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Senate

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

PRAYER

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

Let us pray.

Lord, You are God. Heaven and Earth are filled with Your glory. Use our law-makers to hasten the day when acts of justice and compassion will mark our society and people will celebrate the common bonds they share. May this bond of justice, compassion, and unity first be seen in this Chamber, providing a model for our citizens to emulate. Where there is pain, Lord, send Your healing. Where there is despair, send Your hope. Where there is darkness, send Your light. Where there is conflict, send Your peace.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 6, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. BLUMENTHAL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business until 3 p.m. today. Following morning business, the Senate will begin consideration of the conference report on the FAA Reauthorization Act. At 5:30 p.m., there will be a rollcall vote on adoption of that conference report.

MEASURE PLACED ON THE CALENDAR—S. 2064

Mr. REID. Mr. President, S. 2064 is at the desk and due for a second reading.

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

The legislative clerk read as follows:

A bill (S. 2064) to amend the Internal Revenue Code of 1986 to terminate certain energy tax subsidies and lower the corporate income tax rate.

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

The ACTING PRESIDENT pro tempore. Objection having been heard, the matter will be placed on the calendar.

AVIATION AND PAYROLL TAX CONFERENCES

Mr. REID. Mr. President, today, I am pleased the Senate will pass the aviation jobs conference report. This measure is the first long-term reauthorization of the Federal Aviation Adminis-

tration in almost 5 years. The FAA has worked under 23 short-term extensions since 2007. In fact, the FAA was shut down last year. That is right, workers were furloughed and construction at airports terminated.

The 4-year compromise we will pass this evening doesn't give everyone everything they want, but that is the way legislation is. It will, however, finally give the FAA the ability it needs to properly maintain a world-class air travel system.

The aviation jobs bill will also create thousands of jobs—about 300,000—and it will protect airline workers and improve safety for travelers. This legislation will create badly needed jobs and it will give the FAA the ability to finally upgrade the country's air traffic control system.

Today, America relies on World War II era technology to track aircraft and to guide them to safe landings. An upgrade to modern satellite technology is long overdue. The aviation jobs bill will finally make that critical investment possible. It will invest more than \$24 billion in airports and runways across the Nation and on modern air traffic control equipment.

I am very happy that Democrats and Republicans were finally able to reach this compromise. I wish the spirit of compromise would also extend to ongoing conference committee negotiations on a year-long payroll tax cut. I was dismayed to read this morning that rank-and-file Republicans in both Chambers are on the fence over whether we should extend this break for working families. More than 160 million Americans will benefit, with an average family savings this year of \$1,000. That is taxes they won't have to pay.

Republicans are questioning whether Americans need that extra cash, and they are once again playing politics and putting our economy at risk at a crucial time when we need to work out a compromise. Democrats have offered

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



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to meet them halfway—even more than halfway—but Republicans will not take yes for an answer. In exchange for extending this middle-class tax break, Republicans are insisting, among other things, that we pass an unrelated ideological piece of legislation that will make our water less safe to drink. This would allow mercury and other carcinogens to be put in our water supply.

That is a pretty stark compromise: We will give you a payroll tax cut for 160 million Americans if you will let us continue to put things such as arsenic and mercury in the water of the American people. That is not a very good deal.

Not only that but they are refusing to close tax loopholes, such as giveaways to oil companies making record profits. Instead, they insist on more handouts to millionaires and billionaires before they will do anything that will benefit the middle class.

The American people have spoken and spoken clearly. Working families need this money. They need this thousand dollars to put food on the table and gas in the car. And they won't tolerate Republicans holding their money hostage to extort a political payoff.

They did this last December. In fact, I thought Republicans got the message in December when they took a beating for opposing this tax cut. I hope they won't pick this losing fight a second time. But time is running. If they do choose to fight, as we try to put more money back in the pockets of 160 million working Americans, the outcome will eventually be the same. Democrats will not give in when it comes to protecting the middle class. That is why we will prepare a fallback plan in case Republicans refuse to cooperate. Our legislation will prevent a tax hike on middle-class families, extend unemployment benefits, protect seniors on Medicare from losing their doctors, and extend expiring tax provisions. And it will be free of unrelated ideological legislation designed to please the radical right.

Stopping a \$1,000 tax increase on virtually every American family is too important to be bogged down with sweeteners for the tea party. Senate Democrats will be prepared to act with or without Republican cooperation. Republicans must make a choice. They can force a thousand dollar tax increase on American families to strengthen the tea party or they can compromise to strengthen the middle class. The choice is theirs.

Mr. President, would the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the

Senate will be in a period of morning business until 3 p.m., with Senators permitted to speak for up to 10 minutes each.

Mr. REID. I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

RELIGIOUS FREEDOM

Mr. JOHANNIS. Mr. President, I come to the floor today to talk about an issue of paramount importance to our country—the issue of religious freedom. Our great Nation was founded on religious freedom. This liberty is at the very core of our government. It has been a significant part of our heritage since this land was first settled, and it is a freedom that sets us apart from many countries around the globe.

The Framers of our Constitution rightfully recognized an individual's religious liberty and conscience is above any regulation, any legislation. One of the chief authors of that guiding document, James Madison, declared:

Conscience is the most sacred of all property.

Thomas Jefferson said:

No provision in our Constitution ought to be dearer to man than that which protects the rights of conscience against the enterprises of the civil authority.

These fundamental values are a part of the fabric of this great Nation. It is no coincidence it is the first freedom in the Bill of Rights. It is a core value. It is an inalienable right. So that means, as public servants, it is our utmost duty to protect this American freedom.

When I was sworn in as a Senator, I—as my colleagues did—took an oath to uphold the Constitution. We all believe strongly in that oath. I take seriously my commitment to uphold the values and the freedoms our forefathers fought to establish and that generations of heroes have died defending.

That is why today I am devastated to see this very freedom, the heart of our Constitution, being so completely ignored. The President has taken an unprecedented step in the wrong direction, grossly misusing authority to implement the new health care law. This administration has refused to exempt religious institutions that serve the public good from mandates of the law that go against their strong beliefs and their values, and the values of our Nation.

Last August, in an interim final rule, the Department of Health and Human Services announced what free preventive services all new health insurance plans would be required to provide under the law, and that those services must include contraceptives and con-

troversial drugs, such as the so-called morning-after pill.

With that mandate, the agency included a supposed religious exemption but, upon reading that, it was clear that was simply unacceptable. It is so narrow that the vast majority of religious hospitals and universities, businesses, social services, and charities are still, very clearly, required by law to comply with the mandate.

Many of these organizations have strong faith-based missions and deeply held convictions. Yet they don't fall under the exemption. In other words, their government is compelling Americans to act against their constitutionally protected moral and religious convictions.

Since that announcement, hundreds of religious organizations have raised their voices, and I have heard from countless Nebraskans. I held a roundtable back in Nebraska where this was the topic of discussion.

Twenty-six of my colleagues joined Senator HATCH and me in sending a letter to the administration condemning this sweeping mandate. We asked them to redraft the regulation so it is consistent with longstanding constitutional principles.

Despite these strong efforts, just recently we learned that our passionate concerns had been dismissed. Very disappointingly, the administration has announced that they will move forward with the August interim rule. Under the guise of compromise, they announced that religious organizations would have an additional year before the mandate was enforced; in other words, after election day.

The head of the Diocese of Lincoln, a man I have great admiration for, Bishop Fabian Bruskewitz, called the administration's extension an "act of mockery."

Americans are not fooled by this nonsensical extension. The issue is not that religious groups have time to comply. That is not the issue. It is that they are being forced to provide coverage that goes against their conscience, their religious beliefs, their moral beliefs.

Bishop Bruskewitz went on to warn "our American religious liberty is in grave jeopardy."

The bottom line is that by issuing this decision, this administration has ignored the most sacred of all American freedoms.

Just a week before this announcement, the Supreme Court unanimously affirmed the core constitutional principle of religious liberty in its *Hosanna-Tabor* decision. The court held that churches and other religious groups must be free to choose their leaders without government interference. Yet the administration has clearly come out on the other side of our Constitution.

During the health care debate, we heard something vastly different. The President repeatedly promised the opposite. He pledged that the new health

care law would not weaken long-held life and conscience protections. In his public statements about the health overhaul, he vowed "Federal conscience laws would remain in place." He even issued an Executive order where he stated that "longstanding Federal laws to protect conscience will remain intact."

Many of us—myself included—during the health care debate warned that the Executive order was just window dressing to get votes and would do nothing to protect life in matters of conscience.

While supporters of the bill echoed the President's promise, I spoke on the Senate floor—once in November and again in March—warning Americans that they should not be fooled by hollow promises, and I urged my pro-life colleagues to join me in opposing this dangerous policy.

Two years after the law's passage, the truth behind the administration's priorities has been revealed. The President has, regrettably, punted the implementation of this controversial mandate until after the election. So now many religious organizations are forced to face two options: act against their convictions or drop health care coverage altogether. This decision comes from an administration that granted over 1,700 health plans with waivers from the law's major provisions, many of those to unions. A total of 4 million people, including select businesses and unions, have benefited from the waiver process. The administration has gone out of its way to guide its friends around the onerous mandates of this flawed policy. Yet this same administration is unwilling to protect a fundamental constitutional freedom by simply crafting a reasonable exemption for religious organizations.

Would Presidents Thomas Jefferson or James Madison have forced vast swaths of society to take action against their conscience? The answer is a resounding and obvious no. This political posturing is obvious, and it is appalling. This political maneuvering comes at a heavy cost for many Americans; it is a breach of values and beliefs. It runs counter to the very core of our identity as Americans.

Never before has the Federal Government required that individuals provide a product that violates their conscience.

Many Americans are questioning what will come next. They recognize that other strongly held beliefs could also be compromised.

I am not alone in being deeply troubled by this administration's complete disregard of the liberties in our Constitution. It is these liberties that make our country great.

I am a cosponsor of the Respect for Rights of Conscience Act introduced by my colleague Senator BLUNT. This legislation would reverse the administration's massive overstep and ensure that all conscience rights are protected. I will do everything in my power to push

this to a vote. We must act to right this wrong. We must ensure that America's values are not compromised. We must protect religious liberty. We all took an oath to do so. I am confident that, with prayer and persistence, we can reverse this course.

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

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

The legislative clerk proceeded to call the roll.

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

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

BOILER MACT

Mr. BOOZMAN. Mr. President, I come to the Senate floor to discuss an important action this Congress can take to protect manufacturing jobs and strengthen our economy.

Specifically, I encourage Senate conferees on the payroll tax bill to include projobs bipartisan language—such as H.R. 2250 or S. 1392—that would address the EPA's proposed rule on maximum achievable control technology standards for boilers, also known as boiler MACT.

Fixing boiler MACT is important because if the EPA gets it wrong, it will cost tens of thousands of good-paying blue-collar manufacturing jobs. These regulations will be one more unnecessary weight dragging down our economy and making life harder for low- and middle-income families.

Fixing boiler MACT is important also because Congress should provide clarity and certainty to the rulemaking process. The process has been plagued by complications, administrative stays, court orders, and numerous other stops and starts.

For example, employers spent hundreds of millions working to comply with the 2004 boiler MACT rules only to be told they must now spend billions more. The boiler MACT legislation should be included in the payroll tax relief legislation which is intended to provide some help to our sluggish economy by allowing Americans to keep a little more of the money they earn. By addressing boiler MACT on this bill, we can further protect jobs—especially manufacturing jobs—and prevent our country from having to absorb one more sudden regulatory punch in the gut.

Fixing boiler MACT is important because our economy is weak and families are struggling. Last week, the non-partisan Congressional Budget Office predicted a weak and perilous economic situation for the next couple years. We see continued high unemployment, including estimates that the unemployment rate will tick up to 8.9 percent this year and 9.2 percent next year. We see projections of \$1.2 trillion deficits. On top of all this, we have

learned that the GDP growth slowed to just 1.7 percent last year.

I hope these troubling projections are wrong, but given what we know, we should be focused on encouraging job growth and opportunity. American families are counting on us. We should not stifle businesses that want to expand and create jobs. One way to help is to provide some regulatory certainty and to allow employers the time they need to adjust to new, burdensome regulations.

The boiler MACT fix would provide the EPA an additional 15 months to prepare appropriate, justified, and achievable regulations for industrial boilers. Without this time, EPA will be forced to rush the rules out the door only a few weeks after they will receive hundreds of substantive comments and new data on boiler performance.

The boiler MACT fix would also give employers a little extra time to comply with the rules once they are finalized. This is vital because it will minimize job losses that would occur if employers had to rush to implement the new rules. The rules are very expensive and spreading the cost out over a couple extra years will make it less likely that employers will have to lay off employees.

In Arkansas alone, boiler MACT will cost over \$230 million and put 3,600 jobs at risk. These are real jobs and real people. I shake their hands and I hear their serious concerns when I visit communities such as Pine Bluff, AR, or Howard County, AR. In our State, the proposed boiler MACT rules will especially harm the employers with units that burn solid fuels such as biomass. The boiler MACT would help by stating that materials such as renewable biomass that have been used for fuel for decades should remain classified as fuel and not reclassified as solid waste.

We should be encouraging the use of renewable biomass, not discouraging it. Sending biomass to a landfill makes absolutely no sense when we can use it to power our industries and create jobs. The potential harm to renewable, carbon-neutral biomass is very bad for Arkansas. But it is not just our rural States with significant biomass that will be harmed; boiler MACT will hit all States, large and small, rural and urban.

For example, in Pennsylvania it will cost over \$751 million and put over 12,000 jobs at risk. In Montana it will cost \$32 million and put over 500 jobs at risk. In Maryland it will cost over \$195 million and put over 3,100 jobs at risk. In Rhode Island it will cost over \$19 million and put hundreds of jobs at risk. In Wyoming it will cost over \$155 million and put over 2,400 jobs at risk.

Some of the hardest hit States include North Carolina, Ohio, Michigan, Indiana, Pennsylvania, Louisiana, Wisconsin, Virginia, Illinois, and Minnesota. Several States will see more than 12,000 jobs put at risk. In Arkansas, the expense and uncertainty created by these rules will force some employers to scale back. Other employers

may be able to keep existing jobs but decide that it does not make sense to hire new employees while they face these mounting regulatory costs. Given these serious concerns, the boiler MACT fix will provide clarity and give businesses a reasonable timeframe to comply. The boiler MACT legislation passed the other body with bipartisan support from 275 Congressmen. In the Senate this legislation has the support of a strong bipartisan majority.

Over the last four decades our country has cleaned our air by reducing emissions that cause serious threats—threats to human health and to the environment. I strongly support appropriate, science-based protection for clean air, and we must continue to protect the environment.

The public will continue to support appropriate protections for clean air, especially if this Congress takes a reasonable approach and gives the EPA the time it needs to develop rules that are achievable and that can be implemented in a timeline that will protect important manufacturing jobs throughout our country. For these reasons I urge the Senate conferees on the payroll tax bill to include the boiler MACT fix. I also ask my colleagues to let the conferees know how important this issue is. Together, we can help create opportunities and protect these important, high-paying manufacturing and other blue collar jobs.

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

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

The legislative clerk proceeded to call the roll.

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

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

THE ECONOMY

Mr. KYL. Mr. President, the Bureau of Labor Statistics released a new employment report last week for the month of January with some good news: more jobs created in the private sector than had been projected and unemployment dropped to 8.3 percent. President Obama has been taking a victory lap and touted the jobs report as a sign that his economic policies are working. But it reminds me of the two fleas on the back of the chariot in Stephen Leacock's famous fable. They look behind them and say: My, what a fine cloud of dust we've kicked up.

It could be in the 2½ years since the great recession technically ended and the 3 years since the passage of the stimulus bill that the President promised would keep unemployment below 8 percent, that whatever recovery we have had is not necessarily the result of the President's policies. Why has unemployment remained above 8 percent for the last 35 months? Why are there more unemployed today than when

President Obama took office? Is it more likely that some people are finding work in spite of and not because of President Obama's policies?

Today I would like to speak about that for a few minutes and try to put these numbers into perspective. The obvious point, of course, is that we still have a long way to go before anyone can claim that we have an economic success story.

Let's start with the recovery itself. The fact is, this has been the weakest recovery since the Great Depression. Consider this comparison: 31 months after the recession ended in June of 2009, payroll employment has increased by only 1.5 percent. During the Reagan Presidency 31 months after the end of the 1981–1982 recession, payroll employment had increased by 9.8 percent. So 1.5 under President Obama, 9.8 percent comparable timeframe with President Reagan.

At a comparable point in time during the Reagan recovery, payroll employment was 6.2 million jobs or 6.8 percent higher than the prerecession level. In contrast, today we have about 5 million fewer jobs since peak employment of 2007—not more but fewer—and more than 1.1 million jobs have been lost since President Obama took office.

How can that be? It takes a certain number of jobs just to keep up with the new entrants into the labor market. In fact, economists believe we need on average about 130,000 to 150,000 jobs per month just to hold even. So even though we have created more jobs—and the President's supporters say we have been creating now more jobs for the last 23 months. That is fine, but if it does not keep up with the number we need just to keep up with new entrants into the workforce; namely, 130,000 to 150,000, we are not making progress. In fact, we are regressing. If this recovery we are currently experiencing had duplicated the path of recovery from the 1981–1982 recession, there would be 14.9 million more payroll jobs than we have today—in other words, almost 15 million more jobs. That is a better measure of the success—or lack of it—in coming out of this recession.

Now, to make matters worse, much of the recent decline in the unemployment rate can be attributed to a decline in labor force participation—in other words, people who are still looking for work. Labor force participation dropped to 63.7 percent in January, meaning that many have simply stopped looking for jobs. This is the lowest labor force participation rate in nearly three decades. Labor force participation stood at 66 percent at the beginning of the recent recession. If the rate had remained at the prerecession level, the unemployment rate today would be approximately 11.4 percent. In other words, 3 percentage points more than it is today is accounted for by the fact that that many people have simply stopped looking for work. According to many economists, this is a better measure of the true employment situation in the country.

A commentator on one of the news shows that I heard yesterday gave this analogy: If we heard that fewer elderly people in America were sick, at least initially we would think that was really good news. But if the reason there were fewer sick people is that more of them had died, we wouldn't think that was a cause for celebration. And that is the problem here—too many people have just decided it is not possible for them to get a job and they are going to stop looking.

Finally, there is the underemployment and long-term unemployed situation. The plight of the folks who have been unemployed for a long period of time or those who are underemployed—they have a job but could be getting something that pays more—has really not changed. These are the Americans who want good jobs. In the latest report, the number of those who have been unemployed for 27 weeks or more has hardly changed at 5.52 million people, accounting for almost 43 percent of the unemployed population. Those are the folks who are really hurting. The underemployment rate, which includes part-time workers who would like to have full-time work and those who want to work but have given up looking, has remained largely unchanged, dropping to 15.1 percent from 15.2 percent.

I say all of this not to pile on President Obama and certainly not to denigrate the fact that we finally have a little bit of good news coming out of the economic picture but, rather, to make the point that the employment numbers from 1 month—last month—hardly tell the whole story. We have to have better progrowth policies if we are really going to have a stronger economy, if we are going to create more jobs and, over the long term, improve the employment opportunities for all Americans who want work.

It was very disappointing for the President to have rejected the Keystone Pipeline. That is a project which would have created as many as 343,000 private sector jobs, according to the Congressional Research Service, and all of that without having cost the taxpayers a dime.

We also need to consider how the policies of the last 3 years, which include the exploding debt and the massive new taxes and regulations that are contained in ObamaCare and the so-called financial reform bill, have put a drag on the economy. It has increased uncertainty for job creators, and it has actually weakened the economic recovery. If President Obama wants to continue any jobs momentum, I believe he ought to reconsider his position on the tax hikes coming at the end of this year. They are automatic. If we don't do anything, taxes will go up on everyone next January 1st, the largest tax increase in the history of our country, over \$3.5 trillion. Will businesses want to expand and hire new workers in the face of a tax increase that size over the next 10 years? Will they want to create

jobs if they are faced with an avalanche of new regulations? Will they be able to invest in growth if the government keeps crowding out private investment with massive borrowing and spending?

The bottom line is that there is a recipe for turning the economy around in a very strong way and providing the jobs people are going to need in order to get the work they can do and need in order to support their families. What the President has done has impeded and slowed down that growth. Of course, one can argue that he didn't create the problem, he inherited the problem, but that his policies have made it worse, not better; that we would have a stronger recovery had we not wasted that money on the stimulus program and had we not passed some of the highly regulatory and depressing legislation such as ObamaCare.

With the opportunity before us to support progrowth policies, I am convinced the private sector of this country is strong enough to rebound. We are beginning to see that in these employment numbers. If we work with businesses, understanding that they create the jobs, not the government—all we can do is to provide the best foundation for job creation—if we do that, then this eventually can be a strong economic recovery, and then we really will have something to brag about. It is my hope that in the remaining months of this year, before politics completely consumes Washington, DC, Republicans and Democrats, the House and the Senate, can work together with the President to create that kind of climate in which all Americans who want to can find economic opportunity and work.

I note the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

FAA MODERNIZATION AND REFORM ACT OF 2012—CONFERENCE REPORT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of the conference report to accompany H.R. 658, which the clerk will report.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 658), to amend title 49, United States Code,

to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes, having met, have agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment and the Senate agree to the same. Signed by a majority of the conferees on the part of both Houses.

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be up to 2½ hours of debate on the conference report equally divided and controlled between the two leaders or their designees.

The Senator from West Virginia.

Mr. ROCKEFELLER. I thank the Chair.

The problem we face here is that most people are in the air coming in this direction. Most will land around 5 o'clock. So Senator HUTCHISON and myself don't feel any particular pressure. We can talk for long periods of time and talk about other issues.

Today we are considering the FAA conference report which has been the subject of negotiations—I shudder when I say that—between the House and the Senate for much of the past year, and actually we have been working on it for much longer than that. We have been through 23 extensions. We are now looking at the possibility of a bill that will, in fact, last for 4 years, which will be the best news that the airline industry ever had, that the people who work for the airline industry ever had, that the people who work to improve the safety of the airline people ever had, including those who are doing a new traffic control system. So I am very happy that, as we call it, the FAA Modernization Reform Act of 2012 will extend the authorities through 2015. As the Presiding Officer is aware, we have done this for 2 months, 3 months—time after time after time—and it makes it impossible to negotiate and it is terribly destabilizing for the aviation industry as well as the Federal Aviation Administration.

This agreement is going to provide a lot of stability to the FAA—they will be happy about that—and it will make certain there is adequate funding to support the agency's mission.

The bill takes concrete steps to modernize our air traffic control system. I am excited beyond words to be able to say that sentence because it will take us into a new era that will bring much more efficiency, more planes will be able to take off and land and, in so doing, do it much more safely, being watched from space rather than from radar, which is what we do now.

This bill is going to make the air transportation system safer than ever before and make certain that small communities have access to critical air service. I will speak more about that.

It will also make sure that the U.S. aviation industry remains competitive and remains strong. We are that way in

the world. We do lead in exports on aviation and the Federal aviation industry continues to be the gold standard for safety. That is not to say we have not had problems, but we have been solving those problems.

This has been a long and sometimes arduous process. I think my colleague Senator HUTCHISON would agree with that. Many compromises were made to get us here. Compromises in the present atmosphere are not easy. Conversations are not easy. Compromises are very difficult. While no one got everything they wanted, the bill will permit us—I believe Senator HUTCHISON would agree—to achieve our shared goals.

The agreement will allow us to pass a comprehensive, again, 4-year FAA reauthorization. The legislation we have before us now will move our aviation system forward. It will not be in neutral. People who run the system, the folks who take care of airplanes and who run the companies, will be absolutely thrilled if this bill passes, which I expect it to do.

In this era of very scarce resources, we still have managed to produce a bill that provides the FAA the money it needs to carry out its mission. Without going into too much detail, we had to make a compromise on that. But, frankly, that was a compromise that was agreed to and, I believed, was reasonable in terms of the other way of looking at things. So it is stability.

The funding authorized for the Airport Improvement Program, which is very important, and the facilities and equipment accounts, which are just gobbledygook to most people, will give much needed support to aviation infrastructure projects and planning across our Nation. It is a blueprint.

Over \$3 billion a year is provided through the Airport Improvement Program to provide airport grants that will make a real difference in the Nation's airspace system and the people who use it every day. We will create and we will sustain jobs in every State, and we will continue to make substantial investments in our Nation's airports. Based on Department of Transportation estimates, the Airport Improvement Program alone supports over 100,000 jobs annually. I will say later on in these remarks that there are about 10 million people who work because of something called aviation in this country—10 million people.

For communities in West Virginia, having up-to-date airports is absolutely critical to our future. The investments we make through the Airport Improvement Program will help the country greatly—not just West Virginia but the entire country.

With this bill, as I said, nearly \$3 billion will also be provided each year for the facilities and equipment account which basically funds the new air traffic control system. I have said this 10 times from this floor: Mongolia has that; we do not. They have globally positioned—very accurate reading—not

only for weather but for aircraft on the ground and also in the air, so the spacing vertically and horizontally is extremely accurate and, therefore, much safer and much more efficient and uses much less fuel.

This effort on the air traffic control system is embarrassing, it is so needed. We are working on radar right now. We are working on radar. That is compared to a satellite-based aircraft surveillance system. I have spent, frankly, much of the last decade working to make sure the FAA has the resources and the ability to implement NextGen, the so-called new air traffic control system, the modernized, digitalized air traffic control system. It is so essential. It is so embarrassing we do not have it as a nation. It is such a burden on the air traffic control people themselves, trying to see through the fog, so to speak, of the world of radar.

This bill will move forward key aspects of the NextGen effort and make sure that modernization will proceed on schedule with clear timelines and a lot of oversight and requirements.

We push for near-term modernization benefits by requiring that precision navigation be implemented first—and this makes sense—in the 35 largest airports in the country—that does make sense—by the year 2015 and then in all airports by the year 2016. This will significantly improve airspace capacity and, by the way, the environment.

The bill also establishes a chief NextGen officer—not a bureaucracy but a person—to lead the modernization effort. It is very specific; it is a very calculated and precise instrument that has to be done correctly—and takes steps to improve coordination among relevant Federal agencies. One has to say that. It is sort of a boring statement, but it is kind of a necessary one if it happens to be true, which in this case I believe it is.

While modernization will provide the greatest safety benefits, the bill also requires the FAA to move forward on other imperative safety measures. The bill mandates stricter oversight of airlines and their compliance with airworthiness directives. It requires regular inspections of foreign repair stations—subject to controversy—and the implementation of drug and alcohol programs at those facilities—a subject, frankly, lacking in controversy.

Specific measures in the bill also focus on the safety of our air ambulance operations—that is a lot of activity in our country—and take steps to improve airport runway surveillance; that is, we have a problem now with literally airplanes running into each other on the tarmac because of fog or because of poor coordination or whatever—the kind of things that a NextGen modernized system would tend to make much less prevalent.

This bill will make significant strides for the airline industry through modernization. They crave it. They need it. Commercial aviation helps drive \$1.3 trillion in U.S. economic ac-

tivity and, as I said before, more than 10 million U.S. jobs. So I think those who would consider not voting for this would have to at least start out on that rather alarming fact.

The aviation sector is critical to our place in the global marketplace. It contributes \$75 billion to our trade balance and represents roughly 6 percent of the gross domestic product of the country. It is huge.

We must make certain all Americans reap the benefits of our national aviation system. To that end, this bill preserves and strengthens the Essential Air Service Program. I have to say that had been completely eliminated by the House—completely eliminated. That is life or death for West Virginia and for a lot of rural places. In general, almost all large States also have rural aspects, and they need this kind of help.

We provide vital access to the aviation system for small and rural communities. That gives access to the global marketplace. It means people come. CEOs do not tend to want to drive to Montana or to West Virginia to look over possible sites for building plants. It is very important for economic development.

It is interesting—and I am sure Senator HUTCHISON would agree with me—that communities thrive, particularly smaller communities, on how well their small airports are doing. They may have good runway space but not a lot of enplanements because it is not a hugely populated area. But we put very strict confinements on that in the essential air service. We disciplined it. We said there can be no new ones other than the ones currently existing.

We put other restrictions on it to make it palatable to the other body. We said, for example, communities that have per-passenger subsidies over \$1,000 are eliminated forthwith from the program. That makes sense. That much money going for a couple of passengers is just ridiculous. Communities that have fewer than 10 passengers per day—and there are in my State some very strong communities that have that situation. They just cannot work it out that they get people onto their airplanes or air service, and, as a result, obviously, the service begins to disappear. There is no reason the essential air service should allow any of that to proceed. So we say if they have fewer than 10 passengers per day—if you are an airport of that sort—and are within 175 miles of a large or medium-sized hub airport, you are to be eliminated immediately from this program. That is harsh for some. But it is what brought us a compromise for the majority of us—all of us.

The program also caps future eligibility, as I have indicated, to those communities that are currently in this program.

Now, I am sure everyone has heard me say the essential air service is the lifeblood for so many communities. I believe this bill strikes a careful bal-

ance between the need to cut government spending, which this does, and preserving small community access to our national aviation system by making some of these prudent reforms.

It is important for me to take a moment to emphasize the consequences of not passing this bill. Aside from not achieving all the benefits this bill provides, we will find ourselves in a nasty fight with the House when the current FAA extension runs out in less than 2 weeks.

This is not just a bill that is floating around. This is a bill that is on a timetable, and the extension—the 23rd extension—of this bill we made runs out in several weeks. So, then, everything goes back to zero, and you remember we laid off a lot of people earlier.

The House has no patience left for short-term extensions—I cannot disagree with that—and they have shown this past August they are perfectly willing to send over an extension with policy riders, policy riders which they full well know are totally impossible for this body to accept or for the majority of this body to accept.

They also have shown their resolve in all of this. Not too long ago they shut down the FAA. It was not a question of what this is going to do to people's lives. They just shut it down for the principle of sticking by their guns, and they furloughed 4,000 government employees and did not seem to care that hundreds of millions in aviation trust fund revenues were lost forever. If we do not pass the FAA conference report, you can be sure the House will send over an FAA extension that is just as troublesome.

We have reached a compromise position under the magnificent watchful eye of Senator KAY BAILEY HUTCHISON. Again, nobody got everything they wanted, and there are some provisions that people have great difficulty accepting. I understand that. All of this has to be seen within the context of the greater bill, which is a huge piece of legislation, a magnificent piece of legislation, and very much a job-creating piece of legislation. But this is, in my judgment, a very good deal. It is a fair deal. If we do not pass it, I think we will all certainly regret it. I strongly encourage all of my fellow Members to support this bill.

Now, finally, before I conclude my remarks I want to thank my colleagues for all of their diligent work on this bill.

Let me be clear, we would not be here today were it not for the efforts of Senate majority leader HARRY REID and for his guidance and for his leadership. He and his team negotiated the most sensitive part of the bill. I personally want to thank Senator REID for his stalwart support throughout this process.

Right after him comes Senator KAY BAILEY HUTCHISON. Over the past 4 years, she has done more than anybody to get this bill passed into law—hopefully passed into law. Although she was fully engaged in every part of the development, most notably, her work on

securing a slots agreement removed one of the biggest hurdles in getting this legislation through the Senate. In fact, it was the biggest hurdle when we got this through the Senate. It was Senator KAY BAILEY HUTCHISON who worked out those compromises and deals in a harrowingly magnificent fashion.

Her deep aviation expertise and negotiating skills are truly remarkable, and this bill is another significant part of her already very substantial legacy.

Finally, I thank Senator MARIA CANTWELL. A year ago, she assumed the chairmanship of the Aviation Subcommittee. She made substantial contributions to the entire bill but most notably on NextGen—the new air traffic control system, the modernized one, the GPS one, the digitalized one. She effectively balances very difficult issues and at the same time is incredibly committed to the interests of Washington State.

We should be proud of this compromise agreement that will enable our aviation system to move forward to meet the challenges of continuously improving safety, air traffic control modernization, airport development, and small community air service.

I thank the Acting President pro tempore.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I wish to thank the distinguished chairman of the Commerce Committee for all that he said. I really appreciate working with him. Clearly, because of 23 extensions, you know this was a hard bill to pass.

Since 2007, we have been trying to reauthorize the FAA and particularly increase aviation safety and put our NextGen air traffic control system in place. That has been the primary moving force. But, as is often the case, it is other issues that have come to the forefront and caused the delay after delay after delay process in passing this bill. We did pass it through the Senate and now have come out with a conference report between the House and Senate.

So I really first have to say thank you for the leadership of Senator ROCKEFELLER, which has been quiet and effective and letting the different Members with different interests, of which there were many on this bill, have their say—and he was very calm throughout the process—because in the end we all know that none of us are dictators, none of us are the sole arbiters of what comes out of the Senate. We are a body of 100. We have colleagues on the other side who are 435. So obviously some people are going to have to give in certain areas. But what is good about the bill before us today is that the major principles have been addressed and the people who were most affected by those have been able to see the big picture that we needed to address in this bill, that we give our airports the ability to grow, expand, and

repair with the aviation trust fund, which the passage of this bill will do. It will be in a stable environment because we have 4 years after this bill is passed.

I thank the chairman and all who have worked on this bill. As everyone knows, the repeated use of short-term extensions does not allow for the long-term planning that is needed on the big projects, such as NextGen, the air traffic control system that will be based on satellites or the airport improvements that are so important for our smooth aviation system to function.

So what we are doing today is asking the Senate to pass the conference report the House has already passed. When we pass it, which is my hope today, it will go to the President for signature, and it will provide that clear, stable way forward for our airports and the FAA to operate and make the sound fiscal investments in ensuring that we have a good and seamless system.

First, the bill does improve aviation safety, including the development of a plan to reduce runway incursions and operational errors, along with significant safety improvements for helicopter emergency medical service operators and their patients.

The bill modernizes our antiquated air traffic control system and moves us one step closer to a more efficient and effective use of our national air space. Specifically, it focuses on advancing the next-generation air transportation system that we call NextGen, and it improves the management practices and oversight of the agency in the modernization effort.

When fully implemented, NextGen will fundamentally transform air traffic control from a ground-based radar system to a satellite-based system that uses global positioning navigation and surveillance digital communications and more accurate weather services. It is our belief that most of the other countries in the world have NextGen already, but America has the biggest aviation transportation system in the world, and therefore, when we come up to speed, it will make the seamless air traffic control system globally better.

Some people will say: Well, NextGen—what does it mean? Well, it is going to open more airspace for our airplanes' use, both scheduled and general aviation. It will reduce delays because we are going to have better scheduling. We are going to have more accurate capabilities to schedule, and therefore it will open more airspace for use by our general aviation as well as our scheduled carriers. As we know, our scheduled carriers will be growing in the future. They are restructuring and trying to accommodate us. But more and more people and bigger populations are going to produce more need for aviation traffic.

Special attention is given to the acceleration certification planning and implementation of critical NextGen technologies. We have established in the bill clear deadlines for the adoption

of technology and navigational procedures which will allow for a more precise and fuel-efficient use of our national airspace.

This conference report also moves forward initiatives associated with the integration of the unmanned aircraft system—the UAS—into the national airspace. We are seeing now more and more applications of unmanned aircraft, and it is going to increase.

We are looking at border security using UAV research, law enforcement, firefighting, just to name a few. There are going to be more and more uses for unmanned aerial vehicles to be able to do the surveillance and photographing that have taken helicopter pilots and small general aviation and even large aircraft to do in the past. So our bill begins to have a process for our air traffic control system to accommodate these UAVs.

Finally, the bill finds compromise in several difficult areas. Chairman ROCKEFELLER has mentioned several of those. The Ronald Reagan Washington National Perimeter Rule, the air carriage of lithium batteries, and small community air service are among the compromises that were reached in this bill.

It is time that we finally create some stability in the aviation sector. This bill will do that. I encourage my colleagues to support its passage.

I would like to go ahead, since we do have time—actually, I do see someone waiting to speak. Since we will be on the floor until the vote, I will yield the floor at this time and finish the rest of my statement later.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Mr. BEGICH. Mr. President, I am down here to speak in favor of the FAA reauthorization conference report that the Senate will vote on shortly. I thank Chairman ROCKEFELLER and Senator HUTCHISON for their great work on this piece of legislation—a long time coming. It has not been reauthorized since 2007, so it has been a long time coming. So I am very excited about this opportunity.

I think it is maybe a new trend for the year. Last week we passed the STOCK Act, and today hopefully we will pass the FAA bill. There has been a lot of work, a lot of compromise on these two pieces of legislation and this one particularly today.

The last time Congress actually passed a comprehensive FAA bill was in 2003. The bill expired in 2007. Since then, the FAA has been operating on 23 short-term extensions. These temporary extensions have been detrimental. They have prevented progress on modernizing our air traffic control. I speak as someone who just literally flew in a couple of hours ago overnight from Alaska. We clearly understand air traffic. They did not give airports funding certainty for planning, runway, and safety improvements, and they resulted in a brief shutdown in which

4,000 FAA employees were furloughed for almost 2 weeks last summer. It is far past time that Congress pass a comprehensive FAA reauthorization bill.

While this bill is significant for the entire country, it is particularly important for my residents, the residents of aviation in Alaska, and residents overall. It is truly a lifeblood. When you think of aviation, it is our highway in the sky. Alaska has 6 times more pilots and 16 times more aircraft per capita than the rest of the United States. More than 80 percent of our communities are not on the road system. So aviation is the only reliable year-round means of transportation.

This conference report invests over \$13 billion in our airport infrastructure over the next 4 years. Let me underline that—\$13 billion in the next 4 years. This is about jobs. It is about improving airport safety. In an economy that is slowly recovering and on the right track, this will add to the needed jobs in the construction industry but also make sure that we put them to work in areas such as aviation which are critically needed. It will improve our runways, create more safety projects in our airports and our runway areas, yet safely accommodate the higher traffic levels while putting tens of thousands of Americans to work.

This bill invests in and accelerates the deployment of the NextGen modernization of our air traffic control system, as you have heard described already. We have been using a World War II-era radar technology for our air traffic control. Transition to more accurate satellite-based tracking will allow for more direct routes between destinations, reducing fuel use and saving airlines money.

The backbone of this technology, called ADS-B, was proven in Alaska as part of the capstone project. So we are excited that we were the incubator for such an important element of our aviation, and now to see it accelerated and moved throughout the whole industry will be a huge benefit to the consumer.

For Alaskans, it contains an amendment which I offered and was cosponsored by Senator MURKOWSKI, providing relief for a one-size-fits-all rulemaking. That rule inadvertently prevented the shipment of compressed oxygen needed for medical and construction purposes in rural Alaska.

This legislation also contains a special provision that Senator COBURN from Oklahoma and I sponsored called the orphan earmarks provision. It repeals earmarks for aviation projects if less than 10 percent of the earmark has not been used after 9 years. It saves millions of dollars on stalled projects so that we can direct those limited resources where they can have the greatest bang for the dollar.

This conference report makes significant investments in the Essential Air Service Program—otherwise known as EAS—which serves rural and isolated areas. Forty-four communities in Alaska will continue to receive a minimal

level of scheduled passenger service. There are sensible reforms that will exclude communities in the lower 48 with fewer than 10 passengers per day.

The House FAA bill proposed to make truly Draconian cuts to the EAS Program. I wish to thank Chair ROCKEFELLER particularly for his effort to make sure that rural communities throughout America and Alaska continue to receive the access they need to airspace and travel from their small communities. For the general aviation community, this bill contains no new user fees. Let me repeat that—no new user fees for general aviation.

There is aviation community funding for research into an unleaded fuel substitute which one day may replace avgas. There are incentives for ADS-B equipment.

I will continue to work with my copartner on the general aviation caucus, Senator JOHANNIS, to make sure that aviation policies are mindful of the significant role general aviation plays not only in my State of Alaska but throughout this country.

For our airline passengers, this conference report includes a passengers' bill of rights championed by Senators BOXER and SNOWE. It codifies common-sense approaches and changes, such as making sure passengers have adequate food and water and lavatory access if delayed on the tarmac and options to deplane if the flight has been excessively delayed.

It is not a perfect bill. I was disappointed that the conference report contains language pertaining to the National Mediation Board and the rules governing union organizing. It is not relevant to the underlying bill. It was not included in the bill the Senate passed last year. We understand this was a necessary compromise for the House leadership to allow this long-stalled bill to move forward. Again, it is not an appropriate element to this bill, but recognizing that the overall bill is critical to the long-term health of our aviation industry and the passengers of this country, we can take comfort from the fact that we added over 30 provisions in this conference report that will improve conditions for aviation workers.

I firmly believe the controversial NMB language has no place in this bill. I also recognize it is time to move forward.

I wish to recognize again the leadership of Senator ROCKEFELLER and Senator HUTCHISON of the Senate Commerce Committee and their tireless work. They never gave up. Their staffs continued to work and to push forward, to push everyone when it looked as if the differences between the House and Senate were impossible to resolve. The conference report before us is a testament to their tenacity and their bipartisanship.

This bill is a shining example of what Congress can accomplish when we put our differences aside and sit down to do the daily work of legislating. This is a

very strong bill, a bipartisan bill. It is just unfortunate it has taken this long to get here.

I urge my colleagues to vote yes on this monumental conference report which will put Americans back to work, enhance our airport infrastructure, and will make the safest aviation system in the world even safer.

I yield the remainder of my time, and I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mrs. HUTCHISON. Mr. President, we will be voting in an hour and a half, but I would like to take this opportunity to thank so many of the people who brought this bill together, which we hope will come to a good conclusion in about an hour and a half.

Obviously, I have talked about Chairman ROCKEFELLER. This has been a long process, clearly—23 extensions and it has been since 2007 that we had the last authorization. I think the fact we are now going to have a 4-year authorization is one of the more important elements. Now our airports are going to be able to start their building projects. They are going to be able to increase their runway space or do repairs or whatever the priorities are that are decided by the FAA are the most important priorities for our Nation because the funding source from the highway trust fund will now be known for 4 years. I think that is a very important step in the right direction.

I wish to thank the House managers of this bill as well, the House Transportation and Infrastructure Chairman MICA and Ranking Member RAHALL and the respective Aviation Subcommittee chairs in the House, Representatives PETRI and COSTELLO. Their work and input on their bill was certainly critical, and the ability to come to conference and hammer it out was critical as well.

In the Senate, I wish to thank all our conferees, Senators HATCH, ISAKSON, and DEMINT on our side and, additionally, Senators CANTWELL and THUNE, the respective chair and ranking member of the Commerce Committee's Aviation Subcommittee, for their work on the bill.

The staff, of course, are the ones who work long hours, and though we never see them, they are there. Senator ROCKEFELLER and I were having telephone calls at 10 o'clock at night, then we would call our staffs and then call back to determine what was happening and what needed to be happening. So I thank the person who runs the Commerce Committee on the majority side, Ellen Doneski, who is wonderful to work with, James Reid, Gael Sullivan,

Rich Swayze, and Adam Duffy, who worked on this bill and the negotiations for all these years that we have been trying to pass this; on Representative MICA's staff, Jim Coon, Holly Woodruff Lyons, Bailey Edwards, and Simone Perez; on Representative RAHALL's staff, Jim Zoia, Ward McCarragher, Giles Giovinazzi, and Alex Burkett; and on my staff, the Commerce Committee minority side, Todd Bertson, Richard Russell, and Jarrod Thompson.

I wish to especially mention Jarrod Thompson, who is the one I know the best, because he is the Aviation Subcommittee ranking member's staff leader. He knows the history of the aviation bills. He knows the subject matter. There was never a time when I would ask a specific or technical question that Jarrod didn't know the answer, and I so appreciate his being on our staff and helping us through this very important time.

With that, I yield the floor, and I thank all my colleagues and our House colleagues and staff for their work on this bill that I hope we will be able to pass when the vote comes at 5:30 this afternoon.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I am in the happy position of mimicking a lot of what my colleague Senator HUTCHISON has said but for a very good reason. Until one goes through an experience such as the one Senator HUTCHISON and I have been through for the last year, plus, plus, one has no understanding of how hard staff works.

That staff routinely work over the weekends is just a given. They work through the night. They will stay up all night frequently. They have to reach out in so many directions. There are not that many of them as compared to those who have requests of them, and so their work never stops.

Let me start, obviously, with Senator HUTCHISON. She did mention Todd Bertson and Richard Russell, then Jarrod Thompson, the lead negotiator. That is a tough position. It is a very tough position because people and interest groups figure out whom to go to and whom to pester and whom to follow up with. I have that same situation, and Ellen Doneski is incredible. I called her at 11 last night and she was fine and well and then she got sick and now she is already back at work. Does that mean she is not sick any longer? I don't know. But they are driven to excel. They are driven to drive the product home in ways that are expiring.

To my left sits James Reid, who is the No. 2 person on that committee who, as far as I can tell, knows everything about everything and certainly about any discussion that comes up in terms of the Commerce Committee. He is tireless. He has young children with the tension that creates, not in principle but just the idea that you have to

occasionally show up at home and be a good father.

Gael Sullivan is our lead negotiator, and that is a very special position on a bill such as this. Rich Swayze and Adam Duffy; Rich Swayze and Gael worked so many things together, and Gael Sullivan and Adam Duffy.

Let me go to Representative JOE RAHALL. Obviously, he is a colleague of mine. I think he has been in the House for 36 years, and he represents the coal fields, in many ways the most volatile part of our State as its economics change rapidly. His chief negotiator is Giles Giovinazzi, and to him goes the same praise. House Members and the subcommittees and committees have so many fewer staff than in the Senate, so we have to praise them very much. Jim Zoia, who is his chief of staff—and has been, I swear, for all 36 years. If it is not the case, it doesn't matter—is a remarkable person; Ward McGarragher and Alex Burkett.

With JOHN MICA, I need to mention Jim Coon, Holly Woodruff Lyons, who was his lead negotiator, and Bailey Edwards and Simone Perez.

Let me end simply by saying Senator REID and his people were so heavily involved, particularly in this one aspect of the bill. But he has been driving this bill in our caucuses, as the Presiding Officer well knows, for over a year: Where is my FAA bill? Where is my FAA bill? He has been driving, pushing, pushing, pushing, pushing. His chief of staff is David Krone, who so many people don't know and it is their loss; Darrel Thompson, Bob Herbert, Bill Dauster, who keeps in touch with everybody and everything.

To the floor staff of the majority and the minority leaders, just simply to be grateful to them and to make sure we say that to them personally, we say it publicly, and we say it frequently.

I ask unanimous consent that, from this point forward, any time spent in quorum calls be equally divided.

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

Mr. ROCKEFELLER. I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Delaware.

Mr. COONS. Mr. President, I rise and ask unanimous consent to speak as if in morning business.

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

STARTUP AMERICA LEGISLATIVE AGENDA

Mr. COONS. Last week, President Obama unveiled his Startup America Legislative Agenda.

It marked the 1-year anniversary of his Startup America initiative, an ambitious, impressive, national energetic effort led by, among others, legendary innovator and entrepreneur Steve Case, the founder of AOL. It was a strategy that focused on how the Federal Government can best help young companies and, in particular, entrepreneurs all over this country get into the game

of starting and growing businesses. It is smart and it is important.

Entrepreneurs are driving our economic recovery and will drive our economic recovery into the future. They are taking the risk personally to turn their ideas into startup companies in fields from biotech and clean energy to manufacturing. Among these innovators could be the next American giant, a General Electric or DuPont. But in order for these startup companies to grow, we have to support them in their critical early stages. Today, I take that as our challenge.

Whenever I visit a factory in Delaware or meet with the young owner of a company that he or she has just started, I ask the same question: How can we best help you to grow?

Small business, it is often said, is the engine of job creation in this country. In the 1990s and the early 2000s, small firms created more than 65 percent of the new jobs in this country. But I want us to particularly focus on those small businesses that have enormous potential, so-called gazelle startups, those that grow not from 5 to 10 or 5 to 20 employees but from 5 to 50 to 500 to 5,000, whether it is Facebook or other startups that have gone from literally bench top or dorm room to being employers of thousands or tens of thousands.

Our economy has grown dramatically because of these rapidly growing innovative startups. Typically, they are startups that focus on a disruptive technology or product, something that fundamentally changes a whole sector of our marketplace, and they have the most promising potential for job creation.

Between 1980 and 2005, most of the net new jobs in America were created by firms that were 5 years old or less. That is about 40 million jobs over those 25 years.

This summer, I hosted in Delaware a series of roundtables with business owners. The focus of these conversations was on how we can help their businesses to grow and grow quickly. A lot of these businesses were young and innovative companies. They have a great idea and a good start on their research. But I often found, particularly in this economy, they are struggling to capitalize on their innovations.

Innovation is the spark that drives and sustains entrepreneurship, particularly entrepreneurship in disruptive technologies. But it is research and development that drives that innovation, and government only has so many tools we can use to help promote innovation. Today, I wish to talk about a piece of the Tax Code that is one of the most powerful tools in our toolbox.

Thirty years ago, Congress created the Research and Development Tax Credit, the R&D Tax Credit, to help incentivize companies to invest in innovation, to invest in the people who are doing the research and the development that drives innovation. In fact, 70 percent of R&D-qualified expenses

today are for wages. In many ways, it is an innovative jobs credit. It has helped tens of thousands of companies and has been extremely successful at getting companies to invest in innovation. But it has one key weakness: It expires. It expires all too often. It has, in fact, expired 8 times and been extended 13 times and it has most recently expired in December of last year.

The first bill I introduced as a Senator last April was entitled the "Job Creation Through Innovation Act." It did two things. First, and most important, it made the R&D tax credit permanent—important, in my view, to sustain and extend this successful program. But there is another issue we still need to address to make the tax credit relevant to these early stage, innovative, high-growth companies. Right now, the tax benefits of the R&D tax credit are available only to more established companies that are already turning a profit. We have to have a tax liability on their profits for that credit to be of any value to them. That is a roadblock in the way of success for startups and small businesses in Delaware and around the country and a place where I think we can and should come together across the aisle to address this gap in the R&D tax credit program because, in my view, it is the small early startups that most need a cash infusion to support their confidence, their stability, and their innovation. We can, and should, take this tax credit and retool it in a way that makes it more relevant and more effective. If entrepreneurs are the ones taking risks in this economy and creating jobs, they should be the ones we support in this tough economy through our Tax Code. As I said before, history shows it is those young companies that are creating the most jobs the most quickly and that have the best return on tax expenditures.

Here is what I have been working on. As I have met with innovative young businesses in Delaware, one of the ideas that has come to me more than once is to change the R&D tax credit so it is accessible not just by being permanent to big and profitable companies but by being tradable so smaller or startup companies that have no tax liability can take advantage of it.

How would that work? It allows startups to sell their tax credit to a larger company, giving them a much needed infusion of cash. Let me give an example.

Elcriton is a small but high promise, high potential Delaware company. It has patented strains of bacteria that are designed to consume duckweed—also called pond scum—and produce biobutanol, a promising drop-in alternative fuel. It has tremendous potential. Elcriton today is run by two Ph.D.s who have put together all the money they can raise, from family and friends and angel investors and early funds into research and development. But for them to grow, and grow quick-

ly, they need access to more capital to fund more innovation.

Evozym Biologics also is a 2-year-old Delaware company trying to bring to market cutting-edge innovations in computing and in the development of proteins from the University of Delaware and the Desert Research Institute. They are doing incredible things there.

Both these companies need more funding to invest in R&D and to capitalize on their potential to grow rapidly and grow high-quality jobs. If they were already bigger, well-established, successful companies, they might well qualify for the existing R&D tax credit. But because they are so small and just getting started, our current tax credit doesn't help them at all.

Fortunately, Delaware is also home to a few great well-established companies. Since those companies turn a profit and pay taxes, they could actually utilize a tax credit. In this case, Elcriton or Evozym would sell their innovation credit to one of the larger established companies. The bigger company gets the tax credit. The newer company gets the infusion of cash it needs to sustain its innovation. It would be a win-win.

This is just one idea of a number that I have introduced, that I have proposed, and that I have discussed with Senator BAUCUS and others on Finance. I hope that in discussing it today, some of my colleagues on both sides of the aisle and leaders in the business and innovation communities will work with me to further refine it, focus it, and make it part of our greater conversation about tax reform and the economic recovery.

We can and should put our heads together to find commonsense solutions to the problems, challenges, and opportunities of innovation and competitiveness. We have to give American business the support they need to compete in an increasingly competitive global economy because, in my view, we are falling behind in the race for innovation.

In the 1980s, the United States was routinely ranked as having the best R&D tax incentives and overall support for innovation in the world, but today some studies have us ranked 17th in the world in supporting and sustaining innovation. I refuse to let American companies, American inventors, and American workers fall behind. With the right resources, American ingenuity will continue to outcompete any country on Earth every time. I know it is possible. I have seen it week in and week out as I have visited small and medium startup companies in Delaware.

Just a few weeks ago in Bridgeville, DE, a town many from here have traveled as they have gone to the Delaware beaches, I stopped to visit a small company, Miller Metal, that is proving day in and day out that with investment, with innovation, with continuous improvement, they can go head to head

with Chinese metal fabricators and win: manufactured in Delaware, competitive in the global marketplace.

Although we need a full overhaul of our corporate tax structure, making this one small tweak to the R&D tax credit to make it accessible to early stage innovative companies will, in my view, give us a running start into the headwinds of the global economy, and I think we have no more time to waste. It is small businesses and innovative strategies that will create the jobs we need to put our neighbors back to work and turn this economy around more quickly. Let's work together, let's help them, and let's make progress on this most important proposal to change the R&D tax credit, make it permanent, and make it accessible for early stage companies.

I am eager to hear what people think about this idea, and I hope they will connect with me and my office and let me know how to improve on it, how to execute on it, and how to deliver this as a new tool in the toolkit of American innovation.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

Mr. ROBERTS. Mr. President, I rise today, as many of my colleagues have done, to speak in favor of the final passage of the conference report to accompany the FAA Air Transportation Modernization and Improvement Act. I don't know what the acronym to that is. It is a long name but it is a very comprehensive bill, and a very good bill.

I especially want to thank Senator HUTCHISON and my good friend from West Virginia Senator ROCKEFELLER and their dedicated staff for the countless hours they have dedicated over the past 5 years to produce legislation that will provide the Federal Aviation Administration with the tools necessary to begin finally to support the 21st century national airspace system. It is not often you have a staff and two Members dedicated for 5 years to finally come up with a good bill. It has been tough sledding, but they have gotten it done.

The aviation industry remains one of the most important economic sectors in my home State of Kansas. Passage of this 4-year reauthorization is absolutely necessary for giving aviation companies necessary funding and the regulatory certainty to move forward with a number of important initiatives. It is not very often in today's world you talk about regulatory certainty. This bill will do that.

Specifically, the FAA Air Transportation Modernization and Safety Improvement Act includes provisions to

implement a state-of-the-art satellite-based navigation system to provide operators and users of our national airspace the ability to seamlessly guide and locate traffic throughout our Nation and around the world.

It also authorizes critical funding for the Essential Air Service Program which provides Kansas and other rural States the ability to provide air service to smaller communities and the citizens and businesses whose livelihoods rely on the ability to travel longer distances in a short amount of time.

As a Member of the House—as a matter of fact, even prior to that as a staffer to a Member of the House—I was part of the effort that established the first Essential Air Service, so I have a long-time interest in this. I again thank Senators for doing their very best to preserve this program.

More important, this legislation reflects a bipartisan effort to ensure the continued health of the general aviation industry. This industry contributes over \$150 billion to the national economy each year. It has created over 1.3 million jobs—if anybody wants to hear about job creation, this is the outfit that does it—across a broad range of disciplines, and allows companies the ability to access facilities all across the globe.

This is where I want to particularly thank Chairman ROCKEFELLER and Senator HUTCHISON as well as my colleagues on the Finance Committee who were tasked with finding the necessary funding streams to pay for the annual \$15.9 billion tag this legislation does authorize.

Notably, this legislation does not include language imposing disproportionate and onerous user fees on the general aviation industry. This is contrary to what has happened in the past. This has been a general agreement now. Rather, this legislation preserves the current fuel tax levels, an efficient and effective funding mechanism that accurately reflects general aviation's use of the system.

If anybody down at 1600 Pennsylvania Avenue is listening, I hope they would adopt the same attitude as we have been able to reach in a bipartisan way, and not pick on any particular industry—or use their name or acronym for their name about six or seven times in three paragraphs of recent speeches.

Last, this legislation would not undermine steps taken at the Department of Transportation to protect private citizens from having their movements tracked by anyone with easily accessible flight tracking technology.

I look forward to joining my colleagues later this afternoon in passing this important measure, a great, comprehensive bill that will support more than a million jobs and help spur further economic growth and development in our Nation's aviation sector.

I yield the floor.

Mr. ISAKSON. Mr. President, I rise for a moment to echo, first of all, the words of the distinguished Senator

from Kansas. He was right on target in every point he made. But I also rise to pay tribute to the chairman, Senator ROCKEFELLER, and ranking member KAY BAILEY HUTCHISON, Mr. Ray LaHood, and Chairman MICA in the House, all of whom did an outstanding job bringing this together.

I was thinking in the airplane coming up here—it was an appropriate place to think about it; we are all on airplanes quite a lot—I was thinking about the many bills I have been involved in here in my 13, almost 14 years in the Congress of the United States. I don't know if I ever remember a conference committee that was so far apart and so divided that finally came together in the best interests of the American people than this one. I want to pay tribute to Majority Leader HARRY REID, who played an instrumental role in finding common ground and coming to agreement. Speaker BOEHNER in the House of Representatives did the same. This was a team effort. The National Mediation Board decisions that were made in the final agreements were good and they were fair. As Senator ROBERTS has said, the treatment of general aviation and commercial aviation is fair and equitable. We now have a 4-year plan for the next generation. Everything that happened, happened for the best and it happened because of good leadership on the part of Chairman ROCKEFELLER and Congressman MICA and Speaker BOEHNER, the Speaker of the House, and Senator REID. I thank all for the work they did, and I am very proud to have been a part of the solution that led to the reauthorization of the Federal Aviation Administration.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. ROCKEFELLER. Mr. President, I thank Senator ROBERTS from Kansas and Senator ISAKSON from the State of Georgia—State of Atlanta—for their very kind remarks. I really mean that. These are two good people with a lot of business experience, with aviation—is Hartsfield still the world's busiest airport?

Mr. ISAKSON. Busiest in the world.

Mr. ROCKEFELLER. And tremendous general aviation industry the Senator has in his State. That they come down and praise this bill means a lot to this Senator and I thank both of them.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Iowa.

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

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

Mr. HARKIN. Mr. President, I rise today to express my concern about provisions of this bill that amend an unrelated labor law statute—the Railway Labor Act. As the chairman of the Committee on Health, Education, Labor, and Pensions, which has jurisdiction over this law and the agency that enforces it, the National Mediation Board, I am troubled by the inclusion of this language and the implication that it creates; namely, that this independent Federal agency and the hard-working Americans it protects are being punished for recent regulatory changes that protect workers' rights.

The National Mediation Board—or NMB as it is known—established in 1934, is an independent agency that administers labor relations in the air and rail industries. In 2009 this small, 51-person agency went through a careful process to change the voting rules governing the elections that it administers. Under the old antiquated election system, all nonvoters were automatically and arbitrarily treated as a “no” vote, or a vote against the union, regardless of whether they actually opposed forming a union. These rules were contrary to the election rules used in National Labor Relations Board-supervised elections and different from the rules governing elections held throughout the entire United States, from school boards to U.S. Senators. Think about it—if you don't vote, you are counted as a “no” vote. What kind of sense does that make? It made no sense. Just as it would be unfair to arbitrarily assign an individual American a position, let's say, in the Presidential race because he or she chose not to vote, it was unjust to capriciously impose a position on rail and aviation workers who, for one reason or another, didn't vote in a representation election. That is why the National Mediation Board adopted the commonsense rule, the same rule that applies to industries all over America that are governed by the National Labor Relations Board. The rule was that in the future elections, a voter's decision not to vote would have no impact on the election's outcome. Only those voters who actually participate will determine the outcome of the election. A majority of those who vote determines who wins.

This basic system, as I said, of conducting elections works for school boards and for Congress. It works for all the businesses in America that are governed by the National Labor Relations Act, and it will work and has worked for rail and aviation workers. The only entity this new system apparently doesn't work for is the management of a few powerful airlines. These powerful companies don't want workers to have representation. They don't want to engage in collective bargaining with their workers. I guess they are deeply concerned about the remote

chance that at some point in the future they just might have to put a few additional dollars into middle-class workers' pockets, so they waged an unprecedented attack campaign to kill this rule, the rule that says: If you don't vote, your vote is not counted as yes or no. The only votes that count are those that vote yes and those that vote no. In the past, if you didn't vote, it was counted automatically as a "no" vote. Finally, people said: This doesn't make sense. No other business in America has any kind of rule like that governed by the National Labor Relations Board.

These few powerful airlines waged an unprecedented attack campaign to kill the rule. First they found some friends in Congress and tried challenging the rule under the Congressional Review Act, a law that allows Congress to overturn a rule through a resolution of disapproval. They lost that fight on the Senate floor. Next, they went to court to challenge the legality of the rule-making. They lost that fight in the district court, and then they appealed to the court of appeals and they lost there too. So then they waged a last-ditch effort to kill the rule on this FAA reauthorization bill, which has nothing to do with it. Again, it was not in the Senate bill. The House put it on a totally unrelated provision dealing with the National Mediation Board that isn't even a part of the FAA and which isn't in the jurisdiction of the Senate Commerce committee.

The FAA reauthorization has historically been a bipartisan bill that is essential to the operation of our aviation system. As a pilot myself—I have been all my life—I can see why this bill was needed, believe me. The current bill not only extends a wide variety of provisions impacting aviation, it helps to create tens of thousands of jobs and to bring our aviation system into the 21st century. This important legislation has absolutely nothing to do with the National Mediation Board, whose sole job is to oversee labor relations. But last year House Republicans tried to turn this FAA reauthorization bill into a vehicle to attack workers' rights.

They added a provision to their bill repealing the National Mediation Board's election rule—the rule which said if a person does not vote, it is not counted. It is not counted as a "no" vote or "yes" vote; it is just not counted—a commonsense rule. Then, when the House and Senate bills were in conference last year, they refused to pass a clean extension of the FAA laws as had been done on more than 20 occasions prior. Since they didn't do that, they stopped the conference negotiations. Instead, the House forced a partial shutdown of the FAA.

That shutdown last summer left 4,000 FAA workers furloughed. It put many thousands more people out of work in airport construction. It cut off FAA reimbursement payments to small businesses across the country. It cost the government about \$25 million in tax revenues every single day just because

the House was attacking workers' rights and they wanted to add this onerous provision to the FAA bill.

While frustrating, it has long been the norm here to keep agencies operating with short-term extensions while bills whose terms have not been worked out are negotiated. The House action was a rare break from that norm, and it caused real damage to thousands of real people.

Fortunately, there was a substantial public backlash against the House Republicans, and they had to back down. They let a short-term FAA extension pass, then they backed off on their demand to kill the rule. But the powerful corporations behind this effort still couldn't let the issue go. Despite the fact that the new rule had been in place for more than a year and has had absolutely no negative impact on any carrier—the union success rate in elections has remained roughly the same before and after the rule's implementation—these corporations were still bound and determined to attack the National Mediation Board and to attack America's rail and airline workers to punish them for having the audacity to stand up for what is fair and to have the audacity to stand up and say a vote that is not taken shouldn't be counted as a "no" vote or a "yes" vote; it shouldn't be counted at all, which I think most Americans would think makes sense.

So these corporations got their friends in the House Republican leadership to demand the addition of burdensome new changes to the Railway Labor Act in this unrelated FAA bill. The dramatic changes they initially demanded to this statute were absurd and would have been irresponsible to slip into a nonamendable conference report without any consideration by the committee of jurisdiction which happens to be the jurisdiction of the committee I chair in the Senate.

Fortunately, Senator ROCKEFELLER, the chairman of the Commerce Committee, and Senator REID, through months of negotiations, were able to stave off the worst of the House Republican proposals and ultimately settle on a package of less detrimental changes. Under this new language, the agency retains discretion to determine when a union should be properly certified as a bargaining representative, and we have no intention of changing that process. I also think we have left a lot of room for the agency to make rules that govern special situations such as mergers.

But to be clear, I don't think any of us on this side of the aisle wanted to make these changes at all. We were forced to do this by a few powerful people who were willing to hold many thousands of American jobs hostage and hold hostage improvements to our airway system just to get this.

Some people might call this process a compromise, but I call it an abuse of our legislative process, and we shouldn't let it happen. To be clear, as

I have indicated, there is progress in this bill for the people of my State and the people of this great Nation. It will create jobs. It will move our country's aviation system into the 21st century. It shifts our air traffic control system to a GPS system where planes can fly far more efficiently, saving fuel and time. It provides a compromise that continues the Essential Air Service Program.

So, again, I thank Chairman ROCKEFELLER for his diligence and his hard work for over 4 years trying to lead the House and others into moving our air transportation system, both for general aviation and for air transport and for the airlines, to be more efficient and to use less fuel so it is more benign to our environment. Believe me, there is a lot in here that is going to help general aviation also. So I thank Senator ROCKEFELLER for his diligence and his hard work.

So my "no" vote today on this bill is not to suggest that there aren't many good things in this bill. Instead, my vote is to stand up against the notion that a Federal agency and the American workers it is charged to protect should be punished for doing what is right and what is fair, what is in their jurisdiction, and to stand up against a process that allows the few and the powerful to hijack this body and change the rules of the game in their favor. The American people deserve better than that.

RAILWAY LABOR ACT

Mr. HARKIN. Mr. President, I would like to ask a few questions of my friend the majority Leader and my friend Senator ROCKEFELLER, Chairman of the Senate Commerce, Science, Transportation about the changes to the Railway Labor Act in the this bill. Because my committee has jurisdiction over this important act, I want to make sure that I fully understand the scope and impact of these changes.

Mr. ROCKEFELLER. I think a little context is helpful to understand the situation we were in. Republicans sought to use the FAA reauthorization bill to overturn a recent administrative rule by the National Mediation Board granting certification if a union won a majority of actual voters in a representation election. The Senate correctly rejected that provision of the House bill. The rule was fair and reasonable and I strongly support it.

Mr. REID. I agree, and reaffirm our strong support for National Mediation Board's decision in this matter. The Senate bill would, however, modify the Railway Labor Act in a few minor ways. One of these changes would modify the agency rules governing the showing of interest that is a precursor to a representation election for either a new certification or a change in certification. We modified that standard to require a 50 percent showing of interest for all elections. This percent was chosen to recognize the long-standing primary statutory goal of the Railway Labor Act, which is stability

in labor relations through peaceful collective bargaining. A 50 percent showing of interest will ensure that elections only occur when there is a sufficient and substantial indication of employee support.

Mr. HARKIN. My understanding is that there has been longstanding deference to the National Mediation Board regarding the findings it makes in the representation context. As the Supreme Court stated in *Switchmen's Union v. NMB*, after a NMB's decision on whether a showing of interest has been made "the dispute [is] to reach its last terminal point when the administrative finding [is] made. There [is] to be no dragging out the controversy into other tribunals of law." Would these changes alter that longstanding deference in any way?

Mr. REID. Absolutely not. In considering the amendments, we relied on and had no intention of disrupting the Supreme Court's decision in the *Switchmen* case. Codifying the standard in statute was not intended to alter the longstanding deference that must be accorded to the National Mediation Board as it makes factual findings in the representation context. In fact, the language was included in a new section of the Act, rather than incorporated into the existing Section 9, based on a consensus among all parties involved in the conference negotiations that the new showing of interest should not enable an employer to manipulate the election process by demanding court review of the showing of interest.

Mr. HARKIN. I would ask my friend, Senator ROCKEFELLER, if this was his understanding as well?

Mr. ROCKEFELLER. Certainly. We had no intention of changing the level of deference that is accorded to the agency in representation matters. The NMB's certification authority remains conclusive.

Mr. HARKIN. I thank my colleagues and am reassured by their response. I can think of a number of dangers that would arise if the sufficiency of a showing of interest were litigated in court. The sad reality is that employees are regularly retaliated against for supporting unionization—in ways that are legal and illegal. It would be very dangerous if employers could gain access to union authorization cards through litigation discovery. It is reassuring to hear that the sponsor of this bill does not intend that result by codifying the showing of interest.

Mr. REID. The purpose of the amendments was very limited. It was not intended to alter judicial review; in fact, there was agreement among Democrats and Republicans negotiating the agreement that there would be no expansion of judicial review. And I would also like to explain that it is not intended to apply to the unique situation in mergers. The text of the amendments apply to all applications for representation elections, but not to the entirely different circumstance where a labor organization or employees peti-

tion the National Mediation Board for a determination as to whether a merger or other transaction has altered an existing representational structure as a result of a creation of a single transportation system. In those cases, it is our intent that the National Mediation Board's existing merger procedures, as modified from time to time by the National Mediation Board, shall determine the percent of the craft or class to establish a showing of interest. Otherwise, employees could lose their representation simply by merging with a slightly larger unit without even having the opportunity to vote, which is unacceptable.

Mr. HARKIN. I thank the majority leader for that helpful clarification. I would like to raise two additional questions if I may, both related to whether usual rules of statutory interpretation are intended to apply here. First, am I correct that the showing of interest requirement set forth in this legislation should only apply prospectively and should not apply to any application for representation pending at the time of the effective date of the legislation?

Mr. ROCKEFELLER. Yes.

Mr. HARKIN. I thank the Senator. And second, in the amendments, Congress directed the Government Accountability Office to review certain NMB activities periodically, and in conducting these reviews, to consider whether the agency's actions are consistent with Congressional intent. I would presume that the relevant question for the GAO to consider is whether the agency's actions are consistent with the intent of the Congress that passed the provisions of the Act in question, the joint labor-management agreements which led to its adoption, and the subsequent judicial interpretation thereof?

Mr. ROCKEFELLER. That is correct, yes.

Mr. HARKIN. I thank my colleagues for joining me in this conversation.

Mr. LEVIN. Mr. President, I will vote in support of the conference report to accompany the FAA Reauthorization and Reform Act, H.R. 658. The last reauthorization bill expired at the end of fiscal year 2007 and since then we have passed 23 short-term extensions. We are long overdue to enact a long-term reauthorization of FAA's programs in order to provide important funding and program improvements that will enhance the safety and efficiency of our Nation's aviation system. I am pleased we are finally doing that today and in so doing we make key investments in our Nation's aviation infrastructure as well as create good jobs in the process.

One of the main issues holding up the bill for so long was a provision contained in the House bill, but not the Senate bill, to repeal the National Mediation Board—NMB—rule that ensures that only those votes cast in a union election are counted. I am glad to see that controversial provision has been removed, although I am disappointed language has been added to change

Railway Labor Act rules and regulations governing union elections by raising the showing of interest threshold for holding an election from 35 percent to 50 percent of the employees in the craft or class. I do not believe the FAA reauthorization bill is the appropriate vehicle for this sort of change and I do not support its inclusion in this bill.

Providing a long-term 4-year reauthorization of our aviation programs is vitally important. Our global economy depends on the smooth and efficient movement of goods, services and people from city to city and across international borders. A safe and efficient aviation system goes hand in hand with a strong economy. We are fortunate to have one of the best aviation systems in the world and I am pleased that under this bill we continue to make the necessary investments and upgrades to retain that high standard. This FAA reauthorization bill addresses problems of capacity, congestion and delays to help ensure our aviation system can handle the projected growth in airlines passengers.

The FAA reauthorization bill will also create much needed jobs by providing the funding and directives for safety improvements at our airports and in the aviation industry. In Michigan alone the FAA is building two new air traffic control towers, at Kalamazoo and Traverse City. The FAA is also repaving numerous runways and taxiways, including at Detroit Metropolitan Wayne County Airport, Alpena County Regional Airport, Bishop International Airport, Sawyer International Airport and at other airports around the state. The FAA is also constructing new terminal buildings at Kalamazoo/Battle Creek International Airport and at MBS International Airport in Freeport, MI. And FAA funds are paying for the design of a new building for aircraft rescue and firefighting and snow removal equipment at Pellston Regional Airport in Emmet County. These are important upgrades to Michigan airports and funding of many more needed improvements will make flying into and around Michigan safer and easier.

H.R. 658 will move us closer toward modernizing our air traffic control system by building the Next Generation Air Transportation System—NextGen—of satellite-based navigation. The NextGen system will be more accurate and more efficient than the current radar-based air traffic control system. It will also result in significant fuel efficiencies and time savings by allowing aircraft to fly more direct routes. This is good for the environment, good for air carriers and good for the flying public.

I am very pleased the conference report adopted the Senate approach to the Essential Air Service Program—EAS—and preserves this important program rather than terminate it as the House bill would have done. The EAS provides rural communities with

access to the national air transportation system and is very important to Michigan. We have 8 communities that rely on EAS subsidies to help provide them with daily commercial air service. This conference report maintains the EAS program at current funding levels with some minor modifications. I very strongly opposed attempts to deprive Michiganders living in the less populated areas of our State of commercial air service. For businesses in the affected communities, this service is an economic lifeline that connects them to the web of both national and international commerce. At a time when we are doing everything we can to compete globally and to increase the number of jobs, cutting off that access makes no sense and I am glad this conference report recognizes this.

Mr. LEAHY. Today, nearly a year after the Senate passed the FAA Modernization and Reform Act, the Senate is being asked to adopt the conference report to accompany it.

I am pleased that the conference report does retain bipartisan language that I worked on to protect the public's right to know under the Freedom of Information Act. The Freedom of Information Act is one of our Nation's premier open government laws. The language included is intended to allow the Government to protect sensitive aviation information while still ensuring that the American public has access to aviation-related health and safety information.

I am very disappointed that the conference report does not contain the amendment that Senator INHOFE and I worked hard to pass when the bill was considered and passed by the Senate. Following passage of our amendment in the Senate, which contained important improvements to the Public Safety Officers Benefits Act—PSOB—and the Volunteer Protection Act, I worked with House Judiciary Committee Chairman LAMAR SMITH to revise the Senate language into a bipartisan set of PSOB reforms.

Among these reforms, and the basis of my Senate amendment, was the Dale Long Emergency Medical Service Providers Protection Act. This measure was prompted by the tragic death of Dale Long, a decorated emergency medical technician from Bennington, VT, who spent his career helping his fellow Vermonters. Following Mr. Long's death, I became aware of a gap in PSOB coverage for emergency medical responders, and this amendment was designed to close that gap so that Mr. Long, and others who serve as medical responders for private, non-profit ambulance services, have the protection of the PSOB program.

In addition to the Dale Long measure, the agreement that Chairman SMITH and I drafted included provisions to improve the administration and efficiency of the PSOB program. These reforms would have made the claims process faster, easier, and fairer for those disabled in the line of duty, and

for the surviving family members of those who lose their lives during service. I regret very much that the Conference Committee decided to remove these improvements from the final version of the bill.

Mr. President, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. ROCKEFELLER. Mr. President, I note that the time is just before 5 o'clock. My distinguished Republican colleague, Senator HUTCHISON, is not on the floor at the moment, but I do not know of nor have I heard of any other Members wanting to speak. I don't know that we need to do much except go ahead and vote. I don't have the power to command that. I see a whole lot of people up here who do, but I would just say if there is anybody at the last moment who wants to speak, that is fine.

We have set up the vote for 5:30. I think there are a lot of our colleagues who aren't going to get here until 5:30 because they are on airplanes that land at 5:00. So we have to take that into consideration.

So I stand here to say that I think this is a very good bill, and I think, as has been mentioned often, it is a 4-year product with hard work and with an unbelievable consultation with all of the stakeholders, which includes all of the Members of the Senate and their staffs and all of the people out in the world of aviation. We have spent endless hours with them, and rightly so and happily so.

I think there is general support in the aviation community for this bill. I could read a list of all of the people who do support it, the associations that support it, but it would take me a long time. I hope very much my colleagues will vote for this bill.

As I indicated, nobody got all they wanted, but that is the nature of compromise. Compromise in and of itself was particularly difficult in this negotiation, but we have done what we have done. It is well regarded. I urge my colleagues, when they do come, to vote for the bill.

I thank the Presiding Officer, and I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CARPER. Mr. President, the Presiding Officer, my colleague from Delaware, has heard me say more than a

few times that when I meet people who have been married a long time, I like to ask them: What is the secret to being married 50 or 60 or 70 years or more? I get some funny answers. I also get some very poignant answers. Sometimes I get very instructive answers. One of the best answers I have ever heard—in fact, I have heard it more than a few times over the years—is the key to a long marriage, a successful marriage is the two Cs—not COONS and CARPER, not COONS and CARNEY, not COONS and CASTLE but communicate and compromise.

The folks from Delaware who elect us—and people from the other 49 States—are wondering: why don't we do the two Cs more here? Because those two qualities—communicating and compromising—are actually not only needed for a successful marriage but also for democracy to succeed.

Today, as we prepare to vote on the conference report—a compromise—it is a product of a whole lot of communication from people all over the country: from businesses, from air traffic controllers, from labor unions, from people who use airlines, to folks who are involved in sometimes direct or indirect ways with this legislation, but they have been communicating with us what they think we should do.

As we work to bring our air traffic control system into the 21st century and as we seek to fund the modernization of our airports and our airways, we have had to raise some money. I was privileged to serve on the Commerce Committee for a while with our chairman Senator ROCKEFELLER, and forever we were trying to work out a compromise between the airlines and the general aviation community on how do we pay for this tab so we do not run the deficit up even more. I take my hat off to the chairman and the others who worked on this with the key stakeholders to say: They are going to raise some revenues, they are actually going to pay some additional tax monies to come up with the money we need to provide for better airports and, frankly, better air traffic control systems—safer air traffic control systems, more efficient air traffic control systems. Better results? Maybe not for less money but better results for a little bit more money. But it has been an ongoing communication for several years and an ongoing dialog that has actually led us today to a very good compromise.

We are often told in these jobs we talk with consultants who talk to us about messaging and how do we message or talk about certain things? One of the things they tell us is never use the word “infrastructure.” Do not use it. Don't tell your constituents we are working on infrastructure. They do not know what you mean. Instead, we should talk about roads, highways, and bridges. We should talk about railroads. We should talk about canals or ports. We should talk about water or wastewater treatment systems. We

should talk in our State about the dune system that protects our coastal beaches. We should talk about dredging a channel in a place such as the Delaware Bay or the Delaware River in an environmentally safe way. We should talk about levees. We should talk about the deployment of broadband across our country. That is all infrastructure.

Do you know what else is infrastructure? Our airports, the airways, the air traffic control system that is used to dispatch planes and make sure they go where they are supposed to go and land where they are supposed to land and fly safely throughout the day and throughout the night.

In the State of Delaware, I say to the chairman—as our Presiding Officer knows—we have three counties. The largest county in Delaware is called Sussex County. It is the third largest county in America. The county seat of Sussex County is a place called Georgetown. Just on the outskirts of Georgetown—a town of several thousand people—we have an airport, an air park as we call it. There is an effort to try to expand the length of one of the runways. One of the runways is about 3,000 feet. The other is about 5,000 feet. The county, which sort of manages the air park in Georgetown, would like to expand the longest runway from 5,000 to 5,500 feet or 6,000 feet.

Why? Because by doing that, we provide a nurturing environment by improving that infrastructure—in this case, the length of the runway—and the navigational system, the lighting system that is associated with the airport. We make it an easier place, a safer place to fly in and out of, and we increase the likelihood it is going to be used.

By whom? It is going to be used by, among other things, not just 737 aircraft but 757s. There is a company there called PATS that works on airplanes, some very expensive executive jets, 737s and cargo planes and passenger planes. They help make sure they have larger fuel tanks so they can fly further safer. In some cases, they work on the insides of these very exclusive executive jets and tony them up and make some money doing that, and they fly all over the country, all over the world. That takes place right in Sussex County, DE, at the Georgetown Air Park.

They need to increase the length of the runways. This legislation will help make that possible over about a two-stage period over the next maybe 18 months or so. They need, at Georgetown, to be able to take out some hindrances to the safe travel of airplanes, including maybe trees in some parts of the runway—the approach or the take-off, departure side of the runway. They need to be able to put in some better navigational systems, better lighting to make sure the big planes can get in and out safely. If more work can be done by PATS, they can hire more people.

There is a guy from West Virginia whom the chairman knows well. We are both from West Virginia. I am a native West Virginian, and he has lived there and governed there and served as their Senator for a lot longer than I lived there as a kid. But there is a guy there named John Chambers, whom Senator ROCKEFELLER knows well, whose parents are, I think, still there. I think they taught maybe college, so I do not know if they taught at West Virginia Wesleyan when the Senator was their president. But John Chambers' parents, I think, both have been teachers, maybe professors.

John Chambers runs Cisco. He started Cisco, a big technology company. John Chambers is fond of saying the jobs in the 21st century are going to go to the States or the nations that do two things well: No. 1, create a world-class productive workforce. People can come to work, do a job, and do it in an efficient way using technology. The second thing he says is, the jobs of the 21st century will go to places where the infrastructure is world class.

With this legislation, we are going to make sure the Nation that started all this aviation with the Wright Brothers and actually got us not off on the right foot but off on the right wing all those years ago, that we are going to be in a position to reclaim that mantle and to again show the rest of the world how to do it right: to strengthen our infrastructure, bring our infrastructure into the 21st century, be able to fly planes safer out of airports that are better configured, better constructed, more wisely invested in communications, in navigational systems, in the right length and width of our runways, and to make sure the folks who are controlling our aircraft are doing a better job, using all the tools in the toolbox.

I had a chance to fly as a naval flight officer for about 23 years—5 years in a hot war and another 18 years in a cold war, until the end of the Cold War with the Soviets—and I have flown in and out of a lot of airports, naval bases, and other military bases with my crews on Active Duty and Reserve Duty, and I spent a little bit of time, as the chairman did, as Governor of my State and as the commander and chief of the Delaware National Guard. So these are issues I have actually thought about a whole lot, as somebody who has been in airplanes, a whole lot of airplanes, over the years.

I feel better about the men and women who are flying airplanes in uniform, in flight suits going forward. I feel better with this investment in this legislation about the folks who will be flying in commercial airlines, whether they are from the United States or some other country because of this legislation, this compromise, and I feel better about people flying in what I call those “teeny-weenies,” whether they happen to be little Pipers or Cherokees or whatever or whether they happen to be some of these real exclusive executive jets we see zipping

around West Virginia and Delaware and other places.

So it will be a safer way to travel, and it is going to be an investment that is going to help create jobs, including in Georgetown, DE, including in West Virginia.

To everybody who has been a big part of bringing us to this point, to our friends over in the House who were able to communicate and compromise with us, to the chairman of the committee, and to our ranking Republican on the committee who is not on the floor right now, I take my hat off to you for getting us to this day. This is a good day. This is a happy day for us in this body. I think this is a happy day for the United States of America. We have shown we can actually get something done that has a good and positive impact on our States and on our Nation.

With that, I yield the floor. I do not know if there is anybody else who seeks recognition. If not, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. ISAKSON. On behalf of the minority side, I yield back the remainder of our time.

The PRESIDING OFFICER. All time has expired.

Under the previous order, the question is on agreeing to the conference report to accompany H.R. 658.

Mr. ROCKEFELLER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Dakota (Mr. CONRAD), is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. HATCH), the Senator from Wyoming (Mr. BARRASSO), the Senator from Illinois (Mr. KIRK), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted “nay.”

The PRESIDING OFFICER (Mrs. HAGAN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 75, nays 20, as follows:

[Rollcall Vote No. 15 Leg.]

YEAS—75

Alexander	Boozman	Coats
Ayotte	Boxer	Coburn
Baucus	Brown (MA)	Cochran
Begich	Burr	Collins
Bennet	Cantwell	Coons
Bingaman	Carper	Corker
Blunt	Chambliss	Cornyn

Durbin	Landrieu	Roberts
Enzi	Lautenberg	Rockefeller
Feinstein	Levin	Rubio
Graham	Lieberman	Schumer
Grassley	Lugar	Sessions
Hagan	Manchin	Shaheen
Heller	McCain	Shelby
Hoeven	McConnell	Snowe
Hutchinson	Menendez	Tester
Inhofe	Moran	Thune
Inouye	Murkowski	Toomey
Isakson	Murray	Udall (CO)
Johanns	Nelson (NE)	Udall (NM)
Johnson (SD)	Nelson (FL)	Warner
Johnson (WI)	Portman	Webb
Kerry	Pryor	Whitehouse
Kohl	Reed	Wicker
Kyl	Reid	Wyden

NAYS—20

Akaka	Franken	Merkley
Blumenthal	Gillibrand	Mikulski
Brown (OH)	Harkin	Paul
Cardin	Klobuchar	Risch
Casey	Leahy	Sanders
Crapo	Lee	Stabenow
DeMint	McCaskill	

NOT VOTING—5

Barrasso	Hatch	Vitter
Conrad	Kirk	

The conference report was agreed to. The PRESIDING OFFICER. The majority leader is recognized.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that we now proceed to a period for morning business, with Senators permitted to speak therein for up to 10 minutes each. There will be no more votes tonight.

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

The Senator from Ohio.

COMMEMORATING JOHN GLENN'S "FRIENDSHIP 7" SPACE FLIGHT

Mr. PORTMAN. Madam President, I would like to take the opportunity today to recognize the remarkable achievements of a former Senator from Ohio. The State of Ohio is known as the birthplace of aviation, it is the home of the Wright Brothers and the home to 24 astronauts. I have the privilege of calling two of these astronauts, Neil Armstrong and John Glenn, my friends. Today, I would like to take a few minutes to commemorate the tremendous achievement of one of these heroes by celebrating the upcoming 50th anniversary of the historic 1962 flight of NASA's Mercury Spacecraft, nicknamed *Friendship 7*.

Fifty years ago on February 20, 1962, *Friendship 7*, piloted by John Glenn, performed 3 successful orbits of the Earth at 17,400 miles per hour, and made John Glenn the first American to orbit the earth. While in orbit, John Glenn performed a series of breakthrough experiments to test human ability to function in the weightlessness of space. He then successfully piloted the spacecraft manually after a malfunction in the automatic flight controls, overcoming severe oscillation and a dwindling fuel supply during reentry, and completing the mission by landing the spacecraft safely in the Atlantic Ocean 4 hours, 55

minutes and 23 seconds after initial launch. He returned a national hero.

His historic flight inspired scientific curiosity and national enthusiasm for further space exploration, paving the way for America's continued dominance in space operations.

In 1998 Senator Glenn again demonstrated his tremendous courage and reentered space at the age of 77, aboard the Space Shuttle *Discovery*, to examine the effect of space flight on the elderly.

Space exploration is not, however, Senator Glenn's only remarkable achievement. He set the transcontinental speed record in 1957 for the first flight to average supersonic speed, flying at an average speed of 723 miles per hour, from Los Angeles to New York. Then in 1996 Senator Glenn set a new record, along with co-pilot Phillip Woodruff, of an average speed of 229 miles per hour in a 367-mile flight from Dayton, Ohio to Washington, DC.

In addition to these contributions to scientific exploration and NASA, John Glenn gave 23 years of service to the U.S. Marine Corps; is a veteran of two foreign wars; flew 149 combat missions; was awarded the Distinguished Flying Cross five times; and retired a colonel in 1965.

Ten years later he began a career in the U.S. Senate, contributing 24 years of service as a U.S. Senator from the State of Ohio from 1975 to 1999.

In 1998 the John Glenn Institute for Public Service and Public Policy at The Ohio State University was created and Senator Glenn became an adjunct professor in OSU's School of Public Policy and Management in the Department of Political Science.

Then, in 2006 the John Glenn Institute for Public Service and Public Policy merged with the School of Public Policy and Management to form the John Glenn School of Public Affairs at The Ohio State University, which prepares future generations of public servants. I myself have had the privilege of co-teaching four classes at the Glenn School and have the honor of serving on its board of advisors along with Senator Glenn and his incredible wife Annie. She has been a tremendous partner for Senator Glenn through all of these experiments we have been talking about tonight.

Senator Glenn's tremendous achievements have paved the way for future generations to follow in his footsteps by continuing to make the United States a global leader in science, technology, education, military service and public service. I once again commend Senator John Glenn on the success of his historic 1962 flight aboard NASA Spacecraft *Friendship 7*.

Madam President, I yield the floor.

REMEMBERING KENNY BAKER

Mr. MCCONNELL. Madam President, today I rise to mourn the loss of a great American veteran and a musical legend in Kentucky's own signature genre, bluegrass.

Mr. Kenny Baker of Letcher County passed away in July of 2011. He was 85 years old. Although Mr. Baker is no longer with us, his monumental contribution to the musical world will remain for many years to come.

Mr. Baker was most widely known for his innovative style of fiddle playing that many have referred to as "long bow fiddling." He would use every inch of the bow, from tip to tip, to produce a sound unlike any other in the world of bluegrass music. Mr. Baker picked up the fiddle at the young age of 5 years old and went on to write an astonishing 92 musical numbers throughout his lifetime.

He enlisted in the U.S. Navy during World War II and was assigned to a destroyer escort ship in the Pacific theater. But once the Navy learned of his musical ability, he was quickly transferred from his station to entertain troops in the South Pacific. After honorable service to his country in the Armed Forces, Mr. Baker returned to Letcher County and found work in the coal industry of eastern Kentucky but his musical journey was far from over.

Kenny Baker started playing the fiddle professionally in 1953 and played in the company of musical greats such as Don Gibson, Bobby Osborne, Josh Graves, and famous bluegrass innovator Bill Monroe. After taking a few years to get acquainted with the world of the music industry, he finally settled down and found a permanent home in the band Monroe's Blue Grass Boys.

On Mr. Baker's extensive musical journey, he regularly played at the Grand Ole Opry, recorded hit albums, played numerous concerts, and even had the distinct honor to play the fiddle for President Jimmy Carter at the White House. However, his greatest achievement came when he was named to the International Bluegrass Music Hall of Honor in 1999.

Mr. Baker spent his final years teaching children the value and importance of music in their lives. His generosity and love for music and music education will be greatly missed, not only by his wife Audrey Baker; his sons, Johnny Lee and Kenneth Junior; and many other beloved family members and friends, but also by generations of fans and fans to come of bluegrass music, as well as the residents of the great Commonwealth of Kentucky.

So, Mr. President, I would like to ask that my Senate colleagues join me in honoring Mr. Kenny Baker not only for his service to our country but also for his great contributions to the creative field of music. The Lexington Herald-Leader recently published an article recognizing Mr. Baker's incredible life. I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Lexington Herald-Leader, July 12, 2011]

KENNY BAKER

(By JenniF Hewlett)

When Kenny Baker played the fiddle, the notes flowed out like honey pours from a jar—smooth, thick and wide, according to his friends.

"All your great fiddle players in Nashville, when they heard Kenny, they knew there was a lot more to be had with a fiddle, a lot more to learn," said Ronnie Eldridge, a close friend.

"He was the best at hoedowns. Nobody could touch him on the waltz. He was a singer's dream," Eldridge said.

Mr. Baker, 85, a Letcher County native who spent many years performing with legendary bluegrass musician Bill Monroe, penned 92 instrumentals and tutored many others in his "long bow" fiddling style, died Friday, just a few days after his last jam session. Mr. Baker, who lived near Gallatin, Tenn., died of complications from a stroke.

Mr. Baker first picked up a fiddle when he was 5, according to his son, Kenneth Baker Jr. of Columbus, Ohio. Mr. Baker's father had been an old-time fiddle player.

Mr. Baker later turned to the guitar, but he eventually went back to the fiddle. He grew up inspired by jazz, his son said.

After joining the Navy during World War II, Mr. Baker was soon transferred off a destroyer escort ship to entertain troops in the South Pacific. After military service, he returned home to Letcher County, got married, worked in coal mines and played at barn dances on weekends.

He started playing the fiddle professionally with country musician Don Gibson. In 1953, Mr. Baker went from playing Western swing and dance-band tunes to bluegrass music, performing with Monroe, who is known as the father of bluegrass music, beginning in 1957. After a few years, he went back to the coal mines in eastern Kentucky. He returned to Monroe's Blue Grass Boys band in 1968 and left again in 1984, but he was reunited with the band in 1994 at Monroe's Bean Blossom bluegrass festival.

Monroe's well-known "Uncle Pen" album features Mr. Baker on the fiddle.

"He was just absolutely the backbone of that band," Eldridge said.

"They were at the White House one time. Bill Monroe's group was invited by Jimmy Carter and Rosalynn Carter," Kenneth Baker Jr. said. "He liked to say when Rosalynn had a request, she came to Dad."

Many people went to bluegrass music festivals to hear Kenny Baker play the fiddle as much as they went to hear Bill Monroe sing, bluegrass music great Bobby Osborne said.

Many great fiddlers, past and present, are indebted to Baker, said Osborne, who performed with Mr. Baker and shared a dressing room with him at the Grand Ole Opry.

"I couldn't single him out as the top player of all time, but a lot of people would," Osborne said.

Mr. Baker's son said technique and a great memory made his father stand out.

"Dad would use the bow from tip to tip. That made his fiddling so smooth, and that was something different in the bluegrass world," Kenneth Baker Jr. said. "It was all by ear, and he had a tremendous ability to recall just about any song that people asked for—hundreds of songs."

Mr. Baker was particularly proud of the songs he wrote and recorded, his son said.

"At any of the major fiddle contests, probably a third of the tunes played will be Bill Baker tunes," Eldridge said.

Said Osborne: "The tunes that he wrote, they were so down to earth. The melodies that he put to his tunes were so easy to learn."

After 1984, Mr. Baker performed in many shows with dobro great Josh Graves.

In 1993, Mr. Baker received a National Heritage Fellowship from the National Endowment for the Arts. In 1999, he was named to the International Bluegrass Music Hall of Honor in Owensboro.

In addition to his son, Mr. Baker is survived by his wife, Audrey Baker; another son, Johnny Lee Baker of Nashville; two sisters; a brother; four grandchildren; and several great- and great-great-grandchildren.

Services will be at 2 p.m. Tuesday at Burdine Freewill Baptist Church in Letcher County. Carty Funeral Homes in Jenkins is handling arrangements.

BLACK HISTORY MONTH

Mr. UDALL of Colorado. Madam President, I rise to join my fellow Coloradans, my colleagues in the U.S. Congress and others across the Nation to celebrate Black History Month. I am honored to recognize the contributions of the African-American community in the United States and especially in my home State of Colorado.

I am particularly proud to reflect on the legacy of community involvement exemplified by Colorado's Black community, from Colorado's earliest days as a western territory to the present. There have been many community leaders, public officials, and entrepreneurs who have contributed immensely over the years to make our great State what it is today, from our historic and cultural institutions, to the farms and small businesses of our rural communities.

One gentleman named James Beckwourth, whom I have recognized in previous years as a true frontiersman, exemplifies the entrepreneurial spirit that led to the building of the economic foundations that supported the formation of our great State. He led expeditions into Colorado's Rocky Mountains in the 1820s and returned in the 1830s to serve at Fort Vasquez near Denver. In the 1840s, he co-founded a trading post and settlement named Fort Pueblo to serve as a trading hub for the Native Americans, Mexican settlers and other American frontiersmen along the Santa Fe Trail. This settlement eventually became the City of Pueblo and still serves as a commercial hub for Southeast Colorado.

Mr. Beckwourth exemplifies the entrepreneurship that continues to thrive in all of Colorado's African-American communities. Today, I would like to specifically recognize the importance of the continuation of the entrepreneurial spirit in Black communities throughout Colorado and share how much it has strengthened Colorado's economy and will continue to help lead our country on the path to economic recovery.

The increase in the number of minority-owned businesses has been a bright spot in our economy. According to the Minority Business Development Agency (MBDA), operated by the Department of Commerce, minority-owned businesses contributed \$1 trillion to the economy last year and created 5.8

million jobs. Specifically, the total number of African-American owned businesses grew to 1.9 million firms between 2002 and 2007, an increase of 61 percent. This figure is particularly impressive when compared to the employment growth in the rest of the country during that same time period, which was less than 1 percent.

In Colorado, the total number of minority-owned firms increased by 19 percent between 1997 and 2002. By 2007, this figure had increased even further as there were over 59,000 firms, employing over 74,000 workers, and the numbers continue to grow. African-American-owned businesses are an important part of this driving force in our State's economy. Along with all other minority-owned businesses, the increase in African-American owned businesses in Colorado has helped sustain our economy and stimulate job growth. The most recent data show there are more than 9,000 African-American-owned businesses in Colorado. These businesses are especially valued in Colorado because they not only provide jobs to Coloradans, they also provide essential services that meet the needs of both African-American and non-African-American communities. And as we know, successful businesses have a positive economic ripple effect throughout our communities.

In spite of the rising number of minority-owned businesses in Colorado, barriers to success still exist, and in some cases the challenges facing minority-owned businesses can be particularly difficult. This is why I was proud to welcome the creation of the Denver Minority Business Center last summer. The Denver Minority Business Center is an extension of the Minority Business Development Agency, and will further supplement our State's commitment to supporting minority owned businesses by providing the resources to develop technical skills and to access capital and contracting opportunities. Within the last 3 years alone the MBDA has helped create 11,000 new jobs nationally and helped save thousands of existing jobs at minority-owned firms by helping secure \$7 billion in contracts.

As we celebrate the diverse and profound contributions of African-Americans to our State, I hope we will remember to appreciate the positive and sustaining impact of African-American owned businesses, and I hope we will continue to support the creation of new minority owned businesses in all corners of our State. I encourage all Coloradans to join me in reflecting on the invaluable contributions of African Americans to our State and throughout our great Nation—not only during Black History Month, but every month of the year.

Mr. BEGICH. Madam President, I wish to recognize February as Black History Month. Each February our Nation focuses on the contributions African Americans have made in shaping our Nation. This year, the Association

for the Study of African American Life and History has declared the theme for 2012: "Black Women In American Culture and History."

Each year since 1976, the President issues an executive proclamation naming February as African American History Month. More than a half dozen Federal agencies, including the Library of Congress, conduct celebrations, programs, and activities relating to this rich history.

I join them in recognizing the importance of remembering the contributions made by such memorable figures as Rosa Parks, Shirley Chisholm, Sojourner Truth and Maya Angelou just to name a few, and our country's initial African-American First Lady, Michelle Obama.

Just as importantly, countless unsung African-American women have made a mark in their communities by caring for their families, teaching our youth, running successful businesses, serving their churches, and getting elected to public office.

Many African Americans spent their entire lives without getting the credit they deserved. By focusing on Black history in February, we can give overdue acknowledgement and perhaps inspire our young African Americans to continue to achieve greatness.

In Alaska, African Americans have worked to build our communities with their many contributions.

I urge all Alaskans and other Americans to examine and contemplate the significance of the contributions that African-American men and women have made in determining the course of these United States of America.

RECOGNIZING KING ARTHUR FLOUR

Mr. LEAHY. Madam President, I would like to bring to the Senate's attention the recent accomplishments of King Arthur Flour of Norwich, VT.

Established in 1790, King Arthur Flour has stood the test of time as the oldest flour company in the United States. Over the years King Arthur Flour has continued to raise the bar as an outstanding Vermont company. Most recently the company redesigned its website to allow for easier mobile phone and tablet use, placing it in the Hot 100 feature of Internet Retailer magazine. This continued focus on technology is propelling King Arthur Flour into the future as a cutting-edge company to watch.

As the company has continued to grow and succeed, it has managed to stay true to its Vermont roots. King Arthur Flour has flourished as an employee stock ownership company (ESOP), a model of business stewardship that highlights a strong commitment to the company's workforce and the local community. I also appreciate that King Arthur Flour has been a long-time participant in the annual Taste of Vermont event in Washington, where we bring the finest Vermont products to the Nation's capital.

I wish King Arthur Flour the best of luck as it continues to grow both its web presence with new technology and its physical presence with a major expansion project set to open this summer. I ask unanimous consent that a December 22, 2011, Burlington Free Press article highlighting the company's achievements be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press, Dec. 22, 2011]

A (WEB) RECIPE FOR SUCCESS

(By Stephen Mills)

NORWICH.—King Arthur Flour is America's oldest flour company, established 1790, a year into George Washington's presidency.

So how does a company that makes flour and bread—an ancient art—win national awards and acclaim for its business practices in the 21st century?

Quite simply, the company has become the toast of the town among the technocrati of e-commerce.

With the economy flagging, many companies turned to enhanced e-retailing to capture more sales, offering free shipping and additional savings for shopping online. King Arthur Flour is no different, relying heavily on its website, kingarthurfour.com, to sell its products and services that can also be found at its "Norwich, Vermont bakery, school and store"—a sponsorship refrain often heard on Vermont Public Radio, which also calls it "home" for its company-sponsored studio there.

But to maximize online sales, King Arthur Flour redesigned its website to allow its offerings to be displayed on any-size screen, including phone, tablet or desktop. And it did so without having to write exotic or expensive software programs for each device.

Company online services director Halley Silver explains: "Our previous site used a template that was 780 pixels wide. We have moved to a template that adapts its layout from 320 pixels wide to 992 pixels wide. This is called a responsive website design. It's not a mobile application, but rather a mobile-friendly website."

"We have built a new website that works well across mobile devices and tablet computers, as well as desktops and laptops," Silver added. "We have seen strong growth in mobile and tablet traffic to our site, and also realize that having a usable site while shoppers use their phones in the supermarket and tablets in the kitchen is critical to our success online."

The result has been explosive mobile sales growth for the company by shoppers using hand-held smartphones and tablets, up 14 percent in September compared with just 2 percent for the comparable month last year. The sales spike was 5 percent from tablets such as iPads, and 9 percent from mobile phones.

The company's success compares favorably with online sales figures just out for all retailers showing a 15 percent increase over Thanksgiving, the nation's busiest shopping period, compared with last year, and even better than those for mobile devices, which increased 7.4 percent, according to data from IBM Benchmark.

Company CEO Steve Voigt said: "I have long been a big supporter of online efforts and it is very encouraging to see all the success which our customers and we enjoy by our efforts to-date. . . . Baking seems custom-made for the online community; a little online chat, then a little offline baking."

NET ROYALTY

Voigt is demur about the company's financial success, noting figures for the private company are "confidential." But according to the Internet Retailer Top 500 Guide, King Arthur Flour reported online sales of \$15.15 million in 2010. Voigt did say the company has \$96 million in annual revenues for the most recent fiscal year.

Internet Retailer magazine, a leading tracker of e-commerce, picked the company for its Hot 100 feature in the December issue. The Hot 100 are not ranked but represent the nation's the most interesting innovations in online retailing this year.

Under the article heading, "Mobile Drives Design," the publication notes: "Founded in 1790, baking ingredient and bakeware retailer King Arthur Flour is both the oldest brand in this year's Internet Retailer Hot 100 and one of the most forward-looking."

The article added, "King Arthur's 'mobile first' approach to Web design exemplifies an elegant solution to Web merchants' growing challenge of designing for multiple access devices."

Internet Retailer also has asked Silver to be a featured speaker at its annual Internet Retailer Web Design and Usability Conference 2012 in Orlando, Fla., in February. It refers to her as King Arthur's "secret ingredient" who "mixes common sense with tech know-how."

As Silver said she will explain in the session she'll call, "The Mobile-First Approach to Web Multi-Platform Design," one key element in the redesigned site is the use of a Web design language called CSS3 (cascading style sheets) that presents images and product information differently depending on the visitor's device and browser.

"For a small company, King Arthur Flour is a very innovative retailer," magazine editor Don Davis said in a phone interview. Of Silver, he said, "She is someone who is as innovative as anyone at Amazon for the cool stuff they're doing."

"One of the things that's so impressive is that she's extremely knowledgeable about the intricacies of e-commerce and Web technology, an area that's constantly changing, while at the same time has a grasp of her company's business goals," Davis said. "It's not that often you find someone fluent in the language of bits and bytes who also understands the overarching importance of the bottom line."

How does Silver feel about all the attention she's receiving?

"I still am somewhat amazed that a company selling flour and ingredients online can be seen as an inspiration and used as an example to other online retailers," she said.

BUILDING VISIBILITY

Other online innovations Silver has brought to the company include: two website redesigns.

a 55 percent increase in completed checkout sales after adding items to the cart by streamlining the process and offering further discounts for additional items.

tools that help website designers face the difficult challenge of displaying multiple fonts while sticking with a site's branded look.

the launch of the Bakers' Banter Blog.

This year, 32 videos were also posted to the website to help customers better appreciate the "farm-to-plate" relationship with mostly Midwestern farmers who supply much of the grain for King Arthur's flours.

Born in Cleveland and raised in New York City, London and San Francisco and eventually Vermont, Silver was a math major at Wesleyan University. She moved through a number of posts centered on Web technology, including the former Internet shopping

search portal Excite@Home, and Internet security firm VeriSign. She also built and launched Hoofpicks.com, a free, Web-based, equestrian-event management service.

She joined King Arthur Flour in 2007 because of her passion for baking. "Cooking and baking have been a hobby of mine since a very early age," she said. "To be able to combine that passion with building for the Web has been a wonderful experience."

What else is in the offing for the company online?

"We hope to expand our presence in the mobile and tablet space, and continue to improve all of our offerings online," she said.

One new development is a Google ad about the company, filmed in October that began airing Nov. 27. A longer version of the ad is available only on YouTube at: http://www.youtube.com/watch?v=nzjCA2aWILo&feature=channel_video_title.

Collectively, Silver and the 255 workers at the employee-owned business have won a host of awards that include: the 2011 Vermont Governor's Award for Outstanding Workplace Safety in the Large Business category; the 2011 Magnus Opus Awards for its bi-monthly newsletter, The Baking Sheet; the 2007 Business Innovator of the Year Award from the Hanover Area Chamber of Commerce; the 2006 Outstanding Vermont Business Award; the 2006 Best Place to Work Award; and the 2006 Better Business Bureau Local Torch Award for Excellence.

The company is also one of the nation's few to attain B-Corporation status because of its beneficial balance between "people, planet and profit."

Some of the many ways it does so is through donating to local food shelves within a 100-mile radius; the Life Skills Bread Baking Program for 155,000-plus students nationwide, teaching them to bake bread themselves and for the hungry; a corporate volunteer program that provides paid time-off for employees as volunteers in the community (in 2010, 123 employees volunteered 1,075 hours); annual employee participation in Green Up Vermont Day; Winterbake, when employees bake bread for donation to local food pantries annually on the Martin Luther King, Jr. day of service; a food-diversion program that donates old baking products to local farmers for animal feed or composting; the use of eco-friendly certified cleaners in all company facilities and available to employees for home use at \$1 per bottle; and participation in the Bike/Walk to Work Day program.

LIVING HISTORY

The company has come a long way from its origins. King Arthur Flour began in 1790 as the Sands Taylor & Wood Co., a retailer of specialty flours and cookbooks and baked goods, based in Boston.

Founded by Henry Wood, primarily an importer and distributor of English-milled flour, the business grew quickly. A partner, Benjamin Franklin Sands, took over the company in 1870, and in 1886, the firm introduced a premium brand of flour.

At that time, a partner attended a performance of the musical "King Arthur and the Knights of the Round Table" that inspired the name of the new product, King Arthur Flour (and its current logo). The brand was introduced at the Boston Food Fair on Sept. 10, 1896, to great fanfare.

Subsequently, during ownership changes, retail flour sales declined, and the company expanded into commercial baking equipment in the 1960s, and other retail products, including a line of coffee and prepared pie fillings. In 1978, the company sold its other interests and returned to a core flour business, and moved to Norwich in 1984.

Today, new things are cooking at the company.

The Norwich site is undergoing massive changes, with the expansion of the bakery (to 3,400 square feet), baking education center (3,400 square feet), store (4,700 square feet), and cafe (2,200 square feet with seating for 75). The offsite administration offices and recipe-testing center will also be housed under the same roof, and continue to be affectionately known as Camelot. Also offsite nearby is the manufacturing center, known as Avalon. Begun in June, the work will be completed in July. Artist renderings of the new digs, work progress and historic detail about the company can be found at www.kingarthurfLOUR.com/ourstore/renovations.html.

The company could certainly use the space, officials said. Business was booming one day a few weeks ago, with shoppers packed into the store all day long, looking for seasonal comestibles, while the cafe did a brisk trade in fresh pastries and coffee. "This is our peak season, with Thanksgiving, Hanukkah and Christmas," public relations coordinator Terri Rosenstock said.

Across the courtyard, bakers were busy making bread, pizza and croissants, and the baking school was fully booked for a pastry class.

"We have a lot of people with pie-crust and yeast anxiety right now," quipped the instructor.

ADDITIONAL STATEMENTS

TRIBUTE TO DR. PAUL TAYLOR

• Mr. BEGICH. Madam President, I would like to speak for a moment on the courageous and heroic actions of a fellow Alaskan. Dr. Paul Taylor of Fairbanks, AK, while serving as a member of the United States Army Special Forces in the Republic of Vietnam, risked his life on January 17, 1967, to save a wounded soldier and prevent the further demise of American forces.

While under heavy attack, Staff Sergeant Taylor and a fellow soldier led a direct charge on the enemy position and both sustained serious injuries. After dragging his wounded comrade to safety, Staff Sergeant Taylor continued to lead the attack on the enemy until the platoon could retreat to a secure helicopter landing zone.

Staff Sergeant Taylor's decorations from his service in Vietnam include a Bronze Star with "V" device, Silver Star, three Purple Hearts, and the Army Commendation medal.

It is with great honor and humility that I, along with the United States Army, on February 4, 2012 will recognize Dr. Taylor with the presentation of a Silver Star with a Single Bronze Oak Leaf Cluster for this action. Although this recognition is 45 years after the fact, Dr. Taylor's actions and sacrifice shall not be forgotten by Alaskans and all Americans as the memory is still alive with him.●

RECOGNIZING COLEMAN DAIRY

• Mr. BOOZMAN. Madam President, it takes hard work, dedication, and great service for a business to thrive. In our changing world, companies are forced to adapt and modernize to compete for

customers and maintain their success while continuing to grow.

In order for a company to withstand the test of time, it must achieve a commitment to quality products, customer satisfaction, and efficiency. Coleman Dairy is an excellent example of a homegrown business that continues its service and commitment to providing the best quality products that are just as important as the excellent people employed by the company.

Small businesses are the building blocks of our economy. They provide important services, products, and employment opportunities while sharing an identity with the community and the values of its employees. There is no better company that exemplifies being a leader on this front than Coleman Dairy.

Coleman Dairy has grown since Eleithet Coleman began the business in 1862. Through the generations the family has continued his vision, where hard work, honesty and customer service remain top priorities.

This year Coleman Dairy is celebrating 150 years of providing dairy products to Americans. As one of the 100 oldest family-run businesses in America, Coleman Dairy has a track record of success and I am confident will continue to provide high-quality products for customers who deserve the very best.

Thank you for providing us a quality product all these years. Congratulations on 150 years and best of luck on the next 150.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS DECLARED IN EXECUTIVE ORDER 13396 ON FEBRUARY 7, 2006, WITH RESPECT TO THE SITUATION IN OR IN RELATION TO CÔTE D'IVOIRE—PM 38

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides

for the automatic termination of a national emergency, unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13396 of February 7, 2006, with respect to the situation in or in relation to Côte d'Ivoire is to continue in effect beyond February 7, 2012.

The situation in or in relation to Côte d'Ivoire, which has been addressed by the United Nations Security Council in Resolution 1572 of November 15, 2004, and subsequent resolutions, has resulted in the massacre of large numbers of civilians, widespread human rights abuses, significant political violence and unrest, and fatal attacks against international peacekeeping forces. Since the inauguration of President Alassane Ouattara in May 2011, the Government of Côte d'Ivoire and its people have made significant advances in the promotion of democratic, social, and economic development. Although considerable progress has been made, the situation in or in relation to Côte d'Ivoire continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency and related measures under Executive Order 13396 of February 7, 2006, Blocking Property of Certain Persons Contributing to the Conflict in Côte d'Ivoire.

BARACK OBAMA.

THE WHITE HOUSE, February 3, 2012.

REPORT RELATIVE TO THE ISSUANCE OF AN EXECUTIVE ORDER TO TAKE ADDITIONAL STEPS WITH RESPECT TO THE NATIONAL EMERGENCY ORIGINALLY DECLARED ON MARCH 15, 1995 IN EXECUTIVE ORDER 12957 WITH RESPECT TO IRAN—PM 39

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

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

In Executive Order 12957, the President found that the actions and policies of the Government of Iran threaten the national security, foreign pol-

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

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

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

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

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

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

Persons determined by the Secretary of the Treasury, in consultation with the Secretary of State, to be owned or

controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the order.

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

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

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

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

BARACK OBAMA.

THE WHITE HOUSE, February 5, 2012.

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3578. An act to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reform the budget baseline.

H.R. 3582. An act to amend the Congressional Budget Act of 1974 to provide for macroeconomic analysis of the impact of legislation.

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

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3578. An act to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reform the budget baseline; to the Committee on the Budget.

H.R. 3582. An act to amend the Congressional Budget Act of 1974 to provide for macroeconomic analysis of the impact of legislation; to the Committee on the Budget.

MEASURES PLACED ON THE CALENDAR

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

S. 2064. A bill to amend the Internal Revenue Code of 1986 to terminate certain energy tax subsidies and lower the corporate income tax rate.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4906. A communication from the Assistant Secretary of the Navy (Research, Development and Acquisition), transmitting, pursuant to law, a report relative to all repairs and maintenance performed on any covered Navy vessel in any shipyard outside the United States or Guam during the preceding fiscal year; to the Committee on Armed Services.

EC-4907. A communication from the Under Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, a semi-annual report relative to Reserve Component equipment delivery; to the Committee on Armed Services.

EC-4908. A communication from the Director of the Policy Issuances Division, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Changes to the Schedule of Operations Regulations" (RIN0583-AD35) received in the Office of the President of the Senate on February 1, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4909. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Federal Housing Administration (FHA) Single Family Lender Insurance Process: Eligibility, Indemnification, and Termination" (RIN2502-AI58) received in the Office of the President of the Senate on February 1, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-4910. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13441 with respect to Lebanon; to the Committee on Banking, Housing, and Urban Affairs.

EC-4911. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report relative to operation of the Exchange Stabilization Fund (ESF) for fiscal year 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-4912. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Patent Compensation Board Regulations" (RIN1990-AA33) received in the Office of the President of the Senate on February 1, 2012; to the Committee on Energy and Natural Resources.

EC-4913. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "DOE Patent Licensing Regulations" (RIN1990-AA41) received in the Office of the President of the Senate on February 1, 2012; to the Committee on Energy and Natural Resources.

EC-4914. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Storage Reporting Requirements of Interstate and Intrastate Natural Gas Companies" (RIN1902-AE25) received in the Office of the President of the Senate on February 1, 2012; to the Committee on Energy and Natural Resources.

EC-4915. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "NRC Procedures for Placement and Monitoring of Work with the U.S. Department of Energy (DOE)" (NRC Management Directive 11.7) received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2012; to the Committee on Energy and Natural Resources.

EC-4916. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the Uniform Resource Locator (URL) for a report entitled "OSRE: Special Accounts and Settlements with PRPs"; to the Committee on Environment and Public Works.

EC-4917. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, National Wildlife Refuge System, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Change of Addresses for Regional Offices, Addition of One New Address, and Correction of Names of House and Senate Committees We Must Notify" (RIN1018-AU89) received in the Office of the President of the Senate on February 1, 2012; to the Committee on Environment and Public Works.

EC-4918. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended for the six months ending June 30, 2011"; to the Committee on the Judiciary.

EC-4919. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, National Cemetery Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Parents Eligible for Burial" (RIN2900-AO12) received in the Office of the President of the Senate on February 1, 2012; to the Committee on Veterans' Affairs.

EC-4920. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Medical Foster Homes" (RIN2900-AN80) received in the Office of the President of the Senate on February 1, 2012; to the Committee on Veterans' Affairs.

EC-4921. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Uninformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Fourth Quarter of Fiscal Year 2011"; to the Committee on Veterans' Affairs.

EC-4922. A communication from the Secretary of the Commission, Bureau of Competition, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Revised Jurisdictional Thresholds for Section 7A of the Clayton Act" received in the Office of the President of the Senate on February 1, 2012; to the Committee on Commerce, Science, and Transportation.

EC-4923. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species: Designation of Critical Habitat for Cook Inlet Beluga Whale" (RIN0648-AX50) received in the Office of the President of the Senate on February 1, 2012; to the Committee on Commerce, Science, and Transportation.

EC-4924. A communication from the Assistant Administrator for Fisheries, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species: Final Rule to Revise the Critical Habitat Designation for the Endangered Leatherback Sea Turtle" (RIN0648-AX06) received in the Office of the President of the Senate on February 1, 2012; to the Committee on Commerce, Science, and Transportation.

EC-4925. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Closed Captioning of Internet Protocol-Delivered Video Programming: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010" (MB Docket No. 11-154, FCC-12-9) received in the Office of the President of the Senate on February 2, 2012; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-0964. A joint memorial adopted by the Legislature of the State of Washington requesting the adoption of federal legislation relative to sellers, regardless of nexus, collecting states' sales tax; to the Committee on Finance.

SUBSTITUTE SENATE JOINT MEMORIAL No. 8009

To the Honorable Barack Obama, President of the United States, and to the President of the Senate and the Speaker of the House of Representatives, and to the Senate and House of Representatives of the United States, in Congress assembled:

We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

Whereas, The 1967 *Bellas Hess* and the 1992 *Quill* United States Supreme Court decisions denied states the authority to require the collection of sales and use taxes by out-of-state sellers that have no physical presence in the taxing state; and

Whereas, This puts local, in-state sellers, whether electronic or brick and mortar, at a competitive disadvantage in making sales, because they must collect the sales tax and most remote sellers do not collect sales tax; and

Whereas, The combined weight of the inability to collect sales and use taxes on remote sales through traditional carriers and the tax erosion due to electronic commerce threatens the future viability of the sales

tax as a stable revenue source for state and local governments; and

Whereas, The following federal legislation has been introduced in the United States Congress to grant states the authority to require all sellers, regardless of nexus, to collect those states' sales and use taxes:

(1) The Main Street Fairness Act of 2011 (S. 1452 sponsored by Senators Richard Durbin, Daniel Akaka, Daniel Inouye, Tim Johnson, Jack Reed, and Sheldon Whitehouse; and H.R. 2701 sponsored by Representatives John Conyers, Jr., Michael Capuano, Jesse Jackson, Henry C. "Hank" Johnson, Jr., Heath Shuler, Adam Smith, and Peter Welch);

(2) The Marketplace Fairness Act of 2011 (S. 1832 sponsored by Senators Michael Enzi, Lamar Alexander, Roy Blunt, John Boozman, Bob Corker, Richard Durbin, Tim Johnson, Mark Pryor, Jack Reed, and Sheldon Whitehouse); and

(3) The Marketplace Equity Act of 2011 (H.R. 3179 sponsored by Steve Womack, Michael Capuano, Judy Chu, Eric A. "Rick" Crawford, Theodore E. Deutch, Mario Diaz-Balart, John J. Duncan Jr., Renee L. Ellmers, Gene Green, Carolyn B. Maloney, Betty McCollum, Brad Miller, Kristi L. Noem, Ted Poe, Dennis Ross, Heath Shuler, Jackie Speier, and Peter Welch); and

Whereas, It is estimated that Washington would realize up to \$170.3 million in state and local taxes in the 2011-2013 biennium, and \$483.0 million in state and local taxes in the 2013-2015 biennium, if it had the ability to require remote sellers to collect our state's sales and use taxes; and

Whereas, Since 1999, state legislators, governors, local elected officials, state tax administrators, and representatives of the private sector have worked to develop a Streamlined Sales and Use Tax Collection System for the 21st century; and

Whereas, On November 12, 2002, state delegates unanimously ratified the Streamlined Sales and Use Tax Agreement, which substantially simplifies state and local sales tax systems, removes the burdens to interstate commerce that were of concern to the Supreme Court, protects state sovereignty, and is consistent with the introduced federal legislation; and

Whereas, The Streamlined Sales and Use Tax Agreement provides the states with a blueprint to create a simplified and more uniform sales and use tax collection system that when implemented, allows justification for Congress to overturn the *Bellas Hess* and *Quill* decisions; and

Whereas, Washington State enacted legislation in 2007 to bring this state's sales and use tax statutes into compliance with the Streamlined Sales and Use Tax Agreement; and

Whereas, By November 30, 2011, 24 states: Arkansas, Georgia, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Nebraska, Nevada, New Jersey, North Carolina, North Dakota, Ohio, Oklahoma, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Washington, West Virginia, Wisconsin, and Wyoming, representing over 40 percent of the total population of the United States enacted legislation to bring their state's sales and use tax statutes into compliance with the Agreement; and

Whereas, Over 1,700 businesses have voluntarily registered under the Streamlined Sales and Use Tax Agreement to collect and remit sales and use taxes; and

Whereas, The legislature of Washington and our colleagues in the other states have shown the resolve to acknowledge the complexities of the current sales and use tax collection system, have worked with the business community to formulate a truly simplified and streamlined collection system, and have shown the political will to enact

the necessary changes to make the streamlined collection system the law; and

Whereas, Until Congress and the President enact federal legislation, participation by remote sellers is only voluntary and thus states are unlikely to close the revenue gap between what is owed on remote transactions and what is collected; and

Whereas, Governors and state legislatures have made the difficult choices to reduce spending and where necessary to raise revenue during the recent "great" recession to close the \$417 billion cumulative budget gaps; and

Whereas, After closing \$417 billion in budget gaps for fiscal years 2009-2011, the estimated budget shortfall for states in fiscal year 2012 will be \$82 billion and for fiscal year 2013 will be \$67 billion; and

Whereas, Federal legislation would provide fiscal relief for the states by enabling collections of taxes that are already due;

Now, therefore, Your Memorialists respectfully pray that: The members of our congressional delegation join as cosponsors of the introduced federal legislation and support the Act's swift adoption by the Congress of the United States; and that President Barack Obama sign the legislation, upon its passage by Congress. Be it

Resolved, That copies of this Memorial be immediately transmitted to the Honorable Barack Obama, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1408. A bill to require Federal agencies, and persons engaged in interstate commerce, in possession of data containing sensitive personally identifiable information, to disclose any breach of such information.

By Mrs. BOXER, from the Committee on Environment and Public Works, with amendments:

S. 1813. A bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CASEY:

S. 2070. A bill to promote the domestic development and deployment of natural gas and clean energy technologies; to the Committee on Finance.

By Mr. WICKER (for himself and Mr. PRYOR):

S. 2071. A bill to grant the Secretary of the Interior permanent authority to authorize States to issue electronic duck stamps, and for other purposes; to the Committee on Environment and Public Works.

By Mr. FRANKEN (for himself and Mr. BLUMENTHAL):

S. 2072. A bill to discourage disincentives to the housing missions of government sponsored enterprises and require consistent putback risks at the enterprises to assist homeowners; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 2073. A bill to prohibit the permanent relocation of F-16 aircraft assigned to Elison Air Force Base; to the Committee on Armed Services.

By Mr. CARDIN (for himself and Ms. SNOWE):

S. 2074. A bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. NELSON of Florida (for himself, Mr. RUBIO, Mr. KERRY, Mrs. GILLIBRAND, Mr. COONS, Mr. LEVIN, Mr. LAUTENBERG, Ms. LANDRIEU, Mr. AKAKA, Mr. CARDIN, Mr. CORKER, Mrs. FEINSTEIN, Mr. DURBIN, Mr. LUGAR, and Mr. NELSON of Nebraska):

S. Res. 368. A resolution recognizing the anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives in that earthquake, and expressing continued solidarity with the people of Haiti; considered and agreed to.

ADDITIONAL COSPONSORS

S. 165

At the request of Mr. VITTER, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 165, a bill to amend the Public Health Services Act to prohibit certain abortion-related discrimination in governmental activities.

S. 402

At the request of Ms. SNOWE, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 402, a bill to amend title 10, United States Code, to provide for the award of a military service medal to members of the Armed Forces who served honorably during the Cold War, and for other purposes.

S. 412

At the request of Mr. LEVIN, the names of the Senator from Virginia (Mr. WARNER) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 412, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 807

At the request of Mr. ENZI, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 807, a bill to authorize the Department of Labor's voluntary protection program and to expand the program to include more small businesses.

S. 973

At the request of Mr. WHITEHOUSE, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 973, a bill to create the National Endowment for the Oceans to promote the protection and conservation of the United States

ocean, coastal, and Great Lakes ecosystems, and for other purposes.

S. 1039

At the request of Mr. CARDIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1039, a bill to impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, for the conspiracy to defraud the Russian Federation of taxes on corporate profits through fraudulent transactions and lawsuits against Hermitage, and for other gross violations of human rights in the Russian Federation, and for other purposes.

S. 1099

At the request of Mr. BLUNT, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1099, a bill to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

S. 1265

At the request of Mr. BINGAMAN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1265, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 1316

At the request of Mr. ENZI, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Nebraska (Mr. JOHANNES) were added as cosponsors of S. 1316, a bill to prevent a fiscal crisis by enacting legislation to balance the Federal budget through reductions of discretionary and mandatory spending.

S. 1335

At the request of Mr. INHOFE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1335, a bill to amend title 49, United States Code, to provide rights for pilots, and for other purposes.

S. 1629

At the request of Mrs. GILLIBRAND, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 1629, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 1881

At the request of Mr. WHITEHOUSE, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1881, a bill to establish an integrated Federal program to respond to ongoing and expected impacts of climate variability and change by protecting, restoring, and con-

serving the natural resources of the United States and to maximize government efficiency and reduce costs, in cooperation with State, local, and tribal governments and other entities.

S. 1882

At the request of Mr. BINGAMAN, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 1882, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that valid generic drugs may enter the market.

S. 1925

At the request of Mr. LEAHY, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 1925, a bill to reauthorize the Violence Against Women Act of 1994.

S. 1947

At the request of Mr. BLUMENTHAL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1947, a bill to prohibit attendance of an animal fighting venture, and for other purposes.

S. 1984

At the request of Mr. KERRY, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1984, a bill to establish a commission to develop a national strategy and recommendations for reducing fatalities resulting from child abuse and neglect.

S. 2043

At the request of Mr. RUBIO, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 2043, a bill to amend title XXVII of the Public Health Service Act to provide religious conscience protections for individuals and organizations.

S. 2059

At the request of Mr. WHITEHOUSE, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 2059, a bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers.

S.J. RES. 21

At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S.J. Res. 21, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S. RES. 99

At the request of Mr. DEMINT, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. Res. 99, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and chil-

dren is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

AMENDMENT NO. 1470

At the request of Mr. REID, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of amendment No. 1470 proposed to S. 2038, an original bill to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 368—RECOGNIZING THE ANNIVERSARY OF THE TRAGIC EARTHQUAKE IN HAITI ON JANUARY 12, 2010, HONORING THOSE WHO LOST THEIR LIVES IN THAT EARTHQUAKE, AND EXPRESSING CONTINUED SOLIDARITY WITH THE PEOPLE OF HAITI

Mr. NELSON of Florida (for himself, Mr. RUBIO, Mr. KERRY, Mrs. GILLIBRAND, Mr. COONS, Mr. LEVIN, Mr. LAUTENBERG, Ms. LANDRIEU, Mr. AKAKA, Mr. CARDIN, Mr. CORKER, Mrs. FEINSTEIN, Mr. DURBIN, Mr. LUGAR, and Mr. NELSON of Nebraska) submitted the following resolution; which was considered and agreed to:

S. RES. 368

Whereas, on January 12, 2010, an earthquake measuring 7.0 on the Richter scale struck the country of Haiti;

Whereas, according to the United States Geological Survey, the epicenter of the earthquake was located approximately 15 miles southwest of Port-au-Prince, the capital of Haiti;

Whereas, according to the Government of Haiti, more than 220,000 people died as a result of the earthquake, and more than 300,000 people were injured;

Whereas, according to the United Nations and the International Organization for Migration an estimated 3,000,000 people, or nearly ⅓ of the population of Haiti were directly affected by the disaster, and an estimated 1,500,000 people were displaced from their homes;

Whereas a Post Disaster Needs Assessment conducted by the Government of Haiti, the United Nations, the World Bank, the Inter-American Development Bank, and other experts, estimated that damage and economic losses totaled \$7,800,000,000, which amounted to approximately 120 percent of the gross domestic product of Haiti in 2009;

Whereas the response of the United States Government, led by the United States Agency for International Development and United States Southern Command, was swift and resolute;

Whereas individuals, businesses, and philanthropic organizations throughout the United States and the international community responded to the crisis by supporting Haiti and its people through innovative

ways, such as fundraising through text messaging;

Whereas the Haitian diaspora in the United States was integral to emergency relief efforts and continues to make significant financial contributions to Haiti and seeks opportunities to participate in the rebuilding of Haiti;

Whereas the International Organization for Migration estimates that approximately 550,000 people remain in spontaneous and organized camps in Haiti;

Whereas, at the time of the January 2010 earthquake, Haiti was the poorest, least developed country in the Western Hemisphere, and more than 70 percent of the population in Haiti lived on less than \$2 per day;

Whereas, before the earthquake, Haiti was making encouraging improvement in recovering from a catastrophic series of hurricanes and tropical storms, food shortages, rising commodity prices, and political instability;

Whereas, in January 21, 2010, the Senate adopted by unanimous consent Senate Resolution 392 (111th Congress), expressing its profound sympathy and unwavering support for the people of Haiti and urging all nations to commit to assisting the people of Haiti with their long-term needs;

Whereas, on October 19, 2010, an outbreak of cholera was detected in the lower Artibonite region of Haiti, which according to the Haitian Ministry of Public Health and Population had affected more than 500,000

people and caused the death of more than 6,700 people nationwide by November 30, 2011;

Whereas, as of December 2011, the United States Government had provided technical assistance and contributed more than \$73,000,000 in purified drinking water, soap, and oral rehydration salts to combat the spread of cholera in Haiti; and

Whereas, since the January 12, 2010, earthquake, the people of Haiti have demonstrated unwavering resilience, dignity, and courage: Now, therefore, be it

Resolved, That the Senate—

(1) mourns the loss of lives as a result of the tragic earthquake in Haiti on January 12, 2010;

(2) honors the service of United States personnel in the United States Embassy in Port-au-Prince, the United States Coast Guard, United States Armed Forces, and other United States Government agencies, and all members of international organizations who have persevered through adverse local conditions and continue to serve Haiti and the Haitian people;

(3) reaffirms its solidarity with the people of Haiti as they work to rebuild their country and livelihoods;

(4) reaffirms its commitment to support the people of Haiti, in partnership with the Government of Haiti and in coordination with other donors, in long-term reconstruction;

(5) urges the United States Government, international donors, and non-governmental

organizations in Haiti to work in full partnership with authorities, civil society, and the private sector in Haiti and to prioritize sustainable projects with greater opportunity for capacity building; and

(6) encourages the United States Government, the Government of Haiti, and international donors—

(A) to give priority to policies that would enhance the ability of the Government of Haiti to attract private sector investment and meaningful diaspora participation, including judicial reform, civil registry, enterprise fund, and land tenure reform;

(B) to develop, improve, and scale-up communications and participatory mechanisms to more substantially involve civil society in Haiti at all stages of the cholera and post-earthquake responses; and

(C) to give priority to programs that protect and involve vulnerable populations, including internally displaced persons, children, and persons with disabilities.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Nora Goebelbecker, a member of my staff, be granted floor privileges for the duration of today's session.

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

FOREIGN TRAVEL FINANCIAL REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following reports for standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Teri Spoutz:									
United Kingdom	Pound		1,433.42						1,433.42
United States	Dollar				10,980.20				10,980.20
Erik Raven:									
United Kingdom	Pound		1,433.42						1,433.42
United States	Dollar				10,980.20				10,980.20
Brian Potts:									
Lebanon	Pound		394.00						394.00
Tunisia	Dinar		693.00						693.00
United States	Dollar				11,011.20				11,011.20
Gary Reese:									
Tunisia	Dinar		693.00						693.00
Lebanon	Pound		394.00						394.00
United States	Dollar				11,011.20				11,011.20
Total			5,040.84		43,982.80				49,023.64

DANIEL INOUE,
Chairman, Committee on Appropriations, Jan. 17, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John McCain:									
United States	Dollar				10,308.30				10,308.30
Jordan	Dollar		96.00						96.00
Qatar	Dollar		37.50						37.50
United Arab Emirates	Dollar		143.00						143.00
Senator Jack Reed:									
United States	Dollar				11,891.90				11,891.90
Pakistan	Dollar		13.00						13.00
Carolyn Chuhta:									
United States	Dollar				11,856.90				11,856.90
Afghanistan	Dollar		5.00						5.00
Pakistan	Dollar		15.00						15.00
Paul C. Hutton IV:									
United States	Dollar				12,489.60				12,489.60
Belgium	Euro		149.82						149.82

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Spain	Euro		480.84						480.84
Italy	Euro		420.84						420.84
United Kingdom	Pound		497.85						497.85
Daniel A. Lerner:									
United States	Dollar				9,295.20				9,295.20
Belgium	Dollar		556.05						556.05
Germany	Dollar		530.00						530.00
William K. Sutey:									
United States	Dollar				12,375.10				12,375.10
Belgium	Euro		625.32						625.32
Spain	Euro		128.18						128.18
Italy	Euro		136.03						136.03
England	Pound		878.60						878.60
Jason W. Maroney:									
United States	Dollar				12,375.10				12,375.10
Belgium	Dollar		558.54						558.54
Spain	Dollar		175.18						175.18
Italy	Dollar		155.48						155.48
England	Dollar		871.60						871.60
Senator Mark Udall:									
United States	Dollar				11,891.00				11,891.00
Christopher R. Howard:									
United States	Dollar				11,891.00				11,891.00
Adam J. Barker:									
United States	Dollar				9,235.80				9,235.80
Saudi Arabia	Dollar		1,237.00						1,237.00
Yemen	Dollar		147.00						147.00
Bahrain	Dollar		736.00						736.00
Michael J. Kuiken:									
United States	Dollar				9,406.00				9,406.00
Saudi Arabia	Rial		1,141.00						1,141.00
Yemen	Rial		174.00						174.00
Bahrain	Dinar		619.00						619.00
Michael J. Nobile:									
United States	Dollar		40.00		11,381.00				11,421.00
Yemen	Rial		87.00						87.00
Bahrain	Dinar		557.00						557.00
Senator Jeanne Shaheen:									
Canada	Dollar		95.76						95.76
United States	Dollar		1,402.08						1,402.08
Chad Kreikemeier:									
Canada	Dollar		114.37						114.37
Senator James Inhofe:									
Senegal	Franc		61.43						61.43
Ethiopia	Birr		39.44						39.44
United Arab Emirates	Dirham		62.48						62.48
United Kingdom	Pound		122.92						122.92
Mark Powers:									
Senegal	Franc		61.43						61.43
Ethiopia	Birr		16.86						16.86
United Arab Emirates	Dirham		151.94						151.94
United Kingdom	Pound		49.46						49.46
Anthony Lazarski:									
Senegal	Franc		61.43						61.43
Ethiopia	Birr		84.37						84.37
United Arab Emirates	Dirham		118.23						118.23
United Kingdom	Pound		86.13						86.13
Senator Mark Udall:									
Canada	Dollar		340.00						340.00
Christopher R. Howard:									
Canada	Dollar		340.00						340.00
Richard W. Fieldhouse:									
United States	Dollar				9,405.00				9,405.00
Belgium	Euro		162.00				360.00		522.00
Germany	Euro		193.00				410.00		603.00
William G.P. Monahan:									
United States	Dollar				12,496.10				12,496.10
Belgium	Dollar		549.64						549.64
Spain	Dollar		125.18						125.18
Italy	Dollar		115.48						115.48
England	Dollar		885.93						885.93
Christian D. Brose:									
United States	Dollar		12,268.30						12,268.30
Jordan	Dollar		149.00						149.00
Qatar	Dollar		133.00						133.00
United Arab Emirates	Dollar		177.00						177.00
Canada	Dollar		340.00						340.00
Senator John McCain:									
Canada	Dollar		152.80						152.80
Total			28,269.41		157,700.08		770.00		186,739.49

CARL LEVIN,
Chairman, Committee on Armed Services, Dec. 22, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Boozman:									
Senegal	Franc		40.00						40.00
Ethiopia	Birr		25.00						25.00
United Arab Emirates	Dirham		26.88						26.88
United Kingdom	Pound		162.07						162.07
Total			253.95						253.95

JOHN D. ROCKEFELLER IV,
Chairman, Committee on Commerce, Science, and Transportation,
Jan. 24, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON ENERGY AND NATURAL RESOURCES FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Tara Billingsley:									
United States	Dollar				1,902.60				1,902.60
Belgium	Euro		1,439.29						1,439.29
Kevin Rennert:									
United States	Dollar				5,170.40				5,170.40
South Africa	Rand		770.14						770.14
Total			2,209.43		7,073.00				9,282.43

JEFF BINGAMAN,
Chairman, Committee on Energy & Natural Resources, Jan. 30, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Paul Ordal:									
United States	Dollar				8,473.40				8,473.40
South Africa	Rand		576.00						576.00
Total			576.00		8,473.40				9,049.40

BARBARA BOXER,
Chairman, Committee on Environment & Public Works, Jan. 25, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Bruce Hirsh:									
Switzerland	Franc		2,329.97						2,329.97
United States	Dollar				1,852.15				1,852.15
Gregory Kalbaugh:									
Switzerland	Franc		2,315.98						2,315.98
United States	Dollar				1,868.40				1,868.40
Chelsea Thomas:									
Switzerland	Franc		1,800.06						1,800.06
United States	Dollar				1,951.30				1,951.30
Rebecca Nasca:									
Switzerland	Franc		1,811.79						1,811.79
United States	Dollar				1,932.30				1,932.30
Delegation Expenses: ¹									
United States	Dollar					3,963.32			3,963.32
Total			8,257.80		7,604.15		3,963.32		19,825.27

¹ Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

MAX BAUCUS,
Chairman, Committee on Finance, Jan. 20, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Barrasso:									
Germany	Dollar		336.69						336.69
United States	Dollar				11,028.80				11,028.80
Senator John Kerry:									
Egypt	Pound		395.75		15.00				410.75
United States	Dollar				12,673.30				12,673.30
Perry Cammack:									
Egypt	Dollar		450.78		15.00				465.78
United States	Dollar				13,904.10				13,904.10
William Danvers:									
Egypt	Dollar		374.80		15.00				389.80
United States	Dollar				10,441.40				10,441.40
Patrick Garvey:									
Jordan	Dollar		152.00						152.00
United States	Dollar				12,218.90				12,218.90
Andrew Imbrie:									
Tajikistan	Somoni		1,369.37						1,369.37
Kazakhstan	Tenge		345.00						345.00
Uzbekistan	Som		288.00						288.00
Kyrgyzstan	Som		60.00						60.00
United States	Dollar				12,384.30				12,384.30
Robin Lerner:									
Egypt	Pound		1,335.00						1,335.00
United States	Dollar				4,330.10				4,330.10
Thomas Moore:									
United Kingdom	Pound		2,088.44						2,088.44
United States	Dollar				1,381.10				1,381.10
Turkey	Lira		708.00						708.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Romania	Lei		403.00						403.00
Poland	Zloty		920.90						920.90
Belgium	Euro		1,488.00						1,488.00
United States	Dollar				11,742.60				11,742.60
Melanie Nakagawa:									
South Africa	Rand		1,862.00						1,862.00
United States	Dollar				5,308.90				5,308.90
Panama	Dollar		965.00						965.00
United States	Dollar				795.10				795.10
Marik String:									
Turkey	Lira		708.00						708.00
Romania	Lei		403.00						403.00
Poland	Zloty		735.40						735.40
Belgium	Euro		1,610.00						1,610.00
United States	Dollar				10,398.40				10,398.40
Fatema Sumar:									
Tajikistan	Somoni		1,192.00						1,192.00
Kazakhstan	Tenge		335.00						335.00
Uzbekistan	Som		225.00						225.00
Kyrgyzstan	Som		314.00						314.00
United States	Dollar				12,384.30				12,384.30
Anthony Wier:									
Egypt	Dollar		214.00						214.00
United States	Dollar				8,302.10				8,302.10
Charles Ziegler:									
Germany	Euro		314.69						314.69
United States	Dollar				9,191.80				9,191.80
Total			19,593.82		136,530.20		0.00		156,124.02

JOHN KERRY,
Chairman, Committee on Foreign Relations, Jan. 25, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Randall Bookout			2,506.00						2,506.00
Paul Matulic	Dollar				8,977.80				8,977.80
Jennifer Barrett	Dollar		2,471.00						2,471.00
Senator Saxby Chambliss	Dollar				8,977.80				8,977.80
Senator Richard Burr	Dollar		45.00						45.00
Martha Scott Poindexter	Dollar		143.00						143.00
Tyler Stephens	Dollar				14,493.70				14,493.70
James Smythers	Dollar		143.00						143.00
Jennifer Barrett	Dollar				14,493.70				14,493.70
Richard Girven	Dollar		429.00						429.00
Christian Cook	Dollar				13,459.70				13,459.70
Michael Pevzner	Dollar		429.00						429.00
Jamal Ware	Dollar				13,459.70				13,459.70
Ryan Tully	Dollar		374.00						374.00
Tyler Stephens	Dollar				13,459.70				13,459.70
Brian Miller	Dollar		617.00						617.00
Neal Higgins	Dollar				20,221.70				20,221.70
Jennifer Barrett	Dollar		693.00						693.00
Paul Matulic	Dollar				20,221.70				20,221.70
Michael Pevzner	Dollar		713.00						713.00
Jamal Ware	Dollar				20,186.70				20,186.70
Ryan Tully	Dollar		697.00						697.00
Tyler Stephens	Dollar				11,088.60				11,088.60
Brian Miller	Dollar		757.00						757.00
Neal Higgins	Dollar				11,123.60				11,123.60
Jennifer Barrett	Dollar		787.00						787.00
Paul Matulic	Dollar				11,123.60				11,123.60
Michael Pevzner	Dollar		743.00						743.00
Jamal Ware	Dollar				14,026.40				14,026.40
Ryan Tully	Dollar		863.00						863.00
Tyler Stephens	Dollar				14,026.40				14,026.40
Brian Miller	Dollar		613.00						613.00
Neal Higgins	Dollar				14,016.40				14,016.40
Jennifer Barrett	Dollar		128.95						128.95
Paul Matulic	Dollar		429.00						429.00
Total			13,580.95		236,816.90				250,397.85

DIANNE FEINSTEIN,
Chairman, Committee on Intelligence, Jan. 3, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON HOMELAND SECURITY & GOVERNMENTAL AFFAIRS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Susan M. Collins:									
United States	Dollar				14,615.40				14,615.40
Jordan	Dollar		595.95						595.95
Ryan Kaldahl:									
United States	Dollar				14,892.40				14,892.40
Jordan	Dollar		677.00						677.00
Delegation Expenses: ¹									
Jordan						544.75			544.75

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON HOMELAND SECURITY & GOVERNMENTAL AFFAIRS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Total			1,272.95		29,507.80		544.75		32,278.20

¹ Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

JOSEPH I. LIEBERMAN,
Chairman, Committee on Homeland Security & Governmental Affairs,
Feb. 2, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
David Johns:									
Austria	Euro		1,705.54		99.46				1,805.00
United States	Dollar				1,567.50				1,567.50
Senator Tom Harkin:									
Ghana	Cedi		1,047.00						1,047.00
United States	Dollar				7,873.10				7,873.10
Thomas Buttry:									
Ghana	Cedi		977.68						977.68
United States	Dollar				7,873.10				7,873.10
Delegation Expenses: ¹									
Ghana	Cedi				473.00		1,626.00		2,099.00
Total			3,730.22		17,886.16		1,626.00		23,242.38

¹ Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

TOM HARKIN,
Chairman, Committee on Health, Education, Labor, and Pensions,
Jan. 25, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Mary L. Landrieu:									
Israel	Dollar		1,402.00						1,402.00
United States	Dollar				7,971.95				7,971.95
David Gillers:									
Israel	Dollar		2,364.00						2,364.00
United States	Dollar				4,077.25				4,077.25
T. Bradley Keith:									
Israel	Dollar		2,175.00						2,175.00
United States	Dollar				9,219.95				9,219.95
Delegation Expenses: ¹									
Israel	Dollar						10,337.13		10,337.13
Total			5,941.00		21,269.15		10,337.13		37,547.28

¹ Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

MARY LANDRIEU,
Chairman, Committee on Small Business and Entrepreneurship,
Feb. 2, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE—ADDENDUM TO 3RD QUARTER 2011 FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Roy Blunt	Dollar		616.00		4,326.05				616.00
Total			616.00		4,326.05		0.00		4,942.05

DIANNE FEINSTEIN,
Chairman, Committee on Intelligence, Jan. 3, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Fred Turner:									
Croatia	Kuna		1,043.00						1,043.00
United States	Dollar				8,053.50				8,053.50

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Lithuania	Litas		515.00						515.00
United States	Dollar				2,478.90				2,478.90
Total			1,558.00		10,532.40				12,090.40

BENJAMIN CARDIN,
Chairman, Commission on Security and Cooperation in Europe,
Jan. 23, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), MAJORITY LEADER FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Thomas Ross:									
United States	Dollar				9,201.00				9,201.00
Saudi Arabia	Riyal		933.00						933.00
Yemen	Rial		239.00						239.00
Bahrain	Dinar		578.40						578.40
Christopher Miller:									
United States	Dollar					35.00			35.00
South Africa	Rand		418.67						418.67
Total			2,169.07		9,201.00		35.00		11,405.07

HARRY REID,
Chairman, Majority Leader, Jan. 25, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), REPUBLICAN LEADER FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Thomas Hawkins:									
United States	Dollar				13,459.70				13,459.70
United Arab Emirates	Dirham		437.06						437.06
Total			437.06		13,459.70				13,896.76

MITCH MCCONNELL,
Chairman, Republican Leader, Dec. 21, 2011.

THE CALENDAR

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to the following items en bloc: Calendar No. 234, S. 1794, and Calendar No. 235, H.R. 347.

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

Mr. DURBIN. Madam President, I ask unanimous consent that the committee-reported amendments to each bill be agreed to en bloc; that both bills, as amended, be read a third time and passed en bloc; that the motions to reconsider be laid upon the table, with no intervening action or debate; and that any statements related to the bills be printed in the RECORD.

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

FEDERAL RESTRICTED BUILDINGS AND GROUNDS IMPROVEMENT ACT OF 2011

The Senate proceeded to consider the bill (S. 1794) to correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code, which had been reported from the Committee on the

Judiciary, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

S. 1794

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Restricted Buildings and Grounds Improvement Act of 2011”.

SEC. 2. RESTRICTED BUILDING OR GROUNDS.

Section 1752 of title 18, United States Code, is amended to read as follows:

“§ 1752. Restricted building or grounds

“(a) Whoever—

“(1) knowingly enters or remains in any restricted building or grounds without lawful authority to do so;

“(2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engages in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions;

“(3) knowingly, and with the intent to impede or disrupt the orderly conduct of Government business or official functions, ob-

structs or impedes ingress or egress to or from any restricted building or grounds; or

“(4) knowingly engages in any act of physical violence against any person or property in any restricted building or grounds;

or attempts or conspires to do so, shall be punished as provided in subsection (b).

“(b) The punishment for a violation of subsection (a) is—

“(1) a fine under this title or imprisonment for not more than 10 years, or both, if—

“(A) [any] the person, during and in relation to the offense, uses or carries a deadly or dangerous weapon or firearm; or

“(B) the offense results in significant bodily injury as defined by section 2118(e)(3); and

“(2) a fine under this title or imprisonment for not more than one year, or both, in any other case.

“(c) In this section—

“(1) the term ‘restricted buildings or grounds’ means any posted, cordoned off, or otherwise restricted area—

“(A) of the White House or its grounds, or the Vice President’s official residence or its grounds;

“(B) of a building or grounds where the President or other person protected by the Secret Service is or will be temporarily visiting; or

“(C) of a building or grounds so restricted in conjunction with an event designated as a special event of national significance; and

“(2) the term ‘other person protected by the Secret Service’ means any person whom

the United States Secret Service is authorized to protect under section 3056 of this title when such person has not declined such protection.”.]

“(2) the term ‘other person protected by the Secret Service’ means any person whom the United States Secret Service is authorized to protect under section 3056 of this title or by Presidential memorandum, when such person has not declined such protection.”.

The committee-reported amendments were agreed to.

The bill (S. 1794), as amended, was engrossed for a third reading, was read the third time, and passed, as follows:

FEDERAL RESTRICTED BUILDINGS AND GROUNDS IMPROVEMENT ACT OF 2011

The Senate proceeded to consider the bill (H.R. 347) to correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Restricted Buildings and Grounds Improvement Act of 2011”.

SEC. 2. RESTRICTED BUILDING OR GROUNDS.

Section 1752 of title 18, United States Code, is amended to read as follows:

“§ 1752. Restricted building or grounds

“(a) Whoever—

“(1) knowingly enters or remains in any restricted building or grounds without lawful authority to do so;

“(2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engages in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions;

“(3) knowingly, and with the intent to impede or disrupt the orderly conduct of Government business or official functions, obstructs or impedes ingress or egress to or from any restricted building or grounds; or

“(4) knowingly engages in any act of physical violence against any person or property in any restricted building or grounds;

or attempts or conspires to do so, shall be punished as provided in subsection (b).

“(b) The punishment for a violation of subsection (a) is—

“(1) a fine under this title or imprisonment for not more than 10 years, or both, if—

“(A) the person, during and in relation to the offense, uses or carries a deadly or dangerous weapon or firearm; or

“(B) the offense results in significant bodily injury as defined by section 2118(e)(3); and

“(2) a fine under this title or imprisonment for not more than one year, or both, in any other case.

“(c) In this section—

“(1) the term ‘restricted buildings or grounds’ means any posted, cordoned off, or otherwise restricted area—

“(A) of the White House or its grounds, or the Vice President’s official residence or its grounds;

“(B) of a building or grounds where the President or other person protected by the Secret Service is or will be temporarily visiting; or

“(C) of a building or grounds so restricted in conjunction with an event designated as a special event of national significance; and

“(2) the term ‘other person protected by the Secret Service’ means any person whom the United States Secret Service is authorized to protect under section 3056 of this title or by Presidential memorandum, when such person has not declined such protection.”.

The committee amendment in the nature of a substitute was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 347) was read the third time and passed.

ANNIVERSARY OF THE TRAGIC EARTHQUAKE IN HAITI

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to S. Res. 368, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 368) recognizing the anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives in the earthquake, and expressing continued solidarity with the people of Haiti.

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

Mr. DURBIN. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table; that there be no intervening action or debate; and that any statements be printed in the RECORD.

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

The resolution (S. Res. 368) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 368

Whereas, on January 12, 2010, an earthquake measuring 7.0 on the Richter scale struck the country of Haiti;

Whereas, according to the United States Geological Survey, the epicenter of the earthquake was located approximately 15 miles southwest of Port-au-Prince, the capital of Haiti;

Whereas, according to the Government of Haiti, more than 220,000 people died as a result of the earthquake, and more than 300,000 people were injured;

Whereas, according to the United Nations and the International Organization for Migration an estimated 3,000,000 people, or nearly ⅓ of the population of Haiti were directly affected by the disaster, and an estimated 1,500,000 people were displaced from their homes;

Whereas a Post Disaster Needs Assessment conducted by the Government of Haiti, the United Nations, the World Bank, the Inter-American Development Bank, and other experts, estimated that damage and economic losses totaled \$7,800,000,000, which amounted to approximately 120 percent of the gross domestic product of Haiti in 2009;

Whereas the response of the United States Government, led by the United States Agency for International Development and United States Southern Command, was swift and resolute;

Whereas individuals, businesses, and philanthropic organizations throughout the

United States and the international community responded to the crisis by supporting Haiti and its people through innovative ways, such as fundraising through text messaging;

Whereas the Haitian diaspora in the United States was integral to emergency relief efforts and continues to make significant financial contributions to Haiti and seeks opportunities to participate in the rebuilding of Haiti;

Whereas the International Organization for Migration estimates that approximately 550,000 people remain in spontaneous and organized camps in Haiti;

Whereas, at the time of the January 2010 earthquake, Haiti was the poorest, least developed country in the Western Hemisphere, and more than 70 percent of the population in Haiti lived on less than \$2 per day;

Whereas, before the earthquake, Haiti was making encouraging improvement in recovering from a catastrophic series of hurricanes and tropical storms, food shortages, rising commodity prices, and political instability;

Whereas, in January 21, 2010, the Senate adopted by unanimous consent Senate Resolution 392 (111th Congress), expressing its profound sympathy and unwavering support for the people of Haiti and urging all nations to commit to assisting the people of Haiti with their long-term needs;

Whereas, on October 19, 2010, an outbreak of cholera was detected in the lower Artibonite region of Haiti, which according to the Haitian Ministry of Public Health and Population had affected more than 500,000 people and caused the death of more than 6,700 people nationwide by November 30, 2011;

Whereas, as of December 2011, the United States Government had provided technical assistance and contributed more than \$73,000,000 in purified drinking water, soap, and oral rehydration salts to combat the spread of cholera in Haiti; and

Whereas, since the January 12, 2010, earthquake, the people of Haiti have demonstrated unwavering resilience, dignity, and courage: Now, therefore, be it

Resolved, That the Senate—

(1) mourns the loss of lives as a result of the tragic earthquake in Haiti on January 12, 2010;

(2) honors the service of United States personnel in the United States Embassy in Port-au-Prince, the United States Coast Guard, United States Armed Forces, and other United States Government agencies, and all members of international organizations who have persevered through adverse local conditions and continue to serve Haiti and the Haitian people;

(3) reaffirms its solidarity with the people of Haiti as they work to rebuild their country and livelihoods;

(4) reaffirms its commitment to support the people of Haiti, in partnership with the Government of Haiti and in coordination with other donors, in long-term reconstruction;

(5) urges the United States Government, international donors, and non-governmental organizations in Haiti to work in full partnership with authorities, civil society, and the private sector in Haiti and to prioritize sustainable projects with greater opportunity for capacity building; and

(6) encourages the United States Government, the Government of Haiti, and international donors—

(A) to give priority to policies that would enhance the ability of the Government of Haiti to attract private sector investment and meaningful diaspora participation, including judicial reform, civil registry, enterprise fund, and land tenure reform;

(B) to develop, improve, and scale-up communications and participatory mechanisms to more substantially involve civil society in Haiti at all stages of the cholera and post-earthquake responses; and

(C) to give priority to programs that protect and involve vulnerable populations, including internally displaced persons, children, and persons with disabilities.

ORDERS FOR TUESDAY, FEBRUARY 7, 2012

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate adjourn until 10 a.m. on Tuesday, February 7, 2012; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks the Senate be in a period of morning business until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the second 30 minutes; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meeting.

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

PROGRAM

Mr. DURBIN. Madam President, we hope to begin consideration of the surface transportation bill tomorrow.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DURBIN. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate at 6:29 p.m., adjourned until Tuesday, February 7, 2012, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

FEDERAL DEPOSIT INSURANCE CORPORATION

JEREMIAH O'HEAR NORTON, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION FOR THE REMAINDER OF THE TERM EXPIRING JULY 15, 2013, VICE SHEILA C. BAIR, RESIGNED.

FEDERAL ENERGY REGULATORY COMMISSION

JOHN ROBERT NORRIS, OF IOWA, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE TERM EXPIRING JUNE 30, 2017. (REAPPOINTMENT)

DEPARTMENT OF THE INTERIOR

MARCILYNN A. BURKE, OF NORTH CAROLINA, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR, VICE WILMA A. LEWIS, RESIGNED.

EXECUTIVE OFFICE OF THE PRESIDENT

JOSEPH G. JORDAN, OF MASSACHUSETTS, TO BE ADMINISTRATOR FOR FEDERAL PROCUREMENT POLICY, VICE DANIEL I. GORDON.

DEPARTMENT OF JUSTICE

WILLIAM JOSEPH BAER, OF MARYLAND, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE CHRISTINE ANNE VARNEY.

DEPARTMENT OF DEFENSE

HEIDI SHYU, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF THE ARMY, VICE MALCOLM ROSS O'NEILL, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. JANET C. WOLFENBARGER

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. CRAIG A. BUGNO

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. TIMOTHY A. REISCH

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. GREGORY A. LUSK

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. JOHN DINAPOLI

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COLONEL PATRICIA M. ANSLOW

COLONEL JOSE R. ATENCIO III

COLONEL WILLIAM E. BARTHELD

COLONEL JEFFREY M. BREOR

COLONEL MICHAEL R. BRESNAHAN

COLONEL JOHN A. BYRD

COLONEL SYLVESTER CANNON

COLONEL WILLIAM J. COFFIN

COLONEL BENJAMIN J. CORELL

COLONEL KURT S. CRYTZER

COLONEL RONALD J. CZMOWSKI

COLONEL REX E. DUNCAN

COLONEL GERALD L. DUNLAP

COLONEL JOHN M. EPPERLY

COLONEL JAMES C. ERNST

COLONEL JOHN A. GOODALE

COLONEL TIMOTHY E. GOWEN

COLONEL PAUL C. HASTINGS

COLONEL PERCY G. HURTADO II

COLONEL JON A. JENSEN

COLONEL CRAIG D. JOHNSON

COLONEL MARIA E. KELLY

COLONEL ERIC D. KERSKA

COLONEL KENNETH A. KOON

COLONEL WILLIAM J. LIEDER

COLONEL ROY V. MCCARTY

COLONEL FRANKLIN C. MCCAULEY, JR.

COLONEL DARLENE A. MCCURDY

COLONEL DAVID J. MEDEIROS

COLONEL WALTER L. MERCER

COLONEL ALLEN L. MEYER

COLONEL MARK J. MICHIE

COLONEL RICHARD G. MILLER

COLONEL ROBERT A. MOORE

COLONEL JOHN R. MOSHER

COLONEL DAVID W. OSBORN

COLONEL PHILLIP M. OWENS

COLONEL GREGORY C. PORTER

COLONEL VON C. PRESNELL

COLONEL PHILIP T. PUGLIESE

COLONEL JESSIE R. ROBINSON

COLONEL PAUL F. RUSSELL

COLONEL TRACY L. SETTLE

COLONEL DAVID P. SHERIDAN

COLONEL HOPPER T. SMITH

COLONEL MICHAEL D. TURELLO

COLONEL DANIEL VAZQUEZ-ROSA

COLONEL TIMOTHY J. WOJTECKI

COLONEL MICHAEL R. ZERBONIA

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIGADIER GENERAL ROBBIE L. ASHER

BRIGADIER GENERAL GLENN A. BRAMHALL

BRIGADIER GENERAL SCOTT E. CHAMBERS

BRIGADIER GENERAL ALAN S. DOHRMANN

BRIGADIER GENERAL STEVEN W. DUFF

BRIGADIER GENERAL WILLIAM L. GLASGOW

BRIGADIER GENERAL WILTON S. GORSKE

BRIGADIER GENERAL LAWRENCE A. HASKINS
BRIGADIER GENERAL PETER C. HINZ
BRIGADIER GENERAL DAVID F. IRWIN
BRIGADIER GENERAL THEODORE D. JOHNSON
BRIGADIER GENERAL HARRY E. MILLER, JR.
BRIGADIER GENERAL RENWICK L. PAYNE
BRIGADIER GENERAL JOSEPH M. RICHIE
BRIGADIER GENERAL JAMES M. ROBINSON
BRIGADIER GENERAL STEPHEN G. SANDERS
BRIGADIER GENERAL MICHAEL C. SWEZEY
BRIGADIER GENERAL SCOTT L. THOELE
BRIGADIER GENERAL JAMES H. TROGDON III
BRIGADIER GENERAL CHARLES W. WHITTINGTON, JR.

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COLONEL JOHN C. HARRIS, JR.

COLONEL GREGORY D. MASON

COLONEL DANA L. MCDANIEL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

KEITH J. ANDREWS

MATTHEW D. ATKINS

JEFFREY P. BARTELS

MARK E. BEALS

DONALD C. BICKEL

CARL E. BOWMAN JAMISON, JR.

JAMES P. BRECKENRIDGE

STEVEN D. BRYANT

TERRELL L. BYRD

MATTHEW A. CASSADY

SIMON J. CHANG

GREGORY J. CHENEY

MARTIN S. CHO

TIMOTHY G. CROSS

RANDALL P. CURRY

STEPHEN L. DICKS

TIMOTHY E. FARY

JAMES F. FISHER, JR.

JOSHUA J. GILLIAM

CHRISTIAN L. GOZA

PAUL A. HALLADAY

LEE G. HARMS

KENNETH D. HARRIS

RUSTON L. HILL

CRAIG P. HONBARGER

JOHN D. HUBBS

DANIEL D. KANG

JAMES N. KLINE

FELIX K. KUMAI

ERIC W. LEETCH

JASON R. LORENZEN

HERMES G. LOSBANES

CRAIG R. LUDWIG

JEFFERY MASENGALE

MIJIKAI MASON

BRANDON R. MOORE

CLIFFORD F. NEUMAN

ANDREW J. NIX

KURT A. O'DONNELL

GEORGE L. OKOTH

ISAAC M. OPARA

CARL W. OTIS

JAY S. OUTEN

SOHHWAN PARK

WILLIAM D. PAYTON

CARL M. PHILLIPS

JENNIFER J. ROGERS COOPER

JOHN M. SEDWICK

THOMAS R. STRONG

KYLE A. TAYLOR

BRIAN M. TUNG

CHRISTOPHER W. WALLACE

DOUGLAS W. WEAVER

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

WALLACE S. BONDS

DAVID P. CHASE

KEVIN M. EDWARDS

JAMES H. TREECE

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

DANIEL P. BORDELON

BRADLEY J. COX

RHODA K. DANIEL

JOHN M. FISHBURN

BRENT A. JOHNSON

MICHELLE M. ROSE

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JAMES GILFORD III