRAYER

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

Let us pray.

Father in heaven, our sustainer and friend, as our Senators deliberate over challenging legislative issues, infuse them with insight, energy, and patience. As they face relentless pressure from constituents, lobbyists, and special interests, give them strength and courage to do the right thing as You give them the light to see it. Resolving differences without rancor and bitterness, let their lives model the unity of Your kingdom.

Lord, lead them in the way of compromise that does not sacrifice principle or self-respect, preserving timeless values which are ethical, just, and equitable. Teach them to respect each other and Your image which can be seen in humankind.

We pray in Your holy Name. 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. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 18, 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. INOUE,  
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.

### SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will be in a period of morning business until 3:30 this afternoon. Following morning business, the Senate will resume consideration of the Military Construction, Veterans Affairs, and related agencies appropriations bill. At 5 p.m. the Senate will go into executive session to consider the nomination of J. Paul Oetken. At 5:30 p.m. there will be a rollcall vote on confirmation of that nomination.

### MEASURE PLACED ON THE CALENDAR—H.R. 2018

Mr. REID. Mr. President, H.R. 2018 is at the desk and due for a second reading, I am told.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes.

Mr. REID. Mr. President, I would object to any further proceedings on this bill at this time.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bill will be placed on the calendar under the provisions of rule XIV.

### DEFAULT CRISIS

Mr. REID. Mr. President, Senate Democrats sat down with Secretary Tim Geithner, and he painted a picture of what our world would look like if Republicans in Congress force this Nation, for the first time in its history, to default on its financial obligations.

The picture was grim. This is how he described the state of our government if Congress allows this unprecedented default: "Lights out."

He said default would result in a complete "loss of capacity to function as a government."

Even those who believe government should be small enough to drown in a bathtub have to admit that a total shutdown of even the most basic and essential functions of government is very, very scary. It would not be good for the American people, and it certainly would not be good for our economy.

The Senate has no more important task than making sure the United States continues to pay its bills for preexisting obligations such as Social Security.

I have spoken to the President's office today. Actually, I had a phone call scheduled with him, and he rescheduled it for later. But I have talked to his people, and he understands the importance of our meeting our responsibilities. Because of that, we are going to stay in session every day, including Saturdays and Sundays, until Congress passes legislation that prevents the United States from defaulting on our obligations.

I have spoken to the Republican leader. He understands the necessity of our being in session. We have a lot to do, not as many things as normal but extremely important things that are going to take time. So I know it is maybe inconvenient to have people rearrange their schedules, but this means

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



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Saturdays and Sundays and Mondays we have to be in session continuously.

Secretary Geithner described how the 80 million checks cut by the Treasury every day—that is 80 million checks every day—would likely simply stop coming. The Federal Government would, in effect, go dark.

Paychecks for troops in Afghanistan and Iraq and bases around the world could stop. FAA towers could shut down. So could the FBI and the CIA. Border crossings could close. Safety inspections of the food Americans eat and the cargo that enters our ports could halt. Literally every function of government could cease—Social Security checks, payments to our veterans. We have heard that before. There would be no discussion of which operations and personnel are essential. All the payments would very likely stop.

Some have said we could prioritize which bills to pay. Even if that would not irreparably damage the Nation's credit and our reputation in the global economy and the global community—which it would—it is also a complete fiction. Our government will not even be able to cover the bills due on August 3. It will simply run out of money. Because we will be in default and our credit rating trashed, we will be able to borrow the money not again to keep running even if we wanted to.

That is the picture Secretary Geithner painted. Like I said, it is grim.

Many of my Republican colleagues understand this fact. They know what is at stake. It is not blanket for sure, but the irresponsible Republicans who say default would not be an unmitigated disaster for this country either do not know what they are talking about or are twisting the truth for political gain.

Americans have gotten the message. Seventy-one percent of the American people disapprove of the way Republicans have used this crisis to force an ideological agenda. That is in the press today. Even a majority of Republicans disapprove of their unreasonable refusal to compromise, which puts our entire Nation at risk.

Those who say this crisis would be a blip on the radar are wrong. Default would be a plague that could haunt and would haunt our Nation for years to come. Our credit rating would take years to rebuild. The country would never, ever be the same.

Some will say this is an exaggeration, but it is not. This is what Treasury Secretary Geithner told us. That is what business leaders, economists, rating agencies, and bankers have all told us. If this country defaults on its obligations, they say—Secretary Geithner for certain says—it will be “much worse than the Great Depression.” It would make the massive financial crisis of 2008 look mild. “It will make what we just went through look like a quaint little crisis,” Secretary Geithner said. I repeat: “It will make what we just went through look like a quaint little crisis.”

That “quaint little crisis” led to the loss of almost 5 million American jobs. It caused our banking system to nearly collapse. More than \$34 trillion—Mr. President, that is not million, it is not billion, it is trillion—more than \$34 trillion in wealth was destroyed in less than 2 years. The ripples were felt throughout this Nation and around the world.

The average American family lost \$100,000 on its home and stock portfolio alone, and 400,000 families were plunged into poverty.

That crisis was minor, again, Geithner said, compared to the potential fallout from a U.S. default. No one should guess from what I have said that Secretary Geithner thinks what has taken place because of the Wall Street collapse is minor. But it is minor compared to what he believes would happen if we defaulted on our debt.

The leading business and economic voices of our time have said it again and again: The risks of default are unthinkable. It would be a catastrophe.

Secretary Geithner also said we are running out of time to avoid this iceberg. This huge iceberg is in the ocean, and our ship of state is headed toward it. The rating agencies have already placed our AAA credit rating under review and could downgrade us at any time.

This is what Secretary Geithner said. Again, I quote:

The eyes of the country are on us. The eyes of the world are on us, and we need to make sure we stand together and send a definitive signal that we're going to take the steps necessary to avoid default.

So, Mr. President, I ask what it will take to get my Republican colleagues to wake up to the fact that they are playing a game of political chicken with the entire global economy. They must wake up soon.

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#### RECOGNITION OF THE MINORITY LEADER

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

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#### BUDGET NEGOTIATIONS

Mr. McCONNELL. Mr. President, let me echo the initial remarks of the majority leader with regard to the decision, which in this particular instance I think we would agree is a mutual decision, that we need to stay in every day until we resolve this crisis confronting our country. So I concur with what the majority leader has said. We will stay in every day, Monday through Sunday, and get this problem fixed for our country.

Mr. REID. Mr. President, if I could interrupt my friend and through the Chair say this: I would hope the Republican leader noted the tone and content of my statement where I did not lump all Republicans in one big bundle.

Pardon the interruption.

Mr. McCONNELL. I thank my friend, the majority leader.

This is a pivotal week for America. Two years of reckless spending and debt have brought us to the point of crisis, and this week Americans will see how their elected representatives decide to resolve it.

On the one side are those who believe that failing to rein in spending now would be calamitous, and that a government which borrows 42 cents for every dollar it spends needs to sober up. Washington needs strong medicine to heal its spending addiction now, not a false promise to do it later.

On the other side are those who want to pretend the status quo is acceptable, that everything will be fine if we freeze current spending habits in place, raise job-killing taxes on small businesses, and do nothing about the long-term fiscal imbalance that imperils our economy.

Republicans have tried to persuade the President of the need for a course correction, but weeks of negotiations have shown that his commitment to big government is simply too great to lead to the kind of long-term reforms we need to put us on a path to balance and economic growth.

So we have decided to bring our case to the American people. That is why this week Republicans in the House and in the Senate will push for legislation that would cut government spending now, cap it in the future, and which only raises the debt limit if it is accompanied by a constitutional amendment to balance the Federal budget.

The cut, cap, and balance plan is the kind of strong medicine Washington needs and the American people want, and Republicans in both Houses of Congress will be pushing it aggressively this week.

I heard one of my Democratic colleagues say yesterday that the votes simply do not exist to pass any bill in the Senate that balances the budget. My question is, Why in the world not? If you cannot vote for a bill that says you will live within your means, then you have given up and you agree that the unsustainable path is the only one we have, and that is really completely unacceptable.

Every single Republican in the Senate supports a balanced budget amendment. All we need is for 20 Democrats to join us. By my count, at least 23 of them have led their constituents to believe they would actually fight for it.

So my message to Senate Democrats this week is this: I would suggest you think long and hard about whether you will vote for the cut, cap, and balance legislation the House is taking up tomorrow. Not only is this legislation just the kind of thing Washington needs right now, it may be the only option we have if you want to see the debt limit raised at all.

The White House has called for a balanced approach in this debate. Well, a bill that actually balances our books is coming to the Senate floor this very

week. I strongly urge my Democratic friends to join us in supporting it. Some have said they think this bill goes too far. With all due respect, I think most Americans believe Congress and the White House have gone too far in creating the fiscal mess we are in right now.

It is time for real action. It is time to show the American people where we stand. It is time to balance our books.

#### CONSUMER FINANCIAL PROTECTION BUREAU

Mr. McCONNELL. Mr. President, earlier today, the President announced his nominee to run the Consumer Financial Protection Bureau.

I remind him that Senate Republicans still are not interested in approving anyone to the position until the President agrees to make this massive new government bureaucracy more accountable and transparent to the American people.

Back on May 5 of this year, 44 Republican Senators signed a letter to the President stating:

We will not support the consideration of any nominee, regardless of party affiliation, to be the CFPB director until the structure of the Consumer Financial Protection Bureau is reformed.

We have been very clear about what these reforms would need to look like. Republicans have voiced our serious concerns over the creation of the CFPB because it represents a government-driven solution to a problem government helped create.

We have no doubt that without proper oversight the CFPB will only multiply the kinds of countless burdensome regulations that are holding our economy back right now and that it will have countless unintended consequences for individuals and small businesses that constrict credit, stymie growth, and destroy jobs. That is why everyone from florists to community bankers opposed its creation in the first place. That is why we will insist on serious reforms to bring accountability and transparency to the agency before we consider any nominee to run it.

It took the President a year to nominate someone to this position. I hope he will not wait that long to address our concerns and bring the CFPB the accountability and transparency it currently lacks.

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 until 3:30 p.m., with Senators

permitted to speak therein for up to 10 minutes each.

Mr. McCONNELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. AKAKA. 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.

#### BUDGET NEGOTIATIONS

Mr. AKAKA. Mr. President, I rise to speak about the budget and the debt ceiling, following the Senate's failure to invoke cloture on a measure expressing that shared sacrifices from all Americans—including the wealthiest—are necessary to reduce the budget deficit.

As the Senate Budget Committee chair has proposed, we must reach an agreement that strikes a balance between raising revenues and cutting spending, in which all Americans contribute to the solution.

Congress faces an important task. Americans are following this debate because they have a stake in its outcome.

If we do not raise the debt ceiling, it will force the government to choose which of its many obligations it will meet.

As President Obama pointed out last week, we cannot guarantee that veterans and Social Security recipients will receive the checks we owe them on August 3 if we fail to reach a compromise. If we fail, we will damage our credit rating and worldwide confidence in our financial system.

To avoid such a situation, I call on all of my colleagues to negotiate in good faith so that the creditworthiness of the United States is not compromised. I hope we can reach an agreement that will bring down the debt without placing most of the burden on the vulnerable among us—the sick, the poor, the long-term unemployed, and the elderly.

While we must reduce spending, we cannot forget to continue investing in our Nation's future. I came of age during the Great Depression and served in World War II, along with my colleagues Senator INOUE and Senator LAUTENBERG.

We were the beneficiaries of one of the Federal Government's greatest investments: the Servicemen's Readjustment Act of 1944, more commonly known as the G.I. Bill of Rights. This visionary Federal legislation enabled returning World War II veterans—many who, like myself, came from families of modest means and may never have otherwise attended college.

The G.I. Bill not only changed the lives of its beneficiaries, it changed the United States by laying the groundwork for the emergence of our middle

class, which remains the backbone of our country.

Many other valuable investments made in the years that followed, such as the Interstate Highway System and Federal funding for research programs at the Nation's leading universities, propelled America into one of history's greatest periods of economic expansion, social advancement, and technological innovation.

None of these investments simply happened. They were made by past Congresses and Presidents from both parties. These legacies have proven repeatedly that dedicated social and economic investments are effective drivers of recovery, growth, and future success. As we move forward and make difficult but necessary choices to cut spending, we must strengthen those programs that are restoring our economic health.

Reaching an agreement on the debt ceiling and deficit reduction will undoubtedly require all of us to make difficult compromises on spending and revenues. As debate on these issues continues, I urge each of my colleagues to remember the obligation that we have to preserve the Nation's creditworthiness—and to defend our veterans and those depending on Social Security and other safety net programs from harm—as we continue to make needed investments for recovery.

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. KYL. 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.

#### BUDGET NEGOTIATIONS

Mr. KYL. Mr. President, I wanted to speak for a moment here about the status of discussions that Members of Congress have been having with the President and others regarding the debt ceiling, the extending of the debt ceiling, and how we can solve the problem that confronts our country.

Obviously, in 10 minutes, I will be brief and hit some of the highlights. But the first question I was asked on a program I was involved in was: Well, why wouldn't Republicans be supportive of raising taxes? So I want to answer that. There are three answers to that question. The first is, if you go to the doctor and he is going to treat you for what is wrong with you, he needs to figure out what is wrong and then treat that condition rather than something totally different. So the reason we are not going to want to raise taxes here is because it has nothing to do with the problem we have.

I meant to have this chart blown up, but I wasn't able to do it in time, but this shows how much money we are

spending. As you can see, when President Obama came into office, the spending spiked dramatically. We have historically spent about 20 percent of the gross domestic product of the country. With the Obama spending, we have gone straight up to about 25 percent of our gross domestic product. The problem, in other words, is not taxing; the problem is spending. So that is the first reason we should focus on spending, and reducing Federal spending, not focus on the Tax Code, which is not the problem.

The second problem with raising taxes as a part of this exercise is the taxes the President is talking about are not just on millionaires and billionaires. There are 319,000 households that report income of over \$1 million, so you can say 319,000 millionaires or billionaires. But there are 3.6 million households also in the same tax bracket that don't report incomes of even \$1 million. So as we have done before, with the alternative minimum tax, for example, we aim at the millionaires and billionaires but we end up hitting a lot of other Americans. This isn't just about taxing millionaires and billionaires.

Who are the other people who would be the target of the tax increases proposed by the President? Well, we know that 50 percent of all small business income is reported in those top two brackets. So the first thing you have to think about here is doing harm to the economy. If you are hitting the small businesses with more taxes—which, by the way, historically create two-thirds of the jobs coming out of a recession—you are going to inhibit economic growth. That is a problem that is recognized even by the Obama administration and by the President. Last December, the President reached agreement with the Congress and we extended the existing tax rates—sometimes they are called the Bush tax cuts, but those tax rates have been in existence for a decade now—and they were extended another 2 years.

At the time the President said: In the time of economic downturn, that is the worst time to raise taxes so we shouldn't do it.

We are still in an economic downturn, one could say even worse than it was back then. We are now back up to 9.2 percent unemployment. The economy is not getting better; it is still sick, and the worst medicine for a sick economy, as even the President has said, is a tax increase.

One of the taxes the administration sought to increase was the subject of a report by the Obama administration's small business agency, the SBA, and it said this particular tax increase "could ultimately force many small businesses to close."

Why would you propose raising a tax which could ultimately force many small businesses to close? It doesn't make sense. That is the second reason we are focused on wasteful Washington spending, not on raising taxes.

The third reason to talk about the problem of raising taxes is related to the second; that is, the effect it would have on job creation and the economy. If you add the tax rate that will result from the automatic tax increases in January of 2013 and the tax increases that are part of ObamaCare, the top rate in this country will be 44.8 percent, and that is before your State income tax rates.

Corporations pay 35 percent, and they get a lot of deductions, so they don't always pay 35 percent. So here you have a small business person who is paying 10 percentage points above what a big corporation pays, and the 35 percent is too high. The President himself has said: We should get rid of corporate so-called tax expenditures or loopholes so we can, with that savings, reduce the corporate rate in America to something closer to 20 or 25 percent, which would make American businesses more competitive with our foreign competitors.

If we need to reduce the corporate rate down to 20 or 25 percent, it makes absolutely no sense for us to have the small business entrepreneurs in our country paying almost 45 percent. That is why we don't want to raise taxes on small businesses.

Moreover, some of these taxes are not just on those who are in the top two income tax brackets but are in businesses that I mentioned, the retailers and manufacturers, that would be hit with one of the taxes the SBA says could ultimately force many small businesses to close.

So those are the three key reasons why it is not the time to raise taxes, why we ought to be focused on spending. Spending is the problem. It has gone up from 20 to 25 percent of the gross domestic product in this country. We have had a deficit now of \$1.5 trillion each of the years of the Obama administration.

The Obama administration, in just 5 years—if it gets the first year of the second term—in 5 years would double all the national debt of this country all the way from George Washington to George W. Bush.

So if you take all Presidents and the debt we have acquired and then you double it, that is what happens under 5 years of the Obama administration budget and then the second 5 years would triple it. That is the problem we have. It is not taxes; it is spending. Secondly, because you are not just hitting millionaires and billionaires, and, third, because it would be very bad for the economy.

The administration has said: Well, it is just not fair. We need some "shared sacrifice" is their term, some shared sacrifice. I have two answers to that.

First of all, how about before we ask people to sacrifice, let's get rid of the waste, fraud, and abuse, and initiate savings that the Office of Management and Budget, the General Accounting Office, the CBO, all these groups have found exists in our budget, if we would just get about it.

There is over \$100 billion a year we could save by not making overpayments or improper payments in Medicare, Medicaid, and unemployment insurance, just those three alone. In unemployment insurance, \$1 out of every \$9 is improperly paid. What is wrong with a government that has that kind of error rate? That is \$16.5 billion a year. In Medicare, the error rate is over 10.5 percent and Medicaid 8.4 percent. You could save \$87 billion a year just in those two programs. That is well over \$100 billion a year.

What does the administration say to that? No, we don't want to talk about that.

That is not shared sacrifice. That is not any sacrifice. You are not taking any benefit away from any beneficiary by just enforcing the law Congress has passed. The administration says, no, it doesn't want to talk about those things.

The other reason is, I am just asking here: What is fair? You have to admit, the top 1 percent of American taxpayers are wealthy people and so they pay twice as much in taxes. They represent 1 percent of the taxpayers, of course. So do they pay 2 percent of the taxes? How about 5 percent? Does the top 1 percent pay 10 percent of all the taxes, 20 percent, 30 percent? How about 38 percent? One percent of the people pay 38 percent of the taxes in the country. I would call that shared sacrifice. The top 10 percent pay almost 70 percent. So how much do you want the top 10 percent to pay, 80 percent, 90 percent?

How fair is that, when the bottom 50 percent pay nothing and all of them receive benefits from the government and 30 percent of them receive an EITC benefit or payments back from the government in some other form, directly to them. So you have half the people who pay no Federal income taxes, the top 10 percent pay 70 percent of all the income tax.

We have said that is OK; we want to have a progressive tax rate. The OECD—these are the developed countries of the world—have done a study, and they make the point we have the most progressive income tax system in the world. Of all the developed countries in the world, we make the wealthy pay the most. We have said that is OK.

But how much more can this one group pay? They cannot carry the entire government on their back. So it is, frankly, political demagoguery for anybody to suggest that either we can solve the problem by taxing corporate jets or we can solve the problem by having millionaires and billionaires pay more than they already do. That only gets you a little bit.

The people who end up paying the taxes are the broad middle class. That is the way it always is.

So beware of the politician who says: I am just going to target the rich; you don't have to worry about it. The tax on millionaires was supposed to hit

about 125 millionaires, the AMT, that now hits somewhere between 20 million and 30 million Americans.

That is why I say we have to solve the problem. The problem is spending. It is not revenues. So when people ask me: Well, why aren't you willing to meet the President halfway and agree to raise taxes, those are the three reasons. It would stop our economy from creating the jobs it needs in order to get out of the economic doldrums we are in and begin to produce the kind of economic recovery that produces wealth. When you are unemployed, you are not working, you are not making money, you are not paying taxes to the Federal Government.

We can pay the Federal Government a lot more in tax revenues every year if we go back to work and if we are making more money and we are more productive as a country. But as long as we are in the condition we are right now, the Federal revenues are going to decline.

That is the answer. Get the economy moving again, and you don't do that by imposing another heavy burden of taxes on it. That is why we have to focus on spending. I hope my colleagues and I can work together in the days to come and reach agreement so we can actually get the country moving on a path toward economic recovery and sound fiscal future.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

#### EAST ASIA RELATIONS

Mr. WEBB. Mr. President, we spend probably the majority of the time when we discuss foreign policy on this floor talking about the crises in places such as Libya, Iraq, Afghanistan. If we talk about East Asia at all, we generally are discussing the economic situation as it portends to the future, especially with China.

But I would like to make a strong point here today; that is, if we don't get it right with our relations in East Asia, we are in very serious trouble as a nation. It is vitally important for the United States to continue to invigorate our relations with all the countries with East and Southeast Asia on economic, security, and cultural levels.

Today, I would like to talk about a few of these issues that are affecting our relations in that part of the world. This weekend, there will be a regional forum for the Asian countries in Bali. Our Secretary of State will be there.

This forum is coming at a pivotal moment with respect to our relations in Southeast Asia and the rest of East Asia. The recent military provocations by China against the Philippines and Vietnam in the South China Sea, which this body passed a resolution deploring, affect the mood of the entire region at this moment. There also have been political transitions in Thailand and in Burma and there are consistent ecological threats in the Mekong River, with hydropower dams up river begin-

ning in China and now also being proposed in Laos.

All of these issues underscore the need for vigorous multilateral engagement in this part of the world and the development of new strategic relationships and the continuity of balance the United States has been bringing to this vital region since the end of World War II.

We are going to be reauthorizing a piece of legislation called the Trafficking Victims Protection Act in this session of Congress. I have an amendment to this act. I think it is an extremely important amendment in terms of our relationship with friends and allies, particularly in East Asia, and with representatives of highly developed governmental systems that have a lot of problems with the way we have implemented this act in the past.

I, similar to everyone in the Senate, fully support the intentions of this legislation and the intentions of the State Department to prevent human trafficking and to assist trafficking victims. But under our present policy, we have a great deal of confusion and, quite frankly, resentment from many of these more developed governmental systems. This present policy requires that a country be ranked against the progress it has made in the past year. In other words, a country is ranked against itself over a period of yearly behavior. This practice doesn't provide countries with a consistent standard by which they might truly measure their efforts against human trafficking versus other countries around the world, and it creates a lot of misunderstandings.

The criteria used to judge a country's efforts are difficult to estimate with any precision. They are often very subjective. For example by placing prosecutions for trafficking as a part of this evaluation over actual successes in areas such as the protection of victims and the prevention of acts in the first place, we get a total misreading of the success that many of these governmental systems actually have been able to bring about.

This is an excerpt from a press release that came out of Singapore's Ministry of Foreign Affairs on June 28 of this year, talking about their ranking under this Trafficking in Persons Report, the TIP Report.

They say: We note that the United States has again unabashedly awarded itself a tier 1 ranking. Yet the New York Times observed—this is from their press statement—that teenage girls coerced into prostitution in the United States are treated not as trafficking victims but as miscreants who are arrested and prosecuted. This is directly opposite to Singapore's approach. The United States also suffers from serious problems with illegal immigrants, many of whom are trafficked by well-organized criminal gangs which seem to operate with impunity.

Singapore, our friend, our ally, and an advanced governmental system by any determination, then says:

On any objective criteria, the United States has a more serious TIP problem compared with Singapore.

Why are they angry? Why do they feel they have not been fairly evaluated? Because they are evaluated against themselves by standards that may not apply. They are not alone, by the way. Singapore is not alone.

The last year's reporting showed Nigeria got a tier 1 rating. Japan, another highly advanced governmental system and culture, got a tier 2 rating. Singapore got a tier 2 watch list rating, which means that they could be in danger of losing a lot of the governmental interactions between our two countries if this continued. How would they rate a tier 2 if we had a standard where we were evaluating all country systems against one another, rather than this approach we are now using?

Here is a good objective way to see if we cannot answer that question. These are the worldwide ratings from an organization called Transparency International. This is called the Corruption Perception Index, from the same year. From the country rankings for corruption perception, internationally, Singapore is tied for first as the most transparent governmental system. The United States is down here at No. 22—again, below Japan. I mention Japan because under this TIP system, Japan got a tier 2 rating. Nigeria is over here tied for 134th. This is not meant to be critical of the attempts of the Nigerian governmental system to fix their problems, but clearly, if we were evaluating these countries among each other rather than by this very confusing standard, you would not be seeing Singapore with a tier 2 watch list category and Nigeria as a tier 1.

I will have a simple but I think very important amendment to the legislation when it comes forward. It basically will require the State Department to categorize countries, first of all, as either in compliance or not with our legislation and then rank countries on a single scale rather than by year-to-year progress against themselves and to eliminate the special watch list category. It maintains all the other existing criteria we have used in terms of examining whether trafficking in persons is being addressed in these different countries; the extent to which a country is a country of origin, transit, or destination; the extent of non-compliance by the governments, including government officials; and what measures are reasonable to bring the government into compliance. This may seem a small matter on the floor of the Senate, but I can assure you this is not a small matter to countries that have been our friends and allies and have advanced governmental systems and believe they are being wrongly categorized for the rest of the world to see.

I would like to raise one other point today with respect to this part of the world—it goes back to what I said when I first began speaking—regarding

issues of sovereignty and freedom of navigation in the South China Sea and recent activities which could quickly reach a level of volatility that we would not like to see and to emphasize again that our country is the No. 1 reason we have had the kind of stability that has existed for the most part in this very volatile region since the end of World War II.

The red lines on this map are the areas in which China claims sovereignty in the South China Sea. As you can see from these lines, it goes all the way past the coast of the Philippines, down into Borneo and Malaysia, up the coast of Vietnam, back into China.

Over the last 10 years, we have seen incidents that people in the United States, including military officials, too often seem to recognize or deal with as tactical challenges rather than strategic data points in terms of the ongoing issues of who actually controls these areas.

These areas are claimed by many different countries. They are the most highly trafficked searoutes, in terms of trade, in the world. Just in the last 1½ years, we have seen an incident off the coast of Okinawa, with a dispute between the Japanese and the Chinese Governments. We have seen a military incident, a provocation by the Chinese off the coast of the Philippines, which was protested by the Philippines. We have seen two incidents off the coast of Vietnam, one in May and one in June. If you look at where these incidents have occurred, they mark the boundaries of the sovereignty claims that have been made by the Chinese.

This body unanimously passed a resolution condemning this use of military actions in disputes that should be resolved in a multilateral way. I am very hopeful that Secretary Clinton will reinforce our concerns in this area.

When I was on "Meet The Press" a couple of weeks ago, I said we could be approaching a Munich moment in this region. That comment has been widely circulated. Let me explain what I mean by that. That doesn't mean I see a Hitler out there; that doesn't mean I see a Neville Chamberlain here. What this means is when you have an expansionist power that is making claims that it owns land in disputed areas and is provoking these other countries through the use of military force, you are reaching the edge of a country unilaterally claiming sovereignty over areas that require multilateral solutions. That is not healthy. It is not healthy internationally.

This region historically has been a very volatile region, and the United States is the most important ingredient in making sure these issues are resolved multilaterally and without the use of force. Again, I strongly hope our Secretary of State will reinforce the comments she made last year to the effect that the United States does have a vital interest in resolving these issues in a multilateral way, just as we

do, by the way, in resolving the issues with respect to the Mekong River. Rather than having a strong, powerful country insisting only on bilateral adjustments with countries that it totally overpowers. We are the essential ingredient. No one wants to see this issue go the wrong way.

We have the potential of resolving this with China and resolving our relationships with the Chinese Government in a positive way, looking into the future, but it is going to require clear, consistent comments and a credible approach by the U.S. Government.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COONS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JOHNSON of South Dakota. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent to speak as in morning business.

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

#### EXECUTIVE NOMINATION REFERRAL

Mr. JOHNSON of South Dakota. Mr. President, I was very pleased that the Senate recently acted to confirm the nomination of David Cohen to be Under Secretary of the Treasury for Terrorism and Financial Crimes. I would like to pose a brief parliamentary inquiry as a followup to the Senate's action. For future nominees by the President to the position of Treasury Under Secretary for Terrorism and Financial Crimes, would all such nominees be referred, under current law and precedents of the Senate, to the Senate Committee on Banking, Housing, and Urban Affairs?

The PRESIDING OFFICER. Yes, it is my understanding the Senator is correct.

Mr. JOHNSON of South Dakota. Thank you, Mr. President.

#### WALL STREET REFORM

Mr. President, Thursday marks the first anniversary of President Obama signing the Dodd-Frank Wall Street Reform and Consumer Protection Act into law. As chairman of the Banking Committee, I have a responsibility to oversee implementation of this critical new law.

The Wall Street Reform Act was a direct response to the worst financial crisis since the Great Depression. While it appears that many on Wall Street, and even some here in Washington, have already forgotten the painful costs of inadequate financial regulations, I have not. And neither have the millions of Americans who lost their jobs, their homes, or their savings, and who are still waiting for the recovery.

The financial crisis didn't just happen by itself. It was the result of reckless and irresponsible behavior on Wall Street, lack of consumer protections, and failure by financial regulators to

take action even as the warning signs grew ever larger.

In response to the devastation, Congress passed new financial reforms that created a sound regulatory foundation to protect consumers and help prevent future crises.

However, these reforms have been under constant attack since their inception. Opponents of Wall Street reform continually repeat misleading claims that the new law was hastily conceived and will harm our economy.

The truth is the Wall Street reform law is a product of nearly 50 Senate hearings, and scores more in the House, that identified the abuses and loopholes that fueled the catastrophe and helped develop clear proposals to end them.

After a long series of hearings that began in 2007 and 2008 with examination of the turmoil in the mortgage and credit markets, and after months of hard work by bipartisan working groups of Senators, the Banking Committee reported out a Wall Street reform bill that incorporated many Republican ideas.

On the Senate floor, the bill had a thorough debate in an open process that lasted more than 3 weeks. Fifty-six amendments were considered and 32 amendments were approved, 15 of which were Republican-sponsored amendments and 22 were bipartisan amendments. Finally, the bill was reconciled with the House version at an open conference committee which worked through more than 100 additional amendments.

In short, through a rigorous, bipartisan, and transparent process, we produced a comprehensive reform bill that the times demanded and the American people deserved.

The Wall Street reform law enhances consumer protections to help ensure people can make financial decisions with honest information, and it roots out predatory lenders who fueled the subprime mortgage bubble. The reforms we passed 1 year ago will no longer allow the shadow banking system that nearly destroyed our economy to continue to escape the light of day.

The Wall Street reform law also enhances investor protections.

During the financial crisis, investors suffered enormous losses when their retirement accounts or other assets were decimated. Some had invested in companies with compensation systems that encouraged executives to take on unmanageable risks. Some relied on mutual funds or pension funds that had bought mortgage-backed securities based on predatory loans that borrowers could not repay. New reforms will enhance transparency, increase accountability and allow oversight of previously hidden parts of the financial system.

Unfortunately, some powerful Wall Street apologists are trying to rewrite history. They are claiming that new regulations are overly burdensome and

will hurt their bottom line and the economy. Gaps in regulation hurt the economy. Bad, reckless decisions on Wall Street hurt the economy. But many top financial executives have apparently forgotten that the only reason they are still in business is that the American taxpayer saved them.

Now, many of these financial institutions have nearly fully recovered, while Main Street Americans continue to pay the price for those bad decisions and inadequate regulations.

The Wall Street Reform Act established responsible rules to make our financial system work for the benefit of all Americans, so that we never return to the days of too big to fail bailouts, backroom derivatives deals, predatory subprime mortgages, and the threat of economic collapse. Passing the Wall Street Reform Act was a monumental achievement, but there is much work left to be done. Now the financial regulators, the experts who have made it their life's work to understand these issues, must work to write rules and implement these reforms. This will take time, and we must get it right.

If the attacks on the law and its implementation are successful in weakening or eliminating these new protections, however, our economy will once again be at risk. Since I became chairman earlier this year, the Banking Committee has held more than 25 hearings and bipartisan briefings on financial reform. We are exercising our oversight authority, following the regulators' progress closely, and are committed to seeing the process of reforming Wall Street through to completion.

We all remember the economic nightmare we lived through 3 years ago, and we should never forget it. That is why I take my responsibility as chairman of the Banking Committee and custodian of this new law so seriously. I am fully committed to helping ensure Congress does its part to hold our regulators accountable and to providing Americans with a financial system they can trust.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

#### MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The PRESIDING OFFICER. Under the previous order, the Senate will re-

sume consideration of H.R. 2055, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

Pending:

Coburn (for McCain) amendment No. 553, to eliminate the additional amount of \$10,000,000, not included in the President's budget request for fiscal year 2012, appropriated for the Department of Defense for planning and design for the Energy Conservation Investment Program.

Johnson (SD)/Kirk amendment No. 556, of a perfecting nature.

Mr. JOHNSON of South Dakota. I ask unanimous consent that the reading of the bill be waived.

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

Mr. JOHNSON of South Dakota. Mr. President, as the Senate resumes consideration of the fiscal year 2012 Military Construction, Veterans Affairs, and Related Agencies appropriations bill, I wish to remind my colleagues of the important programs funded in this bill.

This bill funds the infrastructure that is the backbone of our military—the facilities in which our troops work, train, and live—and the facilities that support their families, including family housing, schools, hospitals, and childcare centers. It also funds the medical care and benefits promised to the Nation's veterans—a sacred trust we must not fail to honor.

This is a bipartisan bill that was reported unanimously out of the Appropriations Committee. As I have said before, the bill is balanced, disciplined, and responsible.

Two amendments to this bill are currently pending and several others have been filed. If my colleagues have additional amendments they wish to offer to the bill, I encourage them to file those amendments without delay or call them up if they wish a vote. My staff and Senator KIRK's staff are available to work with Members to clear amendments if possible.

There is a lot going on in Washington this week, but it need not distract from the disposition of this bill. I urge my colleagues to bring any amendments they have to the floor so we can act on them and move quickly to a vote on final passage.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. JOHNSON of South Dakota. Mr. President, what is the pending amendment?

The PRESIDING OFFICER. The Johnson amendment.

AMENDMENT NO. 556, AS MODIFIED

Mr. JOHNSON of South Dakota. I ask unanimous consent that amendment No. 556 be modified with the modifications at the desk.

The PRESIDING OFFICER. The amendment is so modified.

The amendment, as modified, is as follows:

On page 114 between lines 18 and 19, insert the following:

SEC. 301. Not later than 90 days after enactment of this Act, the Executive Director of Arlington National Cemetery shall provide a report to the Committees on Appropriations of the Senate and the House of Representatives; the Senate Armed Services Committee; the Senate Veterans' Affairs Committee; and the Senate Homeland Security and Governmental Affairs Committee detailing the strategic plan and timetable to modernize the Cemetery's Information Technology system, including electronic burial records.

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that Senator MCCASKILL be added as a cosponsor to the amendment.

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

Mr. JOHNSON of South Dakota. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NOMINATION OF J. PAUL OETKEN

Mr. SCHUMER. Mr. President, it is my distinct honor to rise in support of Paul Oetken's confirmation to the bench of the Southern District of New York. We have a very deep pool of legal talent in New York, but Paul's nomination is one everybody is talking about. Paul is brilliant, well rounded, and unwavering in his dedication to public service and his commitment to rule of law. His confirmation will only improve the workings of one of the best and busiest courts in the country.

I look for three qualities in judicial candidates: excellence, moderation, and diversity. Paul's Excellence is provable on paper. He is a graduate of the University of Iowa and Yale Law School and has worked in the highest echelons of two of the three branches of government, including for the Office of Legal Counsel at the Department of Justice and for Supreme Court Justice Harry Blackmun. He has also climbed the ranks of private legal practice, serving most recently as the head of litigation for the large New York media company Cablevision, one of our fine companies in New York.

I consider a broad range of experience to be an important training ground for teaching judicial candidates the second quality I look for: moderation. I do not like judges who tend to be too far to the right, but I do not like judges who come from a perspective that is too far

left either. Paul Oetken fits the bill of a mainstream, moderate judge. His moderation and modesty were evident during his confirmation hearing and are clear to all who know him. When judges have in their resume practical experience dealing with real-world problems, they tend to understand that a judge cannot simply impose things from on high without understanding the effect of imposing those decrees on average people, average businesses, and average governments.

When a candidate has these two qualities—excellence and moderation—diversity is a bonus. But in this case, at this moment, Paul is not just an excellent candidate. As the first openly gay man to be confirmed as a Federal judge and to serve on the Federal bench, he will be a symbol of how much we have achieved as a country in the last few decades. And importantly, he will give hope to many talented young lawyers who, until now, thought their paths might be limited because of their sexual orientation. When Paul becomes Judge Oetken, he will be living proof to all those young lawyers that it does get better.

Paul Oetken's modest but brave act of going through the confirmation process makes this otherwise quiet moment historic. But long after today, what the history books will note about Paul is his achievement as a fair and brilliant judge.

In a short while, our country will take one step closer toward equality and away from bigotry and prejudice. I am very proud to have played a supporting role, and I look forward to Paul Oetken's service on the bench in the Southern District of New York. Often quoted but still one of my favorites is what Martin Luther King often said:

The arc of history is long, but it bends in the direction of justice.

Paul Oetken's nomination to the Federal bench proves that point once again.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask that the order for the quorum call be suspended.

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

#### EXECUTIVE SESSION

#### NOMINATION OF J. PAUL OETKEN TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will now report.

The assistant bill clerk read the nomination of J. Paul Oetken, of New

York, to be United States District Judge for the Southern District of New York.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, the Senate will vote on the nomination of J. Paul Oetken to the U.S. district judge for the Southern District of New York.

Today's vote marks the 28th judicial confirmation this year, and I am pleased we are moving forward with filling another vacancy.

When I became ranking member of the Judiciary Committee earlier this year, the courts had 103 vacancies. I have worked with the chairman and other members of the committee to reduce vacancies by confirming consensus nominees. We have brought the vacancies down now to 89. Based upon media stories and other exaggerated statements that I hear from time to time, you would think the Republicans are blocking every judicial nominee. The record shows something quite different. In total, 60 percent of the President's judicial nominees have been confirmed; 33 percent of the nominees have been confirmed during this Congress.

We continue to achieve great progress in committee as well. Seventy-three percent of the judicial nominees submitted this Congress have been afforded hearings. Only 57 percent of President Bush's nominees had hearings for the comparable time period during his Presidency. We have reported 58 percent of the judicial nominees, compared to only 54 percent of President Bush's nominees. In total, the committee has taken positive action on 62 of the 86 nominees submitted this Congress or 72 percent of those nominees submitted.

I could go on with other statistics which demonstrate our cooperation and positive action, but I think I have made my point. We are moving forward on the consensus nominees. Complaints to the contrary are not supported by the facts.

I would like to say a few words about the nominee we are considering today, a nominee I will vote for.

Mr. Oetken grew up in my State of Iowa and attended the University of Iowa, where he received his bachelor of arts degree with distinction in 1988. Following graduation from Yale Law School in 1991, the nominee spent 3 years clerking. He first clerked for the Seventh Circuit, then the DC Circuit, and finally for Justice Harry A. Blackmun of the Supreme Court of the United States.

After his clerkships Mr. Oetken entered private practice. In 1997, he became an attorney-adviser with the Department of Justice Office of Legal Counsel. In 1999, the nominee joined the White House Counsel's Office as associate counsel to then-President Clinton. In 2001, he moved to New York and returned to private practice. In 2004, the nominee joined the legal department of Cablevision Systems Corpora-

tion. Currently, he is the senior vice president and associate general counsel at Cablevision.

The ABA Standing Committee on the Federal Judiciary has given Mr. Oetken a unanimous "qualified" rating. I support this nomination and congratulate him on his professional accomplishments.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is considering the nomination of Paul Oetken of New York.

Mr. LEAHY. Mr. President, let me speak for a moment on that. With today's vote on the nomination of Paul Oetken to fill a judicial vacancy on the Southern District of New York, the Senate is going to also mark a new and important milestone. Mr. Oetken, of course, is a superbly qualified nominee. He is also the first openly gay man nominated to be a Federal district judge. I fully expect him to be confirmed to a lifetime appointment to the Federal bench. I am proud first of the President for taking this critical step to break down another barrier, increase diversity in the Federal judiciary, but also on the part of Paul Oetken, who stepped forward to serve. He was reported with the support of every member of the Judiciary Committee, Democratic and Republican, and I commend my fellow Republicans and Democrats for that vote. I think he is going to be confirmed by what I believe will be an overwhelming vote in the Senate. It is a sign as a nation we take a new and welcome step on the path of ensuring the Federal judiciary better reflects all Americans.

To reiterate, today, the Senate will finally vote on the nomination of Paul Oetken to fill a judicial vacancy on the Southern District of New York. Mr. Oetken's nomination was reported unanimously by the Judiciary Committee more than 3 months ago and could—and in my view should—have been confirmed within days. Yet, like so many of President Obama's qualified, consensus nominees, Mr. Oetken has been stuck without cause or explanation for months on the Senate's Executive Calendar. At a time when judicial vacancies are above 90 and have remained at that crisis level for 2 years, this kind of needless delay undermines the serious work we have to do to ensure the ability of our Federal courts to provide justice to Americans around the country.

With today's vote the Senate will mark a new and important milestone. Mr. Oetken, a superbly qualified nominee, is the first openly gay man to be

nominated to be a Federal district judge. Today I expect he will be the first openly gay man to be confirmed to a lifetime appointment on the Federal bench. All of us can be proud of President Obama for taking this critical step to break down another barrier and increase diversity in the Federal judiciary. All of us in the Senate can also be proud that Mr. Oetken was reported with the support of every Member of the Judiciary Committee, Democratic and Republican, and will be confirmed by what I believe will be an overwhelming vote in the Senate. It is a sign that, as a nation, we have taken a new and welcome step on the path of ensuring that our Federal judiciary better reflects all Americans.

Senator GRASSLEY, the ranking member of the Judiciary Committee was pleased at Mr. Oetken's hearing in March that Mr. Oetken was a Phi Beta Kappa graduate of the University of Iowa. As Senator SCHUMER said when introducing Mr. Oetken to the committee, not every New York nominee has such a strong connection to Iowa. Born in Louisville, KY, Mr. Oetken earned his law degree from Yale Law School and then served as a law clerk at every level of the Federal judiciary, for Judge Louis F. Oberdorfer of the District Court for the District of Columbia, for Judge Richard D. Cudahy of the Seventh Circuit Court of Appeals, and for Justice Harry Blackmun on the Supreme Court. Mr. Oetken has worked in the Justice Department's Office of Legal Counsel, as associate counsel to President Clinton, as a litigator in private practice, and is now one of the top in-house counsels for Cablevision System Corporation.

Regrettably, Mr. Oetken's nomination is the only one the Republican leadership would consent to consider today. There is no reason the Senate is not also voting on the nomination of Paul Engelmayer, who was reported unanimously on April 7 along with Mr. Oetken to fill another vacancy—a judicial emergency—on the Southern District of New York. In fact, Mr. Oetken's nomination is only the fifth nomination we have considered in the last 2 months, at a time when vacancies have remained near or above 90. I thank Senator GRASSLEY for his cooperation in working with me to make progress in committee considering judicial nominations in regular order. But that progress has not been matched in the Senate, where agreements to debate and vote on judicial nominations are too few and too far between.

In addition to Mr. Oetken, there are now 22 judicial nominations reported favorably by the committee and ready to be debated and voted on by the Senate, 17 of them having been pending on the Executive Calendar for a month or more. Before the Memorial Day recess I urged that the Senate take up and vote on the many consensus judicial nominations then on the calendar, as it traditionally has done before a recess.

Republican Senators would not agree to consider a single one.

In June, I again urged the Senate to take steps to address the judicial needs of the American people by confirming the many qualified, consensus judicial nominations reported favorably by the Judiciary Committee. However, Republicans would consent to vote on only four judicial nominations during that month. Three of them were confirmed unanimously. In fact, one of the nominees we considered was, finally, the last of the judicial nominations that had been reported by the committee last year that, in my view, should have been considered then.

As a result, 17 judicial nominations reported favorably by the Judiciary Committee were left on the calendar throughout June and now halfway into July, 14 of which were reported unanimously and could easily have been confirmed. Last week, the Judiciary Committee favorably reported another five judicial nominations with significant bipartisan support, three of them unanimously. So in addition to Mr. Oetken's nomination there are now 17 judicial nominations pending on the Senate's Executive Calendar that, like his, were reported unanimously with the support of every Senator, Democratic or Republican, on the Judiciary Committee.

All these nominees have a strong commitment to the rule of law and a demonstrated faithfulness to the Constitution. They are by any measure noncontroversial and will, I expect, be confirmed unanimously when Republicans consent to have votes on them. They should have an up-or-down vote after being considered by the Judiciary Committee, and without additional weeks and months of needless delay.

Federal judicial vacancies around the country still number too many, and they have persisted for too long. Whereas the Democratic majority in the Senate reduced vacancies from 110 to 60 in President Bush's first 2 years, judicial vacancies still number 91 2½ years into President Obama's term. By now, judicial vacancies should have been cut in half, but we have barely kept up with attrition. If we join together to consider all of the judicial nominations now on the Senate's Executive Calendar, we would be able to reduce vacancies below 80 for the first time since July 2009.

Regrettably, the Senate has not reduced vacancies as dramatically as we did during the Bush administration. In fact, the Senate has reversed course during the Obama administration, with the slow pace of confirmations keeping judicial vacancies at crisis levels. Over the 8 years of the Bush administration, from 2001 to 2009, we reduced judicial vacancies from 110 to a low of 34. That has now been reversed, with vacancies staying near or above 90 since August 2009. The vacancy rate—which we reduced from 10 percent at the end of President Clinton's term to 6 percent by this date in President Bush's third

year, and ultimately to less than 4 percent in 2008—is now back to more than 10 percent.

We have a long way to go to do as well as we did during President Bush's first term, when we confirmed 205 of his judicial nominations. We confirmed 100 of those judicial nominations during the 17 months I was chairman during President Bush's first 2 years in office. So far, well into President Obama's third year in office, the Senate has only been allowed to consider 89 of President Obama's Federal circuit and district court nominees.

This is an area in which we must come together as Democrats and Republicans for the American people. There is no reason Senators from both parties cannot join together to finally bring down the excessive number of vacancies that have persisted on Federal courts throughout the Nation for far too long, and which have led the Chief Justice, the President, the Attorney General and judges around the country to urge the Senate to act.

The nomination that we confirm today is an important one for the Senate and for the American people. The only questions that should matter for any judicial nominee are the questions I have asked about every judicial nominee, whether nominated by a Democratic or a Republican President—whether he or she will have judicial independence. Does the nominee understand the role of a judge? Mr. Oetken meets this standard, and I am proud to vote for his confirmation today.

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

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

Mr. LEAHY. Mr. President, I understand this vote is scheduled for 5:30; is that correct?

THE PRESIDING OFFICER. The Senator is correct.

Mr. LEAHY. Mr. President, I ask consent not to delay in any way the vote—we will still have the vote at 5:30—but that I be allowed to continue during the time remaining to me as in morning business.

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

EXTENDING SERVICE OF FBI DIRECTOR ROBERT MUELLER

Mr. LEAHY. Mr. President, back on May 12, the President requested that Congress pass legislation to enable Robert Mueller to continue serving as Director of the Federal Bureau of Investigation for up to 2 additional years in light of the leadership transition at other key national security agencies—the Secretary of Defense was leaving, there was a change in the directorship of the CIA, and so forth—and, of course, the unique circumstances in



which we find ourselves as the 10th anniversary of 9/11 approaches in less than 2 months.

In response to the request of the President, a bipartisan group of Senators drafted and introduced S. 1103, a bill that would create a one-time exception to the statute that limits the term of the FBI Director to 10 years. This bill would allow the term of the incumbent FBI Director to continue for 2 additional years.

Given the continuing threats to our Nation and the need to provide continuity and stability in the President's national security team, it is important that this critical legislation be enacted without delay.

Director Mueller's term expires on August 2, 2011. Of the 12 weeks between the President's request and the expiration of Director Mueller's term, 10 have passed. The time for responsible congressional action has all but elapsed. We are almost in the final hour.

Congressional leaders, including Republican leaders, reacted to the President's request saying that they supported it. On May 26, bipartisan legislation providing the one-time statutory exception, which was drafted by Senator GRASSLEY, was introduced. It was cosponsored by me, Senator GRASSLEY, and the chair and vice chair of the Senate Select Committee on Intelligence, Senator FEINSTEIN and Senator CHAMBLISS.

The Judiciary Committee moved quickly to consider this legislation and report it to the full Senate. We proceeded at Senator GRASSLEY's request to a prompt hearing on June 8. I listed the legislation on the committee's agenda for action on June 9. It was held over for another week. Finally on June 16, the committee met, debated the matter, and reported the bill with an amendment to clarify its constitutionality. On June 21, Senate Report 112-23 was filed regarding the bill. We have been trying to reach an agreement to consider the bill for more than a month, but Republican objections have stalled this effort.

On June 29, my statement to the Senate warned that we would have only a few short weeks left this month to complete action and for the House to act. We should be acting responsibly and expeditiously. I have worked diligently in a bipartisan way with Senator GRASSLEY in order to prevent a lapse in the term of the Director of the FBI. The bill enjoys the strong support of law enforcement groups, including the National Association of Police Organizations, the National Fraternal Order of Police, the International Association of Chiefs of Police, the Police Executive Research Forum, the Major County Sheriffs' Association, the National Native American Law Enforcement Association, and the FBI National Academy Associates. They have all supported it.

We must act on this bill without further, unnecessary delays. The Senate must take it up, consider it and pass it,

and then the House will need to consider and pass the bill before the President has the opportunity to sign it. Each of these steps must be completed prior to the expiration of the Director's current 10-year term on August 2, 2011. There is no time to waste.

All Senate Democrats have been prepared to take up and pass this extension bill for weeks. There is no good reason for delay. At first it was reportedly Senator COBURN who was holding up consideration of the bill, then Senator DEMINT, and now apparently it is an objection by Senator PAUL of Kentucky that is preventing the Senate from proceeding. I find it hard to understand why we would hold up a piece of legislation like this. This sort of delay is inexplicable and inexcusable.

In order to accomplish our goal, I have even been willing to proceed along the lines of an alternative approach demanded by Senator COBURN. That approach is based on a constitutional problem that does not exist. The bill reported by the Senate Judiciary Committee is an extension of a term limit that Congress imposed on the service of the Director of the FBI. As set forth in the committee report on the extension bill, and as reaffirmed in a June 20, 2011, memorandum opinion by the Office of Legal Counsel, the bill reported by a bipartisan majority of the Senate Judiciary Committee to the Senate is constitutionally sound and a proper response by Congress to the President's request. Nonetheless, I was prepared to proceed using Senator COBURN's language instead of Senator GRASSLEY's and mine, so long as one further problem was removed. Specifically, the major problem with Senator COBURN's approach is that it would necessitate the renomination of Director Mueller, and then his reconsideration and reconfirmation by the Senate after enactment of Senator COBURN's alternative bill—and all before August 2.

On June 29, I warned that this was an additional, unnecessary and possibly dangerous complication. I do not want Americans to approach the 10th anniversary of 9/11 without an FBI Director in office. At the markup of this bill in our Judiciary Committee, I was assured by the Senator from Oklahoma that he would get unanimous consent to do all the short time agreements to get the bill passed, get his amendment passed, get it through the House and back, and get Director Mueller confirmed with a 2-hour time agreement. If we did all of that, it would not be the best of solutions, but it would be better than what we have now.

Now we have the distractions from Director Mueller that have been created by these extended proceedings, which have been damaging enough. To require his renomination and then allow it to be held hostage or used as leverage, as so many of President Obama's nominations have been, seemed to me a risk that was better avoided. I did not want the extension of Director Mueller's service leading the

FBI to fall victim to the same objections that have obstructed Senate action on other important Presidential nominations and appointments. Unfortunately, as I had warned, that is precisely what has happened in this case.

I have spoken often about the unnecessary and inexcusable delays on judicial nominations. Even consensus nominees have faced long delays before Senate Republicans would allow a vote. Since President Obama was elected, we have had to overcome two filibusters on two circuit court nominees who were reported unanimously by the committee. These judges—Judge Barbara Keenan of the Fourth Circuit and Judge Denny Chin of the Second Circuit—were then confirmed unanimously once the filibusters were brought to an end. There are currently 17 judicial nominees who were reported unanimously by all Republicans and Democrats on the Judiciary Committee and yet are stuck on the Senate Executive Calendar because Senate Republicans will not consent to vote on them. These are consensus nominations that should not have been delayed while the Federal courts are experiencing a judicial vacancies crisis.

This pattern of delay and obstruction has not been confined to judges. President Obama's executive nominations have been subjected to the same unfair treatment. The first five U.S. attorneys appointed by President Obama were delayed more than 2 months for no good reason in the summer of 2009. These are the top Federal law enforcement officers in those districts and yet it took from June 4 to August 7 before Senate Republicans would consent to their confirmations. They were then confirmed unanimously. The Chairman of the United States Sentencing Commission was similarly delayed unnecessarily for almost 6 months, from May 7 until October 21, 2009. He, too, was ultimately confirmed without opposition, but after needless delay.

Among a slew of other troublesome examples are these: One Republican Senator objected to a nominee to serve on the Federal Reserve Board of Governors because, according to that Senator, the nominee lacked the necessary qualifications. The nominee was a Nobel Prize winner and MIT economics professor. Another Republican Senator is blocking the confirmation of two SEC Commissioners until he extracts action from the SEC related to a case against the Stanford Financial Group. A group of Senate Republicans have sent a letter to President Obama vowing to oppose any nominee to be Director of the Consumer Financial Protection Bureau. Republican Senators are vowing to block President Obama's nominee to serve as the Secretary of Commerce.

In a particularly illustrative case, one Republican Senator lifted his hold on the nomination of the Director of the United States Fish and Wildlife Service only after the administration acceded to his demands and issued 15

offshore oil drilling permits. Shortly thereafter, another Republican Senator placed a hold on the very same nomination to force the Interior Department to release documents on the Department's "wild lands" policy. It did not end there. When that dispute was resolved, a third Republican Senator reportedly placed a hold on the nominee, demanding a review of the protected status of wolves. That nominee has still not been confirmed.

Regrettably, Senate Republicans have ratcheted up the partisanship, limiting the cooperation that used to allow nominations to move forward more quickly. That hostage-taking should not affect this critical term extension for the head of the FBI, but it has. Another important nomination is being subjected to holds and delays. Another well-qualified national security nominee is being used as leverage by the Republican Senate minority to extract other unrelated concessions. That is what Senator COBURN's alternative plan invited and that is what is happening with Senator PAUL's objection to proceeding.

Just recently, we finally broke through months of obstruction of the Deputy Attorney General and the Assistant Attorney General for National Security, key national security related nominations. In May, Senate Republicans filibustered for the first time in American history the nomination of the Deputy Attorney General of the United States. The nomination of the Assistant Attorney General for the National Security Division at the Department of Justice was subjected to similar, inexcusable delay. That nominee was approved unanimously by the Senate Judiciary Committee and unanimously by the Senate Select Committee on Intelligence, and ultimately approved unanimously by the Senate. But that nomination, approved unanimously all along the way, took 15 weeks. It took more than a month just to schedule the Senate vote after the nomination was reported unanimously by two Senate committees. I warned on June 29 that we have no guarantee that the President's nomination of an FBI Director would be treated any differently. Regrettably, that has become true. I wish I had been wrong, but unfortunately the same kinds of delays and obstructions for the sake of delays and obstructions have occurred.

Senate Republicans have known since we began consideration of the President's request to extend the FBI Director's term that his plan could not be considered a viable alternative unless there was an agreement from Senate Republicans to ensure that the Senate would complete its work and have the FBI Director in place at the end of the summer. That agreement would take the form of a unanimous consent agreement in the Senate, entered into by all Senators, and locked in, on the RECORD, so that it could not be changed without unanimous consent. That has not occurred. Senator

COBURN was unable to convince his leadership and the Republican caucus to agree. That was the only way to ensure Senate action on a nomination before August 2.

To complete action in accordance with Senator COBURN's alternative plan would mean not only passing legislation through both the Senate and House, but the Senate also receiving, considering and confirming the re-nomination of Director Mueller. I was chairman of the Judiciary Committee back in 2001 when the Senate considered and confirmed Director Mueller's initial nomination within 2 weeks. I worked hard to make that happen. I predicted in June that given the current practices of Senate Republicans, and their unwillingness to agree on expedited treatment for President Obama's nominations, it was foolhardy to think that all Senate Republicans would cooperate. They have not. There has already been a shifting series of Republican holds over the last month.

The bill was reported over 1 month ago and action has been stymied by Republican objections every since. Senate Republicans have simply refused to agree to proceed and now there is no time for a complicated two phase procedure. We need to pass the necessary statutory authority to allow Director Mueller to continue without further delay.

As I have said, all Senate Democrats are prepared to take up and pass this extension bill, and send it to the House of Representatives for it to take final action before August 2. That is what we should be doing. We should do that now. There is no good reason for delay. All that is lacking is Senate Republicans' consent.

Virtually everybody that I have heard from in the Senate says that Director Mueller is the right person to lead the FBI at this critical time. Now is not a time—2 months before the anniversary of 9/11—to have somebody new on the job. I hope we will take up the bill soon. I wish we had done it at the time I urged Senators to do.

I do applaud the Democratic side of the aisle for saying there would be no objections on our side to moving forward to this legislation so that we can extend for 2 years the term of Robert Mueller. I also congratulate and thank Director Mueller and his wife for being willing to put on hold their plans for retirement for those 2 years for the good of the country.

Given the continuing threat to our Nation, especially with the 10th anniversary of the September 11, 2001, attacks approaching, and the need to provide continuity and stability on the President's national security team, it is important that we respond to the President's request and enact this necessary legislation swiftly. The incumbent FBI Director's term otherwise expires on August 2, 2011. I hope cooler heads will prevail, and I urge the Senate to take up this critical legislation and pass it without further delay.

(Mr. MANCHIN assumed the Chair.)

Mrs. GILLIBRAND. Mr. President, today I am pleased to offer my strong support to the nomination of James Paul Oetken to serve on the U.S. District Court for the Southern District of New York. In Mr. Oetken, President Obama has sent to the Senate a nominee who we all should be proud to support.

J. Paul Oetken is a brilliant lawyer with a remarkable level of accomplishment. A graduate of the University of Iowa, where he received his bachelor of arts degree with highest distinction, and Yale Law School, where he received his juris doctorate, Mr. Oetken has built a successful career spanning the public and private sectors.

During the Clinton Administration, he served as an attorney-adviser at the U.S. Justice Department's Office of Legal Counsel and at the White House as associate counsel to the President. Prior to that, he clerked for three distinguished Federal judges, including U.S. Supreme Court Justice Harry Blackmun.

He currently serves as senior vice president and associate general counsel at Cablevision Systems Corporation, a New York Company, following several years in private practice.

Throughout his career, J. Paul Oetken has demonstrated a strong commitment to public service and civil rights, especially for gay and lesbian Americans. He has worked pro bono on amicus briefs defending the rights of LGBT Americans against laws that discriminate based on an individual's sexual orientation.

Mr. Oetken is the first openly gay man to be nominated to serve on the U.S. district court, and if confirmed, will be only the second openly gay individual serving in a U.S. district court or circuit court of appeals.

I firmly believe that the American people will be best served by a Federal judiciary that reflects our diversity as a nation, broadening the range of perspectives and experiences represented on the Federal bench. J. Paul Oetken will bring a strong intellect and commitment to justice, but also the diversity of experience that is currently lacking in our Federal courts. It is for that reason that I particularly want to applaud the President for submitting this nomination to the Senate.

J. Paul Oetken was unanimously favorably reported out of the Senate Judiciary Committee, and it is rare that we see a nominee come to the Senate floor with that kind of bipartisan support. To date, there are still 90 judicial vacancies in article III Courts, and 53 pending nominations that still need to be acted on by the full Senate. This is simply unacceptable. It is my hope that more of President Obama's highly qualified nominees will be reported out of committee and receive an up-or-down vote on the Senate floor.

J. Paul Oetken has the experience, education, and commitment to the rule of law and equal rights to be an outstanding Federal judge. He received a

unanimous rating of "qualified" by the American Bar Association Standing Committee on the Federal Judiciary and I am confident that if confirmed, he will be an excellent fit for the U.S. District Court for the Southern District of New York. I urge my colleagues to join me in voting yes on this nomination.

Mr. COONS. Mr. President, it is with great pleasure that I speak today on behalf of J. Paul Oetken's nomination to be U.S. District Judge for the Southern District of New York. Mr. Oetken and I knew each other while we were law students at Yale, and I have followed his career with great interest since then. Mr. Oetken is, in my view, a strikingly intelligent man. His varied career—in private practice, with Jenner & Block and Debevoise & Plimpton; in the public sector with a number of admirable clerkships, culminating with a Supreme Court clerkship for Justice Blackmun; with the Office of Legal Counsel and the White House Counsel's Office; and, now, in the business world, where he is vice president and associate general counsel for Cablevision—demonstrates a searching intellect and great capability.

Mr. Oetken possesses a unique combination of perspectives and an exceptional series of qualifications. Given Mr. Oetken's obvious talent and broad experience, I am confident he will make a great Federal judge. In my view, it is an added and important bonus that, as the first openly gay man confirmed to the Federal bench, his service will also move us closer to full equality in our Nation. His confirmation will inspire future judges, lawyers and litigants with the knowledge that, for gay, lesbian, bisexual, and transgendered Americans, it does get better in our Nation's long journey to inclusion and justice.

Mr. LEAHY. Have the yeas and nays been ordered on the nomination?

The PRESIDING OFFICER. They have not.

Mr. LEAHY. I ask for the yeas and nays on the nomination.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Shall the Senate advise and consent to the nomination of J. Paul Oetken, of New York, to be United States District Judge for the Southern District of New York?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Carolina (Mrs. HAGAN) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Kentucky (Mr. PAUL), the Senator from Florida (Mr. RUBIO), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 80, nays 13, as follows:

[Rollcall Vote No. 112 Ex.]

YEAS—80

Akaka	Feinstein	Menendez
Alexander	Franken	Merkley
Ayotte	Gillibrand	Mikulski
Barrasso	Graham	Murray
Baucus	Grassley	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Heller	Portman
Bingaman	Hoeven	Pryor
Blumenthal	Inouye	Reed
Boxer	Isakson	Reid
Brown (MA)	Johanns	Rockefeller
Brown (OH)	Johnson (SD)	Sanders
Burr	Johnson (WI)	Schumer
Cantwell	Kerry	Sessions
Cardin	Kirk	Shaheen
Carper	Klobuchar	Shelby
Casey	Kohl	Snowe
Chambliss	Kyl	Stabenow
Coats	Landrieu	Tester
Coburn	Lautenberg	Thune
Collins	Leahy	Udall (CO)
Conrad	Levin	Udall (NM)
Coons	Lieberman	Warner
Corker	Lugar	Webb
Cornyn	Manchin	Whitehouse
Durbin	McCain	Wyden
Enzi	McCaskill	

NAYS—13

Blunt	Hatch	Risch
Boozman	Hutchison	Roberts
Cochran	Lee	Wicker
Crapo	McConnell	
DeMint	Moran	

NOT VOTING—7

Hagan	Paul	Vitter
Inhofe	Rubio	
Murkowski	Toomey	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider shall be considered made and laid upon the table, and the President shall be immediately notified of the Senate's action.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

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

#### COMMENDING JOHN HERSCHEL GLENN

Mr. BROWN of Ohio. Mr. President, I am here today to celebrate a friend and a statesman, a former Member of the Senate, a marine aviator, a pioneering astronaut, a beloved family man, and an American hero.

Today is the 90th birthday of John Herschel Glenn.

I was 10 years old when John Glenn observed three sunsets, three sunrises, and the wonder of the universe in just under 5 hours while orbiting the Earth.

I was 16 years old when John Glenn presented to me and another couple dozen Eagle Scouts in Mansfield, OH, our Eagle Scout Award, teaching us yet again about community service and community pride.

When I was 54, in one of the most memorable moments of my professional life—with John's wife Annie and my wife Connie in the gallery—John Glenn escorted me into this Senate Chamber to be sworn in as a Senator from Ohio.

As a grandfather and a father, a husband and a Senator, I continue to be inspired by the example of a life well lived—a life in public service, a life fighting for the public good.

Born in Cambridge, OH, 150 miles east of Dayton, where the Wright brothers first figured out how to fly, he attended public school and became an Eagle Scout in New Concord.

It was there where he would meet his childhood sweetheart and future wife Annie. As children, they literally shared a playpen. John says: "She was part of my life from the time of my first memory."

On April 6, 1943, Annie and John married. Since then, they have earned the adulation and admiration from people around the world for their accomplishments and for their devoted love. By 1941, he had studied mathematics at nearby Muskingum College and earned his pilot's license.

After the attack on Pearl Harbor, he dropped out of college to enlist in the Navy and after 2 years of advanced aviator training was reassigned to the U.S. Marine Corps. John Glenn flew 59 combat missions with the Marines in World War II and 90 combat missions with both the Marines and Air Force in Korea. On some of these flying missions, he had baseball great Ted Williams on his wing. John Glenn was awarded numerous commendations and citations for his heroic military service.

In 1959, he was selected by the National Aeronautics and Space Administration (NASA) as one of the original Mercury Seven astronauts. In 1962, President Kennedy made John Glenn the first American to orbit the Earth, and 35 years later, John Glenn was asked by another President, Bill Clinton, to fly into space for a second time as a mission specialist on the Space Shuttle Discovery. At the age of 77, he became the oldest human being to fly in space, conducting a series of scientific investigations into the physiology of the human aging process and exploring the effects of space flight and aging.

By the 1960s, Glenn's service to his country had expanded into a career in politics. He was with Senator Robert F. Kennedy that fateful day in June in California, and he served as a pallbearer a few days later at Arlington National Cemetery.

In 1974, John Glenn was elected to the Senate from my State of Ohio, serving four consecutive terms until his retirement 24 years later in 1999. He served as chairman of the Committee on Governmental Affairs. He was the chief author of the Nuclear Non-proliferation Act of 1978.

Throughout the years, he continually championed the advancement of

science and technology, especially NASA, so much that 12 years ago, the NASA Lewis Research Center in Cleveland—the only NASA facility north of the Mason-Dixon Line—was officially renamed the NASA John H. Glenn Research Center.

After his retirement from the Senate, he and Annie founded the John Glenn School for Public Affairs at The Ohio State University saying: “If there is one thing I’ve learned in my years on this planet, it’s that the happiest and most fulfilled people I’ve known are those who devoted themselves to something bigger and more profound than merely their own self-interest.”

Whether he was flying in the air or floating in space, walking the campaign trails or in this Chamber, he remained grounded in his New Concord roots and always by the steady hand and constant love of Annie. When my family and I decided I should run for the Senate in the fall of 2005, the first people we called were Annie and John Glenn.

Annie’s advice to Connie then and now has been to “be yourself and not allow others to tell you who you should be.” Connie, who was a noted writer in Ohio, writes for the Cleveland Plain Dealer—Connie had this to say about Annie:

“Annie Glenn refuses to draw attention to herself, which is one of the reasons so many of us cannot get enough of her. She is that rare person who is genuinely interested in whomever is standing right in front of her. You will never capture her looking over your shoulder searching for someone more interesting, more important. If you are looking into the eyes of Annie Glenn, you have just become the most fascinating person in the world. This is not to suggest Annie is a wallflower. She was won many honors, changed many lives, through her advocacy.

She is as engaging as she is generous, full of opinions earned by living life at full throttle, even when she was scared to death. And that is a crucial truth about Annie: Americans rightly ooh and aah over John Glenn’s courage in space. But let us never forget the hero of a wife who gave her public blessing, and then privately prayed until his safe return.”

John and I traveled across Ohio on the campaign trail, hearing each other so often that we could finish each other’s speeches and roll our eyes at the same jokes we would tell.

John and Annie teach all of us about our own capacity for selflessness and to have the confidence to serve with humility and with honor. They are dedicated public servants and trailblazers whose sense of humor and smiles brighten any room and in whose presence we better understand the meaning of love and compassion. It is a love and marriage that everyone from lifelong New Concord friends to U.S. Presidents, to colleagues in this Chamber have described with affection.

Barack Obama said during a campaign stop in Columbus:

The thing I admire most about John Glenn is his relationship to his wife, Annie. They have been married for 65 years—

That was then. Now it is 68—

and you should see the way he treats her. He’s in love. Sixty-five years later he’s still in love. And no wonder, because she is a remarkable woman.

Through John and Annie’s remarkable American lives, we reveal and remember the greatness of our country, our capacity to love and to wonder and to see something greater than ourselves.

My wife Connie and I are fortunate to call Annie and John friends, and they remain trusted mentors and role models for us and so many. When his country was attacked, he enlisted. When his President asked, he served. When his country needed it, he instilled a confidence in the American spirit of scientific discovery. When his State needed his leadership, he represented the people of our State with honor.

Happy 90th birthday, John Glenn. Your life tells our Nation’s story in the 20th century, our triumphs and our turbulence, and it tells how our Nation’s spirit of discovery could be found in the humility of a hometown hero from New Concord, OH.

The PRESIDING OFFICER. The majority leader.

#### ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that following my remarks, Senator DURBIN be recognized to give a brief presentation and, following that, Senator GRASSLEY will have one-half hour.

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

#### JOHN GLENN

Mr. REID. Mr. President, I did not know it was John Glenn’s birthday. I am so happy I was on the floor when my dear friend from Ohio talked about John Glenn. John Glenn—when I came to the Senate, one of the first Tuesday caucuses we had I watched John Glenn stand and say: I am going to go out on the aircraft carrier USS *Kennedy* on Saturday. Would anyone like to go?

I was a new Senator. I thought everyone would raise their hand and march off with him. I was the only one who raised my hand. So I did. I went out with him. It was a wonderful experience. The seas were a little bit rough and we landed and that cable snagged that airplane going in. We were there for many hours and the seas got rougher and rougher.

The pilots coming in, this was the first time they had landed on an aircraft carrier. We went out on the deck of the ship, and the planes would come in. Oh, man. The crews there, if they did not think the plane could land—it was going too far off the end: “Dirty. Dirty.”

That meant get the plane up off the carrier, go up and come back and try it again. They did that for quite some time. Then, John Glenn said: I think I should go up in one of those airplanes. So John Glenn went up and flew an air-

plane. I do not know how old John Glenn was. It was 25 years ago, so he was a young man—he was 65—and here he comes in, landing on the aircraft carrier, John Glenn.

Totally changing the subject. A group from Nevada won the Double Dutch skip-roping championship. They came to my office over in the Hart Building to show me how good they were. Of course, it takes a little space to do it. So in one of the outside hallways there in the Hart Building they do this Double Dutch jumping.

They asked me to try it. I was so embarrassed. I could not get one step. I did not realize, but from his office, John Glenn had been watching these kids jumping rope. He comes out, the famous John Glenn, and says: Would you mind if I tried?

I do not know. I assume he was 70 years old at the time. He was perfect, did not miss a step. I mean, that is hard to do. Jumping rope is hard, but when you have two people flipping two different ropes, it is hard. He did that. What a physical specimen he was at 70 years old. Think what he must have been when he was 20 years old, a man who in World War II was an ace, meaning he shot down so many airplanes. He did the same thing in Korea. Here is a man who was the first to orbit in space. You can go see his spacecraft down in the Air and Space Museum. He says: Go look at it. He said: What they said about that is I wore it. It was so small, but he went up there.

The stories he told, I just so loved John Glenn. He said: They did not know what it would be like to go up in space. No one had ever done this. He told me about all the precautions they did the first time he went up in space. They did not know if the air sickness would come and they could not handle the flight. He was trained. He had a big hypodermic syringe that would go through his space clothes, shoot him in the thigh so he would not get too sick up there.

He learned—I do not know how many—“I come in friendship”—in many different languages because they did not know for sure, if the spacecraft would go down, who would be there. But they had a general idea where it would go. So he learned to say: “I come in friendship” in many different languages. Then, of course, he went up in space once again.

He was such a wonderful human being. I had such admiration for him. To think I was able to serve in the Senate with John Glenn says it all, and SHERROD BROWN, Senator BROWN, was absolutely right. This relationship, this love affair, that John Glenn and Annie had and have, their 68 years of marriage is remarkable.

As the books have shown and the movies show, Annie had a very bad speech impediment. She stammered. She stuttered. She stuttered until she was, I do not know how old, but in her fifties, and she stammered very much. John Glenn, when they were courting

each other, would have to do her phone calls for her because she could not talk on the phone very well.

What a wonderful human being, John Glenn. I know there are other people wanting to speak. But I have to say a couple of things. He led a congressional delegation when I was a relatively new Senator. We went behind the Iron Curtain. I can remember going from Austria into Czechoslovakia, and the Communists had stopped the train we were on. They had dogs and they had these soldiers looking under the train and they went and looked at who we were.

But when things calmed down, one of the soldiers asked John Glenn for his autograph. He is a world-famous man and is a man of such humility. I want him to know, and everyone within the sound of my voice, he is one of the finest human beings I have ever met. He is a historical figure now and for all time in the United States.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I know Senator GRASSLEY is waiting and I am going to be brief. I thank him for his indulgence.

But when Senator SHERROD BROWN of Ohio came to the floor to speak of John Glenn, I could not help but stay, and I am glad I did. First, for those who were listening, the good news is we are celebrating his birthday. He is still alive and well, with Annie, and we are sure happy that is the case.

When I was just getting started in politics, 1982, I was running for Congress in Springfield, IL, and Senator John Glenn called and said: I am going to come and campaign for you. I cannot tell you how excited I was to meet him face to face in my hometown. He is truly an American hero. For all his service to the United States, a naval pilot, Marine pilot in World War II, in the Korean war, our first man into space, an astronaut who reprised his performance at the age of 77. He went back into space. It tells you what kind of person he is, his courage and his strength, his physical strength that he could do that.

I had the good fortune of being on the floor of the Senate for my orientation in 1996, and your predecessor, Mr. President, Senator Robert Byrd, would sit in that chair and tell all the new Members and their spouses the history of the Senate. I sat right over here, and Loretta sat next to me. At one point, Senator Byrd said: Open that desk drawer in front of you. You are going to see a great Senate tradition. Remember how the teachers told you, don't write on the desks. Well, the Senators never got the message.

Inside virtually every desk on this floor is the name of the Senator who sat in the desk, scratched in the wood by the Senator at the bottom of the drawer. He said, pull out the drawer on the desk and see whose name is in there. Sure enough, it was John Glenn's. It was his desk I was sitting at. Next to it was Paul Douglas, the

man I worked for as a college intern, who inspired me to get started in public life. So I have that desk today. I am honored to have it and to have added my name to the desk drawer of these two great men.

I didn't realize at the time that not only would I be able to have this desk, but I would actually serve with John Glenn. I think there have been fewer than 1,300 men and women who have had the honor to be in the Senate. Many have vanished into history and will never be remembered for anything significant. That is not true of John Glenn. What he has done in his public life is set an example to everybody who aspires to this job. He literally risked his life for this country over and over. He is a humble, quiet, friendly person, and he is dedicated to Annie. The two of them have a relationship, as President Obama said, that is extraordinary in American life.

The fact that I got to know him, got to serve with him, and he helped launch me on this political journey I am on today is something I will never, ever forget. I wish John Glenn, our former colleague, a happy birthday, and thank him again and again for all the service he has given to this great Nation. He has made America a better place. I am honored to have been one of his colleagues.

The PRESIDING OFFICER. The Senator from Iowa.

#### JUDICIAL ACTIVISM

Mr. GRASSLEY. Mr. President, the Supreme Court earlier this month issued a very important decision which bothered me—a decision that I think shows that dissenters in this decision are judicial activists. It is important not only on the merits of the case but because it shows how this country is only one vote away from unprecedented judicial activism.

The Obama administration is encouraging this judicial activism. The Obama administration is taking legal positions that threaten the role of Congress as a coequal branch of our government. Those positions challenge the separation of power that is designed to protect the freedom of Americans, and even the right of people to govern themselves, which is the basis of representative government and the purpose of the Congress.

The United States happens to be a party to the Vienna Convention on Consular Relations. This treaty gives rights to the citizens of countries who are parties to that treaty to have access to their country's consular officials if they are arrested abroad. There are some foreign nationals in this country who were sentenced to death without those rights being respected. All of these death sentences appear to be valid under the American Constitution.

The story is complicated, but in 2008 the Supreme Court ruled that failure to comply with the treaty was not an obstacle to the execution of a foreign national who had been sentenced to

death. This was the case even if the President ordered a State to allow the criminal to challenge his sentence in light of the treaty, and even if the criminal obtained a judgment from the International Court of Justice that his conviction violated international law. The Court said that Congress could pass legislation to make the treaty apply to people on death row who had not received consular access. We in the Congress have never passed such a law.

Now to the Supreme Court case that concerns me in light of this background on the consular relations treaty. In 1994, Humberto Leal Garcia, a Mexican national, kidnapped a 16-year-old girl, raped her, and bludgeoned her to death. He did not ask for access to the Mexican consul, and he did not receive access. He did not challenge his failure to receive consular access during his trial. Only after he brought State habeas corpus litigation did he raise this claim; and even then, he did not raise consular notification as an issue in his first habeas corpus petition.

Mr. Leal did obtain a ruling from the International Court of Justice that his conviction and sentence were obtained in violation of international law. The International Court of Justice ordered that he was entitled under national law to receive another review of his conviction and sentence, regardless of whether habeas law allowed him to raise such an issue. But that ruling is obviously not binding on American courts, as no country in the world, including the country of Mexico, enforces International Court of Justice rulings as part of its domestic law.

As his execution date approached, Mr. Leal sought a stay in the Supreme Court. Since Mr. Leal received a fair trial under American law, and there was no question concerning his guilt, his request should have been rejected, and rejected unanimously. But that is not what happened. He was executed, but the Supreme Court's ruling was shockingly close—5 to 4.

The Department of Justice, through the Solicitor General, Donald Verrilli, asked the Supreme Court to grant the stay. Its brief was truly astonishing. It did not argue that there was any doubt Mr. Leal was guilty. It did not say Mr. Leal had been harmed in any way by the Vienna Convention violation. It cited no case that provided an example where a stay had been issued in similar circumstances. It raised no arguments for the stay that were based on American law, because American law did not support a stay.

Instead, the Department of Justice relied on international law and made policy arguments. It argued that Mr. Leal's execution would create negative effects on America's international relations. It argued that his execution would violate our international legal obligations, and it argued that the mere introduction of legislation—understand this, just introducing a bill and at the same time having the support of the Obama administration—

should allow the Court to issue a stay to preserve its jurisdiction if time were given to allow the bill to be enacted. This is the position that worries me and threatens the role of Congress as a coequal branch of government.

Everyone knows bills are not laws. Bills are what we introduce. If we pass bills, they become law. The Founding Fathers made it very difficult to enact laws. There are two Houses of Congress, and each has to pass the same version of the bill and the President has to sign that bill or a supermajority of both Houses must override a veto.

This was done to protect the rights of the American people. Only if a bill passes through a specified process can a bill become a law. A court following the rule of law can only enforce what actually becomes a law. There may be times when an agency might pay attention to a bill that is introduced, but that is an agency. In the case of courts, a court should only apply what has actually become law—in other words, a bill passing both Houses of Congress, signed by the President—not pay attention to a bill that has just been introduced.

The Solicitor General's brief relied on a bill, not a law. The name of the bill is the Consular Notification Compliance Act. That bill would retroactively allow prisoners on death row whose Vienna Convention rights were violated yet another bite at the apple. If the bill passed, they would be able to delay their death sentences—lawful sentences under American law—with another round of judicial review for compliance with what? International law. Although the bill is strongly supported by the Obama administration, it has not passed, so it is not law, it is a bill. It is going to have a hearing soon, but it is not scheduled to be placed on the committee agenda for markup. It is clear there is no chance this Congress would pass a law that retroactively allowed foreign nationals who face lawful death penalties another round of judicial review based upon the Vienna Convention.

Congress simply will not pass a bill that gives Federal judges another opportunity to display their dislikes of the death penalty by delaying cases for no good reason. Only Congress can legislate. But the Obama administration argued in the Court that the Supreme Court should grant a stay, even though Congress has not legislated, simply because the executive branch strongly supported the bill, which theoretically—but only theoretically—could pass at some future time.

Do you know what disturbs me? Four Justices agreed with this outlandish position. There is absolutely no precedent for the position. These dissenters accepted an Obama position that was made out of whole cloth. When courts rule based on law, we have the rule of law. When they rule based upon policy preferences, we have judicial activism, not the rule of law.

The Obama administration asked for a stay based upon policy preferences,

based on international law, and based on that administration's view that a bill it supports takes overwhelming precedence over a considered decision of Congress not to pass that legislation. Four Justices—just one short of a majority—were willing to disregard American law in favor of international law, and also in favor of policy implications, and also based upon a bill being introduced in Congress. This is not only inconsistent with the rule of law, it is a threat to American democracy. How extreme.

The American people, through their elected representatives, have enacted the death penalty and established limits on habeas corpus petitions that impede executions. The people's representatives—those of us in the Congress—also declined to enact a bill to implement the Vienna Convention. Notwithstanding that decision of the people's representatives, this administration and four Justices would have used an unpassed bill to delay a death sentence. How extreme. They would have had the courts not allow the preferences of the American people as expressed through their elected representatives but, instead, their own policy preferences. How extreme. But under our system of government, the results of the democratic process are entitled to prevail, unless the Constitution—and only the Constitution—clearly provides otherwise.

The position of the Obama administration and the four dissenting Justices also is harmful to American democracy in yet another way. If the American people dislike what Congress is doing, it is very simple. In the next election, they can elect new Representatives and Senators. They can ask that Federal judicial nominees be stopped or that laws be passed that overturn judicial decisions made under Federal law. But what are the American people to do if judges make decisions based on the views of foreign governments and international tribunals that are contrary to our very own law? What if judicial rulings are designed to enforce decisions of the International Court of Justice, rulings that are not binding as Federal law? Americans cannot influence the views of foreign governments or the rulings of international tribunals.

Had the Obama administration and the four dissenting Justices prevailed, the American people would have lost a part of the right to govern themselves. That right would have been replaced with "obedience without recourse" to foreign powers over whom our people exercise no voice. That is not the system the Founding Fathers bequeathed us.

The question of whether courts should apply American law or foreign law is of great concern to me and to other members of the Judiciary Committee, and maybe to a lot of Senators who aren't on that committee. Those of us on the committee have thought about this specific question long before

this recent Leal case that has come, I guess within the last 3 weeks. And I have asked judicial and administration nominees about these very issues at their confirmation hearings.

For instance, just a few months ago, I posed a question to the nominee for Solicitor General, Mr. Verrilli, about an amicus brief he had filed on behalf of foreign nationals who had been sentenced to death. In that brief, Mr. Verrilli argued not that the prisoner's constitutional rights had been violated, but that "[i]t is in the interests of the United States and the world community that the legal standards of the United States should reflect and be informed by international human rights."

I asked Mr. Verrilli, were he confirmed, whether there were any circumstances in which he would argue before the Supreme Court in a death penalty case that the Court be "informed by international rights?" He responded:

I will adhere to the view that foreign law, including international human rights law, has no authoritative force in interpreting the Constitution and laws of the United States, except in those rare instances where federal statutes incorporate or make international and/or foreign court decisions binding legal authority.

Responding to my question on the difference between international human rights and our own constitutional rights, Mr. Verrilli stated:

International human rights are set forth in international treaties, conventions and customary international law. They are not binding and enforceable in the United States unless Congress has made them so.

The Leal case does not involve a Federal statute of the type Mr. Verrilli cited, nor does it concern any international standards binding and enforceable in the United States because Congress made them so. I believe Mr. Verrilli's brief as Solicitor General is very inconsistent with what he related during his confirmation hearing.

The brief relied on international human rights, and its only reference to American law was this bill that I have referred to—not a law, a bill—which, under our constitutional system, is as different from a law as night is from day.

I would also note that Mr. Verrilli stated during his confirmation hearing:

If the Attorney General [or the President] directed that I take a position . . . one that I believe to be an indefensible view of the law, I would not lend my name or that of the Office of Solicitor General to carrying out the order, and would certainly resign rather than carry out the order.

Mr. Verrilli obviously does not believe that reliance solely on international law and a bill is an indefensible view of the law. I disagree with him on that point.

Similarly, during her confirmation hearing, Justice Sotomayor was asked about the application of foreign or American law. She was one of these dissenters. She stated:

I do not believe foreign law should be used to determine the result under constitutional

law or American law, except where American law directs.

In the *Leal* case, foreign law should not have been used to resolve the case because American law did not direct that foreign law apply.

When Justice Kagan appeared for her confirmation hearing, she stated that in deciding cases, “you’re looking at law all the way down, not your political preferences, not your personal preferences.”

However, the law in the *Leal* case is clear. Executive branch policy arguments and unenacted bills are not law.

I am not saying the Solicitor General or these Justices who dissented lied at their confirmation hearings or made a mockery of the confirmation process, but Judiciary Committee members foresaw cases such as *Leal* and asked the nominees to address the role of foreign law in constitutional cases. I believe, although they do not, what these individuals wrote in the *Leal* case is inconsistent with what they said at the time of their confirmation hearings.

Finally, one of these issues could arise again in a different legal context. Like the death penalty cases, there is ongoing litigation challenging the constitutionality of the Defense of Marriage Act. Like the death penalty cases, the Defense of Marriage Act is the subject of a bill. The particular bill—called the Respect for Marriage Act—notwithstanding its Orwellian name, would repeal the Defense of Marriage Act.

The Department of Justice has already decided not only to defend the Defense of Marriage Act but now argues the Defense of Marriage Act is unconstitutional. The Department, in light of its *Leal* brief, may be considering making the implausible argument the courts should strike down the Defense of Marriage Act simply because a bill has been introduced to repeal it—the same argument used in the *Leal* case before the Supreme Court.

You might well argue the introduction of a bill that is strongly supported by the administration is enough to lead courts to believe the Congress has already repealed the law anyway, so why not have the Court simply declare the law unconstitutional. The Department should not make such an argument, and I can tell the courts that, like the bill to make the Vienna Convention apply retroactively to convicted criminal defendants who face the death penalty, this Congress will not—and I repeat, will not—pass the Respect for Marriage Act and courts should not consider its introduction in resolving *DOMA*’s constitutionality.

Mr. President, obviously, I am disappointed the Obama administration has advanced policy arguments rather than legal arguments in the Supreme Court. How ridiculous it is to try to convince the Supreme Court that just because a bill is introduced they ought to make a decision based upon that bill being introduced.

In the absence of arguments based on American law, it should not have asked

the Court to rule based on policy. Rather, it should have either argued based on American law—even if American law did not conform to its view of desirable policy—or it should have declined to participate in the case.

I am also disappointed that four Supreme Court Justices voted to advance their views of policy rather than law, which is the essence of judicial activism. We were—or you could say we are—only one vote away from a Supreme Court majority that would have applied policy preferences in favor of international law rather than American constitutional law. We were only one vote away from a Supreme Court majority that would have usurped the separation of powers by considering a bill to be the same as a law that Congress passed. And we were only one vote away from a Supreme Court majority that would have applied the ruling of an international tribunal over which Americans have no say rather than a body—as in this Congress of the United States—that is representative of and answers only to the American people.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BLUMENTHAL). Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak for up to 10 minutes each.

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

#### HONORING OUR ARMED FORCES

##### SPECIALIST NICHOLAS P. BERNIER

Mrs. SHAHEEN. Mr. President, I rise today with deep sadness to pay tribute to the service and sacrifice of Army SPC Nicholas P. Bernier, who died on June 25, 2011, from injuries sustained during combat in Kherwar, Afghanistan, while supporting Operation Enduring Freedom. Specialist Bernier was a combat medic with Headquarters, Headquarters Company, 2nd Battalion, 30th Infantry Regiment, 4th Brigade Combat Team, 10th Mountain Division based out of Fort Polk, LA.

A native of East Kingston, NH, and 2007 graduate of Exeter High School, Nicholas or Nick, as he was called by those who knew him, enlisted in the U.S. Army shortly after graduation. Prior to his deployment to Afghanistan in October 2010, Nick provided medical care in Texas to wounded soldiers who had returned from overseas.

From a very young age, Nick stood out in his tight-knit community for his desire to help others. It was, therefore, no surprise to his friends and family when he answered the call to serve his country, to protect his fellow Americans, and to care for his brothers in arms as a medic on the frontlines in Afghanistan. This last assignment was, in fact, a natural fit for him.

Our Nation can never adequately thank Nick for his willingness to serve and to make the ultimate sacrifice defending the freedoms we hold dear. While words provide little comfort at such a time as this, I hope Nick’s family will find some solace in the deep appreciation all Americans share for Nick, for the life he lived and for the ultimate sacrifice he made in the service of others. He was a true American hero.

Nick is survived by his parents, Paul Bernier of East Kingston, NH, and Tina Clements of Haverhill, MA; two brothers, Bradley and Christopher, and half-sister, Brittany. He also leaves behind a caring extended family and a community that loved him.

I ask my colleagues and all Americans to join me in honoring the life, service, and sacrifice of SPC Nicholas P. Bernier.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO ASSISTANT SECRETARY INÉS R. TRIAY

• Mrs. MURRAY. Mr. President, it is with great privilege that today I honor and express my thanks to Dr. Inés Triay, Assistant Secretary for Environmental Management at the Department of Energy for her service to our country.

The Environmental Management Program at DOE has consistently been a priority for me during my tenure in the Senate, as Washington State is home to the Hanford Nuclear Reservation. As a part of the Manhattan Project, Hanford produced plutonium from 1944 until 1987, and the efforts of Hanford workers and the Tri-Cities community helped end World War II.

Today, under the leadership of Dr. Triay, Hanford workers are involved in an environmental cleanup project of enormous scale necessitated by the processes required to transform raw uranium into plutonium for bombs. These processes generated billions of gallons of liquid waste and millions of tons of solid waste which must now be cleaned up, removed, or remediated. Dr. Triay and her staff have worked closely with both the Richland Operations Office and the Office of River Protection to ensure cleanup efforts at Hanford continue to move forward in a meaningful and timely fashion.

Inés has devoted her career to the safe and timely cleanup of radioactive waste and facilities from our Nation’s Cold War nuclear weapon production and research sites. Inés, a Cuban-born

immigrant who earned her Ph.D. in chemistry, has worked at DOE for 24 years, rising from her position as a scientist at Los Alamos National Laboratory to Assistant Secretary for Environmental Management, a Presidentially nominated, Senate-confirmed position. During her tenure as Assistant Secretary, she has led the largest, most diverse, and technically complex environmental cleanup program in the world.

One of Inés' greatest successes came after Congress invested \$6 billion in the Environmental Management Program. Inés led the effort to accelerate important cleanup projects to reduce the Environmental Management footprint across the country. The success of this investment has been, by all measures, incredible—Inés and her team were able to reduce the footprint of the entire Environmental Management complex by 50 percent.

For the past several years, I have worked closely with Inés and I have seen firsthand her commitment to making sure the federal government meets its obligations to protect the health of our communities at Hanford and around the country. Her professionalism, passion and knowledge has contributed significantly to the successes of the Environmental Management Program in recent years, and I will miss working with her and her staff on a daily basis.

On behalf of all Washingtonians, and on behalf of our country, I thank Inés for her dedication to the mission of the Environmental Management Program, for her passion and expertise, and for her commitment to the safety and well-being of the people working at Hanford and at Environmental Management sites around the country. Inés will be difficult to replace. I congratulate Dr. Triay on all of her successes as Assistant Secretary for Environmental Management and wish her the best of luck moving forward.●

#### REMEMBERING DAVID GETCHES

● Mr. UDALL of Colorado. Mr. President, a few days ago, I came to the Senate floor to honor one of Colorado's great educators and community leaders, David Getches, who passed away on Tuesday, July 5, 2011, at the too-young age of 68. Today, I would like to add further to my earlier remarks so that I may provide an even fuller picture of David's life.

This is more than a poignant moment for me. I originally had planned to come to the floor to discuss David's career and character because he was stepping down after 8 very productive years as the dean of the University of Colorado Law School.

We all have had this terrible experience in our lives when somebody whom we love and respect suddenly finds they have a cancer that is aggressive—beyond aggressive. Literally a month ago, David was diagnosed with pancreatic cancer. In the 4 weeks since

that time, that cancer stole him from us. But he was always upbeat. He was always someone who we looked to for enthusiasm and inspiration. I will be inspired in my remarks by what he did. I will attempt not to dwell on his loss.

As I said, David served as dean of the Colorado Law School for the last 8 years. With him at the helm, CU Law became one of the most forward-looking institutions of legal training in the country. I want to share a few examples of his vision and leadership. I could not cover all of them if I had a full hour. I want to share some of them with the Senate and with his friends and admirers in Colorado.

He steered the law school through the construction of the new LEED Gold Certified Wolf Law Building, which put CU and its law school at the cutting edge of environmental sustainability and energy efficiency—two ideas that were connected to the values that David was committed to fostering throughout his career. David previously served as executive director of the Colorado Department of Natural Resources and as an adviser to the Interior Secretary in the Clinton administration. He had an extensive background in water, environmental, and public lands law. Through his work, David impressed upon all Coloradans the importance of good stewardship of our State's precious natural resources.

I am not a lawyer, but I do know David's efforts to teach and share the legal framework that protects our resources could not have been more critical to preserving our Western way of life.

David left a lasting impression on the demographic composition of CU Law School. He was committed to a student body composed of people from many different backgrounds and cultures, and that commitment made an indelible impact on the school and on Colorado's legal community. In 2008, the Hispanic Bar Association awarded him their Community Service Award for increasing Hispanic enrollment, and he also assembled one of the most diverse administrative teams of any law school in the country. He didn't stop there, however. He then created a commission to produce a groundbreaking report on diversity in the legal profession and how to increase diversity in law firm recruitment. The highly skilled and diverse alumni of the CU Law School reflect his efforts and successes.

Moreover, David built a legacy of access to legal education for all. He worked to expand scholarships and financial aid awarded by the law school to worthy students regardless of their financial background, increasing scholarship awards from \$600,000 in 2004 to a hefty \$2.1 million in 3 short years by 2007. This came during a period of time where David expanded alumni giving and oversaw a 110-percent increase in the law school's endowment. And all the while, he continued to recruit and retain top-notch faculty to guide students in their legal education and produce world-class scholarship.

In 2008, David worked with the Colorado State Legislature to pass a law allowing public universities to offer loan repayment assistance grants to graduates practicing public interest law and more recently founded an endowment to award grants to CU Law School graduates in the public sector. These actions reflected David's strong belief in training and inspiring future leaders to give back to their communities.

What David did by reducing the cost of law school was make public service a viable alternative to private practice for bright, idealistic graduates of the law school. Without question, those students, CU Law School, the State of Colorado, and I would venture to say the country will reap the benefits in the future from David's foresight and thoughtful investments.

David's contributions went beyond his tenure as dean, and he had more than an academic interest in the critical issues of our time, especially environmental protection, civil rights, and social justice. He put his social and conservation ethics to work every day, using the law to foster a fair and livable world. As a very young attorney with California Indian Legal Services, David represented tribal members in the State of Washington who were being arrested for exercising their centuries-old treaty rights to fish. David, alongside his clients, devised a strategy to breathe life into the legal promises made to tribes, and the results he achieved changed the face of fisheries and water management in the Northwest. His legal work helped create modern Indian law and will have an everlasting imprint on natural resources management in the Northwest. He later became the founding executive director of the Native American Rights Fund, the leading nonprofit organization dedicated to tribal sovereignty, economic self-determination, and defense of treaty rights.

David was passionate about protection of the environment, especially the spectacular landscapes, wild country, and treasured wildlife of the West. As a water law expert, David was visionary with respect to the changing needs of the West. He had a particular devotion to the Colorado River Basin and strove to find ways to meet human demands for the river's waters while conserving its fish and wildlife and other environmental values. He expressed his love for the West through service on the boards of directors of the Grand Canyon Trust, the Wilderness Society, and Defenders of Wildlife. He was the founding board chair of the Land and Water Fund of the Rockies, now called Western Resource Advocates, and helped grow that fledgling organization into an important regional voice for clean energy and wise stewardship of the region's lands and waters. He gave his time, energy, and thoughtful creativity to each organization and all have expressed gratitude for his wise counsel.



It is also worth noting that even the vast expanse of the Western United States could not contain David. He even taught himself Spanish and published papers and books in that language, influencing water and natural resources legal developments in Central and South America.

I cannot help but feel that David was the living expression of the best of our ideals, a man of character and kindness, a modest but tireless achiever who preferred to be measured by his work, not by the accolades awarded by others. We were honored by his friendship and blessed by his many gifts.

At the heart of why I wanted to come to the floor today is that I think we know we can all learn from David's passion for giving back to whatever community in which he found himself. He led a life of service, and he also compiled an impressive academic record as well as serving as the dean of CU Law School. David cared about justice for disenfranchised communities just as strongly as he cared about the long-term health and sustainability of our natural resources. To David, these matters were intertwined. He was, at his core, committed to the future of his children, our children, our grandchildren, and his grandchildren, and he had a deep love for the Rocky Mountain Western way of life. He was an avid outdoorsman, he was fit, and he faced any and all physical challenges just like he faced intellectual and emotional challenges. As I said in the beginning of my remarks, he was a mentor to all of us, and he always had his eye on the future. I know, as painful as it is for all of us who knew him to lose him so suddenly, he would want us to be focused on the future.

David did this and much more for Colorado and our country, and I just want to close with this. We have lost a unique man and a towering Colorado figure.●

#### TRIBUTE TO JOEL MURRAY

● Mr. VITTER. Mr. President, today I wish to honor a young man who is now one of our Nation's finest Olympians.

Joel Murray of West Monroe, LA, was recently invited to represent the United States of America at the 2011 Special Olympics World Summer Games in Athens, Greece. Joel is an eight time Louisiana State golf champion and a two time national gold medalist, and this year was the first time in his 13 years competing in the Special Olympics that he was invited to compete in the World Summer Games.

As a result of his dedication and commitment to the game he loves, Joel competed in Level V Stroke Play, the highest and most challenging level, and won a silver medal.

Joel is also a 2011 Louisiana Special Olympics gold medalist, was recognized as the Louisiana Special Olympics male athlete of the year and was inducted into the Louisiana Special Olympics Hall of Fame.

If his list of accolades wasn't long enough, in 2009, Joel set a 54-hole tournament record for the Special Olympics Golf National Invitational Tournament. And away from golf, Joel devotes his time to counseling young adults with disabilities at the Louisiana Youth Leadership Forum.

Mr. President, I am proud to honor Joel Murray and applaud him on his remarkable accomplishments.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, 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.)

#### MESSAGE FROM THE HOUSE

At 2:10 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2354. An act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2354. An act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; to the Committee on Appropriations.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2018. An act to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. MURRAY, from the Committee on Veterans' Affairs:

Report to accompany S. 951, a bill to improve the provision of Federal transition, rehabilitation, vocational, and unemployment benefits to members of the Armed Forces and veterans, and for other purposes (Rept. No. 112-36).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with amendments:

S. 300. A bill to prevent abuse of Government charge cards (Rept. No. 112-37).

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 49, a bill to amend the Federal antitrust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads (Rept. No. 112-38).

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. AKAKA for the Committee on Indian Affairs.

\*Barbara Jeanne Ells, of Colorado, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring October 18, 2016.

\*Deborah Downing Goodman, of Oklahoma, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring October 18, 2014.

\*Cynthia Chavez Lamar, of New Mexico, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring May 19, 2016.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

#### 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. ENZI (for himself and Mr. GRASSLEY):

S. 1376. A bill to conform income calculations for purposes of eligibility for the refundable credit for coverage under a qualified health plan and for Medicaid to existing Federal low-income assistance programs; to the Committee on Finance.

By Mr. ROBERTS (for himself and Mr. JOHANNIS):

S. 1377. A bill to require the Corps of Engineers to take into account all available hydrologic data in conducting Missouri River basin operations; to the Committee on Environment and Public Works.

By Mr. NELSON of Nebraska:

S. 1378. A bill to ensure that Social Security and Tier 1 Railroad Retirement benefits are properly taken into account for purposes of determining eligibility for Medicaid and for the refundable credit for coverage under a qualified health plan; to the Committee on Finance.

By Mr. AKAKA:

S. 1379. A bill to amend title 11, District of Columbia Official Code, to revise certain administrative authorities of the District of Columbia courts, and to authorize the District of Columbia Public Defender Service to provide professional liability insurance for officers and employees of the Service for claims relating to services furnished within the scope of employment with the Service; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER (for himself and Mr. DEMINT):

S. 1380. A bill to suspend until January 21, 2013, certain provisions of Federal immigration law, and for other purposes; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself, Mr. REED, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mr. LIEBERMAN, and Mr. FRANKEN):

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; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROCKEFELLER (for himself, Mr. SHELBY, and Mr. MANCHIN):

S. 1382. A bill to complete construction of the 13-State Appalachian development highway system, and for other purposes; to the Committee on Environment and Public Works.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COONS (for himself, Mr. ISAKSON, Mr. DURBIN, Mr. WICKER, and Mr. LEVIN):

S. Con. Res. 25. A concurrent resolution welcoming the independence of the Republic of South Sudan, congratulating the people of South Sudan for freely and peacefully expressing their will through an internationally accepted referendum, and calling on the Governments and people of Sudan and South Sudan to peacefully resolve outstanding issues including the final status of Abyei; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 20

At the request of Mr. HATCH, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 20, a bill to protect American job creation by striking the job-killing Federal employer mandate.

S. 211

At the request of Mr. ISAKSON, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 211, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and performance of the Federal Government.

S. 384

At the request of Mrs. FEINSTEIN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 384, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

S. 411

At the request of Ms. KLOBUCHAR, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 411, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter

into agreements with States and non-profit organizations to collaborate in the provision of case management services associated with certain supported housing programs for veterans, and for other purposes.

S. 418

At the request of Mr. HARKIN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 542

At the request of Mr. BEGICH, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 542, a bill to amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents.

S. 609

At the request of Mr. INHOFE, the names of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 609, a bill to provide for the establishment of a committee to assess the effects of certain Federal regulatory mandates.

S. 633

At the request of Ms. SNOWE, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 633, a bill to prevent fraud in small business contracting, and for other purposes.

S. 641

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 641, a bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis within six years by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

S. 649

At the request of Mrs. GILLIBRAND, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 649, a bill to expand the research and awareness activities of the National Institute of Arthritis and Musculoskeletal and Skin Diseases and the Centers for Disease Control and Prevention with respect to scleroderma, and for other purposes.

S. 735

At the request of Mr. KERRY, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 735, a bill to reauthorize the Belarus Democracy Act of 2004.

S. 752

At the request of Mrs. FEINSTEIN, the name of the Senator from Minnesota

(Ms. KLOBUCHAR) 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. 891

At the request of Mr. GRASSLEY, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 891, a bill to amend title XVIII of the Social Security Act to provide for the recognition of attending physician assistants as attending physicians to serve hospice patients.

S. 965

At the request of Mrs. GILLIBRAND, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 965, a bill to amend the Internal Revenue Code of 1986 to provide an income tax credit for the costs of certain infertility treatments, and for other purposes.

S. 966

At the request of Mrs. GILLIBRAND, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 966, a bill to amend the Public Health Service Act to provide for osteoporosis and related bone disease education, research, and surveillance, and for other purposes.

S. 979

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 979, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 1013

At the request of Mr. HATCH, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 1013, a bill to renew the authority of the Secretary of Health and Human Services to approve demonstration projects designed to test innovative strategies in State child welfare programs.

S. 1048

At the request of Mr. MENENDEZ, the name of the Senator from Missouri (Mrs. MCCASKILL) 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. 1122

At the request of Mr. MENENDEZ, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1122, a bill to amend title 23, United States Code, to establish standards limiting the amounts of arsenic and lead contained in glass beads used in pavement markings.

S. 1173

At the request of Mr. WYDEN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1173, a bill to amend title XVIII of the Social Security Act to

modernize payments for ambulatory surgical centers under the Medicare program.

S. 1176

At the request of Ms. LANDRIEU, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 1176, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 1206

At the request of Mr. ROCKEFELLER, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 1206, a bill to amend title XVIII of the Social Security Act to require drug manufacturers to provide drug rebates for drugs dispensed to low-income individuals under the Medicare prescription drug benefit program.

S. 1245

At the request of Mr. BLUNT, the names of the Senator from Indiana (Mr. COATS) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 1245, a bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 1262

At the request of Mr. AKAKA, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1262, a bill to improve Indian education, and for other purposes.

S. 1265

At the request of Mr. BINGAMAN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1265, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 1299

At the request of Mr. MORAN, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1340

At the request of Mr. LEE, the names of the Senator from Idaho (Mr. CRAPO), the Senator from Iowa (Mr. GRASSLEY), the Senator from Arizona (Mr. MCCAIN), the Senator from Idaho (Mr. RISCH) and the Senator from Alabama (Mr. SHELBY) were added as cosponsors of S. 1340, a bill to cut, cap, and balance the Federal budget.

S. 1360

At the request of Mr. MENENDEZ, the names of the Senator from Alaska (Mr. BEGICH), the Senator from Vermont

(Mr. LEAHY) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 1360, a bill to amend the Securities Exchange Act of 1934 to require shareholder authorization before a public company may make certain political expenditures, and for other purposes.

S. 1369

At the request of Mr. CRAPO, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1369, a bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements.

S. 1375

At the request of Mr. LEVIN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1375, a bill to amend the Internal Revenue Code of 1986 to provide that corporate tax benefits based upon stock option compensation expenses be consistent with accounting expenses shown in corporate financial statements for such compensation.

S.J. RES. 17

At the request of Mr. MCCONNELL, the names of the Senator from Massachusetts (Mr. BROWN), the Senator from Nebraska (Mr. JOHANNIS), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Idaho (Mr. RISCH) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

At the request of Mrs. FEINSTEIN, the names of the Senator from Colorado (Mr. BENNET) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S.J. Res. 17, *supra*.

S.J. RES. 21

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S.J. Res. 21, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S. RES. 80

At the request of Mr. KIRK, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. Res. 80, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 132

At the request of Mr. NELSON of Nebraska, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Mississippi (Mr. COCHRAN), the Senator from Mississippi (Mr. WICKER) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. Res. 132, a resolution recognizing and honoring the zoos and aquariums of the United States.

S. RES. 180

At the request of Mr. LIEBERMAN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. Res. 180, a resolution expressing support for peaceful demonstrations and universal freedoms in Syria and condemning the human rights violations by the Assad regime.

S. RES. 228

At the request of Mr. LAUTENBERG, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Florida (Mr. RUBIO), the Senator from North Carolina (Mrs. HAGAN), the Senator from Ohio (Mr. BROWN), the Senator from Michigan (Mr. LEVIN), the Senator from Illinois (Mr. DURBIN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Iowa (Mr. HARKIN), the Senator from Maine (Ms. SNOWE), the Senator from Maine (Ms. COLLINS), the Senator from Alaska (Mr. BEGICH), the Senator from Florida (Mr. NELSON), the Senator from Alabama (Mr. SHELBY), the Senator from Hawaii (Mr. AKAKA), the Senator from West Virginia (Mr. MANCHIN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Mississippi (Mr. WICKER), the Senator from California (Mrs. FEINSTEIN), the Senator from Maryland (Mr. CARDIN), the Senator from North Dakota (Mr. CONRAD), the Senator from California (Mrs. BOXER), the Senator from Washington (Mrs. MURRAY), the Senator from Oregon (Mr. MERKLEY), the Senator from Michigan (Ms. STABENOW), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Minnesota (Mr. FRANKEN), the Senator from Indiana (Mr. COATS) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. Res. 228, a resolution expressing the sense of the Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 p.m. Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001.

S. RES. 232

At the request of Mr. MENENDEZ, the name of the Senator from Kansas (Mr. MORAN) 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. 553

At the request of Mr. MCCAIN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of amendment No. 553 proposed

to H.R. 2055, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

## AMENDMENT NO. 556

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of amendment No. 556 proposed to H.R. 2055, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROCKEFELLER (for himself, Mr. SHELBY, and Mr. MANCHIN):

S. 1382. A bill to complete construction of the 13-State Appalachian development highway system, and for other purposes; to the Committee on Environment and Public Works.

Mr. ROCKEFELLER. Mr. President, 46 years ago, Congress made a promise to the thirteen Appalachian Regional Commission member States—New York, Pennsylvania, Ohio, West Virginia, Maryland, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, and Mississippi—to complete the ADHS. The initial Appalachian Regional Commission recognized that, while the Interstate Highway System was slated to provide historic economic benefits to most of our nation, the system was designed to bypass the Appalachian Region. The Commission found that the limited access to these regions stifled the economic opportunities for countless communities—a problem that can unfortunately still be seen all these years later.

Today, I rise to introduce the Appalachian Development Highway System Act of 2011. This legislation will move us toward the completion of the ADHS and keep that promise. This bill would also allow states that have additional ADHS funds they cannot spend to loan to other states throughout the Appalachian region which have ADHS projects that are the closest to commencing construction. Such a provision will mean that funds are spent in the most efficient and streamlined manner possible.

West Virginia represents a microcosm of the transportation successes and difficulties throughout the country. While our state faces challenges, they aren't unique to West Virginia. Communities throughout Appalachia are also tackling these same difficulties.

Since I was Governor, I have known how important ADHS funding is to the economy of West Virginia. The completion of corridor G in the southern part of the state has become a critical link between Pikeville, Kentucky and Charleston, WV much like Corridor D has in the northern part of the state

between Bridgeport and Cincinnati, OH. Today, West Virginia has one more ADHS project left to complete, Corridor H. This four line highway between Weston and the Virginia State Line has approximately 58 miles left to construct until it will be finished.

An effective transportation infrastructure encourages competition, promotes our national security, and creates economic growth. It is also imperative for building our communities by helping bring in businesses, creating jobs, building the economies in our states and cities, and increasing tourism.

As Chairman of the Senate Committee on Commerce, Science, and Transportation, my Committee has jurisdiction over a wide variety of issues. My Committee oversees the safety of our nation's highways, skies, pipelines, waterways, and railroads and it sets the tone of the debate when transportation issues come up in the Senate. I am working on a number of fronts to transform our transportation network.

There is still much of the same isolation and lack of infrastructure in parts of Appalachia today as when the ADHS was envisioned. The Federal Government has a responsibility to keep the promise it made decades ago to the people of Appalachia. Besides the essential need for roads, there is also a critical need for the types of jobs and economic stimulus that highway dollars will bring to these underserved areas.

## SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 25—WELCOMING THE INDEPENDENCE OF THE REPUBLIC OF SOUTH SUDAN, CONGRATULATING THE PEOPLE OF SOUTH SUDAN FOR FREELY AND PEACEFULLY EXPRESSING THEIR WILL THROUGH AN INTERNATIONALLY ACCEPTED REFERENDUM, AND CALLING ON THE GOVERNMENTS AND PEOPLE OF SUDAN AND SOUTH SUDAN TO PEACEFULLY RESOLVE OUTSTANDING ISSUES INCLUDING THE FINAL STATUS OF ABYEI

Mr. COONS (for himself, Mr. ISAKSON, Mr. DURBIN, Mr. WICKER, and Mr. LEVIN) submitted the following concurrent resolution; which was considered and agreed to:

## S. CON. RES. 25

Whereas the United States was a witness to the 2005 Comprehensive Peace Agreement (CPA), which marked the end of more than 2 decades of civil war between North and South Sudan that resulted in the deaths of more than 2,000,000 people;

Whereas the CPA provided the framework for the historic referendum held between January 9, 2011, and January 15, 2011, in which the people of South Sudan voted overwhelmingly in favor of independence;

Whereas the United Nations Mission in Sudan (UNMIS), as established by United Nations Security Council Resolution 1590 on March 24, 2005, was instrumental in supporting the implementation of the CPA;

Whereas the mandate for the United Nations Mission in Sudan (UNMIS) expired on July 9, 2011, with the completion of the CPA Interim Period;

Whereas the mandate for the United Nations Mission in South Sudan (UNMISS), as established by United Nations Security Council Resolution 1996 (2011), commenced on July 9, 2011;

Whereas, on February 7, 2011, the Southern Sudan Referendum Commission announced that the people of South Sudan voted in favor of succession by a margin of 98.8 percent, and President Bashir, on behalf of the Government of Sudan, accepted the results of the referendum;

Whereas the African Union, the Arab League, the United Nations Secretary-General's Panel on the Referenda in Sudan, Sudanese Network for Democratic Elections (SuNDE), Sudanese Group for Democracy and Elections (SuGDE), and the Carter Center were among those to report that voting in the referendum was credible and transparent, allowing the people of South Sudan to freely express their desire for independence;

Whereas several outstanding issues and potential points of conflict remain unresolved between the Government of Sudan and the Government of South Sudan, including the final status of the contested area of Abyei, disputed border areas, popular consultations, citizenship rights and nationality, division of oil resources and profits, currency, international debt and assets, and other matters;

Whereas the CPA parties signed an agreement on June 20, 2011, on temporary administrative and security arrangements for Abyei, including the establishment of a United Nations Interim Security Force for Abyei and the redeployment of all military forces of the Government of Sudan from the area;

Whereas fighting in Southern Kordofan over the past month has resulted in deaths and injuries to civilians, the displacement of thousands of residents, and restricted access for humanitarian workers despite the framework agreement for Blue Nile and Southern Kordofan states signed by the Government of Sudan and Sudan People's Liberation Movement-North on June 28, 2011;

Whereas the needs for security, development, and democracy-building are great throughout Sudan and South Sudan, and the United States and the international community have invested significant resources in order to provide assistance to the people of both countries;

Whereas more than 2,000,000 refugees and internally displaced persons from Sudan and South Sudan continue to be displaced from their homes;

Whereas lasting peace and stability for all of Sudan cannot be realized until a comprehensive peace in Darfur is secured and an appropriate mechanism for accountability and justice is established for those responsible for atrocities and crimes against humanity;

Whereas the United States has a compelling national interest in the security, stability, and development of Sudan and South Sudan in order to prevent conflict, humanitarian crises, and the establishment of safe havens for terrorists;

Whereas Sudan was the first country to formally recognize the Republic of South Sudan on July 9, 2011; and

Whereas the United States Government formally recognized the Republic of South Sudan as a sovereign and independent state on July 9, 2011: Now, therefore, be it

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

(1) welcomes the independence of the Republic of South Sudan and recognizes South Sudan as the newest member of the international community;

(2) congratulates the people of South Sudan for freely and peacefully expressing their desire for independence through an internationally accepted referendum, and notes the Government of Sudan's recognition of the results of the referendum and South Sudan's independence;

(3) commends the people and leaders of South Sudan on their efforts to reach this historic milestone as well as the members of the international community that assisted them, including the United States, the European Union and its member states, Norway, the United Nations, the African Union and the AU High-Level Implementation Panel, the Arab League, the Intergovernmental Authority on Development, neighboring countries, and others;

(4) calls on the Governments of Sudan and South Sudan to continue high level engagement to resolve outstanding matters relating to the final status of Abyei, disputed border areas, the completion of popular consultations, citizenship and nationality, division of oil resources and profits, currency, international debt and assets, and other matters in order to ensure a smooth transition to two states and to mitigate points of conflict;

(5) calls on all sides to fully implement their June 20, 2011, agreement on temporary arrangements for the contested Abyei area and swiftly establish a cessation of hostilities in Southern Kordofan to facilitate the delivery and resupply of humanitarian assistance;

(6) welcomes the deployment of up to 4,200 Ethiopian peacekeepers to Abyei and the new United Nations Mission in South Sudan (UNMISS) to provide security and stability in Sudan;

(7) calls on the Government of Sudan to allow for continued United Nations peacekeeping operations in Southern Kordofan and Blue Nile states to support new security arrangements and the delivery of humanitarian assistance;

(8) calls on the United States Government and international community, in coordination with the Governments of Sudan and South Sudan, to support peace, rule of law, security, and good governance in Sudan and South Sudan in order to—

(A) promote security and stability in both countries, especially in critical areas such as Darfur, Blue Nile, and Southern Kordofan and in Abyei;

(B) promote the human and civil rights of all—including southerners living in Sudan and northerners living in South Sudan—through laws and regulations fully respected by both governments;

(C) encourage the Government of South Sudan to engage opposition parties to foster open political space and vibrant democratic institutions;

(D) encourage the Government of Sudan to facilitate the development of multiple political parties with freedom of speech and association;

(E) provide technical assistance and expertise to the Government of South Sudan;

(F) promote access to humanitarian and development aid for the people of Sudan and South Sudan, with a focus on the critical areas of education, health care, and infrastructure, and paying particular attention to historically marginalized areas, including Darfur, Southern Kordofan and Blue Nile states, and Eastern Sudan;

(G) encourage the Governments of Sudan and South Sudan to prevent terrorist groups from using their territories and to continue

to cooperate with the United States on counterterrorism priorities; and

(H) encourage the Governments of Sudan and South Sudan to continue to work together in a productive relationship that recognizes the mutual need for cooperation and an open flow of people and goods across borders and to refrain from the use of proxy forces to foment conflict;

(9) urges that the Darfur peace process remain a priority in United States relations with the Government of Sudan and receives appropriate attention and resources, including—

(A) continued high level engagement to secure a just and lasting peace in Darfur;

(B) a commitment to ensuring humanitarian access to vulnerable populations; and

(C) sustained support for the African Union-United Nations Mission in Darfur (UNAMID) and its mandate to protect civilians and move freely without seeking permission from the armed forces of the Government of Sudan; and

(10) welcomes the anticipated nomination of a United States ambassador to the Republic of South Sudan.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 559. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table.

SA 560. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

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#### TEXT OF AMENDMENTS

SA 559. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 5 and 6, insert the following:

SEC. 127. None of the funds appropriated or otherwise made available by this title may be obligated or expended on a military construction project at Grafenwohr, Germany, or Baumholder, Germany, until the Secretary of the Army submits to Congress, in writing, a report that identifies the brigade combat team that is scheduled to be withdrawn from Germany in 2015.

SA 560. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 117, between lines 12 and 13, insert the following:

SEC. 410. The funds appropriated or otherwise made available by this Act shall be obli-

gated or expended pursuant to the level of the Senate and House of Representative concurrent budget resolution for fiscal year 2012.

SA 561. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 117, between lines 12 and 13, insert the following:

SEC. 410. None of the funds appropriated or otherwise made available by this Act may be obligated or expended at a rate higher than the level of the Senate and House of Representative concurrent budget resolution for fiscal year 2012.

#### PRIVILEGES OF THE FLOOR

Mr. KIRK. Mr. President, I ask unanimous consent that Joel Garrison of Senator WYDEN's staff be granted floor privileges during the consideration of H.R. 2055.

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

#### WELCOMING THE INDEPENDENCE OF THE REPUBLIC OF SOUTH SUDAN

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 25.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 25) welcoming the independence of the Republic of South Sudan, congratulating the people of South Sudan for freely and peacefully expressing their will through an internationally accepted referendum, and calling on the Governments and people of Sudan and South Sudan to peacefully resolve outstanding issues including the final status of Abyei.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to this matter be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 25) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

#### S. CON. RES. 25

Whereas the United States was a witness to the 2005 Comprehensive Peace Agreement (CPA), which marked the end of more than 2 decades of civil war between North and South Sudan that resulted in the deaths of more than 2,000,000 people;

Whereas the CPA provided the framework for the historic referendum held between January 9, 2011, and January 15, 2011, in

which the people of South Sudan voted overwhelmingly in favor of independence;

Whereas the United Nations Mission in Sudan (UNMIS), as established by United Nations Security Council Resolution 1590 on March 24, 2005, was instrumental in supporting the implementation of the CPA;

Whereas the mandate for the United Nations Mission in Sudan (UNMIS) expired on July 9, 2011, with the completion of the CPA Interim Period;

Whereas the mandate for the United Nations Mission in South Sudan (UNMISS), as established by United Nations Security Council Resolution 1996 (2011), commenced on July 9, 2011;

Whereas, on February 7, 2011, the Southern Sudan Referendum Commission announced that the people of South Sudan voted in favor of succession by a margin of 98.8 percent, and President Bashir, on behalf of the Government of Sudan, accepted the results of the referendum;

Whereas the African Union, the Arab League, the United Nations Secretary-General's Panel on the Referenda in Sudan, Sudanese Network for Democratic Elections (SuNDE), Sudanese Group for Democracy and Elections (SuGDE), and the Carter Center were among those to report that voting in the referendum was credible and transparent, allowing the people of South Sudan to freely express their desire for independence;

Whereas several outstanding issues and potential points of conflict remain unresolved between the Government of Sudan and the Government of South Sudan, including the final status of the contested area of Abyei, disputed border areas, popular consultations, citizenship rights and nationality, division of oil resources and profits, currency, international debt and assets, and other matters;

Whereas the CPA parties signed an agreement on June 20, 2011, on temporary administrative and security arrangements for Abyei, including the establishment of a United Nations Interim Security Force for Abyei and the redeployment of all military forces of the Government of Sudan from the area;

Whereas fighting in Southern Kordofan over the past month has resulted in deaths and injuries to civilians, the displacement of thousands of residents, and restricted access for humanitarian workers despite the framework agreement for Blue Nile and Southern Kordofan states signed by the Government of Sudan and Sudan People's Liberation Movement-North on June 28, 2011;

Whereas the needs for security, development, and democracy-building are great throughout Sudan and South Sudan, and the United States and the international community have invested significant resources in order to provide assistance to the people of both countries;

Whereas more than 2,000,000 refugees and internally displaced persons from Sudan and South Sudan continue to be displaced from their homes;

Whereas lasting peace and stability for all of Sudan cannot be realized until a comprehensive peace in Darfur is secured and an appropriate mechanism for accountability and justice is established for those responsible for atrocities and crimes against humanity;

Whereas the United States has a compelling national interest in the security, stability, and development of Sudan and South Sudan in order to prevent conflict, humanitarian crises, and the establishment of safe havens for terrorists;

Whereas Sudan was the first country to formally recognize the Republic of South Sudan on July 9, 2011; and

Whereas the United States Government formally recognized the Republic of South

Sudan as a sovereign and independent state on July 9, 2011: Now, therefore, be it

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

(1) welcomes the independence of the Republic of South Sudan and recognizes South Sudan as the newest member of the international community;

(2) congratulates the people of South Sudan for freely and peacefully expressing their desire for independence through an internationally accepted referendum, and notes the Government of Sudan's recognition of the results of the referendum and South Sudan's independence;

(3) commends the people and leaders of South Sudan on their efforts to reach this historic milestone as well as the members of the international community that assisted them, including the United States, the European Union and its member states, Norway, the United Nations, the African Union and the AU High-Level Implementation Panel, the Arab League, the Intergovernmental Authority on Development, neighboring countries, and others;

(4) calls on the Governments of Sudan and South Sudan to continue high level engagement to resolve outstanding matters relating to the final status of Abyei, disputed border areas, the completion of popular consultations, citizenship and nationality, division of oil resources and profits, currency, international debt and assets, and other matters in order to ensure a smooth transition to two states and to mitigate points of conflict;

(5) calls on all sides to fully implement their June 20, 2011, agreement on temporary arrangements for the contested Abyei area and swiftly establish a cessation of hostilities in Southern Kordofan to facilitate the delivery and resupply of humanitarian assistance;

(6) welcomes the deployment of up to 4,200 Ethiopian peacekeepers to Abyei and the new United Nations Mission in South Sudan (UNMISS) to provide security and stability in Sudan;

(7) calls on the Government of Sudan to allow for continued United Nations peacekeeping operations in Southern Kordofan and Blue Nile states to support new security arrangements and the delivery of humanitarian assistance;

(8) calls on the United States Government and international community, in coordination with the Governments of Sudan and South Sudan, to support peace, rule of law, security, and good governance in Sudan and South Sudan in order to—

(A) promote security and stability in both countries, especially in critical areas such as Darfur, Blue Nile, and Southern Kordofan and in Abyei;

(B) promote the human and civil rights of all—including southerners living in Sudan and northerners living in South Sudan—through laws and regulations fully respected by both governments;

(C) encourage the Government of South Sudan to engage opposition parties to foster open political space and vibrant democratic institutions;

(D) encourage the Government of Sudan to facilitate the development of multiple political parties with freedom of speech and association;

(E) provide technical assistance and expertise to the Government of South Sudan;

(F) promote access to humanitarian and development aid for the people of Sudan and South Sudan, with a focus on the critical areas of education, health care, and infrastructure, and paying particular attention to historically marginalized areas, including Darfur, Southern Kordofan and Blue Nile states, and Eastern Sudan;

(G) encourage the Governments of Sudan and South Sudan to prevent terrorist groups from using their territories and to continue to cooperate with the United States on counterterrorism priorities; and

(H) encourage the Governments of Sudan and South Sudan to continue to work together in a productive relationship that recognizes the mutual need for cooperation and an open flow of people and goods across borders and to refrain from the use of proxy forces to foment conflict;

(9) urges that the Darfur peace process remain a priority in United States relations with the Government of Sudan and receives appropriate attention and resources, including—

(A) continued high level engagement to secure a just and lasting peace in Darfur;

(B) a commitment to ensuring humanitarian access to vulnerable populations; and

(C) sustained support for the African Union-United Nations Mission in Darfur (UNAMID) and its mandate to protect civilians and move freely without seeking permission from the armed forces of the Government of Sudan; and

(10) welcomes the anticipated nomination of a United States ambassador to the Republic of South Sudan.

#### ORDERS FOR TUESDAY, JULY 19, 2011

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until tomorrow morning, Tuesday, July 19, at 10 a.m.; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate will be in a period of morning business for up to 2 hours, 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 majority and the Republicans controlling alternating 30-minute blocks, with the Republicans controlling the first block; that following morning business, the Senate will resume consideration of H.R. 2055, the Military Construction, Veterans Affairs and related agencies appropriations bill; further, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly caucus meetings.

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

#### PROGRAM

Mr. REID. Mr. President, we are continuing to work on Senator JOHNSON'S military construction appropriations bill. The Senate will be notified when votes are scheduled on that matter.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate adjourn under the previous order.

There being no objection, the Senate, at 7:18 p.m., adjourned until Tuesday, July 19, 2011, at 10 a.m.

TURAL MORTGAGE CORPORATION, VICE GLEN KLIPPENSTEIN.

CHESTER JOHN CULVER, OF IOWA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL AGRICULTURAL MORTGAGE CORPORATION, VICE JULIA BARTLING.

BUREAU OF CONSUMER FINANCIAL PROTECTION

RICHARD CORDRAY, OF OHIO, TO BE DIRECTOR, BUREAU OF CONSUMER FINANCIAL PROTECTION FOR A TERM OF FIVE YEARS. (NEW POSITION)

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

DAVID A. MONTOYA, OF TEXAS, TO BE INSPECTOR GENERAL, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, VICE KENNETH M. DONOHUE, SR., RESIGNED.

CONFIRMATION

Executive nomination confirmed by the Senate July 18, 2011:

THE JUDICIARY

J. PAUL OETKEN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

NOMINATIONS

Executive nominations received by the Senate:

FARM CREDIT ADMINISTRATION

BRUCE J. SHERRICK, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL AGRICUL-

## EXTENSIONS OF REMARKS

## PERSONAL EXPLANATION

## HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Mr. KING of Iowa. Mr. Speaker, on rollcall No. 137 I was detained off the House floor during this 2 minute vote series and was unable to cast my vote before the vote was closed. Had I been present, I would have voted "yes."

## THE RECENT TRAGEDY IN CYPRUS

## HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Ms. BERKLEY. Mr. Speaker, I rise to express support and sympathy for the people of Cyprus about the tragedy that recently occurred in one of their naval bases, killing 13 people and injuring dozens more. Our thoughts and prayers are with the people of Cyprus at this extremely difficult time.

This tragic story begins with a courageous act of international leadership by the government of Cyprus. In January 2009, a Cypriot-flagged merchant ship was illegally transporting arms from Iran to Syria, when it was called to port by the Cypriot government. Acting on their suspicions, Cypriot forces arrested the sailors aboard the ship, seized the arms, and stored them at the Evangelos Florakis Naval Base in Zygi, Cyprus, where they had been kept until now.

On Monday, July 11, the gunpowder in these containers was ignited by a brush fire and exploded. Thirteen Cypriots were killed in this massive explosion and fire, including the commander of the Cypriot navy, Andreas Ioannides, and the commander of the base, Lambros Lambrou. The explosion also damaged the most important power plant in Cyprus, which normally supplies 60 percent of the electricity for the island, causing widespread blackouts, reducing water supply, and threatening the nation's economy.

This tragic event is made only more so by the fact that it began with such a great act of leadership on the part of the Cypriot government. I know my colleagues join me in extending our deepest appreciation to the Cypriot government for the actions they took to stop the illegal arms shipment and in expressing our deepest condolences for those who lost their lives and all those who were harmed by this tragic event.

We stand ready to assist the Cypriot people to recover from this accident and look forward to many more years of working together to advance the cause of world peace.

## HAPPY BIRTHDAY JOHN GLENN

## HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Mr. RYAN of Ohio. Mr. Speaker, I rise to extend my very best birthday wishes to the Honorable John Glenn of Ohio on the occasion of his 90th birthday.

John Glenn is an American hero and a true legend. It is difficult to believe that today he is celebrating his 90th birthday. He is a hero in war, a hero in peace and remains a hero in the hearts of his countrymen.

Growing up in New Concord, Ohio, and attending Muskingum College, he was on his way to his girlfriend Annie's organ recital at Brown Chapel when he heard the news that Pearl Harbor had been attacked. That changed their lives and changed America forever.

His incomparable life of service began as a Marine Corps fighter pilot flying the F4U Corsair in the South Pacific in World II and the F9F Panther and F-86 Sabrejet in Korea. In 1957, as part of Project Bullet, he made the first supersonic transcontinental flight from California to New York in a F8U Crusader.

In 1959, he was chosen by the recently established National Aeronautics and Space Administration (NASA) as one of the original seven astronauts for Project Mercury. Next February will be the 50th Anniversary of John Glenn's orbital flight aboard Friendship Seven. Just last month John Glenn and Scott Carpenter, the only two surviving Mercury Astronauts reunited at the Smithsonian National Air and Space Museum in Washington, D.C., to recollect and discuss their historic flights and America's Space program.

Of course we all know that John Glenn did not end his public service at that point. In 1974 he became a U.S. Senator from Ohio and served for 24 years. In 1997, John Glenn announced his retirement from the Senate stating that there was no cure for the common birthday. Nonetheless, in 1998, he returned to space aboard the Space Shuttle Discovery at age 77 to study the effects of space flight on seniors.

You can be sure that John Glenn doesn't stand still. He worked to establish the John Glenn School of Public Affairs at The Ohio State University and he served as Chairman of the National Commission on Math and Science Teaching for the 21st Century.

I have been honored to join him on many occasions at public events in Ohio. He is clearly on the side of maintaining our commitment to the manned space program and disappointed with the decision to end the Space Shuttle Program.

At 90 he is recovering from a knee replacement but still pilots his own plane and admits that his greatest success was not war, space, or politics but 68 years of marriage to his childhood sweetheart, Annie.

Happy Birthday John Glenn. We wish you and Annie all the best.

Mr. Speaker, I ask unanimous consent that a column by Connie Shultz of the Cleveland Plain Dealer be printed following my remarks.

[From the Cleveland Plain Dealer, July 18, 2011]

JOHN GLENN TURNS 90: AN APPRECIATION  
(By Connie Schultz)

Happy birthday, John Glenn

Two summers ago, John and Annie Glenn loaded up their Cadillac, pulled out of their driveway in Columbus and headed west for 8,400 miles of unscheduled adventure.

"We'd seen the Northwest from the air, but we'd never experienced it on the ground," John said. "We wanted to explore from the road."

For a month, they stopped when they felt like it. They took detours whenever the spirit moved them. They made hotel reservations one day at a time, from the road.

"It was like one long date," Annie told me after their return. "We just enjoy each other's company so much."

John was 88 at the time. Annie was 89. They'd been married 66 years by then.

John Glenn—World War II veteran, the first American to orbit the Earth and Ohio's U.S. senator for 24 years—turns 90 today.

He seems unmoved by the milestone.

"Well, you know what they say," he said from his hospital room, where he is recovering from knee surgery. "If I'd known I was going to live this long, I would have taken better care of myself."

If there is any person whom Americans—particularly Ohioans—expect to be hale and hearty at 90, it's John Glenn.

He was 77, after all, when he launched into space for the second time, on the space shuttle Discovery. Not the normal retirement trajectory for a septuagenarian.

To commemorate John's 90th birthday, LIFE.com has posted an online gallery of 25 previously unpublished photos of Glenn. It is worth a visit, for the photographic glimpses into a fascinating life, and time, in America, and for the narrative that unfolds through the captions, such as this one from a 1964 interview with John:

A lot of people ask . . . why a man is willing to risk [everything] on something like this. Well, we've got to do it. We're going into an age of exploration that will be bigger than anything the world has ever seen. I guess I'm putting my family up against some risks. I could do other jobs, which might increase my life expectancy. But this could help my kids, too. I want them to be better off than I was as a young man. With risks, you gain.

John Glenn is still a champion for space exploration. I talked to him on Saturday, four days after his surgery. He was still in the hospital, in some discomfort but refusing to complain.

Until I asked how he felt about the recent end of the U.S. space shuttle program, that is.

"I could talk to you for three hours about that," he said. "The space station is the most unique laboratory we've ever built. The reason we have it is to do research on materials, people, medical matters, pharmaceuticals—the possibilities are nearly endless.

John Glenn dots the "i" in Script Ohio.

John Glenn dots the i Former Ohio Senator John Glenn dots the i with the alumni

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

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



band at halftime of the Ohio State-Navy game on Sept. 5.

"People keep talking about how we have to go to Mars. We may want to go to Mars sometime. But we should . . . maximize the research return for our efforts [on the Space Station] for people here on Earth."

I first met John in 1979, when I was an intern in Washington, D.C. He does not remember our first encounter, of course, which I can hardly hold against him. He was a busy U.S. senator. I was a 22-year-old college kid who couldn't wait to call her dad, who had admired John Glenn all his life.

Twenty-five years later, John and Annie became my friends after I married then-U.S. Rep. Sherrod Brown. In January 2007, John escorted Sherrod on the Senate floor for his swearing-in ceremony. Annie, whose gentle advice during the campaign sustained me, held my hand in the Senate gallery.

It would be wrong to commemorate the remarkable life of John Glenn without also celebrating this woman who has been his wife through all of it. They are virtually inseparable these days, and John is the first to acknowledge that Annie makes life worth living.

Annie is as engaging as she is generous, full of opinions earned by living life at full throttle, even when she was scared to death. And that is a crucial truth about Annie Glenn. Americans rightly "ooh" and "ahh" over John Glenn's courage in space, but let us never forget the hero of a wife who gave her public blessing, and then privately prayed until his safe return.

You don't set out to create a myth or some sort of hero worship around yourself or your colleagues. Glenn told LIFE.com of his years as a test pilot and, especially, as an astronaut. But as it happens, you do become aware of it. Of course you're aware of it. You'd be numb if you weren't aware of it. But honestly, we just tried to live up to it as well as we could.

The Glenns are planning to hit the road again soon. This time, they want to drive through the American Southwest.

"We want to take our time," John said. "We want to see where the road will take us."

I am reminded of what his fellow astronaut Scott Carpenter said to John as he lifted off toward the heavens in 1962:

Godspeed, John Glenn.  
And Annie, too.

### 37TH ANNIVERSARY OF THE ILLEGAL INVASION OF CYPRUS BY THE TURKISH ARMED FORCES

#### HON. NIKI TSONGAS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Ms. TSONGAS. Mr. Speaker, next week marks the 37th anniversary of the illegal invasion of Cyprus by Turkish armed forces. The lengthy duration of this occupation, which consumes nearly 37 percent of Cyprus' territory, is particularly disappointing given the number of multilateral organizations—the U.N., NATO and the EU—who have a vested interest in this dispute and who should work in concert to bring about a peaceful resolution. While some progress has been made, there is still much work to be done. Greek Cypriots have been evicted from their property, and cultural and religious desecration has been widespread. The Turkish government cannot maintain this occupation and hope to ever achieve membership in the EU.

Respect for international law and calls for self-representation must be answered with regard to Cyprus. Turkey must live up to its international responsibilities and return all of Cyprus to the Cypriots. Throughout my tenure in Congress, I have supported a variety of initiatives in support of this outcome including sending letters to President Obama and Secretary Clinton applauding the administration's commitment to exercise U.S. leadership in the negotiation for a just solution on Cyprus. We agree that a solution to the Cyprus problem should result in a single, sovereign country within a bi-zonal, bi-communal federation. Thirty-seven years of discord is long enough; Cypriots deserve a government for them and by them.

Since his election in February 2008, President Demetris Christofias has followed through on his promise to make the solution of the Cyprus problem his top priority and principal concern. In September of 2008, he embarked on negotiations with the then-leader of the Turkish Cypriot community, Mr. Mehmet Ali Talat, under the auspices of the United Nations with U.S. support. The negotiations are now continuing with the new leader of the Turkish Cypriot community, Mr. Dervis Eroglu.

The solution must reunite the island and safeguard the human rights and fundamental freedoms of all Cypriots and the withdrawal of Turkish forces from Cyprus.

WILLIAM "BILL" ALEXANDER

#### HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Mr. SERRANO. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to Mr. William "Bill" Alexander who passed away in April 2011.

William "Bill" Alexander joined my staff shortly after I entered Congress in the early 1990's. Bill, as he was affectionately known, was a proud "Irishman" who had a strong commitment to social justice and equality.

Mr. Speaker, Bill worked to alert and elevate his fellow man to the highest heights. He especially enjoyed assisting young people as they charted their career steps. Because of Bill's commitment to ensure the forward advancement of others, he was the first to provide gainful employment to those who were seeking to start their public service careers in New York State.

As the Director of the Press Corp for New York State, Bill was instrumental in working closely with newly elected assemblymen, senators and the administration in ensuring that the democratic agenda was well prepared and delivered.

Mr. Speaker, Bill was a consummate reader and enjoyed having a drink during a lively discussion. It was during these times at the water hole that he provided you with his best advice. He was never afraid to take a stand for justice or take an opportunity to set the course for a challenging journey. He faced many obstacles both familiar and professional but always maintained a steady course and determined mind.

As we gather here to remember my friend, colleague, mentor and loved one, it comes to mind that the field of journalism in heaven has

been enhanced by one additional writer who sought and fought for justice for all.

TRIBUTE TO THE LATE CONGRESSMAN CHARLES W. WHALEN, JR.

#### HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Mr. VAN HOLLEN. Mr. Speaker, it is with sadness that I advise the House of the death of my constituent and former Member of the House, the Honorable Charles W. Whalen, Jr., on June 2, 2011 at Sibley Hospital in Washington, DC. Rep. Whalen, 90, represented Ohio's Third Congressional District from 1967–79 and had resided with his family in Bethesda, Maryland since 1966.

Prior to his election to the U.S. Congress, Congressman Whalen served for 12 years in the Ohio Legislature and was instrumental in the enactment of Ohio's Fair Housing Law. A liberal Republican, he was first elected to the U.S. House of Representatives in 1966 and was reelected by wide margins in every subsequent election. In fact, in 1974, he was the only Republican who was unopposed in both the primary and general elections.

Upon his election to the House, Congressman Whalen was initially assigned to the House Armed Services Committee and subsequently became a member of the International Affairs Committee. He served on the Subcommittee on Africa and became an expert on that continent, visiting every single country in that vast land mass.

Congressman Whalen, who served as an Army officer in the India-Burma Theater in World War II, developed very strong reservations about and then opposition to the Vietnam War shortly after coming to Washington. His former chief of staff has noted that Congressman Whalen was attending the funeral of a young Marine from Dayton when he found himself unable to justify to grieving relatives the loss of the young man. The memory of that event remained in the forefront of his mind and guided his efforts to do all he could to bring that conflict to an end. Although his early efforts to end the war were not popular, among his most notable achievements was the Nedzi-Whalen Amendment that he co-sponsored with his good friend and colleague, Congressman Lucien Nedzi (D-MI). The bill sought to end military funding in order to bring the war to a swift close. Although it did not pass, the bill mustered a sizable showing in the House, reflecting growing sentiment to end the war.

Congressman Whalen was a prolific writer, authoring or coauthoring five books. "How to End the Draft: The Case for the All-Volunteer Army," published in 1967 and co-authored with four other GOP moderates, proposed the end of the draft. Most of its recommendations were later adopted by the Nixon Administration, which fashioned them into the legislation that created the all-volunteer military that we have today. His landmark book, "Your Right to Know," endorsed the right of reporters to keep sources confidential. Published in 1973, this book is used today in many journalism, political science and law courses. Congressman Whalen coauthored two works of history with his wife, Barbara: "The Longest Debate: A

Legislative History of the 1964 Civil Rights Act" (1985) and "The Fighting McCooks: America's Famous Fighting Family" (2006), which told the story of two Ohio brothers and their 13 sons who served in the Union Army during the Civil War.

Congressman Chuck Whalen, who has been laid to rest in Dayton, Ohio, was a great and courageous American who worked tirelessly for his constituents and his country. He was widely respected by members of both parties and showed that it was possible for reasonable people to differ and maintain civility at the same time. His was an example that we all should follow.

I would like to insert in the CONGRESSIONAL RECORD Congressman Whalen's obituaries from the Washington Post and the New York Times.

[From the New York Times, June 30, 2011]

C.W. WHALEN JR., 90, DIES; LED VIETNAM WAR DISSENT

(By William Grimes)

Charles W. Whalen Jr., a six-term congressman from Ohio who led Republican opposition to the Vietnam War and espoused a variety of liberal causes, died on Monday in Washington. He was 90.

His death was confirmed by a nephew, Jim Whalen.

Mr. Whalen, a former economics professor and state legislator from Dayton, won election from Ohio's Third District in 1966 and, on taking office, quickly moved to the forefront of liberal Republicans opposed to the war, a position he articulated forcefully as a member of the Armed Services Committee.

In 1967 he joined with four colleagues who belonged to the liberal Republican club known as the Wednesday Group to write a detailed proposal to end the draft and establish an all-volunteer military within five years.

The recommendations in "How to End the Draft: The Case for an All-Volunteer Army" included increased pay, improved retirement benefits, expanded educational programs and a greater advertising budget for recruitment. Most were adopted over the next several years.

In the early 1970s Mr. Whalen was the sponsor or a co-sponsor of several unsuccessful amendments aimed at cutting the military's budget, ending the draft or imposing a deadline to withdraw all American troops from Southeast Asia.

A free-market conservative, he opposed the Vietnam War largely for economic reasons. The money could be put to better use, he argued, addressing domestic problems normally thought of as the preoccupation of liberals, like education, social injustice and urban decline.

A survey by Congressional Quarterly in 1974 found that he had voted against a majority of his Republican colleagues 72 percent of the time the previous year.

Mr. Whalen also took a resolute stand in favor of press freedom, especially the right of journalists to protect confidential sources. He addressed the subject in "Your Right to Know" (1973), to which the CBS anchorman Walter Cronkite contributed a foreword.

Charles William Whalen Jr., known as Chuck, was born on July 31, 1920, in Dayton. He attended the University of Dayton, where he received a degree in business education in 1942. During World War II he served with the Army in the China, India and Burma theater.

After earning a master's degree in business administration from Harvard in 1946, he became vice president of the Dayton Dress Company, owned by his father.

In the early 1950s he began teaching at the University of Dayton, where he became

chairman of the economics department in 1962. He served in the state's General Assembly for 12 years, writing the state's first fair-housing law, before winning election to the House of Representatives in 1967.

He was hugely popular in his home district, even though Democrats and Independents far outnumbered Republicans, and even though his antiwar stance threatened jobs at Wright-Patterson Air Force Base, near Dayton.

A tireless door-to-door campaigner, in 1970 and 1972 he carried his district with three-quarters of the vote. In 1974 he was the only congressman to run unopposed in both the primary and the general election.

He retired in 1979, tired of the increasing friction with local party officials and Republican leaders in Washington, who found him too liberal. He also expressed frustration with Congress as an agent for change.

"We've come to realize there is a limit to our powers," he told *The New York Times* in 1978, explaining why he and several other House members were not running for re-election. "We have a feeling that we're not as powerful as we thought we were."

After leaving office, he became a Democrat.

He spent much of his time in retirement doing the research for two works of history that he wrote with his wife, Barbara, a former journalist: "The Longest Debate: A Legislative History of the 1964 Civil Rights Act" (1985) and "The Fighting McCooks: America's Famous Fighting Family" (2006), about two Ohio brothers and their 13 sons who served in the Union Army during the Civil War.

Mr. Whalen, who lived in Bethesda, Md., is survived by his wife and their six children, Charles, of Delray Beach, Fla.; Daniel, of Washington; Edward, of Reston, Va.; Joseph, of Lambertville, N.J.; Anne McLindon of Bethesda; and Mary Scherer of Brambleton, Va.; and seven grandchildren.

[From the Washington Post, June 28, 2011]

CHARLES W. WHALEN, JR., SIX-TERM OHIO GOP CONGRESSMAN, DIES AT 90

(By Emma Brown)

Charles W. Whalen, Jr., an Ohio Republican who criticized military spending and U.S. involvement in the Vietnam War during his six terms in Congress, died June 27 of renal failure at Sibley Memorial Hospital in Washington. He was 90 and lived in Bethesda.

Mr. Whalen had served in both houses of the Ohio General Assembly before he won election to the U.S. House in 1966 as a representative from a district centered on Dayton, a largely middle-class factory town. During his 12 years in office, he built a reputation as one of the most liberal Republicans in the House.

He served on the Committee on International Relations (now Foreign Affairs) but was perhaps best-known for his years as the most vocal Republican dove on the Armed Services Committee. He was one of the panel's "Fearless Five," known for raising the ire of Chairman Mendel Rivers (D-S.C.) for insisting on scrutiny of military spending requests.

Mr. Whalen also co-sponsored several Vietnam troop-withdrawal bills and the unsuccessful 1971 Nedzi-Whalen amendment, which would have cut off military spending for weapons.

He was an early and outspoken proponent of ending military conscription in the United States. In 1967, he and four other members of the Wednesday Group—an informal group of liberal and moderate House Republicans—wrote a report describing how the country could successfully build an all-volunteer Army within five years.

That report helped make draft reform an issue in the 1968 presidential election, according to a history of that period published by the Army in 1996, and both political parties came out in favor of ending compulsory service. The draft ended in 1973.

Mr. Whalen won his reelection campaigns handily but found himself increasingly distant from the GOP establishment, both in his home state and in Washington. He decided to retire rather than run again in 1978.

"I had more trouble every year with the Republicans," he told the *Dayton Daily News* in 2001. "I just decided I might as well give it up."

In 1979, after leaving office, he registered as a Democrat.

Charles William Whalen, Jr. was born in Dayton on July 31, 1920. He graduated from the University of Dayton in 1942 and received a master's degree in business administration from Harvard University in 1946.

During World War II, Mr. Whalen served with the Army in the China-Burma-India theater.

He was the vice president of his father's dress factory in Dayton and an economics professor at the University of Dayton before entering politics in 1955 as a representative in the General Assembly.

He won election in the U.S. House over a one-term Democratic incumbent after walking an estimated 880 miles through the neighborhoods of Dayton to ring strangers' doorbells and introduce himself. He also pulled a child's wagon at least 100 miles, according to a 1966 *Washington Post* account, from which he dispensed recipes for chicken supreme.

In retirement, he lobbied on foreign affairs issues and served as a fellow at the Woodrow Wilson International Center for Scholars.

He had written a book while in Congress—"Your Right to Know" (1973)—in support of reporters' privilege to protect confidential sources. He went on to write several books with his wife, journalist Barbara Gleason Whalen, including "The Fighting McCooks" (2006), about a family that sent 17 members to fight in the Civil War.

"The Longest Debate: A Legislative History of the 1964 Civil Rights Act" (1985), about the protracted and difficult negotiations over the landmark legislation, won praise in a *Post* review by historian Howard Zinn.

"The Whalens' account of the compromises, the deals, the deceptions, the behind-the-scenes maneuvering," Zinn wrote, "is a fascinating lesson in how a bill really gets passed."

In addition to Mr. Whalen's wife of 52 years, survivors include six children, Charles Whalen of Delray Beach, Fla., Daniel Whalen of the District, Edward Whalen of Reston, Joseph Whalen of Lambertville, N.J., Anne McLindon of Bethesda and Mary Scherer of Brambleton; and seven grandchildren.

#### COMMEMORATING THE 17TH ANNIVERSARY OF THE ATTACK ON AMIA

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 18, 2011

Ms. ROS-LEHTINEN. Mr. Speaker, today marks the anniversary of the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina.

Seventeen years ago, the Iranian regime, through the coordinated efforts of its embassy and extremist proxy Hezbollah, committed one of the deadliest attacks in Argentine history.

The events that transpired on July 18, 1994 served as a perilous forewarning of the emerging threat of radical Islamist militants in the Hemisphere and their state-sponsors.

The attack on the AMIA Jewish Community Center of Buenos Aires took the lives of 85 men, women, and children, and left over 300 others wounded.

This precise location was targeted because it serves as the symbol of Jewish cultural life in a country that is home to the largest Jewish community in Latin America.

The attack is consistent with the Iranian regime's attitude toward the Jewish people in general, and toward the State of Israel in particular.

Only two years earlier, Islamic Jihad—a violent extremist organization with ties to Hezbollah—claimed responsibility for a similarly deadly attack on the Israeli Embassy in Buenos Aires.

Israeli officials determined that Iran, including high-ranking regime officials, had been informed about the plans for the embassy attack and had, in fact, given the authorization for its execution.

Tehran has made no effort to hide its anti-Semitic spew or its intent to destroy the State of Israel.

And in the years since, the Iranian regime has only deepened its network of proxy extremist groups and its unapologetic support of deadly activities worldwide.

This is evidenced, not just by its continued alliance with extremist entities which target civilians to advance their destructive agenda, but also by the fact that those directly responsible for the attack, as determined by the Government of Argentina, continue to serve as high ranking officials in the Iranian regime.

One such example is the current Iranian Defense Minister, Ahmed Vahidi.

Vahidi is facing an international arrest warrant issued by INTERPOL, but he remains a prominent figure in the regime.

In fact, at the invitation of Evo Morales, Vahidi travelled to Bolivia just last month to attend the opening of an ALBA military academy.

Encouraged by Venezuela's Hugo Chavez, Iran has forged an unholy alliance with several countries in the region based on their shared rejection of freedom and democratic values.

Even in the wake of Iran's brutal crackdown on its citizens after the fraudulent so-called "elections" in 2009, the ties between the Iranian regime and the ALBA countries has only strengthened.

These alliances, and the resources and capacity they provide to Iran, are especially disturbing as the United States and other responsible nations are working to isolate the Iranian regime for its support of extremism and pursuit of nuclear weapons.

And so, as we remember the attack on the AMIA 17 years ago, we must do so within the broader, stark, and growing threat posed by the regime.

On that note, Mr. Speaker, I would draw attention to the strongly bipartisan Iran Threat Reduction Act, which I recently introduced together with Ranking Member BERMAN, and which has almost 200 cosponsors.

This legislation builds upon current law, closes loopholes, and provides for comprehensive action to address the totality of the threat posed by Tehran.

I look forward to its consideration by the whole House.

Mr. Speaker, I would also note that earlier this week, INTERPOL issued Red Notices for the arrest of four members of Hezbollah, which is sponsored by Iran, after they were indicted by the Special Tribunal for Lebanon for their roles in the assassination of former Lebanese Prime Minister Rafiq Hariri in 2005.

This should serve as a further reminder of the lengths to which Iran and its allies are ready, willing, and able to cause destruction and to wantonly violate international norms and obligations in multiple regions.

On July 18, 1994, the world was witness to an act of true evil perpetrated by the ruthless Iranian regime.

And as we mark the 17th anniversary of this attack and honor the victims and survivors of that day, we must recommit ourselves to holding the Iranian regime accountable for the AMIA attack and for the threat it poses to U.S., regional, and global security.

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HONORING GERONIMO JI JAGA  
PRATT

**HON. BARBARA LEE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Ms. LEE. Mr. Speaker, I rise today to honor the extraordinary life of Geronimo ji Jaga Pratt. A powerful human rights activist, a decorated veteran, a loving partner, father, grandfather, brother, mentor and friend, Geronimo was also a survivor and a fearless harbinger of change. He was a man who inspired so many to advocate for social justice, civil rights and judicial reform, and his story of resilience will be a timeless call to action for all who stand for justice. Geronimo was taken from us too soon on June 2, 2011, in his adopted country of Tanzania. Today, let us find comfort in the joy he inspired and the extensive legacy of his life's work.

Born Elmer G. Pratt on September 13, 1947, in rural Morgan City, Louisiana, Geronimo was the youngest of seven children born to hard-working parents. After high school, where he was a football quarterback, Geronimo joined the Army, earning two Purple Hearts and emerging a sergeant after two tours in Vietnam. Geronimo moved west, where he attended the University of California, Los Angeles to study political science and play football. In 1969, his political inclinations and commitment to social justice led him to assume a leadership position with the city's Black Panther Party.

As the leader of the L.A. Chapter of the Black Panthers, Geronimo became a target of the subversive and immoral FBI COINTELPRO counterintelligence campaign against perceived enemies of the U.S. government. In a tragic series of events, Geronimo was falsely accused, convicted and imprisoned for a crime he did not commit, in fact, he was nearly 400 miles away from the scene of the crime. His subsequent 27-year imprisonment, including eight years in solitary confinement, galvanized Free Geronimo campaigns throughout national and international progressive communities. By the time of his overturned conviction and release in 1997, Geronimo had become the symbol of an era and the unceasing fight for human rights.

Rather than dwell on the atrocities that had been committed against him, Geronimo be-

came a positive mentor for young men and women who he believed to be wrongfully convicted of crimes. He later divided his time between Louisiana and Tanzania, where he fostered humanitarian programs for the poor, including projects to provide water and solar power for hundreds of African families.

It is with a very heavy heart that I say goodbye to Geronimo today. As a young mother, bagging groceries, working on the survival rallies, selling newspapers, helping to organize the Panther school, and raising money for candidates of the Black Panther Party, my life was touched by Geronimo's leadership and strength. It was through that often tumultuous experience, and the inspiring people I met, that I entered the political arena. During the time of Geronimo's imprisonment, I remember leveraging my position as the chairwoman of the State Legislature's Black Caucus to bring his case to greater prominence. Despite the injustices he endured, Geronimo was an uplifting force and a great inspiration to me and the entire global community. I will miss him dearly.

Today, California's 9th Congressional District salutes and honors Geronimo ji Jaga Pratt. His life was about seeking justice for those who had no justice. And, his legacy will serve as a reminder that we must always be vigilant of those who aim to suppress freedom, opposition and basic human rights. Geronimo will be remembered for his strong sense of dignity, humility and his generous service to others. He truly epitomized the indomitability of the human spirit. We extend our deepest condolences to Geronimo's family and his extended group of loved ones. He will be deeply missed.

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DEFENSE APPROPRIATIONS FOR  
FISCAL YEAR 2012, H.R. 2219

**HON. BETTY MCCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Ms. MCCOLLUM. Mr. Speaker, since the start of the new Congress in January, the Tea Party Republican majority has been telling the American people our country is "broke." During debate over the Federal budget, the majority has argued the unprecedented fiscal crisis facing Congress demands huge spending cuts to programs our constituents need and to investments that make our communities and country strong. Then, starting with H.R. 1, Republicans voted overwhelmingly for massive cuts to food safety, public safety, schools, life-saving health research, roads and bridges, clean energy alternatives, and nutrition for hungry children and nursing mothers.

Cut \$650 million from emergency nutrition assistance for hungry infants and mothers? Republicans said yes.

Cut \$35 million from food safety and food inspectors that keep families healthy and safe? Republicans said yes.

Cut \$1.3 billion from community health centers for the poor? Republicans said yes.

But now that the \$649 billion Pentagon funding bill for Fiscal Year 2012 (H.R. 2219) has reached the House floor, Republicans' dire fiscal warnings and collective eagerness to cut government spending are going out the window, and the spending spigot is being turned on full blast.

The numbers tell the story. The Republican majority is proposing a \$17 billion increase to the defense budget while slashing funding in every other appropriations bill. At \$649 billion, the Pentagon's budget amounts to more government spending than all other Federal agencies combined and accounts for over 50 percent of all discretionary spending in the Federal budget. The party that lectures endlessly about deficit reduction, cutting government spending and shrinking the size of government is increasing the Federal Government's largest spending category.

Republicans claim these increases in defense spending are essential for national security. But Chairman of the Joint Chiefs of Staff Admiral Mike Mullen doesn't agree. In fact, Admiral Mullen is making the opposite argument, saying the Pentagon has not been forced to cut unnecessary or ineffective spending. In an April 28, 2011 speech in Washington, he said: "with the increasing defense budget, which is almost double, it hasn't forced us to make the hard trades. It hasn't forced us to prioritize. It hasn't forced us to do the analysis. And it hasn't forced us to limit ourselves . . ."

Since 2001, the Pentagon's budget has increased by seventy percent. The enormous size and rapid growth of the defense budget means that any Member of Congress who is not working to cut the defense budget is not serious about deficit reduction.

Mr. Speaker, I am serious about confronting the fiscal crisis facing America. And, as an appropriator, I take seriously my job of eliminating unnecessary spending and ineffective programs in every appropriations bill and every Federal agency—including the Department of Defense.

That is why I reviewed the 2012 defense budget to identify spending cuts that would promote fiscal responsibility without compromising national security. During debate on H.R. 2219, I offered three amendments to accomplish this goal. The first of these amendments cuts \$124.8 million from the Pentagon's \$324.8 million budget for military bands. The second cuts \$150 million for the military's Task Force for Business and Stability Operations in Afghanistan which supports business development, not a core function of the Defense Department, including such initiatives as sourcing cashmere for New York fashion designer Kate Spade. Finally, my third amendment limits taxpayer dollars being spent by the military to sponsor NASCAR, the National Hot Rod Association, and other motorsports racing teams to \$20 million, down from an estimated \$63 million.

Military music. Mission creep. Corporate handouts. That is what my amendments target for cuts. The dollar savings from my amendments are modest by Pentagon standards. Still, in the midst of a fiscal crisis, I feel a responsibility to cut spending that is not central to the military's core mission of protecting the American people. Based on all the anti-spending rhetoric from House Republicans, the American people may expect strong bipartisan support for these ideas. Instead, with America watching, Republicans fiercely opposed my common-sense spending reductions.

My Republican colleagues argued that limiting spending on military bands to \$200 million next year would be "highly detrimental to our armed forces." Republican Members claimed my amendment to limit taxpayer sub-

sidies for NASCAR to \$20 million "may result in thousands of young Americans missing out on the chance to serve our nation in uniform, earn G.I. Bill benefits and ultimately attain a college degree." These wildly inflated claims have no relationship with reality or national security.

Most disappointing, some House Republicans dismissed my amendments as insignificant reductions in the context of the overall budget. But that is not the "every dollar counts" approach they took when slashing funding for domestic agencies. Republicans justified their \$35 million cut to food safety by arguing it was imperative for deficit reduction. My \$124.8 million savings in the military band budget is much larger—and it won't put America's children at increased risk of food-borne illness.

Representative BARNEY FRANK offered House Republicans the opportunity to vote for the significant budget savings they claimed to seek. The Frank amendment cut the proposed increase in the Pentagon budget by half. I strongly supported this amendment to save taxpayers approximately \$8 billion and force the Pentagon to do what Admiral Mullen has not yet been asked to do: analyze, prioritize and make tough choices in a time of fiscal crisis. But Republicans overwhelmingly voted to defeat the Frank amendment when it failed 181-244.

The debate on the Fiscal Year 2012 Defense Appropriations bill (H.R. 2219) should be a wake up call for America about Republican hypocrisy. The Republicans' fight to protect wasteful subsidies in defense while cutting programs that protect American families from deadly outbreaks reveals they are not opposed to government spending—only the spending they don't like. The opposition to deficit reducing amendments that I and other Democrats offered shows House Republicans aren't opposed to growing the size of government—as long as that growth occurs at the Pentagon, in the tax code, and other areas they support.

Seventy-three amendments were offered to H.R. 2219. Only one amendment to reduce spending in this \$649 billion bill was approved by the House—my amendment to cut \$124.8 million from the military band budget. Some of my colleagues called it a symbolic victory. I see it as a symbol of a much bigger problem.

Staring in 2001, wasteful tax cuts and two wars gave America the fiscal crisis we face today. Admiral Mullen has testified to Congress the nation's dire financial outlook is "our biggest national security threat." America finds itself confronting a strange reality of needing to cut the Pentagon to secure the country.

Without Republican support for cuts to defense spending, it will be almost impossible to put the country back on a sustainable fiscal course. But if my Republican colleagues will fight to protect \$324.8 million for military bands it is unlikely Congress will have the votes to make much harder choices on Pentagon reforms that produce significant deficit reduction, such as repositioning our forces in Europe, cutting failed weapons programs, or updating our nuclear weapons strategy. And if the Tea Party-controlled House rejects my attempt to limit taxpayer spending on racecar decals and drivers to \$20 million, Americans should question the Republican majority's commitment to deficit reduction.

Mr. Speaker, I urge my colleagues to join me in opposing H.R. 2219.

## PERSONAL EXPLANATION

**HON. CAROLYN MCCARTHY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Mrs. MCCARTHY of New York. Mr. Speaker, I was unavoidably absent on July 11, 2011. Had I been present, I would have voted on the following: rollcall No. 534—on agreeing to the amendment (Tierney)—"aye;" rollcall No. 535—on agreeing to the amendment (Graves)—"nay;" rollcall No. 536—on agreeing to the amendment (Scalise)—"aye;" rollcall No. 537—on agreeing to the amendment (Woodall)—"nay;" rollcall No. 538—on agreeing to the amendment (McClintock)—"nay".

## GOOD LUCK TO THE 2011 SOLAR CAR CHALLENGE TEAMS

**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Mr. BURGESS. Mr. Speaker, I rise today to recognize and welcome the 2011 Solar Car Challenge taking place in the 26th Congressional District at Texas Motor Speedway over four days: Monday, July 18th through Thursday, July 21. The 16th annual Solar Car Challenge is a solar-powered car race for high school students. This year's challenge is a four-day closed track race that provides high school students from across the country a hands-on experience in designing, engineering, building, and racing their own roadworthy solar cars.

Each event is the end product of a two year education cycle. On odd-numbered years, the race is a cross-country event. On even-numbered years, the event is a track race around the 1.5 mile oval at Texas Motor Speedway. The team driving the most laps accumulated over the four days of racing will be declared the winner.

I am proud that out of the sixteen teams participating in this year's challenge, two are from my congressional district. Racing in "Cat 2.0", the Bobcats Solar Racing Team of Byron Nelson High School in Trophy Club is captained by Matthew Klauser; their advisor is Darren Klauser. Liberty Christian School in Argyle will be racing in "Aurora"; their team captains are Cameron Balkey and Preston Collins; advisor is Ken Marko.

I would like to salute Dr. Lehman Marks, the Solar Car Challenge Event Coordinator, as well as all the Solar Car Teams' advisors, captains, and members who were instrumental in the support and building of these remarkable vehicles.

Mr. Speaker, I proudly rise today to commend the hard-working and visionary students comprising the Solar Car Challenge Teams and wish them a great competition. It is an honor to have this event take place within the 26th District at Texas Motor Speedway for the sixth time.

## PERSONAL EXPLANATION

**HON. STEVE KING**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Mr. KING of Iowa. Mr. Speaker, on rollcall No. 138, I was detained off the House floor during this 2 minute vote series and was unable to cast my vote before the vote was closed.

Had I been present, I would have voted "yes."

## PERSONAL EXPLANATION

**HON. JEFF DENHAM**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Mr. DENHAM. Mr. Speaker, unfortunately, I was unavoidably detained during rollcall vote 598 on July 15, 2011, leaving me unable to cast my official vote in opposition. If I were present at the time of the vote, I would have cast a "nay" vote because we cannot continue to waste taxpayer money and should not continue to try and substitute government for the role of parents in children's lives. I am pleased that Congress was able to act on this amendment and I look to the Senate for its expedited review and hope that the President will subsequently sign into law H.R. 2354, in which the amendment is contained. Our families deserve the prudent fiscal allocation of taxpayer money.

## HONORING THE SPECIAL OLYMPICS MARYLAND SOCCER TEAM

**HON. STENY H. HOYER**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Mr. HOYER. Mr. Speaker, I rise today to congratulate a remarkable team from Maryland's Fifth Congressional District who, last month, proved that practice, perseverance, and teamwork can lead to victory. On July 2, Team USA, consisting entirely of athletes from St. Mary's County, Maryland, defeated Spain in the 2011 Special Olympics World Summer

Games Men's Soccer Championship match in Athens, Greece. They are the first U.S. team to bring home the gold in this event.

In a come-from-behind win, Team USA emerged triumphant over the Spanish team with a 2-1 victory. Avery Long, who had never touched a soccer ball before this year, scored both the tying and winning goals. On the first, he was assisted by team member Larry Mills. With only two goals scored against him in the entire tournament, goalie Alan Hill can take great pride in being the most successful goalie in the 2011 games. TEAM USA was rounded out by Sam Huffman, Steven Summerfelt, Wesley Thompson, Sack Hall, Terrel Nowlin, Thomas Smith, and Shaun Ridley. All of these men can take great pride in the culmination of their hard work and dedication.

So, too, can the team's leadership and coaching staff—Director Mary Lu Bucci, Head Coach John Toner, Assistant Coach Ken Cohen, and Manager Minter Willis. Together they have a combined total of 74 years of experience with Special Olympics in Southern Maryland.

I also want to pay tribute to the 7 additional members of Special Olympics Maryland who traveled to Athens to be among the 7,500 athletes from 185 countries to participate in the 2011 World Summer Games. They are: Syd Lea (Cycling), Randi Penebugh (Powerlifting), James Purnell (Kayaking), Samantha DiSanti (Kayaking), Zachary Poston (Swimming), and James Dietrich and his Unified Partner, Robert Battista (Sailing).

In all, Team Maryland achieved tremendous success, winning a total of ten medals—8 of which were gold. I want to congratulate them on their impressive achievements and I ask that all Americans join with me in applauding these outstanding individuals who have brought great pride to our nation.

## RECOGNITION OF ASIWPCCA ON THE OCCASION OF ITS 50TH ANNIVERSARY

**HON. JOHN L. MICA**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Mr. MICA. Mr. Speaker, I rise to congratulate the Association of State and Interstate Water Pollution Control Administrators, ASIWPCCA, on the occasion of its 50th anniversary.

ASIWPCCA is an independent, nonpartisan, national organization of state and interstate water program directors, who everyday works on implementing water quality programs under the Clean Water Act, CWA. Founded in 1961, ASIWPCCA was created by the states, to serve the states, and is the only nationally recognized organization completely led by state water directors. After five decades the ASIWPCCA continues to protect and restore America's watersheds to achieve "clean water everywhere for everyone."

Long before the enactment of the Clean Water Act, state and interstate professionals—including those from my own State—were working together through ASIWPCCA to protect and improve water quality across America. In addition to serving as a liaison among these officials, ASIWPCCA facilitates state communication with the federal government and promotes public education. ASIWPCCA has built credible collaborative relationships with Congress, the United States Environmental Protection Agency, the United States Geological Survey, and the United States Department of Agriculture. ASIWPCCA is a key contributor in the legislative, regulatory, and policy arenas. When the federal government collaborates with states through ASIWPCCA, better regulations are drafted, superior policy is created, and the public is better served.

As the chair of the House Transportation and Infrastructure Committee, I can attest to the fact that ASIWPCCA has met and exceeded the goals its founders established 50 years ago. In the future, we look to ASIWPCCA to continue their work to help states develop and implement sound water quality policies that advance clean water and a healthy environment. This benefits all Americans, including those in my home State of Florida.

Mr. Speaker, in light of ASIWPCCA's state membership, national leadership on water quality issues, mission to serve the public, state government representation, and proven track record and collaboration efforts, it is my sincere pleasure to congratulate ASIWPCCA on the occasion of its 50th anniversary. The Transportation and Infrastructure Committee has relied on ASIWPCCA's assistance and expertise for decades and will undoubtedly continue to do so as we seek to protect and restore our Nation's waters in the future.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, July 19, 2011 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 20

Time to be announced  
Health, Education, Labor, and Pensions  
Business meeting to consider any pending nominations.  
Room to be announced

10 a.m.  
Commerce, Science, and Transportation  
To hold hearings to examine building American transportation infrastructure through innovative funding.  
SR-253

Banking, Housing, and Urban Affairs  
Economic Policy Subcommittee  
To hold hearings to examine access to capital, focusing on fostering job creation and innovation through high-growth startups.  
SD-538

Foreign Relations  
To hold hearings to examine the nominations of Earl Anthony Wayne, of Maryland, to be Ambassador to Mexico, and Arnold A. Chacon, of Virginia, to be Ambassador to the Republic of Guatemala, both of the Department of State.  
SD-419

Homeland Security and Governmental Affairs  
To hold hearings to examine Federal regulation, focusing on a review of legislative proposals, part II.  
SD-342

Judiciary  
To hold hearings to examine S. 598, to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, focusing on assessing the impact of the Defense of Marriage Act on American families.  
SH-216

Environment and Public Works  
Transportation and Infrastructure Subcommittee  
To hold an oversight hearing to examine the Yellowstone River oil spill.  
SD-406

2 p.m.  
Armed Services  
Personnel Subcommittee  
To hold hearings to examine providing legal services by members of the Judge Advocate Generals' Corps.  
SR-232A

2:30 p.m.  
Commerce, Science, and Transportation  
Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee  
To hold hearings to examine looking to the future, focusing on, lessons in prevention, response, and restoration from the Gulf oil spill.  
SR-253

United States Senate Caucus on International Narcotics Control  
To hold hearings to examine counter-narcotics efforts in Afghanistan, focusing on future counternarcotics efforts in the country as United States troop levels are reduced in the coming years.  
SD-562

JULY 21

9:30 a.m.  
Armed Services  
To hold hearings to examine the nominations of James A. Winnefeld, Jr., USN for reappointment to the grade of admiral and to be Vice Chairman of the Joint Chiefs of Staff, General Raymond T. Odierno, USA for reappointment to the grade of general and to be Chief of Staff, United States Army, and General William M. Fraser III, USAF for reappointment to the grade of general and to be Commander, United States Transportation Command, all of the Department of Defense.  
SH-216

10 a.m.  
Agriculture, Nutrition, and Forestry  
To hold hearings to examine the nomination of Mark P. Wetjen, of Nevada, to be a Commissioner of the Commodity Futures Trading Commission.  
SD-G50

Banking, Housing, and Urban Affairs  
To hold hearings to examine enhanced oversight after the financial crisis, focusing on the "Wall Street Reform Act" at one year.  
SD-538

Energy and Natural Resources  
Business meeting to consider S. 916, to facilitate appropriate oil and gas development on Federal land and waters, to limit dependence of the United States on foreign sources of oil and gas, and S. 917, to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf.  
SD-366

Environment and Public Works  
To hold hearings to examine legislative issues for transportation reauthorization.  
SD-406

Judiciary  
Business meeting to consider S. 1231, to reauthorize the Second Chance Act of 2007, S. 27, to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market, S. 1228, to prohibit trafficking in counterfeit military goods or services, S. 401, to help Federal prosecutors and investigators combat public corruption by strengthening and clarifying the law, S. 657, to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty, S. 409, to ban the sale of certain synthetic drugs, S. 605, to amend the Controlled Substances Act to place synthetic drugs in Schedule I, S. 839, to ban the sale of certain synthetic drugs, and the nominations of

Steve Six, of Kansas, to be United States Circuit Judge for the Tenth Circuit, Christopher Droney, of Connecticut, to be United States Circuit Judge for the Second Circuit, Robert David Mariani, to be United States District Judge for the Middle District of Pennsylvania, Cathy Bissoon, and Mark Raymond Hornak, both to be a United States District Judge for the Western District of Pennsylvania, Robert N. Scola, Jr., to be United States District Judge for the Southern District of Florida, and Clayton D. Johnson, to be United States Marshal for the Northern District of Oklahoma, Department of Justice.  
SD-226

10:30 a.m.  
Foreign Relations  
To hold hearings to examine the nomination of Sung Y. Kim, of California, to be Ambassador to the Republic of Korea, Department of State.  
SD-419

2 p.m.  
Health, Education, Labor, and Pensions  
To hold hearings to examine improving for-profit higher education, focusing on a roundtable discussion of policy solutions.  
Room to be announced

Aging  
To hold hearings to examine reducing drug costs to Medicare.  
SD-106

2:15 p.m.  
Indian Affairs  
To hold an oversight hearing to examine floods and fires, focusing on emergency preparedness for natural disasters in the native communities.  
SD-628

2:30 p.m.  
Commerce, Science, and Transportation  
Surface Transportation and Merchant Marine Infrastructure, Safety, and Security Subcommittee  
To hold hearings to examine making our roads safer, focusing on reauthorization of the Motor Carrier Safety Programs.  
SR-253

Intelligence  
To hold closed hearings to examine certain intelligence matters.  
SH-219

JULY 22

9:30 a.m.  
Commission on Security and Cooperation in Europe  
To hold hearings to examine minority at risk, focusing on Coptic Christian in Egypt and renewed concerns over reports of disappearance, forced conversions and forced marriages of Coptic Christian women and girls.  
210, Cannon Building

JULY 26

2 p.m.  
Homeland Security and Governmental Affairs  
Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee  
To hold hearings to examine Federal workers' compensation.  
SD-342

JULY 27

2 p.m.  
 Armed Services  
 Readiness and Management Support Subcommittee  
 To hold hearings to examine financial management and business transformation at the Department of Defense.

SR-232A

JULY 28

2:15 p.m.  
 Indian Affairs  
 To hold an oversight hearing to examine enforcing the "Indian Gaming Regulatory Act", focusing on the role of the National Indian Gaming Commission and tribes as regulators.

SD-628

2:30 p.m.  
 Energy and Natural Resources  
 National Parks Subcommittee  
 To hold hearings to examine S. 264, to direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, S. 265, to authorize the acquisition of core battlefield land at Champion Hill, Port Gibson, and Raymond for addition to Vicksburg National

Military Park, S. 324, to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission, S. 764, to amend the Wild and Scenic Rivers Act to make technical corrections to the segment designations for the Chetco River, Oregon, S. 864, to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California, S. 883, to authorize National Mall Liberty Fund D.C. to establish a memorial on Federal land in the District of Columbia to honor free persons and slaves who fought for independence, liberty, and justice for all during the American Revolution, S. 888, to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System, S. 925, to designate Mt. Andrea Lawrence, S. 970, to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System, S. 1063, to allow for the harvest of gull eggs by the Huna Tlingit people within Glacier Bay National Park in the State of

Alaska, S. 1134, to authorize the St. Croix River Crossing Project with appropriate mitigation measures to promote river values, and S. 1235, to recognize the memorial at the Navy UDT-SEAL Museum in Fort Pierce, Florida, as the official national memorial of Navy SEALs and their predecessors.

SD-366

AUGUST 3

10 a.m.  
 Health, Education, Labor, and Pensions  
 Business meeting to consider S. 958, to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, and S. 1094, to reauthorize the Combating Autism Act of 2006 (Public Law 109-416), an original bill entitled, "Workforce Investment Act Reauthorization of 2011", and any pending nominations.

SD-430

Judiciary  
 To hold hearings to examine cybercrime, focusing on updating the "Computer Fraud and Abuse Act" to protect cyberspace and combat emerging threats.

SD-226

**CORRECTION**

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S4623–S4646*

**Measures Introduced:** Seven bills and one resolution were introduced, as follows: S. 1376–1382, and S. Con. Res. 25. **Pages S4640–41**

#### Measures Reported:

Report to accompany S. 951, to improve the provision of Federal transition, rehabilitation, vocational, and unemployment benefits to members of the Armed Forces and veterans. (S. Rept. No. 112–36)

S. 300, to prevent abuse of Government charge cards, with amendments. (S. Rept. No. 112–37)

Report to accompany S. 49, to amend the Federal antitrust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads. (S. Rept. No. 112–38) **Page S4640**

#### Measures Passed:

**Republic of South Sudan Independence:** Senate agreed to S. Con. Res. 25, welcoming the independence of the Republic of South Sudan, congratulating the people of South Sudan for freely and peacefully expressing their will through an internationally accepted referendum, and calling on the Governments and people of Sudan and South Sudan to peacefully resolve outstanding issues including the final status of Abyei. **Pages S4644–45**

#### Measures Considered:

**Military Construction and Veterans Affairs, and Related Agencies Appropriations Act—Agreement:** Senate resumed consideration of H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, taking action on the following amendments proposed thereto: **Pages S4629–30**

Pending:

Coburn (for McCain) Amendment No. 553, to eliminate the additional amount of \$10,000,000, not included in the President’s budget request for fiscal year 2012, appropriated for the Department of De-

fense for planning and design for the Energy Conservation Investment Program. **Page S4629**

Johnson (SD) Modified Amendment No. 556, of a perfecting nature. **Page S4629**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 12 p.m., on Tuesday, July 19, 2011. **Page S4645**

**Nomination Confirmed:** Senate confirmed the following nomination:

By 80 yeas 13 nays (Vote No. EX. 112), J. Paul Oetken, of New York, to be United States District Judge for the Southern District of New York. **Pages S4630–31, S4633–34, S4646**

**Nominations Received:** Senate received the following nominations:

Bruce J. Sherrick, of Illinois, to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation.

Chester John Culver, of Iowa, to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation.

Richard Cordray, of Ohio, to be Director, Bureau of Consumer Financial Protection for a term of five years.

David A. Montoya, of Texas, to be Inspector General, Department of Housing and Urban Development. **Page S4646**

**Messages from the House:** **Page S4640**

**Measures Referred:** **Page S4640**

**Measures Placed on the Calendar:** **Pages S4623, S4640**

**Executive Reports of Committees:** **Page S4640**

**Additional Cosponsors:** **Pages S4641–43**

**Statements on Introduced Bills/Resolutions:** **Pages S4643–44**

**Additional Statements:** **Pages S4638–40**

**Amendments Submitted:** **Page S4644**

**Privileges of the Floor:** **Page S4644**

**Record Votes:** One record vote was taken today. (Total—112) **Page S4634**



**Adjournment:** Senate convened at 2 p.m. and adjourned at 7:18 p.m., until 10 a.m. on Tuesday, July 19, 2011. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S4645.)

## Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

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# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 8 public bills, H.R. 2573–2581; and 1 resolution, H. Res. 356 were introduced. **Pages H5149–50**

**Additional Cosponsors:** **Page H5150**

**Reports Filed:** Reports were filed today as follows:

H.R. 2061, to authorize the presentation of a United States flag at the funeral of Federal civilian employees who are killed while performing official duties or because of their status as a Federal employee, with amendments (H. Rept. 112–149) and

H. Res. 355, providing for consideration of the bill (H.R. 2560) to cut, cap, and balance the Federal budget (H. Rept. 112–150). **Page H5149**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Simpson to act as Speaker pro tempore for today. **Page H5129**

**Recess:** The House recessed at 12:01 p.m. and reconvened at 2 p.m. **Page H5129**

**Journal:** The House agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 244 yeas to 56 nays with 1 voting "present", Roll No. 602.

**Pages H5132–33**

**Recess:** The House recessed at 2:11 p.m. and reconvened at 5 p.m. **Page H5130**

**Suspensions:** The House agreed to suspend the rules and pass the following measure:

**Church Plan Investment Clarification Act:** H.R. 33, amended, to amend the Securities Act of 1933 to specify when certain securities issued in connection with church plans are treated as exempted securities for purposes of that Act, by a  $\frac{2}{3}$  yea-and-nay vote of 310 yeas to 1 nay, Roll No. 601.

**Pages H5130–32**

**Recess:** The House recessed at 5:07 p.m. and reconvened at 6:30 p.m. **Pages H5131–32**

**Quorum Calls—Votes:** Two yea-and-nay votes developed during the proceedings of today and appear on pages H5132 and H5132–33. There were no quorum calls.

**Adjournment:** The House met at 12 noon and adjourned at 9:31 p.m.

## Committee Meetings

### CUT, CAP, AND BALANCE ACT OF 2011

**Committee on Rules:** Full Committee held a hearing on H.R. 2560, the "Cut, Cap, and Balance Act of 2011." The Committee granted, by record vote of 8 to 3, a closed rule providing four hours of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Budget. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions in the bill. Finally, the rule provides one motion to recommit. Testimony was heard from Rep. Chaffetz and Rep. Van Hollen.

## Joint Meetings

No joint committee meetings were held.

### COMMITTEE MEETINGS FOR TUESDAY, JULY 19, 2011

(Committee meetings are open unless otherwise indicated)

## Senate

**Committee on Armed Services:** to hold hearings to examine the nominations of Madelyn R. Creedon, of Indiana, to be an Assistant Secretary for Global Strategic Affairs, and Alan F. Estevez, of the District of Columbia, to be Assistant Secretary for Logistics and Materiel Readiness, both of the Department of Defense, 9:30 a.m., SD–G50.

**Committee on Banking, Housing, and Urban Affairs:** to hold hearings to examine enhanced consumer financial protection after the financial crisis, 10 a.m., SD–538.

**Committee on Energy and Natural Resources:** to hold hearings to examine the recent report of the Massachusetts Institute of Technology (MIT) energy initiative entitled "The Future of Natural Gas", 10:30 a.m., SD–366.

**Committee on Environment and Public Works:** to hold hearings to examine the nominations of Kenneth J. Kopocis, of Virginia, to be an Assistant Administrator of the Environmental Protection Agency, and Rebecca R. Wodder,

of Virginia, to be Assistant Secretary of the Interior for Fish and Wildlife, 2:30 p.m., SD-406.

*Committee on Foreign Relations:* to hold hearings to examine the nominations of David S. Adams, of the District of Columbia, to be Assistant Secretary for Legislative Affairs, and Joyce A. Barr, of Washington, to be Assistant Secretary for Administration, both of the Department of State, 10 a.m., SD-419.

Subcommittee on Near Eastern and South and Central Asian Affairs, to hold hearings to examine United States policy in Yemen, 2:30 p.m., SD-419.

*Committee on Homeland Security and Governmental Affairs:* Ad Hoc Subcommittee on Disaster Recovery and Inter-

governmental Affairs, to hold hearings to examine 2011 spring storms, focusing on picking up the pieces and building back stronger, 2:30 p.m., SD-342.

*Committee on the Judiciary:* Subcommittee on Crime and Terrorism, to hold hearings to examine Drug and Veterans Treatment Courts, focusing on seeking cost-effective solutions for protecting public safety and reducing recidivism, 10:30 a.m., SD-226.

### House

*Committee on Rules, Full Committee, hearing on H.R. 2553,* the “Airport and Airway Extension Act of 2011, Part IV”. 4 p.m., H-313 Capitol.

*Next Meeting of the SENATE*

10 a.m., Tuesday, July 19

## Senate Chamber

**Program for Tuesday:** After the transaction of any morning business (not to extend beyond two hours), Senate will continue consideration of H.R. 2055, Military Construction and Veterans Affairs, and Related Agencies Appropriations Act.

*(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)*

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Tuesday, July 19

## House Chamber

**Program for Tuesday:** Consideration of H.R. 2560—Cut, Cap, and Balance Act of 2011 (Subject to a Rule).

## Extensions of Remarks, as inserted in this issue

## HOUSE

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# Congressional Record

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