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PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

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House of Representatives

This being the day fixed by Public Law 111–289, pursuant to the 20th amendment to the Constitution of the United States, for the meeting of the 112th Congress of the United States, the Representatives-elect met in their Hall, and at noon were called to order by the Clerk of the House of Representatives, Hon. Lorraine C. Miller.

The Reverend Daniel P. Coughlin offered the following prayer:

Come Holy Spirit, fill the hearts of Your faithful believers. Enkindle within them the fire of Divine Love; that they may be truly open to respond to Your Word and the needs of Your people.

Lord, send forth Your spirit and renew the face of the Earth. May the spirit of the living God descend upon this Chamber; that from here may come forth good news for the poor, healing for the broken-hearted, and renewed hope in the Nation. Let there go forth a proclamation to the people that captivity is ended, and the action of true politics will set this Nation free.

By setting single-minded self-interest aside in the search for the common good, may a just society flourish with the gifts of Your spirit and be recognized by others for its equal justice, unity, and peace.

Lord, may the 112th Congress of the United States of America be an instrument of Your goodness with abiding laws embraced and clarity in policy statements, reaching beyond institutional thinking and public opinion polls. May every human life in this country be renewed with dignity and purpose so we may truly glory in Your name as the free children of God made in Your image and conformed to Your saving grace, both now and forever.

Amen.

PLEDGE OF ALLEGIANCE

The CLERK. The Representatives-elect and their guests will please remain standing and join in the Pledge of Allegiance.

The Clerk 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.

The CLERK. As directed by law, the Clerk of the House has prepared the official roll of the Representatives-elect.

Certificates of election covering 435 seats in the 112th Congress have been received by the Clerk of the House, and the names of those persons whose credentials show that they were regularly elected as Representatives in accord with the laws of their respective States or of the United States will be called.

The Representatives-elect will record their presence by electronic device and their names will be reported in alphabetical order by State, beginning with the State of Alabama, to determine whether a quorum is present.

Representatives-elect will have a minimum of 15 minutes to record their presence by electronic device.

Representatives-elect who have not obtained their voting ID cards may do so now in the Speaker's lobby.

The call was taken by electronic device, and the following Representatives-elect responded to their names:

[Roll No. 1]

ANSWERED ''PRESENT''—434

ALABAMA

Aderholt
Bachus
Bonner
Brooks
Roby
Rogers
Sewell

ALASKA

Young

ARIZONA

Flake
Franks
Giffords
Gosar
Grijalva
Pastor
Quayle
Schweikert

ARKANSAS

Crawford
Griffin
Ross
Womack

CALIFORNIA

Baca
Bass
Bilbray
Becerra
Berman
Bono Mack
Calvert
Campbell
Capps
Cardoza
Chu
Costa
Davis
Denham
Dreier
Eshoo
Farr
Filner
Gallegly
Garamendi
Harman
Herger
Honda
Hunter
Issa
Lee
Lewis
Lofgren, Zoe
Lungren, Daniel E.
Matsui
McCarthy
McClintock
McKeon
McNerney
Miller, Gary
Miller, George
Napolitano
Nunes
Pelosi
Richardson
Rohrabacher
Roybal-Allard
Royce
Sánchez, Linda T.
Sanchez, Loretta
Schiff
Sherman
Speier
Stark
Thompson
Waters
Waxman
Woolsey

COLORADO

Coffman
DeGette
Gardner
Lamborn
Perlmutter
Polis
Tipton

CONNECTICUT

Courtney
DeLauro
Himes
Larson
Murphy

DELAWARE

Carney

FLORIDA

Adams
Bilirakis
Brown
Buchanan
Castor
Crenshaw
Deutch
Diaz-Balart
Hastings
Mack
Mica
Miller
Nugent
Posey
Rivera
Rooney
Ros-Lehtinen
Ross
Southerland
Stearns
Wasserman Schultz
Webster
West
Wilson
Young

GEORGIA

Barrow
Bishop
Broun
Gingrey
Graves
Johnson
Kingston
Lewis
Price
Scott, Austin
Scott, David
Westmoreland
Woodall

HAWAII

Hanabusa
Hirono

IDAHO

Labrador
Simpson

ILLINOIS

Biggert
Costello
Davis
Dold
Gutierrez
Hultgren
Jackson
Johnson
Kinzinger
Lipinski
Manzullo
Quigley
Roskam

Rush	Schilling	Shimkus
Schakowsky	Schock	Walsh

INDIANA

Bucshon	Donnelly	Stutzman
Burton	Pence	Visclosky
Carson	Rokita	Young

IOWA

Boswell	King	Loebsack
Braley	Latham	

KANSAS

Huelskamp	Pompeo	
Jenkins	Yoder	

KENTUCKY

Chandler	Guthrie	Whitfield
Davis	Rogers	Yarmuth

LOUISIANA

Alexander	Fleming	Scalise
Boustany	Landry	
Cassidy	Richmond	

MAINE

Michaud	Pingree	

MARYLAND

Bartlett	Harris	Sarbanes
Cummings	Hoyer	Van Hollen
Edwards	Ruppersberger	

MASSACHUSETTS

Capuano	Markey	Tierney
Frank	McGovern	Tsongas
Keating	Neal	
Lynch	Olver	

MICHIGAN

Amash	Dingell	Miller
Benishek	Huizenga	Peters
Camp	Kildee	Rogers
Clarke	Levin	Upton
Conyers	McCotter	Walberg

MINNESOTA

Bachmann	Kline	Peterson
Cravaack	McCollum	Walz
Ellison	Paulsen	

MISSISSIPPI

Harper	Palazzo	
Nunnelee	Thompson	

MISSOURI

Akin	Cleaver	Hartzler
Carnahan	Emerson	Long
Clay	Graves	Luetkemeyer

MONTANA

Rehberg

NEBRASKA

Fortenberry	Smith	Terry

NEVADA

Berkley	Heck	Heller

NEW HAMPSHIRE

Bass	Guinta	

NEW JERSEY

Andrews	LoBiondo	Runyan
Frelinghuysen	Pallone	Sires
Garrett	Pascrell	Smith
Holt	Payne	
Lance	Rothman	

NEW MEXICO

Heinrich	Luján	Pearce

NEW YORK

Ackerman	Higgins	Owens
Bishop	Hinchey	Rangel
Buerkle	Israel	Reed
Clarke	King	Serrano
Crowley	Lee	Slaughter
Engel	Lowey	Tonko
Gibson	Maloney	Towns
Grimm	McCarthy	Velázquez
Hanna	Meeks	Weiner
Hayworth	Nadler	

NORTH CAROLINA

Butterfield	Kissell	Price
Coble	McHenry	Shuler
Ellmers	McIntyre	Watt
Foxx	Miller	
Jones	Myrick	

NORTH DAKOTA

Berg

OHIO

Austria	Jordan	Ryan
Boehner	Kaptur	Schmidt
Chabot	Kucinich	Stivers
Fudge	LaTourette	Sutton
Gibbs	Latta	Tiberi
Johnson	Renacci	Turner

OKLAHOMA

Boren	Lankford	Sullivan
Cole	Lucas	

OREGON

Blumenauer	Walden	
Schrader	Wu	

PENNSYLVANIA

Altmire	Fitzpatrick	Pitts
Barletta	Gerlach	Platts
Brady	Holden	Schwartz
Critz	Kelly	Shuster
Dent	Marino	Thompson
Doyle	Meehan	
Fattah	Murphy	

RHODE ISLAND

Cicilline	Langevin	

SOUTH CAROLINA

Clyburn	Gowdy	Scott
Duncan	Mulvaney	Wilson

SOUTH DAKOTA

Noem

TENNESSEE

Black	Cooper	Fincher
Blackburn	DesJarlais	Fleischmann
Cohen	Duncan	Roe

TEXAS

Barton	Gohmert	Marchant
Brady	Gonzalez	McCaul
Burgess	Granger	Neugebauer
Canseco	Green, Al	Olson
Carter	Green, Gene	Paul
Conaway	Hall	Poe
Cuellar	Hensarling	Reyes
Culberson	Hinojosa	Sessions
Doggett	Jackson Lee	Smith
Farenthold	Johnson, E. B.	Thornberry
Flores	Johnson, Sam	

UTAH

Bishop	Chaffetz	Matheson

VERMONT

Welch

VIRGINIA

Cantor	Griffith	Scott
Connolly	Hurt	Wittman
Forbes	Moran	Wolf
Goodlatte	Rigell	

WASHINGTON

Dicks	Larsen	Reichert
Hastings	McDermott	Smith
Herrera Beutler	McMorris Rodgers	
Inslee		

WEST VIRGINIA

Capito	McKinley	Rahall

WISCONSIN

Baldwin	Moore	Ryan
Duffy	Petri	Sensenbrenner
Kind	Ribble	

WYOMING

Lummis

□ 1234

The CLERK. The quorum call discloses that 434 Representatives-elect have responded to their name. A quorum is present.

ANNOUNCEMENT BY THE CLERK

The CLERK. Credentials, regular in form, have been received showing the election of:

The Honorable PEDRO R. PIERLUISI as Resident Commissioner from the Commonwealth of Puerto Rico for a term of 4 years beginning January 3, 2009;

The Honorable ELEANOR HOLMES NORTON as Delegate from the District of Columbia;

The Honorable MADELEINE Z. BORDALLO as Delegate from Guam;

The Honorable DONNA M. CHRISTENSEN as Delegate from the Virgin Islands;

The Honorable ENI F. H. FALEOMAVAEGA as Delegate from American Samoa; and

The Honorable GREGORIO SABLAN as Delegate from the Commonwealth of the Northern Mariana Islands.

ELECTION OF SPEAKER

The CLERK. Pursuant to law and precedent, the next order of business is the election of the Speaker of the House of Representatives for the 112th Congress.

Nominations are now in order.

The Clerk recognizes the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Madam Clerk, every Congress represents a sacred responsibility to write a new and greater chapter in our Republic's history. Be it providence or destiny, a unique man of uniquely American values is now called to lead this effort.

At a time when far too many of our countrymen remain unemployed, a former small businessman will lead the House to pass policies to encourage job creation.

At a time when all agree our Nation is on an unsustainable fiscal course, a fiscal reformer will ensure that this House never mortgages the torch of liberty in order to pay our debts.

At a time when too many doubt that their children can enjoy a brighter future in our country, he has lived the American dream, and will protect it for our posterity like few others before him.

This proud son of Ohio—one of 12 children born into a working-class family—has waited tables, mopped floors, tended bar, worked construction, worked his way to a college degree at night school, led a thriving company. And through his faith, his hard work, his values, he is now poised to become the next Speaker of the House of Representatives. He knows firsthand that unlimited opportunity can only arise from limited constitutional government.

Madam Clerk, as chairman of the Republican Conference, I am directed by the unanimous vote of that conference to present for election to the Office of Speaker of the House of Representatives for the 112th Congress the name of the Honorable JOHN A. BOEHNER, a Representative-elect from the State of Ohio.

The CLERK. The Clerk now recognizes the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. Madam Clerk, as chairman of the Democratic Caucus, I am directed by the vote of that caucus to present for election to the Office of Speaker of the House of Representatives for the 112th Congress a person who gives me great honor and privilege, who has led with decency and dignity. I submit on behalf of this caucus the name of the Honorable NANCY D'ALESANDRO PELOSI, a Representative-elect from the great State of California.

The CLERK. The names of the Honorable JOHN A. BOEHNER, a Representative-elect from the State of Ohio, and the Honorable NANCY PELOSI, a Representative-elect from the State of California, have been placed in nomination.

Are there further nominations?

There being no further nominations, the Clerk appoints the following tellers:

The gentleman from California (Mr. DANIEL E. LUNGREN);

The gentleman from Pennsylvania (Mr. BRADY);

The gentlewoman from Ohio (Ms. KAPTUR); and

The gentlewoman from Florida (Ms. ROS-LEHTINEN).

The tellers will come forward and take their seats at the desk in front of the Speaker's rostrum.

The roll will now be called, and those responding to their names will indicate by surname the nominee of their choosing.

The Reading Clerk will now call the roll.

The tellers having taken their places, the House proceeded to vote for the Speaker.

The following is the result of the vote:

[Roll No. 2]

BOEHNER—241

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

PELOSI—173

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

SHULER—11

Altmire
Boren
Cooper
Donnelly (IN)
Holden
Kissell
Matheson
McIntyre
Michaud
Ross (AR)
Shuler

LEWIS (GA)—2

Barrow
Giffords

COSTA—1

Cardoza

CARDOZA—1

Costa

COOPER—1

Kind

KAPTUR—1

Lipinski

HOYER—1

Schrader

ANSWERED ''PRESENT''—1

Bishop (GA)

NOT VOTING—2

Boehner
DeFazio

□ 1341

The CLERK. The tellers agree in their tallies that the total number of votes cast by surname is 432, of which the Honorable JOHN A. BOEHNER of the State of Ohio has received 241, the Honorable NANCY PELOSI of the State of California has received 173, the Honorable DENNIS CARDOZA of the State of California has received 1, the Honorable JIM COOPER of the State of Tennessee has received 1, the Honorable JIM COSTA of the State of California has received 1, the Honorable STENY HOYER of the State of Maryland has received 1, the Honorable MARCY KAPTUR of the State of Ohio has received 1, the Honorable JOHN LEWIS of the State of Georgia has received 2, the Honorable HEATH SHULER of the State of North Carolina has received 11, with 1 recorded as ''present.''

Therefore, the Honorable JOHN A. BOEHNER of the State of Ohio, having received the majority of the votes cast, is duly elected Speaker of the House of Representatives for the 112th Congress.

The Clerk appoints the following committee to escort the Speaker-elect to the chair:

The gentleman from Virginia (Mr. CANTOR)

The gentlewoman from California (Ms. PELOSI)

The gentleman from California (Mr. MCCARTHY)

The gentleman from Maryland (Mr. HOYER)

The gentleman from Texas (Mr. HENSARLING)

The gentleman from South Carolina (Mr. CLYBURN)

The gentleman from Texas (Mr. SESSIONS)

The gentleman from Connecticut (Mr. LARSON)

The gentleman from Georgia (Mr. PRICE)
The gentleman from California (Mr. BECERRA)
The gentlewoman from Washington (Mrs. MCMORRIS RODGERS)
The gentleman from New York (Mr. ISRAEL)
The gentleman from Texas (Mr. CARTER)
The gentleman from Maryland (Mr. VAN HOLLEN)
The gentlewoman from South Dakota (Mrs. NOEM)
The gentleman from California (Mr. GEORGE MILLER)
The gentleman from South Carolina (Mr. SCOTT)
The gentlewoman from Connecticut (Ms. DELAURO)
The gentleman from Oregon (Mr. WALDEN)
The gentleman from Texas (Mr. CUELLAR)
The gentleman from California (Mr. DREIER)
The gentlewoman from Florida (Ms. WASSERMAN SCHULTZ)
The gentleman from Illinois (Mr. ROSKAM)
The gentlewoman from California (Ms. BASS)
And the Members of the Ohio delegation:
Ms. KAPTUR
Mr. LATOURETTE
Mr. KUCINICH
Mr. TIBERI
Mr. RYAN
Mr. TURNER
Mrs. SCHMIDT
Ms. SUTTON
Mr. LATTA
Mr. JORDAN
Ms. FUDGE
Mr. AUSTRIA
Mr. CHABOT
Mr. GIBBS
Mr. JOHNSON
Mr. RENACCI, and
Mr. STIVERS

The committee will retire from the Chamber to escort the Speaker-elect to the chair.

The Sergeant at Arms announced the Speaker-elect of the House of Representatives of the 112th Congress, who was escorted to the chair by the Committee of Escort.

Ms. PELOSI. It is a high honor to welcome all Members of Congress and their families to the House of Representatives.

To the new Members and their families, a special congratulations and welcome to you. We all wish you great success. Congratulations to you.

We all come here to represent our constituents. Our respect for each other is founded in our respect for the people that we represent.

This month, we will celebrate the 50th anniversary of the inauguration of John F. Kennedy as President of the United States.

As a student, I was there in the freezing cold. For some of you, you have read about it in the history books, but to Bob and me, it was our youth. Right, Bob?

I was there in the freezing cold and heard the stirring address that inspired generations of Americans to public service.

In his 1962 State of the Union Address, right from here, from this dais, President Kennedy said to the Congress: the Constitution makes us all trustees of the American people, custodians of the American heritage.

Today, as we take the oath of office to support and defend our Constitution, we do so as trustees of America's best hopes and as custodians of America's highest values. However we may differ, let us never lose sight of our common laws for this exceptional Nation and our shared obligation to the way forward.

I started off by acknowledging and welcoming and congratulating the Members and their families. Our families have always helped light the way forward for all of us. With a full and grateful heart, I want to thank my family: my husband of 47 years, Paul Pelosi; my children, Nancy Corinne, Christine, Jacqueline, Paul, and Alexandra; and my grandchildren. I am proud, too, to be from a large family—the youngest of seven—and to acknowledge my brother, Thomas D'Alesandro III, the former mayor of Baltimore, Maryland.

Welcome, Thomas.

Let me thank my constituents in San Francisco, whom I am proud to represent in the spirit of the anthem of our city of Saint Francis—the song of Saint Francis—and I am so pleased that that was recited by all of us at the interdenominational service this morning.

I am grateful to my colleagues for their commitment to equality, which is both our heritage and our hope, giving me the historic honor of being the first woman Speaker of the House of Representatives. Now more doors are wide open for all of America's daughters and granddaughters.

I am also honored to be the first Italian-American Speaker. Like many Americans, our heritage is a source of great pride and of deeply ingrained patriotism which summons us to build a stronger Nation. We recognize that the proudest title we will ever hold is not accorded on this floor. It is the simple dignity of the title ''American''—part of our great democracy that continues to be the greatest hope of liberty and progress for the entire world.

When I was first elected Speaker, I called the House to order on behalf of America's children; and now, as I prepare to hand the gavel over to Speaker BOEHNER, I know one thing above all else: Thanks to you, we have stood with those children and for their families—for their health, their education, the safety of the air they breathe, the water they drink, and the food they eat.

Thanks to you, for those children and their families, we have made the largest ever commitment to making college more affordable, enacted Wall Street reform with the greatest consumer protections in history, and passed a strong Patients' Bill of Rights. It means that children with preexisting conditions can get care; young people can stay on their parents' policies until they are 26; pregnant women and breast and prostate cancer patients can no longer be thrown off their insurance; our seniors are paying less for their medical prescriptions. Taken together, it will save taxpayers $1.3 trillion.

Thanks to you, thanks to all of us, we advanced the defining American cause of ''equality for all'' from the first days of the Congress with the passage of the Lilly Ledbetter Fair Pay Act to the last days with the repeal of the Don't Ask, Don't Tell policy.

And thanks to you, we achieved more for America's veterans than at any time since the passage of the GI Bill of Rights in 1944. Because of our courageous troops and our veterans, we will always be the land of the free and the home of the brave.

Let us now salute our men and women in uniform.

To honor them, we must build a future worthy of their sacrifice, which includes good-paying jobs when they come home. It is not enough that we staved off a depression. Much more needs to be done to open up the American Dream and lift up the American economy. The only acceptable outcome is to fully and finally restore fair prosperity that good-paying jobs provide.

□ 1400

Our most important job is to fight for American jobs, to make it in America—STENY—and so Democrats will judge what comes before Congress, from either side of the aisle, as to whether it creates jobs, strengthens the middle class, and reduces the deficit, not burdening future generations. When the new Speaker of the House, JOHN BOEHNER, and the new Republican majority—and congratulations, again—come forward with solutions that will address these American challenges, you will find us a willing partner.

As we congratulate Speaker BOEHNER and our Republican colleagues, as we wish them success, we must stand ready to find common ground, to solve problems, and to build a more secure future for all Americans.

And as we take the oath of office today to support and defend the Constitution, we must be ever mindful that it makes us trustees for the American people, with an obligation to do what is right for them, and custodian of the American heritage—our great values.

Thank you, my colleagues, for the honor of serving in that tradition as the Speaker of the House of Representatives. I thank you, my colleagues.

Again, I want to congratulate all of the new Members of Congress, all of you who have been reelected, but especially the new majority and the new Speaker of the House, JOHN BOEHNER.

Now, the House will be led by a proud son of Ohio, a man of conviction, a public servant of resolve, and a legislative leader of skill. Speaker BOEHNER is a leader who has earned the confidence of his conference and the respect of his colleagues in the Congress. He is a man of faith: faith in God, faith in our country, and faith in his family.

It is very important for us, in acknowledging that, for us to acknowledge his family, his wife, Mrs. Boehner. As we congratulate him, we congratulate and thank Debbie for sharing him with us and Lindsay and Trisha and, indeed, the entire Boehner family. Thank you and congratulations to all of you.

Now, recognizing our roles under the Constitution, united in our love of our country, we now engage in a strong symbol of American democracy, the peaceful and respectful exchange of power. I now pass this gavel, which is larger than most gavels here, but the gavel of choice of Speaker BOEHNER—I now pass this gavel and the sacred trust that goes with it to the new Speaker. God bless you, Speaker BOEHNER. God bless this Congress and God bless America.

Mr. BOEHNER. Thank you. It's still just me.

Madam Speaker, thank you for your kind words, and thank you for your service to this institution.

Secondly, I want to welcome all of our new Members and their families on what is a very special day. All of us who have been here remember vividly that first day that we served here, and I think any of us can tell you that you will never forget today.

My own family is here as well. I think you just met Debbie, and next to Debbie are Lindsay and Trisha, our two daughters. Welcome. We're glad that you're here. Ten of my 11 brothers and sisters and sisters-in-law and brothers-in-law are here as well, and my poor brother Greg who runs a restaurant down in Georgia was unable to be here, but I wanted to acknowledge him.

I also want to acknowledge some of my close friends that are here from the other side of the Capitol: MITCH MCCONNELL, the Senate Republican leader is here; and two of my best buds, RICHARD BURR from North Carolina, SAXBY CHAMBLISS from Georgia, along with, you know, my buddy LATHAM. Thank you for being here, gentlemen. I appreciate it.

I am honored and humbled to represent a great, hardworking community in Congress. The people of Ohio's Eighth Congressional District continue to afford me the privilege to serve, for which I am deeply grateful.

We gather here today at a time of great challenges, when nearly one in 10 of our neighbors is out of work. Health care costs are still rising for American families. Our spending has caught up with us, and our debt soon will eclipse the entire size of our national economy. Hard work and tough decisions will be required of the 112th Congress. No longer can we fall short. No longer can we kick the can down the road. The people voted to end business as usual; and, today, we begin to carry out their instructions.

In the Catholic faith, we enter into a season of service by having ashes marked on our head. The ashes remind us that life, in all of its forms, is very fragile; our time on this Earth fleeting. But as the ashes are delivered, we hear those humbling words: remember, you are dust and to dust you shall return.

The American people have humbled us. They have refreshed our memories to just how temporary the privilege of serving is. They've reminded us that everything here is on loan from them. That includes this gavel, which I accept cheerfully and gratefully, knowing that I am but its caretaker. After all, this is the people's House. This is their Congress. It's about them, not about us. What they want is a government that's honest, accountable, and responsive to their needs, a government at that respects individual liberty, honors our heritage, and bows before the public that it serves.

Let's start with the rules package that the House will consider today. If passed, it will change how this institution operates, with an emphasis on real transparency, greater accountability, and a renewed focus on our Constitution. Our aim will be to give the government back to the American people.

□ 1410

In seeking this goal, we will part with some of the rituals that have come to characterize this institution under majorities, both Republican and Democrat alike. We will dispense with the conventional wisdom that bigger bills are always better, that fast legislating is good legislating, that allowing amendments and open debate makes the legislative process ''less efficient'' than our Forefathers had intended.

These misconceptions have been the basis for the rituals of modern Washington. In my opinion, the American people have not been served well by them. Today, mindful of the lessons of the past, we open a new chapter.

Legislators and the public will have 3 days to read a bill before it comes to a vote. Legislation will be more focused, properly scrutinized, and constitutionally sound. Committees, once bloated, will be smaller with a renewed mission, including oversight. Old rules that have made it easy to increase spending will be replaced by new rules that make it easier to cut spending. And we will start by cutting Congress' own budget.

Above all else, we will welcome the battle of ideas, encourage it, and engage in it—openly, honestly, and respectfully. As the Chamber closest to the people, the House works best when it is allowed to work its will. And I ask all Members of this body to join me in recognizing this common truth.

To my colleagues in the majority, my message is this: We will honor our pledge to America, built through a process of listening to the American people. We will stand firm on our constitutional principles that built our party and built a great Nation. We will do these things, however, in a manner that restores and respects the time-honored right of the minority to an honest debate and a fair, open process.

And to my friends in the minority, I offer a commitment: Openness, once a tradition of this institution but increasingly scarce in recent decades, will be the new standard. There were no open rules in the House in the last Congress. In this one, there will be many.

But with this restored openness, however, comes a restored responsibility. You will not have the right to willfully disrupt the proceedings of the people's House, but you will always have the right to a robust debate in open process that allows you to represent your constituents, to make your case, offer alternatives, and be heard.

In time I believe this framework will allow the House to be a place where the people's will is done. It will also, I hope, rebuild trust among us and the people we serve and, in so doing, provide a guidepost for those who follow us in the service of our Nation.

To our new Members, Democrat and Republican alike, as you take the oath today, I know that you do so mindful of this shared goal and the trust placed in you by your constituents.

As Speaker, I feel part of my job is to help each of you do your job well, regardless of your political party. My hope is that every new Member, and, indeed, every Member, will be comfortable with approaching me with regard to matters of the House.

We will not always get it right, and we will not always agree on what is right. There is a great deal of scar tissue that has been built up on both sides of the aisle. We can't ignore that, nor should we. My belief has always been that we can disagree without being disagreeable. That is why it's critical that this institution operate in a manner that permits a free exchange of ideas and resolves our honest differences through a fair debate and vote. We may have different, sometimes very different, ideas about how to go about achieving the common good. It is why we serve.

Let us now move forward, humble in our demeanor, steady in our principles, dedicated to proving worthy of the trust and confidence that has been placed in each of us. If we brace ourselves to do our duty and do what we say we re going to do, I don't think that, together, there is anything that we can't accomplish, again, on behalf of the people we serve.

More than a country, America is an idea; and it's our job to pass that posterity of blessings that have been bestowed on us to those generations that follow us.

I want to wish all of you the very best. Welcome to the people's House. Welcome to the 112th Congress.

I am now ready to take the oath of the office, and I ask the Dean of the House, the Honorable JOHN DINGELL of Michigan, to administer the oath of office.

Mr. DINGELL then administered the oath of office to Mr. BOEHNER of Ohio, as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

(Applause, the Members rising.)

Mr. DINGELL. Congratulations, Mr. Speaker.

SWEARING IN OF MEMBERS

The SPEAKER. According to precedent, the Chair will swear in the Members-elect en masse.

The Members-elect will rise and raise their right hands.

The Members-elect rose, and the Speaker administered the oath of office to them as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations. You are now Members of the 112th Congress.

□ 1420

MAJORITY LEADER

Mr. HENSARLING. Mr. Speaker, as chairman of the Republican Conference, I have been directed to report to the House that the Republican Members have selected as majority leader the gentleman from Virginia, the Honorable ERIC CANTOR.

MINORITY LEADER

Mr. LARSON of Connecticut. Congratulations to you, Mr. Speaker, and congratulations to my colleague and chair of the Republican Conference.

Mr. Speaker, as chairman of the Democratic Caucus, I am directed by that conference to notify the House of Representatives officially that the Democratic Members have selected as minority leader the gentlewoman from California, the Honorable NANCY D'ALESANDRO PELOSI.

MAJORITY WHIP

Mr. HENSARLING. Mr. Speaker, as chairman of the Republican Conference, I am directed by that conference to notify the House officially that the Republican Members have selected as their majority whip the gentleman from California, the Honorable KEVIN MCCARTHY.

MINORITY WHIP AND ASSISTANT DEMOCRATIC LEADER

Mr. LARSON of Connecticut. Mr. Speaker, as chair of the Democratic Caucus, I am directed by that conference to notify the House of Representatives officially that the Democratic Members have selected as minority whip the gentleman from Maryland, the Honorable STENY HOYER; and as assistant Democratic leader, the gentleman from South Carolina, the Honorable JAMES CLYBURN.

ELECTION OF CLERK OF THE HOUSE, SERGEANT AT ARMS, CHIEF ADMINISTRATIVE OFFICER AND CHAPLAIN

Mr. HENSARLING. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1

Resolved, That Karen L. Haas of the State of Maryland, be, and is hereby, chosen Clerk of the House of Representatives;

That Wilson S. Livingood of the Commonwealth of Virginia be, and is hereby, chosen Sergeant-at-Arms of the House of Representatives;

That Daniel J. Strodel of the District of Columbia be, and is hereby, chosen Chief Administrative Officer of the House of Representatives; and

That Father Daniel P. Coughlin of the State of Illinois, be, and is hereby, chosen Chaplain of the House of Representatives.

Mr. HENSARLING. Mr. Speaker, I wish to congratulate my counterpart on his re-election.

I yield to the gentleman from Connecticut (Mr. LARSON) for the purpose of offering an amendment.

Mr. LARSON of Connecticut. Mr. Speaker, I have an amendment to the resolution, but before offering the amendment, I request that there be a division of the question on the resolution so that we may have a separate vote on the Chaplain.

The SPEAKER. The question will be divided.

The question is on agreeing to that portion of the resolution providing for the election of the Chaplain.

That portion of the resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDMENT OFFERED BY MR. LARSON OF CONNECTICUT

Mr. LARSON of Connecticut. Mr. Speaker, I offer an amendment to the remainder of the resolution.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LARSON of Connecticut:

That John Lawrence of the State of New Jersey be, and is hereby, chosen Clerk of the House of Representatives;

That Alexis Covey-Brandt of the State of Maryland be, and is hereby, chosen Sergeant-at-Arms of the House of Representatives; and

That Yelberton Watkins of the State of South Carolina be, and is hereby, chosen Chief Administrative Officer of the House of Representatives.

The SPEAKER. The question is on the amendment offered by the gentleman from Connecticut.

The amendment was rejected.

The SPEAKER. The question is on the remainder of the resolution offered by the gentleman from Texas.

The remainder of the resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair will now swear in the officers of the House.

The officers presented themselves in the well of the House and took the oath of office as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations.

□ 1430

SWEARING IN OF MEMBER

The SPEAKER. Will the gentleman from Oklahoma please present himself in the well.

Mr. SULLIVAN appeared at the bar of the House and took the oath of office as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations.

NOTIFICATION TO THE SENATE

Mr. CANTOR. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 2

Resolved, That the Senate be informed that a quorum of the House of Representatives has assembled; that John A. Boehner, a Representative from the State of Ohio, has been elected Speaker; and that Karen L. Haas, a citizen of the State of Maryland, has been elected Clerk of the House of Representatives of the One Hundred Twelfth Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE TO NOTIFY PRESIDENT

Mr. CANTOR. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 3

Resolved, That a committee of two Members be appointed by the Speaker on the part of the House of Representatives to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and Congress is ready to receive any communication that he may be pleased to make.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBERS OF COMMITTEE TO NOTIFY THE PRESIDENT, PURSUANT TO HOUSE RESOLUTION 3

The SPEAKER pro tempore (Mr. LATOURETTE). Without objection, pursuant to House Resolution 3, the Chair announces the Speaker's appointment of the following Members to the committee on the part of the House to join a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and that Congress is ready to receive any communication that he may be pleased to make:

The gentleman from Virginia (Mr. CANTOR) and

The gentlewoman from California (Ms. PELOSI).

There was no objection.

AUTHORIZING THE CLERK TO INFORM THE PRESIDENT OF THE ELECTION OF THE SPEAKER AND THE CLERK OF THE HOUSE OF REPRESENTATIVES

Mr. DINGELL. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES 4

Resolved, That the Clerk be instructed to inform the President of the United States that the House of Representatives has elected John A. Boehner, a Representative from the State of Ohio as Speaker, and Karen L. Haas, a citizen of the State of Maryland as Clerk, of the House of Representatives of the One Hundred Twelfth Congress:

The resolution was agreed to.

A motion to reconsider was laid on the table.

RULES OF THE HOUSE

Mr. CANTOR. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 5

Resolved, That the Rules of the House of Representatives of the One Hundred Eleventh Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Eleventh Congress, are adopted as the Rules of the House of Representatives of the One Hundred Twelfth Congress, with amendments to the standing rules as provided in section 2, and with other orders as provided in sections 3, 4, and 5.

SEC. 2. CHANGES TO THE STANDING RULES.

(a) CITING AUTHORITY UNDER THE CONSTITUTION.—

(1) In clause 7 of rule XII, add the following new paragraph:

''(c)(1) A bill or joint resolution may not be introduced unless the sponsor submits for printing in the Congressional Record a statement citing as specifically as practicable the power or powers granted to Congress in the Constitution to enact the bill or joint resolution. The statement shall appear in a portion of the Record designated for that purpose and be made publicly available in electronic form by the Clerk.

''(2) Before consideration of a Senate bill or joint resolution, the chair of a committee of jurisdiction may submit the statement required under subparagraph (1) as though the chair were the sponsor of the Senate bill or joint resolution.''.

(2) In clause 3(d) of rule XIII—

(A) strike subparagraph (1) (and redesignate the succeeding subparagraphs accordingly); and

(B) in subparagraph (2), as redesignated, strike ''subparagraph (2)'' each place it appears and insert (in each instance) ''subparagraph (1)''.

(b) THREE-DAY AVAILABILITY FOR UNREPORTED MEASURES.—In rule XXI, add the following new clause:

''11. It shall not be in order to consider a bill or joint resolution which has not been reported by a committee until the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which such measure has been available to Members, Delegates, and the Resident Commissioner.''.

(c) TRANSPARENCY FOR HOUSE AND COMMITTEE OPERATIONS.—

(1) STANDARDS FOR ELECTRONIC DOCUMENTS.—In clause 4(d)(1) of rule X—

(A) in subdivision (C), strike ''and'';

(B) in subdivision (D), strike the period and insert ''; and''; and

(C) add the following new subdivision:

''(E) establish and maintain standards for making documents publicly available in electronic form by the House and its committees.''.

(2) ENSURING THAT TEXT IS PUBLICLY AVAILABLE IN ELECTRONIC FORM.—In rule XXIX, add the following new clause:

''3. If a measure or matter is publicly available in electronic form at a location designated by the Committee on House Administration, it shall be considered as having been available to Members, Delegates, and the Resident Commissioner for purposes of these rules.''.

(3) MINIMUM NOTICE PERIOD FOR COMMITTEE MEETINGS AND HEARINGS.—In rule XI, amend clause 2(g)(3) to read as follows:

''(3)(A) The chair of a committee shall announce the date, place, and subject matter of—

''(i) a committee hearing, which may not commence earlier than one week after such notice; or

''(ii) a committee meeting, which may not commence earlier than the third day on which members have notice thereof.

''(B) A hearing or meeting may begin sooner than specified in subdivision (A) in either of the following circumstances (in which case the chair shall make the announcement specified in subdivision (A) at the earliest possible time):

''(i) the chair of the committee, with the concurrence of the ranking minority member, determines that there is good cause; or

''(ii) the committee so determines by majority vote in the presence of the number of members required under the rules of the committee for the transaction of business.

''(C) An announcement made under this subparagraph shall be published promptly in the Daily Digest and made publicly available in electronic form.

''(D) This subparagraph and subparagraph (4) shall not apply to the Committee on Rules.''.

(4) MINIMUM PERIOD FOR AVAILABILITY OF COMMITTEE MARKUP TEXT.—In clause 2(g) of rule XI, insert the following new subparagraph, and redesignate the succeeding subparagraphs accordingly:

''(4) At least 24 hours prior to the commencement of a meeting for the markup of legislation, or at the time of an announcement under subparagraph (3)(B) made within 24 hours before such meeting, the chair of the committee shall cause the text of such legislation to be made publicly available in electronic form.''.

(5) AVAILABILITY OF VOTES IN ELECTRONIC FORM.—In clause 2(e)(1)(B)(i) of rule XI—

(A) in the first sentence, before the period at the end thereof insert ''and also made publicly available in electronic form within 48 hours of such record vote''; and

(B) in the second sentence, strike ''for public inspection''.

(6) AVAILABILITY OF THE TEXT OF AMENDMENTS IN ELECTRONIC FORM.—In clause 2(e) of rule XI, add the following new subparagraph:

''(6) Not later than 24 hours after the adoption of any amendment to a measure or matter considered by a committee, the chair of such committee shall cause the text of each such amendment to be made publicly available in electronic form.''.

(7) AVAILABILITY OF ''TRUTH IN TESTIMONY'' INFORMATION IN ELECTRONIC FORM.—In clause 2(g)(5) of rule XI, as redesignated, add the following new sentence: ''Such statements, with appropriate redactions to protect the privacy of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.''.

(8) AVAILABILITY OF COMMITTEE RULES IN ELECTRONIC FORM.—In clause 2(a) of rule XI, amend subparagraph (2) to read as follows:

''(2) Each committee shall make its rules publicly available in electronic form and submit such rules for publication in the Congressional Record not later than 30 days after the chair of the committee is elected in each odd-numbered year.''.

(9) AUDIO AND VIDEO COVERAGE OF COMMITTEE HEARINGS AND MEETINGS.—In clause 2(e) of rule XI, add the following new subparagraph:

''(5) To the maximum extent practicable, each committee shall—

''(A) provide audio and video coverage of each hearing or meeting for the transaction of business in a manner that allows the public to easily listen to and view the proceedings; and

''(B) maintain the recordings of such coverage in a manner that is easily accessible to the public.''.

(10) RECORD VOTES IN THE COMMITTEE ON RULES.—In clause 3(b) of rule XIII, strike ''a report by the Committee on Rules on a rule, joint rule, or the order of business or to''.

(11) ELIMINATION OF DUPLICATIVE PROGRAMS.—In clause 2(d)(1) of rule X—

(A) in subdivision (D), strike ''and'';

(B) in subdivision (E), strike the period and insert ''; and''; and

(C) add the following new subdivision:

''(F) include proposals to cut or eliminate programs, including mandatory spending programs, that are inefficient, duplicative, outdated, or more appropriately administered by State or local governments.''.

(d) INITIATIVES TO REDUCE SPENDING AND IMPROVE ACCOUNTABILITY.—

(1) CUT-AS-YOU-GO.—In rule XXI, amend clause 10 to read as follows:

''10.(a)(1) Except as provided in paragraphs (b) and (c), it shall not be in order to consider a bill or joint resolution, or an amendment thereto or a conference report thereon, if the provisions of such measure have the net effect of increasing mandatory spending for the period of either—

''(A) the current year, the budget year, and the four fiscal years following that budget year; or

''(B) the current year, the budget year, and the nine fiscal years following that budget year.

''(2) For the purpose of this clause, the terms 'budget year' and 'current year' have the meanings specified in section 250 of the Balanced Budget and Emergency Deficit Control Act of 1985, and the term 'mandatory spending' has the meaning of 'direct spending' specified in such section 250 except that such term shall also include provisions in appropriation Acts that make outyear modifications to substantive law as described in section 3(4)(C) of the Statutory Pay-As-You-Go Act of 2010.

''(b) If a bill or joint resolution, or an amendment thereto, is considered pursuant to a special order of the House directing the Clerk to add as new matter at the end of such bill or joint resolution the entire text of a separate measure or measures as passed by the House, the new matter proposed to be added shall be included in the evaluation under paragraph (a) of the bill, joint resolution, or amendment.

''(c)(1) Except as provided in subparagraph (2), the evaluation under paragraph (a) shall exclude a provision expressly designated as an emergency for the Statutory Pay-As-You-Go Act of 2010, in the case of a point of order under this clause against consideration of—

''(A) a bill or joint resolution;

''(B) an amendment made in order as original text by a special order of business;

''(C) a conference report; or

''(D) an amendment between the Houses.

''(2) In the case of an amendment (other than one specified in subparagraph (1)) to a bill or joint resolution, the evaluation under paragraph (a) shall give no cognizance to any designation of emergency.''.

(2) REQUIRING A VOTE ON RAISING THE DEBT LIMIT.—Rule XXVIII is amended to read as follows:

''RULE XXVIII

''(RESERVED.)''.

(3) CLARIFYING THE ROLE OF THE CHAIR OF THE COMMITTEE ON THE BUDGET.—In rule XXIX, add the following new clause:

''4. Authoritative guidance from the Committee on the Budget concerning the impact of a legislative proposition on the levels of new budget authority, outlays, direct spending, new entitlement authority and revenues may be provided by the chair of the committee.''.

(4) HIGHWAY FUNDING.—In rule XXI—

(A) amend clause 3 to read as follows:

''3. It shall not be in order to consider a general appropriation bill or joint resolution, or conference report thereon, that—

''(a) provides spending authority derived from receipts deposited in the Highway Trust Fund (excluding any transfers from the General Fund of the Treasury); or

''(b) reduces or otherwise limits the accruing balances of the Highway Trust Fund, for any purpose other than for those activities authorized for the highway or mass transit categories.''; and

(B) in clause 3, strike the caption.

(5) LIMITATION ON INCREASES IN DIRECT SPENDING IN RECONCILIATION INITIATIVES.—In rule XXI, amend clause 7 to read as follows:

''7. It shall not be in order to consider a concurrent resolution on the budget, or an amendment thereto, or a conference report thereon that contains reconciliation directives under section 310 of the Congressional Budget Act of 1974 that specify changes in law such that the reconciliation legislation reported pursuant to such directives would cause an increase in net direct spending (as such term is defined in clause 10) for the period covered by such concurrent resolution.''.

(e) OTHER CHANGES TO HOUSE OPERATIONS.—

(1) TWO-MINUTE VOTING.—In clause 6 of rule XVIII—

(A) in paragraph (f), strike ''five minutes'' and insert ''not less than two minutes''; and

(B) in paragraph (g), strike ''five minutes'' and insert ''not less than two minutes''.

(2) USE OF ELECTRONIC DEVICES ON THE FLOOR.—In clause 5 of rule XVII, amend the penultimate sentence to read as follows: ''A person on the floor of the House may not smoke or use a mobile electronic device that impairs decorum.''.

(3) UPDATING RULES GOVERNING THE MEDIA.—

(A) In clause 2 of rule VI, strike the penultimate sentence, and amend the last sentence to read as follows: ''The Speaker may admit to the floor, under such regulations as the Speaker may prescribe, not more than one representative of each press association.''.

(B) In clause 3 of rule VI, strike the last sentence and insert ''The Speaker may admit to the floor, under such regulations as the Speaker may prescribe, not more than one representative of each media outlet.''.

(C) In clause 4(f)(7) of rule XI, strike the first sentence.

(4) VOTING BY DELEGATES AND THE RESIDENT COMMISSIONER IN THE COMMITTEE OF THE WHOLE.—

(A) In clause 3(a) of rule III, strike the first sentence.

(B) In rule XVIII—

(i) in clause 1, strike '', Delegate, or the Resident Commissioner''; and

(ii) in clause 6, strike paragraph (h).

(5) MOTIONS TO STRIKE IN THE COMMITTEE OF THE WHOLE.—In rule XVIII, strike clause 11 (and redesignate the succeeding clause accordingly).

(6) CLARIFYING JURISDICTION OVER CERTAIN CEMETERIES.—In clause 1(c) of rule X, add the following subparagraph:

''(16) Cemeteries administered by the Department of Defense.''.

(7) DESIGNATING COMMITTEE ON EDUCATION AND THE WORKFORCE.—In rule X—

(A) in clause 1(e), strike ''Committee on Education and Labor'' and insert ''Committee on Education and the Workforce''; and

(B) in clause 3(d), strike ''Committee on Education and Labor'' and insert ''Committee on Education and the Workforce''.

(8) DESIGNATING COMMITTEE ON ETHICS.—

(A) In the standing rules, strike ''Committee on Standards of Official Conduct'' each place it appears and insert (in each instance) ''Committee on Ethics''.

(B) In clause 1 of rule X, insert paragraph (q) after paragraph (f) (and redesignate the succeeding paragraphs accordingly).

(C) In the standing rules, strike ''clause 1(j)(1) of rule X'' each place it appears and insert (in each instance) ''clause 1(k)(1) of rule X''.

(9) DESIGNATING THE COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY.—In rule X—

(A) in clause 1(p), as redesignated, strike ''Committee on Science and Technology'' and insert ''Committee on Science, Space, and Technology''; and

(B) in clause 3(k), strike ''Committee on Science and Technology'' and insert ''Committee on Science, Space, and Technology''.

(10) ELIMINATING THE SELECT INTELLIGENCE OVERSIGHT PANEL.—In clause 4(a) of rule X, strike subparagraph (5).

(11) ADJUSTING THE SIZE OF THE PERMANENT SELECT COMMITTEE ON INTELLIGENCE.—In clause 11(a)(1) of rule X, strike ''22'' and insert ''20'' and strike ''13'' and insert ''12''.

(12) RESTORING THE TERM LIMIT RULE FOR COMMITTEE CHAIRS.—In clause 5 of rule X, redesignate paragraph (c) as subparagraph (c)(1) and add the following new subparagraph:

''(2) Except in the case of the Committee on Rules, a member of a standing committee may not serve as chair of the same standing committee, or of the same subcommittee of a standing committee, during more than three consecutive Congresses (disregarding for this purpose any service for less than a full session in a Congress).''.

(13) COMMITTEE ACTIVITY REPORTS.—In clause 1 of rule XI, amend paragraph (d) to read as follows:

''(d)(1) Not later than the 30th day after June 1 and December 1, a committee shall submit to the House a semiannual report on the activities of that committee.

''(2) Such report shall include—

''(A) separate sections summarizing the legislative and oversight activities of that committee under this rule and rule X during the applicable period;

''(B) in the case of the first such report, a summary of the oversight plans submitted by the committee under clause 2(d) of rule X;

''(C) a summary of the actions taken and recommendations made with respect to the oversight plans specified in subdivision (B);

''(D) a summary of any additional oversight activities undertaken by that committee and any recommendations made or actions taken thereon; and

''(E) a delineation of any hearings held pursuant to clauses 2(n), (o), or (p) of this rule.

''(3) After an adjournment sine die of a regular session of a Congress, or after December 15, whichever occurs first, the chair of a committee may file the second or fourth semiannual report described in subparagraph (1) with the Clerk at any time and without approval of the committee, provided that—

''(A) a copy of the report has been available to each member of the committee for at least seven calendar days; and

''(B) the report includes any supplemental, minority, or additional views submitted by a member of the committee.''.

(14) MODIFYING STAFF DEPOSITION AUTHORITY.—In clause 4(c)(3)(B) of rule X—

(A) in item (i), strike ''and'';

(B) in item (ii), strike the period and insert ''; and''; and

(C) add at the end the following new item:

''(iii) shall, unless waived by the deponent, require the attendance of a member of the committee.''.

(f) TECHNICAL AND CLARIFYING CHANGES.—

(1) In clause 3(a) of rule III, strike ''of the House''.

(2) In rule IV—

(A) in clause 1, strike ''The Speaker may not entertain a motion for the suspension of this clause.''; and

(B) in clause 2(b), after ''clause'' insert ''or clauses 1, 3, 4, or 5''.

(3) In clause 3(o)(2) of rule XI, after ''investigation'' insert ''when''.

(4) In clause 7 of rule XII, strike ''primary sponsor'' each place it appears and insert (in each instance) ''sponsor''.

(5) In clause 6(c) of rule XIII, strike ''Senate bill or resolution'' and insert ''Senate bill or joint resolution''.

(6) In clause 2(c) of rule XV—

(A) strike ''Clerk shall make signatures'' and insert ''Clerk shall make the signatories''; and

(B) strike ''published with the signatures'' and insert ''published with the signatories''.

(7) In clause 6(c) of rule XXIII, strike ''a campaign accounts'' and insert ''a campaign account''.

(8) In clause 13 of rule XXIII, strike ''Clerk shall make signatures'' and insert ''Clerk shall make the signatories''.

SEC. 3. SEPARATE ORDERS.

(a) BUDGET MATTERS.—

(1) During the One Hundred Twelfth Congress, references in section 306 of the Congressional Budget Act of 1974 to a resolution shall be construed in the House of Representatives as references to a joint resolution.

(2) During the One Hundred Twelfth Congress, in the case of a reported bill or joint resolution considered pursuant to a special order of business, a point of order under section 303 of the Congressional Budget Act of 1974 shall be determined on the basis of the text made in order as an original bill or joint resolution for the purpose of amendment or to the text on which the previous question is ordered directly to passage, as the case may be.

(3) During the One Hundred Twelfth Congress, a provision in a bill or joint resolution, or in an amendment thereto or a conference report thereon, that establishes prospectively for a Federal office or position a specified or minimum level of compensation to be funded by annual discretionary appropriations shall not be considered as providing new entitlement authority within the meaning of the Congressional Budget Act of 1974.

(4)(A) During the One Hundred Twelfth Congress, except as provided in subparagraph (C), a motion that the Committee of the Whole rise and report a bill to the House shall not be in order if the bill, as amended, exceeds an applicable allocation of new budget authority under section 302(b) of the Congressional Budget Act of 1974, as estimated by the Committee on the Budget.

(B) If a point of order under subparagraph (A) is sustained, the Chair shall put the question: ''Shall the Committee of the Whole rise and report the bill to the House with such amendments as may have been adopted notwithstanding that the bill exceeds its allocation of new budget authority under section 302(b) of the Congressional Budget Act of 1974?''. Such question shall be debatable for 10 minutes equally divided and controlled by a proponent of the question and an opponent but shall be decided without intervening motion.

(C) Subparagraph (A) shall not apply—

(i) to a motion offered under clause 2(d) of rule XXI; or

(ii) after disposition of a question under subparagraph (B) on a given bill.

(D) If a question under subparagraph (B) is decided in the negative, no further amendment shall be in order except—

(i) one proper amendment, which shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole; and

(ii) pro forma amendments, if offered by the chair or ranking minority member of the Committee on Appropriations or their designees, for the purpose of debate.

(b) BUDGET ENFORCEMENT.—

(1) The chair of the Committee on the Budget (when elected) shall include in the Congressional Record budget aggregates and allocations contemplated by section 301 of the Congressional Budget Act of 1974 and allocations contemplated by section 302(a) of that Act for fiscal year 2011, and the period of fiscal years 2011 through 2015.

(2) The aggregates and allocations specified in subsection (1) shall be considered as contained in a concurrent resolution on the budget for fiscal year 2011 and the submission thereof into the Congressional Record shall be considered as the completion of congressional action on a concurrent resolution on the budget for fiscal year 2011.

(c) EMERGENCIES AND CONTINGENCIES.—

(1) EMERGENCIES.—Until adoption of a concurrent resolution on the budget for fiscal year 2012, if a bill or joint resolution is reported, or amendment thereto is offered or a conference report thereon is filed, that provides new budget authority and outlays or reduces revenue, and such provision is designated as an emergency pursuant to this section, the chair of the Committee on the Budget shall not count the budgetary effects of such provision for purposes of titles III and IV of the Congressional Budget Act of 1974 and the Rules of the House of Representatives.

(2) EXEMPTION OF CONTINGENCY OPERATIONS RELATED TO THE GLOBAL WAR ON TERRORISM.—For any bill or joint resolution, or amendment thereto or conference report thereon, that makes appropriations for fiscal year 2011 for contingency operations directly related to the global war on terrorism, then the new budget authority or outlays resulting therefrom shall not count for purposes of titles III or IV of the Congressional Budget Act of 1974.

(d) DEFICIT-NEUTRAL REVENUE RESERVE.—Until the adoption of a concurrent resolution on the budget for fiscal year 2012, if any bill reported by the Committee on Ways and Means, or amendment thereto or conference report thereon, decreases revenue, the chair of the Committee on the Budget may adjust the allocations, the revenue levels, and other aggregates referred to in subsection (b)(1), provided that such measure would not increase the deficit over the period of fiscal years 2011 through 2021.

(e) LIMITATION ON ADVANCE APPROPRIATIONS.—

(1) Except as provided by paragraph (2), any general appropriation bill or joint resolution continuing appropriations, or amendment thereto or conference report thereon, may not provide advance appropriations.

(2) Advance appropriations may be provided—

(A) for fiscal year 2012 for programs, projects, activities, or accounts identified in the Congressional Record under the heading ''Accounts Identified for Advance Appropriations'' in an aggregate amount not to exceed $28,852,000,000 in new budget authority, and for 2013, an aggregate amount not to exceed $28,852,000,000 for accounts separately identified under the same heading; and

(B) for the Department of Veterans Affairs for the Medical Services, Medical Support and Compliance, and Medical Facilities accounts of the Veterans Health Administration.

(3) In this subsection, the term ''advance appropriation'' means any new discretionary budget authority provided in a general appropriation bill or any new discretionary budget authority provided in a joint resolution making continuing appropriations for fiscal year 2011 that first becomes available for a fiscal year after fiscal 2011.

(f) COMPLIANCE WITH SECTION 13301 OF THE BUDGET ENFORCEMENT OF ACT OF 1990.—

(1) IN GENERAL.—In the House, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 4001 of the Omnibus Budget Reconciliation Act of 1989, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocation under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and of the Postal Service.

(2) SPECIAL RULE.—For purposes of applying section 302(f) of the Congressional Budget Act of 1974, estimates of the level of total new budget authority and total outlays provided by a measure shall include any off-budget discretionary amounts.

(g) LIMITATION ON LONG-TERM SPENDING.—

(1) It shall not be in order to consider a bill or joint resolution reported by a committee (other than the Committee on Appropriations), or an amendment thereto or a conference report thereon, if the provisions of such measure have the net effect of increasing mandatory spending in excess of $5,000,000,000 for any period described in paragraph (2).

(2)(A) The applicable periods for purposes of this clause are any of the first four consecutive 10-fiscal-year periods beginning with the first fiscal year following the last fiscal year for which the applicable concurrent resolution on the budget sets forth appropriate budgetary levels.

(B) In this paragraph, the applicable concurrent resolution on the budget is the one most recently adopted before the date on which a committee first reported the bill or joint resolution described in paragraph (a).

(h) EXEMPTIONS.—

(1) Until the adoption of the concurrent resolution on the budget for fiscal year 2012, the chair of the Committee on the Budget may adjust an estimate under clause 4 of rule XXIX to—

(A) exempt the budgetary effects of measures extending the Economic Growth and Tax Relief Reconciliation Act of 2001;

(B) exempt the budgetary effects of measures extending the Jobs and Growth Tax Relief Reconciliation Act of 2003;

(C) exempt the budgetary effects of measures—

(i) repealing the Patient Protection and Affordable Care Act and title I and subtitle B of title II of the Health Care and Education Affordability Reconciliation Act of 2010;

(ii) reforming the Patient Protection and Affordable Care Act and the Health Care and Education Affordability Reconciliation Act of 2010; or

(iii) reforming the Patient Protection and Affordable Care Act and the Health Care and Education Affordability Reconciliation Act of 2010 and the payment rates and related parameters in accordance with section 1848 of the Social Security Act;

(D) exempt the budgetary effects of measures that adjust the Alternative Minimum Tax exemption amounts to prevent a larger number of taxpayers as compared with tax year 2008 from being subject to the Alternative Minimum Tax or of allowing the use of nonrefundable personal credits against the Alternative Minimum Tax, or both as applicable;

(E) exempt the budgetary effects of extending the estate, gift, and generation-skipping transfer tax provisions of title III of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010;

(F) exempt the budgetary effects of measures providing a 20 percent deduction in income to small businesses; and

(G) exempt the budgetary effects of measures implementing trade agreements.

(2) A measure may only qualify for an exemption under subsection (h)(1)(C)(ii) or (iii) if it does not—

(A) increase the deficit over the period of fiscal years 2011 through 2021; or

(B) increase revenues over the period of fiscal years 2011 through 2021, other than by—

(i) repealing or modifying the individual mandate (codified as section 5000A of the Internal Revenue Code of 1986); or

(ii) modifying the subsidies to purchase health insurance (codified as section 36B of the Internal Revenue Code of 1986).

(i) DETERMINATIONS FOR PAYGO ACTS.—In determining the budgetary effects of any legislation for the purposes of complying with the Statutory Pay-As-You-Go Act of 2010 (including the required designation in PAYGO Acts), the chair of the Committee on the Budget may make adjustments to take into account the exemptions and adjustments set forth in subsection (h).

(j) SPENDING REDUCTION AMENDMENTS IN APPROPRIATIONS BILLS.—

(1) During the reading of a general appropriation bill for amendment in the Committee of the Whole House on the state of the Union, it shall be in order to consider en bloc amendments proposing only to transfer appropriations from an object or objects in the bill to a spending reduction account. When considered en bloc under this clause, such amendments may amend portions of the bill not yet read for amendment (following disposition of any points of order against such portions) and are not subject to a demand for division of the question in the House or in the Committee of the Whole.

(2) Except as provided in paragraph (1), it shall not be in order to consider an amendment to a spending reduction account in the House or in the Committee of the Whole House on the state of the Union.

(3) It shall not be in order to consider an amendment to a general appropriation bill proposing a net increase in budget authority in the bill (unless considered en bloc with another amendment or amendments proposing an equal or greater decrease in such budget authority pursuant to clause 2(f) of rule XXI).

(4) A point of order under clause 2(b) of rule XXI shall not apply to a spending reduction account.

(5) A general appropriation bill may not be considered in the Committee of the Whole House on the state of the Union unless it includes a spending reduction account as the last section of the bill. An order to report a general appropriation bill to the House shall constitute authority for the chair of the Committee on Appropriations to add such a section to the bill or modify the figure contained therein.

(6) For purposes of this subsection, the term ''spending reduction account'' means an account in a general appropriation bill that bears that caption and contains only a recitation of the amount by which an applicable allocation of new budget authority under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of new budget authority proposed by the bill.

(k) CERTAIN SUBCOMMITTEES.—Notwithstanding clause 5(d) of rule X, during the One Hundred Twelfth Congress—

(1) the Committee on Armed Services may have not more than seven subcommittees;

(2) the Committee on Foreign Affairs may have not more than seven subcommittees; and

(3) the Committee on Transportation and Infrastructure may have not more than six subcommittees.

(l) EXERCISE FACILITIES FOR FORMER MEMBERS.—During the One Hundred Twelfth Congress—

(1) The House of Representatives may not provide access to any exercise facility which is made available exclusively to Members and former Members, officers and former officers of the House of Representatives, and their spouses to any former Member, former officer, or spouse who is a lobbyist registered under the Lobbying Disclosure Act of 1995 or any successor statute or agent of a foreign principal as defined in clause 5 of rule XXV. For purposes of this section, the term ''Member'' includes a Delegate or Resident Commissioner to the Congress.

(2) The Committee on House Administration shall promulgate regulations to carry out this subsection.

(m) NUMBERING OF BILLS.—In the One Hundred Twelfth Congress, the first 10 numbers for bills (H.R. 1 through H.R. 10) shall be reserved for assignment by the Speaker and the second 10 numbers for bills (H.R. 11 through H.R. 20) shall be reserved for assignment by the Minority Leader.

(n) TRANSITION RULE.—Pending the designation of a location by the Committee on House Administration pursuant to clause 3 of rule XXIX, documents may be made publicly available in electronic form at the following locations:

(1) with respect to consideration by the House, the majority website of the Committee on Rules; and

(2) with respect to consideration by a committee, the majority website of the committee.

SEC. 4. COMMITTEES, COMMISSIONS, AND HOUSE OFFICES.

(a) HOUSE DEMOCRACY PARTNERSHIP.—House Resolution 24, One Hundred Tenth Congress, shall apply in the One Hundred Twelfth Congress in the same manner as such resolution applied in the One Hundred Tenth Congress except that the commission concerned shall be known as the House Democracy Partnership.

(b) TOM LANTOS HUMAN RIGHTS COMMISSION.—Sections 1 through 7 of House Resolution 1451, One Hundred Tenth Congress, shall apply in the One Hundred Twelfth Congress in the same manner as such provisions applied in the One Hundred Tenth Congress, except that—

(1) the Tom Lantos Human Rights Commission may, in addition to collaborating closely with other professional staff members of the Committee on Foreign Affairs, collaborate closely with professional staff members of other relevant committees; and

(2) the resources of the Committee on Foreign Affairs which the Commission may use shall include all resources which the Committee is authorized to obtain from other offices of the House of Representatives.

(c) OFFICE OF CONGRESSIONAL ETHICS.—Section 1 of House Resolution 895, One Hundred Tenth Congress, shall apply in the One Hundred Twelfth Congress in the same manner as such provision applied in the One Hundred Tenth Congress, except that the Office of Congressional Ethics shall be treated as a standing committee of the House for purposes of section 202(I) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i)) and references to the Committee on Standards of Official Conduct shall be construed as references to the Committee on Ethics.

(d) EMPANELING INVESTIGATIVE SUBCOMMITTEE OF THE COMMITTEE ON ETHICS.—The text of House Resolution 451, One Hundred Tenth Congress, shall apply in the One Hundred Twelfth Congress in the same manner as such provision applied in the One Hundred Tenth Congress, except that references to the Committee on Standards of Official Conduct shall be construed as references to the Committee on Ethics.

SEC. 5. ADDITIONAL ORDERS OF BUSINESS.

(a) READING OF THE CONSTITUTION.—The Speaker may recognize a Member for the reading of the Constitution on the legislative day of January 6, 2011.

(b) PROVIDING FOR CONSIDERATION OF CERTAIN MOTIONS TO SUSPEND THE RULES.—It shall be in order at any time on the legislative day of January 6, 2011, for the Speaker to entertain motions to suspend the rules related to reducing the costs of operation of the House of Representatives, except that notwithstanding clause 1(c) of rule XV such motion shall be debatable for two hours, equally divided and controlled by the proponent and an opponent.

Mr. CANTOR (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

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

There was no objection.

MOTION TO REFER

Ms. NORTON. Mr. Speaker, I rise to offer a motion that is at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Ms. Norton moves to refer the resolution to a select committee of five members, to be appointed by the Speaker, not more than three of whom shall be from the same political party, with instructions not to report back the same until it has conducted a full and complete study of, and made a determination on, the constitutionality of the provision that would be eliminated from the Rules that granted voting rights in the Committee of the Whole to the Delegates from the District of Columbia, American Samoa, Guam, the Virgin Islands and the Northern Mariana Islands and the Resident Commissioner from Puerto Rico, including the decision of the United States Court of Appeals for the District of Columbia in Michel v. Anderson (14 F.3d 623 (D.C. Cir. 1994)), which upheld the constitutionality of these voting rights.

MOTION TO TABLE

Mr. CANTOR. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Cantor moves to lay on the table the motion to refer.

The SPEAKER pro tempore. The question is on the motion to table.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 223, nays 188, not voting 20, as follows:

[Roll No. 3]

YEAS—223

Adams	Benishek	Brooks
Aderholt	Biggert	Broun (GA)
Akin	Bilbray	Buchanan
Alexander	Bilirakis	Bucshon
Amash	Bishop (UT)	Burgess
Austria	Black	Burton (IN)
Bachmann	Blackburn	Calvert
Bachus	Bonner	Camp
Bartlett	Bono Mack	Campbell
Barton (TX)	Boustany	Canseco
Bass (NH)	Brady (TX)	Cantor

Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crenshaw
Culberson
Davis (KY)
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (TN)
Emerson
Farenthold
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
King (IA)
King (NY)
Kingston
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walden
Walsh (IL)
West
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—188

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

NOT VOTING—20

Barletta
Berg
Buerkle
Cicilline
Crawford
Denham
Duncan (SC)
Edwards
Ellmers
Fincher
Harris
Kelly
Kinzinger (IL)
Langevin
McCotter
Nunes
Walberg
Webster
Westmoreland
Wilson (FL)

□ 1511

Messrs. LEVIN, BRADY of Pennsylvania, HINOJOSA, ALTMIRE, CARDOZA, and Mrs. MALONEY changed their vote from ''yea'' to ''nay.''

Mr. JONES, Mrs. MYRICK, Mrs. BACHMANN, and Ms. HAYWORTH changed their vote from ''nay'' to ''yea.''

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. ELLMERS. Mr. Speaker, on rollcall No. 3, had I been present, I would have voted ''yea.''

Ms. BUERKLE. Mr. Speaker, on rollcall No. 3, I was unavoidably detained. Had I been present, I would have voted ''yea.''

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from Virginia is recognized for 1 hour.

Mr. CANTOR. Madam Speaker, I yield the hour to the gentleman from California (Mr. DREIER), and I ask unanimous consent that he be permitted to control that time.

The SPEAKER pro tempore. Without objection, the gentleman from California is recognized for 1 hour.

There was no objection.

Mr. DREIER. Madam Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentlewoman from Rochester, New York (Ms. SLAUGHTER).

Pending that, I yield 1 minute to the distinguished majority leader.

Mr. CANTOR. I thank the gentleman.

Madam Speaker, it is a great honor to call up the rules package for the 112th Congress. Two months ago, voters sent a clear message of repudiation against a government that failed to deliver results.

Government for too long has operated under the flawed assumption that growing bigger and controlling more is necessarily better. Consequently, Washington has grown inefficient, unfocused and wasteful. Spending has gone progressively higher while results for all Americans have not been realized.

Our new majority stands for a different and better way. We believe in a government that controls less and spends less but accomplishes more. We believe in a smarter government, a more efficient government, a more focused government. The new House majority will be about ''cut and grow.'' We are going to cut spending and job-killing government regulations, and grow the economy and private-sector jobs.

Madam Speaker, each day, we will hold ourselves accountable by asking the following questions:

Are our efforts addressing job creation and the economy? Are they cutting spending? Are they shrinking the size of the Federal Government while protecting and expanding individual liberty? If not, why are we doing it?

This rules package reflects these priorities.

We establish a Constitution-focused House of Representatives, which starts by reading the Constitution of the United States on the House floor and requiring that every bill be accompanied by a statement of constitutional authority.

We make in order our first spending cut—a reduction of at least 5 percent to Congress' own budget, including Members, leadership, and committees. We replace PAYGO with ''cut as you go'' to ensure that all spending increases are offset by spending cuts elsewhere in the budget. And on all appropriations bills, Members can now offer spending reduction amendments, which will help ensure that savings actually go toward cutting the deficit rather than being spent elsewhere.

In this spirit, over the coming weeks, we will pass a repeal of last year's health care bill to remove the strain on job creators. We will cut spending in the current fiscal year back down to 2008 pre-bailout levels, and we will identify and eliminate job-killing regulations that are impeding capital formation in America.

Madam Speaker, these actions will send a credible signal to families, businesses, and financial markets that we are dead serious about getting spending under control and regaining our competitive footing in America.

Our majority will return America to prosperity by promoting a culture of success. Our mission is not to redistribute wealth or tell people how to live their lives, but instead to lift people up by giving them opportunity and encouraging them to take responsibility.

By passing this rules package, we will take a significant step in the right direction. It will put us on the road to weaning America off its dependence on debt and government programs as an economic lifeline, and it will help us build a new, more hopeful future rooted in limited government, long-term investment, innovation, and entrepreneurship.

Ms. SLAUGHTER. I am pleased to say this morning that I am delighted to be here.

I want to give my congratulations to Mr. DREIER on reclaiming the Rules seat, and we are very keen on our side to make our case before you today.

Madam Speaker, actually, my head is somewhat spinning because, not 20 minutes ago, the new Speaker of the House of Representatives stood where you are and said he was going to be listening to people, but the first order of business before the House came from the delegates whom this rule disenfranchises—not only the delegate of the District of Columbia but all of the Territories. They didn't get to say a word. So my head is somewhat spinning at this point, and we hope to try to at least give them unanimous consent so that they can try to get some message into the RECORD.

It is again part of the rhetoric from the last campaign that keeps spinning in our heads: All we want to do, they said, is to bring down the deficit. We're going over a cliff, and we've got to bring down the deficit.

As we stand here today, on the brink of a new session of Congress, the concern about deficits has disappeared from everything but the press releases. Under the new majority rules, the other side will essentially gut PAYGO—the pay-as-you-go rules adopted by Democrat majorities in the House and Senate in 2007 under which tax cuts or increases in entitlement spending must be offset by tax increases or entitlement cuts. Under President Clinton, it gave us the biggest surplus we have ever had. It was a hallmark of Democrat leadership, and we are proud of it. We adhered to responsible spending levels and affordable tax cuts, and we took sensible steps towards controlling the deficit.

But not today.

Their talk about belt-tightening and deficit reduction is going to be thrown out the window so that they can free themselves to hand out even more tax credits to their friends, the corporations. Under these proposed rules, notes The Washington Post, tax cuts for the wealthiest are fully protected, but tax help for those at the other end of the income spectrum? Forget about it.

Obviously, The New York Times, The Washington Post and other respected news organizations have cried foul at this sleight of hand. In recent days, editorials have appeared slamming this hypocrisy and phony attempt at fiscal austerity.

What seems crystal clear to me is that the other side has doubled down and adopted the mentality of former Vice President Dick Cheney, who responded to the 2002 midterm elections by advocating in favor of more than $1 trillion in tax cuts. ''Reagan proved that deficits don't matter. We won the midterm elections. This is our due,'' said the Vice President. The other side now wants to adopt the posture of budget cutters, but when it gets right down to it, they want to be able to make sweetheart deals without having to pay for them.

Nor is their sleight of hand or hypocritical actions an isolated event. It was less than a month ago that Republicans successfully held unemployment benefits for Americans hostage until they got their wish—more Bush-era tax cuts for the people making more than $1 million a year. That package added another $140 billion to the deficit, but that didn't seem to bother them either, obviously, as they have told the world it is their number one priority.

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Just this week, Republican new Members ushered in the new Congress with a $2,500 a plate fundraiser at the W Hotel in downtown Washington. Lobbyists, political action committee members, and other exclusive guests were treated to a night of drinks and entertainment by country singer LeAnn Rimes. Those who donated $50,000 were treated to a VIP suite at the W, along with the rest of the night's entertainment.

Last month, the incoming chairman of the House Financial Services Committee offered his own assessment of Republican oversight. He told the Birmingham News in Alabama, ''In Washington, the view is that the banks are to be regulated, and my view is that Washington and the regulators are there to serve the banks.''

And according to Politico, the incoming chairman of the House Oversight and Government Reform Committee is looking for ways to make government more responsive to Wall Street and their corporate allies like Big Oil, Big Pharma, and Big Health.

Instead of all this business as usual—and we are headed right back into where we were before 2006—what I'd like to see is an honest attempt to create a set of rules that provide for openness, transparency, and good government. This set of rules is not that document. And I hope that the other side—and I believe they have good intentions—will join us in supporting this effort.

DEFICIT HYPOCRISY

[From the New York Times, Dec. 29, 2010]

It was not long ago that Republicans succeeded in holding unemployment benefits hostage to a renewal of the high-end Bush-era income tax cuts and—as a little bonus—won deep estate tax cuts for America's wealthiest heirs. Those cuts will add nearly $140 billion to the deficit in the near term, while doing far less to prod the economy than if the money had been spent more wisely.

That should have been evidence enough that the Republican Party's one real priority is tax cuts—despite all the talk about deficit reduction and economic growth. But here's some more:

On Dec. 22, just before they left town for the holidays, House Republican leaders released new budget rules that they intend to adopt when they assume the majority in January and will set the stage for even more budget-busting tax cuts.

First, some background: Under pay-as-you-go rules adopted by Democratic majorities in the House and Senate in 2007, tax cuts or increases in entitlement spending must be offset by tax increases or entitlement cuts. Entitlements include big health programs like Medicare and Medicaid, for which spending is on autopilot, as well as some other programs for veterans and low-income Americans. (Discretionary spending, which includes defense, is approved separately by Congress annually.)

The new Republican rules will gut pay-as-you-go because they require offsets only for entitlement increases, not for tax cuts. In effect, the new rules will codify the Republican fantasy that tax cuts do not deepen the deficit.

It gets worse. The new rules mandate that entitlement-spending increases be offset by spending cuts only—and actually bar the House from raising taxes to pay for such spending.

Say, for example, that lawmakers want to bolster child credits for families at or near the minimum wage. One way to help pay for the aid would be to close the tax loophole that lets the nation's wealthiest private equity partners pay tax at close to the lowest rate in the code. That long overdue reform would raise an estimated $25 billion over 10 years, but the new rules will forbid being sensible like that.

Even worse, they direct the leader of the House Budget Committee to ignore several costs when computing the budget impact of future actions, as if the costs are the natural course of politics for which no payment is required.

For example, the cost to make the Bush-era tax cuts permanent would be ignored, as would the fiscal effects of repealing the health reform law. At the same time, the new rules bar the renewal of aid for low-income working families—extended temporarily in the recent tax-cut deal—unless it is fully paid for.

House Republicans obviously believe they have a good thing going with voters by sanctifying tax cuts and demonizing spending. That's been their approach for 30 years after all, and it unfailingly rallies their base.

The challenge for President Obama and Democratic lawmakers is not to get drawn into that warped mind-set. They need to present an alternative, including investments—in energy, technology, infrastructure and education. They also need a plan for long-term deficit reduction that recognizes what the Republicans ignore: Never-ending tax cuts make the deficit worse. Prudent tax increases need to be part of the solution.

NEW PAY-GO RULES REVEAL GOP'S MISPLACED PRIORITIES

[From the Washington Post, Jan. 3, 2011]

Are House Republicans serious about dealing with the deficit? You could listen to their rhetoric—or you could read the rules they are poised to adopt at the start of the new Congress. The former promises a new fiscal sobriety. The latter suggests that the new GOP majority is determined to continue the spree of unaffordable tax-cutting.

The ominous signs come in the wording of the new majority's version of its pay-as-you-go rules, which normally require that new programs or tax initiatives be covered with cuts to other programs or new revenue. In

the GOP concept, pay-as-you-go applies only to spending programs. When it comes to tax cuts, it's all go, no pay. Taxes can be cut, and the national debt increased, without any offsetting savings.

If you thought the sticker shock of the latest tax deal served as a useful reminder that tax cuts cost the Treasury money, think again. Deficit financing is fine, it seems, when it comes to tax cuts. But that's not all. Under the new rules, not only are tax cuts exempted from the pay-go concept, but the only way to pay for spending increases is with spending cuts elsewhere. No tax increases allowed—not even in the form of eliminating loopholes or cutting back on tax breaks. Of course, if you wanted to expand the loopholes, no problem. No need to pay for that.

Having made clear that no tax cuts need be paid for, the rules then take the extra step of specifying which deficit-busting tax cuts the new majority has in mind. They assume the continuation of all the Bush tax cuts; extension of the new version of the estate tax; and the creation of a big tax break to let ''small businesses,'' which can be expansively defined, take a deduction equal to 20 percent of their gross income.

Tax cuts for the wealthiest are fully protected. But tax help for those at the other end of the income spectrum? Forget it. The expansion of the Earned Income Tax Credit and the Child Tax Credit, programs that help keep low-income working parents and children out of poverty, are not assumed to continue and would have to be paid for—with, of course, spending cuts. This is about as upside-down a set of priorities as can be imagined.

I reserve the balance of my time.

Mr. DREIER. Madam Speaker, congratulations. It's very nice to see you in the chair.

I would like to insert a section-by-section analysis of the resolution to appear at this point in the RECORD.

SECTION 1. RESOLVED CLAUSE.

This section provides that the Rules of the 112th Congress are the Rules of the 112th Congress, except with the amendments contained in section 2 of the resolution, and orders contained in sections 3, 4, and 5.

SECTION 2. CHANGES TO THE STANDING RULES.

Citing Authority under the Constitution. Paragraph (a) creates a new clause 7 in rule XII providing that a Member may not introduce a bill or joint resolution unless the sponsor also submits a statement citing as specifically as practicable the power or powers under the Constitution authorizing the enactment of that bill or joint resolution. The statement will appear in a separate section in the Congressional Record and be made available to the public in electronic form.

While the rule requires that a Member submit the statement at the same time as the bill is introduced, there is nothing in the rule to prevent the sponsor of the bill from submitting an additional statement later in the process if he or she wants to revise the initial statement. With regard to electronic availability, appearance in the electronic version of the Congressional Record will initially satisfy the electronic availability requirement of this paragraph. However, ultimate the intention is that the Clerk will make the statements available in a searchable, sortable, and downloadable database as soon as practicable.

With respect to Senate bills, the provision authorizes the chair of a committee of jurisdiction, prior to consideration of the Senate bill, to submit a statement as if the chair were the sponsor. Finally, the provision also repeals the current requirement for a similar statement in committee reports.

When a Member introduces a bill or joint resolution, the Clerk must ensure that a statement required under this paragraph accompanies the measure. However, the Clerk is not required to evaluate the content of the statement or its adequacy; those are matters to be considered by Members during consideration of the legislation.

Three-Day Availability for Unreported Bills. This provision adds a new clause to rule XXIX establishing a point of order against consideration of a bill or joint resolution that has not been available for three calendar days. This provision mirrors existing layover rules prohibiting consideration of bills reported by a committee or conference reports.

Transparency for House and Committee Operations. Subparagraph (i) directs the Committee on House Administration to establish and maintain standards for documents made available in electronic form by the House and its committees. Subparagraph (2) provides that a measure or matter will have been considered as having been ''available'' within the meaning of the rules if it was publicly available in electronic form at a location designated by the Committee on House Administration.

The intention of these provisions is to ensure that Members and the public have easy access to bills, resolutions, and amendments considered in committee and by the House. The standard for electronic documents is intended to evolve over time. While the standard may initially include more static formats such as a searchable PDF, the intention is to eventually transition to more flexible structured data formats, such as XML, as the tools become available to ease the creation and ensure the integrity of House documents. With respect to availability, the provision is intended to place electronic distribution on par with traditional printing; rather than entirely replace it. Finally, the rule contemplates a singular location that will direct Members and the public to the text of measures to be considered by the House and its committees.

Subparagraph (3) amends clause 2(g)(3) of rule XI to provide for a minimum notice period of 3 days for a committee meeting. This joins the current requirement for 7 days notice for a committee hearing. The provision maintains the current ability of the Chair, with the concurrence of the ranking minority member, to waive both notice periods if they find good cause to start the hearing or meeting sooner. The provision can also be waived by a majority vote of the committee.

Subparagraph (4) requires that the chair of the committee make the text of the measure or matter being marked up publicly available in electronic form at least 24 hours prior to commencement of the meeting. This provision is intended to ensure that members have the text of the measure or matter in sufficient time to review the measure and draft any amendments. Accordingly, if the committee is considering a committee print, or the Chair of a committee intends to use an amendment in the nature of a substitute as the base text for purposes of further amendment, circulation of that text will satisfy this requirement. While the rule requires that the text be circulated at least 24 hours in advance of the meeting, that text should be circulated as early as possible to provide members the maximum amount of time to review the measure or matter and draft any desired amendments.

Subparagraph (5) requires that the chair of a committee make the results of any record vote publicly available in electronic form within 48 hours of the vote, while subparagraph (6) requires that the text of any adopted amendment be made similarly available, along with the text of the measure being marked up, within 24 hours of commencement of the markup or adoption of the amendment.

Subparagraph (7) requires the posting of non-governmental witness ''truth-in-testimony'' information (with appropriate redactions, such as a home address or phone number, to protect the privacy of the witness). Subparagraph (8) requires public availability in electronic form of the committee rules.

Subparagraph (9) requires each Committee, to the maximum extent practicable, to provide audio and video coverage of each committee hearing or meeting and maintain recordings that are easily accessible to the public. This subparagraph is not intended to require audio and video coverage in situations where it would be technically impracticable, such as where a hearing or meeting is held in a room without audio and video broadcast equipment, or create a defect with a hearing or meeting if a webcast or recording is not available due to technical issues.

Subparagraph (10) strikes an exception, adopted in the 110th Congress, for the Committee on Rules to accurately report its votes in committee reports to accompany a rule, joint rule, or a special order of business.

Subparagraph (11) amends clause 2(d)(1) of rule X to require committees, during development of their oversight plan, to include proposals to cut or eliminate mandatory and discretionary programs that are inefficient, duplicative, outdated, or more appropriately administered by State or local governments.

Initiatives to Reduce Spending and Improve Accountability. Subparagraph (d)(i) replaces the current ''pay-as-you-go'' requirements with a ''cut-as-you-go'' requirement. The provision prohibits consideration of a bill, joint resolution, conference report, or amendment that has the net effect of increasing mandatory spending within a five-year or ten-year budget window. This provision continues the current practice of counting multiple measures considered pursuant to a special order of business which directs the Clerk to engross the measures together after passage for purposes of compliance with the rule and provides a mechanism for addressing ''emergency'' designations.

Subparagraph (2) strikes the ''Gephardt rule'' that provides for the automatic engrossment and transmittal to the Senate of a joint resolution changing the public debt limit, upon the adoption by Congress of the budget resolution, thereby avoiding a separate vote in the House on the public debt-limit legislation. Subparagraph (3) adds a new clause to rule XXIX that clarifies that the chair of the Committee on the Budget, rather than the entire committee, is authorized to provide guidance to the presiding officer on the budgetary impact of legislative proposals. This change reflects the current practice under majorities of both parties.

Subparagraph (4) modifies clause 3 of rule XXI, pertaining to transportation obligation limitations, to protect the balances of the Highway Trust Fund by establishing a point of order against consideration of any general appropriation bill or joint resolution, or accompanying conference report, that provides spending authority from balances in the trust fund (other than those from transfers from the General Fund of the Treasury) or reduces or limits the accruing balances of that trust fund for anything other than activities authorized for the highway or mass transit programs.

Subparagraph (5) modifies clause 7 of rule XXI, which places restrictions on reconciliation directives contained in a budget resolution. The new modification would specify

that it would not be in order to consider a budget resolution or amendments thereto, or a conference thereon which would have the effect of increasing net direct spending.

Other Changes to House Operations. Paragraph (e)(1) provides the Chair of the Committee of the Whole with authority to employ two minute voting during a series of votes.

Subparagraph (2) changes the current rule regarding electronic devices, which prohibits the use of mobile phones and personal computers on the floor, to prohibit the use of any mobile electronic device that is disruptive of the decorum. This change will give the Speaker greater latitude in deciding which mobile electronic devices may or may not be used by Members on the floor.

For historical purposes, it is important to note that the use of electronic devices in the chamber of the U.S. House of Representatives is governed by the rules of the House. In the 111th Congress, the fourth sentence of clause 5 of rule XVII read as follows: ''A person may not smoke or use a wireless telephone or personal computer on the floor of the House.''

The House first adopted a rule prohibiting the use of ''personal, electronic office equipment (including cellular phones and computers)'' on the floor in 1995. The rule was specifically changed in 2003 to prohibit the use of ''a wireless telephone or personal computer,'' thereby tacitly permitting a smartphone (e.g., a BlackBerry) to be used on the floor.

No formal ruling has been made by the Speaker on whether an electronic-tablet device (e.g., an iPad) might constitute a ''personal computer'' within the meaning of the version of the rule in 111th Congress. Members of the House have used them on the floor, both informally and even while under recognition, without reprimand. The Parliamentarian has informally advised that they may be used unobtrusively pending review of the broader questions their proliferation might engender. Wi-Fi service has not been enabled in the chamber of the House. However, like many smartphones, some electronic-tablet devices have wireless-data capability that enables internet access in the chamber.

As the popularity of electronic-tablet devices increases, the House has observed how Members use them and their effect on decorum and has evaluated whether the use of electronic-tablet devices poses either audible or visual impairments to decorum in the chamber. Unlike bulkier notebook and laptop computers, electronic-tablet devices can be used without obscuring the Member behind a screen or creating the visual of a sea of screens across the chamber. In addition, these devices are implemented with silent keyboards that limit audible disruptions.

The House has reconsidered the way it regulates the use of such devices. Rather than continuing to address devices by category (e.g., ''phones'' or ''computers''), the current rule will instead will address them by their attributes (e.g., form-factor or character). The rule speaks generally of devices that are disruptive of the decorum of the House and leaves it to the Speaker to enunciate policies to react to changes in technology. (This approach already has been employed to extend the prohibition on the use of wireless telephones also to the wearing of wireless headsets while in the chamber.)

Subparagraph (3) updates the House rules governing the media to eliminate references to specific media organizations.

Subparagraph (4) ends the ability of delegates and the Resident Commissioner to vote in, and preside over, the Committee of the Whole House on the state of the Union.

Subparagraph (5) strikes clause 11 of rule XVIII, which allows a motion to strike a provision from a bill that is asserted to be an unfunded mandate, even if the amendment would not otherwise be in order during consideration of the bill.

Subparagraph (6) clarifies the Armed Services Committee jurisdiction over Department of Defense administered cemeteries. The jurisdiction of the Committee on Veterans' Affairs with respect to cemeteries for veterans remains unchanged.

Subparagraphs (7) through (9) change, respectively, the name of the Committee on Education and Labor to the Committee on Education and the Workforce, the Committee on Standards of Official Conduct to the Committee on Ethics, and the Committee on Science and Technology to the Committee on Science, Space, and Technology. Subparagraph (10) eliminates the Select Oversight Panel of the Committee on Appropriations.

Subparagraph (11) reduces the size of the Permanent Select Committee on Intelligence from a total of 22 members (13 from the majority party) to 20 members (12 from the majority party). The next subparagraph restores the term limit rules for committee chairs to the same state it existed in the 109th Congress.

Subparagraph (13) increases the frequency of committee activity reports from once per congress to four times per congress. This provision is intended to provide the House with more frequent updates regarding the oversight and legislative activities of the committees.

Subparagraph (14) modifies existing staff deposition authority for the Committee on Oversight and Government Reform by requiring the committee to adopt a rule requiring that a member of the committee be present at any deposition conducted by a staff member. The deponent is permitted to waive this requirement.

Technical and Clarifying Changes. These provisions correct a host of typographic and other simple errors. Subparagraph (1) corrects a typographic error, and subparagraph (2) corrects an errant reference to simple resolutions. The next subparagraph corrects an unintentional narrowing of the circumstances regarding the Speaker's regulation of access to the floor, and the following provision corrects another word that was inadvertently removed during the recodification of the House rules in the 106th Congress. Lastly, the provision eliminates unnecessary usage of ''Members of the House'' and makes clear that the Clerk does not have to disclose actual Member signatures, just their names, when making a disclosure under clause 13 of rule XXIII.

SECTION 3. SEPARATE ORDERS.

Budget Matters. Subparagraphs (a)(i) through (3) clarify that section 306 of the Budget Act (prohibiting consideration of legislation with the Budget Committee's jurisdiction, unless reported by the Budget Committee) only applies to bills and joint resolutions and not to simple or concurrent resolutions. It also makes a section 303 point of order (requiring adoption of budget resolution before consideration of budget-related legislation) applicable to text made in order as an original bill by a special rule. Specified or minimum levels of compensation for Federal office will not be considered as providing new entitlement authority.

Subparagraph (4) prevents the Committee of the Whole from rising to report a bill to the House that exceeds an applicable allocation of new budget authority under section 302 (b) (Appropriations subcommittee allocations) as estimated by the Budget Committee and creates a point of order.

Budget Enforcement. Subsections (b)(1) and (2) require the chair of the Committee on the Budget to submit for printing in the Congressional Record budget aggregates and allocations contemplated by section 301 (Content of the Concurrent Resolution on the Budget) for 2011, and 2011 through 2015. Publication of these aggregates and allocations will be considered to be the adoption of a concurrent resolution on the budget for fiscal year 2011. This provision is intended to give the Chair of the Committee on the Budget authority to set aggregates and allocations to complete the unfinished fiscal year 2011 budget resolution cycle, taking into account the latest CBO baseline, including its 5-year projections.

Emergencies and Contingencies. Subparagraphs (c)(1) and (2) provide for exemptions for designated emergencies and the continuation of contingency operations related to the Global War on Terror.

Deficit-Neutral Revenue Reserve. Paragraph (d) allows the Budget Committee to make appropriate budget adjustments prior to the adoption of a budget resolution to account for the repeal or modification of the Patient Protection and Affordable Care Act and the Health Care and Education Affordability Reconciliation Act of 2010.

Limitation on Advanced Appropriations. Subparagraphs (e)(1) through (3) restrict the ability to provide advanced appropriations by establishing an aggregate spending ceiling.

Compliance with Section 13301 of the Budget Enforcement Act of 1990. Paragraph (f) provides temporary budget enforcement for matters related to certain off budget trust funds.

Limitation on Long-term Spending. Subparagraphs (g)(1) and (2) prohibit the consideration of measure which increase mandatory spending above $5,000,000,000 for any 10 year window within a 40 year period.

Exemptions. Subparagraphs (h)(1) through (7) authorize the Budget Committee Chair, prior to the adoption of a budget resolution, to exempt from estimates the budgetary effects of the Economic Growth and Tax Relief Reconciliation Act of 2001 and the Jobs and Growth Tax Relief Reconciliation Act of 2003. It also exempts the budgetary effects of the repeal of the Patient Protection and Affordable Care Act and Education Affordability Reconciliation Act of 2010. The budgetary effects of AMT relief, estate tax, trade agreements and small business tax relief are also exempted. The exemption is limited to measures which do not increase the deficit or revenues over the ten-year budget window, except for increases in revenue which meet certain specific criteria.

Determinations for PAYGO Acts. Paragraph (i) allows the Chairman of the Budget Committee to take into account the exemptions provided under paragraph (h) for the purpose of complying with Statutory PAYGO.

Spending Reduction Amendments in Appropriations Bills. Paragraph (j) requires that in each general appropriations bill there be a ''spending reduction'' account, the contents of which is a recitation of the amount by which, through the amendment process, the House has reduced spending in other portions of the bill and indicated that such savings should be counted towards spending reduction. It provides that other amendments that propose to increase spending in accounts in a general appropriations bill must include an offset of equal or greater value.

Certain Subcommittees. This section waives clause 5(d) of Rule X to allow the Committees on Armed Services and Foreign Affairs up to seven subcommittees each, and the Committee on Transportation and Infrastructure up to six subcommittees. This is a standard provision carried in the rules package during the last several congresses.

Exercise Facilities for Former Members. This section continues the prohibition on access to any exercise facility which is made available exclusively to Members, former Members, officers and former officers of the House and their spouses to any former member, former officer, or spouse who is a lobbyist registered under the Lobbying Disclosure Act of 1995.

Numbering of Bills. This provision reserves the first 10 numbers for bills (H.R. 1 through H.R. 10) for assignment by the Speaker and the second 10 numbers (H.R. 11 through H.R. 20) for assignment by the Minority Leader.

SECTION 4. COMMITTEES, COMMISSIONS, AND HOUSE OFFICES

Subparagraphs (a) and (b) reauthorize the House Democracy Partnership and the Tom Lantos Human Rights Commission.

Subparagraph (c) reauthorizes the Office of Congressional Ethics for the 112th Congress.

Subparagraph (d) continues House Resolution 451, 110th Congress, directing the Committee on Standards of Official Conduct (now Ethics) to empanel investigative subcommittees within 30 days after the date a Member is indicted or criminal charges are filed.

SECTION 5. ADDITIONAL ORDERS OF BUSINESS

Reading of the Constitution. This paragraph allows the Speaker to recognize Members for the reading of the Constitution on the legislative day of January 6, 2011.

Providing for Consideration of Certain Motions to Suspend the Rules. This provision provides that on January 6, 2011 the Speaker may entertain motions to suspend the rules related to reducing the costs of operation of the House and allow two hours of debate equally divided and controlled by the proponent and an opponent.

Mr. DREIER. Madam Speaker, I yield myself such time as I might consume.

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

Mr. DREIER. As we've seen here today, Madam Speaker, we are marking an important turning point in the history of the United States House of Representatives. We have before us a package of reforms that will bring greater transparency and accountability to this House, and it will once again give the American people the opportunity to participate in the legislative process. They've made clear to us that what their priorities are—job creation, economic growth, and a smaller, more accountable Federal Government—must be done. The reforms included in the rules package are designed to ensure that those priorities are met and that we are held responsible for our actions to do the people's work.

Madam Speaker, I want to thank each and every one of my colleagues who have worked tirelessly on this rules package. Never before in history has there been the kind of Member involvement—bipartisan Member involvement—in an opening day rules package. I particularly want to thank my good friends GREG WALDEN, who led our transition team, and ROB BISHOP, who led the rules reform effort, as well as the other members of our transition working group. We had four new Members of Congress who right after the election got involved in working on this very, very important transition, and I want to express my appreciation.

As I said, Madam Speaker, this has, for the first time, ever been bipartisan. I don't want to claim that my Democratic colleagues are supportive of this rules package, but I will say that when we began the process, I'm happy that former Speaker PELOSI designated as liaisons to work with us through the transition process the distinguished former chair of the Administration Committee, the gentleman from Pennsylvania (Mr. BRADY), and the gentleman from New Jersey (Mr. ANDREWS), and I want to express my appreciation to them again for their hard work.

As we looked for ways to chart a new course and reduce congressional waste, we knew that we had to consider good ideas from both political parties, and that's why I'm happy to say we had input from both Democrats and Republicans in fashioning this opening day rules package. Our Democratic liaisons were tremendous partners, and again, I express my appreciation to my Democratic colleagues for joining with us in this effort.

Now, having completed our transition work, we are now beginning a new Congress. Each of us faces the new beginning with the knowledge that congressional approval ratings are abysmally low. It's rare that the Congress is held in high esteem by the American people—we all know that—but it is even rarer to have an approval rating that is as low as it is right now.

Now, why is it that this body has become so unpopular? The reason is that the American people felt that they were not being listened to. They have sent us here to conduct the 112th Congress differently than any Congress of the past. I'm not going to just talk about the last two Congresses, Madam Speaker; I'm going to say that they sent us here this year to perform differently than any Congress of the past. What's more, they have given us, as Speaker BOEHNER likes to say, some pretty simple and clear and direct marching orders when it comes to our work: fulfill our constitutional duties in an open and transparent way.

Now, Madam Speaker, this rules package that we have before us provides us the tools to do just what the American people have asked: to perform our constitutional duties in a transparent and open way. Because our highest priorities are job creation and economic growth, we must rein in the government spending that has spiraled out of control over the past several years. We're taking several steps to meet that goal.

For starters, we're requiring that any new spending be offset for five 10-year budget windows. If a bill increases the deficit by more than $5 billion in any of these 10-year windows, it will be subjected to a point of order. In other words, we're changing the rules of the House to ensure that we look at short, medium, as well as long-term consequences to Federal spending. We should not, and cannot, consider legislation that pushes the Federal budget deficit and the problems down the road.

We will also be reforming the spending process by replacing PAYGO with CutGo. Rather than pairing spending with tax increases, job-killing tax increases, we will pair it with spending cuts. It's often been said that we don't have a revenue problem; we have a spending problem. These new rules will make it easier to reduce spending rather than increase it. In fact, the idea behind this package is to focus on ways in which we can increase the opportunity to reduce spending rather than increase it.

Now, Madam Speaker, we're also taking important steps to make us more accountable to the American people, the people whom we're so honored to represent. We won't be voting on bills unless they've been available for at least 3 calendar days. We will be returning much of the legislative work back to the committees where greater transparency will be required. The work product, the recorded votes, and the video archives of all committees are required by these rules to be posted online. No longer will massive legislation be written behind closed doors, regardless of political party, and rammed through the House before anyone has the chance to review or amend the text. Our work will be done in an open way that affords all Members the opportunity to participate and scrutinize.

Another key reform by this rules package is the creation of an electronic format for legislation. This represents a dramatic change in how legislation is made available, not just to Members but to the public and the press as well. Now, Madam Speaker, for the last two centuries, legislation was considered available when a paper copy was dropped off in the document room across the street. Now it will be considered available when anyone with access to the Internet can look it up.

This new format will evolve over time, and there's work ahead that still has to be done as we implement these rules changes, but no Member should consider this vote as the end of the reform efforts of this Congress. Again, what we're doing here today is simply the first step in what is going to be a one-year, 2-year process of reform.

We will not be wed to the way we used to do things. Rather, we will be looking for new and different ways to do our jobs and to do them in the most transparent and accountable way. And let me say again, Madam Speaker, it is very important for us to ensure that we have the input of my friend from Rochester (Ms. SLAUGHTER) and other Democrats, as well as Republicans, in this process.

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Madam Speaker, this rules package is a very significant first step. We have learned the hard way that bad process inevitably results in bad outcomes. We need look no further than our ailing economy and spiraling deficit, not to

mention Congress' abysmal approval rating, to see that that is true.

By reforming the rules of the House, we set the stage for reforming the entire Federal Government. Ultimately, we ensure fidelity to the original rules document, that being the Constitution. And I am so pleased that tomorrow on the House floor, led by our friend from Virginia (Mr. GOODLATTE), we will be having a bipartisan reading of the Constitution.

Madam Speaker, our Founders understood better than anyone the importance of restraining Federal power. I think that Thomas Jefferson put it best when he said, ''In questions of power, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution.''

Now, Madam Speaker, in this Congress, we will refocus our efforts on fulfilling our constitutional duties in a transparent and responsible way. We will be reform-minded and accountability-oriented, and we will be driven by the number one concern of the American people—getting our economy back on track. Madam Speaker, form dictates function, and these new rules will set us on the path toward greater economic growth and confidence for the American people.

With that, I urge support of this very important resolution and reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I yield 1 minute to the gentlewoman from the District of Columbia (Ms. NORTON) who, as I said, is disenfranchised by this rule. Millions of Americans will be underrepresented.

Ms. NORTON. I thank the gentlelady from New York for yielding.

Madam Speaker, for myself and for the Delegates from American Samoa, Guam, the U.S. Virgin Islands, the Northern Mariana Islands, the resident commissioner of Puerto Rico, I offered a motion earlier that the House conduct a full and complete study of the constitutionality of the vote in the Committee of the Whole for the Delegates which is eliminated by this rule. This is nearly the same motion that the Republicans offered when we first were granted the right to vote on the House floor. The delegate vote was challenged by the Republicans in the courts and found to be constitutional, however.

Madam Speaker, this vote is a mere recognition of our American citizenship. The Delegates are no different from others in this House. It is one thing not to have the vote. It is quite another to be stripped of your vote. The vote is said to be symbolic by some. Well, to us it is symbolic. It is symbolic of the American citizenship of our constituents. It meant everything to us. There are differences among us, of course, but we ask you to think again about this vote and to restore the vote of the Delegates on the floor in the Committee of the Whole.

Mr. DREIER. Madam Speaker, at this time I am very pleased to yield 2 minutes to the gentleman from Auburn, Washington, Sheriff REICHERT, our distinguished colleague and a member of the Ways and Means Committee.

Mr. REICHERT. I thank the gentleman for yielding.

Madam Speaker, I am excited to be here today. And I thank my constituents for the opportunity to once more serve them again as their Representative here in the United States Capitol.

In the days ahead, Congress will debate and pass proposals that will affect the health, the livelihood, and the well-being of every American citizen. Today, as Mr. DREIER said, we are setting the tone now for how well we will serve them in this Congress. Our service should, first and foremost, be transparent and be respectful, be inclusive, work together.

So I am proud that legislation that I authored a couple of years ago is now included in this rules package that we are about to vote on today. My bill requires each of the 21 standing committees in this House to post recorded votes on their Web sites within 48 hours because Americans deserve to know how bills take shape at every step along the way. They deserve easy access to votes taken not just on the floor but also in the committee.

Government transparency is essential to a healthy democracy. By using existing committee Web sites, we can offer this information in a fiscally responsible and easily accessible way. And I am pleased that my work was included in this bill.

Ms. SLAUGHTER. Mr. Speaker, for the purpose of a unanimous consent request, I yield to the gentleman from Puerto Rico (Mr. PIERLUISI).

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

Mr. PIERLUISI. Mr. Speaker, I rise in opposition to the resolution.

Mr. Speaker, I rise in strong opposition to the Republican rules package, because it sends a message of exclusion and indifference to my constituents and those of my fellow delegates from the other U.S. territories and the District of Columbia.

As the Resident Commissioner from Puerto Rico, I represent nearly four million U.S. citizens, far more than any other member of this Chamber. Together, the delegates from the other U.S. territories and the District of Columbia represent over one million people. Our constituents are part of the American family. They pledge allegiance to the same flag as their fellow Americans in the 50 states. They fight—and many of them have died—in defense of our nation.

Under a rule in place for the last three Democratic-controlled Congresses, the Representatives from the territories and the District were given a single, extremely circumscribed privilege on the House floor. We were permitted to vote on amendments when the House resolved into the Committee of the Whole, a parliamentary device designed to allow greater participation by Members in debate. The rule provided for an automatic revote to be held in the exceedingly rare instance where our votes affected the outcome. This rule was upheld by the federal courts and did not impede the work of this House in any way.

This simple privilege promoted responsible and transparent government. By obligating us to take public stands on issues of importance, it enabled our constituents to better evaluate both our governing philosophy and the quality of our representation. The privilege also sent a clear moral message—a message of inclusiveness—conveying to our constituents that their voices counted.

In a move that is as unnecessary as it is unjust, the Republican package will deprive us of this privilege, which may have been small in their eyes, but which held significant meaning for us and those we represent. The Republican package dishonors men and women from the territories and the District of Columbia. And in so doing, it does grave damage to the principles of equality and justice that our constituents, side by side with all of your constituents, fight to defend here at home and in distant lands. This is a true shame.

Ms. SLAUGHTER. I yield to the Delegate from Guam, Delegate BORDALLO.

(Ms. BORDALLO asked and was given permission to revise and extend her remarks.)

Ms. BORDALLO. Mr. Speaker, I rise in opposition to the resolution.

Mr. Speaker, the Republican rules package makes this body less transparent and less responsive to the American people. By obligating the Delegates to take public stands, our limited vote showed our constituents where we stood on important issues. Our vote also helped ensure legislation considered by the House took our constituents into account. When an amendment came forward last Congress regarding the transfer of detainees from Guantanamo into the U.S., the territories were initially excluded from the prohibition. Our vote compelled the House to address our concerns. This is precisely how representative democracy is meant to work.

Ms. SLAUGHTER. I yield to the Delegate from the Virgin Islands, Dr. CHRISTENSEN.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mr. Speaker, I rise in opposition to the Rules Package which once again removes the opportunity for Delegates to Congress and the Resident Commissioner to vote on amendments in the Committee of the Whole. It was our privilege in the past two Congresses to vote along with our colleagues on issues of importance to all Americans, especially the over 4 million of us who live and work in the U.S. territories.

The people of the U.S. territories are a diverse group, much like their fellow citizens on the mainland. Some are born in the territories under the American flag, some have migrated there and embraced our culture and our values before naturalization, others were born in the states and have chosen by virtue of their chosen occupation or by love of our islands to make the territories their home. All are Americans in every sense of the word, except for full representation in the House of Representatives and the ability to vote for the President of the United States.

Mr. Speaker, the people of the U.S. territories have served their country in all of its

conflicts from the American Revolution to the recent conflicts in Iraq and Afghanistan. They have given their youth, their time and even their lives for our country. We had hoped through our participation to obtain the good will of all of our colleagues to ensure full participation in the democratic process for all citizens of our country. The events of this week have proved to us once more that we still have a long way to go to ensure equality and justice for all.

Ms. SLAUGHTER. I yield to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. Mr. Speaker, on behalf of the tens of thousands of our men and women in military uniform from the U.S. territories, I just ask my good friend, the Honorable Speaker, restore our symbolic vote. That's all we are asking for.

Mr. Speaker, the proposed rules by the Republicans for the 112th Congress give unfair treatment to some 5 million Americans residing in the U.S. territories. In particular, it eliminates the rule that allows the Delegates to vote when the House resolves into the Committee of the Whole, and that provides for an automatic revote in the full House when such vote is the deciding margin.

The U.S. Court of Appeals has upheld the Delegate vote on the basis that there is automatic reconsideration of votes in the House when the Delegate vote is decisive. Automatic reconsideration preserves the House proper as the sole arbiter for changes made in the legislation that the House considers.

During the three Congresses in which the rule has been in place, the record shows that the Delegate vote in the Committee of the Whole has not in any way hindered the work of the House. From 1993 to 2010, the House had a total of 132 separate votes demanded in the House on first degree amendments reported from the Committee of the Whole. In the same period, only four such amendments were reconsidered as a result of the Delegates being the deciding votes. this proves that the Delegates vote does not impede the work of the House.

While symbolic, the Delegate vote is important for transparency and political accountability. It compels us, representatives of the U.S. Territories, to make public our views and positions on issues of national interest that are important to our constituents. Hence, the constituents are able to make an informed decision to elect those that better represent their views.

Above all, the Delegate vote underscores fairness and has moral implications for the institution and this great nation. As part of the American family, a disproportionate number of our sons and daughters are fighting in the U.S. military in defense of the values and principles upon which this country was founded.

A statistical profile of Americans killed in the war in iraq shows my district, the U.S. Territory of American Samoa, has the highest rate of deaths per 1 million population in all of the United States. Just last month, I attended the funeral of another soldier from my district killed in Iraq. Staff Sergeant Loleni Gandy, originally from American Samoa, was 36 years old, and has served in the U.S. Army for 17 years. He is survived by his wife and four young sons who now have to cope with the loss of their father. Like Americans in other States, the love and loyalty my people feel for the United States remains unchanged.

It is disconcerting therefore that under the new rules proposed for the 112th Congress, the Delegates are stripped of the power to vote in the Committee of the Whole. This is an affront to the tremendous sacrifice made by Americans in the Territories and further restricted what modest representation they have in Congress.

I urge my friends on the other side to reverse course and reinstate the rule to allow the Delegates to vote in the Committee of the Whole.

CONGRESSIONAL RESEARCH SERVICE,
December 29, 2010.

To: House Subcommittee on Insular Affairs, Oceans and Wildlife, Attention: Jed Bullock.

From: Christopher M. Davis, Analyst on Congress and the Legislative Process.

Subject: Amendments Reported from the Committee of the Whole Subject to a Demand for a Separate House Vote or Automatic House Reconsideration: 103rd–111th Congress

This memorandum responds to your request for statistical information about amendments adopted in the Committee of the Whole House on the State of the Union from 1993 to the present on which a demand for a separate vote was subsequently made in the House of Representatives or which were subject to automatic reconsideration in the House because the votes of the Delegates and the Resident Commissioner were decisive in the Committee.

SEPARATE VOTES AND AUTOMATIC RE-VOTES IN THE HOUSE

Under the longstanding practice of the House of Representatives, first degree amendments adopted in the Committee of the Whole House of the State of the Union and reported to the House are not considered finally adopted until agreed to by the House. The philosophy underlying this practice is that the Committee of the Whole is only recommending amendments to the House; the House proper is the sole arbiter of changes made in the legislation it considers and, as such, must act to approve or disapprove the recommendations made by the Committee.

For this reason, when the Committee of the Whole rises and reports legislation to the House, the House must vote on any first degree amendments included in measure as reported. In the vast majority of cases, the House, by unanimous consent, acts to approve all of the committee reported amendments en gros by voice vote, before quickly moving to the final parliamentary steps of considering a measure. It is the right of any Member, however, to demand a separate vote in the House on any first degree amendment reported from the Committee of the Whole, and Members sometimes avail themselves of this right. There may be various motivations for a Member demanding what is often essentially a ''re-vote'' in the House on an amendment which a majority of Members voted for only a short time earlier in the Committee of the Whole. These motivations include, but are not limited to, hoping to defeat an amendment unexpectedly agreed to by the Committee and to force the House to expend time in taking recorded votes.

As you know, there also exists in House rules a separate and unique parliamentary mechanism by which an amendment receiving a vote in the Committee of the Whole is subject to immediate and automatic reconsideration in the House when it has been determined that the votes of the Delegates and the Resident Commissioner have made the difference in the vote's outcome. Provisions contained in clause 6 of House Rule XVIII, as adopted in the 111th Congress (2009–2010), state that when the House is sitting as the Committee of the Whole House on the State of the Union, the Delegates and Resident Commissioner have the same right to vote as Representatives, subject to immediate and automatic reconsideration in the House when their recorded votes ''have been decisive'' in the committee. Rules related to the votes of the Delegates and Resident Commissioner which were identical in effect were in force in the 110th (2007–2008) and 103rd (1993–1994) Congresses.

RESULTS AND RESEARCH METHOD

At your request, CRS conducted a search to identify first-degree amendments reported from the Committee of the Whole which were subject to a demand for a separate vote in the House from the 103rd (1993–1994) through the 111th (2009–2010) Congress. These amendments were identified by searching the universe of House amendments in the Legislative Information System of the U.S. Congress (LIS) using the term ''separate vote.'' These results were cross-checked with demands for a separate vote noted in individual issues of the Congressional Record Daily Digest.

CRS has also previously identified amendments that were subject to automatic reconsideration in the House pursuant to the terms of clause 6 of House Rule XVIII, described above. Table 1 presents the number of amendments falling into these two categories over the period examined. Material identifying the specific amendments in question is provided under separate cover.

TABLE 1—FIRST DEGREE AMENDMENTS REPORTED FROM THE COMMITTEE OF THE WHOLE ON WHICH A DEMAND FOR A SEPARATE VOTE WAS MADE IN THE HOUSE OR WHICH WERE SUBJECT TO AUTOMATIC RECONSIDERATION PURSUANT TO CLAUSE 6 OF HOUSE RULE XVIII

[103rd–111th Congress (1993–2010)]

Congress & Years	Separate Votes Demanded in the House on First Degree Amendments Reported from the Committee of the Whole	Amendments Reconsidered in the House Pursuant to Clause 6 of House Rule XVIII
103rd (1993–1994)	70	3
104th (1995–1996)	5	—
105th (1997–1998)	29	—
106th (1999–2000)	5	—
107th (2001–2002)	1	—
108th (2003–2004)	4	—
109th (2005–2006)	1	—
110th (2007–2008)	13	0
111th (2009–2010)	6	1
Total	132	4

Source: CRS analysis of information from the Legislative Information System of the U.S. Congress and the Congressional Record Daily Digest.

Notes: Congresses in which Delegates and the Resident Commissioner were not permitted to vote in Committee of the Whole subject to an automatic reconsideration in the House are noted with a dash.

I trust this information is responsive to your needs.

[Congressional Research Service, Dec. 23, 2010]

PARLIAMENTARY RIGHTS OF THE DELEGATES AND RESIDENT COMMISSIONER FROM PUERTO RICO

(By Christopher M. Davis, Analyst on Congress and the Legislative Process)

SUMMARY

As officers who represent territories and properties possessed or administered by the United States but not admitted to statehood, the five House Delegates and the Resident Commissioner from Puerto Rico are not Members of Congress, and do not enjoy all the same parliamentary rights as Members. They may vote and otherwise act similarly to Members in legislative committee; may

not vote in the House, but may participate in debate and make most motions there; and, under the rules of the 111th Congress (2009–2010), may preside over, and vote in, Committee of the Whole subject to an immediate revote in the House if their votes are decisive.

A proposed rules change for the 112th Congress (2011–2012) released by the House Republican leadership in December of 2010 would, if subsequently adopted by the House, eliminate the right of the Delegates and Resident Commissioner to vote in, or preside over, the Committee of the Whole.

This report will be updated as circumstances warrant.

INTRODUCTION

The offices of the Resident Commissioner from Puerto Rico and the Delegates to the House of Representatives from American Samoa, the District of Columbia, Guam, the U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands are created by statute, not by the Constitution. Because they represent territories and associated jurisdictions, not states, they are not Members of Congress and do not possess the same parliamentary rights afforded Members. This report examines the parliamentary rights of the Delegates and the Resident Commissioner in legislative committee, in the House, and in the Committee of the Whole House on the State of the Union.

IN LEGISLATIVE COMMITTEE

Under Clause 3 of Rule III, the Delegates and the Resident Commissioner are elected to serve on standing committees in the same manner as Representatives and have the same parliamentary powers and privileges as Representatives there—the right to question witnesses, to debate, offer amendments, vote, offer motions, raise points of order, include additional views in committee reports, accrue seniority, and chair committees and subcommittees. The same rule authorizes the Speaker to appoint Delegates and the Resident Commissioner to conference committees as well as to service on select and joint committees.

IN THE HOUSE

The Delegates and the Resident Commissioner may not vote in or preside over the House. While they take an oath to uphold the Constitution, they are not included on the Clerk's roll of Members-elect, and may not vote for Speaker. They may not file or sign discharge petitions. They may, however, sponsor and cosponsor legislation, participate in debate, including managing time, and offer any motion which a Representative may make, except the motion to reconsider. A Delegate or Resident Commissioner may raise points of order and questions of personal privilege, call a Member to order, appeal rulings of the chair, file reports for committees, object to the consideration of a bill, and move impeachment proceedings.

IN COMMITTEE OF THE WHOLE HOUSE ON THE STATE OF THE UNION

Under Rule III and Rule XVIII, as adopted in the 111th Congress (2009–2010), when the House is sitting as the Committee of the Whole House on the State of the Union, the Delegates and Resident Commissioner have the same right to vote as Representatives, subject to immediate reconsideration in the House when their recorded votes ''have been decisive'' in the Committee. House rules also authorize the Speaker to appoint a Delegate or the Resident Commissioner to preside as Chairman of the Committee of the Whole.

The rules of the 111th Congress are identical in effect to those in force in the 110th Congress (2007–2008) and before that, in the 103rd Congress (1993–1994), which permitted the Delegates and the Resident Commissioner to vote in, and to preside over, the Committee of the Whole. These provisions were stricken from the rules as adopted in the 104th Congress (1995–1996) and remained out of effect until readopted in the 110th Congress. At the time of the adoption of the 1993 rule, then-Minority Leader Robert H. Michel and 12 other Representatives filed suit against the Clerk of the House and the territorial delegates, seeking a declaration that the rule was unconstitutional. The constitutionality of the rule was ultimately upheld on appeal based on its inclusion of the mechanism for automatic reconsideration of votes in the House. A draft of the proposed rules package for the 112th Congress (2011–2012) released by the House Republican leadership on December 23, 2010, would amend Rules III and XVIII to eliminate the ability of the Delegates and the Resident Commissioner to vote in, or preside over, the Committee of the Whole.

The votes of the Delegates and the Resident Commissioner were decisive, and thus subject to automatic revote by the House, on three occasions in the 103rd Congress. There were no instances identified in the 110th Congress in which the votes of the Delegates and the Resident Commissioner were decisive. In the 111th Congress, the votes of the delegates were decisive, and subject to an automatic revote, on one occasion.

The rule governing voting in the Committee of the Whole by Delegates and the Resident Commissioner has not been interpreted to mean that any recorded vote with a difference of six votes or less is subject to automatic reconsideration. In determining whether the votes of the Delegates and the Resident Commissioner were decisive, the Chair follows a ''but for'' test—namely, would the result of a vote have been different if the Delegates and the Commissioner had not voted? If the votes of the Delegates and the Resident Commissioner on a question are determined to be decisive by this standard, the committee automatically rises and the Speaker puts the question to a vote. The vote is first put by voice, and any Representative may, with a sufficient second, obtain a record vote. Once the final result of the vote is announced, the Committee of the Whole automatically resumes its sitting.

Ms. SLAUGHTER. I yield for the purpose of a unanimous consent request to the gentleman from the Northern Mariana Islands (Mr. SABLAN).

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

Mr. Speaker, the people of the Northern Mariana Islands are citizens of the United States. And the Constitution declares we are ''subject to the jurisdiction thereof.''

But today the majority's Rules exclude us from even symbolic representation in our government.

The Pledge to America declared the majority would fight those who whisper America's standing as the world leader of democracy is ending.

But today the majority breaks its own Pledge with Rules that take away the vote from 5 million Americans.

What a sad way to begin this new Congress.

Ms. SLAUGHTER. I yield 2 minutes to the gentleman from Maryland (Mr. HOYER), the minority whip.

Mr. HOYER. Mr. Speaker, I rise in opposition to this rule not for small reasons of this rule or that rule but because it authorizes trillions of dollars of new debt without paying for it.

There are two ways to create debt: You can buy things and not pay for it, or you can simply cut revenues and make yourself unable to pay for things. Statutory PAYGO was designed to accomplish the objective of having us do what is difficult to do—pay for what we buy. If we are honest with one another, it doesn't matter whether you want to spend or simply cut revenues. If you don't do both—cut spending and either maintain or cut revenues consistent with your cutting of spending—then you will inevitably create new debt.

Now, all of you have heard about my three children, my three grandchildren, and my one great-granddaughter. They, frankly, won't care how the debt was created, whether it was created because we cut revenues but didn't cut spending, which is what happened, of course, in the 2000s, or what happened in the eighties, where we incurred trillions of dollars of additional debt. During the Clinton administration, we didn't do that, and we restrained spending. Our Republican colleagues were very helpful in doing that, obviously, and we continued to pay for what we bought. We created 4 years of surplus. So I oppose this rule because of the trillions of dollars that it will authorize, be incurred in new debt.

Secondly, I oppose this rule, as do my friends from the various territories, from Puerto Rico, from the Virgin Islands, the District of Columbia, and the Pacific Islands. We talked about, during the course of the campaign, listening to people. We have almost 5 million people who are American citizens. How do we listen to them? We listen to them when their Representatives put their green or red on the board.

I will be introducing a resolution tomorrow, which will be referred to the Rules Committee, and I hope you will consider it.

The SPEAKER pro tempore (Mr. LATHAM). The time of the gentleman from Maryland has expired.

Ms. SLAUGHTER. I yield the gentleman 1 additional minute.

Mr. HOYER. I thank the gentlelady.

I was telling my friend, the chairman of the Rules Committee, congratulations to him for his obtaining the chairmanship. A thoughtful and hardworking Member of this House will chair the Rules Committee. I am going to be introducing an amendment to the rules that, my presumption is, we will adopt today which will return this symbol of respect, this symbol of inclusion, this symbol of colleagueship, if you will, to our six representatives of American citizens.

□ 1540

I hope my friend will hold hearings on that. I would like to testify on that issue.

And I say to my friends that I hope we reject these rules so that we can correct both the trillions of dollars of exposure that it creates and to ensure the inclusion, in a real and meaningful way, but not constitutionally objectionable way, our friends who represent

the District of Columbia and our territories.

Mr. DREIER. Mr. Speaker, I yield myself such time as I might consume, and I would like to respond to some of the comments made by my very good friend, the minority whip.

On the issue of CutGo versus PAYGO, I think it's important to note that in the bipartisan agreement that was put together just last month, supported by President Obama, there was an actual embrace of the John F. Kennedy vision of recognizing that economic growth and an enhanced level of revenues to the Federal Treasury come about by keeping marginal rates low.

Now I will say, Mr. Speaker, that was a bipartisan agreement; and so what we've said is that as we look at growing the economy, we are very enthused at the fact that job creators are going to be able to have revenues focused on job creating, therefore enhancing the opportunity for more revenues coming to the Federal Treasury.

Second, I think it's also very important for us to realize that the focus does need to be on spending; and we believe very passionately that, in the last 4 years since we've seen a 92 percent increase, a 92 percent increase, Mr. Speaker, in nondefense discretionary spending, that we need to have a laser-like focus on that.

Now, Democrats and Republicans, Mr. Speaker, have come together to decry both the lack of jobs that exist in our economy, as well as deficit spending. There's clear bipartisan agreement on that. We all want to create more private sector jobs, and we all want to see the deficit reduced.

Now, how is it, Mr. Speaker, that we deal with those two issues?

The single most important thing that we can do to ensure that we address that is to ensure economic growth. And so the notion behind PAYGO, which would, in fact, bring about, unfortunately, an increase in taxes that dramatically would stall this recovery—and even Keynesian economists, those through the 1930s, 1940s—John Maynard Keynes died in 1950—there are many people who have followed his economic model, that being stimulating through greater Federal spending.

Keynesian economists, Mr. Speaker, acknowledge that increasing taxes, when you're dealing with a difficult economy, in fact, undermines the potential for economic growth.

Now, let me take the second issue that my friend mentioned, Mr. Speaker, and that issue has to do with the question of our delegates. They're all friends of mine and I respect—I've visited most of the territories, if not all, and I will say that these are very diligent, hardworking Members.

But we all know what the bottom line comes to here. The bottom line comes down to that the vote here in the Committee of the Whole counts until it doesn't count, and it doesn't count if it counts. And that's why I understand. And my friend, Mr. FALEOMAVAEGA, said correctly, this is a symbol. It is a symbol. And I think that their membership and participation on committees is important, and there is a great deal of camaraderie that does go on with our friends.

But the fact is, when you have a structure where the vote counts until it doesn't count and doesn't count if it counts, it seems to me that that is not the proper route for us to take; and so that's the reason that this action has been taken.

Mr. Speaker, I am happy to yield to my very good friend, the distinguished minority whip.

Mr. HOYER. I thank the chairman of the Rules Committee for yielding.

I tell my friend, you and I have been here some period of time.

Mr. DREIER. I've actually been here a few months longer than my friend has.

Mr. HOYER. Well, that's true, so I'll be very respectful.

I've heard that argument that you just made made in 1981, in 1989, and again in 2001. I tell my friend, my experience has been that it hasn't worked, and we have incurred substantial trillions of dollars of debt pursuing the Rules Committee philosophy that is represented in your rule.

On the other hand, a bill that you opposed, and every member of your party opposed in 1993, which you say was pursuing a job-killing policy, in fact created more jobs than any other administration since you and I have served here, some 22 million jobs and, additionally, balanced the budget. Did we work together to do that? We did.

But I will tell you my experience and yours has been that we did, in fact, balance the budget on the philosophy of statutory PAYGO.

Mr. DREIER. Mr. Speaker, if I could reclaim my time, I would say that I began by talking about a great Democratic President, John F. Kennedy, who used this model. And the notion of simply looking at 1981, 1989, and 2001 is not the simple basis for the argument that I'm propounding. I'm beginning, if you look at modern history, with John F. Kennedy as President of the United States.

And I will also say that, in looking at the 1993 bill, I am convinced, as I stand here today, that if we had had simply that tax increase and not put into place the measures that we did in 1994, 1995, 1996 that focused on job creation and economic growth, reducing the top rate on capital gains and, in fact, bringing about marginal rate reduction, we would not have enjoyed that tremendous period of growth that we experienced through the decade of the 1990s which, as we all know, was the time that the Republicans were, in fact, in control here.

We've had a nice exchange. If I could reserve the balance of my time. I would love to hear further from my friend if Ms. SLAUGHTER would yield to him.

Ms. SLAUGHTER. Mr. Speaker, at the end of this debate, if we defeat the previous question, Mr. VAN HOLLEN of Maryland will offer an amendment to restore fiscal discipline in the House.

I yield 4 minutes to the ranking member of the Budget Committee now, so that he may explain his amendment.

Mr. VAN HOLLEN. Mr. Speaker, on this opening day of the new Congress I know that we all hope to work together to tackle the major problems that face our country. We heard that sentiment expressed by the outgoing Speaker, NANCY PELOSI, and by the incoming Speaker, JOHN BOEHNER. That is why the rules package, the plan put forth by the Republican majority not less than 2 hours after those comments were made, is so disappointing, because after months on the campaign trail telling the American people that they want to reduce deficits and the debt, this rule opens the door to larger deficits and a bigger national debt. It is a fiscally reckless blueprint, and the American people deserve better.

Why do I say that?

Because this plan guts the existing pay-as-you-go rule that limits mandatory spending and tax breaks that add to our deficits.

It also creates a mechanism to do an end run against the pay-as-you-go law recently signed by President Obama that will limit increases in our national debt.

How does this proposal do that?

The rule and the laws we've been operating on say you can't add to the deficit by adding new spending entitlements. This rule, properly, keeps that restraint, as it should.

But the rule being proposed, the plan being proposed, also eliminates provisions that says you can't add to the deficit by creating special interest tax breaks. The proposal before us eliminates that limitation. It says that the Congress will ignore the deficit impact of tax breaks whether they're for hedge funds or for other special interests.

Now, Mr. Speaker, every small business knows that there are two sides to balancing the books: the costs incurred by the business and the revenue the business brings in.

□ 1550

This one-sided rule ignores half of that equation. No small business could operate and survive that way in the United States and neither can the Federal Government.

Mr. Speaker, if we defeat the previous question, I plan to offer an amendment to the Republican plan that is very simple. It says that a measure may only qualify for an exemption under this subsection if it does not increase the deficit over the period of fiscal years 2011 through 2021 beyond the exemptions permitted under the current law of the land, under statutory PAYGO. And, at the appropriate moment, we will offer that.

Mr. ANDREWS. Will the gentleman yield?

Mr. VAN HOLLEN. I yield to the gentleman from New Jersey.

Mr. ANDREWS. I think the gentleman, Mr. Speaker, aptly points out, the majority promised accountability but they are delivering hypocrisy.

They said that their number one goal would be job creation. There is not a bill, not a word, not an idea about job creation the first 2 weeks of the new Congress.

They said they were running on reducing the debt and the deficit. Well, as Mr. VAN HOLLEN very accurately points out, this rule says, We will reduce the deficit, except when we deal with health care or tax cuts for the wealthy, in which case we'll pretend it doesn't exist. We'll pretend there is no deficit when it comes to health care, the largest Federal expenditure, at least one of the largest, and tax cuts for the wealthy.

Then finally, hours ago, the majority said: We're going to cut $100 billion from this year's budget. And then they said, well, we didn't really mean $100 billion. We're going to cut something, but we'll tell you later what it is.

Americans who are concerned about the debt and the deficit should be very concerned about the lack of accountability they are seeing here today: A rule that blows open the deficit, a procedure that ignores job creation, and a $100 billion promise that just vanished like the champagne bubbles at their fund raiser last night.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 2 minutes to our very distinguished new Republican whip, my good friend and fellow Californian, the gentleman from Bakersfield, Mr. MCCARTHY.

Mr. MCCARTHY of California. Mr. Speaker, I thank the new chairman of the Rules, Mr. DREIER, for yielding.

We are debating the rules package. Why is it important to have a rules package? Because structure dictates behavior.

For America, we know that, for far too long, the structure of this House was dictating a behavior that the American public did not care for nor did they want. They watched for too long bills written by a few come to the floor where Members have not even read it, the public has not even been able to see it, and a debate and a vote, then passed. We watched where we didn't even have an open rule. Not one freshman in this building that became a sophomore ever saw a open rule. But today is a new day. Today is a new opportunity.

Now, what went into the rules package and how did you come about crafting it and creating it? Well, it wasn't crafted today, and it wasn't crafted with one side of the aisle. We reached out to both sides. But we reached beyond this House. We reached where this House was supposed to go, to the people.

Last fall, our new Speaker BOEHNER asked us to open up to the American people and ask them what they needed from here. We created America Speaking Out. Anybody could come in and give you an idea, and not once did we ask them what party they were registered or affiliated with. Just the power of the idea should win at the end of the day.

And do you know what they said? They said a bill shouldn't come to the floor but it should have 3 days so that not only Members of Congress could read it but the American public. You know what? It's in the rules.

They said you have a $1.3 trillion deficit and, for the first time since the Budget Act of 1974 was passed, you don't even have a budget. So you should make it harder to spend and easier to cut. Well, that's what this rule package does.

This rule package gives us an opportunity to do exactly what President Lincoln wanted, a House of the people, for the people, by the people. And the structure at the end of the day will make it more open, more transparent, and more accountable. That's what the people asked for, and that's what we were sent here to do.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts, a member of the Rules Committee, Mr. MCGOVERN.

Mr. MCGOVERN. Well, Mr. Speaker, that didn't take long. Our Republican friends have been in charge of the House for about 1 hour, and already they are up to their old discredited tricks.

They promised the American people that they were serious about deficit reduction. Apparently that promise was for campaign purposes only, because the Republicans' rule package before us today paves the way for a huge explosion in our national debt to the tune of $5 trillion. That's trillion with a ''t''.

The new Republican majority is attempting to drag this country back to their supply-side fantasyland where deficits either don't matter or could be addressed by giving huge tax breaks to the very, very wealthy. Back here in the real world their proposals would do real harm to real middle class families. They want to slash funding for education, for infrastructure, for investments and new technology, for medical research, for job training. You name it. If the new program benefits working families, it's on the chopping block.

But if you are a wealthy hedge fund manager or a huge defense contractor or a playboy son of a dead multimillionaire, you are in luck. Your tax breaks are safe. As The Washington Post said in a recent editorial, When it comes to tax cuts, it's all go, no pay.

I would say to my Republican friends, if you care about deficit reduction, if you meant what you said on the campaign trail, then vote against this misguided rules package. If you want transparency, then do away with the smoke and mirrors. If you want accountability, then stop the hypocrisy. This rules package is shameful.

This new Republican majority appears determined to do what they have done in the past, and that is dig this country deeper and deeper into debt. It is the wrong thing to do. Vote ''no.''

Mr. DREIER. Madam Speaker, I am happy to yield 2 minutes to the gentleman who led our effort to bring about reform of the rules and help put this package together, my very good friend, Mr. BISHOP, the gentleman from Utah.

Mr. BISHOP of Utah. Madam Speaker, I appreciate the gentleman from California recognizing me.

Every time we talk about rules, I realize for the majority of people, their eyes kind of glaze over. But every kid who has spent time in an elementary yard realizes that the rules are important to the game.

We are here, though, on this floor doing the people's business, and it is not a game, and the rules become significant. And the rules are significant because they are responsive to what the people have said.

People told us very clearly they are interested in jobs, they are interested in spending. The rules package before us right now facilitates the growth of the former and helps in the limitation of the latter.

True, PAYGO will be replaced in this rule. PAYGO was the process that was honored in its breach and suspension as often as its application, and it is replaced with CutGo, a process that zeroes in on the real problem, which is spending. And if indeed we suspend CutGo as frequently as PAYGO was suspended, then it would be justified to criticize us at that particular time.

This rule says committees are important. It's not just a box you check to say you have done regular order. We have now provided for time for committees to do their job. We have provided for pre-meeting requirements and post-meeting requirements and accountability, and respect for the product of the committees will be here on the floor.

Once again, in this rule the Constitution is now in vogue again, and the bills coming to the floor will become readable so that you will never see again a multihundred-page amendment coming before this body in the wee hours of the morning of its actual debate.

Many of us who worked on these rules have had legislative experience in our home States. We brought different ideas, realizing that a better process equals a better policy. We have changed the schedule so that time management will be seriously considered. We have added to transparency for what takes place on the committee as well as on the floor. We, to use cliches, thought outside of the box. But in so doing, we included more Members than ever before, Republicans and Democrats, who were invited to give specific input into what we indeed are doing.

The SPEAKER pro tempore (Mrs. CAPITO). The time of the gentleman has expired.

Mr. DREIER. I am happy to give my friend an additional 30 seconds.

Mr. BISHOP of Utah. We reached consensus. We found that making the right decisions is not necessarily a difficult process. All you need to do is throw strikes.

Satchel Paige, when he was advising a young pitcher who was having a problem with his control trying to hit the corners simply looked at him and said, ''Just throw strikes. Home plate don't move.''

This rule is strikes, because home plate don't move. Will it change Washington and the way we do business? Yes. And appropriately so.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 1 minute to the gentlewoman from Florida, a former member and missed member of the Rules Committee, Ms. CASTOR.

□ 1600

Ms. CASTOR of Florida. Madam Speaker, I thank the gentlewoman for yielding time.

As a former member of the Rules Committee, I felt compelled to come to the floor of the House now because the Republican rules package is asking us to vote on a huge deception of the American people. Over the last year, we have had a robust debate about deficits and debt in this country, and yet the first significant vote the Republicans are asking us to vote on will add to burgeoning deficits and debt.

Here is a good example: No matter how you feel about the health reform law, the nonpartisan CBO says that that health reform law will cut the deficit by $143 billion over the next few years. What the Republican rules package says is, when they bring up repeal of health reform next week, they are not going to count that money; they are going to add that again to the debt. So the first significant vote they are asking us to take on the floor is one that will set us on a course to adding $143 billion to the deficit and debt.

I urge everyone to oppose the rules package.

Mr. DREIER. Madam Speaker, I am happy to yield 45 seconds to the distinguished new chair of the Committee on Transportation and Infrastructure, the gentleman from Florida (Mr. MICA).

Mr. MICA. I would like to rise to engage Chairman DREIER in a brief colloquy regarding the highway funding point of order that is included in this rules package as clause 3 of rule XXI.

It is my understanding that this point of order makes no change in the manner in which highway, highway safety, motor carrier safety, and transit programs are currently funded, which is through contract authority derived from the highway trust fund and provided in authorization acts. Rather, the new point of order provides that Members will have the ability under House rules to offer amendments to reduce funding for such programs, if they choose to do so.

In the interest of clarity and mutual understanding, I want to be assured that my understanding of this proposed change to clause 3 of rule XXI is correct.

Mr. DREIER. If the gentleman would yield, I would say, Madam Speaker, the gentleman from Florida is absolutely correct. Clause 3 of rule XXI, as amended, does not change the way in which the underlying programs are funded, which is through contract authority provided by authorization acts.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from West Virginia (Mr. RAHALL), the ranking member of the Committee on Transportation.

Mr. RAHALL. I thank the distinguished gentlelady for yielding the time.

While I regret I did not hear all of the previous colloquy, I do want to express my strong reservation and opposition to these rule changes because of the effects it would have on transportation-related issues.

The Republican rules package eliminates the current rules' direct tie between revenues to the highway trust fund, paid by the users through gas taxes at the pump, and the level of investment for these programs.

Currently, House rules provide that appropriators must fund highway and transit programs at levels set forth in surface transportation authorizations. This provision was championed by a Republican, our former colleague Bud Shuster, and was put into place to prevent funds building up in the highway trust fund to be used to mask the true size of the Federal deficit. The provision was intended to stop the same old smoke-and-mirrors game of Federal spending.

As their very first act as the majority, I find it incredible that Republicans would want to pursue a job-killing proposal like this, one that not only threatens jobs, but which could lead to dramatic reductions in spending for very necessary and worthy highway projects throughout the Nation.

Americans understand and they support paying motor fuel taxes at the pump, so long as they are guaranteed that those funds will be spent on transportation. The Republican rules package smears that guarantee and will have a potentially devastating effect on the level of Federal investment in vital highway and transit programs.

After more than a decade of effort by the Committee on Transportation and Infrastructure, the House adopted the current rule in 1998. The principle was simple: Gas taxes collected to improve highway and transit systems must be used for that purpose. The previous rule restored trust to the trust fund, and it has served the House and our Nation well for the past 12 years.

Today, the House Republican majority breaks that trust. They are returning to the ways of old—no hearings, no public debates, no discussion with any Member on this side of the aisle on the effects of the proposed rule on transportation investment.

Regrettably, these issues are steeped in arcane budget rules, so, therefore, many Members, especially new Members, are not aware of what they are voting on and its consequences.

I urge my colleagues to oppose this rules change, as do so many highway contractors and the U.S. Chamber of Commerce.

Mr. DREIER. Madam Speaker, I yield 2 minutes to the very distinguished chairman of our transition committee, my friend from Hood River, Oregon (Mr. WALDEN).

Mr. WALDEN. Madam Speaker, I want to thank the chairman of the Rules Committee.

I wanted to talk just briefly about the transition itself, and I want to thank members of both parties who participated in very meaningful ways in our transition. I think it was an unprecedented effort in terms of its size and inclusiveness. Four members of our team were incoming freshmen. We offered Democrats the opportunity to participate both formally and informally, an act of bipartisanship that has been missing, frankly, from prior organizations going back over both parties' tenure in leadership.

I asked Speaker PELOSI to designate two Democratic participants. We distributed surveys to every Member, chief of staff, and scheduler on both sides of the aisle to get as many ideas as possible to reform the people's House. Let us always remember that this is the people's House. It is their business. It is the taxpayers' money, and the public has the right to observe and participate in this process. The outcome is the rules package before us today. The transition team received more than 2,000 suggestions from the general public submitted through our Web site.

And what did we accomplish? Bills will now be posted online in a searchable format at least 3 days before receiving a vote on the House floor. No longer will bills be dropped in the middle of the night and voted on the next day. We require that all bills include a citation of constitutional authority so Congress respects the limits imposed on it by the founding document.

To begin to control the explosion in spending, we are clamping down on budgetary sleights of hand that hide spending beyond the first 10-year window of a bill; any legislation projected to increase the deficit by more than $5 billion in any single 10-year window out to 50 years will be subject to a point of order; a new CutGo rule requiring any suspension bill that increases authorizations or creates new programs to make equal or greater cuts elsewhere; a legislative calendar to ensure Members will be back home listening to the people who sent us here at least a week every month; ending the practice of passing comprehensive or omnibus bills that package unrelated legislation together in an effort to avoid public scrutiny; and will require every committee to Webcast

their hearings and markups and make them available online.

Transparent, open, accountable. This is the rules package to change the House.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 1 minute to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Madam Speaker, I thank the Member from New York.

Let me start by acknowledging two things: One, the Republican majority won the election and has the right to bring this rules package with changes to the floor. Number two, there are some good provisions in this. Mr. WALDEN just described several. But, three, there is a time bomb in this.

The major responsibility that we have in Congress is to debate taxes and spending—taxes and spending. The provision that basically will protect privileged tax breaks so that we cannot have a debate about whether or not a hedge fund billionaire should pay at least the same rate of income tax as his or her chauffeur or cook; the fact we cannot have a debate as to whether mature and profitable industries should continue to get taxpayer subsidies, like the oil industry, instead of being able to divert them to emerging technologies; the fact that these are off the table so that the only outcome will be cuts in spending that affect every single person without any debate, that is the problem. And when Mr. MCCARTHY said that the rules dictate behavior, he left out that the rules dictate outcome as well.

Mr. DREIER. May I inquire of the Chair how much time remains on each side?

The SPEAKER pro tempore. The gentleman from California has 4¼ minutes remaining, and the gentlewoman from New York has 11½ minutes.

Mr. DREIER. I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

(Ms. JACKSON LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON LEE of Texas. Madam Speaker, today was a glorious day, but as we begin to discuss the rules that are now taking place, I raise questions.

I would like to understand, if we are going to go forward in a fiscally responsible way, and I have heard so much about the Tea Party and I welcome certainly the expressions of those who have been elected as Republicans of those views, but we stand in this House, Republican and Democrat and some Independent, to work on issues for the American people.

□ 1610

How do you in fact then eliminate, in some sense, the pay-as-you-go rule, which we have all been committed to, which allows us to pay for what we want to encourage the American people to have. But now we have a rule that says that you cannot raise revenue. So if your soldiers on the battlefield need more resources, you can only get it by cutting spending of some other vulnerable population. What sense does that make?

When we speak of open rules, what sense does it make to have a rule tomorrow that indicates that we're repealing the health care bill under a closed rule, where we'll be saving some $143 billion over 3 years, but that rule would not allow that. This is a rules package that needs fixing, and I hope that we can go back to the drawing board.

Mr. DREIER. Madam Speaker, I yield 2 minutes to the distinguished chair of the Committee on the Budget, the gentleman from Janesville, Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. I thank the gentleman from Los Angeles, California, for yielding.

Madam Speaker, it's a good day because we're bringing some fiscal sanity back to this institution. What governed this place with the rules in the last two Congresses was a ruled called PAYGO. Let me walk you through what PAYGO accomplished. Before we had the Democrats' PAYGO rule, the deficit was $161 billion. Now it's $1.4 trillion. Its report card wasn't so good. After the last two Congresses, PAYGO was gimmicked or waived 32 times, to the net total of $932 billion in extra deficit spending. But when PAYGO was used, when it was invoked, it was more often used to raise taxes.

Madam Speaker, we do not have a revenue problem. We have a spending problem. And that is why this brings CutGo—cut-as-you-go. If you want new spending, you better cut spending somewhere else to pay for it.

This does a couple of other things. It gets rid of a gimmick which was used very artfully in the last Congress to use reconciliation procedures to grow more government and create new spending programs. It also adds a new rule that says we need to look at the fiscal consequences in the future of what we're doing—not just in 5 years, not just in 10 years, but in the out years—because the debt crisis is coming, mark my words.

It also gets rid of the automatic debt increase. We used to call this the Gephardt rule. Congress has to vote a clear up-or-down as to whether or not to vote the debt limit. And what also happened last session for the first time since the 1974 Budget Act passed is that the House didn't even propose, let alone pass, a budget. That is why this gives us an interim authority to actually put a budget in place so that we can have a mechanism to actually police the budget. We have no budget; we have no limits; no restraints; no priorities whatsoever because of the failure of the leadership in the last Congress. And that is why this interim authority occurs: so that we can actually put some numbers in from the CBO to police and actually have budget enforcement until the new budget arrives.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 1 minute to the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. Thank you, Madam Ranking Member.

I come to the floor opposing the rule only because there's a provision in it that indicates that our delegates from all over the globe will not be allowed to exercise any of their voting privileges that they had earlier. And when my friend, Mr. DREIER, the distinguished chairman of this committee, indicated it was all symbolic, I just would hope that if we do get a chance to pull this out of the package and perhaps vote on this in a separate way, that you might see your way clear to understand that these Americans and citizens who volunteer and fight for this great country and support our flag, and in many cases have per capita more of their young people killed in action and wounded in action than those of us on the mainland, that I think it deserves a better classification than to say that it's respecting their friends and it's symbolic.

Mr. DREIER. Will the gentleman yield?

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

Mr. DREIER. I will simply say I was quoting Mr. FALEOMAVAEGA and Mr. HOYER when they used that term.

I thank my friend for yielding.

I reserve the balance of my time, Madam Speaker.

Ms. SLAUGHTER. I am pleased to yield 1 minute to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Let me thank the gentlelady and ranking member for the time.

I rise in opposition to this rule, but in one way I'm thankful for it because it does help to go right to the heart of the matter, right to the thing that divides us most. On the one hand, Republicans want to give tax cuts to the wealthiest Americans and shrink government services. On the other hand, Democrats want to have adequate funds to fund services that are necessary for the American people.

Under this rule, which I ask all Members to oppose, the Republican rule, tax cuts will no longer have to be paid for. They don't have to be budget neutral. So tax cuts passed by the House can increase the deficit. Also, under the Republican rule, increases to mandatory spending must be paid for by reducing spending somewhere else. Therefore, if the House wanted to extend the child tax credit to minimum-wage families, then the Republican new rules would not allow this to be paid for by closing a corporate loophole. Instead, they would have to be paid for by taking away from some other group of people. This is wrong. And it speaks to the heart of what divides us. And I'm glad we're doing this today.

Mr. DREIER. Madam Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Today's rules package reveals only one thing—and that is hypocrisy. Despite all the rhetoric about the deficit, the Republicans' first act in the majority will be to allow a legislative process that goes back to exploding our national debt. The Republicans' new plan will replace a strict pay-as-you-go policy with a much weaker one-sided policy known as cut-as-you-go, under which mandatory spending still needs to be paid for, but tax cuts do not. And this means that Republicans can cut taxes for the rich and increase the deficit while doing it.

But, Madam Speaker, it only gets worse. The Republicans know that the new health care reform bill reduces the deficit by a trillion dollars over the next two decades, and they've put a special exemption in their rule that says as long as we're repealing health care reform, we can increase the deficit.

Republicans will be judged on the promises they make to the American people. And so far they're already failing to live up to the standard that they've set for themselves.

Mr. DREIER. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1 minute to another gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. The question that will be before the ladies and gentlemen of the House on this rules package is: Do you want to honor the commitment to reduce the deficit or abandon it? The rules plan permits an abandonment of the promise to reduce the deficit because it ignores the fiscal consequences of the repeal of the health care bill, which the Congressional Budget Office has said will reduce the deficit by more than a trillion dollars over the next 20 years, and it ignores the fiscal consequences of permanently extending the tax cuts of 2001 and 2003 for the wealthiest Americans.

This is not a question of liberal or conservative, Republicans or Democrat. It's a question of honoring a promise or abandoning it. To those who wish to honor the promise of deficit reduction, the right vote on this rules package is ''no.''

Mr. DREIER. Mr. Speaker, I continue to reserve the balance of my time.

□ 1620

Ms. SLAUGHTER. I am pleased to yield 1 minute to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, on day one of this new Congress, these Republicans take a giant step backwards. They profess such great concern about their ability to cut wasteful spending.

First off, they abandon pay-as-you-go budgeting, returning to the Bush-Cheney approach of endless borrowing. They claim they could cut so much, but they reject a rule that requires them to cut spending as one way to offset revenue losses for each new tax break they approve. Their misleading CutGo just cuts fiscal discipline and says to go borrow from the Chinese. These Republicans are like the fellow who bellies up to the bar and says, Just one more round of tax breaks for my buddies. Put it on my tab.

Except it's our tab.

All Americans will pay for their endless borrowing for endless tax breaks. They are indifferent to our national debt except when it comes to cutting vital initiatives that they wanted to weaken or eliminate in the first place.

We need pay-as-you-go budgeting just like a family that faces a high credit card debt and knows it can't balance its budget by cutting off its income or by simply cutting school lunches or other necessities. Neither can America afford to distort this budget.

Mr. DREIER. I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, deficit reduction requires tough choices, and PAYGO helps us make those tough choices because, if you increase spending, you have to pay for it—either raise the money or cut spending somewhere else. If you cut taxes, you have to raise somebody else's taxes or cut some programs. You have to pay for it.

In 1993, under PAYGO and a tough Democratic budget, we eliminated the deficit and were on our way to paying off the national debt. We created millions of jobs. Unfortunately, 50 Democrats lost their seats in a budget that the Democrats voted for but that not a single Republican voted for. These are tough choices. Unfortunately, this package fails to make those tough choices because it exempts trillions of dollars from PAYGO.

Mr. Speaker, you are simply not having a serious discussion about deficit reduction when the discussion begins with massive tax cuts which will add trillions of dollars to the national debt without beginning to pay for them at all. We need to get serious about deficit reduction, and this package does not do it.

Mr. DREIER. I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from Pennsylvania (Ms. SCHWARTZ).

Ms. SCHWARTZ. As I listen to this debate, I want to say that I and many of my colleagues agree that we must take the deficit seriously; but to do so, we have to not only examine spending cuts. We have to look at tax expenditures.

This new rule that is being presented is literally less than 3 hours old. Since the Republicans have taken control, they have said simply—and so most Americans understand this—that they will look at spending cuts as really being cost-savers for the government, but tax expenditures—tax cuts—maybe for the wealthiest Americans, maybe for certain companies—maybe some good, maybe some we would even agree with—will not be counted as part of a cost to government, as a reduction in the amount of revenue that we get into the government. They will simply ignore it, and the expenditures will just get added to the deficit.

Just last week—and for weeks and weeks before that—they said deficit reduction was at the top of their agenda. It took them 3 hours to make that an untrue statement. They have simply already set up a situation where they can add trillions and trillions of dollars to the national deficit, and we can do nothing about it.

Mr. DREIER. I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2½ minutes to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Mr. Speaker, the American people did not bargain for a plan in the first 24 hours of the new Congress that would blow a hole in the deficit and expand the debt.

The chairman of the Rules Committee mentioned the recent bipartisan tax agreement. We also recently had a bipartisan commission on the deficit and debt reduction. It looked at both sides of the equation—spending and the fact that we have created lots of tax loopholes that have lost revenue to special interests. What this plan does, what the rule does, is say that that doesn't matter, that it doesn't count against the deficit.

In fact, the existing rules under the House say that you cannot use the budget reconciliation process to add to the deficit. Your rule specifically eliminates that restriction. Your rule says go ahead and use the budget reconciliation process to add to the deficit and debt. You strike it. You give a green light. This rule also contains, on page 28, a little noticed provision that opens the door to politically motivated, Enron-style accounting as a means to do an end run around the pay-as-you-go law signed by President Obama.

The current practice of this Congress has been that we will use the budget estimates of the nonpartisan Congressional Budget Office to determine the deficit impact on the laws that we pass here in this body for the purpose of pay-as-you-go. That is because, while we should have a vigorous debate over policy, we don't want politicians inventing self-serving budget numbers.

Now, the Congressional Budget Office serves as our umpire. They call the balls and the strikes, as you know. Sometimes we don't like the calls they make. Sometimes we do. Yet what this rule says is we are going to take the umpire off the field when it comes to statutory PAYGO. We are going to substitute our accounting for the folks

whose professional job it is to determine the deficit impact of different legislation that we pass.

I think when the American people find out that this opens the door to this kind of fun and games, they are going to ask themselves: Is this something I really bargained for?

Mr. DREIER. Mr. Speaker, will the gentleman yield on that point?

Mr. VAN HOLLEN. I yield to the gentleman from California.

Mr. DREIER. I thank my friend for yielding.

Let me just say to the commission that I think it is very important to note that they argued that there should be a reduction to 26 percent as the top corporate rate and 23 percent as the top tax rate.

I thank my friend for yielding.

Mr. VAN HOLLEN. Reclaiming my time, I think my friend knows they did that as part of a whole tax reform package that closed the tax loopholes that your proposal would open.

Ms. SLAUGHTER. I yield myself the balance of my time.

Mr. Speaker, I ask Members on both sides of the aisle to vote ''no'' on the previous question so that we can take serious action described by Mr. VAN HOLLEN to decrease the deficit rather than to simply make it easier to give tax breaks to billionaires.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. CAMP). Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I urge a ''no'' vote on the previous question and on the rule, and I yield back the balance of my time.

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

Mr. Speaker, everyone is very enthused about today. It is a great day. We have 96 new Members of this institution—87 Republicans and nine Democrats—nearly 100 new Members. They are here having carried a very strong and powerful message from the American people, which is we have got to create jobs, get our economy growing, reduce the size and scope and reach of government, and do it in a more transparent, open and accountable way.

Mr. Speaker, that is exactly what we are doing. That is exactly what we are doing with this rules package.

Now, there seems to be a little disagreement on the notion of dealing with spending and taxes. The fact of the matter is we all know—several of us have said it through the debate—that we don't have a revenue problem. We have a spending problem. What we need to do is to focus on reducing spending, and we are absolutely committed with a laser-like approach to doing that. It is going to be tough. It is going to be painful. I hope that, as we reached out and had bipartisan input on this rules package for the first time ever, that we will be able to do the exact same thing, Mr. Speaker, when we deal with the question of getting our economy growing and the other challenges that lie ahead of us.

□ 1630

We never before have had the opportunity that we are going to have in just a few minutes. The Rules Committee is going to meet after we are seated, and when I came to the Rules Committee two decades ago, I was told by the dean of the Washington press core, David Broder, that the Rules Committee hearing room was small by design. Why? To keep us out, Mr. Broder said to me.

Well, Mr. Speaker, for the first time in this quest for transparency, we are going to have online streaming of our Rules Committee meeting that will take place after we are seated here.

GENERAL LEAVE

Mr. DREIER. Mr. Speaker, I ask unanimous consent that all of our Members have 5 legislative days in which to revise and extend their remarks on this measure.

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

There was no objection.

Mr. RAHALL. Mr. Speaker, I rise in strong opposition to H. Res. 5, the new Republican Majority's proposed rules for the House of Representatives.

The Republican Rules package eliminates the current Rule's direct tie between revenues to the Highway Trust Fund—paid by users through gas taxes at the pump—and the level of investment for surface transportation programs. This rules change will have a devastating effect on transportation and infrastructure investment.

Currently, House Rules provide that appropriators must fund highway and transit programs at levels set forth in surface transportation authorizations. This provision was championed by a Republican, our former colleague Bud Shuster, and was put into place to prevent funds building up in the Highway Trust Fund to be used to mask the true size of the federal deficit.

As their very first act in the Majority, I find it incredible that Republicans would want to pursue a job-killing proposal like this. One that not only threatens jobs but which could lead to dramatic reductions in spending for very necessary and worthy highway projects throughout the Nation.

Americans understand, and support, paying motor fuel taxes at the pump so long as they are guaranteed that those funds will be spent on transportation. The Republican Rules package smudges that guarantee and will have a potentially devastating effect on the level of Federal investment in vital highway and transit programs.

After more than a decade of effort by the Committee on Transportation and Infrastructure, the House adopted the current rule in 1998. The principle was simple: gas taxes collected to improve highway and public transit systems must be used for that purpose. The Rule restored ''trust'' to the Trust Fund, and it has served the House well for the past 12 years.

Today, the new Republican Majority breaks that trust. We will soon return to the days where gas taxes are collected and used not to invest in infrastructure, but to hide the size of the deficit.

The new Republican Majority also institutes a new ''Cut-Go'' rule to cut spending. However, in the process, the Republicans have obliterated the basic premise of the Highway and Airport and Airway Trust Funds. Under the new Republican rule, the Committee on Transportation and Infrastructure cannot bring a bill to the Floor that increases highway, public transit, or airport infrastructure investment (contract authority) financed by revenues from the appropriate trust fund, unless the bill makes cuts to other mandatory programs. It does not matter if the Trust Fund has the resources to finance the investment; the Committee still has to provide offsetting cuts. The basic premise of the transportation trust funds—user fees are collected to finance infrastructure improvements—is obliterated.

Regrettably, because these issues are steeped in arcane budget rules, I fear that Members are voting on this package without understanding its consequences. I regret that the Republican Leadership, which has talked so much about transparency and openness, begins this Congress, on its first day, with the ways of old: no hearings, no public debate, and no discussion with any Member on this side of the aisle on the effects of the proposed rule on transportation investment.

You do not have to take my word for it, listen to the transportation community: State Departments of Transportation, public transit agencies, highway contractors, equipment manufacturers, the trucking industry, moving companies, the U.S. Chamber of Commerce, highway users, and construction workers all vigorously oppose the rules.

And you can listen to what Wall Street thinks of the effect on Republican Rules package on highway construction companies: although the Dow Jones Industrial Average went up yesterday, highway contractors and material suppliers took a significant hit throughout the day: Martin Marrietta, down 6.5 percent; Vulcan Materials, down 5.2 percent; Granite Construction, down 4.4 percent; CRH Oldcastle, down 4.4 percent.

As one Wall Street analyst who downgraded two of these firms stated in a written investment report specifically citing the Republican's Rules package:

''. . . [T]his is not an encouraging signal from the new [Republican] congressional leadership in terms of its commitment to infrastructure spending. . . .''; and

''. . . a move to allow revenues previously set aside for road spending to be spent elsewhere would not only act to reduce total [highway] spending levels but also limit visibility amid an already constrained outlook by the lack of a multi-year highway bill.''

Mr. Speaker, it is a sad day for transportation. The Republican Rules package creates uncertainty in an industry that cannot afford it. The Republican Rules package will hurt highway, transit, and airport construction companies and kill jobs.

I urge my colleagues to join me and defeat H. Res. 5. Let us go back to the drawing table and work together to help the American people.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to express my concern about the failure of the Republican Majority's Rules

package to fix jurisdiction over homeland security.

In July 2004, the 9/11 Commission Report recommended that there be not more than one authorizing Committee in the House for the Department of Homeland Security.

They argued that consolidated jurisdiction would provide the newly-established Department of Homeland Security with the same kind of strong Congressional partner that the Department of Defense has in the Committee on Armed Services.

Upon establishment of the Committee on Homeland Security in 2005, Republican Leadership rebuffed this critical recommendation when it failed to designate the Committee on Homeland Security as the "principal point of oversight and review for homeland security."

I can tell you—from first-hand experience—that fractured jurisdiction results in absurd outcomes—with referrals of homeland security bills often bypassing the Committee on Homeland Security altogether.

More than a few of you would probably be surprised to hear that the following three bills were not referred to the Committee on Homeland Security: a bill authorizing the protection of federal buildings from terrorist attacks and other threats—a Department of Homeland Security responsibility; a bill providing resources for DHS to prepare for and respond to acts of terrorism; and a bill to require airports to mitigate against the threat of a terrorist attack.

The absurd and damaging effect of fractured jurisdiction has not gone unnoticed over the past six years.

Every Secretary of Homeland Security—from Tom Ridge to Michael Chertoff to Janet Napolitano—has expressed concerns about fractured jurisdiction over the Department of Homeland Security.

Indeed, in April 2010, Secretary Napolitano wrote that fractured jurisdiction has negatively impacted the Department's ability to fulfill its mission.

Then, in May 2010, 9/11 Commission Chair Tom Kean testified that fractured jurisdiction over the Department of Homeland Security risks making the country less safe.

The 111th Congress, under the leadership of Speaker PELOSI, approved a Rules package that included new language to underscore that the Committee on Homeland Security is the lead congressional committee for homeland security matters within the House.

While this change represented progress, there was still a pressing need for legislative jurisdiction over homeland security to be consolidated.

The Rules package under consideration today does nothing to end fractured jurisdiction over homeland security.

Inexplicably, the package only changes the jurisdictional statement for the Committee on Armed Services—a committee that already has sweeping jurisdiction over the Defense Department.

I am disappointed to see that the newly-minted House Leadership, despite assurances from the incoming Chairman of the Committee on Homeland Security that Republican Leadership would do so, refuses to tackle what the 9/11 Commission said of all its recommendations was "the most difficult and important."

For this reason, I cannot support House Resolution Five (H. Res. 5) and urge my colleagues to join me in opposing this measure that knowingly turns a blind eye to a glaring deficiency in the House Rules that three Secretaries of Homeland Security, the 9/11 Commission and scores of homeland security experts have identified.

The material previously referred to by Ms. SLAUGHTER is as follows:

AMENDMENT TO H. RES. 5

Page 28, after line 10, insert the following:

(3) A measure may only qualify for an exemption under this subsection if it does not increase the deficit over the period of fiscal years 2011 through 2021 beyond the exemptions permitted in the Statutory Pay-As-You-Go Act of 2010.

Mr. DREIER. It is with a great deal of zeal, enthusiasm, and gratitude that I move the previous question and yield back the balance of my time.

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

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 236, nays 188, not voting 7, as follows:

[Roll No. 4]

YEAS—236

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

NAYS—188

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

NOT VOTING—7

Barletta
Johnson (GA)
Reed
Rogers (AL)
Serrano
Speier
Wilson (FL)

□ 1657

Messrs. GEORGE MILLER of California, HOLT, CUELLAR, KILDEE, Ms.

LEE of California, Messrs. GUTIERREZ, CARSON of Indiana, and CONYERS changed their vote from ''yea'' to ''nay.''

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

MOTION TO COMMIT

Mr. CROWLEY. Madam Speaker, I have a motion to commit at the desk.

The SPEAKER pro tempore (Mrs. BIGGERT). The Clerk will report the motion.

The Clerk read as follows:

Mr. Crowley moves that the resolution (H. Res. 5) be committed to a select committee composed of the Majority Leader and the Minority Leader with instructions to report it forthwith back to the House with the following amendment:

At the end of rule XXVI, add the following new clause:

''4.(a) Not later than 15 days after taking the oath of office, a Member, Delegate, or Resident Commissioner shall notify the Clerk of whether that Member, Delegate, or Resident Commissioner elects to participate in the Federal Employees Health Benefits Program.

''(b) The notifications made pursuant to paragraph (a) shall be made under the same terms as the financial disclosure statement required under this rule.''.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to commit.

There was no objection.

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

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 191, nays 238, not voting 2, as follows:

[Roll No. 5]

YEAS—191

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

NAYS—238

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

NOT VOTING—2

Ellison
Walsh (IL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). One minute remains in this vote.

□ 1717

So the motion was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. ELLISON. Madam Speaker, on January 5, 2011, I inadvertently missed rollcall No. 5. Had I been present I would have voted ''yes.''

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

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

Mr. GEORGE MILLER of California. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 238, nays 191, not voting 2, as follows:

[Roll No. 6]

YEAS—238

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

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

NAYS—191

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

NOT VOTING—2

Crawford
Hanabusa

□ 1734

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. Without objection, a stray numeral ''3'' is stricken on page 26, line 10.

There was no objection.

A motion to reconsider was laid on the table.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. HENSARLING. Madam Speaker, by direction of the Republican Conference, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 6

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON AGRICULTURE.—Mr. Lucas, Chairman.

(2) COMMITTEE ON APPROPRIATIONS.—Mr. Rogers of Kentucky, Chairman; Mr. Young of Florida; Mr. Lewis of California; Mr. Wolf; Mr. Kingston; Mr. Frelinghuysen; Mr. Latham; Mr. Aderholt; Mrs. Emerson; Ms. Granger; Mr. Simpson; Mr. Culberson; Mr. Crenshaw; Mr. Rehberg; Mr. Carter; Mr. Alexander; Mr. Calvert; Mr. Bonner; Mr. LaTourette; Mr. Cole; Mr. Flake; Mr. Diaz-Balart; Mr. Dent; Mr. Austria; Mrs. Lummis; Mr. Graves of Georgia; Mr. Yoder; Mr. Womack; and Mr. Nunnelee.

(3) COMMITTEE ON ARMED SERVICES.—Mr. McKeon, Chairman.

(4) COMMITTEE ON THE BUDGET.—Mr. Ryan of Wisconsin, Chairman.

(5) COMMITTEE ON EDUCATION AND THE WORKFORCE.—Mr. Kline, Chairman.

(6) COMMITTEE ON ENERGY AND COMMERCE.—Mr. Upton, Chairman.

(7) COMMITTEE ON ETHICS.—Mr. Bonner, Chairman; Mr. McCaul; Mr. Conaway; Mr. Dent; and Mr. Harper.

(8) COMMITTEE ON FINANCIAL SERVICES.—Mr. Bachus, Chairman.

(9) COMMITTEE ON FOREIGN AFFAIRS.—Ms. Ros-Lehtinen, Chairman.

(10) COMMITTEE ON HOMELAND SECURITY.—Mr. King of New York, Chairman.

(11) COMMITTEE ON HOUSE ADMINISTRATION.—Mr. Daniel E. Lungren of California, Chairman; Mr. Harper; Mr. Gingrey of Georgia; Mr. Schock; Mr. Rokita; and Mr. Nugent.

(12) COMMITTEE ON THE JUDICIARY.—Mr. Smith of Texas, Chairman.

(13) COMMITTEE ON NATURAL RESOURCES.—Mr. Hastings of Washington, Chairman.

(14) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Mr. Issa, Chairman.

(15) COMMITTEE ON RULES.—Mr. Dreier, Chairman; Mr. Sessions; Ms. Foxx; Mr. Woodall; Mr. Nugent; Mr. Scott of South Carolina; and Mr. Webster.

(16) COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY.—Mr. Hall, Chairman.

(17) COMMITTEE ON SMALL BUSINESS.—Mr. Graves of Missouri, Chairman.

(18) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—Mr. Mica, Chairman.

(19) COMMITTEE ON VETERANS' AFFAIRS.—Mr. Miller of Florida, Chairman.

(20) COMMITTEE ON WAYS AND MEANS.—Mr. Camp, Chairman; Mr. Herger; Mr. Sam Johnson of Texas; Mr. Brady of Texas; Mr. Ryan of Wisconsin; Mr. Nunes; Mr. Tiberi; Mr. Davis of Kentucky; Mr. Reichert; Mr. Boustany; Mr. Heller; Mr. Roskam; Mr. Gerlach; Mr. Price of Georgia; Mr. Buchanan; Mr. Smith of Nebraska; Mr. Schock; Mr. Lee of New York; Ms. Jenkins; Mr. Paulsen; Mr. Berg; and Mrs. Black.

Mr. HENSARLING (during the reading). Madam Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to the following resolution:

S. RES. 2

In the Senate of the United States, January 5, 2011.

Resolved, That the Secretary inform the House of Representative that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

The message also announced that the Senate has agreed to a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 1. Concurrent resolution providing for a conditional recess or adjournment of the Senate and an adjournment of the House of Representatives.

The message also announced that pursuant to Public Law 95–521, the Chair, on behalf of the President pro tempore, appoints Morgan J. Frankel as Senate Legal Counsel for a term of service to expire at the end of the 113th Congress.

The message also announced that pursuant to Public Law 91–521, the Chair, on behalf of the President pro tempore, appoints Patricia Mack Bryan as Deputy Senate Legal Counsel for a term of service to expire at the end of the 113th Congress.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

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

The Clerk read the resolution, as follows:

H. RES. 7

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON AGRICULTURE.—Mr. Peterson of Minnesota.

(2) COMMITTEE ON APPROPRIATIONS.—Mr. Dicks.

(3) COMMITTEE ON ARMED SERVICES.—Mr. Smith of Washington.

(4) COMMITTEE ON THE BUDGET.—Mr. Van Hollen.

(5) COMMITTEE ON EDUCATION AND THE WORKFORCE.—Mr. George Miller of California.

(6) COMMITTEE ON ENERGY AND COMMERCE.—Mr. Waxman.

(7) COMMITTEE ON FINANCIAL SERVICES.—Mr. Frank of Massachusetts.

(8) COMMITTEE ON FOREIGN AFFAIRS.—Mr. Berman.

(9) COMMITTEE ON HOMELAND SECURITY.—Mr. Thompson of Mississippi.

(10) COMMITTEE ON HOUSE ADMINISTRATION.—Mr. Brady of Pennsylvania.

(11) COMMITTEE ON THE JUDICIARY.—Mr. Conyers.

(12) COMMITTEE ON NATURAL RESOURCES.—Mr. Markey.

(13) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Mr. Cummings.

(14) COMMITTEE ON RULES.—Ms. Slaughter, Mr. McGovern, Mr. Hastings of Florida, and Mr. Polis.

(15) COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY.—Ms. Eddie Bernice Johnson of Texas.

(16) COMMITTEE ON SMALL BUSINESS.—Ms. Velázquez.

(17) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—Mr. Rahall.

(18) COMMITTEE ON VETERANS' AFFAIRS.—Mr. Filner.

(19) COMMITTEE ON WAYS AND MEANS.—Mr. Levin.

Mr. CAPUANO (during the reading). Madam Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR THE DESIGNATION OF CERTAIN MINORITY EMPLOYEES

Mr. CAPUANO. Madam Speaker, I offer a resolution and ask unanimous consent for its immediate consideration.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 8

Resolved, That pursuant to the Legislative Pay Act of 1929, as amended, the six minority employees authorized therein shall be the following named persons, effective January 3, 2011, until otherwise ordered by the House, to-wit: John Lawrence, George Kundanis, Richard Meltzer, Wyndee Parker, Wendell Primus, and Nadeam Elshami, each to receive gross compensation pursuant to the provisions of House Resolution 119, Ninety-fifth Congress, as enacted into permanent law by section 115 of Public Law 95–94. In addition, the Minority Leader may appoint and set the annual rate of pay for up to 3 further minority employees.

The resolution was agreed to.

A motion to reconsider was laid on the table.

DAILY HOUR OF MEETING

Mr. DREIER. Madam Speaker, let me first say it is great to see you presiding over this great deliberative body.

I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 10

Resolved, That unless otherwise ordered, before Tuesday, February 1, 2011, the hour of daily meeting of the House shall be 2 p.m. on Mondays; noon on Tuesdays; 10 a.m. on Wednesdays and Thursdays; and 9 a.m. on all other days of the week; and from Tuesday, February 1, 2011, until the end of the first session, the hour of daily meeting of the House shall be 2 p.m. on Mondays; noon on Tuesdays (or 2 p.m. if no legislative business was conducted on the preceding Monday); noon on Wednesdays and Thursdays; and 9 a.m. on all other days of the week.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REGARDING CONSENT TO ASSEMBLE OUTSIDE THE SEAT OF GOVERNMENT

Mr. DREIER. Madam Speaker, I offer a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 1

Resolved by the House of Representatives (the Senate concurring), That pursuant to clause 4, section 5, article I of the Constitution, during the One Hundred Twelfth Congress the Speaker of the House and the Majority Leader of the Senate or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, may notify the Members of the House and the Senate, respectively, to assemble at a place outside the District of Columbia if, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING SPEAKER, MAJORITY LEADER, AND MINORITY LEADER TO ACCEPT RESIGNATIONS AND MAKE APPOINTMENTS DURING THE 112TH CONGRESS

Mr. CANTOR. Madam Speaker, I ask unanimous consent that during the 112th Congress, the Speaker, majority leader and minority leader be authorized to accept resignations and to make appointments authorized by law or by the House.

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

There was no objection.

GRANTING MEMBERS OF THE HOUSE PRIVILEGE TO EXTEND REMARKS AND INCLUDE EXTRANEOUS MATERIAL IN THE CONGRESSIONAL RECORD DURING THE 112TH CONGRESS

Mr. CANTOR. Madam Speaker, I ask unanimous consent that during the 112th Congress, all Members be permitted to extend their remarks and to include extraneous material within the permitted limit in that section of the RECORD entitled ''Extensions of Remarks.''

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

There was no objection.

□ 1740

MAKING IN ORDER MORNING-HOUR DEBATE

Mr. CANTOR. Madam Speaker, I ask unanimous consent that during the first session of the 112th Congress:

(1) on legislative days of Monday or Tuesday when the House convenes pursuant to House Resolution 10, the House shall convene 2 hours earlier than the time otherwise established by the resolution for the purpose of conducting morning-hour debate;

(2) on legislative days of Wednesday or Thursday beginning on February 1, 2011, when the House convenes pursuant to House Resolution 10, the House shall convene 2 hours earlier than the time otherwise established by the resolution for the purpose of conducting morning-hour debate;

(3) when the House convenes pursuant to an order other than H. Res. 10, the House shall convene for the purpose of conducting morning-hour debate only as prescribed by such order;

(4) the time for morning-hour debate shall be allocated equally between the parties and may not continue beyond 10 minutes before the hour appointed for the resumption of the session of the House; and

(5) the form of proceeding for morning-hour debate shall be as follows:

(a) the prayer by the Chaplain, the approval of the Journal, and the Pledge of Allegiance to the flag shall be postponed until resumption of the session of the House;

(b) initial and subsequent recognitions for debate shall alternate between the parties;

(c) recognition shall be conferred by the Speaker only pursuant to lists submitted by the majority leader and by the minority leader;

(d) no Member may address the House for longer than 5 minutes, except the majority leader, the minority leader, or the minority whip;

(e) no legislative business shall be in order except the filing of privileged reports; and

(f) following morning-hour debate, the Chair shall declare a recess pursuant to clause 12(a) of rule I until the time appointed for the resumption of the session of the House.

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

There was no objection.

REPORT OF COMMITTEE TO NOTIFY THE PRESIDENT

Mr. CANTOR. Madam Speaker, your committee appointed on the part of the House to join a like committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled and is ready to receive any communication that he may be pleased to make has performed that duty.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that the whole number of the House is 434.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair customarily takes this occasion at the outset of a Congress to announce her policies with respect to particular aspects of the legislative process. The Chair will insert in the RECORD announcements concerning:

first, privileges of the floor;

second, introduction of bills and resolutions;

third, unanimous-consent requests for the consideration of legislation;

fourth, recognition for 1-minute speeches;

fifth, recognition for Special Order speeches;

sixth, decorum in debate;

seventh, conduct of votes by electronic device;

eighth, use of handouts on the House floor;

ninth, use of electronic equipment on the House floor; and

tenth, use of the Chamber.

These announcements, where appropriate, will reiterate the origins of the stated policies. The Chair intends to continue in the 112th Congress the policies reflected in these statements. The policy announced in the 102nd Congress with respect to jurisdictional concepts related to clause 5(a) of rule XXI—tax and tariff measures—will continue to govern but need not be reiterated, as it is adequately documented as precedent in the House Rules and Manual.

Without objection, the announcements will be printed in the RECORD.

There was no objection.

1. PRIVILEGES OF THE FLOOR

The Chair will make the following announcements regarding floor privileges, which will apply during the 112th Congress.

ANNOUNCEMENT BY THE SPEAKER WITH RESPECT TO STAFF

Rule IV strictly limits those persons to whom the privileges of the floor during sessions of the House are extended, and that rule prohibits the Chair from entertaining requests for suspension or waiver of that rule. As reiterated by the Chair on January 21, 1986, January 3, 1985, January 25, 1983, and August 22, 1974, and as stated in Chapter 10, section 2, of House Practice, the rule strictly limits the number of committee staff on the floor at one time during the consideration of measures reported from their committees. This permission does not extend to Members' personal staff except when a Member's amendment is actually pending during the five-minute rule. It also does not extend to personal staff of Members who are sponsors of pending bills or who are engaging in special orders. The Chair requests the cooperation of all Members and committee staff to assure that only the proper number of staff are on the floor, and then only during the consideration of measures within the jurisdiction of their committees. The Chair is making this statement and reiterating this policy because of Members' past insistence upon strict enforcement of the rule. The Chair requests each committee chair, and each ranking minority member, to submit to the Speaker a list of those staff who are allowed on the floor during the consideration of a measure reported by their committee. The Sergeant-at-Arms, who has been directed to assure proper enforcement of rule IV, will keep the list. Each staff person should exchange his or her ID for a ''committee staff'' badge, which is to be worn while on the floor. The Chair has consulted with the Minority Leader and will continue to consult with him.

Furthermore, as the Chair announced on January 7, 2003, in accordance with the change in the 108th Congress of clause 2(a) of rule IV regarding leadership staff floor access, only designated staff approved by the Speaker shall be granted the privilege of the floor. The Speaker intends that his approval be narrowly granted on a bipartisan basis to staff from the majority and minority side and only to those staff essential to floor activities.

ANNOUNCEMENT BY THE SPEAKER WITH RESPECT TO FORMER MEMBERS

The Speaker's policy announced on February 1, 2006, will continue to apply in the 112th Congress.

ANNOUNCEMENT BY THE SPEAKER, FEBRUARY 1, 2006

The SPEAKER. The House has adopted a revision to the rule regarding the admission to the floor and the rooms leading thereto. Clause 4 of rule IV provides that a former Member, Delegate or Resident Commissioner or a former Parliamentarian of the House, or a former elected officer of the House or a former minority employee nominated as an elected officer of the House shall not be entitled to the privilege of admission to the Hall of the House and the rooms extending thereto if he or she is a registered lobbyist or an agent of a foreign principal; has any direct personal pecuniary interest in any legislative measure pending before the House, or reported by a committee; or is in the employ of or represents any party or organization for the purpose of influencing, directly or indirectly, the passage, defeat, or amendment of any legislative proposal.

This restriction extends not only to the House floor but adjacent rooms, the cloakrooms and the Speaker's lobby.

Clause 4 of rule IV also allows the Speaker to exempt ceremonial and educational functions from the restrictions of this clause. These restrictions shall not apply to attendance at joint meetings or joint sessions, Former Members' Day proceedings, educational tours, and other occasions as the Speaker may designate.

Members who have reason to know that a person is on the floor inconsistent with clause 4 of rule IV should notify the Sergeant-at-Arms promptly.

2. INTRODUCTION OF BILLS AND RESOLUTIONS

The policy that the Chair announced on January 3, 1983, with respect to the introduction and reference of bills and resolutions will continue to apply in the 112th Congress. The Chair has advised all officers and employees of the House who are involved in the processing of bills that every bill, resolution, memorial, petition or other material that is placed in the hopper must bear the signature of a Member. Where a bill or resolution is jointly sponsored, the signature must be that of the Member first named thereon. The bill clerk is instructed to return to the Member any bill which appears in the hopper without an original signature. This procedure was inaugurated in the 92d Congress. It has worked well, and the Chair thinks that it is essential to continue this practice to insure the integrity of the process by which legislation is introduced in the House.

3. UNANIMOUS-CONSENT REQUESTS FOR THE CONSIDERATION OF LEGISLATION

The policy the Chair announced on January 6, 1999, with respect to recognition for unanimous-consent requests for the consideration of certain legislative measures will continue to apply in the 112th Congress. The Speaker will continue to follow the guidelines recorded in section 956 of the House Rules and Manual conferring recognition for unanimous-consent requests for the consideration of bills, resolutions, and other measures only when assured that the majority and minority floor leadership and the relevant committee chairs and ranking minority members have no objection. Consistent with those guidelines, and with the Chair's inherent power of recognition under clause 2 of rule XVII, the Chair, and any occupant of the chair appointed as Speaker pro tempore pursuant to clause 8 of rule I, will decline recognition for the unanimous-consent requests chronicled in section 956 without assurances that the request has been so cleared. This denial of recognition by the Chair will not reflect necessarily any personal opposition on the part of the Chair to orderly consideration of the matter in question, but will reflect the determination upon the part of the Chair that orderly procedures will be followed; that is, procedures involving consultation and agreement between floor and committee leadership on both sides of the aisle.

4. RECOGNITION FOR ONE-MINUTE SPEECHES

ANNOUNCEMENT BY THE SPEAKER WITH RESPECT TO ONE-MINUTE SPEECHES

The Speaker's policy announced on August 8, 1984, with respect to recognition for one-minute speeches will apply during the 112th Congress. The Chair will alternate recognition for one-minute speeches between majority and minority Members, in the order in which they seek recognition in the well under present practice from the Chair's right to the Chair's left, with possible exceptions for Members of the leadership and Members having business requests. The Chair, of course, reserves the right to limit one-minute speeches to a certain period of time or to a special place in the program on any given day, with notice to the leadership.

5. RECOGNITION FOR SPECIAL-ORDER SPEECHES

ANNOUNCEMENT BY THE SPEAKER WITH RESPECT TO SPECIAL-ORDER SPEECHES

The Speaker's policy with regard to special-order speeches announced on February

11, 1994, as clarified and reiterated by subsequent Speakers, will continue to apply in the 112th Congress, with the following modifications.

The Chair may recognize Members for special-order speeches for up to 4 hours. Such speeches may not extend beyond the 4-hour limit without the permission of the Chair, which may be granted only with advance consultation between the leaderships and notification to the House. However, the Chair will not recognize for any special-order speeches beyond 10 o'clock in the evening.

The 4-hour limitation will be divided between the majority and minority parties. Each party is entitled to reserve its first hour for respective leaderships or their designees. The second hour reserved to each party will be divided into two 30-minute periods. Recognition for one-hour periods and for 30-minute periods will alternate initially and subsequently between the parties each day.

The allocation of time within each party's 2-hour period (or shorter period if prorated to end by 10 p.m.) will be determined by a list submitted to the Chair by the respective leaderships. Members may not sign up with their leadership for any special-order speeches earlier than one week prior to the special order. Additional guidelines may be established for such sign-ups by the respective leaderships.

Before February 1, 2011, the Chair may recognize Members for 5-minute special-order speeches following the conclusion of legislative business, alternating initially and subsequently between the parties regardless of the date the order was granted by the House. The Chair may then recognize Members for longer special-order speeches. A Member recognized for a 5-minute special-order speech may not be recognized for a longer special-order speech.

Pursuant to clause 2(a) of rule V, the television cameras will not pan the Chamber, but a ''crawl'' indicating the conduct of morning-hour debate or that the House has completed its legislative business and is proceeding with special-order speeches will appear on the screen. The Chair may announce other adaptations during this period.

The continuation of this format for recognition by the Speaker is without prejudice to the Speaker's ultimate power of recognition under clause 2 of rule XVII and includes the ability to withdraw recognition for longer special-order speeches should circumstances warrant.

6. DECORUM IN DEBATE

The Chair's announced policies of January 7, 2003, January 4, 1995, and January 3, 1991, will apply in the 112th Congress. It is essential that the dignity of the proceedings of the House be preserved, not only to assure that the House conducts its business in an orderly fashion but also to permit Members to properly comprehend and participate in the business of the House. To this end, and in order to permit the Chair to understand and to correctly put the question on the numerous requests that are made by Members, the Chair requests that Members and others who have the privileges of the floor desist from audible conversation in the Chamber while the business of the House is being conducted. The Chair would encourage all Members to review rule XVII to gain a better understanding of the proper rules of decorum expected of them, and especially: to avoid ''personalities'' in debate with respect to references to other Members, the Senate, and the President; to address the Chair while standing and only during, and not beyond, the time recognized, and not to address the television or other imagined audience; to refrain from passing between the Chair and a Member speaking, or directly in front of a Member speaking from the well; to refrain from smoking in the Chamber; to wear appropriate business attire in the Chamber; and to generally display the same degree of respect to the Chair and other Members that every Member is due.

The Chair would like all Members to be on notice that the Chair intends to strictly enforce time limitations on debate. Furthermore, the Chair has the authority to immediately interrupt Members in debate who transgress rule XVII by failing to avoid ''personalities'' in debate with respect to references to the Senate, the President, and other Members, rather than wait for Members to complete their remarks.

Finally, it is not in order to speak disrespectfully of the Speaker; and under the precedents the sanctions for such violations transcend the ordinary requirements for timeliness of challenges. This separate treatment is recorded in volume 2 of Hinds' Precedents, at section 1248 and was reiterated on January 19, 1995.

7. CONDUCT OF VOTES BY ELECTRONIC DEVICE

The Speaker's policy announced on January 4, 1995, with respect to the conduct of electronic votes will continue in the 112th Congress with modifications as follows.

As Members are aware, clause 2(a) of rule XX provides that Members shall have not less than 15 minutes in which to answer an ordinary record vote or quorum call. The rule obviously establishes 15 minutes as a minimum. Still, with the cooperation of the Members, a vote can easily be completed in that time. The events of October 30, 1991, stand out as proof of this point. On that occasion, the House was considering a bill in the Committee of the Whole under a special rule that placed an overall time limit on the amendment process, including the time consumed by record votes. The Chair announced, and then strictly enforced, a policy of closing electronic votes as soon as possible after the guaranteed period of 15 minutes. Members appreciated and cooperated with the Chair's enforcement of the policy on that occasion.

The Chair desires that the example of October 30, 1991, be made the regular practice of the House. To that end, the Chair enlists the assistance of all Members in avoiding the unnecessary loss of time in conducting the business of the House. The Chair encourages all Members to depart for the Chamber promptly upon the appropriate bell and light signal. As in recent Congresses, the cloakrooms should not forward to the Chair requests to hold a vote by electronic device, but should simply apprise inquiring Members of the time remaining on the voting clock. Members should not rely on signals relayed from outside the Chamber to assume that votes will be held open until they arrive in the Chamber. Members will be given a reasonable amount of time in which to accurately record their votes. No occupant of the Chair would prevent a Member who is in the well before the announcement of the result from casting his or her vote. The Speaker believes the best practice for presiding officers is to await the Clerk's certification that a vote tally is complete and accurate.

8. USE OF HANDOUTS ON HOUSE FLOOR

The Speaker's policy announced on September 27, 1995, which was prompted by a misuse of handouts on the House floor and made at the bipartisan request of the Committee on Standards of Official Conduct, will continue in the 112th Congress. All handouts distributed on or adjacent to the House floor by Members during House proceedings must bear the name of the Member authorizing their distribution. In addition, the content of those materials must comport with standards of propriety applicable to words spoken in debate or inserted in the Record. Failure to comply with this admonition may constitute a breach of decorum and may give rise to a question of privilege.

The Chair would also remind Members that, pursuant to clause 5 of rule IV, staff is prohibited from engaging in efforts in the Hall of the House or rooms leading thereto to influence Members with regard to the legislation being amended. Staff cannot distribute handouts.

In order to enhance the quality of debate in the House, the Chair would ask Members to minimize the use of handouts.

9. USE OF ELECTRONIC EQUIPMENT ON HOUSE FLOOR

The Speaker's policy announced on January 27, 2000, as clarified on January 6, 2009, and as modified by the change in clause 5 of rule XVII in the 112th Congress, will continue in the 112th Congress, with the following modifications. All Members and staff are reminded of the absolute prohibition contained in clause 5 of rule XVII against the use of mobile electronic devices that impair decorum. Those devices include wireless telephones and personal computers. The Chair wishes to note that electronic tablet devices do not constitute personal computers within the meaning of this policy and thus may be unobtrusively used in the Chamber. No device may be used for still photography or for audio or video recording.

The Chair requests all Members and staff wishing to receive or make wireless telephone calls to do so outside of the Chamber. The Chair further requests that all Members and staff refrain from wearing telephone headsets in the Chamber and to deactivate any audible ring of wireless phones before entering the Chamber. To this end, the Chair insists upon the cooperation of all Members and staff and instructs the Sergeant-at-Arms, pursuant to clause 3(a) of rule II and clause 5 of rule XVII, to enforce this prohibition.

10. USE OF CHAMBER

The Speaker's policy announced on January 6, 2009, with respect to use of the Chamber will continue in the 112th Congress with modifications as follows.

The Chair will announce to the House the policy of the Speaker concerning appropriate comportment in the chamber when the House is not in session.

Under clause 3 of rule I, the Speaker is responsible to control the Hall of the House. Under clause 1 of rule IV, the Hall of the House is to be used only for the legislative business of the House, for caucus and conference meetings of its Members, and for such ceremonies as the House might agree to conduct there.

When the House stands adjourned, its chamber remains on static display. It may accommodate visitors in the gallery or on the floor, subject to the needs of those who operate, maintain, and secure the chamber to go about their ordinary business. Because outside ''coverage'' of the chamber is limited to floor proceedings and is allowed only by accredited journalists, when the chamber is on static display no audio and video recording or transmitting devices are allowed. The long custom of disallowing even still photography in the chamber is based at least in part on the notion that an image having this setting as its backdrop might be taken to carry the imprimatur of the House.

The imprimatur of the House adheres to the Journal of its proceedings, which is kept pursuant to the Constitution. The imprimatur of the House adheres to the Congressional Record, which is kept as a substantially verbatim transcript pursuant to clause 8 of rule XVII. The imprimatur of the House adheres to the audio and visual transmissions and recordings that are made and

kept by the television system administered by the Speaker pursuant to rule V. But the imprimatur of the House may not be appropriated to other, ad hoc accounts or compositions of events in its chamber.

APPOINTMENT—HOUSE OFFICE BUILDING COMMISSION

The SPEAKER pro tempore. Pursuant to 2 U.S.C. 2001, and the order of the House of today, the Chair announces the Speaker's appointment of the gentleman from Virginia (Mr. CANTOR) and the gentlewoman from California (Ms. PELOSI) as members of the House Office Building Commission to serve with himself.

APPORTIONMENT POPULATION AND NUMBER OF REPRESENTATIVES, BY STATE: 2010 CENSUS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112–5)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and referred to the Committees on the Judiciary and Oversight and Government Reform and ordered to be printed:

To the Congress of the United States:

Pursuant to title 2, United States Code, section 2a(a), I transmit herewith the statement showing the apportionment population for each State as of April 1, 2010, and the number of Representatives to which each State would be entitled.

BARACK OBAMA.

THE WHITE HOUSE, *January 5, 2011.*

RECALL DESIGNEE

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

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 5, 2011.

Hon. KAREN L. HAAS,
Clerk of the House of Representatives, The Capitol, Washington, DC.

DEAR MADAM CLERK: Pursuant to House Concurrent Resolution 1, and also for purposes of such concurrent resolutions of the current Congress as may contemplate my designation of Members to act in similar circumstances, I hereby designate Representative Eric Cantor of Virginia to act jointly with the Majority Leader of the Senate or his designee, in the event of my death or inability, to notify the Members of the House and the Senate, respectively, or any reassembly under any such concurrent resolution. In the event of the death or inability of that designee, the alternate Members of the House listed in the letter bearing this date that I have placed with the Clerk are designated, in turn, for the same purposes.

Sincerely,

JOHN A. BOEHNER,
Speaker.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that the Speaker has delivered to the Clerk a letter dated January 5, 2011, listing Members in the order in which each shall act as Speaker pro tempore under clause 8(b)(3) of rule I.

PROVIDING FOR A CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following privileged concurrent resolution:

S. CON. RES. 1

Resolved by the Senate (the House of Representatives concurring), That (a) when the Senate adjourns or recesses on any day from Wednesday, January 5, 2011, through Monday, January 10, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned or recessed until 10 a.m. on Tuesday, January 25, 2011, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and

(b) when the House adjourns on the legislative day of Wednesday, January 12, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, January 18, 2011, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first; and when the House adjourns on any legislative day from Wednesday, January 26, 2011, through Friday, January 28, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, February 8, 2011 or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Majority Leader of the Senate, or his designee, after consultation with the Minority Leader of the Senate, or his designee, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate recesses or adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand recessed or adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

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

ADJOURNMENT

Ms. FOXX. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 50 minutes p.m.), the House adjourned until tomorrow, Thursday, January 6, 2011, at 10 a.m.

PROCEEDINGS OF THE HOUSE OF REPRESENTATIVES AFTER SINE DIE ADJOURNMENT OF THE 111TH CONGRESS 2D SESSION AND FOLLOWING PUBLICATION OF THE FINAL EDITION OF THE CONGRESSIONAL RECORD OF THE 111TH CONGRESS 2D SESSION

BILLS PRESENTED TO THE PRESIDENT AFTER SINE DIE ADJOURNMENT

Lorraine C. Miller, Clerk of the House reports that on December 29, 2010 she presented to the President of the United States, for his approval, the following bills.

H.R. 6523. To authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

H.R. 2751. To amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply.

H.R. 5809. To amend the Energy Policy Act of 2005 to reauthorize and modify provisions relating to the diesel emissions reduction program.

H.R. 5901. To amend the Internal Revenue Code of 1986 to authorize the tax court to appoint employees.

H.R. 2142. To require quarterly performance assessments of Government programs for purposes of assessing agency performance and improvement, and to establish agency performance improvement officers and the Performance Improvement Council.

EXECUTIVE COMMUNICATIONS, ETC.

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

1. A letter from the Assistant Secretary, Department of Defense, transmitting a report on Department of Defense counter-terrorism activities, pursuant to Public Law 111-84, section 1022; to the Committee on Armed Services.

2. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Foreign Participation in Acquisitions in Support of Operatons in Afghanistan (DFARS Case 2009-D012) (RIN: 0750-AG80) received January 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Minority and Women Inclusion (RIN: 2590-AA28) received January 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Portfolio Holdings (RIN: 2590-AA22) received January 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Federal Home Loan Bank Housing Goals (RIN: 2590-AA16) received January 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6. A letter from the Secretary, Department of Health and Human Services, transmitting a report to Congress on Preventive and Obesity-Related Services Available to Medicaid Enrollees, pursuant to Public Law 111–148, section 4004(i); to the Committee on Energy and Commerce.

7. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicaid Program; Final FY 2009 and Preliminary FY 2011 Disproportionate Share Hospital Allotments, and Final FY 2009 and Preliminary FY 2011 Institutions for Mental Diseases Disproportionate Share Hospital Limits [CMS-2321-N] (RIN: 0938-AQ44) received December 30, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8. A letter from the Secretary, Department of Health and Human Services, transmitting a report to Congress on activities related to the regulation of free samples of tobacco products; to the Committee on Energy and Commerce.

9. A letter from the Chief of Staff, Media Bureau, Federal Communications Commisson, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations, (Pacific Junction, Iowa) [MB Docket No.: 10-108] received January 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

11. A letter from the Assistant Secretary, Legislative Affairs, Deaprtment of State, transmitting Transmittal No. DDTC 10-108, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

12. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Publicly Available Mass Market Encryption Software and Other Specified Publicly Available Encryption Software in Object Code [Docket No.: 100108014-0121-01] (RIN: 0694-AE82) received January 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

13. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's annual report on foreign military or defense ministry civilian involvement in the International Military Education and Training (IMET) program, pursuant to Section 549 of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

14. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-120, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

15. A letter from the Inspector General, Department of the Treasury, transmitting a report to Congress entitled ''Significant Problems Still Exist With Internal Revenue Service Efforts to Identify Prisoner Tax Refund Fraud'', pursuant to Public Law 110–428; to the Committee on Oversight and Government Reform.

16. A letter from the Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-48; Introduction [Docket: FAR 2010-0076, Sequence 10] received January 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

17. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the Administration's Performance and Accountability Report for fiscal year 2010, pursuant to Public Law 106–531; to the Committee on Oversight and Government Reform.

18. A letter from the Commissioner, Social Security Administration, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2010 through September 30, 2010, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

19. A letter from the Assistant Attorney General, Department of Justice, transmitting annual report pursuant to the Military and Overseas Voter Empowerment Act, pursuant to Public Law 111–84, section 587; to the Committee on House Administration.

20. A letter from the Clerk, U.S. House of Representatives, transmitting List of reports pursuant to Clause 2(b), Rule II of the Rules of the House of Representatives, pursuant to Rule II, clause 2(b), of the Rules of the House; (H. Doc. No. 112–4); to the Committee on House Administration and ordered to be printed.

21. A letter from the Principal Deputy Assistant Attorney General, Civil Rights Division, Department of Justice, transmitting the Department's ''Major'' final rule — Nondiscrimination on the Basis of Disability in State and Local Government Services [CRT Docket No.: 105; AG Order No. 3180-2010] (RIN: 1190-AA46) received December 30, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

22. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Visas: Waiver for Ineligible Nonimmigrants under INA 212(d)(3)(A), As Amended; Applicants Ineligible Under INA 212(a)(3)(E)(iii) [Public Notice:] received January 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

23. A letter from the Secretary, Judical Conference of the United States, transmitting a letter on the adequacy of the rules prescribed by the Supreme Court to protect privacy and address security concerns relating to electronically filed documents in the federal courts, pursuant to Public Law 107–347, section 205(c)(3)(C); to the Committee on the Judiciary.

24. A letter from the Deputy Assistant Secretary for Import Administration, Department of Commerce, transmitting the Department's annual report for fiscal year 2009 on the activities of the Foreign-Trade Zones Board, pursuant to 19 U.S.C. 81p(c); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

[The following actions occurred on December 30, 2010]

Mr. FILNER: Committee on Veterans' Affairs. Activities Report of the Committee on Veterans' Affairs, 111th Congress (Rept. 111–697). Referred to the Committee of the Whole House on the State of the Union.

Mr. GORDON of Tennessee: Committee on Science and Technology. Summary of Activities of the Committee on Science and Technology for the 111th Congress (Rept. 111–698). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of Mississippi: Committee on Homeland Security. Report on Legislative and Oversight Activities of the House Committee on Homeland Security for the 111th Congress (Rept. 111–699). Referred to the Committee of the Whole House on the State of the Union.

[The following actions occurred on January 3, 2011]

Mr. OBEY: Committee on Appropriations. Report on Activities of the Committee on Appropriations, 111th Congress (Rept. 111–700). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. Report on Legislative and Oversight Activities of the Committee on Natural Resources During the 111th Congress (Rept. 111–701). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRANK of Massachusetts: Committee on Financial Services. Report on the Activity of the Committee on Financial Services for the 111th Congress (Rept. 111–702). Referred to the Committee of the Whole House on the State of the Union.

Mr. PETERSON: Committee on Agriculture. Report of the Committee on Agriculture on Activities During the 111th Congress (Rept. 111–703). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPRATT: Committee on the Budget. Activities and Summary Report of the Committee on the Budget, 111th Congress (Rept. 111–704). Referred to the Committee of the Whole House on the State of the Union.

Mr. TOWNS: Committee on Oversight and Government Reform. Activities of the House Committee on Oversight and Government Reform for the 111th Congress (Rept. 111–705). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Energy and Commerce. Report on the Activity of the Committee on Energy and Commerce, 111th Congress (Rept. 111–706). Referred to the Committee of the Whole House on the State of the Union.

Ms. ZOE LOFGREN of California: Committee on Standards of Official Conduct. Summary of Activities of the Committee on Standards of Official Conduct for the 111th Congress (Rept. 111–707). Referred to the Committee of the Whole House on the State of the Union.

Mr. LEVIN: Committee on Ways and Means. Report on the Legislative and Oversight Activities of the Committee on Ways and Means During the 111th Congress. (Rept. 111–708). Referred to the Committee of the Whole House on the State of the Union.

Mr. MARKEY of Massachusetts: Final Staff Report for the 111th Congress from the Select Committee on Energy Independence and Global Warming (Rept. 111–709). Referred to the Committee of the Whole House on the State of the Union.

Mr. SKELTON: Committee on Armed Services. Report of the Activities of the Committee on Armed Services for the 111th Congress (Rept. 111–710). Referred to the Committee of the Whole House on the State of the Union.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. Summary of Legislative and Oversight Activities of the Committee on Transportation and Infrastructure for the 111th Congress (Rept. 111–711). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. CANTOR (for himself, Mr. CAMP, Mr. KLINE, Mr. UPTON, Mr. SMITH of Texas, Mr. RYAN of Wisconsin, Mr. GRAVES of Missouri, Mr. MCCARTHY of California, Mr. ROSKAM, Mr. HENSARLING, Mr. SESSIONS, Mr. PRICE of Georgia, Mrs. MCMORRIS RODGERS, Mr. CARTER, Mr. WALDEN, Mr. DREIER, Mrs. ADAMS, Mr. ADERHOLT, Mr. AKIN, Mr. AMASH, Mrs. BACHMANN, Mr. BACHUS, Mr. BARTLETT, Mr. BARTON of Texas, Mr. BENISHEK, Mr. BERG, Mrs. BIGGERT, Mr. BILIRAKIS, Mr. BISHOP of Utah, Mrs. BLACK, Mrs. BLACKBURN, Mr. BONNER, Mrs. BONO MACK, Mr. BOUSTANY, Mr. BRADY of Texas, Mr. BUCHANAN, Mr. BUCSHON, Ms. BUERKLE, Mr. BURGESS, Mr. BURTON of Indiana, Mr. CALVERT, Mr. CAMPBELL, Mr. CHAFFETZ, Mr. COBLE, Mr. COFFMAN of Colorado, Mr. COLE, Mr. CRAVAACK, Mr. CULBERSON, Mr. DAVIS of Kentucky, Mr. DENHAM, Mr. DENT, Mr. DIAZ-BALART, Mr. DUNCAN of Tennessee, Mrs. ELLMERS, Mrs. EMERSON, Mr. FARENTHOLD, Mr. FLAKE, Mr. FLEISCHMANN, Mr. FLORES, Mr. GALLEGLY, Mr. GARDNER, Mr. GARRETT, Mr. GIBBS, Mr. GINGREY of Georgia, Mr. GOODLATTE, Ms. GRANGER, Mr. GRAVES of Georgia, Mr. GRIFFITH of Virginia, Mr. GRIMM, Mr. GUTHRIE, Mr. HARPER, Mr. HASTINGS of Washington, Mr. HELLER, Mr. HERGER, Mr. HUELSKAMP, Mr. HUIZENGA of Michigan, Mr. HURT, Ms. JENKINS, Mr. JOHNSON of Ohio, Mr. SAM JOHNSON of Texas, Mr. JOHNSON of Illinois, Mr. JONES, Mr. KING of Iowa, Mr. KINZINGER of Illinois, Mr. LABRADOR, Mr. LAMBORN, Mr. LANCE, Mr. LANDRY, Mr. LANKFORD, Mr. LATOURETTE, Mr. LATTA, Mr. LEE of New York, Mr. LEWIS of California, Mr. LOBIONDO, Mr. LUCAS, Mr. LUETKEMEYER, Mrs. LUMMIS, Mr. MACK, Mr. MARCHANT, Mr. MARINO, Mr. MCKEON, Mrs. MILLER of Michigan, Mr. GARY G. MILLER of California, Mr. MILLER of Florida, Mrs. MYRICK, Mr. NUGENT, Mr. NUNNELEE, Mr. OLSON, Mr. PALAZZO, Mr. PAUL, Mr. PEARCE, Mr. PENCE, Mr. PETRI, Mr. PITTS, Mr. PLATTS, Mr. POE of Texas, Mr. POMPEO, Mr. POSEY, Mr. REHBERG, Mr. RENACCI, Mr. RIVERA, Mr. ROGERS of Kentucky, Mr. ROGERS of Alabama, Mr. ROGERS of Michigan, Ms. ROS-LEHTINEN, Mr. ROSS of Florida, Mr. ROYCE, Mr. SCALISE, Mrs. SCHMIDT, Mr. AUSTIN SCOTT of Georgia, Mr. SCOTT of South Carolina, Mr. SHUSTER, Mr. SIMPSON, Mr. STEARNS, Mr. SULLIVAN, Mr. TERRY, Mr. THORNBERRY, Mr. TIBERI, Mr. TURNER, Mr. WALBERG, Mr. WEST, Mr. WESTMORELAND, Mr. WHITFIELD, Mr. WILSON of South Carolina, Mr. WOODALL, Mr. CONAWAY, Mr. SMITH of Nebraska, Mr. FRELINGHUYSEN, Mr. GOHMERT, Mr. ISSA, Mr. MULVANEY, and Ms. HAYWORTH):

H.R. 2. A bill to repeal the job-killing health care law and health care-related provisions in the Health Care and Education Reconciliation Act of 2010; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, Ways and Means, the Judiciary, Natural Resources, Rules, House Administration, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARRETT (for himself, Mr. CHAFFETZ, Mr. SIMPSON, Mrs. BLACKBURN, Mr. COFFMAN of Colorado, Mr. ROE of Tennessee, Mr. JONES, Mr. BROUN of Georgia, Mr. BARTLETT, Mr. MCKINLEY, Ms. HAYWORTH, Mr. MILLER of Florida, Mr. POSEY, Mr. WESTMORELAND, Mr. CRENSHAW, Mr. GINGREY of Georgia, Mr. CULBERSON, Mr. BISHOP of Utah, Mr. SESSIONS, Mr. BURTON of Indiana, Mr. CONAWAY, Mr. MCCLINTOCK, Mr. NUGENT, Mr. REHBERG, Mr. GARY G. MILLER of California, Mr. PETRI, Mr. DENT, Mr. BURGESS, Mr. MCCOTTER, Mr. TERRY, Mr. FRANKS of Arizona, and Mr. LAMBORN):

H.R. 21. A bill to amend the Internal Revenue Code of 1986 to repeal the mandate that individuals purchase health insurance; to the Committee on Ways and Means.

By Ms. SPEIER (for herself, Mrs. NAPOLITANO, Mr. STARK, Mr. HONDA, Ms. LEE of California, Mr. THOMPSON of California, and Mr. GARAMENDI):

H.R. 22. A bill to amend title 49, United States Code, to enhance pipeline safety, to provide communities with access to improved information concerning the equipment and operations of pipeline facilities, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FILNER:

H.R. 23. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish the Merchant Mariner Equity Compensation Fund to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II; to the Committee on Veterans' Affairs.

By Mr. JONES:

H.R. 24. A bill to redesignate the Department of the Navy as the Department of the Navy and Marine Corps; to the Committee on Armed Services.

By Mr. WOODALL (for himself, Mr. PRICE of Georgia, Mr. BOREN, Mr. KING of Iowa, Mr. AKIN, Mr. BILBRAY, Mr. CARTER, Mr. CONAWAY, Mr. DUNCAN of Tennessee, Ms. FOXX, Mr. MCCAUL, Mr. OLSON, Mr. THORNBERRY, Mr. SULLIVAN, Mr. GINGREY of Georgia, Mr. BARTLETT, Mr. YOUNG of Alaska, Mr. CRENSHAW, Mr. WESTMORELAND, Mr. BILIRAKIS, Mr. POE of Texas, Mr. GRAVES of Georgia, Mr. NEUGEBAUER, Mr. MILLER of Florida, Mr. WITTMAN, Mr. KINGSTON, Mr. STUTZMAN, Mr. FLAKE, Mr. LONG, Mr. STEARNS, Mr. WALBERG, Mr. ROSS of Florida, Mr. ISSA, Mr. BROOKS, Mr. NUGENT, Mr. SCOTT of South Carolina, Mr. FARENTHOLD, Mr. DUNCAN of South Carolina, Mr. BISHOP of Utah, Mr. PENCE, Mrs. ADAMS, Mr. MICA, Mrs. MYRICK, Mr. BURTON of Indiana, Mr. CULBERSON, Mr. LANKFORD, Mr. POMPEO, and Mr. GARY G. MILLER of California):

H.R. 25. A bill to promote freedom, fairness, and economic opportunity by repealing the income tax and other taxes, abolishing the Internal Revenue Service, and enacting a national sales tax to be administered primarily by the States; to the Committee on Ways and Means.

By Ms. SPEIER:

H.R. 26. A bill to direct the Secretary of Defense to adopt a program of professional and confidential screenings to detect mental health injuries acquired during deployment in support of a contingency operation and ultimately to reduce the incidence of suicide among veterans; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCINTYRE (for himself, Mr. MCDERMOTT, Mr. SMITH of Washington, Mr. PETERSON, Mr. RUPPERSBERGER, Mr. PRICE of North Carolina, Mr. LANGEVIN, Mr. BECERRA, Mr. DOGGETT, Mr. SERRANO, and Ms. DEGETTE):

H.R. 27. A bill to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes; to the Committee on Natural Resources.

By Mr. MCINTYRE:

H.R. 28. A bill to amend title 38, United States Code, to improve the outreach activities of the Department of Veterans Affairs,

and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MCINTYRE:

H.R. 29. A bill to provide for the withdrawal of the United States from the North American Free Trade Agreement; to the Committee on Ways and Means.

By Mrs. BIGGERT (for herself, Mr. WALSH of Illinois, and Mr. MANZULLO):

H.R. 30. A bill to require Surface Transportation Board consideration of the impacts of certain railroad transactions on local communities, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. BIGGERT:

H.R. 31. A bill to require the Inspector General of the Federal Housing Finance Agency to submit quarterly reports to the Congress during the conservatorship of the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation; to the Committee on Financial Services.

By Mrs. BIGGERT:

H.R. 32. A bill to amend the definition of ''homeless person'' under the McKinney-Vento Homeless Assistance Act to include certain homeless children and youth; to the Committee on Financial Services, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BIGGERT:

H.R. 33. A bill to amend the Securities Act of 1933 to specify when certain securities issued in connection with church plans are treated as exempted securities for purposes of that Act; to the Committee on Financial Services.

By Mrs. BIGGERT:

H.R. 34. A bill to provide for payment of an administrative fee to public housing agencies to cover the costs of administering family self-sufficiency programs in connection with the housing choice voucher program of the Department of Housing and Urban Development; to the Committee on Financial Services.

By Mrs. BIGGERT:

H.R. 35. A bill to amend the Internal Revenue Code of 1986 to increase the deduction for certain expenses of elementary and secondary school teachers to $500 and to extend it through 2013; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 36. A bill to amend title V of the Elementary and Secondary Education Act of 1965 to raise awareness of eating disorders and to create educational programs concerning the same, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BIGGERT:

H.R. 37. A bill to amend the Internal Revenue Code of 1986 to improve and expand education savings accounts; to the Committee on Ways and Means.

By Mr. FLEMING:

H.R. 38. A bill to rescind funds appropriated to the Health Insurance Reform Implementation Fund under the Health Care and Education Reconciliation Act of 2010; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska:

H.R. 39. A bill to delist the polar bear as a threatened species under the Endangered Species Act of 1973; to the Committee on Natural Resources.

By Mr. CONYERS:

H.R. 40. A bill to acknowledge the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the United States and the 13 American colonies between 1619 and 1865 and to establish a commission to examine the institution of slavery, subsequently de jure and de facto racial and economic discrimination against African-Americans, and the impact of these forces on living African-Americans, to make recommendations to the Congress on appropriate remedies, and for other purposes; to the Committee on the Judiciary.

By Mr. ISSA:

H.R. 41. A bill to designate certain Federal lands in San Diego County, California, as wilderness, and for other purposes; to the Committee on Natural Resources.

By Mr. ISSA:

H.R. 42. A bill to provide for a credit for certain health care benefits in determining the minimum wage; to the Committee on Education and the Workforce.

By Mr. ISSA:

H.R. 43. A bill to amend the Immigration and Nationality Act to eliminate the diversity immigrant program and to re-allocate those visas to certain employment-based immigrants who obtain an advanced degree in the United States; to the Committee on the Judiciary.

By Ms. BORDALLO (for herself, Ms. LORETTA SANCHEZ of California, Mr. ANDREWS, Ms. HIRONO, Mr. CUMMINGS, Mr. BISHOP of Georgia, Ms. RICHARDSON, Mr. GRIJALVA, Mr. SABLAN, Mrs. CHRISTENSEN, Mr. FALEOMAVAEGA, Mr. PIERLUISI, Mr. JONES, Mr. HOYER, Ms. JACKSON LEE of Texas, Mr. LOEBSACK, Mr. BURTON of Indiana, Mr. SENSENBRENNER, Mr. BECERRA, Ms. NORTON, Mr. BARTLETT, Mr. RAHALL, Mr. WILSON of South Carolina, Mr. NADLER, and Mr. MICHAUD):

H.R. 44. A bill to implement the recommendations of the Guam War Claims Review Commission; to the Committee on Natural Resources.

By Mr. ISSA:

H.R. 45. A bill to amend section 276 of the Immigration and Nationality Act to impose mandatory sentencing ranges with respect to aliens who reenter the United States after having been removed, and for other purposes; to the Committee on the Judiciary.

By Mr. ISSA:

H.R. 46. A bill to amend the Immigration and Nationality Act to provide for nonimmigrant status for an alien who is the parent or legal guardian of a United States citizen child if the child was born abroad and is the child of a deceased member of the Armed Forces of the United States; to the Committee on the Judiciary.

By Mr. ISSA:

H.R. 47. A bill to provide a civil penalty for certain misrepresentations made to Congress, and for other purposes; to the Committee on Intelligence (Permanent Select).

By Mr. CONNOLLY of Virginia:

H.R. 48. A bill to amend title 5, United States Code, to provide that payments under the Federal employees' group life insurance program shall be made in a lump sum, unless the insured or the recipient elects otherwise; to the Committee on Oversight and Government Reform.

By Mr. YOUNG of Alaska:

H.R. 49. A bill to direct the Secretary of the Interior to establish and implement a competitive oil and gas leasing program that will result in an environmentally sound program for the exploration, development, and production of the oil and gas resources of the Coastal Plain of Alaska, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 50. A bill to reauthorize the African Elephant Conservation Act, the Rhinoceros and Tiger Conservation Act of 1994, and the Asian Elephant Conservation Act of 1997; to the Committee on Natural Resources.

By Mr. CONNOLLY of Virginia:

H.R. 51. A bill to reduce the heat island effect and associated ground level ozone pollution from Federal facilities; to the Committee on Oversight and Government Reform.

By Mr. CONNOLLY of Virginia (for himself and Mr. TONKO):

H.R. 52. A bill to amend the Outer Continental Shelf Lands Act to require that treatment of the issuance of any exploration plans, development production plans, development operation coordination documents, and lease sales required under Federal law for offshore drilling activity on the outer Continental Shelf as a major Federal action significantly affecting the quality of the human environment for the purposes of the National Environmental Policy Act of 1969, and for other purposes; to the Committee on Natural Resources.

By Mr. CONNOLLY of Virginia (for himself and Mr. TONKO):

H.R. 53. A bill to amend the Internal Revenue Code of 1986 to deny a deduction for removal costs and damages for which taxpayers are liable under the Oil Pollution Act of 1990; to the Committee on Ways and Means.

By Mr. CONNOLLY of Virginia (for himself and Mr. TONKO):

H.R. 54. A bill to amend the Oil Pollution Act of 1990 to extend liability to corporations, partnerships, and other persons having ownership interests in responsible parties, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CONNOLLY of Virginia (for himself and Mr. MORAN):

H.R. 55. A bill to authorize alternatives analysis and preliminary engineering for new Metrorail capital projects in Northern Virginia and surrounding areas; to the Committee on Transportation and Infrastructure.

By Mr. SCALISE (for himself, Mr. BOUSTANY, Mr. LANDRY, Mr. CASSIDY, Mr. ALEXANDER, and Mr. RICHMOND):

H.R. 56. A bill to provide for restoration of the coastal areas of the Gulf of Mexico affected by the Deepwater Horizon oil spill, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCALISE:

H.R. 57. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to make improvements in the provision of Federal disaster assistance, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SCALISE (for himself and Mr. BOREN):

H.R. 58. A bill to amend chapter 44 of title 18, United States Code, to update certain procedures applicable to commerce in firearms and remove certain Federal restrictions on interstate firearms transactions; to the Committee on the Judiciary.

By Mr. SCALISE (for himself, Mr. OLSON, Mr. GARRETT, Mr. CHAFFETZ,

Mr. CARTER, Mr. BROUN of Georgia, Ms. JENKINS, Mr. MANZULLO, Mr. ROGERS of Kentucky, Mr. BARTON of Texas, Mr. JONES, Mrs. BLACKBURN, Mr. GINGREY of Georgia, and Mr. PITTS):

H.R. 59. A bill to define advisors often characterized as Czars and to provide that appropriated funds may not be used to pay for any salaries and expenses associated with such advisors; to the Committee on Oversight and Government Reform.

By Mr. SCALISE:

H.R. 60. A bill to repeal the expansion of information reporting requirements for payments of $600 or more to corporations, and for other purposes; to the Committee on Ways and Means.

By Mr. SCALISE:

H.R. 61. A bill to amend title 5, United States Code, to require Federal employees to use coach-class air travel in the United States except in limited circumstances, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. DOGGETT:

H.R. 62. A bill to amend the Internal Revenue Code of 1986 to reduce international tax avoidance and restore a level playing field for American businesses; to the Committee on Ways and Means.

By Mr. DOGGETT (for himself and Ms. SCHAKOWSKY):

H.R. 63. A bill to amend the Internal Revenue Code of 1986 and title XIX of the Social Security Act to reform the provision of long-term care insurance; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOGGETT:

H.R. 64. A bill to amend the Internal Revenue Code of 1986 to prevent corporations from exploiting tax treaties to evade taxation of United States income; to the Committee on Ways and Means.

By Mr. DOGGETT:

H.R. 65. A bill to amend the Internal Revenue Code of 1986 to provide for the taxation of smokeless tobacco products sold as discrete single-use units; to the Committee on Ways and Means.

By Mr. DOGGETT (for himself, Mr. LEWIS of Georgia, Mr. BLUMENAUER, and Mr. HOLT):

H.R. 66. A bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit for waste-to-energy facilities; to the Committee on Ways and Means.

By Mr. ROGERS of Michigan:

H.R. 67. A bill to extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and Intelligence Reform and Terrorism Prevention Act of 2004 until February 29, 2012; to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAMBORN:

H.R. 68. A bill to amend the Communications Act of 1934 to prohibit Federal funding for the Corporation for Public Broadcasting after fiscal year 2013; to the Committee on Energy and Commerce.

By Mr. LAMBORN:

H.R. 69. A bill to prohibit Federal funding of certain public radio programming, to provide for the transfer of certain public radio funds to reduce the public debt, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCINTYRE:

H.R. 70. A bill to amend title II of the Social Security Act to eliminate the 5-month waiting period for entitlement to disability benefits and to eliminate reconsideration as an intervening step between initial benefit entitlement decisions and subsequent hearings on the record on such decisions; to the Committee on Ways and Means.

By Ms. JACKSON LEE of Texas:

H.R. 71. A bill to increase the number of Federal air marshals for certain flights, require criminal investigative training for such marshals, create an office and appoint an ombudsman for the marshals, and for other purposes; to the Committee on Homeland Security.

By Ms. JACKSON LEE of Texas:

H.R. 72. A bill to authorize the Secretary of Labor to make grants to States, units of local government, and Indian tribes to carry out employment training programs; to the Committee on Education and the Workforce.

By Ms. JACKSON LEE of Texas:

H.R. 73. A bill to designate the facility of the United States Postal Service located at 4110 Almeda Road in Houston, Texas, as the ''George Thomas 'Mickey' Leland Post Office Building''; to the Committee on Oversight and Government Reform.

By Ms. JACKSON LEE of Texas:

H.R. 74. A bill to require non-Federal prisons and correctional facilities holding Federal prisoners under a contract with the Federal Government to make the same information available to the public that Federal prisons and correctional facilities are required to make available; to the Committee on the Judiciary.

By Ms. JACKSON LEE of Texas:

H.R. 75. A bill to prohibit certain restraints of competition adversely affecting automobile dealers; to the Committee on Energy and Commerce.

By Ms. JACKSON LEE of Texas:

H.R. 76. A bill to authorize the Secretary of Homeland Security to establish a program to award grants to institutions of higher education for the establishment or expansion of cybersecurity professional development programs, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committees on Education and the Workforce, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE of Texas:

H.R. 77. A bill to provide for emergency deployments of United States Border Patrol agents and to increase the number of DEA and ATF agents along the international border of the United States to increase resources to identify and eliminate illicit sources of firearms into Mexico for use by violent drug trafficking organizations and for other lawful activities, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE of Texas:

H.R. 78. A bill to designate the facility of the United States Postal Service located at 1900 West Gray Street in Houston, Texas, as the ''Hazel Hainsworth Young Post Office Building''; to the Committee on Oversight and Government Reform.

By Ms. JACKSON LEE of Texas:

H.R. 79. A bill to amend title 38, United States Code, to provide certain abused dependents of veterans with health care; to the Committee on Veterans' Affairs.

By Ms. JACKSON LEE of Texas:

H.R. 80. A bill to improve efforts of the United States Government to ensure that developing countries have affordable and equitable access to safe water and sanitation, and for other purposes; to the Committee on Foreign Affairs.

By Ms. JACKSON LEE of Texas:

H.R. 81. A bill to promote and encourage the valuable public service, disaster relief, and emergency communications provided on a volunteer basis by licensees of the Federal Communications Commission in the Amateur Radio Service, by undertaking a study of the uses of amateur radio for emergency and disaster relief communications, by identifying unnecessary or unreasonable impediments to the deployment of Amateur Radio emergency and disaster relief communications, and by making recommendations for relief of such unreasonable restrictions so as to expand the uses of amateur radio communications in Homeland Security planning and response; to the Committee on Energy and Commerce.

By Ms. JACKSON LEE of Texas:

H.R. 82. A bill to reauthorize and amend part EE of the Omnibus Crime Control and Safe Streets Act of 1968 relating to drug courts; to the Committee on the Judiciary.

By Ms. JACKSON LEE of Texas:

H.R. 83. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to require the Attorney General to establish guidelines to prevent and address occurrences of bullying, to provide for grant funding to States for programs to prevent and address occurrences of bullying, and to reauthorize the Juvenile Accountability Block Grants program; to the Committee on the Judiciary.

By Ms. JACKSON LEE of Texas:

H.R. 84. A bill to amend title 28, United States Code, to grant to the House of Representatives the authority to bring a civil action to enforce, secure a declaratory judgment concerning the validity of, or prevent a threatened refusal or failure to comply with any subpoena or order issued by the House or any committee or subcommittee of the House to secure the production of documents, the answering of any deposition or interrogatory, or the securing of testimony, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACA:

H.R. 85. A bill to amend the Higher Education Act of 1965 to expand teacher loan forgiveness; to the Committee on Education and the Workforce.

By Mrs. BACHMANN (for herself, Mr. KING of Iowa, and Mr. SCHILLING):

H.R. 86. A bill to prevent pending tax increases, permanently repeal estate and gift taxes, and permanently repeal the alternative minimum tax on individuals, and for other purposes; to the Committee on Ways and Means.

By Mrs. BACHMANN (for herself, Mr. MCCLINTOCK, Mr. POSEY, Mr. AKIN, and Mr. ISSA):

H.R. 87. A bill to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act; to the Committee on Financial Services, and in addition to the Committees on Agriculture, Energy and Commerce, the Judiciary, the Budget, Oversight and Government Reform, Ways and Means, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARTLETT:

H.R. 88. A bill to amend the Internal Revenue Code of 1986 to change the deadline for

income tax returns for calendar year taxpayers from the 15th of April to the first Monday in November; to the Committee on Ways and Means.

By Mr. BARTLETT:

H.R. 89. A bill to amend the Immigration and Nationality Act and title IV of the Social Security Act to provide for the denial of family classification petitions filed by an individual who owes child support arrearages; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARTLETT:

H.R. 90. A bill to provide for Federal research, development, demonstration, and commercial application activities to enable the development of farms that are net producers of both food and energy, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARTON of Texas (for himself, Mrs. BLACKBURN, Mr. BURGESS, Mr. BISHOP of Utah, Mr. MCCLINTOCK, Mr. COBLE, Mr. PAUL, Mr. AKIN, Ms. BUERKLE, Mrs. LUMMIS, Mr. SCALISE, Mr. BROUN of Georgia, Mr. BURTON of Indiana, and Mr. STEARNS):

H.R. 91. A bill to repeal certain amendments to the Energy Policy and Conservation Act with respect to lighting energy efficiency; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BIGGERT:

H.R. 92. A bill to amend title XVIII of the Social Security Act to provide payments under the Medicare Program to licensed health care practitioners for unscheduled telephone consultation services in the case that such payments are determined to be cost and quality effective; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACKBURN:

H.R. 93. A bill to make 10 percent across-the-board rescissions in non-defense, non-homeland-security, and non-veterans-affairs discretionary spending for each of the fiscal years 2011 and 2012; to the Committee on Appropriations.

By Mrs. BLACKBURN:

H.R. 94. A bill to make 5 percent across-the-board rescissions in non-defense, non-homeland-security, and non-veterans-affairs discretionary spending for each of the fiscal years 2011 and 2012; to the Committee on Appropriations.

By Mrs. BLACKBURN:

H.R. 95. A bill to make 15 percent across-the-board rescissions in non-defense, non-homeland-security, and non-veterans-affairs discretionary spending for each of the fiscal years 2011 and 2012; to the Committee on Appropriations.

By Mrs. BLACKBURN (for herself, Mr. WILSON of South Carolina, Mr. TERRY, Mrs. BONO MACK, Mr. GARRETT, Mr. BURGESS, Mrs. MYRICK, Mr. BISHOP of Utah, Mr. FRANKS of Arizona, Mrs. LUMMIS, Mr. CONAWAY, Mr. SESSIONS, Mr. LUETKEMEYER, Mr. SULLIVAN, Mr. LATTA, Mr. STEARNS, Mr. BARTON of Texas, Mr. SHIMKUS, Mr. WALDEN, Mr. ROGERS of Michigan, Mr. HALL, Mr. WHITFIELD, Mr. PITTS, Mr. GINGREY of Georgia, Mr. SCALISE, Mr. OLSON, Mr. BILBRAY, Mrs. MCMORRIS RODGERS, Mr. CASSIDY, Mr. GUTHRIE, Mr. BURTON of Indiana, Mr. ROE of Tennessee, Mr. MANZULLO, Mr. LAMBORN, Ms. FOXX, Mr. JORDAN, Mr. POMPEO, Mr. GRAVES of Georgia, Mr. ROYCE, Mr. GOHMERT, Mr. POE of Texas, Mr. NEUGEBAUER, Mrs. SCHMIDT, Mr. FLEMING, Mrs. BACHMANN, Mr. REED, Mr. STUTZMAN, Mr. PENCE, Mr. BUCHANAN, Mr. MARCHANT, Mr. MURPHY of Pennsylvania, Mr. HUNTER, Mr. HARPER, Mr. BOREN, Mr. BONNER, Mr. CULBERSON, Mr. GARDNER, Mr. GARY G. MILLER of California, Mr. BASS of New Hampshire, and Mr. KINZINGER of Illinois):

H.R. 96. A bill to prohibit the Federal Communications Commission from further regulating the Internet; to the Committee on Energy and Commerce.

By Mrs. BLACKBURN (for herself, Mr. ALEXANDER, Mr. BARTON of Texas, Mr. BISHOP of Utah, Mrs. BONO MACK, Mr. BOREN, Mr. BOUSTANY, Mr. BRADY of Texas, Mr. BROUN of Georgia, Mr. BURGESS, Mr. BURTON of Indiana, Mr. CALVERT, Mrs. CAPITO, Mr. CHAFFETZ, Mr. COBLE, Mr. COFFMAN of Colorado, Mr. CONAWAY, Mr. DAVIS of Kentucky, Mr. GARRETT, Mr. GOHMERT, Mr. GRAVES of Missouri, Mr. HALL, Mr. HERGER, Mr. HUNTER, Mr. ISSA, Mr. SAM JOHNSON of Texas, Mr. JONES, Mr. KINGSTON, Mr. LEE of New York, Mrs. LUMMIS, Mr. DANIEL E. LUNGREN of California, Mr. MARCHANT, Mr. MCCLINTOCK, Mrs. MCMORRIS RODGERS, Mrs. MYRICK, Mr. OLSON, Mr. PAUL, Mr. PETRI, Mr. REHBERG, Mr. ROE of Tennessee, Mr. ROHRABACHER, Mr. SCALISE, Mr. SENSENBRENNER, Mr. SHUSTER, Mr. SIMPSON, Mr. TERRY, and Mr. YOUNG of Alaska):

H.R. 97. A bill to amend the Clean Air Act to provide that greenhouse gases are not subject to the Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DREIER (for himself, Mr. REYES, Mr. BILBRAY, Mr. CALVERT, Mr. GALLEGLY, Mr. ISSA, Mr. MCCAUL, Mr. GARY G. MILLER of California, and Mrs. MYRICK):

H.R. 98. A bill to amend the Immigration and Nationality Act to enforce restrictions on employment in the United States of unauthorized aliens through the use of improved Social Security cards and an Employment Eligibility Database, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, Homeland Security, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DREIER:

H.R. 99. A bill to amend the Internal Revenue Code of 1986 to reduce taxes by providing an alternative determination of income tax liability for individuals, repealing the estate and gift taxes, reducing corporate income tax rates, reducing the maximum tax for individuals on capital gains and dividends to 10 percent, indexing the basis of assets for purposes of determining capital gain or loss, creating tax-free accounts for retirement savings, lifetime savings, and life skills, repealing the adjusted gross income threshold in the medical care deduction for individuals under age 65 who have no employer health coverage, and for other purposes; to the Committee on Ways and Means.

By Mrs. BLACKBURN:

H.R. 100. A bill to provide for enhanced Federal, State, and local assistance in the enforcement of the immigration laws, to amend the Immigration and Nationality Act, to authorize appropriations to carry out the State Criminal Alien Assistance Program, and for other purposes; to the Committee on the Judiciary.

By Mrs. BLACKBURN:

H.R. 101. A bill to amend subtitle IV of title 40, United States Code, regarding county additions to the Appalachian region; to the Committee on Transportation and Infrastructure.

By Mrs. BLACKBURN:

H.R. 102. A bill to provide that only certain forms of identification of individuals may be accepted by the Federal Government and by financial institutions; to the Committee on Oversight and Government Reform, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACKBURN (for herself, Mr. ROE of Tennessee, Mr. PENCE, Mr. SESSIONS, and Mr. PAUL):

H.R. 103. A bill to amend the Social Security Act to improve choices available to Medicare eligible seniors by permitting them to elect (instead of regular Medicare benefits) to receive a voucher for a health savings account, for premiums for a high deductible health insurance plan, or both and by suspending Medicare late enrollment penalties between ages 65 and 70; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOUSTANY (for himself, Mr. COURTNEY, Mr. GENE GREEN of Texas, Mr. SIMPSON, Ms. BORDALLO, Mr. PAUL, Mr. SCALISE, Mr. NADLER, Mrs. MCMORRIS RODGERS, Mr. MCCAUL, Mr. OLSON, Ms. RICHARDSON, Mr. ALEXANDER, Mr. LYNCH, Mrs. MILLER of Michigan, Mr. BRADY of Texas, Mr. CUMMINGS, Ms. SUTTON, Mr. CAPUANO, Mrs. CAPPS, Mr. SIRES, Mr. THOMPSON of California, Ms. FUDGE, Mr. BONNER, Mr. CALVERT, Mr. STARK, and Ms. LEE of California):

H.R. 104. A bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURTON of Indiana:

H.R. 105. A bill to repeal the Patient Protection and Affordable Care Act and related health-care provisions and to enact in its place incentives to encourage health insurance coverage, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Budget, Education and the Workforce, Natural Resources, House Administration, Ways and Means, the Judiciary, Rules, Appropriations, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARDOZA:

H.R. 106. A bill to amend title 18, United States Code, to provide increased imprisonment for certain offenses by public officials; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 107. A bill to amend title 18, United States Code, to prevent the election practice known as caging, and for other purposes; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 108. A bill to protect voting rights and to improve the administration of Federal elections, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Oversight and Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS (for himself, Ms. JACKSON LEE of Texas, Mr. JOHNSON of Georgia, Mr. SCOTT of Virginia, and Mr. JONES):

H.R. 109. A bill to establish a national commission on presidential war powers and civil liberties; to the Committee on Armed Services, and in addition to the Committees on the Judiciary, Foreign Affairs, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself and Mr. MANZULLO):

H.R. 110. A bill to amend the Internal Revenue Code of 1986 to allow manufacturing businesses to establish tax-free manufacturing reinvestment accounts to assist them in providing for new equipment and facilities and workforce training; to the Committee on Ways and Means.

By Ms. DELAURO (for herself, Mr. BARTON of Texas, Mr. ACKERMAN, Mr. BACA, Ms. BALDWIN, Mr. BARROW, Ms. BERKLEY, Mr. BERMAN, Mr. BISHOP of Georgia, Mr. BOREN, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Mrs. CAPPS, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mr. CLEAVER, Mr. CLYBURN, Mr. COHEN, Mr. CONNOLLY of Virginia, Mr. CRITZ, Mr. DINGELL, Mr. DONNELLY of Indiana, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Mr. FARR, Mr. FRANK of Massachusetts, Ms. FUDGE, Mr. GRIJALVA, Mr. HIMES, Ms. HIRONO, Mr. HOLT, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, Mr. JOHNSON of Georgia, Mr. JONES, Mr. KILDEE, Mr. KIND, Mr. KISSELL, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. LOEBSACK, Ms. ZOE LOFGREN of California, Mrs. LOWEY, Mrs. MALONEY, Mrs. MCCARTHY of New York, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCINTYRE, Mr. MEEKS, Mr. MILLER of North Carolina, Ms. MOORE, Mr. MORAN, Mr. MURPHY of Connecticut, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL, Mr. OLVER, Mr. PASTOR of Arizona, Mr. PAYNE, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. RUPPERSBERGER, Mr. RUSH, Mr. RYAN of Ohio, Mr. SABLAN, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHAKOWSKY, Mr. SCHIFF, Mrs. SCHMIDT, Ms. SCHWARTZ, Mr. DAVID SCOTT of Georgia, Mr. SERRANO, Mr. SHERMAN, Ms. SLAUGHTER, Ms. SPEIER, Mr. STARK, Ms. SUTTON, Mr. TOWNS, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Mr. WEINER, Mr. WELCH, Mr. WU, Mr. YARMUTH, Mr. YOUNG of Alaska, Ms. PINGREE of Maine, Mr. SMITH of Washington, Mr. PRICE of North Carolina, Mr. CHANDLER, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 111. A bill to require that health plans provide coverage for a minimum hospital stay for mastectomies, lumpectomies, and lymph node dissection for the treatment of breast cancer and coverage for secondary consultations; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOGGETT (for himself, Ms. JACKSON LEE of Texas, Mr. JOHNSON of Georgia, Mr. LEWIS of Georgia, Mr. PRICE of North Carolina, Mr. VAN HOLLEN, Ms. BERKLEY, Mr. SIRES, and Ms. CLARKE of New York):

H.R. 112. A bill to encourage, enhance, and integrate Silver Alert plans throughout the United States, to authorize grants for the assistance of organizations to find missing adults, and for other purposes; to the Committee on the Judiciary.

By Mr. DREIER (for himself and Ms. CHU):

H.R. 113. A bill to provide for additions to the Cucamonga and Sheep Mountain Wilderness Areas in the Angeles and San Bernardino National Forests and the protection of existing property rights in such additions, to require the Secretary of Agriculture to take steps to prevent and prepare for wildfires in the Cucamonga, Sheep Mountain, and San Gabriel Wilderness Areas and address the backlog of maintenance in the Angeles and San Bernardino National Forests, and for other purposes; to the Committee on Natural Resources.

By Mr. DREIER (for himself and Mr. WHITFIELD):

H.R. 114. A bill to provide a biennial budget for the United States Government; to the Committee on the Budget, and in addition to the Committees on Rules, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FILNER:

H.R. 115. A bill to amend title 38, United States Code, to increase the maximum age for children eligible for medical care under the CHAMPVA program; to the Committee on Veterans' Affairs.

By Ms. FOXX:

H.R. 116. A bill to direct the Federal Trade Commission to revise the regulations regarding the Do-not-call registry to prohibit politically-oriented recorded message telephone calls to telephone numbers listed on that registry; to the Committee on Energy and Commerce.

By Mr. FILNER:

H.R. 117. A bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FLEMING:

H.R. 118. A bill to amend the Patient Protection and Affordable Care Act to permit a State to elect not to establish an American Health Benefit Exchange; to the Committee on Energy and Commerce.

By Mr. FLEMING:

H.R. 119. A bill to prohibit the hiring of additional employees by the Internal Revenue Service to implement, administer, or enforce health insurance reform; to the Committee on Ways and Means.

By Ms. FOXX (for herself, Mr. WESTMORELAND, Mr. KISSELL, Mr. BISHOP of Utah, Mrs. LUMMIS, and Mr. TERRY):

H.R. 120. A bill to amend title 38, United States Code, to provide for eligibility for housing loans guaranteed by the Department of Veterans Affairs for the surviving spouses of certain totally-disabled veterans; to the Committee on Veterans' Affairs.

By Mr. GINGREY of Georgia (for himself, Mr. BASS of New Hampshire, Mr. GOWDY, Mr. SCALISE, Mr. AUSTIN SCOTT of Georgia, Mr. STIVERS, and Mr. WALBERG):

H.R. 121. A bill to require any amounts remaining in a Member's Representational Allowance at the end of a fiscal year to be deposited in the Treasury and used for deficit reduction or to reduce the Federal debt; to the Committee on House Administration.

By Mr. GINGREY of Georgia (for himself, Mr. HARPER, Mrs. MCMORRIS RODGERS, Mr. WESTMORELAND, Mr. KINGSTON, Mr. ROSS of Florida, Mr. DUNCAN of Tennessee, Mr. BURTON of Indiana, Mr. CHAFFETZ, Mr. ROE of Tennessee, Mr. BARTON of Texas, Mr. AUSTIN SCOTT of Georgia, Mr. BROUN of Georgia, Mr. BARTLETT, Mr. MACK, Mr. LATTA, Mr. KLINE, Mr. RIBBLE, Mr. STEARNS, Mr. MILLER of Florida, Mr. GARY G. MILLER of California, Mr. CRAWFORD, Mrs. BACHMANN, Mr. SCALISE, Mr. PITTS, Mr. SAM JOHNSON of Texas, Mr. KING of Iowa, and Mr. BRADY of Texas):

H.R. 122. A bill to amend title 5, United States Code, to limit the circumstances in which official time may be used by a Federal employee; to the Committee on Oversight and Government Reform.

By Mr. GINGREY of Georgia:

H.R. 123. A bill to amend the Internal Revenue Code of 1986 to make certain tax relief permanent, and to repeal the estate tax; to the Committee on Ways and Means.

By Mr. GINGREY of Georgia:

H.R. 124. A bill to provide that rates of pay for Members of Congress shall not be adjusted under section 601(a)(2) of the Legislative Reorganization Act of 1946 in the year following any fiscal year in which outlays of the United States exceed receipts of the United States; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GINGREY of Georgia (for himself, Mrs. BACHMANN, Mr. BACHUS, Mr. BASS of New Hampshire, Mrs. BLACKBURN, Mr. BILBRAY, Mr. BISHOP of Utah, Mr. CARTER, Mr. CONAWAY, Mr. GARRETT, Mr. HELLER, Mr. SAM JOHNSON of Texas, Mr. KLINE, Mr. LAMBORN, Mr. MCCAUL, Mrs. MYRICK, Mr. NEUGEBAUER, Mr. POSEY, Mr. ROE of Tennessee, Mr. ROSS of Florida, Mr. AUSTIN SCOTT of Georgia, Mr. TERRY, Mr. WALBERG, and Mr. WESTMORELAND):

H.R. 125. A bill to require Congress to specify the source of authority under the United States Constitution for the enactment of laws, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GINGREY of Georgia (for himself, Mrs. BACHMANN, Mr. BARTLETT, Mr. BISHOP of Georgia, Mrs. BLACKBURN, Mr. BURTON of Indiana,

Mr. CARTER, Mr. CONAWAY, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. SAM JOHNSON of Texas, Mr. KLINE, Mr. MARCHANT, Mr. PAUL, Mr. ROE of Tennessee, Mr. ROGERS of Alabama, Mr. ROSS of Arkansas, Mr. WESTMORELAND, and Mr. YOUNG of Alaska):

H.R. 126. A bill to require the Bureau of Alcohol, Tobacco, Firearms, and Explosives to make video recordings of the examination and testing of firearms and ammunition, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAVES of Georgia (for himself, Mr. WESTMORELAND, Mr. COFFMAN of Colorado, Mr. CHAFFETZ, Ms. JENKINS, Mr. MANZULLO, Mr. JONES, Mrs. BACHMANN, Mr. BURTON of Indiana, Mr. CULBERSON, and Mr. BROUN of Georgia):

H.R. 127. A bill to deauthorize appropriation of funds to carry out the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GENE GREEN of Texas:

H.R. 128. A bill to direct the Secretary of Labor to revise regulations concerning the recording and reporting of occupational injuries and illnesses under the Occupational Safety and Health Act of 1970; to the Committee on Education and the Workforce.

By Mr. GENE GREEN of Texas:

H.R. 129. A bill to amend the National Labor Relations Act to require the arbitration of initial contract negotiation disputes, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GENE GREEN of Texas:

H.R. 130. A bill to prevent the nondisclosure of employer-owned life insurance coverage of employees as an unfair and deceptive Act or practice under the Federal Trade Commission Act, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLT:

H.R. 131. A bill to amend the Internal Revenue Code of 1986 to provide a 5-year extension for the real property standard deduction and to adjust such deduction for inflation; to the Committee on Ways and Means.

By Mr. HOLT (for himself and Mr. KIND):

H.R. 132. A bill to amend the Internal Revenue Code of 1986 to increase the credit for research expenses for 2011 and 2012 and to allow the credit to be assigned; to the Committee on Ways and Means.

By Mr. HOLT (for himself and Ms. LINDA T. SÁNCHEZ of California):

H.R. 133. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for equity investments in high technology small business concerns; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 134. A bill to amend the Internal Revenue Code to make permanent the credit for increasing research activities; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 135. A bill to amend the Internal Revenue Code of 1986 to encourage teachers to pursue teaching science, technology, engineering, and math subjects at elementary and secondary schools; to the Committee on Ways and Means.

By Mr. ISRAEL (for himself, Mr. BOSWELL, Ms. SUTTON, and Mr. WU):

H.R. 136. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate a portion of their income tax payment to provide assistance to homeless veterans, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KAPTUR:

H.R. 137. A bill to amend the Communications Act of 1934 to require radio and television broadcasters to provide free broadcasting time for political advertising, and for other purposes; to the Committee on Energy and Commerce.

By Ms. KAPTUR:

H.R. 138. A bill to amend the Federal Election Campaign Act of 1971 to prohibit contributions and expenditures by multicandidate political committees controlled by foreign-owned corporations, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY:

H.R. 139. A bill to preserve the Arctic coastal plain of the Arctic National Wildlife Refuge, Alaska, as wilderness in recognition of its extraordinary natural ecosystems and for the permanent good of present and future generations of Americans; to the Committee on Natural Resources.

By Mr. KING of Iowa (for himself, Mr. GINGREY of Georgia, Mr. GARY G. MILLER of California, and Mr. WOODALL):

H.R. 140. A bill to amend section 301 of the Immigration and Nationality Act to clarify those classes of individuals born in the United States who are nationals and citizens of the United States at birth; to the Committee on the Judiciary.

By Mr. KING of Iowa (for himself and Mrs. BACHMANN):

H.R. 141. A bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, House Administration, Rules, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KISSELL:

H.R. 142. A bill to establish a national Strategic Gasoline Reserve; to the Committee on Energy and Commerce.

By Mr. LATTA (for himself, Mr. BURTON of Indiana, Mrs. MILLER of Michigan, Mr. JONES, Mrs. MCMORRIS RODGERS, Mr. BROUN of Georgia, Mr. BURGESS, Mr. BARTLETT, Mr. MCKINLEY, Mr. HUNTER, Mr. BISHOP of Utah, and Mr. LAMBORN):

H.R. 143. A bill to amend the Internal Revenue Code of 1986 to repeal the estate tax and retain stepped-up basis at death; to the Committee on Ways and Means.

By Mr. DANIEL E. LUNGREN of California (for himself, Mr. SCHILLING, Mr. SCOTT of South Carolina, Mr. SENSENBRENNER, Mr. SIMPSON, Mr. SMITH of New Jersey, Mr. STIVERS, Mr. TERRY, Mr. WEBSTER, Mr. WOLF, Mr. WOMACK, Mr. WOODALL, Mr. YODER, Mr. YOUNG of Alaska, Mr. RUPPERSBERGER, Mr. CRITZ, Mr. CARDOZA, Mr. MATHESON, Mr. BENISHEK, Mr. BONNER, Mr. BROOKS, Mr. BUCSHON, Mr. CONAWAY, Mr. CULBERSON, Mr. FLAKE, Mr. GOSAR, Mr. GRIFFIN of Arkansas, Mr. LATTA, Mr. REED, Mr. ROSS of Arkansas, Mr. TIPTON, Ms. TSONGAS, Mr. ALEXANDER, Mr. MCHENRY, Mr. NUGENT, Mr. PETRI, Mr. WALBERG, Mr. DESJARLAIS, Mr. DUFFY, Mrs. ELLMERS, Mr. FRELINGHUYSEN, Mr. DOLD, Mr. DREIER, Mr. DUNCAN of Tennessee, Mrs. EMERSON, Mr. FARENTHOLD, Mr. FITZPATRICK, Mr. FLEISCHMANN, Mr. FLORES, Mr. GALLEGLY, Mr. GERLACH, Mr. GIBSON, Mr. GRIFFITH of Virginia, Mr. HANNA, Mr. HELLER, Mr. HULTGREN, Mr. JOHNSON of Illinois, Mr. JONES, Mr. KINZINGER of Illinois, Mr. LANCE, Mr. LATOURETTE, Mr. LEWIS of California, Mr. LOBIONDO, Mr. LONG, Mr. MARINO, Mr. MCKINLEY, Mr. MEEHAN, Mrs. MILLER of Michigan, Mr. MULVANEY, Mr. MURPHY of Pennsylvania, Mr. NUNNELEE, Mr. PAUL, Mr. PAULSEN, Mr. PLATTS, Mr. REICHERT, Mr. RENACCI, Mr. RIBBLE, Mr. ROGERS of Kentucky, Mr. ROGERS of Alabama, Mr. ROHRABACHER, Mr. ROSS of Florida, Mrs. LUMMIS, Mr. MACK, Mr. MANZULLO, Mr. MARCHANT, Mr. MCCAUL, Mr. MCCLINTOCK, Mr. MCKEON, Mrs. MCMORRIS RODGERS, Mr. MILLER of Florida, Mrs. MYRICK, Mr. NEUGEBAUER, Mr. OLSON, Mr. POE of Texas, Mr. POSEY, Mr. ROE of Tennessee, Mr. ROONEY, Mr. ROYCE, Mr. SCALISE, Mrs. SCHMIDT, Mr. SESSIONS, Mr. SHIMKUS, Mr. SMITH of Texas, Mr. STEARNS, Mr. SULLIVAN, Mr. THOMPSON of Pennsylvania, Mr. TURNER, Mr. WESTMORELAND, Mr. WILSON of South Carolina, Mr. BARLETTA, Mr. BASS of New Hampshire, Mrs. BIGGERT, Mr. BOUSTANY, Mr. CALVERT, Mr. CANSECO, Mrs. CAPITO, Mr. CRAWFORD, Mr. CRENSHAW, Mr. DENHAM, Mr. DENT, Mr. DIAZ-BALART, Mr. AKIN, Mr. AUSTRIA, Mrs. BACHMANN, Mr. BACHUS, Mr. BARTLETT, Mr. BARTON of Texas, Mr. BILBRAY, Mr. BILIRAKIS, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. BRADY of Texas, Mr. BROUN of Georgia, Mr. BUCHANAN, Mr. BURGESS, Mr. BURTON of Indiana, Mr. CAMPBELL, Mr. CARTER, Mr. CASSIDY, Mr. CHAFFETZ, Mr. COBLE, Mr. COFFMAN of Colorado, Mr. COLE, Mr. DAVIS of Kentucky, Mr. FORBES, Mr. FORTENBERRY, Mr. GARRETT, Mr. GINGREY of Georgia, Mr. GOHMERT, Mr. GRAVES of Missouri, Mr. GRAVES of Georgia, Mr. GUTHRIE, Mr. HALL, Mr. HARPER, Mr. HUNTER, Mr. ISSA, Ms. JENKINS, Mr. SAM JOHNSON of Texas, Mr. KINGSTON, Mr. KLINE, Mr. LAMBORN, Mr. GOWDY, Ms. HAYWORTH, Mr. LATHAM, Mr. PENCE, Mr. WALDEN, Mrs. BLACK, Mr. PRICE of Georgia, Mr. FRANKS of Arizona, Mr. GARY G. MILLER of California, Ms. HERRERA BEUTLER, Mr. TIBERI, Mr. RAHALL, Mr. GARDNER, Mr. KELLY, Mr. LEE of New York, Mr. CRAVAACK, Mr. ROSKAM, Mr. QUAYLE, Mr. REHBERG, Mr. LUCAS, Mrs. BONO MACK, Mr. RYAN of Wisconsin, Mr. MICA, Mr. LABRADOR, and Mr. PITTS):

H.R. 144. A bill to repeal the expansion of information reporting requirements for payments of $600 or more to corporations, and for other purposes; to the Committee on Ways and Means.

By Mr. MACK:

H.R. 145. A bill to repeal the Patient Protection and Affordable Care Act (Public Law 111-148) and related health-care provisions; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, House Administration, Rules, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OWENS:

H.R. 146. A bill to amend title 31, United States Code, to provide for the issuance of War on Debt Bonds; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 147. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs and the sale of such drugs through Internet sites; to the Committee on Energy and Commerce.

By Mr. PAUL:

H.R. 148. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to provide prospectively that wages earned, and self-employment income derived, by individuals who are not citizens or nationals of the United States shall not be credited for coverage under the old-age, survivors, and disability insurance program under such title, and to provide the President with authority to enter into agreements with other nations taking into account such limitation on crediting of wages and self-employment income; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 149. A bill to amend the Internal Revenue Code of 1986 to repeal the 1993 increase in taxes on Social Security benefits; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 150. A bill to amend the Internal Revenue Code of 1986 to repeal the inclusion in gross income of Social Security benefits; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 151. A bill to provide greater health care freedom for seniors; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas (for himself, Mr. BRADY of Texas, Mr. GOHMERT, Mr. ROYCE, Mr. ROE of Tennessee, Mr. HALL, Mr. CAMPBELL, Mr. BURTON of Indiana, Mr. STUTZMAN, Mr. STEARNS, and Mr. LATTA):

H.R. 152. A bill to utilize the National Guard to provide support for the border control activities of the United States Customs and Border Protection of the Department of Homeland Security, and for other purposes; to the Committee on Armed Services.

By Mr. POE of Texas (for himself, Mr. BRADY of Texas, Mr. BISHOP of Utah, Mr. LAMBORN, Mr. HALL, Mr. ROE of Tennessee, Mr. CONAWAY, Mr. FRANKS of Arizona, Mr. BURTON of Indiana, Mr. STUTZMAN, Mr. AKIN, Mr. COLE, Ms. FOXX, Mr. GINGREY of Georgia, Mr. GOHMERT, Mr. SAM JOHNSON of Texas, Mrs. LUMMIS, Mr. MCKEON, Mr. PAUL, and Mr. LATTA):

H.R. 153. A bill to prohibit funding for the Environmental Protection Agency to be used to implement or enforce a cap-and-trade program for greenhouse gases, and for other purposes; to the Committee on Energy and Commerce.

By Mr. POE of Texas (for himself, Mr. BRADY of Texas, Mr. COFFMAN of Colorado, Mr. BISHOP of Utah, Mr. LAMBORN, Mr. ROE of Tennessee, Mr. HALL, Mr. CONAWAY, Mr. FRANKS of Arizona, Mr. MCCLINTOCK, Mr. SIMPSON, Mr. OLSON, Mr. BURTON of Indiana, Mr. REHBERG, Mr. JONES, and Mrs. MCMORRIS RODGERS):

H.R. 154. A bill to prohibit the use of funds for implementation or enforcement of any Federal mandate to purchase health insurance; to the Committee on Energy and Commerce.

By Mr. ROYCE:

H.R. 155. A bill to create a national commission, modeled after the successful Defense Base Closure and Realignment Commission, to establish a timely, independent, and fair process for realigning or closing outdated, ineffective, or inefficient Executive agencies; to the Committee on Oversight and Government Reform.

By Mr. ROYCE:

H.R. 156. A bill to impose sanctions on individuals who are complicit in human rights abuses committed against nationals of Vietnam or their family members, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Ways and Means, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SESSIONS:

H.R. 157. A bill to improve access to emergency medical services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SESSIONS:

H.R. 158. A bill to amend the Internal Revenue Code of 1986 to repeal certain limitations on the expensing of section 179 property, to allow taxpayers to elect shorter recovery periods for purposes of determining the deduction for depreciation, and for other purposes; to the Committee on Ways and Means.

By Mr. SESSIONS:

H.R. 159. A bill to direct the Secretary of Defense and the Secretary of Veterans Affairs to carry out a pilot program under which the Secretaries make payments for certain treatments of traumatic brain injury and post-traumatic stress disorder; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHULER:

H.R. 160. A bill to amend title II of the Social Security Act to eliminate the five-month waiting period in the disability insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. SHULER:

H.R. 161. A bill to amend the Internal Revenue Code of 1986 to allow Head Start teachers the same above-the-line deduction for supplies as is allowed to elementary and secondary school teachers; to the Committee on Ways and Means.

By Mr. SIMPSON:

H.R. 162. A bill to amend title 28, United States Code, to provide for the appointment of additional Federal circuit judges, to divide the Ninth Judicial Circuit of the United States into two judicial circuits, and for other purposes; to the Committee on the Judiciary.

By Mr. SIMPSON:

H.R. 163. A bill to establish certain wilderness areas in central Idaho and to authorize various land conveyances involving National Forest System land and Bureau of Land Management land in central Idaho; to the Committee on Natural Resources.

By Mr. STEARNS:

H.R. 164. A bill to amend title 49, United States Code, to direct the National Highway Traffic Safety Administration to require the disclosure of information relating to the fair market value and safety of damaged motor vehicles; to the Committee on Energy and Commerce.

By Mr. STEARNS:

H.R. 165. A bill to authorize the Secretary of Health and Human Services to make grants to nonprofit tax-exempt organizations for the purchase of ultrasound equipment to provide free examinations to pregnant women needing such services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. STEARNS:

H.R. 166. A bill to prohibit the Federal Communications Commission from regulating information services or Internet access services absent a market failure, and for other purposes; to the Committee on Energy and Commerce.

By Mr. STEARNS:

H.R. 167. A bill to provide that no Federal funds may be used for the design, renovation, construction, or rental of any headquarters for the United Nations in any location in the United States unless the President transmits to Congress a certification that the United Nations has adopted internationally recognized best practices in contracting and procurement; to the Committee on Foreign Affairs.

By Mr. STEARNS:

H.R. 168. A bill to direct the Secretary of Veterans Affairs to improve the prevention, diagnosis, and treatment of veterans with chronic obstructive pulmonary disease; to the Committee on Veterans' Affairs.

By Mr. STEARNS:

H.R. 169. A bill to require the Secretary of Veterans Affairs to include on the main page of the Internet website of the Department of Veterans Affairs a hyperlink to the VetSuccess Internet website and to publicize such Internet website; to the Committee on Veterans' Affairs.

By Mr. STEARNS:

H.R. 170. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain interest amounts received by individuals; to the Committee on Ways and Means.

By Mr. STEARNS:

H.R. 171. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for amounts paid for health insurance and prescription drug costs of individuals; to the Committee on Ways and Means.

By Mr. STEARNS:

H.R. 172. A bill to provide that no automatic pay adjustment for Members of Congress shall be made in the year following a fiscal year in which there is a Federal budget deficit; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEARNS:

H.R. 173. A bill to amend titles XI and XVIII of the Social Security Act to provide increased civil and criminal penalties for acts involving fraud and abuse under the Medicare Program and to increase the amount of the surety bond required for suppliers of durable medical equipment; to the

Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of Mississippi:

H.R. 174. A bill to enhance homeland security, including domestic preparedness and collective response to terrorism, by amending the Homeland Security Act of 2002 to establish the Cybersecurity Compliance Division and provide authorities to the Department of Homeland Security to enhance the security and resiliency of the Nation's cyber and physical infrastructure against terrorism and other cyber attacks, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of Mississippi:

H.R. 175. A bill to amend the Post-Katrina Emergency Management Reform Act of 2006 to direct the Administrator of the Federal Emergency Management Agency to develop lifecycle plans and tracking procedures for housing units provided to individuals and households to respond to disaster-related housing needs, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of Mississippi:

H.R. 176. A bill to enhance homeland security, including domestic preparedness and collective response to terrorism, by improving the Federal Protective Service, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THORNBERRY (for himself, Mr. ISSA, Mr. YOUNG of Alaska, Mr. BACHUS, Mr. MANZULLO, Mr. WILSON of South Carolina, Mr. OLSON, Mr. ROGERS of Kentucky, Mr. BARTON of Texas, Mr. SESSIONS, Mr. HALL, Mr. FLEMING, Mr. BROUN of Georgia, Mr. BILBRAY, Mr. ROGERS of Alabama, Mr. CONAWAY, Mr. SMITH of Texas, and Mr. CULBERSON):

H.R. 177. A bill to repeal the Federal estate and gift taxes; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 178. A bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan for military surviving spouses to offset the receipt of veterans dependency and indemnity compensation; to the Committee on Armed Services.

By Mr. WILSON of South Carolina:

H.R. 179. A bill to amend title 10, United States Code, to eliminate the requirement that certain former members of the reserve components of the Armed Forces be at least 60 years of age in order to be eligible to receive health care benefits; to the Committee on Armed Services.

By Mr. WILSON of South Carolina:

H.R. 180. A bill to amend the National Guard Youth Challenge Program under title 32, United States Code, to exclude non-defense funds made available by other Federal agencies for the Program from the matching requirements of the Program; to the Committee on Armed Services.

By Mr. WILSON of South Carolina:

H.R. 181. A bill to amend title 10, United States Code, to ensure that members of the reserve components of the Armed Forces who have served on active duty or performed active service since September 11, 2001, in support of a contingency operation or in other emergency situations receive credit for such service in determining eligibility for early receipt of non-regular service retired pay, and for other purposes; to the Committee on Armed Services.

By Mr. WILSON of South Carolina:

H.R. 182. A bill to establish a National Commission on American Recovery and Reinvestment; to the Committee on Education and the Workforce.

By Mr. WILSON of South Carolina:

H.R. 183. A bill to direct the Secretary of Veterans Affairs to carry out a study on the acquisition of land adjacent to Beaufort National Cemetery, Beaufort, South Carolina; to the Committee on Veterans' Affairs.

By Mr. WILSON of South Carolina:

H.R. 184. A bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 185. A bill to amend the Internal Revenue Code of 1986 to permanently reduce individual income tax rates; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 186. A bill to amend title 10, United States Code, to expand the eligibility for concurrent receipt of military retired pay and veterans' disability compensation to include all members of the uniformed services who are retired under chapter 61 of such title for disability, regardless of the members' disability rating percentage; to the Committee on Armed Services, and in addition to the Committees on the Budget, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WILSON of South Carolina:

H.R. 187. A bill to provide that rates of pay for Members of Congress shall not be subject to automatic adjustment; and to provide that any bill or resolution, and any amendment to any bill or resolution, which would increase Members' pay may be adopted only by a recorded vote; to the Committee on House Administration, and in addition to the Committees on Oversight and Government Reform, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOODALL:

H.R. 188. A bill to limit the total discretionary appropriations for fiscal year 2011 to the level set by the Continuing Appropriations Act, 2011; to the Committee on the Budget.

By Mr. WOODALL:

H.R. 189. A bill to repeal the Troubled Asset Relief Program and to prevent future bailouts; to the Committee on Financial Services.

By Ms. WOOLSEY (for herself, Mr. GEORGE MILLER of California, and Ms. HIRONO):

H.R. 190. A bill to amend the Occupational Safety and Health Act of 1970 to expand coverage under the Act, to increase protections for whistleblowers, to increase penalties for high gravity violations, to adjust penalties for inflation, to provide rights for victims or their family members, and for other purposes; to the Committee on Education and the Workforce.

By Ms. WOOLSEY (for herself, Mr. GEORGE MILLER of California, Ms. SCHAKOWSKY, Mr. CONYERS, Mr. STARK, Mr. OLVER, Ms. LEE of California, Ms. MOORE, Mr. FRANK of Massachusetts, Mr. ENGEL, Mr. JOHNSON of Georgia, Ms. EDWARDS, Mr. HINCHEY, Ms. ZOE LOFGREN of California, Mr. HONDA, Mr. ACKERMAN, Mr. MURPHY of Connecticut, Mr. WEINER, Mr. ELLISON, Mr. CAPUANO, Ms. MATSUI, Mr. GARAMENDI, Mr. ROTHMAN of New Jersey, Ms. DELAURO, Mr. SARBANES, Ms. HIRONO, Mr. FATTAH, Mr. SCOTT of Virginia, Ms. RICHARDSON, Mr. NADLER, Mr. FARR, Ms. PINGREE of Maine, Mr. FILNER, Mr. HASTINGS of Florida, Ms. JACKSON LEE of Texas, Mr. RYAN of Ohio, Ms. BALDWIN, Mr. TONKO, Ms. SLAUGHTER, Mr. GUTIERREZ, Mr. HOLT, Mr. GRIJALVA, Ms. TSONGAS, Mr. LUJÁN, Mr. HIGGINS, Mr. THOMPSON of California, and Mr. COHEN):

H.R. 191. A bill to amend the Patient Protection and Affordable Care Act to establish a public health insurance option; to the Committee on Energy and Commerce.

By Ms. WOOLSEY (for herself and Mr. THOMPSON of California):

H.R. 192. A bill to expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary, and for other purposes; to the Committee on Natural Resources.

By Mr. GOODLATTE (for himself, Mr. HENSARLING, Mr. KINGSTON, Mr. SMITH of Texas, Mr. COFFMAN of Colorado, Mr. AKIN, Mr. ALEXANDER, Mrs. BACHMANN, Mr. BACHUS, Mr. BILBRAY, Mr. BRADY of Texas, Mr. BROOKS, Mr. BROUN of Georgia, Mr. BURGESS, Mr. BURTON of Indiana, Mr. CAMPBELL, Mr. CARTER, Mr. CHAFFETZ, Mr. CONAWAY, Mr. CRAWFORD, Mr. DENT, Mr. DUNCAN of Tennessee, Mrs. EMERSON, Mr. FLEMING, Mr. FORBES, Mr. FRANKS of Arizona, Mr. GALLEGLY, Mr. GARDNER, Mr. GOHMERT, Mr. GRIFFITH of Virginia, Mr. HALL, Mr. HERGER, Mr. HULTGREN, Mr. HURT, Mr. ISSA, Mr. JORDAN, Mr. KING of Iowa, Mr. LAMBORN, Mr. LANCE, Mr. LATTA, Mr. LUETKEMEYER, Mr. MACK, Mr. MANZULLO, Mr. MCCAUL, Mr. MCCLINTOCK, Mr. MCHENRY, Mrs. MCMORRIS RODGERS, Mr. MILLER of Florida, Mrs. MILLER of Michigan, Mrs. MYRICK, Mr. NEUGEBAUER, Mr. NUGENT, Mr. OLSON, Mr. PENCE, Mr. PLATTS, Mr. POE of Texas, Mr. POSEY, Mr. REHBERG, Mr. RIGELL, Mr. ROE of Tennessee, Mr. ROGERS of Kentucky, Mr. ROSKAM, Mr. ROSS of Florida, Mr. ROYCE, Mr. SCALISE, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SULLIVAN, Mr. THOMPSON of Pennsylvania, Mr. UPTON, Mr. WESTMORELAND, Mr. WILSON of South Carolina, Mr. WITTMAN, Mr. YOUNG of Alaska, Ms. FOXX, Mr. RIBBLE, Mrs. BLACKBURN, Mr. FARENTHOLD, Mr. GRAVES of Missouri, Mr. PEARCE, Mr. PITTS, Mr. POMPEO, Mr. BARTLETT, Mr. GARRETT, and Mr. CHABOT):

H.J. Res. 1. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. GOODLATTE (for himself, Mr. FRANKS of Arizona, Mr. GALLEGLY, Mr. GARDNER, Mr. GARRETT, Mr. GERLACH, Mr. GOHMERT, Mr. GRIFFITH of Virginia, Mr. HALL, Mr. HARPER, Mr. HELLER, Mr. HERGER, Mr. HULTGREN, Mr. HURT, Mr. ISSA, Mr. SAM JOHNSON of Texas, Mr. JONES, Mr. JORDAN, Mr. KING of Iowa, Mr. KINGSTON, Mr.

LAMBORN, Mr. LANCE, Mr. LATTA, Mr. LOBIONDO, Mr. LUCAS, Mr. LUETKEMEYER, Mrs. LUMMIS, Mr. DANIEL E. LUNGREN of California, Mr. MACK, Mr. MANZULLO, Mr. MARINO, Mr. MATHESON, Mr. MCCAUL, Mr. MCCLINTOCK, Mr. MCHENRY, Mr. MCKEON, Mr. MCKINLEY, Mrs. MCMORRIS RODGERS, Mr. MILLER of Florida, Mrs. MILLER of Michigan, Mr. MURPHY of Pennsylvania, Mr. HENSARLING, Mr. SMITH of Texas, Mr. COFFMAN of Colorado, Mr. ADERHOLT, Mr. AKIN, Mr. ALEXANDER, Mrs. BACHMANN, Mr. BACHUS, Mr. BARTON of Texas, Mrs. BIGGERT, Mr. BILBRAY, Mr. BILIRAKIS, Mr. BISHOP of Utah, Mr. BONNER, Mr. BOREN, Mr. BOUSTANY, Mr. BRADY of Texas, Mr. BROOKS, Mr. BROUN of Georgia, Mr. BUCHANAN, Mr. BURGESS, Mr. BURTON of Indiana, Mr. CAMPBELL, Mr. CARTER, Mr. CASSIDY, Mr. CHAFFETZ, Mr. COBLE, Mr. COLE, Mr. CONAWAY, Mr. CRAWFORD, Mr. CULBERSON, Mr. DAVIS of Kentucky, Mr. DENT, Mr. DIAZ-BALART, Mr. DUNCAN of Tennessee, Mrs. EMERSON, Mr. FLEMING, Mr. FLORES, Mr. FORBES, Mr. FORTENBERRY, Mrs. MYRICK, Mr. NEUGEBAUER, Mr. NUGENT, Mr. OLSON, Mr. PENCE, Mr. PETERSON, Mr. PLATTS, Mr. POE of Texas, Mr. POSEY, Mr. PRICE of Georgia, Mr. REED, Mr. REHBERG, Mr. REICHERT, Mr. RIBBLE, Mr. RIGELL, Mrs. ROBY, Mr. ROE of Tennessee, Mr. ROGERS of Kentucky, Mr. ROSKAM, Ms. ROS-LEHTINEN, Mr. ROSS of Florida, Mr. ROYCE, Mr. SCALISE, Mr. SCHILLING, Mr. AUSTIN SCOTT of Georgia, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SHIMKUS, Mr. SHUSTER, Mr. SIMPSON, Mr. SMITH of Nebraska, Mr. SULLIVAN, Mr. THOMPSON of Pennsylvania, Mr. TURNER, Mr. UPTON, Mr. WESTMORELAND, Mr. WILSON of South Carolina, Mr. WITTMAN, Mr. WOLF, Mr. YOUNG of Alaska, Mr. GARY G. MILLER of California, Mr. MEEHAN, Mrs. BLACKBURN, Mr. CALVERT, Mr. FARENTHOLD, Mr. GRAVES of Missouri, Mr. HUNTER, Mr. LEWIS of California, Mr. PEARCE, Mr. PITTS, Mr. POMPEO, Mr. SCHOCK, Ms. GRANGER, Mr. WALDEN, Mr. CUELLAR, Mr. BARTLETT, and Mr. CHABOT):

H.J. Res. 2. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. FLEMING:

H.J. Res. 3. A joint resolution proposing an amendment to the Constitution of the United States relating to parental rights; to the Committee on the Judiciary.

By Mr. BUCHANAN:

H.J. Res. 4. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. HENSARLING (for himself, Mr. PENCE, and Mr. CAMPBELL):

H.J. Res. 5. A joint resolution proposing an amendment to the Constitution of the United States to control spending; to the Committee on the Judiciary.

By Ms. KAPTUR:

H.J. Res. 6. A joint resolution proposing an amendment to the Constitution of the United States waiving the application of the first article of amendment to the political speech of corporations and other business organizations with respect to the disbursement of funds in connection with public elections and granting Congress and the States the power to establish limits on contributions and expenditures in elections for public office; to the Committee on the Judiciary.

By Ms. KAPTUR:

H.J. Res. 7. A joint resolution proposing an amendment to the Constitution of the United States waiving the application of the first article of amendment to the political speech of corporations and other business organizations with respect to the disbursement of funds in connection with public elections; to the Committee on the Judiciary.

By Ms. KAPTUR:

H.J. Res. 8. A joint resolution proposing an amendment to the Constitution of the United States relating to limitations on the amounts of contributions and expenditures that may be made in connection with campaigns for election to public office; to the Committee on the Judiciary.

By Mr. DREIER:

H. Con. Res. 1. Concurrent resolution regarding consent to assemble outside the seat of government; considered and agreed to.

By Mr. ISSA:

H. Con. Res. 2. Concurrent resolution establishing the Congressional Commission on the European Union, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACKBURN (for herself, Mr. BARTON of Texas, Mr. BROUN of Georgia, Mr. BURGESS, Mr. BURTON of Indiana, Mr. SAM JOHNSON of Texas, Mrs. LUMMIS, Mr. MANZULLO, Mr. MARCHANT, Mr. GARY G. MILLER of California, Mr. OLSON, Mr. REHBERG, Mr. ROGERS of Kentucky, Mr. SHIMKUS, and Mr. YOUNG of Alaska):

H. Con. Res. 3. Concurrent resolution expressing the sense of Congress that the President should issue, and Congress should hold hearings on, a report and a certification regarding the responsibilities, authorities, and powers of his ''czars''; to the Committee on Oversight and Government Reform.

By Ms. KAPTUR:

H. Con. Res. 4. Concurrent resolution expressing the sense of Congress that the Supreme Court misinterpreted the First Amendment to the Constitution in the case of Buckley v. Valeo; to the Committee on the Judiciary.

By Mr. WILSON of South Carolina:

H. Con. Res. 5. Concurrent resolution supporting the reunification of Jerusalem; to the Committee on Foreign Affairs.

By Mr. HENSARLING:

H. Res. 1. A resolution electing officers of the House of Representatives; considered and agreed to.

By Mr. CANTOR:

H. Res. 2. A resolution to inform the Senate that a quorum of the House has assembled and of the election of the Speaker and the Clerk; considered and agreed to.

By Mr. CANTOR:

H. Res. 3. A resolution authorizing the Speaker to appoint a committee to notify the President of the assembly of the Congress; considered and agreed to.

By Mr. DINGELL:

H. Res. 4. A resolution authorizing the Clerk to inform the President of the election of the Speaker and the Clerk; considered and agreed to.

By Mr. CANTOR:

H. Res. 5. A resolution adopting rules for the One Hundred Twelfth Congress; considered and agreed to.

By Mr. HENSARLING:

H. Res. 6. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. CAPUANO:

H. Res. 7. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. CAPUANO:

H. Res. 8. A resolution providing for the designation of certain minority employees; considered and agreed to.

By Mr. DREIER (for himself, Mr. BRADY of Texas, Mr. LANKFORD, Mr. PITTS, and Mr. CONAWAY):

H. Res. 9. A resolution instructing certain committees to report legislation replacing the job-killing health care law; to the Committee on Rules.

By Mr. DREIER:

H. Res. 10. A resolution fixing the daily hour of meeting of the First Session of the One Hundred Twelfth Congress; considered and agreed to.

By Mr. RUSH (for himself, Ms. CLARKE of New York, Mr. TOWNS, and Ms. JACKSON LEE of Texas):

H. Res. 11. A resolution recognizing the 50th anniversary of the Peace Corps and expressing support for designation of March 2011 as Peace Corps Month; to the Committee on Foreign Affairs.

By Mr. BARTLETT:

H. Res. 12. A resolution expressing the sense of the House of Representatives that the United States, in collaboration with other international allies, should establish an energy project with the magnitude, creativity, and sense of urgency that was incorporated in the ''Man on the Moon'' project address the inevitable challenges of ''Peak Oil''; to the Committee on Energy and Commerce.

By Mr. BARTLETT:

H. Res. 13. A resolution expressing the sense of the House of Representatives regarding the recognition, protection, promotion, and facilitation of the annual JFK 50 Mile; to the Committee on Natural Resources.

By Mr. GINGREY of Georgia:

H. Res. 14. A resolution amending the Rules of the House of Representatives to require that standing committees make available the record of recorded votes within 48 hours after that vote; to the Committee on Rules.

By Mr. GINGREY of Georgia (for himself, Mr. WESTMORELAND, Mrs. BLACKBURN, Mr. MCCAUL, Mr. BILBRAY, Mr. POSEY, Mr. MANZULLO, Mr. JONES, Mr. BURTON of Indiana, Mr. BROUN of Georgia, Mrs. MCMORRIS RODGERS, Mrs. BACHMANN, Mr. BISHOP of Utah, Mr. HARPER, Mr. SAM JOHNSON of Texas, Mr. LAMBORN, Mr. GARRETT, Mr. MCCLINTOCK, Mr. ROE of Tennessee, Mr. SHIMKUS, and Mr. POE of Texas):

H. Res. 15. A resolution amending the Rules of the House of Representatives to require that general appropriations for military construction and veterans' affairs be considered as stand-alone measures; to the Committee on Rules.

By Mr. ROYCE (for himself, Ms. ZOE LOFGREN of California, Mr. SMITH of New Jersey, Ms. LORETTA SANCHEZ of California, Mr. ROHRABACHER, and Mr. WOLF):

H. Res. 16. A resolution calling on the State Department to list the Socialist Republic of Vietnam as a ''Country of Particular Concern'' with respect to religious freedom; to the Committee on Foreign Affairs.

By Mr. SESSIONS:

H. Res. 17. A resolution expressing the sense of the House of Representatives that the Commissioner of Food and Drugs should evaluate the scientific evidence on the question of whether to add more folic acid to enriched grain products and expand folic acid fortification into cornmeal and corn-based food products to help prevent further serious birth defects; to the Committee on Energy and Commerce.

By Mr. STEARNS:

H. Res. 18. A resolution expressing the sense of the House of Representatives with respect to pregnancy resource centers; to the Committee on Energy and Commerce.

By Ms. WOOLSEY:

H. Res. 19. A resolution calling for the adoption of a smart security platform for the 21st century; to the Committee on Foreign Affairs.

By Ms. WOOLSEY (for herself, Mr. SCHIFF, Mr. TOWNS, Mr. ACKERMAN, Mrs. MALONEY, Ms. LEE of California, Ms. JACKSON LEE of Texas, Mr. WU, Mr. CAPUANO, Mr. HINCHEY, Ms. SCHWARTZ, Mr. CROWLEY, Ms. MOORE, Mr. COHEN, Mr. CUMMINGS, Ms. BERKLEY, Mr. FALEOMAVAEGA, Mr. PAYNE, Mr. FARR, Mr. MORAN, Ms. EDWARDS, Mr. HASTINGS of Florida, Mr. LOEBSACK, Mr. OLVER, Ms. BROWN of Florida, Ms. TSONGAS, Mr. PASCRELL, Mr. GRIJALVA, Ms. ZOE LOFGREN of California, Mr. CARNAHAN, Mr. STARK, Mr. BRADY of Pennsylvania, Mr. HOLT, Mr. PALLONE, Ms. WASSERMAN SCHULTZ, Ms. BALDWIN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GONZALEZ, Ms. KAPTUR, Mr. MICHAUD, Ms. DELAURO, Mr. SMITH of Washington, Ms. BORDALLO, Mr. AL GREEN of Texas, Mr. RUSH, Mr. GEORGE MILLER of California, Ms. HIRONO, Mr. BISHOP of Georgia, Mr. CONYERS, Ms. SPEIER, Mr. BLUMENAUER, Mr. HONDA, Ms. SUTTON, Mr. VAN HOLLEN, Ms. HARMAN, Mr. SERRANO, Mr. SIRES, and Mr. YARMUTH):

H. Res. 20. A resolution expressing the sense of the House of Representatives that the Senate should ratify the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); to the Committee on Foreign Affairs.

By Ms. WOOLSEY (for herself, Mr. GRIJALVA, Mr. HOLT, Mr. MARKEY, Mr. HONDA, Mr. FATTAH, Ms. BALDWIN, Mr. OLVER, and Mr. SERRANO):

H. Res. 21. A resolution recognizing nonproliferation options for nuclear understanding to keep everyone safe (NO NUKES); to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LATOURETTE:

H.R. 193. A bill for the relief of Zdenko Lisak; to the Committee on the Judiciary.

By Mr. PASTOR of Arizona:

H.R. 194. A bill for the relief of Martha Palmillas de Morales; to the Committee on the Judiciary.

By Mr. PASTOR of Arizona:

H.R. 195. A bill for the relief of Nery Antonio Velasquez-Roblero; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

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

By Mr. CANTOR:

H.R. 2.

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

For over 200 years, the Congress, the Executive, and the Judiciary have acted according to the principle of coordinate branch construction based on their respective obligations to ensure that all their actions are constitutional. This is the clear meaning of the Vesting Clauses of Articles I, II, and III along with the Supremacy Clause of Article VI, as well as of the Oath of Office that each constitutional officer of the Federal government must take pursuant to Article VI. James Madison made this clear in 1834 stating, ''As the Legislative, Executive, and Judicial departments of the United States are co-ordinate, and each equally bound to support the Constitution, it follows that each must in the exercise of its functions be guided by the text of the Constitution according to its own interpretation of it.''

The ''Repealing the Job Killing Health Care Law Act'' repeals the Patient Protection and Affordable Care Act and title I and subtitle B of title II of the Health Care and Education Affordability Reconciliation Act of 2010, which included several specific provisions that extend beyond the enumerated powers granted to Congress by the Constitution, including, in particular, the Commerce, Taxing, and the Spending Clauses of Article I, Section 8, as well as the Necessary and Proper Clauses contained therein, and that otherwise improperly extend authority to Federal agencies in a manner inconsistent with the Vesting Clause of Article I, Section 1.

The general repeal of this legislation is consistent with the powers that are reserved to the States and to the people as expressed in Amendment X to the United States Constitution.

By Mr. GARRETT:

H.R. 21.

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

This bill seeks to strike a provision from the Patient Protection and Affordable Care Act, the so-called ''individual mandate,'' which is unconstitutional.

The Patient Protection and Affordable Care Act requires individuals to purchase private health insurance—health insurance that has been approved by the federal government—or pay a fine. While Congress is granted the authority to ''regulate commerce . . . among the several states,'' and the Supreme Court has allowed Congress to regulate and prohibit ''economic'' activities that are not, strictly speaking, commerce, this is the first time in our nation's history that Congress has sought to regulate inactivity. And for the first time, Congress has mandated that individuals purchase a private good, approved by the government, as the price of citizenship. This requirement is plainly unconstitutional, and, as Federal District Court Judge Henry Hudson recently wrote in his opinion striking down the individual mandate, ''is beyond the historical reach of the Commerce Clause.''

By Ms. SPEIER:

H.R. 22.

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

Article 1, Section 8: Congress shall have the power to regulate commerce among the states, and provide for the general welfare.

By Mr. FILNER:

H.R. 23.

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

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution (clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper to execute these powers.

By Mr. JONES:

H.R. 24.

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

The constitutional authority of Congress to enact this legislation is provided by Article 1, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. WOODALL:

H.R. 25.

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

Clause 1, Section 8 of Article 1 of the United States Constitution which reads: ''The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.''

By Ms. SPEIER:

H.R. 26.

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

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

By Mr. MCINTYRE:

H.R. 27.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. MCINTYRE:

H.R. 28.

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

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

By Mr. MCINTYRE:

H.R. 29.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mrs. BIGGERT:

H.R. 30.

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

Clause 1 of Section 8 of Article I.

By Mrs. BIGGERT:

H.R. 31.

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

Article 1, section 8, clause 1 (relating to the general welfare of the United States), clause 3 (relating to the power to regulate interstate commerce), and clause 18.

By Mrs. BIGGERT:

H.R. 32.

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

Article 1, section 8, clause 1 (relating to the general welfare of the United States) and clause 3 (relating to the power to regulate interstate commerce).

By Mrs. BIGGERT:
H.R. 33.
Congress has the power to enact this legislation pursuant to the following:
Article 1, section 8, clause 1 (relating to the general welfare of the United States) and clause 3 (relating to the power to regulate foreign and interstate commerce).

By Mrs. BIGGERT:
H.R. 34.
Congress has the power to enact this legislation pursuant to the following:
Article 1, section 8, clause 1 (relating to the general welfare of the United States) and clause 3 (relating to the power to regulate interstate commerce).

By Mrs. BIGGERT:
H.R. 35.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, clause 1 (''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises . . .''), and the 16th Amendment.

By Mrs. BIGGERT:
H.R. 36.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of Section 8 of Article I.

By Mrs. BIGGERT:
H.R. 37.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, clause 1 (''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises . . .''), and the 16th Amendment.

By Mr. FLEMING:
H.R. 38.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of Section 8 of Article I of the United States Constitution and Clause 7 of Section 9 of Article I of the United States Constitution.

By Mr. YOUNG of Alaska:
H.R. 39.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3.

By Mr. CONYERS:
H.R. 40.
Congress has the power to enact this legislation pursuant to the following:
Pursuant to Section 5 of the Fourteenth Amendment to the United States Constitution, Congress shall have the power to enact appropriate laws protecting the civil rights of all Americans.

By Mr. ISSA:
H.R. 41.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the U.S. Constitution, which is the Commerce Clause.

By Mr. ISSA:
H.R. 42.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, the Interstate Commerce Clause.

By Mr. ISSA:
H.R. 43.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 4, which states that Congress has the power to establish a uniform Rule of Naturalization.

By Ms. BORDALLO:
H.R. 44.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress to make all rules and regulations respecting the Territories and possessions as enumerated in Article IV, Section 3, Clause 2 of the United States Constitution.

By Mr. ISSA:
H.R. 45.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 5, Clauses 4 and 18 of the United States Constitution.

By Mr. ISSA:
H.R. 46.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 4; 14th Amendment.

By Mr. ISSA:
H.R. 47.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8; 4th Amendment.

By Mr. CONNOLLY:
H.R. 48.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18.

By Mr. YOUNG of Alaska:
H.R. 49.
Congress has the power to enact this legislation pursuant to the following:
Article 4, Section 3, Clause 2.

By Mr. YOUNG of Alaska:
H.R. 50.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3.

By Mr. CONNOLLY:
H.R. 51.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18.

By Mr. CONNOLLY:
H.R. 52.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18.

By Mr. CONNOLLY:
H.R. 53.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18.

By Mr. CONNOLLY:
H.R. 54.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18.

By Mr. CONNOLLY:
H.R. 55.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18.

By Mr. SCALISE:
H.R. 56.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. SCALISE:
H.R. 57.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8, clause 18 of the Constitution of the United States.

By Mr. SCALISE:
H.R. 58.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution, Article I, Section 8, Clause 18 of the United States Constitution, and Amendment II of the United States Constitution.

By Mr. SCALISE:
H.R. 59.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. SCALISE:
H.R. 60.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. SCALISE:
H.R. 61.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. DOGGETT:
H.R. 62.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. DOGGETT:
H.R. 63.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mr. DOGGETT:
H.R. 64.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. DOGGETT:
H.R. 65.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. DOGGETT:
H.R. 66.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. ROGERS of Michigan:
H.R. 67.
Congress has the power to enact this legislation pursuant to the following:
The intelligence and intelligence-related activities of the United States government are carried out to support the national security interests of the United States, to support and assist the armed forces of the United States, and to support the President in the execution of the foreign policy of the United States.
Article I, section 8 of the Constitution of the United States provides, in pertinent part, that ''Congress shall have power . . . to pay the debts and provide for the common defense and general welfare of the United States''; and ''To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested in this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. LAMBORN:
H.R. 68.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the United States Constitution.
Article I, Section 9, Clause 7 of the United States Constitution.

By Mr. LAMBORN:
H.R. 69.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the United States Constitution.
Article I, Section 9, Clause 7 of the United States Constitution.

By Mr. McINTYRE:
H.R. 70.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution.

By Ms. JACKSON LEE of Texas:
H.R. 71.
Congress has the power to enact this legislation pursuant to the following:
This bill in enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.
By Ms. JACKSON LEE of Texas:
H.R. 72.
Congress has the power to enact this legislation pursuant to the following:
This bill in enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.
By Ms. JACKSON LEE of Texas:
H.R. 73.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 7 of the United States Constitution.
By Ms. JACKSON LEE of Texas:
H.R. 74.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.
By Ms. JACKSON LEE of Texas:
H.R. 75.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 3 of the United States Constitution.
By Ms. JACKSON LEE of Texas:
H.R. 76.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.
By Ms. JACKSON LEE of Texas:
H.R. 77.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.
By Ms. JACKSON LEE of Texas:
H.R. 78.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 7 of the United States Constitution.
By Ms. JACKSON LEE of Texas:
H.R. 79.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.
By Ms. JACKSON LEE of Texas:
H.R. 80.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 3 of the United States Constitution.
By Ms. JACKSON LEE of Texas:
H.R. 81.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 18 of the United States Constitution.
By Ms. JACKSON LEE of Texas:
H.R. 82.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.
By Ms. JACKSON LEE of Texas:
H.R. 83.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.
By Ms. JACKSON LEE of Texas:
H.R. 84.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article 1, Section 5 of the United States Constitution, which gives Congress the authority to set rules for its proceedings.
By Mr. BACA:
H.R. 85.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 9, Clause 7 of the Constitution; and Article I, Section 8, Clause 1 of the Constitution.
By Mrs. BACHMANN:
H.R. 86.
Congress has the power to enact this legislation pursuant to the following:
U.S. Constitution Article I Section 8.
By Mrs. BACHMANN:
H.R. 87.
Congress has the power to enact this legislation pursuant to the following:
This bill makes specific changes to existing law in a manner that returns power to the States and to People, in accordance with Amendment X to the U.S. Constitution.
By Mr. BARTLETT:
H.R. 88.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1.
The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.
By Mr. BARTLETT:
H.R. 89.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 4.
The Congress shall have Power . . . To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States.
By Mr. BARTLETT:
H.R. 90.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1.
. . . provide for the common Defence and general Welfare of the United States.
By Mr. BARTON of Texas:
H.R. 91.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.
By Mrs. BIGGERT:
H.R. 92.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of Article 1, Section 8.
By Mrs. BLACKBURN:
H.R. 93.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 and Article I, Section 9, Clause 7 of the United States Constitution.
By Mrs. BLACKBURN:
H.R. 94.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 and Article I, Section 9, Clause 7 of the United States Constitution.
By Mrs. BLACKBURN:
H.R. 95.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 and Article I, Section 9, Clause 7 of the United States Constitution.
By Mrs. BLACKBURN:
H.R. 96.
Congress has the power to enact this legislation pursuant to the following:
We submit this bill under the Constitutional authority of Article I, Section 8, Clause 3 protecting interstate commerce across the Internet. Additionally, we cite Clause 14 of Section 8 to make rules for the federal government.
By Mrs. BLACKBURN:
H.R. 97.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 and Article IV, Section 3, Clause 2 of the United States Constitution.
By Mr. DREIER:
H.R. 98.
Congress has the power to enact this legislation pursuant to the following:
Clause 4 of Section 8 of Article I of the Constitution.
By Mr. DREIER:
H.R. 99.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of Section 8 of Article I and Amendment XVI of the Constitution.
By Mrs. BLACKBURN:
H.R. 100.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1; Article I, Section 8, Clause 14; and Article IV, Section 3, Clause 2.
By Mrs. BLACKBURN:
H.R. 101.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 and Article I, Section 8, Clause 14.
By Mrs. BLACKBURN:
H.R. 102.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3; Article I, Section 8, Clause 14; and Article IV, Section 3, Clause 2 of the United States Constitution.
By Mrs. BLACKBURN:
H.R. 103.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3; Article I, Section 8, Clause 14.
By Mr. BOUSTANY:
H.R. 104.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.
By Mr. BURTON of Indiana:
H.R. 105.
Congress has the power to enact this legislation pursuant to the following:
Clause 1, Clause 3, and Clause 18 of Section 8 and Clause 7 of Section 9 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.
By Mr. CARDOZA:
H.R. 106.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to its authority under clause 9 of section 8 of article I and section 1 of article III of the Constitution to establish and regulate federal courts.
By Mr. CONYERS:
H.R. 107.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, Clause 1 of the United States Constitution. This provision permits Congress make or alter the regulations pertaining to Federal elections.

By Mr. CONYERS:

H.R. 108.

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

Article I, Section 8, Clause 14 and 18, among others.

By Mr. CONYERS:

H.R. 109.

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

Article I, Section 4, Clause 1 of the United States Constitution. This provision permits Congress make or alter the regulations pertaining to Federal elections.

By Ms. DELAURO:

H.R. 110.

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

Article I, Section 8, Clause 1 of the United States Constitution.

By Ms. DELAURO:

H.R. 111.

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

Article I, Section 8, Clause 3 of the United States Constitution and Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. DOGGETT:

H.R. 112.

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

Article I, Section 8, Clause 1 and Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. DREIER:

H.R. 113.

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

Article IV, Section 3 of the United States Constitution.

By Mr. DREIER:

H.R. 114.

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

Clause 1 of Section 8 of Article I of the Constitution.

By Mr. FILNER:

H.R. 115.

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

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

By Ms. FOXX:

H.R. 116.

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

Clause 3 of Section 8 of Article 1 of the Constitution which states ''Congress shall have power to regulate commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. FILNER:

H.R. 117.

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

Clause 18 of Section 8 of article I of the Constitution.

By Mr. FLEMING:

H.R. 118.

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

This bill makes specific changes to existing law in a manner that returns power to the States and to the people, in accordance to Amendment X of the United States Constitution.

By Mr. FLEMING:

H.R. 119.

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

Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution and Clause 7 of Section 9 of Article I of the United States Constitution.

By Ms. FOXX:

H.R. 120.

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

Pursuant to Article I, section 8 of the United States Constitution, the bill is authorized by Congress' power to ''provide for the common Defense and general Welfare of the United States.''

By Mr. GINGREY of Georgia:

H.R. 121.

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

Article I, Section 8, Clause 1 of the Constitution that states, ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts . . .''

By Mr. GINGREY of Georgia:

H.R. 122.

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

Article I, Section 8, Clause 3 of the Constitution states ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

Article I, Section 8, Clause 18 of the Constitution states ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.''

By Mr. GINGREY of Georgia:

H.R. 123.

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

Article I, Section 8, Clause 1 of the Constitution that states, ''The Congress shall have Power to lay and collect Taxes . . .''

Amendment XVI of the Constitution that states, ''The Congress shall have power to lay and collect taxes on incomes . . .''

By Mr. GINGREY of Georgia:

H.R. 124.

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

Article I, Section 6, Clause 1 of the Constitution that states ''The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States.''

The 27th Amendment to the Constitution states ''Now law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.''

By Mr. GINGREY of Georgia:

H.R. 125.

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

Article I, Section 5, Clause 2 of the Constitution that states, ''Each House may determine the Rules of its Proceedings''

By Mr. GINGREY of Georgia:

H.R. 126.

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

Article I, Section 8, Clause 3 of the Constitution that states that Congress shall have Power ''To regulate Commerce with foreign Nations, and among the several States . . .''

By Mr. GRAVES of Georgia:

H.R. 127.

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

Clause 7 of Section 9 of Article 1 of the Constitution—No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.

By Mr. GENE GREEN of Texas:

H.R. 128.

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

Article I, Section 8, Clause 3, the Commerce Clause.

By Mr. GENE GREEN of Texas:

H.R. 129.

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

Article I, Section 8, Clause 3, the Commerce Clause.

By Mr. GENE GREEN of Texas:

H.R. 130.

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

Article I, Section 8, Clause 3, the Commerce Clause.

By Mr. HOLT:

H.R. 131.

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

Article I of the Constitution of the United States.

By Mr. HOLT:

H.R. 132.

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

Article I of the Constitution of the United States.

By Mr. HOLT:

H.R. 133.

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

Article I of the Constitution of the United States.

By Mr. HOLT:

H.R. 134.

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

Article I of the Constitution of the United States.

By Mr. HOLT:

H.R. 135.

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

Article I of the Constitution of the United States.

By Mr. ISRAEL:

H.R. 136.

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

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. KAPTUR:

H.R. 137.

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

This bill is enacted pursuant to Article I, Section 8, Clause 3 and Article I, Section 8, Clause 18 of the United States Constitution.

By Ms. KAPTUR:

H.R. 138.

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

This bill is enacted pursuant to Article I, Section 8, Clause 3 and Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. MARKEY:

H.R. 139.

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

Article I, section 8 and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact this bill.

By Mr. KING of Iowa:

H.R. 140.

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

Section 5 of the Amendment XIV to the Constitution and Section 8 of Article I of the Constitution.

By Mr. KING of Iowa:

H.R. 141.

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

This bill makes specific changes to existing law in a manner that returns power to

the States and to the People, in accordance with Amendment X of the United States Constitution.

By Mr. KISSELL:

H.R. 142.

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

Spending Authorization

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. LATTA:

H.R. 143.

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

Taxation: Article 1, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. DANIEL E. LUNGREN of California:

H.R. 144.

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

This bill makes changes to existing law relating to Article 1 Section 7 which provides that ''All bills for raising Revenue shall originate in the House of Representatives.''

By Mr. MACK:

H.R. 145.

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

The legislation repeals provisions of the Patient Protection and Affordable Care Act and of the Health and Education Reconciliation Act of 2010 that, in part, were enacted pursuant to section 8 of article I and other provisions, of the Constitution but some provisions of which, including the individual mandate, were enacted in excess of constitutional authority.

By Mr. OWENS:

H.R. 146.

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

Article I, Sections 7 and 8, of the United States Constitution.

By Mr. PAUL:

H.R. 147.

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

The constitutional authorization for the Prescription Drug Affordability Act is found in Article 1, Section 8, and Clause 3 of the Constitution giving the Congress the authority to regulate commerce.

By Mr. PAUL:

H.R. 148.

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

The constitutional authority for the Social Security Preservation Act is article 1 section 9, clause 7 giving Congress the authority to control the expenditures of the federal government.

By Mr. PAUL:

H.R. 149.

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

The constitutional authority for the Social Security Beneficiary Tax Reduction Act is found in Article 1, section 8 which gives Congress power to lay and collect taxes.

By Mr. PAUL:

H.R. 150.

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

The constitutional authority for the Senior Citizens' Tax Elimination Act is found in Article 1, section 8 which gives Congress power to lay and collect taxes.

By Mr. PAUL:

H.R. 151.

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

The constitutionality of the seniors' Health Care Freedom Act is the Fifth Amendment to the United States Constitution, which protects American citizens from having their rights to life, liberty or property abridged without due process of law. Forcing seniors into a federal program they do not want, and fording them from forming private contracts, violates their right to liberty and property.

By Mr. POE of Texas:

H.R. 152.

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

Clause 1 of Section 8, of Article 1, in the United States Constitution.

By Mr. POE of Texas:

H.R. 153.

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

Clause 1, Section 7, of Article 1 of the United States Constitution.

Clause 7, Section 9, of Article 1 of the United States Constitution.

By Mr. POE of Texas:

H.R. 154.

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

Clause 1, Section 7, of Article 1 and Clause 7, Section 9 of Article 1 of the United States Constitution.

By Mr. ROYCE:

H.R. 155.

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

Under Article I, Section 8, Clause 1 of the U.S. Constitution.

By Mr. ROYCE:

H.R. 156.

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

The constitutional authority on which this bill rests is the power of Congress to regulate Commerce with foreign Nations, provided by Article 1, Section 8, Clause 3, which reads: To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes.

The Vietnam Human Rights Sanctions Act imposes sanctions on individuals who are nationals of Vietnam that the President determines are complicit in human rights abuses committed against nationals of Vietnam or their family members. Sanctions include prohibition of entry and admission to the United States and imposition of the International Emergency Economic Powers Act, including blocking of property, and restricting or prohibiting financial transactions and the exportation and importation of property by the individual.

By Mr. SESSIONS:

H.R. 157.

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

According to Article I, Section 8 Congress has the power to regulate Commerce.

By Mr. SESSIONS:

H.R. 158.

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

According to Article I, Section 8 Congress has the power to regulate Commerce.

By Mr. SESSIONS:

H.R. 159.

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

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. SHULER:

H.R. 160.

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

Article 1 Section 8 Clause 1 gives Congress the authority to ''provide for the common defense and general welfare of the United States.''

By Mr. SHULER:

H.R. 161.

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

Article 1 Section 8 Clause 1—''The Congress shall have power to lay and collect taxes''.

By Mr. SIMPSON:

H.R. 162.

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

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 9, which states ''The Congress shall have Power . . . To constitute Tribunals inferior to the supreme Court.'' In addition, Article III, Section 1 states that ''The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish.''

By Mr. SIMPSON:

H.R. 163.

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

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. STEARNS:

H.R. 164.

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

Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mr. STEARNS:

H.R. 165.

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

Article I, Section 8, Clause 1 of the U.S. Constitution.

By Mr. STEARNS:

H.R. 166.

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

Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mr. STEARNS:

H.R. 167.

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

Article I, Section 9, Clause 7 of the U.S. Constitution.

By Mr. STEARNS:

H.R. 168.

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

Article I, Section 8, Clause 14 of the U.S. Constitution.

By Mr. STEARNS:

H.R. 169.

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

Article I, Section 8, Clause 14 of the U.S. Constitution.

By Mr. STEARNS:

H.R. 170.

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

Article I, Section 8, Clause 1 of the U.S. Constitution.

By Mr. STEARNS:
H.R. 171.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the U.S. Constitution.

By Mr. STEARNS:
H.R. 172.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 5, Clause 2 of the U.S. Constitution.

By Mr. STEARNS:
H.R. 173.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mr. THOMPSON of Mississippi:
H.R. 174.
Congress has the power to enact this legislation pursuant to the following:
The U.S. Constitution including Article 1, Section 8.

By Mr. THOMPSON of Mississippi:
H.R. 175.
Congress has the power to enact this legislation pursuant to the following:
The U.S. Constitution including Article 1, Section 8.

By Mr. THOMPSON of Mississippi:
H.R. 176.
Congress has the power to enact this legislation pursuant to the following:
The U.S. Constitution including Article I, Section 8.

By Mr. THORNBERRY:
H.R. 177.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to Article I, Section 8 of the United States Constitution.

By Mr. WILSON of South Carolina:
H.R. 178.
Congress has the power to enact this legislation pursuant to the following:
Article 1, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the Service of the United States.

By Mr. WILSON of South Carolina:
H.R. 179.
Congress has the power to enact this legislation pursuant to the following:
Article 1, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the Service of the United States.

By Mr. WILSON of South Carolina:
H.R. 180.
Congress has the power to enact this legislation pursuant to the following:
Article 1, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the Service of the United States, reserving to the States, respectively, the appointment of officers, and the authority of training the militia according to the discipline prescribed by Congress.

By Mr. WILSON of South Carolina:
H.R. 181.
Congress has the power to enact this legislation pursuant to the following:
Article 1, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the Service of the United States.

By Mr. WILSON of South Carolina:
H.R. 182.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 9, Clause 7 of the United States Constitution, which states no money shall be drawn from the Treasury, but in consequence of appropriation made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

By Mr. WILSON of South Carolina:
H.R. 183.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 16 of the United States Constitution, which grants Congress the power to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States.

By Mr. WILSON of South Carolina:
H.R. 184.
Congress has the power to enact this legislation pursuant to the following:
Amendment XVI to the Constitution which gives Congress the power to lay and collect taxes on incomes.

By Mr. WILSON of South Carolina:
H.R. 185.
Congress has the power to enact this legislation pursuant to the following:
Amendment XVI to the Constitution which gives Congress the power to lay and collect taxes on incomes.

By Mr. WILSON of South Carolina:
H.R. 186.
Congress has the power to enact this legislation pursuant to the following:
Article 1, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the Service of the United States.

By Mr. WILSON of South Carolina:
H.R. 187.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 9, Clause 7 which states that no money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time. The Appropriations Clause provides Congress with a mechanism to control or to limit spending by the federal government.

By Mr. WOODALL:
H.R. 188.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the procedural power granted to the House of Representatives pursuant to Article I, Section 7, Clause 1 of the United States Constitution.
This bill is enacted pursuant to the appropriations powers enumerated to Congress in Article I, Section 9, Clause 7 of the United States Constitution.

By Mr. WOODALL:
H.R. 189.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted in fidelity to the powers vested in Congress in Article I, Section 1 of the United States Constitution and to prohibit encroachment of individual rights granted in Amendment IX and state's rights granted in Amendment X of the United States Constitution.

By Ms. WOOLSEY:
H.R. 190.
Congress has the power to enact this legislation pursuant to the following:
This bill is introduced under the powers granted to Congress under Article 1 of the Constitution.

By Ms. WOOLSEY:
H.R. 191.
Congress has the power to enact this legislation pursuant to the following:
This bill is introduced under the powers granted to Congress under Article 1 of the Constitution.

By Ms. WOOLSEY:
H.R. 192.
Congress has the power to enact this legislation pursuant to the following:
Article 1.

By Mr. LATOURETTE:
H.R. 193.
Congress has the power to enact this legislation pursuant to the following:
Article 1, section 8, clause 4 of the U.S. Constitution.

By Mr. PASTOR of Arizona:
H.R. 194.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 4 of the United States Constitution.

By Mr. PASTOR of Arizona:
H.R. 195.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 4 of the United States Constitution.

By Mr. GOODLATTE:
H.J. Res. 1.
Congress has the power to enact this legislation pursuant to the following:
Article V of the U.S. Constitution.

By Mr. GOODLATTE:
H.J. Res. 2.
Congress has the power to enact this legislation pursuant to the following:
Article V of the U.S. Constitution.

By Mr. FLEMING:
H.J. Res. 3.
Congress has the power to enact this legislation pursuant to the following:
Article V—The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

By Mr. BUCHANAN:
H.J. Res. 4.
Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this joint resolution rests is the power of Congress as enumerated in Article V of the United States Constitution.

By Mr. HENSARLING:

H.J. Res. 5.

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

Under Article V of the United States Constitution, which states: ''The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution. . .''

Ms. KAPTUR:

H.J. Res. 6.

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

Article V of the United States Constitution.

By Ms. KAPTUR:

H.J. Res. 7.

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

Article V of the United States Constitution.

By Ms. KAPTUR:

H.J. Res. 8.

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

Article V of the United States Constitution.

United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, WEDNESDAY, JANUARY 5, 2011 *No. 1*

Senate

The fifth day of January being the day prescribed by Public Law 111–289 for the meeting of the 1st Session of the 112th Congress, the Senate assembled in its Chamber at the Capitol and at 12:04 p.m. was called to order by the Vice President (Mr. BIDEN).

PRAYER

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

Let us pray.

Almighty God, who has placed us here and gives us work to do at the opening of the 112th Congress, we pause to thank You for sustaining this Nation from generation to generation, in prosperity and in adversity. We praise You for this new year with its new horizons, fresh challenges, and high duties.

May the solemn induction of some of our lawmakers become the renewal of vows for all. Give our Senators the wisdom to exert their best efforts for the security of this land we love. In the words of the prophet Micah, may they do justly, love mercy, and walk humbly with You. Join them in heart, mind, and soul to build a better world.

Lord, guide by Your high wisdom the President, the Vice President, the Members of the Senate and the House of Representatives, that they may ever seek to know and do Your will.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The VICE PRESIDENT 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.

CERTIFICATES OF ELECTION

The VICE PRESIDENT. The Chair lays before the Senate one certificate of election to fulfill an unexpired term and the certificates of election for 34 Senators elected for 6-year terms beginning January 3, 2011. All certificates, the Chair is advised, are in the form suggested by the Senate or contain all essential requirements of the form suggested by the Senate. If there is no objection, the reading of the certificates will be waived and they will be printed in the RECORD.

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

STATE OF NEW HAMPSHIRE

Executive Department

To the President of the Senate of the United States:

This is to certify that on the second day of November, two thousand and ten Kelly Ayotte was duly chosen by the qualified electors of the State of New Hampshire to represent said State in the Senate of the United States for the term of six years beginning on the third day of January, two thousand and eleven.

Witness, His Excellency, Governor John H. Lynch and the Seal of State of New Hampshire hereto affixed at Concord, this seventeenth day of November, in the year of Our Lord two thousand and ten.

JOHN H. LYNCH,
Governor.

By the Governor, with advice of the Council:

WILLIAM M. GARDNER,
Secretary of State.

[State Seal Affixed]

STATE OF COLORADO

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM

To the President of the Senate of the United States:

This is to certify that on the Second day of November, 2010, Michael F. Bennet was duly chosen by the qualified electors of the State of Colorado a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the Third day of January, 2011.

Witness: His Excellency our Governor Bill Ritter, Jr., and our seal hereto affixed at Denver, Colorado this Ninth day of December, in the year of our Lord 2010.

By the Governor:

BILL RITTER, Jr.,
Governor.
BERNIE BUESCHER,
Secretary of State.

[State Seal Affixed]

STATE OF CONNECTICUT

Executive Department

To the President of the Senate of the United States:

This is to Certify that on the second day of November, two thousand and ten Richard Blumenthal was duly chosen by the qualified electors of the State of Connecticut Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January two thousand and eleven.

Witness: Her Excellency our Governor; M. Jodi Rell and our seal hereto affixed at Hartford, this twenty-fourth day of November, in the year of our Lord two thousand ten.

M. JODI RELL,
Governor.
SUSAN BYSIEWICZ,
Secretary of the State.

[State Seal Affixed]

STATE OF MISSOURI

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM

To the President of the Senate of the United States:

This is to certify that on the 2nd day of November, 2010, Roy Blunt was duly chosen by the qualified electors of the State of Missouri a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2011.

Witness: His Excellency our Governor Jeremiah W. (Jay) Nixon, and our seal hereto affixed at the City of Jefferson this 1st day of December, in the year of our Lord 2010.

By the Governor:

JEREMIAH W. (JAY) NIXON,
Governor.
ROBIN CARNAHAN,
Secretary of State.

[State Seal Affixed]

STATE OF ARKANSAS

To the President of the Senate of the United States:

Know Ye, That Whereas, It appears that John Boozman was duly elected to the U.S. Senate, in and for the State of Arkansas at an election held on the second day of November, Two Thousand Ten.

Therefore, I, Mike Beebe, Governor of the State of Arkansas in the name and by authority of the people of the State of Arkansas, vested in me by the Constitution and the laws of said State do hereby certify that

John Boozman was duly chosen by the qualified electors of the State of Arkansas to the office of U.S. Senate in and for the State of Arkansas for the term of six years, beginning on the 3rd of January, 2011.

Witness: His excellency our governor Mike Beebe, and our seal hereto affixed at Little Rock, Arkansas this 3rd day of December, in the year of our Lord 2010.

MIKE BEEBE,
Governor.
CHARLIE DANIELS,
Secretary of State.

[State Seal Affixed]

STATE OF CALIFORNIA

Executive Department

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM

To the President of the Senate of the United States:

This is to certify that on the 2nd day of November, 2010, Barbara Boxer was duly chosen by the qualified electors of the State of California as a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2011.

In witness whereof I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 15th day of December, 2010.

ARNOLD SCHWARZENEGGER,
Governor of California.

Attest:

DEBRA BOWEN,
Secretary of State.

[State Seal Affixed]

STATE OF NORTH CAROLINA

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM

To the President of the Senate of the United States:

This is to certify that on the 2nd day of November, 2010, Richard Burr was duly chosen by the qualified electors of the State of North Carolina, a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2011.

In Witness Whereof, I have hereunto signed my name and caused to be affixed the Great Seal of the State, at the Capital City of Raleigh, this the 8th day of December, 2010.

BEVERLY EAVES PERDUE,
Governor.
ELAINE F. MARSHALL,
Secretary of State.

[State Seal Affixed]

STATE OF INDIANA

CERTIFICATE OF ELECTION FOR A SIX-YEAR TERM

Be it known by these presents:

Whereas, according to certified statements submitted by the Circuit Court Clerks of the several counties to the Election Division of the Office of the Secretary of State of Indiana, and based upon the tabulation of those statements performed by the Election Division, the canvass prepared by the Election Division states that at the General Election conducted on the second day of November, 2010, the electors chose Dan Coats to serve the People of the State of Indiana as United States Senator from Indiana

Now therefore, in the name of and by the authority of the State of Indiana, I certify the following in accordance with Title 2 United States Code Section 1:

To the President of the Senate of the United States:

This is to certify that on the second day of November 2010, Dan Coats was duly chosen by the qualified electors of the State of Indiana a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2011.

Witness: His excellency our Governor Mitchell E. Daniels, Jr, and our seal hereto affixed at Indianapolis, this the twenty-second day of November, in the year, 2010,

By the Governor:

M. E. DANIELS, Jr.,
Governor.

Attest:

TODD ROKITA,
Secretary of State.

[State Seal Affixed]

STATE OF OKLAHOMA

Office of the Secretary of State

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM

To the President of the Senate of the United States:

This is to certify that on the 2nd day of November, 2010, Tom Coburn was duly chosen by the qualified electors of the State of Oklahoma a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning of the 3d day of January, 2011.

Witness: His excellency our Governor Brad Henry, and our seal hereto affixed at Oklahoma City, Oklahoma this 18th day of November, in the year of our Lord 2010.

By the Governor:

BRAD HENRY,
Governor.
M. SUSAN SAVAGE,
Secretary of State.

[State Seal Affixed]

STATE OF IDAHO

Office of the Secretary of State

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM

To the President of the Senate of the United States:

This is to certify that on the 2nd day of November, 2010, Mike Crapo was duly chosen by the qualified electors of the State of Oklahoma a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning of the 3d day of January, 2011.

Witness: His excellency our Governor C.L. ''Butch'' Otter, and our seal hereto affixed at Oklahoma City, Oklahoma this 17th day of November, in the year of our Lord 2010.

By the Governor:

C.L. ''BUTCH'' OTTER,
Governor.
BEN YSURSA,
Secretary of State.

[State Seal Affixed]

STATE OF SOUTH CAROLINA

By His Excellency

The Governor and Commander-In-Chief in and Over the State Aforesaid

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM

To the President of the Senate of the United States:

This is to certify that on the Second Day of November, 2010, A.D. James W. DeMint was duly chosen by the qualified electors of the State of South Carolina, a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the Third Day of January 2011.

Witness: His Excellency our Governor, Mark Sanford, and our Seal hereto affixed at Columbia, South Carolina this Seventeenth Day of November, in the Year of Our Lord, 2010.

MARK SANFORD,
Governor.
MARK HAMMOND,
Secretary of State.

[State Seal Affixed]

STATE OF NEW YORK

Executive Chamber

To the President of the United States:

This is to certify that on the second day of November, two thousand ten, Kirsten Gillibrand was duly chosen by the qualified electors of the State of New York a Senator for the unexpired term ending at noon on the third day of January, 2013, to fill the vacancy in the representation of such State in the Senate of the United States caused by the resignation of Hillary Rodham Clinton upon her appointment as Secretary of State.

Witness: His excellency our Governor David A. Paterson and our seal hereto affixed at Albany, New York this seventeenth day of December in the year two thousand ten.

By the Governor:

DAVID A. PATERSON,
Governor.
RUTH NOEMI COLON,
Secretary of State.

[State Seal Affixed]

STATE OF IOWA

Executive Department

In The Name and By The Authority of The State of Iowa

CERTIFICATE OF ELECTION TO THE SENATE OF THE UNITED STATES FOR SIX-YEAR TERM

To the President of the Senate of the United States:

This is to certify that on the 2nd day of November 2010, Chuck Grassley was duly chosen by the qualified electors of the State of Iowa a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January 2011.

Witness: His excellency our Governor Chester J. Culver, and our seal hereto affixed at Des Moines this 29th day of November, in the year of our Lord two thousand ten.

CHESTER J. CULVER,
Governor of Iowa.

Attest:

MICHAEL A. MAURO,
Secretary of State.

[State Seal Affixed]

STATE OF NORTH DAKOTA

Secretary of State

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM

To the President of the Senate of the United States:

This is to certify that on the 2nd day of November 2010, John Hoeven was duly chosen by the qualified electors of the State of North Dakota to represent North Dakota in the Senate of the United States for the term of six years, beginning on the 3rd day of January 2011.

In witness whereof, we have set our hands at the Capitol City of Bismarck this 16th day of November 2010, and affixed the Great Seal of the State of North Dakota.

JOHN HOEVEN,
Govenor.
ALVIN A. JAEGER,
Secretary of State.
PENNY MILLER,
State Canvassing Board.

[State Seal Affixed]

STATE OF HAWAII

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM

To the President of the Senate of the United States:

This is to certify that on the second day of November, 2010, Daniel K. Inouye was duly chosen by the qualified electors of the State of Hawaii a Senator from said State to represent said State in the Senate of the United

States for the term of six years, beginning at noon on the 3rd day of January, 2011.

Witness, Her excellency our governor, Linda Lingle, and our seal hereto affixed at Honolulu this 22nd day of November, in the year of our Lord 2010.

By the governor:

LINDA LINGLE,
Governor.
SCOTT T. NAGO,
Chief Election Officer.

[State Seal Affixed]

STATE OF GEORGIA

By his Excellency Sonny Perdue, Governor of said state

To the honorable Johnny Isakson Greetings:

To the President of the Senate of the United States:

This is to certify that on the 2nd day of November, 2010, Johnny Isakson was duly chosen by the qualified electors of the State of Georgia, a Senator from said State to represent said State in the Senate by the United States for the term of six years, beginning on the 3rd day of January, 2011.

Witness: His excellency our Governor Sonny Perdue, and the Great Seal of the State of Georgia hereto affixed at the Capitol, in the city of Atlanta, the ninth day of November, in the year of our Lord Two Thousand and Ten.

By the Governor,

SONNY PERDUE,
Governor.
BRIAN P. KEMP,
Secretary of State.

[State Seal Affixed]

STATE OF WISCONSIN

CERTIFICATE OF ELECTION

To the President of the Senate of the United States:

This is to certify that on the 2nd of November, 2010, Ron Johnson was duly chosen by the qualified electors of the State of Wisconsin a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2011.

Witness: His excellency our governor Jim Doyle, and our seal hereto affixed at Madison this 2nd day of December 2010.

By the Governor:

JIM DOYLE,
Governor.
DOUGLAS LA FOLLETTE,
Secretary of State.

[State Seal Affixed]

STATE OF ILLINOIS

Executive Department

To the President of the Senate of the United States:

This is to Certify that on the Second day of November, Two Thousand and Ten, Mark Steven Kirk was duly chosen by the qualified electors of the State of Illinois a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, Two Thousand and Eleven.

Witness: His Excellency Our Governor, Pat Quinn, and our seal hereto affixed at the City of Springfield, Illinois, this Third day of December, in the year of our Lord Two Thousand and Ten.

By the Governor:

PAT QUINN,
Governor.
JESSE WHITE,
Secretary of State.

[State Seal Affixed]

STATE OF VERMONT

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM

To the President of the Senate of the United States:

This is to certify that on the 2nd day of November, 2010, Patrick Leahy was duly chosen by the qualified electors of the State of Vermont a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2011.

Witness: His Excellency our Governor, James H. Douglas, and our seal hereto affixed at Montpelier this 12th day of November, in the year of our Lord 2010.

JAMES H. DOUGLAS,
Governor.
DAVID M. CORIELL,
Secretary of Civil and Military Affairs.
DEBORAH L. MARKOWITZ,
Secretary of State.

[State Seal Affixed]

STATE OF UTAH

To the President of the Senate of the United States:

This is to certify that on the second day of November, 2010, Mike Lee was duly chosen by the qualified electors of the State of Utah a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd of January 2011.

Witness: His excellency our governor Gary R. Herbert, and our seal hereto affixed at Salt Lake city, this 22nd day of November, in the year of our Lord 2010.

GARY R. HERBERT,
Governor.
GREG BELL,
Lieutenant Governor.

[State Seal Affixed]

STATE OF ARIZONA

Department of State

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM

To the President of the Senate of the United States:

This is to certify that on the 2nd day of November 2010, John McCain was duly chosen by the qualified electors of the State of Arizona a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning the 3rd Day of January 2011.

Witness: Her excellency the Governor of Arizona, and the Great Seal of the State of Arizona hereto affixed at the Capitol in Phoenix this 29th day of November 2010.

JANICE K. BREWER,
Governor.
KEN BENNETT,
Secretary of State.

[State Seal Affixed]

STATE OF MARYLAND

Executive Department

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM

To the President of the Senate of the United States:

This is to certify that on the 2nd day of November, 2010, Barbara A. Mikulski was duly chosen by the qualified electors of the State of Maryland a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 2011.

Witness: His excellency our governor Martin O'Malley, and our seal hereto affixed at Annapolis, Maryland this 7th day of December, in the year or our Lord 2010.

By the governor:

MARTIN O'MALLEY,
Governor.

Attest:

JOHN P. MCDONOUGH,
Secretary of State.

[State Seal Affixed]

STATE OF KANSAS

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM

To the President of the Senate of the United States:

This is to certify that on the 2nd day of November, 2010, Jerry Moran was duly chosen by the qualified electors of the state of Kansas, a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January 2011.

Witness: His excellency our governor Mark Parkinson, and our seal hereto affixed at Topeka, Kansas this 29th day of November, in the year of our Lord 2010.

By the governor:

MARK PARKINSON,
Governor.
CHRIS BIGGS,
Secretary of State.

[State Seal Affixed]

STATE OF ALASKA

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM

To the President of the Senate of the United States:

This is to certify that on the 2nd day of November, 2010, Lisa Murkowski was duly chosen by the qualified electors of the state of Alaska a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2011.

Witness: His excellency our governor Sean R. Parnell, and our seal hereto affixed at Juneau this 30th day of December, in the year of our Lord 2010.

By the Governor:

SEAN R. PARNELL,
Governor.

By the Lieutenant Governor:

MEAD TREADWELL,
Lieutenant Governor.

[State Seal Affixed]

STATE OF WASHINGTON

CERTIFICATE OF ELECTION

To the President of the Senate of the United States:

This is to Certify that at the General Election held in the State of Washington on the 2nd day of November, 2010, Patty Murray was duly chosen by the qualified electors of the State of Washington as United States Senator from the state of Washington to represent the state of Washington in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2011.

Witness: Her excellency our Governor Christine Gregoire, and our seal hereto affixed at Olympia, Washington this 2nd day of December, 2010.

By the Governor:

CHRISTINE GREGOIRE,
Governor.

Attest:

SAM REED,
Secretary of State.

[State Seal Affixed]

COMMONWEALTH OF KENTUCKY

To all to Whom These Presents shall Come, Greeting:

Know Ye That Honorable Rand Paul having been duly certified, that on November 2, 2010 was duly chosen by the qualified electors of the Commonwealth of Kentucky a Senator from said state to represent said state in the Senate of the United States for the term of six years, beginning the 3rd day of January 2011.

I hereby invest the above named with full power and authority to execute and discharge the duties of the said office according to law. And to have and to hold the same, with all the rights and emoluments thereunto legally appertaining, for and during the term prescribed by law.

In testimony whereof, I have caused these letters to be made patent, and the seal of the Commonwealth to be hereunto affixed. Done at Frankfort, the 23rd day of November in the year of our Lord two thousand and ten and in the 219th year of the Commonwealth,

By the Governor:

STEVEN L. BESHEAR,
Governor.
TREY GRAYSON,
Secretary of State.

[State Seal Affixed]

STATE OF OHIO

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM

U.S. Senator

To the President of the Senate of the United States:

This is to certify that on the 2nd day of November 2010, Rob Portman was duly elected by the qualified electors of the State of Ohio as the Senator from said State in the Senate of the United States for the term of six years, beginning on the third day of January, 2011.

In testimony whereof, I have hereunto subscribed my name and caused the great seal of the State of the Ohio to be hereto affixed at Columbus, Ohio, this 7th day of December, in the year of our Lord 2010.

By the Governor:

TED STRICKLAND,
Governor.

Countersigned:

JENNIFER BRUNNER,
SECRETARY OF STATE.

[State Seal Affixed]

STATE OF NEVADA

Executive Department

CERTIFICATE OF ELECTION

United States Senate

This is to certify that at a general election held in the State of Nevada on Tuesday, the second day of November, two thousand ten Harry Reid was duly elected as a Member of the United States Senate, in and for the State of Nevada, for a term of six years from and after the third day in January, two thousand eleven;

Now, Therefore, I Jim Gibbons, Governor of the State of Nevada, by the authority vested in me by the Constitution and laws thereof, do hereby Commission him, the said Harry Reid as a Member of the United States Senate, for the State of Nevada, and authorize him to discharge the duties of said office according to law, and to hold and enjoy the same, together with all powers, privileges and emoluments thereunto appertaining.

In Testimony Thereof, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol at Carson City, Nevada on this 14th day of December, two thousand ten.

JIM GIBBONS,
Governor of the State of Nevada.
ROSS MILLER,
Secretary of State of Nevada.

[State Seal Affixed]

STATE OF FLORIDA

To the President of the Senate of the United States:

This is to certify that on the 2nd day of November, 2010, Marco Rubio was duly chosen by the qualified electors of the State of Florida a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2011.

Witness: His excellency our governor, Charlie Crist, and our seal hereto affixed at Tallahassee, the Capital, this 29th day of November, in the year of our Lord 2010.

By the Governor:

CHARLIE CRIST,
Governor.
DAWN K. ROBERTS,
Interim Secretary of State.

[State Seal Affixed]

STATE OF NEW YORK

Executive Chamber

To the President of the United States:

This is to certify that on the second day of November, two thousand ten, Charles E. Schumer was duly chosen by the qualified electors of the State of New York a Senator from said State to represent the State in the Senate of the United States for the term of six years, beginning on the third day of January, two thousand eleven.

Witness: His excellency our Governor David A. Paterson and our seal hereto affixed at Albany, New York this seventeenth day of December in the year two thousand ten.

By the Governor:

DAVID A. PATERSON,
Governor.
RUTH NOEMI COLON,
Secretary of State.

[State Seal Affixed]

STATE OF ALABAMA

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM

To the President of the Senate of the United States:

This is to certify that on the 2nd day of November, 2010, Richard C. Shelby was duly chosen by the qualified electors of the State of Alabama a Senator from said State to represent said State in the Senate of the United States for the term of six years beginning on the 3rd day of January, 2011.

Witness: His excellency our governor Bob Riley, and our seal hereto affixed at Montgomery this 22nd day of November, in the year of our Lord 2010.

By the Governor:

ROB RILEY,
Governor.
BETH CHAPMAN,
Secretary of State.

[State Seal Affixed]

STATE OF SOUTH DAKOTA

Office of the Secretary of State

CERTIFICATE OF ELECTION

This is to certify that on the second day of November, 2010, at the general election, John R. Thune was elected by the qualified voters of the State of South Dakota to the office of United States Senator for the term of six years, beginning on the third day of January, 2011.

In witness whereof, We have hereunto set our hands and caused the Seal of the State to be affixed at Pierre, the Capital, this 22nd day of November, 2010.

M. MICHAEL ROUNDS,
Governor.

Attested by:

CHRIS NELSON,
Secretary of State.

[State Seal Affixed]

COMMONWEALTH OF PENNSYLVANIA

Governor's Office

To the President of the Senate of the United States:

This is to certify that on the second day of November, 2010, Pat Toomey was duly chosen by the qualified electors of the Commonwealth of Pennsylvania as a United States Senator to represent Pennsylvania in the Senate of the United States for a term of six years, beginning on the third day of January, 2011.

Witness: His excellency our Governor, Edward G. Rendell, and our seal hereto affixed at Harrisburg this ninth day of December, in the year of our Lord, 2010.

EDWARD G. RENDELL,
Governor.
BASIL L. MERENDA,
Secretary of the Commonwealth.

[State Seal Affixed]

STATE OF LOUISIANA

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM

To the President of the Senate of the United States:

This is to certify that on the 2nd day of November, 2010, David Vitter was duly chosen by the qualified electors of the State of Louisiana a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2011.

Witness: His Excellency our Governor, Bobby Jindal, and our seal hereto affixed at Baton Rouge, Louisiana this 12th day of November, in the year of our Lord, 2010.

By the Governor:

BOBBY JINDAL,
Governor.
TOM SCHEDLER,
Secretary of State.

[State Seal Affixed]

STATE OF OREGON

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM

To the President of the Senate of the United States:

This is to certify that on the 2nd day of November, 2010, Ron Wyden was duly chosen by the qualified electors of the State of Oregon, a Senator from said State to represent said State in the Senate of the United States for a term of six years, beginning on the 3rd day of January, 2011.

Witness: His excellency our Governor, Theodore Kulongoski, and our seal hereto affixed at Salem, Oregon, this 2nd day of December, 2010.

By the Governor:

THEODORE KULONGOSKI,
Governor.
KATE BROWN,
Secretary of State.

[State Seal Affixed]

ADMINISTRATION OF OATH OF OFFICE

The VICE PRESIDENT. If the Senators to be sworn in will now present themselves to the desk in groups of four as their names are called in alphabetical order, the Chair will administer the oath of office.

The clerk will read the names of the first group.

The legislative clerk (Kathleen Alvarez Tritak) called the names of Ms. AYOTTE of New Hampshire, Mr. BENNET of Colorado, Mr. BLUMENTHAL of Connecticut, and Mr. BLUNT of Missouri.

These Senators, escorted by Mrs. SHAHEEN, Mr. UDALL of Colorado, Mr. DODD, Mr. LIEBERMAN, Mr. BOND, and Mrs. MCCASKILL, respectively, advanced to the desk of the Vice President; the oath prescribed by law was

administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will read the names of the next four Senators.

The legislative clerk called the names of Mr. BOOZMAN of Arkansas, Mrs. BOXER of California, Mr. BURR of North Carolina, and Mr. COATS of Indiana.

These Senators, escorted by Mr. PRYOR, Mr. REID, Mrs. HAGAN, Mr. Faircloth, Mrs. Dole, Mr. Broyhill, Mr. LUGAR, and Mr. Quayle, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will read the names of the next four Senators.

The legislative clerk called the names of Mr. COBURN of Oklahoma, Mr. CRAPO of Idaho, Mr. DEMINT of South Carolina, and Mrs. GILLIBRAND of New York.

These Senators, escorted by Mr. INHOFE, Mr. RISCH, Mr. GRAHAM, and Mr. SCHUMER, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will read the names of the next four Senators.

The legislative clerk called the names of Mr. GRASSLEY, Mr. HOEVEN, Mr. INOUYE, and Mr. ISAKSON.

These Senators, escorted by Mr. HARKIN, Mr. CONRAD, Mr. ANDREWS, Mr. AKAKA, and Mr. CHAMBLISS, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will read the names of the next four Senators.

The legislative clerk called the names of Mr. JOHNSON of Wisconsin, Mr. KIRK, Mr. LEAHY, and Mr. LEE.

These Senators, escorted by Mr. KOHL, Mr. Kasten.., Mr. DURBIN, Mr. INOUYE, and Mr. HATCH, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will read the names of the next four Senators.

The legislative clerk called the names of Mr. MCCAIN, Ms. MIKULSKI, Mr. MORAN, and Ms. MURKOWSKI.

These Senators, escorted by Mr. KYL, Mr. CARDIN, Mr. SARBANES, Mr. BROWNBACK, Mr. ROBERTS, Ms. MURKOWSKI, and Mrs. Dole, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will read the names of the next four Senators.

The legislative clerk called the names of Mrs. MURRAY, Mr. PAUL, Mr. PORTMAN, and Mr. REID.

These Senators, escorted by Ms. CANTWELL, Mr. MCCONNELL, Mr. BROWN of Ohio, and Mr. Laxalt, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will read the names of the next four Senators.

The legislative clerk called the names of Mr. RUBIO, Mr. SCHUMER, Mr. SHELBY, and Mr. THUNE.

These Senators, escorted by Mr. Martinez, Mr. NELSON of Florida, Mrs. GILLIBRAND, Mr. SESSIONS, and Mr. JOHNSON of South Dakota, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will read the names of the next three Senators.

The legislative clerk called the names of Mr. TOOMEY, Mr. VITTER, and Mr. WYDEN.

These Senators, escorted by Mr. CASEY, Ms. LANDRIEU, and Mr. MERKLEY, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

(Applause, Senators rising.)

The VICE PRESIDENT. The majority leader.

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

The VICE PRESIDENT. The absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk proceeded to call the roll, and the following Senators entered the Chamber and answered to their names:

[Quorum No. 1 Leg.]

Akaka	Gillibrand	Moran
Alexander	Graham	Murkowski
Ayotte	Grassley	Murray
Barrasso	Hagan	Nelson (NE)
Baucus	Harkin	Nelson (FL)
Bennet	Hatch	Paul
Bingaman	Hoeven	Portman
Blumenthal	Inhofe	Pryor
Blunt	Inouye	Reed
Boozman	Isakson	Reid
Boxer	Johanns	Risch
Brown (OH)	Johnson (WI)	Roberts
Burr	Johnson (SD)	Rockefeller
Cantwell	Kirk	Rubio
Cardin	Klobuchar	Schumer
Carper	Kohl	Sessions
Casey	Kyl	Shaheen
Chambliss	Landrieu	Shelby
Coats	Lautenberg	Snowe
Coburn	Leahy	Stabenow
Collins	Lee	Tester
Conrad	Lieberman	Thune
Coons	Lugar	Toomey
Corker	Manchin	Udall (CO)
Cornyn	McCain	Udall NM)
Crapo	McCaskill	Vitter
DeMint	McConnell	Warner
Durbin	Menendez	Webb
Enzi	Merkley	Wicker
Franken	Mikulski	Wyden

The VICE PRESIDENT. A quorum is present.

LIST OF SENATORS BY STATE

ALABAMA

Richard C. Shelby and Jeff Sessions

ALASKA

Lisa Murkowski and Mark Begich

ARIZONA

John McCain and Jon Kyl

ARKANSAS

Mark L. Pryor and John Boozman

CALIFORNIA

Dianne Feinstein and Barbara Boxer

COLORADO

Mark Udall and Michael F. Bennet

CONNECTICUT

Joseph I. Lieberman and Richard Blumenthal

DELAWARE

Thomas R. Carper and Christopher A. Coons

FLORIDA

Bill Nelson and Marco Rubio

GEORGIA

Saxby Chambliss and Johnny Isakson

HAWAII

Daniel K. Inouye and Daniel K. Akaka

IDAHO

Mike Crapo and James E. Risch

ILLINOIS

Richard J. Durbin and Mark Kirk

INDIANA

Richard G. Lugar and Dan Coats

IOWA

Tom Harkin and Chuck Grassley

KANSAS

Pat Roberts and Jerry Moran

KENTUCKY
Mitch McConnell and Rand Paul
LOUISIANA
Mary L. Landrieu and David Vitter
MAINE
Olympia J. Snowe and Susan M. Collins
MARYLAND
Barbara A. Mikulski and Benjamin L. Cardin
MASSACHUSETTS
John F. Kerry and Scott P. Brown
MICHIGAN
Carl Levin and Debbie Stabenow
MINNESOTA
Amy Klobuchar and Al Franken
MISSISSIPPI
Thad Cochran and Roger F. Wicker
MISSOURI
Claire McCaskill and Roy Blunt
MONTANA
Max Baucus and Jon Tester
NEBRASKA
Ben Nelson and Mike Johanns
NEVADA
Harry Reid and John Ensign
NEW HAMPSHIRE
Jeanne Shaheen and Kelly Ayotte
NEW JERSEY
Frank R. Lautenberg and Robert Menendez
NEW MEXICO
Jeff Bingaman and Tom Udall
NEW YORK
Charles E. Schumer and Kirsten E. Gillibrand
NORTH CAROLINA
Richard Burr and Kay R. Hagan
NORTH DAKOTA
Kent Conrad and John Hoeven
OHIO
Sherrod Brown and Rob Portman
OKLAHOMA
James M. Inhofe and Tom Coburn
OREGON
Ron Wyden and Jeff Merkley
PENNSYLVANIA
Robert P. Casey, Jr., and Pat Toomey
RHODE ISLAND
Jack Reed and Sheldon Whitehouse
SOUTH CAROLINA
Lindsey Graham and Jim DeMint
SOUTH DAKOTA
Tim Johnson and John Thune
TENNESSEE
Lamar Alexander and Bob Corker
TEXAS
Kay Bailey Hutchison and John Cornyn
UTAH
Orrin G. Hatch and Mike Lee
VERMONT
Patrick J. Leahy and Bernard Sanders
VIRGINIA
Jim Webb and Mark Warner
WASHINGTON
Patty Murray and Maria Cantwell
WEST VIRGINIA
John D. Rockefeller, IV, and Joe Manchin, III
WISCONSIN
Herb Kohl and Ron Johnson
WYOMING
Michael B. Enzi and John Barrasso

RECOGNITION OF THE MAJORITY LEADER

The VICE PRESIDENT. The majority leader is recognized.

INFORMING THE PRESIDENT OF THE UNITED STATES THAT A QUORUM OF EACH HOUSE IS ASSEMBLED

Mr. REID. Mr. President, I have a resolution at the desk. I ask it now be considered.

The VICE PRESIDENT. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 1) informing the President of the United States that a quorum of each House is assembled.

The VICE PRESIDENT. Without objection, the resolution is considered and agreed to.

The resolution (S. Res. 1) reads as follows:

S. RES. 1

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

Mr. REID. I move to reconsider the vote by which the resolution was agreed to.

Mr. MCCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The VICE PRESIDENT. Pursuant to S. Res. 1, the Chair appoints the Senator from Nevada, Mr. REID, and the Senator from Kentucky, Mr. MCCONNELL, as a committee to join the committee on the part of the House of Representatives to wait upon the President of the United States and inform him that a quorum is assembled and the Congress is ready to receive any communication that he may be pleased to make.

INFORMING THE HOUSE OF REPRESENTATIVES THAT A QUORUM OF THE SENATE IS ASSEMBLED

Mr. REID. Mr. President, I have another resolution at the desk. I ask it be considered.

The VICE PRESIDENT. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 2) informing the House of Representatives that a quorum of the Senate is assembled.

The VICE PRESIDENT. Without objection, the resolution is considered and agreed to.

The resolution (S. Res. 2) reads as follows:

S. RES. 2

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

Mr. REID. Mr. President, I move to reconsider that vote.

Mr. MCCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

FIXING THE HOUR OF DAILY MEETING OF THE SENATE

Mr. REID. Mr. President, I have a resolution at the desk and ask it be reported.

The VICE PRESIDENT. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 3) fixing the hour of daily meeting of the Senate.

The VICE PRESIDENT. Without objection, the resolution is considered and agreed to.

The resolution (S. Res. 3) read as follows:

S. RES. 3

Resolved, That the daily meeting of the Senate be 12 o'clock meridian unless otherwise ordered.

Mr. REID. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. MCCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

HONORING SENATOR MIKULSKI AS SHE BECOMES THE LONGEST SERVING FEMALE SENATOR

Mr. REID. Mr. President, I have another resolution at desk. I ask it be now considered.

The VICE PRESIDENT. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 4) honoring Senator BARBARA MIKULSKI for becoming the longest serving female Senator in history.

(Applause, Senators rising.)

The VICE PRESIDENT. Without objection, the resolution is approved and the preamble is agreed to.

The resolution (S. Res. 4) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 4

Whereas the Honorable Barbara Mikulski has had a long and distinguished career as a United States Senator from the State of Maryland;

Whereas Senator Mikulski was first elected to the United States Congress as a member of the House of Representatives in 1976, where she served until winning election to the Senate in 1986;

Whereas Senator Mikulski is the first woman to be elected to statewide office in Maryland;

Whereas in the 103rd Congress, Senator Mikulski was the first woman to be elected Assistant Senate Democratic Floor Leader;

Whereas Senator Mikulski was the first woman in the Senate Democratic Leadership, serving as Secretary of the Senate Democratic Conference in the 104th through the 108th Congresses;

Whereas in 1997, Senator Mikulski became the most senior woman serving in the Senate;

Whereas Senator Mikulski is the first woman to serve on the Appropriations Committee of the Senate and the first woman to chair the Appropriations Committee's Subcommittee on Commerce, Justice, Science, and Related Agencies;

Whereas Senator Mikulski has not only had a path breaking career, but has won the admiration and respect of colleagues on both sides of the aisle for her hard work, passionate and effective advocacy, commitment to social and economic justice, and willingness to serve as a mentor and role model to other senators; and

Whereas Senator Mikulski has now surpassed the record of former Senator Margaret Chase Smith as the longest serving female Senator in the history of the United States: Now, therefore, be it

Resolved, That the Senate recognizes and honors Senator Barbara Mikulski for becoming the longest-serving female Senator in history.

Mr. REID. I move to reconsider the vote by which the resolution was agreed to.

Mr. MCCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, I now ask unanimous consent the following Senators be recognized to speak on this resolution and Senator MIKULSKI's historic milestone—I would note for Senators, we will be in a period of morning business when we complete the business of today—REID of Nevada for 2 minutes, MCCONNELL for 2 minutes, CARDIN for 2 minutes, SNOWE for 2 minutes, and MIKULSKI for 3 minutes. I ask unanimous consent.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. REID. Mr. President, I came to the Senate in January 1987, in the same class as BARBARA MIKULSKI. Every sixth January since, including today, BARBARA MIKULSKI and I have been sworn in together. Taking that oath is humbling and meaningful for every Senator, but it is a little more meaningful this time around for Senator MIKULSKI, for Maryland, and for our country. She is now the longest serving woman Senator in our Nation's history.

She has had a pathbreaking career, and that is an understatement. She was the first woman to serve in the Senate Democratic leadership when we elected her our caucus secretary and she was the first woman ever to serve on the Senate Appropriations Committee.

The woman whose record she breaks was a significant Senator in her own right. Margaret Chase Smith of Maine was the first woman to be elected to both the House and the Senate.

I know Senator MIKULSKI very well. She is my friend and my confidant. I know that more than any records, she is most proud of what she has done with that time, time she has dedicated to tireless, passionate, and effective advocacy for those who need a voice or even a hand.

She is as committed to social and economic justice as any Senator who has ever served in this great Chamber and she has won the admiration and respect of her colleagues, both Democrats and Republican, especially those for whom she has given her time and her advice as a mentor and a role model.

Alongside all her records and accomplishments, I will always admire the way she led us in one of our darkest days. As evening fell on Washington, DC, for the first time after the Twin Towers fell in New York, hundreds of Members of Congress, from the House and the Senate, walked outside to the steps of the Capitol. We joined hands. Then, in a moment of silence, Senator MIKULSKI suggested we all sing ''God Bless America.'' We did. I will never forget that moment.

I will always remember a speech this good woman gave more than two decades ago. Senator MIKULSKI, Senator John Glenn, and I went on a trip to Poland, back when it was behind the Communist Iron Curtain. John Glenn, who, of course, was an international celebrity in addition to being a Senator, captivated the crowd. We were in a basement, meeting with some dissidents. Knowing Senator MIKULSKI is of Polish descent, I asked if she could speak next, after Senator Glenn. I thought she would say a few words about her heritage. I have heard a lot of speeches in my life, but none has ever moved me more than the speech BARBARA MIKULSKI gave in that basement in Warsaw, Poland.

Congratulations to my friend, Senator BARBARA MIKULSKI, and the State of Maryland for returning such a strong public servant to the Senate on their behalf.

The VICE PRESIDENT. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, I, too, rise to honor our colleague, the senior Senator from Maryland, on becoming the longest serving female Senator in the history of the Senate. In achieving this milestone, BARBARA passes Margaret Chase Smith, as the majority leader indicated, who served the people of Maine from 1949 to 1973. As was indicated, she is also only the second woman to be elected to both the Senate and the House.

When first elected to the Senate in 1986, BARBARA was only the 16th woman to ever serve. Today, there are more female Senators than that in the 112th Congress alone.

BARBARA has served as a role model and mentor to many of them, and I know they are grateful for it. She has been a champion of the space program, scientific research, welfare reform, major transportation, homeland security, and environmental issues in Maryland.

I think BARBARA would be the first to tell you that becoming the longest serving female Senator wasn't easy. Like all streaks, including that of another Marylander Cal Ripken, there are a lot of bumps in the road. But she has made it through it all and we are happy to share in this milestone with her today.

I wish to recognize BARBARA not only for her accomplishment as the longest serving female in the Senate history but also for all of her many accomplishments as a Senator and for the pioneering model she has been to so many women in her distinguished career. Again, congratulations, Senator MIKULSKI.

The VICE PRESIDENT. The Senator from Maryland is recognized.

Mr. CARDIN. Mr. President, Marylanders take pride in their Hall of Famers, from Cal Ripkin, our ''Iron Man,'' to Brooks Robinson with the Golden Gloves, to Johnny Unitas with the Golden Arm, to Frank Robinson, who was an All-Star in both the American and National Leagues. Now we add to that list our own Senator BARBARA MIKULSKI, the longest serving woman Senator in Senate history.

Marylanders are proud of Senator BARB not because of her length of service but for what she has done as a Senator and throughout her entire career. If you ask any Marylander what they think about Senator MIKULSKI, they will start off by saying: She is a fighter. Then they will say: We are glad she is on our side.

She is an effective fighter for the people. From protecting neighborhoods from an unwanted highway to keeping jobs in Maryland from being shipped overseas, there is no more effective fighter than Senator BARBARA MIKULSKI.

She has protected our national security from her position on the Intelligence Committee, she has strengthened the U.S. Space Program in her position on the Appropriations Committee, she provided equity in health care from the HELP Committee, and she stands up for our Federal workers, advancing gender equity issues, and the list goes on and on and on.

She has taken her social worker background, her political training from ward politics in east Baltimore, and her hard work ethic from her parents and her own common sense to be the voice for working families in the Halls of the Senate.

On a personal note, I thank my friend for always being there for me, working together as a team for the people of Maryland. On behalf of my two granddaughters, my daughter, my wife, and all Americans, thank you, Senator MIKULSKI, for living the American dream and making that dream a reality for so many Americans.

The VICE PRESIDENT. The Senator from Maine.

Ms. SNOWE. Mr. President, there are certain occasions in the life of our Nation and this esteemed institution that are so steeped in history they remain indelibly etched in our minds and upon our hearts. This is one of those iconic moments as we share in recognizing Senator MIKULSKI's venerable achievement with her colleagues, her family, loved ones, friends, constituents, staff, and indeed the Nation.

This is also a special day of pride most especially for those of us who are

women Senators for whom Senator MIKULSKI has been a role model and mentor as well as coleading numerous efforts with Senator HUTCHISON, our senior Republican woman, to foster camaraderie among all of us.

Having been privileged to know Senator MIKULSKI for more than 30 years, beginning with our mutual service in the House of Representatives, I cannot conceive of anyone I would rather witness overtaking such a sacrosanct milestone than the senior Senator from Maryland, a beloved, vigorous champion of the people of her State and unquestionably the women of America.

Indisputably, for both of her Maine colleagues, Senator COLLINS and me, the landmark occasion we are commemorating is all the more personal and poignant given we are both colleagues and dear friends of Senator MIKULSKI and also direct inheritors and beneficiaries of Senator Margaret Chase Smith's groundbreaking service. It is in that light that I am deeply privileged today to stand at the very desk she once graced, and having sat across her desk when I first met her in Washington years ago, to also pay tribute to Senator Smith by wearing her pin given to me by a very good friend from Maine, Susan Longley, one of the actual pins in which Senator Smith would famously place the trademark rose she wore daily on the floor of the Senate.

Indeed, there are numerous similarities between Senator Margaret Chase Smith and Senator MIKULSKI that transcend longevity. They both live the ideals of hard work and earning their own way in life. Senator MIKULSKI, the proud descendent of Polish immigrants, worked in her parents' grocery store during her formative years in Baltimore, and years later, after she graduated from college, acquired a master's degree and pursued the noble calling of social work.

Senator Smith was a textile worker, telephone operator, newspaper woman, teacher, and an office manager. The point is, neither started at the top, but they most certainly arrived there. Senator Smith rose from the humblest beginnings to represent Maine in the House of Representatives and the Senate for more than 32 distinguished years with unequalled courage, civility, compassion, and integrity. She was a visionary of endless firsts, but, undoubtedly, Senator Smith will best be remembered for the moment during her only second year in the Senate, with truly uncommon courage and principled independence, she telegraphed the truth about McCarthyism during the Red Scare of the 1950s with her renowned ''Declaration of Conscience'' speech on the Senate floor. In 15 minutes she had done what 94 of her colleagues, male colleagues I might add, had not dared to do, and in so doing slayed a giant of demagoguery prompting American financier Bernard Baruch to say: Had a man made that speech, he would have become the next President of the United States.

Yet even as Senator Smith was a political pioneer, she never deliberately set out to establish some sort of precedent for women. Rather, what her life proved is that gender was not the key factor in public service but dedication and energy, confidence, ability, and sheer guts were. If those foundational qualities do not also encapsulate the essence of the public service of Senator BARBARA MIKULSKI, then I do not know what does.

It is, therefore, all the more appropriate and fitting that of anyone it would be a person of Senator MIKULSKI's legislative stature who would exceed Senator Smith's length of service in the Senate.

As if this benchmark established today were not enough, on March 17, 2012, we will all be back on the floor of the Senate because Senator MIKULSKI will become the longest serving female Member in the history of the Congress, House or Senate. She probably did not even have a chance to think about that one.

Moreover, like Senator Smith, Senator BARBARA MIKULSKI has always brought an unyielding tenacity, a cornerstone of her fighting spirit and character, that has time and again been reflected in her legislative fight on behalf of the people she represents. This will not be a news flash to my colleagues or even those, our new colleagues, who will soon discover that taking no for an answer is simply not in Senator MIKULSKI's vocabulary nor her DNA. As she has often said, she is not ''caffeine free.'' And nowhere have I witnessed that ardent focus and commitment more intensely than in Senator MIKULSKI's signature battle for equity in women's health research, one that Congresswoman Pat Schroeder and I were waging from the House side as well.

We all set aside our partisan labels at a time when, incredibly, women and minorities were systematically excluded from clinical medical trials at the National Institutes of Health, trials that often made the difference between life and death.

At a pivotal juncture, Senator MIKULSKI tackled this travesty head on and launched a key panel of stakeholders, as she can do, to explore the shocking discriminatory treatment which further galvanized national attention, and, in the end, we produced watershed policy changes that to this day are resulting in lifesaving medical discoveries for America's women.

Ultimately, what we are celebrating today are two legislative juggernauts who have defined the standard of principled public service by exemplifying a special bond of trust that should exist between the governing and the governed. They have seen problems confronting their constituencies and the Nation and left no stone unturned to solve them. They recognized injustice and acted boldly to quell it. They have given a voice to the voiceless, power to the powerless, and they were always at one with those they represent because they never ever forgot their roots.

That is why, as Senators from the State of Maine, where Senator Margaret Chase Smith's legacy has been forever enshrined, Senator COLLINS and I are profoundly honored to share in this rarified moment as Senator MIKULSKI assumes the historic mantle of longest serving woman in the Senate. Indeed, it bodes well for the venerable institution of this Senate and our great Nation to have the senior Senator from Maryland to be at the vanguard of our ranks.

Congratulations.

Mr. LEAHY. Mr. President, the Senate boasts many persuasive voices, but there are few stronger than that of Senator BARBARA MIKULSKI. To call her a trailblazer does not do justice to her long and storied career in Congress, representing the people of Maryland and advancing women's rights, civil rights, and justice for all Americans. This week, she becomes the Senate's longest serving woman Senator in U.S. history.

First elected to the House of Representatives in 1976, and to the Senate in 1986, Senator MIKULSKI has served the people of Maryland with honor and distinction. In Congress, she has remained committed to her roots in public service, which began as a social worker in Baltimore, helping at-risk children and helping seniors. After 5 years on the Baltimore City Council, Marylanders in the State's third congressional district sent Senator MIKULSKI to Congress, where she has continued her hard work and tireless advocacy for women and families.

Atop her list of priorities has been giving voice to issues concerning women's health. She worked to establish the National Institutes of Health Office of Women's Health and to implement standards to ensure that all women have access to quality mammography. She fought to expand access to maternity care. Most recently, through Senator MIKULSKI's leadership, the historic Affordable Care Act included strong antidiscrimination provisions to ensure that being a woman is no longer a preexisting condition.

In early 2009, Senator MIKULSKI further proved she is, in fact, a force to be reckoned with, when her tireless efforts to advance the Lilly Ledbetter Fair Pay Act resulted in that legislation being one of the first laws to be signed by President Obama. Since the Supreme Court's 2007 decision in Ledbetter v. Goodyear Tire, Senator MIKULSKI worked relentlessly to restore congressional intent and reverse the Court's decision to give employers blanket immunity for their discriminatory pay practices. The Ledbetter Fair Pay Act restored victims' ability to file suit for pay discrimination, and was an important step forward in ensuring that all workers receive equal pay for equal work.

I have been honored to work with Senator MIKULSKI in her capacity as

chairwoman of the Senate Appropriations Subcommittee on Commerce, Justice and Science, where she has championed important programs to support state and local law enforcement, crime victims, and critical support programs for victims of domestic violence. I share her commitment to investing in the men and women who are charged with keeping our communities safe, and providing important support to victims of violence.

There is no question that Senator MIKULSKI is a leader in the Senate. As the dean of the Women of the Senate, she serves as a mentor to other women Senators who join the Chamber. She is a dedicated public servant, a strong voice for women, a consensus builder. She has said she is ''first and foremost the Senator from Maryland and the Senator for Maryland.'' For more than three decades, many of us have been proud to call her a friend.

I join with many others in congratulating Senator MIKULSKI on this historic achievement.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

● Mrs. FEINSTEIN. Mr. President, I rise to congratulate my friend and colleague, BARBARA MIKULSKI, who is now the longest-serving woman in the history of the U.S. Senate.

BARBARA has been a forceful advocate for the people of her beloved Maryland and a role model for women everywhere—beginning with her election to the Baltimore City Council in 1971, to her election to the House of Representatives in 1976, to her election to the Senate in 1986.

BARBARA is a pace-setter in the fight for equality for women. When I first ran for the Senate in 1992, BARBARA reached out to me to offer her support, for which I am grateful, and she welcomed me when I joined the Senate.

BARBARA is indomitable, not only in the fight for equality for women but in the broader fight for human rights for all mankind. I am proud to have worked alongside BARBARA in opposing tyranny in Burma, in pushing to restrict cluster munitions that pose a grave threat to innocent people around the world, and in pushing to free Burmese democratic leader Aung San Suu Kyi.

And I am proud to work with her on the Senate Select Committee on Intelligence, which I chair, where I know I can count on BARBARA to do the hard work required to oversee America's intelligence agencies and keep America safe.

Any discussion of BARBARA would be incomplete without acknowledgment of her effort to improve bipartisanship in the Senate—something sorely needed right now—an effort aided by her monthly bipartisan dinners for women Senators.

These dinners bring us together and make the Senate a more hospitable place for women. But they are more than that. These dinners are a way to forge relationships and friendships that transcend party lines. These gatherings have created a community of interests among Senators of divergent backgrounds and political views. I think that is a very big contribution.

So I want to salute you, BARBARA. I am proud to call you colleague and friend. And I look forward to working with you for many more years to come.●

Mrs. BOXER. Mr. President, I rise today to pay tribute to my colleague and friend, Senator BARBARA MIKULSKI.

Earlier today, when Senator MIKULSKI took the oath in this Chamber to serve, protect, and defend the U.S. Constitution, she became the longest serving woman in the history of the Senate.

Senator MIKULSKI is no stranger to making history, and today she has made history once again.

When Senator MIKULSKI was first sworn in as a Senator in 1987, she was the first Democratic woman Senator elected in her own right. And, along with Senator Kassebaum, she was one of only two women in the Senate at the time.

Today, 17 women were sworn in on the Senate floor and I know many of us might not be here today without Senator MIKULSKI's support and encouragement. She truly is the dean of the women in the Senate.

Senator MIKULSKI and I became very close friends when I joined the House of Representatives in 1983. She was always someone I respected because she was always focused on making life better for the middle- and working-class people she serves.

When I first thought about running for the Senate, Senator MIKULSKI was the first person I went to see, and she gave such sage advice. She said ''You'll love it here in the Senate because you have an ability to help the people you serve.'' Senator MIKULSKI told me it would be the toughest thing and the best thing I would ever do.

I give Senator MIKULSKI such credit. That is the role she has played with so many women Senators from both sides of the aisle. She regularly brings the women of the Senate—together Republicans and Democrats—for a friendly dinner.

One of Senator MIKULSKI's wonderful gifts is her humor. When she and I served together in the House, women were unable to use the main facilities of the House gym. Along with Geraldine Ferraro, OLYMPIA SNOWE, Barbara Kennelly and others, we worked together to ''integrate'' the House gym.

At the House gym, a friend would lead us in exercises. One time, she said to us: ''OK everyone, hands on your hips.'' Senator MIKULSKI retorted, ''If I had hips, I wouldn't be here.''

That is so typical of her style—warm, funny and to the point. It brought us all together.

And it is one reason why this daughter of east Baltimore has been such an inspiration to millions of women across our country.

Senator MIKULSKI is an accomplished legislator and leader who knows how to get the job done.

She has long fought to protect the health and well-being of women and their families.

Not only did she support the historic health care reform legislation that is making sure every American has access to quality, affordable insurance, but Senator MIKULSKI fought to make the legislation stronger for women. I was proud to stand with her to pass an amendment that guarantees women will have access to the preventive care they need such as screenings for breast, ovarian and cervical cancer.

Senator MIKULSKI championed the Mammography Quality Standards Act, which requires mammography facilities across the Nation to meet uniform quality standards. This law has saved lives by improving preventive care that can lead to early diagnosis and treatment of breast cancer.

When we saw how little health science and research addressed women's health, Senator MIKULSKI and I helped lead the fight for health equity. We helped create the National Institutes of Health Office of Women's Health to study women's needs and health issues.

Senator MIKULSKI believes everyone should be fairly paid for a hard day's work. We stood together as vocal advocates for the Lilly Ledbetter Fair Pay Act—a historic bill by Senator Kennedy that is now the law of the land.

And, as a member of the Appropriations Committee, Senator MIKULSKI has fought for critical funding to clean up and protect Maryland's treasured Chesapeake Bay.

Senator MIKULSKI's tenacity is undeniable. Several years ago, she was mugged one evening outside her home in Baltimore. A man pushed her to the ground and grabbed her purse.

Even though she is only 4 feet 11 inches, Senator MIKULSKI fought back and defended herself.

Yes, Senator MIKULSKI stands up for herself and stands up for the people of Maryland. She has fought hard for change and equal rights. As she likes to say, there are times when you need to ''(s)quare your shoulders, suit up, put on your lipstick and get ready for battle.''

Senator MIKULSKI has always been out in front. She has used her role as the senior woman in the Senate to focus on issues that matter to her constituents. Her power lies in her ability to organize people. That is one reason she is so beloved by her colleagues—we love it when she brings us together on issues.

I stand today to honor my good friend, a trailblazer and a mentor, Senator MIKULSKI.

Mr. WARNER. Mr. President, it is a great honor to join in recognizing and celebrating my colleague, the senior Senator from Maryland. Senator BARBARA MIKULSKI became the longest serving woman Senator in our Nation's

history today when she completed the oath to begin her fifth term in the Senate. Indeed, this is not the first time Senator MIKULSKI's name will be etched in history for her groundbreaking service: she was the first woman elected to statewide office in Maryland and the first female Democrat to serve in both Chambers of Congress.

During her 24 years in the Senate, she has won the admiration of her colleagues for her resolve, hard work and dedication to her constituents. It is an honor to call Senator MIKULSKI a friend. As representatives of neighboring States, we have often had the opportunity to work together on issues of regional importance. I can never thank her enough for her commitment to NASA-Wallops, one of many examples in this regard.

Today marks a special milestone in the Senate's history. I join my colleagues in commending Senator MIKULSKI, not only for her enormous service to this body and to our country but as someone who has been a tireless advocate for her home State of Maryland.

Mr. LEVIN. Mr. President, I want to add my voice to the many others heaping deserved praise onto Senator BARBARA MIKULSKI, who sets a record today as the longest serving woman in the history of the U.S. Senate.

Tough but compassionate, an effective advocate for Maryland and for the national interest, Senator MIKULSKI has achieved more than just longevity. She has been an energetic and effective advocate for the interests of children, a staunch ally of seniors, a defender of services for our veterans, and a supporter of efforts to involve all Americans in solving our Nation's problems through service and voluntarism. Her support of education and scientific research promises benefits that will last long after we all have departed the Senate.

I have been a proud partner with her on making commonsense changes to our Nation's immigration system. She also has been a strong advocate for Federal programs that promote manufacturing, such as the Commerce Department's Manufacturing Extension Program and the Technology Innovation Program.

Senator MIKULSKI is rightly seen as a mentor and leader of women who come to the Senate. The successes of the many female Senators who have been the beneficiaries of her guidance stand as a testament to the power of her example.

Senator MIKULSKI has admirably brought the lessons of her early career as a social worker to her work in the Senate, understanding that real families with real problems are looking to us for solutions.

The people of Maryland and of this Nation are fortunate to have the benefit of her service. I am proud to call her a colleague and a friend. I congratulate her on her accomplishment and I await the many more achievements I know are to come.

Ms. COLLINS. Mr. President, it is a great pleasure to offer my heartfelt congratulations to Senator BARBARA MIKULSKI on becoming the longest-serving woman in Senate history. While this is a milestone to celebrate, the true cause for celebration is not just Senator MIKULSKI's decades of service to this chamber, but her lifetime of service to her beloved Baltimore, her state of Maryland, and our Nation.

This occasion has a special meaning for Sen. SNOWE and me. As she begins her 25th year in the Senate, Senator MIKULSKI now surpasses my personal role model in public service, Senator Margaret Chase Smith. Just as the Great Lady from Maine inspired Sen. SNOWE and me as well as countless other young women of my generation to serve, Senator MIKULSKI inspires the young women of today.

As a new Senator in 1997, I was one of those tutored by Senator MIKULSKI. She taught me the ropes of the appropriations process and instituted regular bipartisan dinners for the women of the Senate.

It has been a privilege to work with Senator MIKULSKI for 14 years. During that time, I have come to know her as a fighter, a trailblazer, and as a dear friend. She is committed to the people of her state and of America.

Senator MIKULSKI is, above all, a hard worker. Growing up in East Baltimore, she learned the value of hard work at her family's grocery store. Her commitment to making a difference in her neighborhood led her to become a social worker, helping at-risk children and the elderly.

Her activism and understanding of community needs led to her first successful run for public office, the Baltimore City Council in 1971. Five years later, she came to Washington as a member of Congress, representing Maryland's 3rd District.

After 10 years of service in the House, she was elected to the Senate in 1986. In so doing, she became the first Democratic Senator elected in her own right. The people of Maryland wisely returned her to office in 1992, 1998, 2004, and again in 2010.

Senator MIKULSKI's longevity is only the preface to her story of exceptional accomplishment. She has fought for increased access to higher education and for improved health care for our seniors. I am proud to have fought at her side on those issues, as well as for increased Alzheimer's research, improved women's health care, and enhanced educational opportunities for nurses.

Working with her on the Appropriations Committee, I have witnessed firsthand how seriously she takes her responsibility to the American taxpayers.

Throughout her life in public service, Senator MIKULSKI has lived by one guiding principle: her obligation is to help our people meet the needs of today as she helps our Nation prepare for the challenges of tomorrow. It is an honor to congratulate the Great Lady from Maryland for her many years of service, and to wish her many more.

Mr. SHELBY. Mr. President, I rise to honor a distinguished colleague, Senator BARBARA MIKULSKI, who is celebrating a major milestone—today becoming the longest serving female in Senate history.

Elected to the House in 1976 and the Senate in 1986, Senator MIKULSKI is the first woman to win statewide office in Maryland, the first female Democrat to serve in both the House and the Senate, and the first female Democrat elected to the Senate in her own right.

As one of the most effective Senators, Senator MIKULSKI used her experience as a social worker and activist to ardently work on behalf of her constituents giving them a strong voice in the U.S. Senate. A leader in the Senate she has successfully fought for a variety of issues ranging from women's rights to protecting our law enforcement.

Throughout our 8 years of serving together in the House and 24 years in the Senate, Senator MIKULSKI and I have worked on many issues together. We have a strong bipartisan relationship that is reflected in the numerous accomplishments we have achieved working together as the chair and ranking member on the CJS appropriations subcommittee. I have always appreciated Senator MIKULSKI's candor, sense of humor, and willingness to cross party lines to work in the best interest of our Nation.

Mr. President, I congratulate Senator MIKULSKI on reaching this historic milestone today. I am honored to call Senator BARBARA MIKULSKI my colleague but prouder to call her my friend.

Mrs. GILLIBRAND. Mr. President, I rise today to join my colleagues in honoring the Senator from Maryland, BARBARA MIKULSKI—the longest serving woman in the history of the U.S. Senate.

It has been an honor to serve with Senator MIKULSKI in my 2 years in this body. She quickly became a dear friend and a valuable mentor—just as she has been for all of her other female colleagues as the dean of the women Senators.

It wasn't until 1932 that Hattie Caraway became the first woman ever elected to the U.S. Senate. And it wasn't until a half century later—1986—that against all odds, BARBARA MIKULSKI became the first Democratic woman ever elected to the Senate in her own right.

Now the longest serving woman in this Chamber's entire history, Senator MIKULSKI is showing just what is possible when you ignore conventional wisdom, never stop fighting for what is right and just, and honor our commitment to the families that elect us every single day.

One of her hallmark battles has been the fight for equal pay for equal work for women. This is not only an issue of

justice, but an economic imperative. Even today, for every dollar a man makes, a woman makes just 78 cents—a disparity that is even worse for women of color. Latino women make just 53 cents, and African-American women make just 62 cents for every dollar a man makes. I know Senator MIKULSKI won't give up until we correct this outrageous injustice.

She also fought to strengthen our laws against domestic violence, and open up access to health screenings and treatment that can save lives. And, she led the fight against insurance companies that made being a woman a pre-existing condition.

Senator MIKULSKI has always fought to protect women's health and a woman's right to choose. Last year, I was proud to stand with her to defeat the dangerous Stupak amendment that would have denied lifesaving reproductive care for the women of this country—a victory we would not have won without Senator MIKULSKI.

In the words of Eleanor Roosevelt, ''the battle for the individual rights of women is one of long standing, and none of us should countenance anything which undermines it.''

It is that spirit—never backing down in the face of injustice—Senator MIKULSKI is one of the strongest voices we have for women in this country and women around the world.

And every single day she's paving the way for more women in leading roles in America. There still may only be 17 women serving in the Senate today, but with her leadership and her strong voice, Senator MIKULSKI is showing the young women and young girls of this country that women's voices matter and are needed in the public debate.

Whether it is here on Capitol Hill or in State capitols around the country or heading small business or the boardrooms of major companies, Senator MIKULSKI is helping to inspire the next generation of women leaders by showing that our voices solve problems and lead to change.

Each of us owe her a debt of gratitude for her vision and pioneering spirit.

Thank you, Senator MIKULSKI, and congratulations on your historic achievement. It is an honor to work with you, and I hope to serve with you for many years to come.

Mrs. MCCASKILL. Mr. President, I rise today to recognize Senator BARBARA MIKULSKI for her trailblazing career in the U.S. Senate. As we begin the 112th Congress today, Senator MIKULSKI will begin her fifth consecutive Senate term making her the longest serving female Senator in American history. She joins legendary Maine Senator Margaret Chase Smith in the history books today. This accomplishment is a testament to her dedication to the State and the people of Maryland, and a commitment to serve which I aim to emulate with my constituents in Missouri. She is, quite simply, a remarkable, dedicated, focused and perseverant woman and these attributes have led to this wonderful moment in her continued service.

Starting out as a social worker in Baltimore, and later becoming a member of the Baltimore city council, Senator MIKULSKI went on to become a U.S. Representative for the Third Congressional District of Maryland for 10 years. In 1986, she was elected to the U.S. Senate where she has served ever since.

BARBARA MIKULSKI has continuously broken barriers for women and made history in her over 40 years as an elected official. And yet, in this 112th Congress, even as we mark this historic moment for women in the Senate, Senator MIKULSKI carries on her career in such a way that sets aside the pomp and circumstance of making history and instead remains focused on the most basic, pure and selfless form of public service.

In closing, although Senator MIKULSKI's tenure in the Senate as a woman is an important milestone, I believe that it will ultimately be the Senator's leadership fighting for women, children, seniors and veterans which will be her lasting legacy in Congress. I have had the fortunate opportunity to work with Senator MIKULSKI on some of this historic legislation for women and families, including the Lily Ledbetter Fair Pay Restoration Act to protect against pay discrimination, and the TRICARE Dependent Coverage Extension Act which expanded health insurance for military families.

I want to congratulate Senator MIKULSKI on her pioneering career in civil service and on making history in the U.S. Senate today; I am humbled to be working on historic legislation alongside my colleague from Maryland.

Mr. ROCKEFELLER. Mr. President, I want to join my colleagues in congratulating Senator BARBARA A. MIKULSKI as she becomes the longest serving female Senator in American history.

Senator MIKULSKI and I began our Senate careers in the 1980s, and it has been my privilege to serve with her. We have worked together on many, many issues, including 975 bills. Two hundred eighty-five of those bills passed the Senate and 184 were signed into law, including the Lilly Ledbetter Fair Pay Act of 2009 in the last Congress. I am proud of our combined accomplishments and to call her my colleague and friend.

It is a great honor to serve with Senator MIKULSKI. Senator MIKULSKI and I have more in common than some know. My life-changing experience with the VISTA program in the 1960s fueled my commitment to public service in much the same way Senator MIKULSKI's experience as a social worker in Baltimore fueled hers. Our early experiences remain the foundation of our shared commitment to quality health care for all people. Senator MIKULSKI and I have worked tirelessly together to expand access to cancer screenings and increase funding for medical research, including Alzheimer's disease. I was proud to stand with Senator MIKULSKI last year to pass historic health care reform. Her commitment to opening doors for all members of our society is to be commended.

Even though she stands at 4′11″ and I at 6′7″, we have stood eye-to-eye in supporting our veterans. And, we had many opportunities for collaboration as she was working on the Appropriations Committee and I chaired the Veterans' Affairs Committee. It is easy to work with someone like Senator MIKULSKI who is so committed to her values and the people she represents.

The first female senator, Rebecca Latimer Felton of Georgia, only held office for 1 day in 1922, having been appointed by Governor Thomas Hardwick upon the death of Senator Thomas Watson. During her first and last Senate address, she said ''When the women of the country come in and sit with you, though there may be but a very few in the next few years, I pledge that you will get ability, you will get integrity of purpose, you will get exalted patriotism, and you will get unstinted usefulness.'' Rebecca Felton's words forecast Senator MIKULSKI. There is no question that she has brought all of these skills and attributes, and much more, to the U.S. Senate over these last 24 years.

In some ways it is hard to believe Senator MIKULSKI is now the Senate's longest serving female Senator. She does a great job, and I understand she takes on the additional role of mentor to many new female Senators. I am thankful for that contribution which surely strengthens our entire Senate.

The people of Maryland made a wise choice in reelecting this remarkable Senator. I look forward to celebrating her next milestone in just over 2 years when she will become the longest serving female Member in the history of Congress.

Mrs. MURRAY. Mr. President, I rise to recognize and congratulate my good friend from Maryland, Senator BARBARA MIKULSKI, on today becoming the longest serving female Senator in the history of the Senate. This is an achievement that takes courage and passion and commitment, three things all of us who know her so well know she has in abundance.

Even more important than honoring my friend on the length of her service today, I believe it is important to recognize what she has done with that service. The senior Senator from Maryland, over her 24 years, has established herself as a trailblazer, a legislator, a leader, and, above all, a fighter for her people and her State. But to me and to all the other women Senators who have followed in her footsteps, she is simply a mentor. She is the Senator who has offered us guidance, taught us to be fearless, and who has set a standard for all women Senators to follow.

From the first time I ever spoke to Senator MIKULSKI, one thing was clear.

She didn't run for the Senate to be one woman Senator. She ran to be one of many. I first came to the Senate in 1992, the so-called year of the woman. I can remember a lot of the press that year being about how our incoming class of four women Senators would open the door to changes in the culture of the Senate. But when I got here, I quickly realized that door had not only already been opened, it had been broken down by Senator MIKULSKI. She was the first female Democrat to serve on the Senate Appropriations Committee, and she was also the very first one to take all the new women Senators under her wing. Senator MIKULSKI realized back then there was no rule book for women in the Senate. So she took it upon herself to help guide the way. She drew on her own experiences to make the transition for all of us easier. She organized seminars, taught us about working together, taught us about the legislative process and the rules on the floor and the many more subtle rules off the floor. In short, she showed us the ropes, and she has been doing it ever since.

But her work doesn't end with helping women Senators get their foot in the door. I don't know if it is because she was a social worker before she came to Washington, but one thing Senator MIKULSKI knows is that relationships matter. That is why she has worked to make sure that once women Senators get here, we are working together on both sides of the aisle. It is why she brings Republican and Democratic women together for dinners, so we can find common ground and help solve problems. While Senator MIKULSKI knows it is important and courageous to be the first, she also understands the first ones have to be responsible and successful so others can and will follow. It is because she has done her job so well that other women have been able to follow in her footsteps, and she has done her job well.

Senator MIKULSKI is here today as the longest serving woman Senator not by accident or by happenstance. She is here because she earned it, because the people of her State know she is an indispensable champion for their causes, because she works across party lines, because she delivers results and because, as she has said to us so many times, she is always ready to square her shoulders, put on her lipstick, and suit up for the people who need it most.

Whether it is leading the fight for the very first bill President Obama signed into law that guarantees women cannot be paid less than men for doing the same job or fighting for seniors who rely on Social Security or delivering investments for firefighters, police officers, and first responders or standing up for all those in Maryland who depend on her State's environmental resources for their livelihood, there are few others I want in my corner like her and there are few others who work as hard as she does to give a voice to those who would not otherwise have it.

Since Senator MIKULSKI was elected in 1986, she has helped guide the way for 22 more women Senators. Today there are 17. But she will also be the first one to tell us we are not yet where we need to be, that more women need to serve in this body. That is why she has built a team of women Senators behind her that continues to grow—every generation, every election, every year.

Today, Senator MIKULSKI makes history by serving longer than any other woman. But I know many years from now women will have achieved a larger, more representative role in this body than we now have, Senator MIKULSKI will be at the very top of the list of people to thank, the person who not only cut the path but who went back and guided so many of us down it. Thanks to her, one day the remarkable accomplishment we are celebrating today may no longer be such a remarkable thing for a woman to achieve; it will be commonplace. That will be her true and lasting legacy.

Mrs. HAGAN. Mr. President, I am honored to join my colleagues in honoring my mentor and dear friend, Senator BARBARA MIKULSKI, on becoming the longest serving woman in the history of the Senate. For more than 24 trailblazing years, Senator MIKULSKI has been one of the Senate's fiercest advocates for women, families, and for the people of Maryland who have now elected her to the Senate for five consecutive terms. Before she arrived in Washington in 1977 as the Representative from the Third District of Maryland, Senator MIKULSKI already had a distinguished career in public service, working in Baltimore as a social worker, then a community activist, and as a city council member. When she was first sworn in as a Member of the House of Representatives, she was one of just 18 female Members. When she entered the Senate 10 years later as the first Democratic woman Senator elected in her own right, she was one of just two women in this upper Chamber. But while those numbers have intimidated most, they only motivated and emboldened Senator MIKULSKI. She soon impressed her colleagues, as she continues to do today, with her work ethic, determination, keen understanding of issues, humor, and her commitment to her constituents.

She has broken many barriers in her career. She was the first woman ever elected statewide in Maryland, the first to chair an appropriations subcommittee, and the first woman to serve in the Democratic leadership. If we are no longer surprised today when we see women in power in Washington, it is only because we had pioneers such as BARBARA MIKULSKI. As she recently told CNN: ''I might be the first, but I don't want to be the last.''

There are now 17 women serving in the Senate, and Senator MIKULSKI, the dean of the women, is our leader and our champion. I was both humbled and honored to have her escort me when I was sworn in as a Senator 2 years ago. That was just the beginning of her ongoing mentorship. Although the Senate can often be bogged down by partisanship, I appreciate that Senator MIKULSKI encourages and creates an environment of teamwork, respect, and friendship. But while we today mark her place in history as a woman Senator, she is widely regarded as one of the most respected, accomplished, and effective public servants in all of Congress. To use Senator MIKULSKI's own words, she showed it is not about gender, it is about agenda.

She is one of the Senate's strongest advocates for science and technology and the importance of investing in innovation to spur our economy. In fact, earlier this year, I was watching a 3D movie about the Hubble telescope at the Smithsonian with my daughter, a scientist, and there was Senator MIKULSKI featured in the movie for her role in preserving the telescope's budget, a feat she calls one of her proudest accomplishments.

She also wrote the Spousal Anti-Impoverishment Act, which protects seniors across our country from going bankrupt while paying for a spouse's nursing home care.

She shepherded through the Lilly Ledbetter Act, which helps to ensure that no matter your gender, your race, your national origin, religion, age, or disability, you will receive equal pay for equal work.

She fought tenaciously for her important amendment to health care reform legislation ensuring that a comprehensive list of women's preventive services, such as screenings for breast and cervical cancer, would be covered with no added out-of-pocket expenses.

I thank Senator MIKULSKI for her mentorship, her leadership, and her fierce belief in the empowerment of women in our communities and in public office. I congratulate her on this tremendous accomplishment, and I join my colleagues in looking forward to many more years of her distinguished service.

Mr. SCHUMER. Mr. President, I want to say a few words about my dear friend, dear colleague, someone I so admire—Senator BARBARA MIKULSKI—on her remarkable accomplishments. Today, she took the oath of office, the Senator from Maryland, and made history as few others can make. Senator MIKULSKI has long been affectionately known here in the Senate as the dean of the women. Now she is officially the longest serving female Senator in the history of this great Nation.

This distinction adds to the considerable respect and admiration I already have for Senator MIKULSKI and who she is and what she does. BARB, like me, came from a decidedly middle-class beginning. We often talk about her dad, Willie, who owned a grocery store in east Baltimore, and my grandfather and dad—Jake and Abe—who were exterminators. They were similar because they were people of the community. BARB would tell me that people

would come in during difficult times—they had lost their job—and Willie would say, pay me when you can. It wasn't quite the same with my family, but my grandfather and then father, like him, felt people who had roaches or rats crawling through their little houses and apartments, when they couldn't pay, shouldn't have that service cut off for them.

So we were both infused with that great upwardly mobile, middle-class, help your neighbor, be part of a neighborhood, be part of a community feeling. BARB started her career as a social worker and made a name for herself when she led the fight to stop a highway project from destroying a historic section of her community. That is what launched her into politics. Like our best politicians, she came from the community. She didn't decide to be a politician, she came from the community, took on a fight, and saw how she could make government a friend to the people. So she went from the Baltimore City Council to the House of Representatives, and then, of course, to this august Chamber.

Throughout that time, she has never lost sight of from where she came. She has fought tirelessly and effectively to protect Maryland's seniors, ensuring they have access to an affordable, healthy, and happy environment. She has been a leading advocate of medical research, securing billions in funding for cutting-edge research into things as diverse as breast cancer and Alzheimer's. She has helped countless women and veterans get the health care they need, and the list goes on and on.

Let me say one other thing. As somebody who believes that we have to focus on the middle class, talk to the middle class, and have middle-class feelings and values infused in our bones, no other Senator does that as well as Senator MIKULSKI because it is who she is and because—being the essentially humble and modest person she is—she has never lost sight of where she has come from.

So Senator BARB—as her constituents know her—you are beloved here as much as you are beloved in your home State of Maryland. Your sense of humor, your tenacity, your work ethic, your love of community, and your mother's crab cake recipe are unrivaled.

It is an honor to serve alongside such an accomplished woman. Senator MIKULSKI, congratulations again. You are a great Senator and a great friend.

The VICE PRESIDENT. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I thank my colleagues for their very warm words. Today, when I walked down the aisle, escorted by my esteemed partner, BEN CARDIN, my former and beloved colleague, Senator Paul Sarbanes—when I walked down that aisle, I walked into the history books.

I never set out to do that and, for me, it is a great honor to join Margaret Chase Smith in the history books. As Senator SNOWE has said, and also Senator COLLINS on a number of occasions, Margaret Chase Smith and I share many things in common. Today they wear the rose, but those two outstanding Senators from Maine also wear the values of Maine and the values of Margaret Chase Smith: a strong belief in constituent service, staying close to the people, focusing on jobs for the State, being a strong supporter of innovation, and a fearless, unrelenting streak of independence. I hope I am like her. I know they bear that same set of characteristics.

For me, it is not how long I serve but how well I serve. Service for me is about being connected, connected to my constituents, staying close to them so they do not fall between the cracks, meeting their day-to-day needs and also looking at the long-range needs of the Nation.

Nobody comes here by themselves. Later on today I will thank my friends and supporters. But I want to thank the wonderful people who shaped me, the wonderful nuns who taught me, the school Sisters of Notre Dame and the Sisters of Mercy who taught me about leadership, who taught me about service, who taught me about my faith in Matthew 5, the Beatitude that said hunger and thirst after justice.

But today as I stand here, I also think about my mother and father. I am filled with great emotion. I wish my mother and father were here today. They worked so hard for my sisters and I to have an education. But though they are not here with me today in the Senate gallery, I know they are in my heart. I want them to know they are with me when I fight for what we believed in.

My father ran a small grocery store. Everybody loved my father and mother. They were known for honesty and integrity. When my father opened the grocery store every morning, he would say: Good morning. Can I help you? And that is the kind of values I bring to the Senate.

Our family came from Poland. When my great-grandmother arrived in this country she had little money in her pocket, but she had a big dream in her heart. That dream was the American dream where through hard work, hard work and dedication, you could make something of yourself. You could own a home, you could have a job, you could get an education for your family. She did not even have the right to vote, and in this great country of ours, in three generations, I joined the Senate. She knew about hard work in terms of economic opportunity. She did not think too much about the Constitution, but I do—particularly that first amendment.

I got into politics fighting a highway. In other countries they put dissidents in jail. In the United States of America, because of the first amendment, they put you in the United States Senate. God bless America.

When I came to the Senate, though I was all by myself, I said I was never alone because of the wonderful way the men have treated me. The history of the women in the Senate is short—I might add, 4-foot-11 short. But everything we have done we have been able to work on together.

I fought for seniors to try to pass, and passed, the Spousal Impoverishment Act to make sure the very cruel rules of our government did not force people into bankruptcy when they had to turn to a nursing home. I worked to pass the Lilly Ledbetter bill to give equal pay for equal work; our wonderful work on women's health, where we broke barriers in terms of research. We know we have saved lives because of what we have done in research in our preventive health amendment, and for young people in national service.

I have also fought for Maryland—whether it is cleaning up the bay or fighting for jobs in the Port of Baltimore, whether it is looking out for the Goddard Space Agency or doubling the funding at the National Institutes of Health. For me, again, it is all about service. I am fighting for a stronger economy and a safer America. For me it is not about the past, it is about the future. Though I break one record today, I want to work with all of you on both sides of the aisle to break other records.

Let's break that high record of unemployment in our country. Let's break that record of low graduation rates in our high schools. Let's break the record of the longest war in American history and bring our troops home as safely as we can. I want to build a strong economy.

I am going to work to build a strong economy, an innovation economy so we are able to move ahead. Today when I took my oath, I pledged that I want to help America be great again with a renewed self-confidence and achievement. I want us to be a global leader in this innovation economy. I want to help America be excellent again so we not only win Nobel Prizes—and I want us to win lots of them—but win international markets and win lots of them. I want to promote a sense of community where we look out for each other and for our community and where the people of the United States know they have a government on their side.

I will close with a quote from George Bernard Shaw.

> I am convinced that my life belongs to the whole community; and as long as I live, it is my privilege to do for it whatever I can, for the harder I work, the more I live.
>
> I rejoice in life for its own sake. Life is no brief candle to me. It is a sort of splendid torch which I got hold of for a moment, and I want to make it burn as brightly as possible before turning it over to future generations.

Someday in the future, someone else will break this record. Let's work together to break those other records.

Thanks for everything. God bless America.

(Applause, Senators rising.)

The VICE PRESIDENT. The majority leader.

ELECTING GARY B. MYRICK AS THE SECRETARY FOR THE MAJORITY

Mr. REID. Mr. President, I have a resolution at the desk, and I ask that it now be considered.

The VICE PRESIDENT. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 5) electing Gary B. Myrick, of Virginia, as Secretary of the Majority of the Senate.

The VICE PRESIDENT. Without objection, the resolution is agreed to.

The resolution (S. Res. 5) reads as follows:

S. RES. 5

Resolved, That Gary B. Myrick of Virginia be, and he is hereby, elected Secretary for the Majority of the Senate.

Mr. REID. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. MCCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

APPOINTMENT OF SENATE LEGAL COUNSEL

The VICE PRESIDENT. The Chair, on behalf of the President pro tempore, pursuant to Public Law 95–521, appoints Morgan J. Frankel as Senate legal counsel for a term of service to expire at the end of the 113th Congress.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 6) to make effective appointment of Senate Legal Counsel.

The VICE PRESIDENT. Without objection, the resolution is considered and agreed to.

The resolution (S. Res. 6) reads as follows:

S. RES. 6

That the appointment of Morgan J. Frankel of the District of Columbia to be Senate Legal Counsel, made by the President pro tempore this day, shall become effective as of January 7, 2011, and the term of service of the appointee shall expire at the end of the One Hundred Thirteenth Congress.

APPOINTMENT OF DEPUTY SENATE LEGAL COUNSEL

The VICE PRESIDENT. The Chair, on behalf of the President pro tempore, pursuant to Public Law 95–521, appoints Patricia Mack Bryan as deputy Senate legal counsel for a term of service to expire at the end of the 113th Congress.

Mr. REID. Mr. President, it is my understanding that the President pro tempore will now assume the presidency of the Senate.

The PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 7) to make effective appointment of Deputy Senate Legal Counsel.

The PRESIDENT pro tempore. Without objection, the resolution is agreed to.

The resolution (S. Res. 7) reads as follows:

S. RES. 7

That the appointment of Patricia Mack Bryan of Virginia to be Deputy Senate Legal Counsel, made by the President pro tempore this day, shall become effective as of January 3, 2011, and the term of service of the appointee shall expire at the end of the One Hundred Thirteenth Congress.

Mr. REID. Mr. President, I move to reconsider the vote.

Mr. MCCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UNANIMOUS-CONSENT AGREEMENTS

Mr. REID. Mr. President, I send to the desk en bloc 12 unanimous-consent requests, and I ask for their consideration en bloc, that the requests be agreed to en bloc, that the motions to reconsider the adoption of these requests be laid upon the table, and that they appear separately in the RECORD.

Before the Chair rules, I would like to point out that these requests are routine and are done at the beginning of each new Congress. They entail issues such as authority for the Ethics Committee to meet and other such matters.

Mr. President, I ask unanimous consent that for the duration of the 112th Congress, the Ethics Committee be authorized to meet during the session of the Senate.

Mr. President, I ask unanimous consent that for the duration of the 112th Congress, there be a limitation of 15 minutes each upon any rollcall vote, with the warning signal to be sounded at the midway point, beginning at the last 7½ minutes, and when rollcall votes are of 10 minute duration, the warning signal be sounded at the beginning of the last 7½ minutes.

Mr. President, I ask unanimous consent that during the 112th Congress, it be in order for the Secretary of the Senate to receive reports at the desk when presented by a Senator at any time during the day of the session of the Senate.

Mr. President, I ask unanimous consent that the majority and minority leaders may daily have up to 10 minutes each on each calendar day following the prayer and disposition of the reading of, or the approval of, the Journal.

Mr. President, I ask unanimous consent that the Parliamentarian of the House of Representatives and his four assistants be given the privileges of the floor during the 112th Congress.

Mr. President, I ask unanimous consent that, notwithstanding the provisions of rule XXVIII, conference reports and statements accompanying them not be printed as Senate reports when such conference reports and statements have been printed as a House report unless specific request is made in the Senate in each instance to have such a report printed.

Mr. President, I ask unanimous consent that the Committee on Appropriations be authorized during the 112th Congress to file reports during adjournments or recesses of the Senate on appropriations bills, including joint resolutions, together with any accompanying notices of motions to suspend rule XVI, pursuant to rule V, for the purpose of offering certain amendments to such bills or joint resolutions, which proposed amendments shall be printed.

Mr. President, I ask unanimous consent that, for the duration of the 112th Congress, the Secretary of the Senate be authorized to make technical and clerical corrections in the engrossments of all Senate-passed bills and joint resolutions, Senate amendments to House bills and resolutions, Senate amendments to House amendments to Senate bills and resolutions, and Senate amendments to House amendments to Senate amendments to House bills or resolutions.

Mr. President, I ask unanimous consent that for the duration of the 112th Congress, when the Senate is in recess or adjournment, the Secretary of the Senate is authorized to receive messages from the President of the United States, and—with the exception of House bills, joint resolutions and concurrent resolutions—messages from the House of Representatives, that they be appropriately referred and that the President of the Senate, the President pro tempore, and the Acting President pro tempore be authorized to sign duly enrolled bills and joint resolutions.

Mr. President, I ask unanimous consent that for the duration of the 112th Congress, Senators be allowed to leave at the desk with the journal clerk the names of two staff members who will be granted the privilege of the floor during the consideration of the specific matter noted, and that the Sergeant-at-Arms be instructed to rotate staff members as space allows.

Mr. President, I ask unanimous consent that for the duration of the 112th Congress, it be in order to refer treaties and nominations on the day when they are received from the President, even when the Senate has no executive session that day.

Mr. President, I ask unanimous consent that for the duration of the 112th Congress, Senators may be allowed to bring to the desk bills, joint resolutions, concurrent resolutions and simple resolutions, for referral to appropriate committees.

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

WORKING GROUP—LOWER LEVEL EXECUTIVE NOMINATIONS

Mr. REID. One of the issues we must reform is the confirmation process in the Senate. I have heard from a number of Senators on both sides of the aisle who think we should address this.

Clearly, all Presidents are entitled to choose well-qualified individuals to

serve in their administration. In the vast majority of instances, the individuals nominated by the President are not controversial, but many have faced delays before assuming their positions. These delays mean critical decisionmakers are not in place. And, the delays make it harder to find qualified people—many great nominees simply cannot wait around for months as the stress and uncertainty affects their families and careers. We need to do better in the 112th Congress. According to the Congressional Research Service, the Senate has a constitutional duty to exercise ''advice and consent'' on more than 1,215 executive branch nominees. That is a large number. Is my friend from Kentucky aware of that the Senate confirms more than 1,215 executive branch nominees?

Mr. MCCONNELL. I am aware that the number of presidential appointees has grown substantially. According to the bipartisan Commission on Public Service report from 2003, President Kennedy took office in 1960 with only 286 positions to fill by Presidential appointment. Many of those required Senate confirmation. About 40 years later, President George W. Bush faced a total of 3,361 Presidential appointment slots to fill. I am sure the current President faced a similar number of appointments.

Mr. REID. I remember the Public Service Commission well and its Chairman Paul Volcker. We may need a new working group in the Senate to examine the confirmation process and ways to improve, streamline, and in some cases perhaps eliminate the confirmation process for lower level nominees. I would like to propose a new working group on executive nominations headed by Chairman SCHUMER and Ranking Member ALEXANDER of the Rules Committee. We will develop the details of this effort in the coming weeks, but I think a Senate level working group is a good place to start. And I would also recommend that Senators SCHUMER and ALEXANDER work on this effort in conjunction with Senators LIEBERMAN and COLLINS. The Homeland Security and Government Affairs Committee has held hearings on the confirmation process in the past, and Senators LIEBERMAN and COLLINS have been engaged in this issue for some time. They can bring a valuable perspective here.

Mr. MCCONNELL. I agree the Senate should establish a working group to examine this issue. Surely, Senators LIEBERMAN and COLLINS have bipartisan respect and should be a part of any such group on executive nominations. Senators ALEXANDER and SCHUMER are good choices to spearhead this effort. I look forward to working with the majority leader and my colleagues in the coming weeks as we finalize this proposal.

FIRST DAY FOR INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

Mr. REID. Mr. President, I ask unanimous consent that the first day for the introduction of bills and joint resolutions in the 112th Congress be Tuesday, January 25, 2011.

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

ADJOURNMENT OR RECESS OF THE HOUSE AND SENATE

Mr. REID. I have a concurrent resolution at the desk. I ask the clerk to report the same.

The PRESIDENT pro tempore. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 1) providing for a conditional recess or adjournment of the Senate and adjournment of the House of Representatives.

The PRESIDENT pro tempore. The concurrent resolution is considered and agreed to.

The concurrent resolution (S. Con. Res. 1) was agreed to, as follows:

S. CON. RES. 1

Resolved, by the Senate of the United States (the House of Representatives concurring), That (a) when the Senate adjourns or recesses on any day from Wednesday, January 5, 2011, through Monday, January 10, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned or recessed until 10 a.m. on Tuesday, January 25, 2011, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and

(b) when the House adjourns on the legislative day of Wednesday, January 12, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, January 18, 2011, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first; and when the House adjourns on any legislative day from Wednesday, January 26, 2011, through Friday, January 28, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, February 8, 2011, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Majority Leader of the Senate, or his designee, after consultation with the Minority Leader of the Senate, or his designee, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate recesses or adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand recessed or adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

Mr. REID. Mr. President, I move to reconsider that vote.

Mr. MCCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

SENATE PROCEDURE

Mr. REID. Mr. President, happy new year to you. And happy new year to all my colleagues, those returning to the Senate and those taking office today for the first time.

I am honored, humbled, and will forever be grateful that the people of Nevada have entrusted me with another term as a Senator. I will continue working hard to create jobs for the people of my State and our country and get our country back on track. I am also grateful for the continued support and confidence of my caucus, which has given me the honor of serving as its leader. Neither title—Senator nor majority leader—is a responsibility I take lightly or for granted.

They say you can never step in the same river twice; new water flows in replacing the old and continually renewing the river. The Senate is the same. This body never stops changing. Every 2 years—occasionally more frequently—new Senators take their seats in this Chamber. They join the Senate family in this ever-evolving team of 100 tasked with moving the country forward. Our fundamental responsibilities and traditions anchor us in that river. Our respect and reverence for the people we serve and this institution never wavers or changes.

According to academics, pundits, and Congress watchers, the 111th Congress was the most productive in American history. But many challenges and opportunities still lie ahead for this new Congress that starts today. We have to do even more to help middle-class families, to create jobs, to hasten our energy independence, to improve our children's education, and to fix our broken immigration system. We also have to make sure the Senate can operate in a way that allows the people's elected legislators to legislate.

We will soon debate some reforms to Senate procedure, reforms proposed not for the sake of change itself or for partisan gain but because the current system has been abused and abused gratuitously. The filibuster in particular has been abused and in truly unprecedented fashion. There are strong passions on both sides of this debate on this issue. There are nearly as many opinions about what to do about these abuses as there are Senators. But let's start the conversation with some facts.

There were about as many filibusters in the last two Congresses as there were in the first six and a half decades the cloture rules existed. There were nearly as many filibusters in just the last 2 years as there were in the 1920s, 1930s, 1940s, 1950s, 1960s, and half of the 1970s, all combined. In the entire 19th century, the Senate saw fewer than 12 filibusters. Now we see that many in a single month. Many of these recent filibusters were terribly unproductive. Many of them prevented us from even holding debate on a bill, let alone an up-or-down vote. After we wasted hour after hour, day after day, sometimes weeks, many of those bills passed and

many of those nominations were confirmed overwhelmingly and sometimes unanimously.

I have been forced to use my right as majority leader to fill what we call the amendment tree more than I would have liked to, but it has been for a simple reason. Rather than offer amendments to improve legislation or compromise for the greater good, as Members of this body have done for generations, the current minority has offered amendments simply to waste time, delay us from proceeding to a bill or for scoring political points. The American people love government, but they don't like too much politics in government.

Finally, these rules are central to the Senate, but they are not sacrosanct. Senate procedures and rules have changed since the Senate was founded at the beginning of this country when necessary and after serious consideration. Those decisions have never been made without great deliberation, and no future change should be made any differently.

The recent abuses we have seen have hurt the Senate and hurt our country. They have hurt our economic recovery, and they hurt middle-class families. They hurt the institutions that lead and shape America because they keep public servants and judges from these posts for no reason other than partisanship. Even Chief Justice Roberts criticized the Senate a few days ago for how few judges we confirmed and how slowly we do even the few we confirm. His criticism and concern are well founded. I hope all my colleagues consider the Chief Justice's warning and what it means for the pursuit of justice.

Here is the bottom line: We may not agree yet on how to fix the problem, but no one can credibly claim problems don't exist. No one who has watched this body operate since the current minority took office can say it functions just fine. That wouldn't be true. It would be dishonest. No one can deny that the filibuster has been used for purely political reasons, reasons far beyond those for which this protection was invented and intended.

I say through the Chair to my distinguished Republican counterpart, my friend, Senator MCCONNELL, in the coming days, let's come together to find a solution. That is why we are here. I say to the 16 new Senators, we need to do some things to correct some of the things that have taken place. The Senate must solve problems, not create them. I am going to work to the best of my ability with my friend, the Senator from Kentucky, to work this out, to work out a compromise.

The last time Congress convened without Senator Robert Byrd as a Member, Harry Truman was President of the United States and 42 of our 100 Senators had not even been born. No one knew the Constitution better than Robert Byrd, and no one revered it more. He taught many of us many things. Among them, he taught me to carry the Constitution with me every day.

I do that, Mr. President. I always have this copy of our founding document in my pocket, signed by Senator Byrd, one of the most fervent defenders of the Constitution. He has given me two of them. The first one wore out, but I have it in my desk in Searchlight. I have such fondness looking at what Senator Byrd wrote in it. As we all know, in his later years he had a benign tremor, and he shook a little bit when he wrote. But he wrote this, and I will always, always remember Senator Byrd, that fervent defender of this Constitution.

He loved the Constitution. This coal miner's son loved the Constitution. Just like everyone in America, whether you are a coal miner's son or an academic's son, we all should love this Constitution, not just because of what is written in it but how those words were written and how it all came together.

Senator Byrd knew our Constitution was created through compromise. At a moment of particular partisan strife, 15 years ago Senator Byrd came to this floor and said the following:

> I hope that we will all take a look at ourselves on both sides of this aisle and understand also that we must work together in harmony and with mutual respect for one another. This very charter of government—

Talking about the Constitution—

> under which we live was created in a spirit of compromise and mutual concession. And it is only in that spirit that a continuance of this charter of government can be prolonged and sustained.

That is what he said.

Our friends in the House have decided to begin their daily business by reading the Constitution. In these first few minutes of the new Senate session, I think we should reflect on Senator Byrd's wise reminder of this Constitution's history. Like the Constitution, the agreement that established two separate and different Houses in the legislative branch was itself a compromise.

Mr. President, it is written to be the Great Compromise that allowed us to have a Constitution. As much as ever before, our two branches need to find common ground if we are going to be productive for the people we serve and serve together.

In that same speech a decade and a half ago, Senator Byrd reminded us that ''the welfare of the country is more dear than the mere victory of [a political] party.'' I think we would do well to heed those words as we debate and decide how to best serve the Nation and its people in this new year.

Senators come and go. Majorities and minorities rotate like a rolling wheel, and records of service are written and rewritten. The only constant in this great democracy is change—a change we never anticipate. Sometimes we do, but most often we do not. Sixteen Senators who were here just a few days ago have moved on, and 16 new ones now take their seats. Laws that govern this Nation and the rules that govern this body continually evolve carefully and by necessity.

But the most important change we can make in the 112th Congress is to work better and more closely as teammates, not as opponents; as partners, not as partisans; to fulfill our constitutional responsibility to pursue a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Republican leader is recognized.

OPENING THE 112TH CONGRESS

Mr. MCCONNELL. Mr. President, first, I would like to take a moment to welcome back all of my colleagues and particularly the 13 new Republican Senators whom we officially swore in just a few moments ago.

Americans are looking for creative, principled leaders. I am confident this impressive class of new Republicans will not disappoint.

I would also like to welcome my good friend, the majority leader. At a time when some people think the two parties in Washington cannot even agree on the weather, I will note that Senator REID and I get along just fine. I expect it will stay that way, and I look forward to working with him again throughout this Congress.

The biggest changes today are, of course, happening across the dome, and I would like to welcome the many new Republican Members of Congress who have come to Washington to change the way things are done around here. In this, they will be led by a very talented and determined Ohioan, whom I now have the great honor of referring to as Speaker BOEHNER. I congratulate Speaker BOEHNER and the new Republican majority in the House, and I wish them great success in achieving the kinds of reforms and policies the last election was all about.

Americans want lawmakers to cut Washington spending, tackle the debt, rein in the government, and to help create the right conditions for private sector job growth. They also want us to reform the way laws are made. They are looking to Republicans to provide an alternative to the kind of lawmaking we have seen too much of around here in the past few years—a vision that disregards the views of the public in favor of an elite few, a vision that tells people they can look at legislation after it is passed, that Washington knows best. In short, Americans are looking for an entirely different approach.

The new Republican majority in the House has shown every sign that they have heard the public on all of this, and Senate Republicans join them in their efforts, conscious of the limitations and the opportunities that our minority status and the President's veto pen involve. We will press the majority to do the things the American people clearly want us to do, and we will insist in every possible way that the voices of our constituents are heard, realizing at the same time that the best solutions are forged through consensus not through confrontation.

Fortunately, the Senate was designed as a place where consensus could and would be reached. Look through modern history. The Social Security Act of 1935 was approved by all but six Members of the Senate. The Medicare and Medicaid Acts of 1965 were approved by all but 21. And all but eight Senators voted for the Americans with Disabilities Act 21 years ago this year.

The lesson is clear: Americans believe on issues of this importance, one party should not be allowed to force its will on anyone else. Thanks to the Senate, it rarely has.

That is why a recent proposal to change the Senate's rules by some on the other side is such a bad idea. For 2 years, Americans have been telling us they are tired of being shut out of the legislative process. They want to be heard. The response they are now getting from some on the other side instead is a proposal to change the Senate rules so they can continue to do exactly what they want with fewer Members than before. Instead of changing their behavior in response to the last election, they want to change the rules.

Well, I would suggest this is precisely the kind of approach a supermajority standard is meant to prevent. It exists—it exists—to preserve the Senate's role as the one place where the voices of all of the people will, in the end, be heard. As a result, it has helped ensure that most major agreements enjoy the broad support of the public and the stability that comes with it.

Regrettably, the current majority has too often lost sight of this important truth. Since assuming control of the Senate in 2007, it has sought to erode the traditional rights of the minority, and, by extension, the rights of our constituents. The nonpartisan Congressional Research Service has looked into the way the current majority has run the Senate. Its conclusions are revealing.

Here are just a few: The current majority has denied the minority the right to amend legislation a record 44 times or more often than the last six majorities combined. It has moved to shut down debate the same day measures are considered nearly three times more often, on average, than the previous six majorities. And its unprecedented denial of the rights of the minority to debate and amend on the floor is compounded by its practice of regularly bypassing Senate committees. All too often the majority has chosen to write bills behind closed doors, depriving Americans of yet another opportunity to have a say in the legislative process. The current majority has set the record here as well, bypassing committees 43 times or double the previous average.

Now, the goal of all of this, of course, is to pass the most partisan legislation possible while at the same time avoiding difficult votes. To listen to the leaders of the Democratic Party over the past several months, they have had some success at it. The President, the former Speaker, and the majority leader have all described the past Congress as the most successful in memory. Yet the most vocal elements of their party remain frustrated. They say the Senate is broken, even though the same people are describing it as the most successful in memory.

Why? Their primary complaints appear to be these: The stimulus passed, but it was not big enough; the health care bill passed, but it did not include the government plan; the Senate extended unemployment benefits and cut payroll taxes but was blocked from raising taxes on small business owners in the process.

In other words, the majority may have been able to achieve most of what it wanted, but because it did not achieve everything it wanted some are not happy. They are not happy that those Americans who have a different view of things actually had a say in how some of the legislation they have passed over the past 2 years turned out.

The impulse to change the rules is, in some ways, understandable. No one likes to take difficult votes, but that is nothing new. As the majority whip often says: ''If you don't like fighting fires, then don't become a fireman.'' If you don't like casting votes, don't come to the Senate.

Some have also suggested that one's view of the filibuster depends on where one sits. It is true that when I was in the majority, I opposed filibustering judicial nominees. But I opposed doing so when I was in the minority as well. I opposed doing so regardless of who was in the White House. In short, I was against expanding the use of the filibuster into an area in which it traditionally had not been used, period.

One can agree with that view or not, but it is one thing to disagree with expanding the use of the filibuster into nontraditional areas, regardless of who is President and who is in the minority, it is another thing altogether to be in favor of expanding it when one is in the minority, and then turn around and urge its elimination when one is in the majority.

When it comes to preserving the right to extended debate on legislation, Republicans have been entirely consistent. What is being considered is unprecedented. No Senate majority has ever—I am going to say this twice—no Senate majority has ever changed the rules except by following those rules; that is, with the participation and the agreement of the minority.

I am going to say it one more time. No Senate majority has ever changed the rules except by following those rules; that is, with the participation and the agreement of the minority. But it also promises to frustrate those who would approve it.

First, it is stating the obvious, that anything that passes in the Senate with a narrower majority than 60 is going nowhere—absolutely nowhere—in the newly Republican House. So any short-term gain ends halfway across the dome. Second, a change in the rules aimed at benefitting the Democrats today could just as easily be used to benefit Republicans tomorrow. Do our friends across the aisle want to create a situation where 2 or 4 or 6 years from now they suddenly find themselves completely powerless to prevent Republicans from overturning legislation they themselves have worked so hard to enact, particularly over the last 2 years?

But the larger point is this: The Founders crafted the Senate to be different. They crafted it to be a deliberate, thoughtful place. Changing the rules in the way that has been proposed would unalterably change the Senate itself. It will no longer be the place where the whole country is heard and has the ability to have its say, a place that encourages consensus and broad agreement. In short, it would make this place even less like the place Americans want it to be.

So it is my hope that our friends on the other side will put aside their plans, respect the rules of the Senate and, more importantly, the voice of the people those rules are meant to protect. Then we can get about the business the people sent us here to do.

Today is a day to renew our purpose and our commitment to bipartisanship, not to double down on a partisan approach that has too often marred lawmaking in Washington over the past 2 years. It is a day to look ahead to what we can achieve together, prompted by the urgings of an electorate that has made its views very clear, and united by a love for this institution and this Nation. The problems we face are enormous—once-in-a-generation challenges that will require vision, hard work, and a commitment to work together to reach consensus, and the Senate is the place for that. At its best, it is a workshop where the Nation's most difficult challenges are faced squarely and addressed with civility and goodwill. At a time like our own, when 1 in 10 working Americans is looking for a job and can't find one, when the national debt threatens the American dream itself, when the solvency of the social safety net is threatened, we must come together. We must find a way to forget the petty skirmishes of the past and forge a new, more hopeful path. We must be motivated by a determination to seek solutions, not mere partisan advantage.

Americans are looking for Republicans to address the problems we face, but Republicans cannot solve them alone. The problems are too big, too demanding for one party, and we will never succeed in solving them if we retreat to our corners until another election comes around. If our predecessors had done that, they would have never solved anything at all, and this institution would have lost its relevance a long time ago. But they didn't, and neither can we.

The men who established this place have left us the right tools for the job. It is my hope that in the weeks and months ahead, we will use them to renew the promise that inspired them and that continues to inspire Americans even in difficult times. That promise is the American dream. It is what unites everyone in this Chamber. Preserving it must be our common task.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business and that there be 30 minutes for tributes regarding Senator MIKULSKI's milestone; that upon conclusion of MIKULSKI-related remarks, there be 45 minutes for Senator HARKIN; that upon the conclusion of Senator HARKIN's remarks, the Republican leader or his designee control the next 35 minutes; further, that following that time controlled by the Republican leader, Senators be permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

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.

COMMENDING SENATOR MIKULSKI

Mr. HARKIN. Mr. President, I wish to make some remarks regarding my dear friend and seatmate on the Appropriations Committee and a member of my Health, Education, Labor, and Pensions Committee.

I join with the entire Senate family in saluting my good friend, the distinguished senior Senator from Maryland, on becoming the longest serving woman in the history of the Senate. This is truly a remarkable milestone.

I note that Cal Ripken, the former star of Senator MIKULSKI's hometown Baltimore Orioles, became known as the ''Iron Man'' for going 16 consecutive years without missing a game. Now perhaps Senator MIKULSKI has earned the title of ''Iron Woman'' for going 24 consecutive years in this body without ever deviating from her role as a fierce advocate for Marylanders and for working people across our country.

I hasten to add that the measure of a Senator is not how many years he or she serves in the body but what he or she accomplishes during those years. That is where Senator MIKULSKI has truly distinguished herself over the last quarter of a century.

I especially salute her activism and leadership on the Committee on Health, Education, Labor and Pensions, formerly chaired, of course, by Senator Kennedy and which I am now privileged to chair. She has been a leading champion of Pell grants and for expanding access to higher education for students of modest means. Of course, as has been stated, she has been the Senate's leading voice on women's health issues, fighting to ensure women are included in clinical trials and medical research at the National Institutes of Health, and securing access to breast and cervical cancer screenings for women without health insurance.

Senator MIKULSKI took the lead in writing the sections of the new health reform law that focus on improving the quality of care. At every turn in the drafting of that historic legislation, she fought to ensure that the unique health needs of women were fully recognized and accommodated.

As chair of the Subcommittee on Retirement and Aging, Senator MIKULSKI has been an outspoken advocate for seniors, focusing especially on combating elder abuse and neglect. I know she is especially proud of authoring the Spousal Anti-Impoverishment Act, which keeps seniors from going bankrupt while paying for a spouse's nursing home care. I might also add, no one has been a more fierce supporter and defender of the right for people to have an attorney through the legal aid system in America. She has fought very hard to make sure we strengthened the National Legal Services Corporation and to make sure it receives adequate funding so people who have no money aren't barred from the courthouse door.

We admire the work of BARBARA MIKULSKI not as a female Senator per se but as one of 100 Senators. On this day we also recognize that she was the first woman elected to the Senate whose husband or father did not serve in high office. We salute her as the proud dean among Senate women who has gone to extraordinary lengths for so many years to mentor and guide newly elected women Senators of both parties.

I join my colleagues in congratulating Senator MIKULSKI as our longest serving female Senator and wishing her many more years of accomplishment and service in the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I rise today to add my voice to those of my colleagues as we commemorate an extraordinary milestone for a remarkable woman. Today, Senator BARBARA MIKULSKI becomes the longest serving woman Senator.

For anyone who has had the privilege of working with or for Senator MIKULSKI, this milestone comes as no surprise. She is a devoted public servant and a dogged advocate for her constituents. She has spent the vast majority of her life in public service as a social worker, as a member of the Baltimore City Council, then as a Member of the House of Representatives, and finally as a Senator. With each step, her constituency got larger and she worked even harder to fight for the people of Maryland.

Senator MIKULSKI is no stranger to celebrating firsts or milestones. She was the first Democratic woman to be elected to the Senate in her own right without succeeding a spouse or a father. She was also the first woman to serve on the Senate Appropriations Committee.

It is also worth reflecting on how far we have come in the 24 years since Senator MIKULSKI was first elected. She was one of only two women in the Senate in 1987. In the next Senate, as in the last Senate, we are now up to 17 female Senators, meaning that they can no longer call us ''Sweet 16.''

As the dean of women Senators, Senator MIKULSKI has always been ready to help women who are thinking about running for the Senate and then help newly arrived women Senators when they get here. Her wise counsel is absolutely invaluable. Senator MIKULSKI has always reached across the aisle to bring women Senators together. As she puts it: ''Women in the Senate understand issues not just on the macro level, but on the macaroni and cheese level.''

Two years ago around this time, I went to the Senate floor with several of my women colleagues to speak about the importance of passing the Lilly Ledbetter Fair Pay Act. Senator MIKULSKI had championed the bill for years. I remember Senator MIKULSKI bringing us all together and I will always remember her words. She would say:

> To the women of America: Suit up, square your shoulders, put your lipstick on. We're ready for a revolution.

Senator MIKULSKI has always been a master of words and quips. She did it again, and we passed that bill.

On that issue, as on so many others, the cause that Senator MIKULSKI championed was victorious due in large part to her tremendous work ethic and her devoted advocacy.

Senator MIKULSKI, today we salute you for suiting up and squaring your shoulders for 24 years and counting, and we look forward to so many more.

I see my great colleague Senator STABENOW from the State of Michigan is here.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I am so pleased to be here today. I appreciate the words of the great Senator from Minnesota. I am very pleased to rise with colleagues on both sides of the aisle to pay tribute to somebody who is much more than a colleague—someone who is also a mentor and a great friend, the Senator from Maryland, BARBARA MIKULSKI.

Today, as we all know, she became the longest serving woman Member of the Senate in the history of our Nation. I have a 3-year-old granddaughter Lilly who will be able to read now in the history books about not only her grandmother but the woman who holds this record, Senator BARBARA MIKULSKI, and all she has done and all she means to each of us, particularly as a role model for my granddaughter and other young children, other young women who will be coming after all of us.

She is here today because she is bold and fearless and determined, as we all know. In 1986, when she first ran for the Senate, she looked for inspiration from her own great-grandmother who came to the United States from Poland with no money and no job. But her great-grandmother knew the importance of hard work and she built a life for her family here, a new beginning, and in so doing opened the door for future generations. I know today she is looking down from a special place with tremendous pride.

When Senator MIKULSKI won that election, becoming the first Democratic woman to win a Senate seat in her own right, she carried on her great-grandmother's legacy—opening doors for future generations of women to follow in her footsteps. Thanks to that, there are more women serving in the Senate today than have ever served in the entire history of our great country. When Senator MIKULSKI was elected in 1986, from the moment she arrived in this august body, she has been a tireless champion of working families in Maryland and across the country. I am proud to have partnered with her on so many important efforts to make sure we are building things in America again and supporting the people who have built the great middle class of this country by their hard work.

She grew up working in her parents' grocery store and understands the struggles of working families who want nothing more than to create a better life for their children and their grandchildren.

She got her start in politics fighting to save the Fells Point neighborhood in Baltimore, stopping a proposed highway that would have divided a neighborhood and destroyed that community. Today, because of Senator MIKULSKI, Fells Point is a thriving residential and commercial community. She has continued from that day, every day, fighting for neighborhoods and families and standing for the men and women who work hard every day to make a better life for themselves and their families.

When BARBARA first arrived in the Senate, she was one of only two women Senators, as we know. Before then, women were appointed to the worst committees, were locked out of the ''old boys' club'' and didn't have much of a voice. But she changed all that.

She got appointed to the powerful Appropriations Committee—the first Democratic woman to do so, giving the women of America a voice, for the first time, on how we set our priorities for the investments of our country. More importantly, she learned how to build coalitions, to work with colleagues on both sides of the aisle, and get things done for the people who sent her here to work for them.

Today, as dean of the women Senators, BARBARA continues that leadership. Thanks to her, the women of the Senate get together—both Democrats and Republicans—for fellowship and friendship on a regular basis. Now, following in her footsteps, there are woman Members on every single committee in the Senate. That is important to the operation of our country's business.

Her example shows us all the importance of hard work, determination, and courage.

I congratulate my friend, Senator BARBARA MIKULSKI, today on her great accomplishment and, most importantly, on a distinguished record of public service on behalf of the people of Maryland and our country. I thank her for all she has done for me personally and for all the other women in the Senate—the ones who have already followed in her footsteps and the many who are still to come.

This is an exciting day for the history books—as some of us like to say, it is another step in ''herstory''—BARBARA's story—which is a special one for our country.

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

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

Mr. HARKIN. Mr. President, parliamentary inquiry: Under the unanimous consent agreement, there was a period of 30 minutes for tributes to Senator MIKULSKI. Is there any of that time remaining?

The PRESIDING OFFICER. Time has been consumed.

Mr. HARKIN. If I am not mistaken, under the unanimous consent agreement, I was deemed to have 45 minutes.

The PRESIDING OFFICER. That is correct.

FILIBUSTER RULE

Mr. HARKIN. Mr. President, I have a resolution for myself, Senator DURBIN, Senator MIKULSKI, and Senator SHAHEEN, which I send to the desk and ask for its immediate consideration.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 8) amending the Standing Rules of the Senate to provide for cloture to be invoked with less than three-fifths majority after additional debate.

The PRESIDING OFFICER. Is there objection?

Mr. ALEXANDER. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I had a good discussion with the Senator from Iowa. This is a longstanding proposal of his. He has thoughtfully considered it. Even though I admire him, I do not admire the proposal.

What we would like to do is let the Senator from Iowa make his proposal. I will listen, and when he has made the proposal, I will ask him to yield me a few minutes and we may have a little discussion back and forth on the merits of the proposal. With that in mind, I object.

The PRESIDING OFFICER. Objection having been heard, the resolution will go over under the rules.

Mr. HARKIN. Mr. President, I am sorry my good friend from Tennessee had to object, but I understand. We are going to engage for some time now on the Senate floor in a discussion on the filibuster, something that has been around a long time but which, in the last several years, few years—I would not say ''several''—in the last 20, 30 years, has gotten to the point where it has paralyzed the Senate and has paralyzed the country.

I intend to make some remarks for a while. I appreciate my friend from Tennessee and also my friend from Kansas who is here. I hope we can engage in a nice colloquy and a discussion about this in a back-and-forth way. I look forward to doing that. I do wish to take some time to at least lay out my case, as I did 15 years ago—I am sorry, 16 years ago. On January 4, 1995, I submitted this same resolution. I was a member of the minority party in the Senate for the first time in 8 years. When I first came to the Senate, the Republicans were in charge and then the Democrats got in charge and then the Republicans got in charge and then the Democrats got in charge and then the Republicans got in charge and then the Democrats got in charge. Since I have been here, since 1985, five times the Senate has changed hands.

I note that at the beginning of that Congress in 1995, the Republicans outnumbered Democrats 53 to 47, the same majority-minority ratio that exists today, just on the other side. Even though I was opposed to the then-majority party's agenda, I submitted the

same basic resolution to change the Senate rules regarding the filibuster.

My plan would have ensured ample debate and deliberation. The stated purpose of a filibuster is to have debate and deliberation. But it would also have allowed a bill or nominee to receive a ''yes'' or ''no'' vote. Unfortunately, my proposal did not pass. It received 19 votes. My cosponsors were Senator LIEBERMAN, Senator Pell, and Senator Robb of Virginia.

I submitted my bill—and if you care to go back and read that debate, it is the January 4, 1995, CONGRESSIONAL RECORD in the Senate. I saw an escalating arms race, where each side ratcheted up the use of the filibuster. That is what I called it then.

Sadly, in the intervening years, my prediction has been fulfilled. The sad reality is that today, because of the indiscriminate use of the filibuster, the ability of our government to legislate and to address problems is severely jeopardized. Sixteen years after I first submitted my proposal, it is even more apparent that for our government to properly function, we must reform and curb the use of the filibuster.

The filibuster was once an extraordinary tool used in the rarest of circumstances. When many people think of the filibuster, many times it brings to mind the classic film of ''Mr. Smith Goes to Washington.'' It is ironic that in 1939, the year Frank Capra filmed ''Mr. Smith,'' there were zero filibusters in the Senate. From 1917 across the entire 19th century—for 100 years—there were 23 filibusters in 100 years. Indeed, through 1879, there were only four. From 1917, when the Senate first adopted rules to end the filibuster, until 1969, there were fewer than 50—less than 1 filibuster a year. Unfortunately, since then, the number has skyrocketed.

The current concerns I raise are not new. The problem has become far more serious. In 1982, my good friend and colleague, Senator Dale Bumpers of Arkansas, said this about the filibuster: ''Unless we recognize that things are out of control and procedures have to be changed, we'll never be an effective legislative body again.'' That was 1982.

During the 2 years of that Congress, there were 31 filibusters as measured by the number of cloture motions filed. In 1985, former Senator Thomas Eagleton of Missouri remarked:

> The Senate is now in the state of incipient anarchy. The filibuster, once used, by and large, as an occasional exercise in civil rights matters, has now become a routine frolic in almost all matters. Whereas our rules were devised to guarantee full and free debate, they now guarantee unbridled chaos.

That was 1985, my first year here. But during that Congress there were 40 filibusters.

Again, I wish to refer to the number of filibusters as a visual aid to see what has happened.

As we go back to 88th, 89th, 90th, and on up, we can see the number of filibusters escalating from less than 10 a year—4 or 5—up to almost 140, 139. In 1994, former Republican Senator Charles Mathias of Maryland said:

> Today, filibusters are far less visible but far more frequent. The filibuster has become an epidemic,—

An epidemic. That is former Republican Senator Charles Mathias—

> used whenever a coalition can find 41 votes to oppose legislation. The distinction between voting against legislation and blocking a vote between opposing and obstructing has nearly disappeared.

That was Senator Mathias of Maryland.

During that Congress, again right before I first submitted legislation to modify the filibuster, there were 80 filibusters that year. If I may quote myself, 1 year after Senator Mathias made his statement about the filibuster, this is what I said in 1995:

> It is used, Mr. President, as blackmail, for one Senator to get his or her way on something they could not rightfully win through the normal process. I am not accusing any one party of this. It happens on both sides of the aisle.

I said that in 1995. Quoting myself from the RECORD:

> Mr. President, I believe each Senator needs to give up a little of our pride, a little of our prerogatives, and a little of our power for the good of this Senate and the good of this country. I think the voters of this country were turned off by the constant bickering, the arguing back and forth that goes on in this Senate Chamber, the gridlock that ensued here, the pointing of fingers of blame. Sometimes in the fog of debate, like the fog of war, it is hard to determine who is responsible for slowing something down. It is like shifting sand. People hide behind the filibuster. I think it is time to let the voters know that we have heard their message in the last election.

I said this in 1995.

They did not send us here to bicker and to argue and to point fingers. They want us to get things done to address the concerns facing this country. They want us to reform this place. They want this place to operate a little better, a little more openly, and a little more decisively.

I said that when the Republicans were in charge.

With all those filibusters, it was not until the 110th and 111th Congress that the true scope of the filibuster abuse would truly be realized. In the 110th Congress, there were an astonishing 139 motions to end filibusters. In the 111th, there were 136—275 filibusters in just 4 years.

The fact is, in successive Congresses, Democrats and Republicans have made the filibuster an everyday weapon of obstruction, not as a way to ensure debate and deliberation but as a way of obstruction. I say both sides have done it. I said that in 1995. I predicted an escalating arms race. I said: If we do not do something about it, it is going to get worse—and, unfortunately, it has.

On almost a daily basis, one Senator is able to use just the threat of a filibuster to stop bills from coming to the floor for debate and amendment. In the past Congress, we started seeing the minority filibuster bills they did not even object to solely in order to slow down unrelated measures they did oppose. The result is a legislative process that is simply overwhelmed, squeezing out the ability to do important, relatively noncontroversial legislation.

It is no accident that Norm Ornstein, the esteemed congressional scholar, wrote an article, titled ''Our Broken Senate,'' in which he wrote that ''the expanded use of formal rules on Capitol Hill is unprecedented and is bringing the government to its knees.''

Just the other day, I received a petition signed by nearly 300 top historians, legal scholars, and political scientists urging Senators ''to restore majority rule to the United States Senate.'' I ask unanimous consent to have this petition printed in the RECORD.

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

JANUARY 4, 2011.

''We, the undersigned, American historians, political scientists, and legal scholars, call upon our senators to restore majority rule to the United States Senate by revising the rules that now require the concurrence of 60 members before legislation can be brought to the floor for debate and restoring majority vote for the passage of bills.

Joyce Appleby, UCLA, retired; Katy Harriger, Wake Forest University; Senator Gary Hart, University of Colorado, Denver; Sanford Levinson, University of Texas Law School; Lawrence Lessig, Harvard Law School; Peter Onuf, University of Virginia; Jack Rakove, Stanford University; David RePass, University of Connecticut, retired; John K. White, Catholic University; Richard D. Lamm, Gov. of Colorado, 1975–1987; Coit D. Blacker, Stanford University; James Gelvin, UCLA; H. Robert Baker, Georgia State University; Darryl Holter, University of Southern California; Robert Rapetto, Yale University; David Orr, Oberlin College; Manuel J.R. Montoya, University of New Mexico; Kathleen M. Beatty, University of Colorado, Denver; Morton T. Tenzer, University of Connecticut; David S. Tannenhaus, University of Nevada, Las Vegas.

Robert H. Abzug, University of Texas, Austin; David H. Hall, Harvard University; Carrie Menkel-Meadow, Georgetown Law School, University of California, Irvine; Carla Gardina Pestana, Miami University, Ohio; Michael Zucker, University of Notre Dame; Thomas A. Foster, De Paul University; John Kukla, Richmond, Virginia; Corey Robin, Brooklyn College and City University of New York Graduate Center; David Thelen, University of Indiana; T.H. Breen, Northwestern University; Jonathan D. Varat, UCLA Law School; Michael Koppedge, University of Notre Dame; Michael Johnson, Johns Hopkins University; Toby L. Ditz, Johns Hopkins University; Teofilo Ruiz, UCLA; Laurel Ulrich, Harvard University; Pauline Maier, Massachusetts Institute of Technology; Anne Lombard, California State University, San Marcos; Gabrielle M. Spiegel, Johns Hopkins University.

Robert A. Hill, UCLA; Buie Seawell, University of Denver; Edward Countryman, Southern Methodist University; Sara Berry, Johns Hopkins University; Thomas Bender, New York University; David Hollinger, University of California, Berkeley; Franklin W. Knight, Johns Hopkins University; Lucia Stanton, Monticello; Alan Trachtenberg, Yale University; Warren M. Billings, University of New Orleans; James Drake, Metropolitan State College of Denver; M. Gregory

Kendrick, UCLA; Benjamin H. Johnson, Southern Methodist University; Kenneth Karst, UCLA Law School; Robert Johnson, University of Illinois, Chicago; Thomas S. Hines, UCLA; Herbert Sloan, Barnard College, Columbia University; Alexis McCrossen, Southern Methodist University; Ira Berlin, University of Maryland; Fred G. Notehelfer, UCLA, emeritus.

Gerald L. Weinberg, University of North Carolina; Richard M. Pious, Barnard College, Columbia University; Thomas J. Knock, Southern Methodist University; Michelle Nickerson, University of Texas, Dallas; John Chavez, Southern Methodist University; Gabriel Piterberg, UCLA; John P. Kaminski, University of Wisconsin, Madison; Graham A. Peck, Saint Xavier University; Jonathan Gross, De Paul University; Jean R. Sunderland, Lehigh University; Dennis D. Cornell, Southern Methodist University; James M. Banner, Washington DC; David D. Leon, Howard University; Jeremy Adams, Southern Methodist University; Fred M. Woodward, Lawrence, Kansas; Hal S. Barron, Harvey Mudd College; Glenna Mathews, independent scholar; Carol Karsen, University of Michigan; David DuFault, San Diego State University, retired; Jess Stoddard, San Diego State University, retired.

Philip Flemion, San Diego State University, retired; Gregg Herken, University of California, Merced; Karl Inderfurth, Center for Strategic and International Studies; Natalie Zemon Davis, Princeton University, emeritus; Edward A. Alpers, UCLA; John Snetsinger, California Polytechnic State University, San Luis Obispo; Kenneth T. Jackson, Columbia University; Margaret Jacob, UCLA; Simone Weil David, University of Toronto; Margaret Hunt, Amherst College; Charles Capper, Boston University; Ellen Carol DuBois, UCLA; Olivier Zunz, University of Virginia; John R. Chavez, Southern Methodist University; Joanne Ferraro, San Diego State University; Mary F. Corey, UCLA; Joseph Kett, University of Virginia; Ralph E. Luker, Morehouse College, retired; Gregory L. Kaster, Gustavus Adolphus College.

Michael Kazin, Georgetown University; Jeremy Young, Indiana University; James Brewer Stewart, Macalestar College; Mary Beth Norton, Cornell University; Steven Conn, Ohio State University; John Carson, University of Michigan; Ruth Perry, Massachusetts Institute of Technology; Akhil Reed Amar, Yale Law School; Peter Reill, UCLA; Robert E. Bieder, Indiana University; Robert E. Mutch, Washington, D.C.; Edwin G. Burrows, Brooklyn College; Jeffrey K. Tulis, University of Texas, Austin; Fredrika J. Teute, Omohundre Institute of Early American History and Culture; Francis H. Stites, San Diego State University; Albert O'Brien, San Diego State University; John H. Coatsworth, Columbia University; Jack M. Balkin, Yale Law School; Christopher Bates, California Polytechnic State University, Pomona.

Iryne Black, Newport Beach, California; Timothy Black, Newport Beach, California; Walter LaFeber, Cornell University; Maeva Marcus, George Washington University Law School; Isaac Kramnick, Cornell University; Michael Meranze, UCLA; Ross Frank, University of California, San Diego; Ron Hayduk, Queens College; Lucas A. Powe, Jr., University Texas Law School; Paul Finkelman, Albany Law School; Stanley N. Katz, Princeton University; Susan Strasser, University of Delaware; Claudrena Harold, University of Virginia; Pauline Maier, Massachusetts Institute of Technology; Jeremy I. Adelman, Princeton University; Ann Heiney, Newport Beach, California; Anthony Grafton, Princeton University; Charles S. Maier, Harvard University; James Kloppenberg, Harvard University; Trace B. Strong, University of California, San Diego.

Jeffrey C. Isaac, Indiana University; Jay Driskell, Hood College; Nancy Fraser, New School for Social Research; Ellen Schrecker, Yeshiva University; Stephen W. Feldman, University of Wyoming; Frances Fox Piven, City University of New York; Alyson M. Cole, Queens College, CUNY Graduate Center; Thomas Dunim, Amherst College; Joshua Freeman, Queens College, CUNY Graduate Center; Hendrik Hartog, Princeton University; Rick Perlstein, Chicago; Thomas Geoghegen, Desprese, Schwartz & Geoghegen; John Majewski, University of California, Santa Barbara; Anne Norton, University of Pennsylvania; Eric Alterman, Brooklyn College, CUNY; Maximillian E. Novak, UCLA, emeritus; Rogers M. Smith, University of Pennsylvania; Andrew Sabl, UCLA; Carol W. Lewis, University of Connecticut.

Kate Wittenstein, Gustavus Adolphus College; Ruth Anne Baumgartner, Fairfield University and Central Connecticut State University; Ronald Walters, Johns Hopkins University; Charles Venator, University of Connecticut; John R. Wallack, Hunter College and CUNY Graduate Center; Herbert Kaufman, formerly Yale University; Ed Edelman, former Los Angeles County Supervisor; Peter Truowitz, University of Texas, Austin; Ruth Bloch, UCLA; Catherine Allgor, University of California, Riverside; David L. Richards, University of Connecticut; Naomi Merzey, Georgetown University Law Center; Philip Green, New School for Social Research; Robert Westman, University of California, San Diego; Nancy Unger, Santa Clara University; Joseph Lowndes, University of Oregon; Michael Holt, University of Virginia; Neil Sapper, Armarillo College, retired; Alan Lessoff, Illinois State University; Peter Kingstron, University of Connecticut.

David Gerber, University of Buffalo, SUNY; Philip Rubio, North Carolina Arts and Technology University; Philip Nord, Indiana University; Aziz Rana, Cornell Law School; John R. Bowman, Queens College and CUNY Graduate Center; Todd Gitlin, Columbia University; Sandra Moats, University of Wisconsin, Parkside; James M. McPherson, Princeton University; Jason Frank, Cornell University; Charles Pastel, San Francisco State University; Jill Lepore, Harvard University; Jane Kamensky, Brandeis University; Alejandro E. Camacho, University of California, Irvine Law School; Donald Kennedy, president emeritus, Stanford University; Paul Seaver, Stanford University; Geoffrey Symcox, UCLA; Leslie E. Gerwin, Princeton University; Richard H. Kohn, University of North Carolina; Michael D. Wilson, Vanguard University of Southern California; Karl Manheim, Loyola Law School.

Berry M. Sax, Department of Defense Administrative Judge retired; David Montgomery, Yale University; Michael Holt, University of Virginia; Lisa Jacobson, University of California, Santa Barbara; Walter Giger, Jr., University of Hartford; Julie Novkov, University of Albany, SUNY; Denis Z. Davidson; Adolph Grundman, Metropolitan State College of Denver; Brian Balogh, University of Virginia; John A. Mears, Southern Methodist University; Bennett Ramberg, Los Angeles; Shanti Singham, Williams College; Steve Hochstadt, Illinois College; Charles Tandy, Ria University Institute for Advanced Study; Nancy F. Cotton, Harvard University; Jon Butler, Yale University; Eric Thomas, Jacksonville University; Elaine Tyler May, University of Minnesota; Jonathan McLeod, San Diego Mesa Community College; Thomas Zoumaras, Truman State University.

Michelle Mart, Pennsylvania State University, Berks; Mitch Kachun, Western Michigan State University; Bill Chafe, Duke University; Walter Nugent, University of Notre Dame; Lizabeth Cohen, Harvard University; Judith Smith, University of Massachusetts, Boston; Gary Gerstle, Vanderbilt University; Elizabethy Cohgen, Syracuse University; Allen W. Trelease, University of North Carolina, Greensboro; Tera W. Hunter, Princeton University; James H. Merrell, Vassar College; Peter Novick, University of Chicago; Craig Steven Wilder, Massachusetts Institute of Technology; Seth L. Schein, University of California, Davis; Jenna Gibbs, Florida International University; Michael Latham, Fordham University; Michael Green, College of Southern Nevada; Martin Kaplan, University of Southern California; Valerie Matsumoto, UCLA; Sanford M. Jacoby, UCLA.

Alexander Saxton, UCLA emeritus; Thomas J. Sugrue, University of Pennsylvania; Thomas S. Hines, UCLA; Albion M. Urdank, UCLA; James Grossman, University of Chicago; Lynn Hunt, UCLA; Ron Pagnucco, College of St. Benedict, St. John's University; David Konig, Washington University at St. Louis; Brenda Stevenson, UCLA; Linn Shapiro, Washington, DC; Peter Loewenberg, UCLA; Christian McMillen, University of Virginia; Estelle B. Freedman, Stanford University; Daniel Howe, UCLA; Ann C. McGinley, University of Nevada, Las Vegas; Mary La France, University of Nevada, Las Vegas; Christopher Blakesley, University of Nevada, Las Vegas; Thomas B. McAffee, University of Nevada, Las Vegas; Robert Brenner, UCLA; Gail Cline, University of Nevada. Las Vegas; George Rabinowitz, University of North Carolina, Chapel Hill.

Norton Wise, UCLA; Patricia Bonomi, New York University; Jon Wiener, University of California, Irvine; Paul Finkelman, Albany Law School; Joseph Miller, University of Virginia; James MacGregor Burns, Williams College; Susan Dunn, Williams College; Lori Anne Ferrell, Claremont Graduate University; David Warren Sabean, UCLA; Isabel V. Hull, Cornell University; Edward Ayers, Richmond University; Tom Donnelly, Harvard Law School; Donald Kersey, San Jose State University; Peter H. Wood, Duke University; Joseph Scott Miller, Lewis and Clark Law School; Jonathan Lurie, Rutgers University; Maxine N. Lurie, Rutgers University; Elizabeth Fenn, Duke University; Richard Worthington, Pomona College.

Richard Olsen Harvey, Mudd College; Thomas Zoumaras, Truman State University; Anne K. Nelson, American University; Peter Kuznick, American University; Howard M. Wasserman, Florida International University; Diane Mazur, University of Florida Levin College of Law; David K. Robinson, Truman State University; John Wintterle, San Jose State University; William Marotti, UCLA; Peter Brandon Bayer, University of Nevada, Las Vegas; Stephen Aron, UCLA; Ediberto Roman, Florida International State University; Mellisa Stockdale, University of Oklahoma; David W. Levy, University of Oklahoma; Elyssa Faison, University of Oklahoma; Robert Savage, Florida International University Law School; Ronald Steel, University of Southern California, retired; Robert Dawidoff, Claremont Graduate University; Judith S. Lewis, University of Oklahoma.

Steve Raphael, University of California, Berkeley; Robert Garwin, Chula Vista, California; Ann Caylor, Ranchos de Taos, New Mexico; Thomas McClendon, Southwestern University; Kim Lane Scheppele, Princeton University; Ira Chernus, University of Colorado, Boulder; Mark Cammack, Southwestern Law School; Myra Rich, University of Colorado, Denver; Tim Borstelmann, University of Nebraska, Lincoln; Sara Evans, University of Minnesota, retired; Gowri

Ramachandran, Southwestern Law School; Vicki Ruiz, University of California, Irvine; Fay A. Yarbrough, University of Oklahoma; Harry Watson, University of North Carolina, Chapel Hill; Pamela W. Laird, University of Colorado, Denver; Gloria Main, University of Colorado, Boulder, emerita; Thomas R. Clark, California Assembly Judiciary Committee; Joshua Goode, Claremont Graduate University; Marjorie Cohn, Thomas Jefferson Law School.

Mr. HARKIN. Mr. President, last month, our former colleagues, Gary Hart, a Democrat, and Chuck Hagel, a Republican, published an essay in Time magazine calling on us to ''restore democracy to the U.S. Senate'' by reforming the filibuster. In their words, the abuse of the filibuster ''is no way to govern a great democracy.''

I ask unanimous consent to have that essay printed in the RECORD.

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

[From Time, Dec. 21, 2010]

RESTORING DEMOCRACY TO THE U.S. SENATE

(By Chuck Hagel and Gary Hart)

Few principles are as central to democracy and the ideals of the American Republic as majority rule. Though James Madison and his colleagues in The Federalist acknowledged the necessity of protecting the rights of minorities, the course of our nation was to be determined by the will of the majority. No other system consistent with democracy would prove workable.

There is nothing in the United States Constitution that permits a minority to frustrate the will of the majority.

Yet in the early 21st century, the will of the majority of Americans, expressed on a daily basis by our elected representatives in Congress, is consistently thwarted by a minority in the United States Senate. This minority resorts to the Senate rule requiring a three-fifths vote—60 votes—to close (invoke cloture on) debate.

Article One, Section five, of the U.S. Constitution provides that ''Each house [of Congress] may determine the rules of its proceedings. . .'' Based upon Thomas Jefferson's notion that the Senate was to be the saucer in which controversies cooled, Senators have, from the beginning, been at liberty to express their views at such length as they wish. (Jefferson, it should be noted, was the author of the Manual of Parliamentary Procedures for the Use of the Senate of the United States in 1801.) But the Senate has always recognized that even the principle of unlimited speech has its conditions based upon comity and common sense.

Yet today the Senate conducts its business, or not, under the constant threat of a filibuster. Important legislative measures having to do with the vital interests of our nation and the rights of our citizens will not even be introduced if a minority of Senate members refuse to permit them to be considered. Thus, a rule to protect debate is systematically used to prevent debate. Even worse, secret ''holds'' by individual Senators prevent confirmation of federal judges and administration officials.

Though the Senate filibuster rose to prominence during civil rights debates in the 1950s and '60s, it ran its course and the majority prevailed. Today, it is commonplace and a matter of course for such a lock-step minority systematically to prevent consideration of the clear majority will.

The Constitution prevails over congressional rules. Can it be seriously argued that the Senate could adopt a rule that individual Senators could only vote on every other bill or that they could only vote on trade issues, for example, in the fourth year of their term?

Rules of the Senate cannot trump the obvious intention of the Founding Fathers that legislation passed by majorities of both houses, except for the explicit exceptions for ratification of treaties, becomes the law of the land. This is not a partisan question; today the filibuster, real or threatened, dominates virtually every significant issue confronting the Senate and our nation. The law of political payback will ensure that today's Senate majority, once it becomes the minority, will exact its revenge on today's opposition minority party.

Examples of recent abuse of the cloture rule include the 53 to 36 Senate vote to end tax cuts for the wealthy. Regardless, the measure, like so many others (including an earlier attempt to repeal the military's ''Don't Ask, Don't Tell'' policy), failed under the threat of a filibuster. These and other examples are clear violations of the fundamental principle of majority rule.

This is no way to govern a great democracy, not to say also a democracy seeking to democratize other nations.

We believe the abuse of the cloture rule ending debate is a violation of fundamental Constitutional principles. Should a judicial test of this notion occur, it will at the least prove which of the current Supreme Court Justices are, or are not, true ''originalists.'' Resolutions have been introduced in the Senate to alter the cloture rule and permit majority rule, while continuing to protect the rights of individual Senators.

In the interest of the nation and the U.S. Constitution, the Senate must once again become a democratic institution.

Mr. HARKIN. Mr. President, editorialists from across the country have recognized the filibuster must end. The Concord Monitor of New Hampshire called on the Senate to ''Remove the Senate filibuster roadblock,'' noting, ''The filibuster rule has rendered the Senate dysfunctional and harmed the nation's ability to deal with pressing issues.''

The Los Angeles Times said '' . . . both parties should be willing to eliminate such anti-democratic practices as the filibuster. . . .''

Editorials throughout the country have called for reform of the filibuster. I ask unanimous consent to have printed in the RECORD these editorials.

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

[From the Concord Monitor, Dec. 17, 2010]

REMOVE THE SENATE FILIBUSTER ROADBLOCK

(By Anonymous)

On Jan. 5, 2011, the first day of the first session of the 112th Congress, Iowa Sen. Tom Harkin and other Democrats promise to hold a historic vote to change the Senate's 60-vote cloture rule. The vote to end the filibusters that have made the Senate a place where needed legislation and presidential appointments go to die could be the first of Senator-elect Kelly Ayotte's career. How she votes will be telling.

A super-majority voting requirement makes sense in rare circumstances, ratifying a treaty for example or overriding a presidential veto. But the filibuster rule is not in the Constitution; it's an artifact that may have worked once but has broken and jammed the Senate. When used judiciously, as it was throughout most of its history, the filibuster rule safeguards the rights of the minority. But when abused, as it has been by Senate Republicans who have called for 87 such votes to end debate so far this year, it creates a tyranny of the minority.

There are divisions in both parties on the issue, in part because there are dangers for both parties. Republicans are currently filibustering to stop any and all legislation—and will not vote to end debate until they succeed in winning tax breaks for the nation's wealthiest citizens. Change the filibuster rule—one proposal calls for a simple majority vote—and Republicans will not so easily be able to block legislation supported by the next session's 53-Democrat majority. But if Republicans take the Senate in 2012—and especially if there's also Republican in the White House—Democrats could sorely regret their loss of the ability to filibuster.

When, in his capacity as president of the Senate, Vice President Joe Biden calls for the Senate to write the rules governing the next session, Harkin and others believe that they will have at least 51 votes. Some of them may come from Republicans. The filibuster rule has rendered the Senate dysfunctional and harmed the nation's ability to deal with pressing issues. Ayotte should vote to change the filibuster rule, so the Senate can once again be an effective legislative body worthy of respect.

[From the Los Angeles Times, Dec. 28, 2010]

A NUCLEAR SENATE

The U.S. Senate, once proudly known as the world's greatest deliberative body, has in recent years degenerated into something else: The place where legislation goes to die. It earned that distinction after Democrats won a majority in 2006 and Republicans took unprecedented advantage of long-standing Senate rules allowing the minority to block progress.

There's a good chance Democrats won't hold the majority much longer, however. That's why both parties should be willing to eliminate such anti-democratic practices as the filibuster and the placing of secret holds on legislation. And an opportunity to do so, which only comes along once every two years, is about to arrive.

The filibuster originated in 1806, when the Senate eliminated a rule that had allowed the chamber to end debate by majority vote; in effect, that meant a senator or group of senators could delay progress by simply talking incessantly. But that hardly ever happened in the 19th century. It wasn't until 1917 that the Senate decided to limit these stemwinders by imposing a rule that debate could be ended by a supermajority vote. Since then there have been some other rule changes altering the vote threshold, along with frequent arguments about whether the Senate should go back to its original rule allowing debate to be ended with a simple majority vote. We think it should.

Under the current system, senators don't even have to stand up and speak until they're hoarse in order to filibuster a bill; a party leader just has to refuse to allow a bill to be brought up by unanimous consent, forcing supporters to find 60 votes in favor of a motion to end debate. Southern Democrats were the first to seriously misuse this tactic during the civil rights era, but Republicans have perfected such abuse in the last three years. According to the good-government advocacy group Common Cause, which once defended the filibuster rule but now aims to eliminate it, 8% of major legislation was affected by threatened or actual filibusters in the 1960s, compared with 70% since 2006. The result is gridlock, which will only get worse now that the balance of partisan power is close to even.

Secret holds are another serious problem. They allow senators to anonymously block bills or confirmations of presidential nominees from reaching the floor for an unlimited time span, making naked obstructionism politically safe. It's largely thanks to such holds that more than one in 10 federal judgeships remain vacant and federal departments still lack key staff two years into the Obama administration. Abuse of holds has become endemic in recent years, sometimes allowing a single senator to take the entire chamber hostage by placing holds on important legislation until backers agree to support that senator's pet project.

The Constitution gives each chamber the power to choose the rules governing its procedures at the beginning of the two-year congressional session, slated this year for Jan. 5. So why doesn't the majority simply do away with the filibuster rule, or amend it? Because changing a long-standing rule requires a two-thirds vote, an impossibly high hurdle. Yet that supermajority rule may be invalid, as argued by then-Vice President Richard Nixon in 1957: ''The right of a current majority of the Senate at the beginning of a new Congress to adopt its own rules, stemming as it does from the Constitution itself, cannot be restricted or limited by rules adopted by a majority of the Senate in a previous Congress,'' he wrote. This is the basis of the so-called nuclear option (or as supporters prefer to call it, the ''constitutional option'').

Sen. Tom Udall (D–N.M.) is leading a push to reform the filibuster rules on Jan. 5, a fight joined by assorted good-government groups and labor unions. Last week, all the returning Senate Democrats sent a letter to Majority Leader Harry Reid (D-Nev.) expressing frustration with the filibuster and urging a change to the rules, though they weren't specific about solutions (and it's unlikely many would favor eliminating the filibuster entirely—most seem to support weaker reforms such as a lowering of the 60-vote threshold). In order to change the rules by a simple majority vote, they would also need the backing of Vice President Joe Biden, because as president of the Senate, the vice president has traditionally ruled when constitutional questions about procedures are raised.

Biden hasn't taken a position, and not a single Republican has joined the effort. The apparent partisan split seems odd given that it was Republicans who most recently brought up the nuclear option when they were in the majority in 2005 and Democrats were blocking President Bush's judicial nominees, but a form of amnesia often sets in when a party is in the minority. For conservatives, opposition is all the more shortsighted given that twice as many Democratic-held seats are up for reelection in 2012 as Republican seats.

Partisan fears about losing a cherished power have prevented the Senate from going nuclear for decades, but abuses of the filibuster and anonymous holds have never been so rampant. The resulting dysfunction is a big part of the reason Congress' approval rating has fallen to 13%, the lowest in the history of the Gallup Poll. The chamber has a chance to save itself from itself on Jan. 5, and it should take it.

Mr. HARKIN. Mr. President, 275 filibusters in 4 years is not just a cold statistic; it represents the minority blocking measures that sometimes—not all the time but sometimes—enjoy broad support among the American people. Just in the last Congress, the filibuster was used to kill many bills that enjoyed majority and often bipartisan support. Need I mention the DREAM Act? It had broad bipartisan support and big support among the American people. There was the DISCLOSE Act, which polls showed that over 80 percent of the American people supported. We had a majority vote here for it, but we didn't have a supermajority. So it is no surprise that Americans are fed up and angry with their Federal Government. In too many critical areas, people see a legislature that is simply unable to respond effectively to the most urgent challenges of our time.

Make no mistake, the problem goes beyond the sheer number of filibusters. This once-rare tactic is now used or threatened to be used on virtually every measure and nominee, even those who may enjoy near universal support. In the past Congress, for nearly 8 months, the minority filibustered confirmation of Martha Johnson as Administrator of the General Services Administration—certainly a relatively noncontroversial position. She was ultimately confirmed 96 to 0. So what was that filibuster all about? And for nearly 5 months, the minority filibustered confirmation of Barbara Keenan to the Fourth Circuit Court of Appeals. She was ultimately confirmed 99 to 0.

What was that filibuster all about?

Again, to quote Norm Ornstein:

> The Senate has taken the term ''deliberative'' to a new level, slowing not just contentious legislation but also bills that have overwhelming support.

Secondly, the filibuster has increasingly been used to prevent consideration of bills and nominees. Rather than to serve to ensure the representation of minority views and to foster debate and deliberation, by filibustering motions to proceed, the minority has been allowed to prevent debate and prevent deliberation. The filibuster has been used to defeat bills and nominees without their ever receiving a discussion here on the floor of the Senate. In other words, the Senate, which was formerly renowned as the world's greatest deliberative body, has now become the world's greatest nondeliberative body. We can't even debate important national issues.

That is why I fully support the commonsense proposals to reform the filibuster and restore the Senate to a body in which issues can be fully debated and deliberated. I support eliminating the filibuster on the motion to proceed, and I believe those who are filibustering a bill or a nominee should be required to come to the floor, hold the floor, and make their case to their colleagues and the American people. Senators should not be able to hide behind a curtain of secret holds. The reality is, however, because of the filibuster, the minority has unchecked veto power in this body.

Now, I want to make it clear, when I say ''the minority,'' I am not talking about the Republicans; I am talking about the minority. It may be the Democrats or it may be the Republicans. As I said, five times it has changed since I have been—since 1985. When I say ''the minority,'' I mean the minority; I don't mean a political party.

This is what James Madison noted when rejecting a supermajority requirement to pass legislation:

> . . . it would no longer be the majority that would rule, the power would be transferred to the minority.

Unfortunately, Madison's prediction has come true. We are the only Democratic body that I know of in the world where the minority, not the majority, controls. In today's Senate, American democracy is turned on its head. The minority rules; the majority is blocked. The majority has responsibility and accountability but lacks the power to govern. The minority has power but lacks accountability and responsibility. This means the minority can block bills that would improve the economy, create jobs, and turn around and blame the majority for not fixing the economy. The minority can block popular legislation and then accuse the majority of being ineffective.

I repeat, when I say ''the minority,'' I am not saying Republicans or Democrats; I am saying the minority, whoever it may happen to be. Both parties have abused the filibuster in the past, and both will, absent real reform, abuse the filibuster in the future. Although Republicans are currently in the minority, there is no question that control of this body will change, as it periodically does.

The fact is, reform is urgently needed. That is why I am reintroducing my proposal which would permit a decreasing majority of Senators over a period of days to invoke cloture on a given matter. Under my proposal, a determined minority could slow down any bill. Senators would have ample time to make their arguments and attempt to persuade the public and a majority of their colleagues. This protects the rights of the minority to full and vigorous debate and deliberation, maintaining the hallmark of the Senate. But at the end of ample debate, the majority should be allowed to act. There should be an up-or-down vote on legislation or a nominee. As former Senator Henry Cabot Lodge, a Republican, stated many years ago, ''To vote without debating is perilous, but to debate and never vote is imbecile.''

My plan has another advantage. The fact is that right now, the minority has no incentive to compromise. Not only do they know they have the power to block legislation, but they can go out and campaign on the message that the majority can't get anything done. In contrast, if the minority knows that at the end of a period of time a bill or nominee will be subject to majority vote, they will be more willing to come to the table and negotiate seriously. Likewise, the majority would want to compromise because they want to save time. There is nothing more valuable to the majority party in the Senate than time.

So under my proposal, on the first cloture vote, you would need 60 votes.

If you don't get 60 votes, you would have another vote in 3 days and you would need 57 votes; in 3 more days, 54 votes; 3 more days, 51 votes. So the majority would finally act, but you would chew up almost 2 weeks of time. So on the first vote, let's say 53 Senators voted for cloture. Well, the minority would know that in several days or maybe in a couple weeks' time, 53 Senators will get cloture. The minority then would go to the majority and say: Look, we can drag this out for a couple of weeks, chew up all your time, but we have some things we would like to have considered. The majority—and I say there is nothing more important to the majority than time here—not wanting to spend a couple weeks on a bill, on a cloture or a filibuster, would say: OK, maybe we can make an agreement. We will collapse the timeframe, the minority gets some of the things they want, and the majority is able then to have a vote. So I see my proposal as a means of encouraging compromise. Right now, there is no reason to compromise for the minority.

Again, I am not talking about Republicans or Democrats; I say ''the minority'' because they know they can absolutely block it.

I have changed my resolution since I introduced it in 1995, and I have changed it because Republicans have said and I heard the minority leader say earlier that they have done this because Democrats in the majority—the majority this time—have employed procedural matters to deprive the Republicans of the right to offer amendments. Well, I am very sympathetic to this argument. That is why I included in this resolution a guaranteed right to offer germane amendments to the minority, filed in advance of the cloture vote so everyone would know what was coming. Again, the minority should have the right to offer some amendments that are germane to the bill. No matter who the majority is, both parties are concerned about amendments from the minority. Perhaps you have a bill dealing with housing and someone wants to offer an amendment dealing with abortion. Well, there may be a time and place for that but not on that bill. So that is why I say it should be germane to the bill. If the minority has ideas to improve the bill, strike something from the bill, that would be germane to that bill.

I have heard it said—and I heard it on the radio this morning driving in—that this is something like a power grab by a Democratic Senator reacting to recent elections in which my party lost numerous seats. Well, I want to make clear that the reforms I advocate are not about one party or one agenda gaining an unfair advantage; it is about the Senate as an institution operating more fairly, effectively, and democratically. Again, I wish to point out that I first offered this in 1995 when I was in the minority. So to use the legal term, I come here with clean hands. The truth is, with Republicans controlling the House, any final legislation will need to be bipartisan with or without the filibuster.

So I don't see reform of the filibuster as a Democratic or Republican issue. Indeed, it was former Republican majority leader Senator Frist who, when he nearly shut this body down over the use of filibusters on a handful of judges, said:

> This filibuster is nothing less than a formula for tyranny by the minority.

That was in 2004, Senator Frist, the Republican majority leader at that time.

Well, as I said, one of the problems here was this was done in the middle of a term. See, I think the Senate ought to be able to set its rules at the beginning, on the first legislative day, which we are in now and which will extend for some time. The Senate ought to be able to set its rules at the beginning of a Congress. You can't go changing the rules every month, but you should be able to set the rules at the beginning of a Congress so that you know for 2 years what the rules are that you are operating under.

So it is time for the arms race to end. That is what this is—it is an arms race. I daresay that if we don't do anything about this, if the Republicans take control of the Senate, as they think they will in 2 years, well, Democrats are going to do the same thing to them. Guarantee it. Guarantee it. The Republicans did—what did I say?—136 filibusters—139? Bet your bottom dollar, if we don't change the rules, Democrats will match them. You wait and see.

Well, a lot of people sometimes say: Well, HARKIN, what you are advocating is the Senate would become like the House. I ask my friends and any Senator on either side of the aisle, since when did the Senate become defined by rule XXII, which is the filibuster? Why does that define the Senate? I thought the Senate was defined by the fact that you get two Senators from every State—two Senators from North Dakota, two Senators from California, two Senators from New York, two Senators from Iowa. I thought the Senate was defined by the fact that we have unlimited debate. When a Senator gets the floor, you can't take it away from him. We operate under unanimous consent. The power of one single Senator would remain. But in the Senate, what do we do? We do treaties, we do nominations, we sit in judgment on impeachments. The Senate is not like the House. And just because we don't have the filibuster as we have known it for the last 94 years does not mean the Senate becomes like the House. Eliminating the filibuster will not change the basic nature of the Senate. So I say to those who say the Senate would be like the House if we did away with this filibuster, would they also suggest that the Senate of Henry Clay or Daniel Webster or Lyndon Johnson or Everett Dirksen was the same as the House of Representatives? I don't think so.

The fact is, what was never intended was that a supermajority of 60 votes would be needed to enact virtually any piece of legislation or for any nominee. In fact, the Framers of the Constitution were very clear about where a supermajority is required. There were only five in the original Constitution: ratification of a treaty, override of a veto, votes of impeachment, passage of a constitutional amendment, and expulsion of a Member. If they wanted to have supermajorities, they would have said so. But it is not in the Constitution. The filibuster is not in the Constitution.

The first Senate expressly included a rule permitting the majority to end debate and bring a measure to a vote by moving the previous question. I repeat: The first Senate—the first Senate—had a rule that permitted the majority to end debate. Alexander Hamilton explained that a supermajority requirement would mean a small minority could ''destroy the energy of government.''

Hamilton said that the government would be subject to the ''caprice or artifices of an insignificant, turbulent or corrupt junta.'' Those are Hamilton's words.

Moreover, reform of filibuster rules stands squarely within the tradition of updating Senate rules as needed to foster an effective government that can respond to the challenges of the day. The Senate has adopted rules that forbid the filibuster in certain cases, such as the War Powers Act and the budget. Imagine that. What should be more debatable than the budget? But our rules do not permit a filibuster of the budget. So we passed rules here limiting the filibuster.

Since 1917, we have passed four significant reforms concerning the filibuster. The fact is, as Senator TOM UDALL has powerfully made clear, article I, section 5, clause 2 of the Constitution specifies that ''each House may determine the rules of its proceedings.''

As Senator Robert Byrd, who was opposed to filibuster reform—he and I had a great debate back in 1995 on this—as he emphasized, and he said this—Senator Byrd: ''At any time that 51 Senators are determined to change the rule . . . that rule can be changed.''

I am reading here from what Senator Byrd said. He said at that time:

> The Constitution in article I, section 5 says that each House shall determine the rules of its proceedings. Now we are at the beginning of Congress. This Congress is not obliged to be bound by the dead hand of the past.

''The dead hand.''

I listened to the minority leader when he said we have—the majority has never changed rules except by following those rules. The rules set down by a Congress a long time ago, by a Senate a long time ago, said that in order to change the rules, you need a two-thirds vote of the Senate. I submit that is unconstitutional. I submit that this Congress, this Senate, on this first legislative day, does not have to abide

by that. What if, in some Senate, one party got 90 Senators one time, and they adopted a rule that said that from here on out, you have to have 90 votes in order to change the rules, here are the rules, and they set up rules that pretty much made it impossible for the minority to ever become the majority? Would that be constitutional? I don't think so.

Senator Byrd said we are not obliged to be bound by the dead hand of the past. The first Senate, Senator Byrd said, which met in 1789, approved 19 rules by majority vote. Those rules have been changed from time to time. So the Members of the Senate who met in 1789 and approved that first body of rules did not for one moment think or believe or pretend that all succeeding Senates would be bound by that Senate.

Here is the essence of what Senator Byrd said:

> It is my belief—which has been supported by rulings of Vice Presidents of both parties and by votes of the Senate—in essence upholding the power and right of a majority of the Senate to change the rules of the Senate at the beginning of a new Congress.

I would say Senator Byrd has not been alone in his views or tactics. The constitutional option has been endorsed by three Vice Presidents and three times by the Senate itself. Why was it not used? Because Senators then reached a compromise, and therefore we never had the constitutional option. But that does not mean we cannot use that. The Constitution is very clear. I think three votes of the Senate and three former Vice Presidents have made clear in their rulings that at the beginning of a Congress, we can set the rules.

Chief Justice John Marshall once said:

> Any enduring Constitution must be able to respond to the various crises of human affairs.

I said many times that I don't believe we can be a 21st-century superpower bound by archaic rules of the 19th century. We have to have a responsive government, responding to the challenges of our time.

I am not afraid. I say to my friends on the Republican side, I am not afraid. What the minority leader said—he said that at some time the Republicans might be in charge, and they might want to undo what the Democrats did, and the Democrats better be careful. That was in his op-ed piece in the Post this morning. I am not afraid of democracy. I am not afraid of the votes of the people. If the people vote to put certain conservatives in power, then they ought to have the right to govern. They ought to have the right to respond to the people of this country. The minority—I would be in the minority at that time—I think the minority ought to have the right to be heard, we ought to have the right to debate, we ought to have the right to amend, but we should not have the right to totally obstruct. I am not afraid.

People say that the tea party in the House—they are going to do all this stuff. I am sorry, I am not afraid. The people voted. There ought to be things that happen because people vote a certain way. No wonder so many people are frustrated. They vote, they think things are going to happen, they don't happen, and they say: A pox on both your Houses.

So, yes, I don't know why we should be so afraid of each other. Why should I be afraid that the Republicans are going to institute legislation I don't like? They have in the past, and our country has endured. I would say there are times when the Democrats have passed legislation Republicans did not like and our country has endured. So I just do not like this fear, that we have to be afraid that somehow the majority is going to do things.

What we want to make sure of is that the rights of the minority are guaranteed—the right to be heard, the right of the minority to offer amendments. But I don't think it ought to be the right of the minority to obstruct, and I don't think it ought to be the right of the minority to demand that their views be implemented. That is the right of the majority.

I close where I began, and I thank my friends for this indulgence. I believe the bedrock of the principle of our Constitution, our Founders, was majority rule with respect for minority rights. But I say this, and I have said it many times. It is kind of the dirty little secret of the Senate. And here is the dirty little secret: The power of an individual Senator comes not by what he can do but by what he can stop. That is the dirty little secret of the Senate. One Senator can stop something, can block it. I say that each Senator—each of us needs to give up a little of our privilege, give up a little of our power, give up a little of our prerogatives for the greater good of this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. I thank the Senator from Iowa for his consistency over the years with his proposal. I wonder if I can make a few remarks on his proposal, and if he has time, if he is still here, maybe I will pose a question to him. I see the Senator from Kansas is also here. He spent a lot of time on the Rules Committee on this subject. He is one of our most forceful speakers on the matter, and I would defer to him, and then I know there are other Senators—the Senator from Oregon, the Senator from New Mexico—who have some proposals to offer. There may be other Senators on the Republican side who come to the floor.

First, I ask unanimous consent to have printed in the RECORD an address I made yesterday at the Heritage Foundation entitled ''The Filibuster: Democracy's finest show . . . the right to talk your head off.''

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

(See exhibit 1.)

Mr. ALEXANDER. I borrowed those words from H.V. Kaltenborn and ''Mr. Smith Goes to Washington.''

I am a little amused by the suggestion the Senator from Iowa made and others made that somehow the Senate has been paralyzed for the last couple of years. Most of the people I know are concerned about what the Senate did do, not what it did not do. It is hard to say you are paralyzed when you pass a $1 trillion stimulus bill, health care law, financial regulation law, et cetera, et cetera.

As far as the claim that Republicans are holding things up goes, I have a few comments. We did not have a budget last year. Most households have to have budgets. The Senate ought to have one. Why didn't we have a budget? It wasn't the Republicans holding it up. As the Senator from Iowa said, under our rules, it only takes 51 votes to pass a budget. During the last couple of years, the Democrats had 59 or 60 votes. So the reason we did not have a budget is because the Democrats did not want to pass a budget, or at least that they did not pass a budget. It had nothing to do with the Senate being ''broken.''

The Senator from Iowa made this Rules proposal in 1995. He has made some modifications in his proposal but basically this is the same as he offered in 1995. I remember those days pretty well. It was right after the so-called Gingrich revolution, in 1994. Republicans took control of the Senate and of the House of Representatives. The Senator from Iowa made his proposal to diminish the effectiveness of a filibuster. What did the Republicans do? The Republicans, had the most to gain—at least temporarily—from being able to get their agenda through the Senate. But every single one opposed the proposal. Every single Republican Senator in 1995 said: No, we may love our agenda, but we do not want to change the Senate. We don't want to jeopardize the Senate as a forum for forcing consensus and protecting minority rights and letting the voices of all of the people be heard on the Senate floor.

Not only the Republican Senators in 1995 had that opinion. Here are some things that were said mostly in 2005 by Democratic leaders. There were some Republicans who had the same idea the Senator from Iowa has about diminishing the effectiveness of the filibuster. In this case, they wanted to diminish the use of filibusters on judicial nominations. There was great consternation because Democrats decided to filibuster President Bush's judges. I didn't like that either. This is what has been said by Democrats.

Senator Robert Byrd in his last testimony before the Rules Committee:

> We must never, ever, ever, ever tear down the only wall, the necessary fence, that this Nation has against the excesses of the Executive Branch.

What is that necessary fence? That necessary fence is anchored in the filibuster.

Senator SCHUMER of New York in 2005:

The checks and balances which have been at the core of this Republic are about to be evaporated.

This was in response to the Republicans who were trying to diminish the effectiveness of the filibuster in 2005. ''The checks and balances'' Senator SCHUMER said, ''which say that if you get 51 percent of the vote, you don't get your way 100 percent of the time.''

Former Senator Hillary Clinton:

You've got majority rule. Then you've got the Senate over here where people can slow things down, where they can debate, where they have something called the filibuster. You know, it seems like it's a little less than efficient. Well, that's right, it is. And deliberately designed to be so.

Senator Dodd more recently:

I'm totally opposed to the idea of changing the filibuster rules. I think that's foolish, in my view.

Senator Byrd:

That's why we have a Senate, to amend and debate freely.

Senator Dodd:

I can understand the temptation to change the rules that make the Senate so unique and simultaneously so terribly frustrating. But whether such temptation is motivated by a noble desire to speed up the legislative process or by pure political expediency, I believe such changes would be unwise . . .

Therefore, to my fellow Senators who never served a day in the minority, I urge you to pause in your enthusiasm to change Senate rules.

Just two more.

Senator REID, who was then the Democratic leader but the minority leader, said in 2005:

The filibuster is far from a ''procedural gimmick.'' It's part of the fabric of this institution that we call the Senate. For 200 years we've had the right to extend the debate. It's not procedural gimmick. Some in this chamber want to throw out 214 years of Senate history in the quest for absolute power. They want to do away with Mr. Smith, as depicted in that great movie, being able to come to Washington. They want to do away with the filibuster. They think they're wiser than our Founding Fathers. I doubt that's true.

Then there was one other Senator who spoke and who said this, the Senator from Illinois, Senator Obama:

Then if the majority chooses to end the filibuster, if they choose to change the rules and put an end to the Democratic debate, then the fighting and the bitterness and the gridlock will only get worse.

I think the last 2 years in the Senate have been an aberration. We have had no incentive for the majority to take the ideas of the minority because the majority had these huge majorities, nearly 60 votes here, and a Democratic President.

So when Senator CORKER, my colleague from Tennessee, began to work on the financial regulation bill, there came a time in the process where the Democrats said: Well, you know, we like CORKER, and he has got some good ideas, but we do not need his vote to pass this bill. We have got the votes. We won the election. We will write the bill.

So the Senate has had no consensus. Instead, we had a Democratic financial regulation bill. We had a Democratic health care bill. We had a mostly Democratic stimulus bill. We might have had one or two Republicans vote for it.

For the last 2 years, we have not had any experience in working across party lines. What the filibuster does is say, you are not going to pass anything in the Senate unless at least some Republicans and some Democrats agree. You will not pass anything unless you get a consensus.

Then that will change behavior, and people say, okay, let's bring a No Child Left Behind bill to the floor. But it has got to have the support of Senator ENZI and Senator HARKIN or it is not going anywhere, because it has got to have 60 votes to move forward. What is the advantage of that? The advantage of that is the comparison of the Civil Rights bill in 1964, and the health care law of 2009.

In 1964, after a bitter fight led by Senator Russell of Georgia, the Civil Rights bill passed the Senate, overcoming a filibuster. The bill was written in the Republican leader's office. It was not just sent over there in the middle of the night during Christmas, it was written in his office. You had President Johnson, a Democrat, and Senator Dirksen saying, this is good for the country. A lot of people hated the bill. And some people thought it did not go far enough.

What did Senator Russell do, who had fought that bill for his whole term here? He went home to Georgia and said, I did everything I could to stop it, but it is the law, and we must obey it. So not only does the Senate need a consensus to get a better bill, we need a bill that the country will accept.

Compare that to the health care law in 2009. A lot of good intentions went into the health care law. I know that. Senator HARKIN was in the middle of that, but the fact of the matter was that it was a Democratic bill. It was rammed through Christmas Eve in the middle of the night. We barely had a chance to look at the bill, and it passed with a solely partisan vote.

And what happened? Instead of everybody going home and saying, it is the law of the land, we support it, an instant movement was created to repeal it and replace it. I hope we will not do what Senator HARKIN suggests. I think his proposal will create a situation where the majority says: well, we are going to hang you, but we will hang you in 3 days instead of tonight. They will narrow it down until they can pass a measure with 51 votes.

So if the Republican House of Representatives passes a bill to repeal the health care law, then you know Senate Republicans would pass it, too, if we have got 51 votes. Or if the Democratic House, as they did last year, passes a bill to repeal the ballot in secret elections then the Democrats over here will pass it, too, if they have 51 votes. But when a consensus is required, if bills such as that come from the House to the Senate, we in the Senate say, whoa, let's think this over. We do not pass it. We do not pass it unless we have some kind of consensus.

That does not mean all the Republicans and all of the Democrats must always agree. We had almost all of the Republicans and some of the Democrats on the tax agreement that was passed in December. On the New START treaty, we had almost all of the Democrats and some of the Republicans support it. But in each case, at least you had substantial consensus from both parties, and I think the country respects and appreciates that.

I think the Framers knew what they were doing when they created a majoritarian House, in other words, the freight train that can run through whatever the result of election is. And when they created a different kind of Senate. A different kind of Senate that Senator Byrd eloquently has said has been one where we can say, you are not going to pass anything unless we do it together. That is called consensus. That is called cooperation. I think the American people would be greatly relieved.

My question I wish to pose through the Chair to Senator HARKIN is, what is a filibuster? Senator SANDERS was on the floor for several hours on the tax debate last month. He spoke for 8 or 9 hours. I guess that is a filibuster in the traditional sense. But I think the kind of filibuster the Senator from Iowa is counting is this: let's say Senator REID brings a health care bill to the floor, and I rush over to offer an amendment to the health care bill, and Senator REID says: Sorry, I am going to cut off your amendment. Then I object. Senator REID calls what I tried to do a filibuster.

If we are just talking and amending and debating, that is not a filibuster. It is not a filibuster until the majority leader cuts off debate and amendments. So what the Democrats are counting as filibusters is the number of times they have cut us off from doing what we are supposed to do, which is, amend and debate.

It is like being invited to sing on the Grand Ole Opry, and getting there and you are not allowed to sing. The people of Tennessee do not expect me to come up here and sit on a log just because the distinguished majority leader says he does not want my amendments. What was traditional in the Senate is that Senators could offer amendments and debate, at almost any time, on almost any bill. In the days of Senator Byrd and Senator Baker, they would have 300 amendments filed. They would start voting. So some Senators would say, well, it is Thursday, don't we go home? The Leaders would say no, we are going to vote, unless you want to

give up your amendment. Instead of doing that, we did not vote on one Friday in the Senate this past year, and a lot of Senators on both sides of the aisle do not want to vote on controversial issues. If we look for consensus, if we were willing to vote on controversial issues, and if we ended the 3-day work week, if the majority thinks the minority is abusing the filibuster, they can confront it. They can sit over there and they can say to us, okay, Senator ALEXANDER, 60 of us are ready to cut this off. We are ready to get on to a vote. So you have got 7 hours that you can speak, then you have got to get 23 other Senators to take the other hours. If you stop talking, we are going to put the question to a vote, and we have got some motions we can make about your being dilatory. In other words, we can make life miserable for you, because we are going to do this all night long.

Senator Byrd said in his last testimony: The rules exist today to confront a filibuster.

So my question to the Senator from Iowa which I would pose through the Chair is: What is a filibuster? Is a filibuster when I come down to the floor to amend the health care bill, and the majority leader says, sorry, I am going to use my powers to cut it off? You cannot amend the bill. And then he files cloture.

That is what he calls a filibuster, I think. What I call it is cutting off my right to amend, right to debate, right to do my job.

EXHIBIT 1

THE FILIBUSTER: ''DEMOCRACY'S FINEST SHOW . . . THE RIGHT TO TALK YOUR HEAD OFF''

(Address by Senator Lamar Alexander, Heritage Foundation, Jan. 4, 2011)

Voters who turned out in November are going to be pretty disappointed when they learn the first thing some Democrats want to do is cut off the right of the people they elected to make their voices heard on the floor of the U.S. Senate.

In the November elections, voters showed that they remember the passage of the health care law on Christmas Eve, 2009: midnight sessions, voting in the midst of a snow storm, back room deals, little time to read, amend or debate the bill, passage by a straight party line vote.

It was how it was done as much as what was done that angered the American people. Minority voices were silenced. Those who didn't like it were told, ''You can read it after you pass it.'' The majority's attitude was, ''We won the election. We'll write the bill. We don't need your votes.''

And of course the result was a law that a majority of voters consider to be an historic mistake and the beginning of an immediate effort to repeal and replace it.

Voters remembered all this in November, but only 6 weeks later Democratic senators seemed to have forgotten it. I say this because on December 18, every returning Democratic senator sent Senator Reid a letter asking him to ''take steps to bring [Republican] abuses of our rules to an end.''

When the United States Senate convenes tomorrow, some have threatened to try to change the rules so it would be easier to do with every piece of legislation what they did with the health care bill: ram it through on a partisan vote, with little debate, amendment, or committee consideration, and without listening to minority voices.

The brazenness of this proposed action is that Democrats are proposing to use the very tactics that in the past almost every Democratic leader has denounced, including President Obama and Vice President Biden, who has said that it is ''a naked power grab'' and destructive of the Senate as a protector of minority rights.

The Democratic proposal would allow the Senate to change its rules with only 51 votes, ending the historical practice of allowing any senator at any time to offer any amendment until sixty senators decide it is time to end debate.

As Investor's Business Daily wrote, ''The Senate Majority Leader has a plan to deal with Republican electoral success. When you lose the game, you simply change the rules. When you only have 53 votes, you lower the bar to 51.'' This is called election nullification.

Now there is no doubt the Senate has been reduced to a shadow of itself as the world's greatest deliberative body, a place which, as Sen. Arlen Specter said in his farewell address, has been distinctive because of ''the ability of any Senator to offer virtually any amendment at any time.''

But the demise of the Senate is not because Republicans seek to filibuster. The real obstructionists have been the Democratic majority which, for an unprecedented number of times, used their majority advantage to limit debate, not to allow amendments and to bypass the normal committee consideration of legislation.

To be specific, according to the Congressional Research Service:

1. the majority leader has used his power to cut off all amendments and debate 44 times—more than the last six majority leaders combined;

2. the majority leader has moved to shut down debate the same day measures are considered (same-day cloture) nearly three times more, on average, than the last six majority leaders;

3. the majority leader has set the record for bypassing the committee process bringing a measure directly to the floor 43 times during the 110th and 111th Congresses.

Let's be clear what we mean when we say the word ''filibuster.'' Let's say the majority leader brings up the health care bill. I go down to the floor to offer an amendment and speak on it. The majority leader says ''no'' and cuts off my amendment. I object. He calls what I tried to do a filibuster. I call what he did cutting off my right to speak and amend which is what I was elected to do. So the problem is not a record number of filibusters; the problem is a record number of attempts to cut off amendments and debate so that minority voices across America cannot be heard on the floor of the Senate.

So the real ''party of no'' is the majority party that has been saying ''no'' to debate, and ''no'' to voting on amendments that minority members believe improve legislation and express the voices of the people they represent. In fact, the reason the majority leader can claim there have been so many filibusters is because he actually is counting as filibusters the number of times he filed cloture—or moved to cut off debate.

Instead of this power grab, as the new Congress begins, the goal should be to restore the Senate to its historic role where the voices of the people can be heard, rather than silenced, where their ideas can be offered as amendments, rather than suppressed, and where those amendments can be debated and voted upon rather than cut off.

To accomplish this, the Senate needs to change its behavior, not to change its rules. The majority and minority leaders have been in discussion on steps that might help accomplish this. I would like to discuss this afternoon why it is essential to our country that cooler heads prevail tomorrow when the Senate convenes.

One good example Democrats might follow is the one established by Republicans who gained control of both the Senate and House of Representatives in 1995. On the first day of the new Republican majority, Sen. Harkin proposed a rule change diluting the filibuster. Every single Republican senator voted against the change even though supporting it clearly would have provided at least a temporary advantage to the Republican agenda.

Here is why Republicans who were in the majority then, and Democrats who are in the majority today, should reject a similar rules change:

First, the proposal diminishes the rights of the minority. In his classic Democracy in America, Alexis de Tocqueville wrote that one of his two greatest fears for our young democracy was the ''tyranny of the majority,'' the possibility that a runaway majority might trample minority voices.

Second, diluting the right to debate and vote on amendments deprives the nation of a valuable forum for achieving consensus on difficult issues. The founders knew what they were doing when they created two very different houses in Congress. Senators have six-year terms, one-third elected every two years. The Senate operates largely by unanimous consent. There is the opportunity, unparalleled in any other legislative body in the world, to debate and amend until a consensus finally is reached. This procedure takes longer, but it usually produces a better result—and a result the country is more likely to accept. For example, after the Civil Rights Act of 1964 was enacted, by a bipartisan majority over a filibuster led by Sen. Russell of Georgia, Sen. Russell went home to Georgia and said that, though he had fought the legislation with everything he had, ''As long as it is there, it must be obeyed.'' Compare that to the instant repeal effort that was the result of jamming the health care law through in a partisan vote.

Third, such a brazen power grab by Democrats this year will surely guarantee a similar action by Republicans in two years if Republicans gain control of the Senate as many believe is likely to happen. We have seen this happen with Senate consideration of judges. Democrats began the practice of filibustering President Bush's judges even though they were well-qualified; now Democrats are unhappy because many Republicans regard that as a precedent and have threatened to do the same to President Obama's nominees. Those who want to create a freight train running through the Senate today, as it does in the House, might think about whether they will want that freight train in two years if it is the Tea Party Express.

Finally, it is hard to see what partisan advantage Democrats gain from destroying the Senate as a forum for consensus and protection of minority rights since any legislation they jam through without bipartisan support will undoubtedly die in the Republican-controlled House during the next two years.

* * *

The reform the Senate needs is a change in its behavior, not a change in its rules. I have talked with many senators, on both sides of the aisle, and I believe most of us want the same thing: a Senate where most bills are considered by committee, come to the floor as a result of bipartisan cooperation, are debated and amended and then voted upon.

It was not so long ago that this was the standard operating procedure. I have seen the Senate off and on for more than forty years, from the days in 1967 when I came to the Senate as Sen. Howard Baker's legislative assistant. That was when each senator

had only one legislative assistant. I came back to help Sen. Baker set up his leadership office in 1977 and watched the way that Sen. Baker and Sen. Byrd led the Senate from 1977 to 1985, when Democrats were in the majority for the first four years and Republicans were the second four years.

Then, most pieces of legislation that came to the floor had started in committee. Then that legislation was open for amendment. There might be 300 amendments filed and, after a while, the majority would ask for unanimous consent to cut off amendments. Then voting would begin. And voting would continue.

The leaders would work to persuade senators to limit their amendments but that didn't always work. So the leaders kept the Senate in session during the evening, during Fridays, and even into the weekend. Senators got their amendments considered and the legislation was fully vetted, debated and finally passed or voted down.

Sen. Byrd knew the rules. I recall that when Republicans won the majority in 1981, Sen. Baker went to see Sen. Byrd and said, ''Bob I know you know the rules better than I ever will. I'll make a deal with you. You don't surprise me and I won't surprise you.''

Sen. Byrd said, ''Let me think about it.''

And the next day Sen. Byrd said yes and the two leaders managed the Senate effectively together for eight years.

What would it take to restore today's Senate to the Senate of the Baker-Byrd era?

Well, we have the answer from the master of the Senate rules himself, Sen. Byrd, who in his last appearance before the Rules Committee on May 19, 2010 said: ''Forceful confrontation to a threat to filibuster is undoubtedly the antidote to the malady [abuse of the filibuster]. Most recently, Senate Majority Leader Reid announced that the Senate would stay in session around-the-clock and take all procedural steps necessary to bring financial reform legislation before the Senate. As preparations were made and cots rolled out, a deal was struck within hours and the threat of filibuster was withdrawn. . . . I also know that current Senate Rules provide the means to break a filibuster.''

Sen. Byrd also went on to argue strenuously in that last speech that ''our Founding Fathers intended the Senate to be a continuing body that allows for open and unlimited debate and the protection of minority rights. Senators,'' he said, ''have understood this since the Senate first convened.''

Sen. Byrd then went on: ''In his notes of the Constitutional Convention on June 26, 1787, James Madison recorded that the ends to be served by the Senate were 'first, to protect the people against their rulers, secondly, to protect the people against the transient impressions into which they themselves might be led. . . They themselves, as well as a numerous body of Representatives, were liable to err also, from fickleness and passion. A necessary fence against this danger would be to select a portion of enlightened citizens, whose limited number, and firmness might seasonably interpose against impetuous councils.' That fence,'' Sen. Byrd said in that last appearance, ''was the United States Senate. The right to filibuster anchors this necessary fence. But it is not a right intended to be abused.''

''There are many suggestions as to what we should do. I know what we must not do. We must never, ever, ever, ever tear down the only wall—the necessary fence—this nation has against the excess of the Executive Branch and the resultant haste and tyranny of the majority.''

What would it take to restore the years of Sens. Baker and Byrd, when most bills that came to the floor were first considered in committee, when more amendments were considered, debated and voted upon?

1. Recognize that there has to be bipartisan cooperation and consensus on important issues. The day of ''we won the election, we jam the bill through'' will have to be over. Sen. Baker would not bring a bill to the floor when Republicans were in the majority unless it had the support of the ranking Democratic committee member.

2. Recognize that senators are going to have to vote. This may sound ridiculous to say to an outsider, but every Senate insider knows that a major reason why the majority cuts off amendments and debate is because Democratic members don't want to vote on controversial issues. That's like volunteering to be on the Grand Ole Opry but then claiming you don't want to sing. We should say, if you don't want to vote, then don't run for the Senate.

3. Finally, according to Sen. Byrd, it will be the end of the three-day work week. The Senate convenes on most Mondays for a so-called bed-check vote at 5:30. The Senate during 2010 did not vote on one single Friday. It is not possible either for the minority to have the opportunity to offer, debate and vote on amendments or for the majority to forcefully confront a filibuster if every senator knows there will never be a vote on Friday.

There are some other steps that can be taken to help the Senate function better without impairing minority rights.

One bipartisan suggestion has been to end the practice of secret holds. It seems reasonable to expect a senator who intends to hold up a bill or a nomination to allow his colleagues and the world know who he or she is so that the merits of the hold can be evaluated and debated.

Second, there is a crying need to make it easier for any President to staff his government with key officials within a reasonable period of time. One reason for the current delay is the President's own fault, taking an inordinately long time to vet his nominees. Another is a shared responsibility: the maze of conflicting forms, FBI investigations, IRS audits, ethics requirements and financial disclosures required both by the Senate and the President of nominees. I spoke on the Senate floor on this, titling my speech ''Innocent until Nominated.'' The third obstacle is the excessive number of executive branch appointments requiring Senate confirmation. There have been bipartisan efforts to reduce these obstacles. With the support the majority and minority leaders, we might achieve some success.

Of course, even if all of these efforts succeed there still will be delayed nominations, bills that are killed before they come to the floor and amendments that never see the light of day. But this is nothing new. I can well remember when Sen. Metzenbaum of Ohio put a secret hold on my nomination when President George H.W. Bush appointed me education secretary. He held up my nomination for three months, never really saying why.

I asked Sen. Rudman of New Hampshire what I could do about Sen. Metzenbaum, and he said, ''Nothing.'' And then he told me how President Ford had appointed him to the Federal Communications Commission when he, Rudman, was Attorney General of New Hampshire. The Democratic senator from New Hampshire filibustered Rudman's appointment until Rudman finally asked the president to withdraw his name.

''Is that the end of the story?'' I asked Rudman.

''No,'' he said. ''I ran against the [so-and-so] and won, and that's how I got into the Senate.''

During his time here Sen. Metzenbaum would sit at a desk at the front of the Senate and hold up almost every bill going through until its sponsor obtained his approval. Sen. Allen of Alabama did the same before Metzenbaum. And Sen. John Williams of Delaware during the 1960's was on the floor regularly objecting to federal spending when I first came here forty years ago.

* * *

I have done my best to make the argument that the Senate and the country will be served best if cooler heads prevail and Democrats don't make their power grab tomorrow to make the Senate like the House, to permit them to do with any legislation what they did with the health care law. I have said that to do so will destroy minority rights, destroy the essential forum for consensus that the Senate now provides for difficult issues, and surely guarantee that Republicans will try to do the same to Democrats in two years. More than that, it is hard to see how Democrats can gain any partisan advantage from this destruction of the Senate and invitation for retribution since any bill they force through the Senate in a purely partisan way during the next two years will surely be stopped by the Republican-controlled House of Representatives.

But I am not the most persuasive voice against the wisdom of tomorrow's proposed action. Other voices are. And I have collected some of them, mostly Democratic leaders who wisely argued against changing the institution of the Senate in a way that would deprive minority voices in America of their right to be heard:

From Mr. Smith Goes to Washington

Jimmy Stewart: Wild horses aren't going to drag me off this floor until those people have heard everything I've got to say, even if it takes all winter.

Reporter: H.V. Kaltenborn speaking, half of official Washington is here to see democracy's finest show. The filibuster—the right to talk your head off.

Sen. Robert Byrd's final appearance in the Senate Rules Committee

SENATOR ROBERT BYRD: We must never, ever, ever, ever, tear down the only wall, the necessary fence, that this nation has against the excesses of the Executive Branch.

SEN. CHUCK SCHUMER: The checks and balances which have been at the core of this Republic are about to be evaporated. The checks and balances which say that if you get 51% of the vote, you don't get your way 100% of the time.

FORMER SEN. CLINTON: You've got majority rule. Then you've got the Senate over here where people can slow things down where they can debate where they have something called the filibuster. You know it seems like it's a little less than efficient, well that's right, it is. And deliberately designed to be so.

SEN. DODD: I'm totally opposed to the idea of changing the filibuster rules. I think that's foolish in my view.

SEN. BYRD: That's why we have a Senate, is to amend and debate freely.

SEN. ALEXANDER: The whole idea of the Senate is not to have majority rule. It's to force consensus. It's to force there to be a group of Senators on either side who have to respect one another's views so they work together and produce 60 votes on important issues.

SEN. DODD: I can understand the temptation to change the rules that make the Senate so unique and simultaneously so terribly frustrating. But whether such temptation is motivated by a noble desire to speed up the legislative process or by pure political expediency, I believe such changes would be unwise.

SEN. ROBERTS: The Senate is the only place in government where the rights of a

numerical minority are so protected. A minority can be right, and minority views can certainly improve legislation

SEN. ALEXANDER: The American people know that it's not just the voices of the Senator from Kansas or the Senator from Iowa that are suppressed when the Majority Leader cuts off the right to debate, and the right to amend. It's the voices that we hear across this country, who want to be heard on the Senate floor.

SEN. GREGG: You just can't have good governance if you don't have discussion and different ideas brought forward.

SEN. DODD: Therefore to my fellow Senators, who have never served a day in the minority, I urge you to pause in your enthusiasm to change Senate rules.

SEN. REID: The Filibuster is far from A 'Procedural Gimmick.' It's part of the fabric of this institution that we call the Senate. For 200 years we've had the right to extend the debate. It's not procedural gimmick. Some in this chamber want to throw out 214 years of Senate history in the quest for absolute power. They want to do away with Mr. Smith, as depicted in that great movie, being able to come to Washington. They want to do away with the filibuster. They think they're wiser than our Founding Fathers, I doubt that's true.

FORMER SEN. OBAMA: Then if the Majority chooses to end the filibuster, if they choose to change the rules and put an end to Democratic debate, then the fighting and the bitterness and the gridlock will only get worse.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. I will respond to my friend from Tennessee who makes cogent arguments, as he always does. He is a good friend of mine, and we have worked together on a lot of things. I hope this is the beginning of some colloquies we can have here. I do want to indulge and let other Senators have their say because they were so kind to let me have my say too. But I intend to be here as long as anybody wants to say anything or to engage in some colloquies here on the Senate floor.

I say to my friend from Tennessee, that as I listened to him, and I did very carefully, there are a couple of things I want to point out in terms of this idea of a filibuster and being able to amend things. My friend referred many times to the health care bill. I do not know if my friend said this, but I have heard it said that we wrote it behind closed doors and all of that kind of stuff.

Let me point out that when it came to our committee, the HELP Committee, we had 13 days of markup, 54 hours. We allowed any amendment to be offered. The Senator is a member of that committee. We allowed any Senator on our committee to offer any amendment. We adopted 161 Republican amendments, either through some votes, which they won, or through just adopting the amendments. Then after that, after all of that, all Republicans voted no. That is fine. There are a lot of times I know in the past when I have had an amendment on a bill which I thought improved it, but overall I did not like the bill, and I voted against it. I think that is the right of the minority. But then to obstruct it and to try to obstruct it to keep it from even being enacted I do not think is right. So I would say to my friend that I do not think the health care bill is a good example.

I say to my friend, he quoted someone, I think maybe it may have been Senator REID, saying, do people think they are wiser than our Founding Fathers. Please show me where our Founding Fathers ever set up a system where the Senate could have unlimited debate? They never did that. It is not in the Constitution.

As I pointed out, the first Senate actually had the motion, the previous question, to cut off debate. And they did not set up a majoritarian House. Article I section 5, I say to my friend from Tennessee, article I, section 5 is very clear. Each House sets up its rules. If the new majority in the House wanted to, they could set up rules to be like the Senate. They could do that. They could set up rules however they wanted, as long as they were constitutional. I suppose someone could take it to court to see if it was constitutional. But they do not have to operate under those rules. We do not have to operate under these rules. The Constitution gives us the right to change those rules.

Our Founding Fathers never set up this system, by the way, never. There is no mention of it anywhere in the Constitution. They did not set up a majoritarian House, they set up article I, section 5, which said each House can set up its own rules. But then in the Constitution, they outlined certain prerogatives. The Senate has certain prerogatives, the House has certain prerogatives, such as, for example, all bills of revenue have to originate in the House, not in the Senate. Treaties are done by the Senate, not by the House. But they never set up any kind of majoritarian type of thing.

I say to my friend, on the filibuster, I think there is a reason for a filibuster. I think there ought to be filibusters. I think there ought to be times when the minority can slow down things in order to get their views heard, or in order for them to be able to offer amendments, to make the bill better, in their views. That is the right of the minority.

I do not think it is the right of any minority—I say minority. When I say that, I am not talking about Republicans. I am saying any minority here. I do not think it is the right of any minority here to say, if I do not get my way, I am going stop everything. That is kind of what I see happening around here. If I do not get my way, one Senator can stop things.

I point out one other bill, I say to my friend from Tennessee, that I thought was a great bipartisan bill. We worked hard on it in our committee. The Senator from Tennessee was instrumental. That was the food safety bill. We reported it out of our committee a year ago in November, unanimous vote. Everyone voted for it, Republicans and Democrats on our committee. We got it out. But there were some things in the bill that Senators not on our committee, and maybe one Senator on our committee, did not like. So we had to work through the ensuing months to get everybody onboard and to work it out, which is fine. I have no problems with that. That is the legislative process. I have patience. As my friend from Kansas knows, I have a lot of patience working on farm bills. They take time.

But we worked it all out. And yet one Senator, one Senator who really disagreed with it, was able to hold it up from coming on the floor. We finally got it on the floor, but it took almost a year. One Senator was able to do that.

So I say, one Senator should be able to have the right to offer amendments, to be heard, but not to stop everything. I guess that is what I come down to, I say to my friend from Tennessee, that there ought to be a—I think there is a reason and a good reason for the Senate to be that saucer that cools things down, the story about Jefferson and Washington. But it should be at some point in time where the majority has not only the authority but the power to act after a due consideration and a due period of time.

I believe, I say to my friend in all sincerity, that will promote more compromise than the present system. You may disagree, but I feel that would. I am not trying to take away compromise. I believe in compromise. I believe in working things out. As chairman of the Agriculture Committee for two farm bills, we worked things out. I am sure there were things in the farm bill that the Senator from Kansas did not like, and there were things in there that I did not like, even though I was chairman. But you work these things out. You compromise and you get things done. So I believe in that spirit of compromise. But I think what we have here now—and that escalating arms race—is doing away with that spirit of compromise and working things out and moving things. That is why I think we have to change the rules.

I do not know if I adequately responded to my friend from Tennessee, but these were my thoughts at the end. I am looking forward to other comments from other Senators and engaging in our colloquies. I promise I will not take so long.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I thank my colleagues for their pertinent remarks.

The Senator from Iowa said in the past he had entered into a colloquy with colleagues on our side of the aisle where they wandered over into each other's pastures. I am going to put down this microphone for a moment and speak from here in a gesture of bipartisanship on how we can improve the Senate.

I know we have heard a lot of talk about Robert C. Byrd, a beloved individual. I know the Presiding Officer

was very close to the former Senator. The last time Bob Byrd spoke publicly was in the rules committee, when he rose to the occasion in a very passionate way. The chairman, of course, CHUCK SCHUMER, the Senator from New York, with great deference recognized Senator Byrd. We were all on the edge of our chairs. The Senator from Tennessee has already gone over what Senator Byrd said at that time and previously. But I remember when I first came to the Senate, it was required that we go to school, so to speak, and Senator Byrd talked to all of the freshmen at that particular time.

The keeper of the institutional flame was the tag I put on Senator Byrd. My wife Franki and I became very close friends of the Senator. At any rate, he recounted the story attributed to Jefferson and Washington, he would tell every incoming class about the role of the people's House and perhaps what happened, when they put the coffee pot on in regards to legislation, that the coffee was so hot it would boil over, and it was the Senate's duty to act as the saucer, as folks did back in West Virginia in the earlier days, or Kansas or Iowa or Tennessee or Texas, that they would pour the coffee out in the saucer and let it cool off a little bit so they could put their biscuit in it and actually eat it, and then the legislation would pass.

The problem is, sometimes on our side maybe we want tea, maybe we want to start over. I think the Senator from Tennessee basically hit the nail on the head with the massive three. If we are going to talk about getting things done or not getting things done, there are three massive things that have happened with regard to legislation. I say ''massive'' because they were so overreaching, so overwhelming, we are now just learning what their implications are. The massive three are financial regulatory reform, the health care act, and the stimulus.

Now the health care act, I have a personal feeling about that in that I had 11 amendments, all on rationing.

By the way, the Senate never confirmed the nomination of Dr. Donald Berwick, the head of CMS, the Center for Medicare and Medicaid Services. We planned to ask a lot of questions to the doctor because of statements he made in the past. Obviously, that confirmation did not happen. He was a recess appointment. That is something I think we ought to deal with as well.

Now, the health care act, it was 12:30 in the morning in the Finance Committee. I had several amendments, all on rationing. Finally, we got to the last two. I said: Why don't we consider them en bloc? I had about a minute or two to explain each amendment. They were voted down automatically on a party-line vote. By the time we got to 12:30 or 1 o'clock and my amendments, I noticed Senator SCHUMER was in the room so I stuck on one of his amendments along with mine. It was defeated on a party-line vote. Then I let Senator SCHUMER know that we had defeated his amendment as well. He wasn't too happy with that.

I just showed that the process has broken down to the point that even in committee, if you had two amendments, if you had five, if you had one, you were simply ignored. Then the health care act came to the floor and worked its way. I think the Senator from Tennessee brought up the ''Grand Ole Opry.'' I saw it as making a bill behind closed doors. That is a famous country western song. We didn't like that process at all.

I finally had only one other recourse and that was to go to the reconciliation process, which I knew was not going to be successful, but I had several amendments, all were defeated. My main concerns about the health care bill were not allowed, as far as I was concerned, on the floor of the Senate, and that has happened a lot.

Now we are seeing an effort to repeal the health care act and also an effort to try to fix it, if we possibly can. I am not as upset about that as some people are because I think we could get the proper kind of debate, but the debate must proceed in regular order and under the standing rules of the Senate as a continuing body.

I am not going to go into the quotes by Senator Byrd. That has already been done by Senator ALEXANDER. But I would like to quote Senator Dodd in his valedictory speech.

> The history of this young democracy, the Framers decided, should not be written solely in the hand of the majority.

This isn't about the filibuster. That is the most important statement he made.

> What will determine whether this institution works or not is whether each of the 100 Senators can work together.

How can we do that? Here is a classic example. Right before Christmas, there were several bills the majority wanted to pass without allowing the minority and the American people the right to debate or amend them. So the tree was filled, and that is the parliamentary language to say: I am sorry, we are going to cut off debate. In the first three years and four months of this majority, the use of filling the tree went up over 300 percent compared to the average for the previous 22 years. Ninety-eight times in the 110th Congress, cloture was filed the moment the question was raised on the floor. A debate was not even allowed to take place. So on one hand you can talk about filibusters; the other hand is filling the tree, or not allowing Members to offer amendments, and same day clotures.

The Senator from Tennessee offered the classic example. Let's go back to a few days ago, right before Christmas. The DREAM Act was a House bill. I know the Senate leadership wanted to pass it. It never had a legislative hearing in the House, never had a markup in the House. The Senate version of the DREAM Act had not had a markup since 2003. In sum, the DREAM Act, a controversial measure with very passionate beliefs on both sides of the aisle and within the parties as well had not had an amendment offered to it in either House of Congress either in committees or on the floor.

Some may believe the DREAM Act is perfect or certainly is the best bill possible and would not need any amendments to improve it. But, obviously, our constituents don't feel that way. It is a very controversial bill. Instead of addressing their concerns, the majority shut down debate and amendments and in the process shut down the rights of Americans to be heard. As a result, the minority refused to end debate and, obviously, there was a filibuster. It would be interesting to know, of the times that bills have been filibustered, what was being filibustered.

Contrast this with the approach taken on the 9/11 bill which the majority sought to pass just a few days later. The goal of providing help to the victims of 9/11 is one Members of both parties share, but Senate Republicans noted that the particular version of the bill Senate Democrats supported was problematic in regards to how much money we were spending and certainly would need improvement.

So we insisted on having our concerns addressed. Most of them were addressed with a revised bill on which we did provide input. That bill passed the Senate by unanimous consent, and even the proponents of the original legislation would admit that the final bill is a better one and now enjoys broader support due to the minority's input.

What I think the majority needs to do is involve the minority like it did on the 9/11 bill, not shut us out, not shut us down as it did on the DREAM Act and other acts.

If that happened, if we did not fill the tree, I think possibly 75 percent, 80 percent of the filibusters would go away. There are some who would like to filibuster anything, I know. But it gets back to what the Senator asked: Why are we here? It is important to pass legislation. But it is equally important to prevent bad legislation from passing or, if you have an alternative you would like to offer, to at least have the ability to do so.

In the last 2 years that process has simply broken down. Why can't we work together? That is what Senator Dodd said. He asked whether each of the 100 Senators can work together. That was on the question of filibusters.

We can stop this business of secret holds. It seems to me we could have a timely pace on nominations. It seems to me we could certainly end these recess appointments where people who should be confirmed have to go through the confirmation process instead of all of a sudden parachuting somebody in who is controversial and now we have over 100,000 regulations pouring out of the Department of HHS. Health care providers throughout the Nation—in Iowa, Tennessee, Kansas—are wondering what on Earth is happening.

When I go home, I don't get the question of why a bill didn't pass. I get the question: What on Earth are you guys doing back there passing all the legislation with all the regulatory stuff that I have to put up with, taxes I have to pay, et cetera, et cetera?

As a matter of fact, when they pose that question, I say: I am not a you guy; I am an us guy. Then we have a debate, but it is a debate that should have taken place on the floor of the Senate instead of on the plains of Kansas. Unfortunately, because of the majority, we were not able to have that debate here, on the floor.

The question I have for the distinguished Senator from Iowa—and I appreciate his reference to our work in previous farm bills. We were able to work it out. Sometimes it was very contentious, and sometimes the farm bill would come to the floor, and it would take a week and a half. Then we would have an appropriations bill, and then the appropriators would think they could rewrite the farm bill and take another week and a half. But we worked through it. Nobody filled the tree and said: I am sorry, you can't have that amendment.

I am making a speech instead of asking the question. I apologize for that.

I am in agreement on secret holds. I think there should be timely pace on nominations. I do think we should go through the regular confirmation process.

But I do feel exactly as the Senator from Tennessee has put out, that once you get on this business of ending the filibuster or going down on the number of requisite votes, you are on a slippery slope, and then you are into the tyranny of the majority, and that is not what the Senate is all about.

I will stop at this point and ask the Senator from Iowa if he has any comments.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from Iowa.

Mr. HARKIN. Madam President, I thank my friend from Kansas. I think he makes some good points.

I would say to my friend, I think we ought to go through processes in our committees to have hearings on nominees to flush out things such as that. So to that extent, the Senator from Kansas is right. We should not have, especially if there is any controversy at all—I suppose some of them are noncontroversial—but if there is some controversy out there, yes, I think the committees ought to have the responsibility to bring them forward. Let the committees question them. We did that in our HELP Committee, I say to my friend from Kansas. I am trying to remember the person we had—oh, a lot of controversy about Craig Becker, I think, who was going to the NLRB.

Mr. ROBERTS. If the Senator will yield, I think the Senator is exactly right. I am on the HELP Committee, as the Senator may recall, and I was trying to get one amendment to say that we would prohibit the use of rationing to achieve cost containment, and it involved several of the commissions that have been in the bill. I regret that bill sort of sat somewhere and collected dust. We never got a score. I thought it was, quite frankly, a better bill than the one in the Finance Committee.

I say to the Senator, you recognized me, and I had an opportunity to offer some amendments. At least there was some debate. And I think it was a much more bipartisan effort. So I give the chairman——

Mr. HARKIN. If it was out of our committee, obviously it was a better bill than coming out of the Finance Committee. But I say to my friend, again, that——

Mr. ROBERTS. Senator CORNYN wants to be heard, so I am going to be quiet and listen to you.

Mr. HARKIN. I thought there were some things we should talk about. I say to my friend, in listening to my friend from Kansas say this, it occurred to me that certain of his amendments were allowed. The Senator was allowed to debate them and offer them, but they were not adopted. It seems to me, as I have said before, the right of the minority ought to be to offer amendments, to have them considered, to have them voted on, but it does not mean it is the right of the minority to win every time on those amendments.

I say to my friend, on that financial services bill, I had an amendment too and I could not get it in. I was on the majority side, and they would not let me offer one either. So both sides have some legitimate points.

I also say to my friend from Kansas, and others, we can get into this tit for tat, who started it. I think we have to kind of quit that. I could come back and say: Well, yes, in the last 2 years, the tree was filled 44 times. In this last session, 44 times the tree was filled, but there were 136 filibusters. Why wouldn't there be 44 filibusters? Why were there 136? We can get into that tit for tat, who did what to whom. I wish to forget about all that. We could go back, probably, to the 18th century—tit for tat, who did what to whom at some point in time.

I ask my friend from Kansas, who has been here a long time—we served together in the House; my friend was chairman of the Agriculture Committee in the House. We have done a lot of legislation together—does my friend from Kansas feel the Senate is operating today in the best possible way? Does my friend from Kansas believe there could be some things done to make the Senate operate a little bit more openly and fairly with rights for the minority to be protected but without letting the minority—and I do not mean Republicans when I say ''minority,'' I mean whoever happens to be in the minority—to keep the minority from obstructing things? Does my friend feel there could be some changes made?

Mr. ROBERTS. I will answer the question, no. I do not think we are doing the job we could do, and we should do better, and I stand ready to work with all concerned to see if we can do that.

But my time is up, and I am going to cease here and allow the Senator from Texas to be recognized.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. CORNYN. Madam President, may I inquire how much more time there is on our side?

The PRESIDING OFFICER. Three-and-a-half minutes.

Mr. CORNYN. Madam President, I am going to ask unanimous consent, with the indulgence of my colleagues, to allow me to speak for up to 10 minutes. I probably will speak about 5 minutes or so, unless I get particularly wound up, which could take 10 minutes. But I ask unanimous consent for an additional 10 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CORNYN. I thank the Chair.

Madam President, I think we are playing with fire when we talk about amending the Senate rules. All of us have been here for different periods of time. I have been here for 8 years, which actually sounds like a long time, but in the life of the Senate is not very long at all in an institution that has existed for more than 200 years.

I have been here when our side was in the majority. As a matter of fact, we had the White House, we had both Houses of Congress. And I have been here when we have had President Obama in the White House and Democrats controlling both Houses of Congress. I can tell you, unequivocally, it is a whole lot more fun to be here when you are in the majority.

But there are certain temptations that the majority has which I think are exacerbated when, for example, during most of the last 2 years, one party or the other has the ability in the Senate to basically pass legislation by essentially a party-line vote; in other words, as I recall on that morning at 7 a.m. on Christmas Eve a year ago, when the vote on the health care bill came up where all 60 Democrats voted for the bill and no Republicans voted for the bill.

My point being: The temptation is, when you have such a large majority—60 or more—there is a huge temptation in both parties—not just the Democrats; Republicans, I am sure, would be tempted as well—to try to go it alone. Thus, I think it detracts from what is one of the great strengths of this institution, which is that this institution's rules force consensus, and unless there is consensus, things do not happen. We are, thus, the saucer that cools the tea from the cup, and all the various analogies we have heard.

But the important thing is not how this affects us as individual Senators. This is not just an abstract discussion about the rules. This is about what is in the best interests of a country of

more than 300 million people. I would submit any time one party or the other is not only tempted but yields to that temptation to go it alone to try to push legislation through without achieving that consensus, I think it hurts the institution and I think it provokes a backlash, much as we saw on November 2. Because the American people understand that checks and balances are important.

When we do not have checks and balances, either through the self-restraint of the majority or through recognizing the rights of the minority to offer amendments, to have debates, to contribute to legislation, then the American people are going to fix that by changing the balance of power, as they did on November 2.

Here again, I do not want to be misunderstood as making a partisan argument. I think Republicans would be just as tempted as Democrats to do the same thing. But I think that is where we have to show self-restraint and where, if we do not show self-restraint, then the American people will change the balance of power and establish those checks and balances.

Here again, I think for most people who are listening—if there is anyone listening out there on C–SPAN or elsewhere to this debate—this should not be about us. This should not be about the arcana of these rules. This should be about the rights of the American people to get legislation that affects all 300-plus million of us debated, amended, in a way to try to achieve that consensus and, thus, achieves broad support by the American people. Because anytime, again, we yield to the temptation to go it alone to do things on a partisan basis, it will ultimately provoke the kind of backlash we have seen over the health care bill, to mention one example.

This is not a small thing. I have the honor of representing 25 million people in the Senate, and this is not just about my rights as an individual Senator or even the minority's rights, this is about their right—their right to be heard through an adequate time for debate, their right to have an opportunity to change or amend legislation, and then to have a chance to have it voted on.

I understand the frustration of our colleagues when the majority leader, due to his right of prior recognition, can get the floor. He can put something on the Senate calendar that has not gone through a committee markup and that sort of due process and fair opportunity for amendment and participation; and then again, if he has 60 votes on his side to be able to push it through, then deny us any opportunity to offer amendments, much less to have a fulsome debate on these important issues.

I think our country suffers from that. I think the American people suffer when we are denied on their behalf an opportunity to have a fulsome debate and to offer amendments.

I do not doubt the good faith of our colleagues who are offering some of these propositions. There are even some of them that I find somewhat attractive. The idea of secret holds, for example—if there ever was a time for that, that time is long past gone. I know we are not going to agree on everything. But we ought to at least have an opportunity for everyone to be heard, and for individual Senators' rights to be respected, not because they are Senators but because they represent a large segment of the American people, and it is their rights that are impinged when the majority leader, for whatever reason, decides to deny a Senator a right to offer an amendment and a right to have a fulsome debate on the amendment in the interest of getting legislation passed.

Although Senator REID said this morning the 111th Congress has to go down in history as being one of the most productive Congresses, at the same time, he complained about Republicans filibustering legislation. There seems to be kind of an inherent contradiction there. But I suggest the explanation for that is the fact that our friends on the other side have had such a large supermajority, they have been able to muster the 60 votes and to go it alone. Again, I think that is yielding to a temptation that everyone would understand, and the American people have now since corrected that as a result of the November 2 election.

I would suggest, in closing, to all of our friends on both sides of the aisle, again, I recognize the sincerity of those who have offered these proposals, but I would suggest there is not a malfunction, or should I say the rules themselves are not broken, but the rules contemplate that the rules will not be abused. I think the temptation to abuse those rules by going it alone is understandable but something that needs to be avoided. I think because of the election now—since we are more evenly divided so nobody will be able to get to 60 votes unless there is a bipartisan consensus, to the extent that 60 votes are needed—that the American people have sort of fixed the problem some of our colleagues have perceived.

I thank the Chair.

Mr. HARKIN. Madam President, will the Senator yield for a question?

Mr. CORNYN. I am happy to yield for a question.

Mr. HARKIN. I thank my friend from Texas. Again, he and I have worked together on some legislation in the past too. He is a thoughtful Senator and a good legislator.

I ask my friend from Texas this: In listening to him, I almost have the feeling that my friend from Texas is saying we ought to have a supermajority to pass anything, that we should have 60 votes in order to pass anything.

I ask my friend, is that what my friend really means or implies, that everything should have 60 votes before it can go through here? Is that what my friend is suggesting?

Mr. CORNYN. I appreciate the question from my friend, the Senator from Iowa. That is not what I am suggesting. But I do think we need to have a process which allows for an opportunity for amendments and debate. And if we do not have a process requiring a threshold of 60 votes, the temptation is going to be, again, for the majority leader to deny the opportunity for amendments, constrict time allowed for an amendment, for debate, by filing cloture, and we are going to see things shooting through here that have not had an adequate opportunity for deliberation.

This institution has famously been called the world's greatest deliberative body, but I daresay we have not demonstrated that in recent memory. And, again, I think, as the Senator from Tennessee and others have observed, this is not a problem with the rules. This is the way the rules have actually been implemented. I think we have learned an important lesson from this and one I hope will help us respect the rights of all Senators, whether they be in the majority or the minority, to offer amendments and to debate these amendments not because they are about our rights but because they are about the rights, for example, of the 25 million people I represent. They have the right to be heard. They have a right to have any suggestions or improvements to legislation be considered. That is all I am saying.

Mr. HARKIN. Madam President, if my friend will yield further, again, in my resolution there is a guarantee that the minority has the right to offer amendments—absolute guarantee. As I said, that is something I have urged since 1995. I am very sympathetic to the argument that people are cut out from offering amendments. I know because that has happened to me by the majority at times. So I believe there ought to be rights for the minority. I always hasten to add when I say ''minority'' I am not saying Republicans, I am saying the minority. It may be us pretty soon. It goes back and forth, as my friends knows. There ought to be the right for the minority to offer amendments and to have their voice heard and to, as the Senator says, represent the people of our States adequately.

But I ask my friend again, what happens when we have one or two or three or four Senators who don't want to see a bill passed in any form—some bill, just take any bill—that maybe has been worked on by both Republicans and Democrats, has broad bipartisan support maybe to the tune of even 70 or so Senators, but there is one or two or three Senators who don't want it to pass anyway, and they are able to gridlock the place under rule XXII. I know the Senator talked about exercising self-restraint, and I say that is fine. But what if we had that situation where we have two or three Senators saying: I don't care how many Senators are on it I don't want it to move. And

they invoke their rights under rule XXII. How do we get over that hurdle?

Mr. CORNYN. Madam President, I would say to my friend the people who came before us thought achieving consensus was good, not unanimity, perhaps recognizing it is impossible to get 100 Senators to agree. So I would say to my friend I sometimes am as frustrated as he is when one or two or three or four Senators say: We are going to force this to a cloture vote because we are just not going to agree. I think that is frustrating to all of us, depending on which foot the shoe is on.

But I would say that is a small price to pay, that frustration, to insist on assuring the rights of the minority—again, not because of an individual Senator because we aren't all that important. It is the rights of our constituents whom we represent that are so important, and it is so important we get it right because there is nobody else after we get through who gets to vote. It becomes the law of the land, and unless it is unconstitutional not even the Supreme Court of the United States can set it aside. So it is very important we get it right. I am just saying that we take the time necessary, and I think that is what the rules are designed to provide for.

Mr. HARKIN. Madam President, if the Senator would indulge me for one more moment, so it is not the position of my friend from Texas that everything needs 60 votes in which to move in the Senate; is that correct?

Mr. CORNYN. Madam President, there are a long list of bills that pass on a regular basis by unanimous consent, and it is like—we are almost focused on the exception rather than the rule. There are many times—a lot of times; I can't quantify it—where legislation will pass by unanimous consent because it has gone through the committees, people have had an opportunity to offer amendments, both sides have had an opportunity to contribute to it, and then it passes without objection. Again, I can't quantify that, but the ones we seem to be focused on are the ones that seem to be more or less the exception to the rule where there are genuine disagreements, when there is a need to have a more fulsome debate and the opportunity for amendments.

So I think the current rules serve the interests of our constituents and the American people well.

I thank the Chair and I thank my colleague.

The PRESIDING OFFICER. The Senator from Oregon.

ORDER OF PROCEDURE

Mr. WYDEN. Madam President, Senator UDALL and Senator MERKLEY have waited at great length to make their remarks. I wish to propound a unanimous consent at this time. At this point, Senator UDALL would be the next speaker. There would be a Republican who would speak next. I am very hopeful it will be Senator GRASSLEY because he and I have been partners for almost 14 years in this effort to force the Senate to do public business in public and get rid of these secret holds. So after Senator UDALL, there would be Senator GRASSLEY. After Senator GRASSLEY, there would be my friend and colleague Senator MERKLEY who would speak. At that time there would be a Republican who would be next in the queue to speak.

So my unanimous consent request at that point is—I would like to be able, for up to 30 minutes, to have the bipartisan sponsors of the effort to get rid of secret holds once and for all, including the distinguished Presiding Officer, to have up to 30 minutes for a colloquy on this bipartisan effort to eliminate secret holds.

The PRESIDING OFFICER. Are there any time limits on the UC motion for any Senators other than the 30 minutes designated for the cosponsors of the secret hold legislation?

The Senator from New Mexico.

Mr. UDALL of New Mexico. Madam President, in addition to his UC, we have myself for 15 minutes, Senator MERKLEY for 15 minutes, and I believe Senator WYDEN has asked for 30, and then to accommodate the Republicans, our UC would say if there is a Republican seeking recognition that we alternate between the two sides and they be under the same time limitations as listed above. So Senator ALEXANDER can see I would speak for 15, and then he would have a block for 15, and then Senator MERKLEY, and then it would be 30 for Senator WYDEN.

Mr. WYDEN. Then, after Senator MERKLEY, there would be another Republican who would be in a position to speak for 15 minutes, and at that point under the unanimous consent request we would be able to discuss this bipartisan effort to eliminate secret holds for up to 30 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. HARKIN. Madam President, I wonder if the Senator would mind a slight modification to that. One of the things I thought we were kind of getting into today were colloquies wherein we could ask a question and have a response in a reasonable manner. I would ask to modify the unanimous consent request to say that any colloquies entered into—questions propounded to a Senator through the Chair—not be detracted from the time allotted to that Senator.

Mr. WYDEN. I am very open to that. I think it is an excellent suggestion.

Mr. UDALL of New Mexico. I very much agree with that. I have been sitting here following the debate, and I think Senator ALEXANDER, among others, has propounded some very good questions. I actually have another question I was going to ask on top of his question of what is a filibuster. So I am looking forward to that portion of it. Senator HARKIN, thank you very much for that.

Mr. WYDEN. Madam President, I think Senator HARKIN has made an excellent suggestion. Unless Senator ALEXANDER or anyone on the other side has a problem with that, let's modify the unanimous consent request I have made to incorporate Senator HARKIN's suggestion.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from New Mexico.

AMENDING SENATE RULES

Mr. UDALL of New Mexico. Madam President, I submit on behalf of myself and Senators HARKIN, MERKLEY, DURBIN, KLOBUCHAR, BROWN, BEGICH, BLUMENTHAL, GILLIBRAND, SHAHEEN, BOXER, TESTER, CARDIN, MIKULSKI, WARNER, and MANCHIN a resolution to amend rule VIII and rule XXII of the Standing Rules of the Senate, and I ask unanimous consent to proceed to the immediate consideration of the resolution.

The PRESIDING OFFICER. Is there objection?

Mr. ALEXANDER. Madam President, reserving the right to object, I have had a number of discussions with the Senator from New Mexico and the Senator from Oregon. I respect their proposals and will have more to say about them, but I think since they have waited such a long time to make their presentations I will merely state my objection now and have more to say later. So I object.

The PRESIDING OFFICER. The objection having been heard, the resolution will go over under the rule.

Mr. UDALL of New Mexico. Madam President, let me just inquire through the Parliamentarian, it is my understanding that by objecting to this resolution being immediately considered now, the result is the resolution will go over under the rule, allowing it to be available to be brought up at a future time. Is that understanding correct?

The PRESIDING OFFICER. That is correct.

Mr. UDALL of New Mexico. Thank you very much.

Madam President, I rise today to introduce the resolution I just mentioned. I have worked very hard with all of my colleagues, including my two colleagues from Iowa and Oregon, Senators HARKIN and MERKLEY, to reform the rules of this unique and prestigious body. I do so after coming to the floor last January—January 25, in fact, now almost 1 year ago—to issue a warning, a warning because of partisan rancor and the Senate's own incapacitating rules, that this body was failing to represent the best interests of the American people. The unprecedented abuse of the filibuster, of secret holds, and of other procedural tactics routinely prevent the Senate from getting its work done. It prevents us from doing the job the American people sent us here to do.

Since that day in January things haven't gotten better. In fact, I would

say they have gotten worse—much worse. Here in the Senate open and honest debate has been replaced with secret backroom deals and partisan gridlock. Up-or-down votes on important issues have been unreasonably delayed and blocked entirely at the whim of a single Senator. Last year, for example, one committee had almost every piece of legislation held up by holds from one Senator.

The Senate is broken. In the Congress that just ended, because of rampant and growing obstruction, not a single appropriations bill was passed. There wasn't a budget bill. Only one authorization bill was approved, and that was only done at the very last minute. More than 400 bills on a variety of important issues were sent over from the House. Not a single one was acted upon. Key judicial nominations and executive appointments continue to languish.

The American people are fed up with it. They are fed up with us, and I don't blame them. We need to bring the workings of the Senate out of the shadows and restore its accountability. That begins with addressing our own dysfunction, specifically the source of that dysfunction—the Senate rules.

Last year the Senate Rules Committee took a hard look at how our rules have become so abused and how this Chamber no longer functions as our Founders intended. I applaud Chairman SCHUMER and his excellent staff for devoting so much time to this important issue. I thank Senator ALEXANDER and Senator ROBERTS. We have some very good Republican colleagues on the committee, and we have had some good exchanges. They know we had six hearings and heard from some of the most respected experts in the field.

But these hearings demonstrated that the rules are not broken for one party, or for only the majority. Today the Democrats lament the abuse of the filibuster and the Republicans complain they are not allowed to offer amendments to legislation. Five years ago, those roles were reversed. Rather than continue on this destructive path, we should adopt rules that allow a majority to act while protecting the minority's right to be heard. Whichever party is in the majority, they must be able to do the people's business.

I think that is what Senator HARKIN spoke so persuasively to in his comments on the filibuster—that the majority has to be able to govern. The way the filibuster is being used the minority thwarts the majority's ability to govern.

At a hearing in September, I testified before the committee about my procedural plan for amending the Senate's rules—the constitutional option. Unlike the specific changes to the rules proposed by other Senators and experts, my proposal is to make the Senate of each Congress accountable for all of our rules. This is what the Constitution provides for, and it is what our Founders intended.

Rule XXII is the most obvious example of the need for reform. Last amended in 1975, rule XXII demonstrates what happens when the Members of the current Senate have no ability to amend the rules adopted long ago—rules that get abused.

I have said this before, but it bears repeating. Of the 100 Members of the Senate, only two of us have had the opportunity to vote on the cloture requirement in rule XXII—Senators INOUYE and LEAHY.

So if 98 of us haven't voted on the rule, what is the effect? Well, the effect is that we are not held accountable when the rule gets abused, and with a requirement of 67 votes for any rules change that is a whole lot of power without restraint.

But we can change this. We can restore accountability to the Senate. Many of my colleagues, as well as constitutional scholars, agree with me that a simple majority of the Senate can end debate—that is the first step—and adopt its rules at the beginning of a new Congress.

Critics of my position argue that the rules can only be changed in accordance with the current rules, and that rule XXII requires two-thirds of Senators present and voting to agree to end debate on a change to the Senate rules.

Since this rule was first adopted in 1917, members of both parties have rejected this argument on many occasions.

In fact, advisory rulings by Vice Presidents Nixon, Humphrey, and Rockefeller, sitting as President of the Senate, have stated that a Senate, at the beginning of a Congress, is not bound by the cloture requirement imposed by a previous Senate. They went on to say that each new Senate may end debate on a proposal to adopt or amend the standing rules by a majority vote. That bears repeating—by a majority vote—cloture and amendment, majority vote.

Even in today's more partisan environment I hope my colleagues will extend to us the same courtesy, and our constitutional rights will be protected as we continue to debate the various rules reform proposals at the beginning of this Congress.

In 2005, Senator HATCH—someone who understands constitutional issues perhaps better than any other Member of this Chamber—wrote the following:

> The compelling conclusion is that, before the Senate readopts Rule XXII by acquiescence, a simple majority can invoke cloture and adopt a rules change. This is the basis for Vice President Nixon's advisory opinion in 1957. As he outlined, the Senate's right to determine its procedural rules derives from the Constitution itself and, therefore, ''cannot be restricted or limited by rules adopted by a majority of the Senate in a previous Congress.'' So it is clear that the Senate, at the beginning of a new Congress, can invoke cloture and amend its rules by a simple majority.

That was Senator HATCH's quote. As Senator ALEXANDER and Senator CORKER know, he was for many years chairman of the Judiciary Committee, and I think that is a very powerful quote.

This is the basis for introducing our resolution today, just as reformers have done at the beginning of Congresses in the 1950s, 1960s, and 1970s, and it is why I am here on the floor on the first day—to make clear I am not acquiescing to the rule XXII adopted by the Senate over 35 years ago. That Senate tried to tie the hands of all future Senates by leaving the requirement in rule XXII for two-thirds of the Senate to vote to end a filibuster on a rules change. But this is not what our Founders intended.

Article I, section 5 of the Constitution clearly states that ''each House may determine the Rules of its Proceedings.'' There is no requirement for a supermajority to adopt our rules, and the Constitution makes it very clear when a supermajority is required to act. Therefore, any rule that prevents a majority in future Senates from being able to change or amend rules adopted in the past is unconstitutional.

The fact that we are bound by a supermajority requirement that was first established 93 years ago also violates the common law principle that one legislature cannot bind its successors.

This principle goes back hundreds of years and has been upheld by the Supreme Court on numerous occasions. This is not a radical concept. The constitutional option has a history dating back to 1917, and it has been a catalyst for bipartisan rules reform several times since then. The constitutional option is our chance to fix rules that are being abused—rules that have encouraged obstruction like none ever seen before in this Chamber.

Amending our rules will not, as some have contended, make the Senate no different than the House. While many conservatives claim that the Democrats are trying to abolish the filibuster, our resolution maintains the rule but addresses its abuse. But, more importantly, the filibuster was never part of the original Senate. The Founders made this body distinct from the House in many ways, but the filibuster is not one of them.

So here we are today on the first day of a new Congress offering a resolution to reform the Senate's rules. We don't intend to force a vote today; in fact, we hope that we can return from the break and spend some time on the floor debating our resolution, considering amendments to make it better, and debating other resolutions. This should not be a partisan exercise. I think almost every one of us who have spoken today have said that. We know both sides have abused the rules, and now it is time for us to work together to fix them.

But we believe the Senate of the 112th Congress has two paths from which to choose. There is the first path: We do nothing and just hope the spirit of bipartisanship and deliberation returns—the truth is we have been

on this path for a while now, and I think the results are pretty clear—or we can take a second path: We can take a good, hard look at our rules, how they incentivize obstructionism, how they inhibit rather than promote debate, and how they prevent bipartisan cooperation, and then we should implement commonsense reforms to meet these challenges, reforms that will restore the uniquely deliberative nature of this body, while also allowing it to function more efficiently.

I contend that we not only should but have a duty to choose the second path. We owe it to the American people and to the future of this institution we all serve.

The reform resolution we introduce today is our attempt at the second path. It contains five reforms that should garner broad, bipartisan support—if we can act for the good of the country and not the good of our parties.

The first two provisions in our resolution address the debate on motions to proceed and secret holds. These are not new issues. Making the motion to proceed nondebatable or limiting debate on such a motion has had bipartisan support for decades and is often mentioned as a way to end the abuse of holds.

I was privileged to be here for Senator Byrd's final Rules Committee hearing, where he stated:

I have proposed a variety of improvements to Senate rules to achieve a more sensible balance, allowing the majority to function while still protecting minority rights. For example, I have supported eliminating debate on the motion to proceed to a matter . . . or limiting debate to a reasonable time on such motions.

In January, 1979, Senator Byrd—then-majority leader—took to the Senate floor and said unlimited debate on a motion to proceed ''makes the majority leader and the majority party the subject of the minority, subject to the control and the will of the minority.''

Despite the moderate change that Senator Byrd proposed—limiting debate on a motion to proceed to 30 minutes—it did not have the necessary 67 votes to overcome a filibuster.

At the time, Senator Byrd argued that a new Senate should not be bound by that rule, stating:

The Constitution, in Article I, Section 5, says that each House shall determine the rules of its proceedings. Now we are at the beginning of Congress. This Congress is not obliged to be bound by the dead hand of the past.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. UDALL of New Mexico. Madam President, I ask unanimous consent for another 2 minutes—also recognizing the Republican side has speakers—to wrap up.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. UDALL of New Mexico. Madam President, efforts to reform the motion to proceed have continued since. In 1984, a bipartisan Study Group on Senate Practices and Procedures recommended placing a 2-hour limit on debate of a motion to proceed. That recommendation was ignored.

In 1993, Congress convened the Joint Committee on the Organization of Congress. That was a bipartisan, bicameral attempt to look at Congress and determine how it can be a better institution. My predecessor, Senator Domenici, was the co-vice chairman of that committee. He was a long-time Republican here, and he supported that.

The third provision in the resolution is included based on the comments of Republicans at last year's Rules Committee hearings. Each time Democrats complained about filibusters on motions to proceed, Republicans responded that it was their only recourse because the majority leader fills the amendment tree and prevents them from offering amendments. Our resolution provides a simple solution, guaranteeing the minority the right to offer amendments.

The fourth provision in the resolution, which Senator MERKLEY will cover extensively, is regarding the talking filibuster. We want to replace a silent filibuster with a talking filibuster.

Finally, our resolution reduces postcloture time on nominations from 30 hours to 1. Postcloture time is meant for debating and voting on amendments—something that is not possible on nominations.

Instead, the minority now requires the Senate use this time simply to prevent it from moving on to other business.

These reforms will not, as some have contended, make the Senate the same as the House. We understand, and respect, the Framers intent in structuring the Senate to be a uniquely deliberative body. Minority rights are a critical piece to its unique operations. Which is exactly why they remain protected in our reform resolution.

But the current rules have done away with any deliberation and we have instead become a uniquely dysfunctional body.

Our resolution will make actual debate a more common occurrence. It would bring our legislative process into the light, and hopefully, it would help restore the Senate's role as the ''world's greatest deliberative body.''

With that, I will sum up and say that reform is badly needed. We have a responsibility to the Constitution and to the American people to come together and fix the Senate. We were sent to Washington to tackle the Nation's problems. But we find that the biggest problem to tackle is Washington itself.

With that, I ask unanimous consent that an editorial on the filibuster that appeared in the Washington Post, and an op-ed piece in the New York Times by Walter Mondale be printed in the RECORD.

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

[From the New York Times, Jan. 2, 2011]

REFORM AND THE FILIBUSTER

The new Senate will face one of its most momentous decisions in its opening hours on Wednesday: a vote on whether to change its rules to prohibit the widespread abuse of the filibuster. Americans are fed up with Washington gridlock. The Senate should seize the opportunity.

A filibuster—the catchall term for delaying or blocking a majority vote on a bill by lengthy debate or other procedures—remains a valuable tool for ensuring that a minority of senators cannot be steamrollered into silence. No one is talking about ending the practice.

Every returning Democratic senator, though, has signed a letter demanding an end to the almost automatic way the filibuster has been used in recent years. By simply raising an anonymous objection, senators can trigger a 60-vote supermajority for virtually every piece of legislation. The time has come to make senators work for their filibusters, and justify them to the public.

Critics will say that it is self-serving for Democrats to propose these reforms now, when they face a larger and more restive Republican minority. The facts of the growing procedural abuse are clearly on their side. In the last two Congressional terms, Republicans have brought 275 filibusters that Democrats have been forced to try to break. That is by far the highest number in Congressional history, and more than twice the amount in the previous two terms.

These filibusters are the reason there was no budget passed this year, and why as many as 125 nominees to executive branch positions and 48 judicial nominations were never brought to a vote. They have produced public policy that we strongly opposed, most recently preserving the tax cuts for the rich, but even bipartisan measures like the food safety bill are routinely filibustered and delayed.

The key is to find a way to ensure that any minority party—and the Democrats could find themselves there again—has leverage in the Senate without grinding every bill to an automatic halt. The most thoughtful proposal to do so was developed by Senator Jeff Merkley of Oregon, along with Tom Udall of New Mexico and a few other freshmen. It would make these major changes:

NO LAZY FILIBUSTERS

At least 10 senators would have to file a filibuster petition, and members would have to speak continuously on the floor to keep the filibuster going. To ensure the seriousness of the attempt, the requirements would grow each day: five senators would have to hold the floor for the first day, 10 the second day, etc. Those conducting the filibuster would thus have to make their case on camera. (A cloture vote of 60 senators would still be required to break the blockade.)

FEWER BITES OF THE APPLE

Republicans now routinely filibuster not only the final vote on a bill, but the initial motion to even debate it, as well as amendments and votes on conference committees. Breaking each of these filibusters adds days or weeks to every bill. The plan would limit filibusters to the actual passage of a bill.

MINORITY AMENDMENTS

HARRY REID, the majority leader, frequently prevents Republicans from offering amendments because he fears they will lead to more opportunities to filibuster. Republicans say they mount filibusters because they are precluded from offering amendments. This situation would be resolved by allowing a fixed number of amendments from each side on a bill, followed by a fixed amount of debate on each one.

Changing these rules could be done by a simple majority of senators, but only on the first day of the session. Republicans have said that ramming through such a measure would reduce what little comity remains in the chamber.

Nonetheless, the fear of such a vote has led Republican leaders to negotiate privately with Democrats in search of a compromise, possibly on amendments. Any plan that does not require filibustering senators to hold the floor and make their case to the public would fall short. The Senate has been crippled long enough.

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[From the New York Times, Jan. 1, 2011]

RESOLVED: FIX THE FILIBUSTER

(By Walter F. Mondale)

MINNEAPOLIS, MN—We all have hopes for the New Year. Here's one of mine: filibuster reform. It was around this time 36 years ago—during a different recession—that I was part of a bipartisan effort to reform Senate Rule 22, the cloture rule. At the time, 67 votes were needed to cut off debate and thus end a filibuster, and nothing was getting done. After long negotiations, a compromise lowered to 6o the cloture vote requirement on legislation and nominations. We hoped this moderate change would preserve debate and deliberation while avoiding paralysis, and for a while it did.

But it's now clear that our reform was insufficient for today's more partisan, increasingly gridlocked Senate. In 2011, Senators should pull back the curtain on Senate obstruction and once again amend the filibuster rules.

Reducing the number of votes to end a filibuster, perhaps to 55, is one option. Requiring a filibustering senator to actually speak on the Senate floor for the duration of a filibuster would also help. So, too, would reforms that bring greater transparency—like eliminating the secret ''holds'' that allow senators to block debate anonymously.

Our country faces major challenges—budget deficits, high unemployment and two wars, to name just a few—and needs a functioning legislative branch to address these pressing issues. Certainly some significant legislation passed in the last two years, but too much else fell by the wayside. The Senate never even considered some appropriations and authorization bills, and failed to settle on a federal budget for all of next year. Votes on this sort of legislation used to be routine, but with the new frequency of the filibuster, a supermajority is needed to pass almost anything. As a result the Senate is arguably more dysfunctional than at any time in recent history.

People give lots of reasons for not reforming the filibuster. The minority often claims that it needs the filibuster to ensure that its voice is heard, even though the filibuster is now used to prevent debate from ever beginning. What really gets me, though, is when opponents to reform point to the provision left in Rule 22 after 1975 saying that the Senate cannot change any of its rules without a two-thirds supermajority to end debate.

This requirement cannot constrain any future Senate. A long-standing principle of common law holds that one legislature cannot bind its successors. If changing Senate rules really required a two-thirds supermajority, it would effectively prevent a simple majority of any Senate from ever amending its own rules, which would be unconstitutional. Article I, Section 5 of the Constitution states: ''Each House may determine the rules of its proceedings.'' The document is very explicit about the few instances where a supermajority vote is needed — and changing the Senate's procedural rules is not among them. In all other instances it must be assumed that the Constitution requires only a majority vote.

In other words, the fact that one Senate, decades ago, passed the two-thirds majority rule does not mean that all future Senates are bound by it. This year's new Senate could use this ''constitutional option'' to force a vote on any change to Senate rules, including Rule 22, and change them with a simple majority.

At the very opening of Congress in 1975, my colleagues and I announced our proposal to amend Rule 22, and threatened to force a majority vote to end a filibuster on the change if the minority tried to block it. In the end, we reached the 60-vote compromise, and never had to use the constitutional option after all. A similar strategy would likely work today.

Tom Udall, Democrat of New Mexico, has said that in a few days, at the beginning of the 112th Congress, he will call on the Senate to exercise its constitutional right to change its rules of procedure, including Rule 22, by a simple majority vote. I wholeheartedly support his effort and encourage both Democrats and Republicans to cooperate with him. The filibuster need not be eliminated, but it must no longer be so easy to use.

Mr. UDALL of New Mexico. I know my colleague, AMY KLOBUCHAR, is here. Senator Mondale was a distinguished former Vice President and leader in the Senate, and he wrote the very passionate piece in the New York Times that I have just had printed in the RECORD.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Madam President, my colleagues and any of the public watching the debate today know there is a great partisan divide thus far. Senator WYDEN has already referred to the motion he and I are putting before the Senate. Senator WYDEN, a Democrat, and I, a Republican, are joined also by Senator MCCASKILL, who is the Presiding Officer now, as well as Senator COLLINS, in this effort. It is the only bipartisan issue before the Senate this particular day. I emphasize that because I think the public ought to know that not everything in the Senate is partisan.

Senator WYDEN and I have been chipping away at the informal, backroom process known as secret holds in the Senate. We have been working on this for well over 10 years. So it should not surprise anybody that we are back again at the start of another Congress, joined, as I said, by Senator MCCASKILL of Missouri, who was very helpful in our pushing this issue to the forefront at the end of the last Congress, and, as I said, I am pleased that we have Senator COLLINS onboard again.

There has been a lot of talk lately about the possibility of far-reaching reforms to how the Senate does business that have been hastily conceived and could shift the traditional balance between the rights of the majority and the rights of the minority parties.

In contrast, our resolution by Senator WYDEN and this Senator is neither of those two things. In other words, it does not shift any balance between the majority and the minority.

This resolution is well thought out, a bipartisan reform effort that has been the subject of two committee hearings and numerous careful revisions over several years. In no way does it alter the balance of power between the minority and majority parties, nor does it change any rights of any individual Senator. This is simply about transparency, and with transparency you get a great deal of accountability.

I wish to be very clear that I fully support the fundamental right of any individual Senator to withhold his consent when unanimous consent is requested. In the old days when Senators conducted much of their daily business from their desks on the Senate floor and were on the Senate floor for most of the day, it was quite a simple matter for any Senator at that time to stand up and say ''I object'' when necessary, if they really objected to a unanimous consent request, and that was it. That stopped it. Now, since most Senators spend most of their time off the Senate floor because of the obligation of committee hearings, the obligation of meeting with constituents, and a lot of other obligations we have, we now tend to rely upon our majority leader in the case of the Democrats or the minority leader in the case of the Republicans to protect our rights, privileges, and prerogatives as individual Senators by asking those leaders or their substitutes to object on our behalf.

Just as any Senator has the right to stand on the Senate floor and publicly say ''I object,'' it is perfectly legitimate to ask another Senator to object on our behalf if he cannot make it to the floor when unanimous consent is requested. By the same token, Senators have no inherent right to have others object on their behalf while at the same time keeping their identity secret, thus shielding their legislative actions from the public, because that is not transparency and it is obviously not being accountable.

What I object to is not the use of the word ''holds'' or the process of holding up something in the Senate, but I object to what is called secret holds. The adjective ''secret'' is what we are fighting. If a Senator has a legitimate reason to object to proceeding to a bill or a nominee, then he or she ought to have the guts to do so publicly.

A Senator may object because he does not agree to the substance of a bill and therefore cannot in good conscience grant consent or because the Senator has not had adequate opportunity to review the matter at hand. Regardless, we should have no fear of being held accountable by our constituents if we are acting in their interest, as we are elected to do. I have practiced publicly announcing my holds for many years, and it has not hurt one bit. In fact, some of the Senators who are most conscientious about protecting their prerogatives to review legislation before granting consent to its consideration or passage are also quite public about it.

In short, there is no legitimate reason for any Senator, if they place a hold, to have that hold be secret.

How does our proposal achieve transparency and the resultant accountability? In our proposed standing order, for the majority or minority leader to recognize a hold, the Senator placing the hold must get a statement in the RECORD within 1 session day and must give permission to their leader at the time they place the hold to object in their name, not in the name of the leader. Since the leader will automatically have permission to name the Senator on whose behalf they are objecting, there will no longer be any expectation or pressure on the leader to keep the hold secret.

Further, if a Senator objects to a unanimous consent request and does not name another Senator as having the objection, then the objecting Senator will be listed as having the hold. This will end entirely, once and for all, the situation where one Senator objects but is able to remain very coy about whether it is their own objection or some unnamed Senator. All objections will have to be owned up to.

Again, our proposal protects the rights of individual Senators to withhold their consent while ensuring transparency and public accountability. In Congress, as well as almost anyplace in the Federal Government—except maybe national security issues—the public's business always ought to be public and the people who are involved in the public's business ought to stand behind their actions. As I have repeatedly said, the Senate's business ought to be done more in the public than it is, and most of it is public, but this secret hold puts a mystery about things going on in Washington that hurts the credibility of the institution.

This principle of accountability and transparency is a principle that I think the vast majority, if not all, of Senators can get behind. I believe the time has come for this simple, commonsense reform.

I yield the floor. Under the UC, if it is permissible to retain the remainder of our time, I do that.

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

Mr. GRASSLEY. I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Oregon.

Mr. MERKLEY. Madam President, the Senate is broken. During the course of my first 2 years in this body, there have been only a couple serious debates in this Chamber. The first one happened just a couple weeks ago, and that was an impeachment trial of a judge. The magic began because the cameras were turned off. Senators were not speaking to the camera; they were speaking to each other. Second, they were required to be on the floor, so they were required to listen to each other. After all the evidence had been presented, Senators started to engage back and forth about their interpretations of the evidence, about the standards that would constitute grounds for conviction. One would not have been able to tell who was a Republican or who was a Democrat. We had a real debate, but it took 2 years to have that first debate. Then we had a debate over the START treaty. That was a pretty good debate too. That also happened just a couple weeks ago. For the balance of 2 years, there has virtually never been a serious debate on this floor with Senators hearing each other out, listening to each other, considering the pros and cons, addressing each other's amendments.

That is a tremendously different Senate from the Senate I first witnessed when I came here as a young man, as an intern for Senator Hatfield in 1976. I was up in the staff section. I would come down to meet Senator Hatfield on a particular tax reform bill that had a series of amendments. I would brief him on the amendment that was being debated. He would come in, talk it over with folks, and vote. An hour later, there would be another vote, and an hour later, another vote, with debate in between, back and forth, with enormous respect and courtesy among the Members to the principle of the Senate being a body of deliberation, a body of debate. But today, that respect is gone. The most visible sign of the decrease in the mutual accord has been the abuse of the filibuster.

''Filibuster'' is a common term we use for a decision to oppose the termination of debate and oppose voting with a straight majority as envisioned in the Constitution. That starts from a principle of mutual respect, that is, as long as any individual has an opinion that bears on the issue at hand, that Senator should be able to express that opinion and we as a body should be able to hear it. Out of that would come a better policymaking process. Unfortunately, over time, that mutual respect has been yielded more and more as an instrument of obstruction because each time a Senator objects to a simple majority vote, under the rules they create a 1-week delay and a supermajority hurdle. If one objects 50 times a year, they have wiped out every single week of the year.

This chart gives some indication of how grossly the principle of mutual respect and debate has been corrupted and abused.

From 1900 through 1970, there was an average of a single use of the filibuster each year—an average of 1 per year over that 70-year period. In the 1970s, that climbed to an average of 16 per year; in the 1980s, an average of 21 per year; in the 1990s, an average of 36 per year; between 2000 and 2010, this last decade, 48 per year; and in the last 2 years I have served in the Senate, 68 per year—an average of 68 per year or roughly 135, 136 in that 2-year period. If each one of these absorbs 1 week of the Senate's time, one can see how this has been used to essentially run out the clock and obstruct the very dialog on which the Senate would like to pride itself.

There is a statement about the Senate: the world's greatest deliberative body. But today in the modern Senate, that incredible tribute to this Chamber has been turned into an exclamation of despair. Where did that deliberative body go—not only not the greatest deliberative body but virtually devoid of deliberation due to this abuse. We went from mutual respect to essentially mutual legislative destruction using this filibuster.

In 2010, this last year past, not a single appropriations bill passed. We have a huge backlog of nominations. Our role of advice and consent has been turned into obstruct and delay in terms of nominations for the executive branch and the judiciary. We have a constitutional responsibility to express our opinion, but this body, by using the filibuster, has prevented Senators from advising and consenting, either approving or disapproving these nominations. It certainly is terrible to have our responsibilities as a legislature damaged, but not only have we done that, we have proceeded to damage the executive branch and the legislative branch—quite an intrusion on the balance of powers envisioned in our Constitution. Then we have the hundreds of House bills that are collecting dust on the floor because they cannot get to this Chamber because of this abuse.

All of this needs to change. When I first came here in the 1970s, when there was a challenge in 1975, there was a huge debate, and it resulted in changing the level required to overcome the filibuster from 67 Senators to 60 Senators. Yet in 1973 and 1974, the 2 years that preceded, there was only an average of 22 filibusters a year, not 68. We have more than tripled the dysfunction that led to the last rules debate.

That is why we are here today—to find a path forward. There are so many who have been so instrumental in this debate. So many Members of the class of 2006, 2008, and now Members of 2010 are engaged in this effort. My hat goes off to Senator SCHUMER for leading the hearings in the Rules Committee and trying to find that balance between every Senator's right to be heard and our collective responsibility for the majority to legislate. Senator UDALL has done this enormous investigation of the constitutional process for amending the rules and so many others.

The first key part in the package of reforms a number of us—16, I believe, now have cosponsored this resolution—is the talking filibuster. The talking filibuster reform is essentially to make the filibuster what all Americans believe it is; that is, if you believe so strongly that this Chamber is headed in a direction that is misguided, you should be willing to come and take this floor and make your case to the American people.

Let's take a look at our image of that. Here we are: Jimmy Stewart

playing the role of Jefferson Smith, who comes to this Chamber where I now stand and says: I will take this floor to oppose the abuses that otherwise might go forward, and he held that floor until he collapsed.

That is what the American people believe a filibuster is all about. You want to make your case before the American people. But today we don't have a talking filibuster in the Senate. We have the silent filibuster.

Let's take a look at what that looks like. This is the way it works: A Senator takes their phone—maybe an old or modern phone—they call the cloakroom, and they say: I object to a majority vote, and then they go off to dinner. They do not take the floor with principle and conviction to say to the American people: Here is why I am delaying the Senate. Here is why I am going to hold this floor. This is not a situation we can allow to go forward and I am going to stand here and make my case and, American citizens, please join me and help me convince the other Senators in this room. That is the talking filibuster. But now we have the silent filibuster.

My good colleague from Tennessee spoke earlier, and he said: I would like to have the talk-your-head-off proposal. I am glad to hear him back the talking filibuster—the Jimmy Stewart filibuster. That is what this reform does. It says, when folks object to concluding debate, it is because they have something to say, and so we are going to require they come to the floor and say it. It is that simple. When nobody has anything left to say, then we will proceed with a majority vote. We don't change the number of Senators required one bit. It is still 60, which completely honors that principle established in 1975.

The second main proposal is the right to amend. A number of our colleagues on both sides of the aisle have been very concerned about the fact that issues come to this floor and you can only amend if you get unanimous consent to put an amendment forward, and that only works, largely, if there is a deal that has been worked out between the majority and the minority leaders. Some of my colleagues across the aisle say they are offended by their inability to amend.

I can assure my colleagues across the aisle that I am equally offended. I wanted desperately to be able to offer amendments to President Obama's tax package that came through here because I think we could have improved it, and I think we should have seen amendments from the other side. This is an issue of concern from both sides. This proposal addresses that and says there will be a guaranteed set of amendments that the minority leader can pick from among the minority members and a guaranteed set of amendments the majority leader can pick from among the majority members, but we get the process of amendments going.

If they want to have unanimous consent to increase that number to a higher level, get more for the minority or the majority side, that would be terrific, but at least they can't say no amendments. No leader can block the principle that each side has the opportunity to amend.

The third point is on nominations. Right now, we have this huge backlog. This resolution makes a modest change in nominations. It says the period following cloture will be reduced from 30 hours to 2 hours. We have already had the debate over the individual, let's have the vote. That is what that says. This means Senators will be less tempted to use the filibuster on nominations as an instrument to delay and obstruct the Senate. It is not a completely pure reform but a step forward in the right direction.

Our fourth is the ban on secret holds. Senator GRASSLEY has spoken to this, and Senator WYDEN will speak to it. Senator MCCASKILL has joined with them and others, and I believe at one time point there were as many as 70 Senators expressing in a letter their support to get rid of the secret hold. Anyone who wants to hold up legislation should have to stand on this floor and present their objection to this Chamber, to their colleagues, and to the American people.

When folks have to take a position on this floor, whether it be through the talking filibuster or through publicly announced holds, then the American public can weigh in. Then you are taking the business out of the back rooms and onto the floor of this Chamber and American citizens can say: You are a hero for your actions or you are a bum for what you are doing.

The fifth point is a clear path to debate. Right now, a lot of times we suffer through just getting to debate; that is, getting onto a bill to begin with or proceeding to a bill. There is probably no better example of the abuse of the filibuster—which was supposed to be mutual respect for debate—being used to prevent debate. So under this proposal, there would be 2 hours of debate over whether to proceed to a bill and then we would vote. We would either go to the bill or we would not. If Senators then want to filibuster on the bill, they can do it, but it would be a talking filibuster, where we are not in the back rooms, we are out here making our case.

These five concepts are not radical concepts. They are modest steps toward saying that in this incredibly partisan environment we now operate in, where so many press outlets are attacking on each side all the time and so on and so forth, we have to set ourselves on the path to taking ourselves out of that hyperpartisan atmosphere and start to restore the Senate as a place of dialog and debate. Perhaps these are modest steps but modest steps in the right direction, and that is an extremely important way to go. So I call on my colleagues on both sides of the aisle—colleagues who have said there should be amendments, colleagues who have spoken in favor, on both sides of the aisle, of the Jimmy Stewart model of holding this floor and having talking filibusters—to approve this. Let's use the start of this 2-year period to acknowledge that something is deeply wrong when, in a 2-year period, we have 135 or 138 filibusters eating up all the floor time and preventing modest bills from moving forward and keeping us on this path to gridlock. The Senate is broken. Let's fix it.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I have enjoyed this extensive opportunity to hear my colleagues on a very important subject about what the nature of the Senate will be. I am going to have about 10 minutes of remarks on the comments of Senators MERKLEY and UDALL, and then I will yield to Senator WYDEN, for his comments.

If I could say anything from deep down within me to my colleagues who are so exercised about this, it would be this: Before we change the rules, use the rules.

We talk about Senator Byrd a lot because he understood the rules so well. I have often told the story of when Senator Baker became the Republican majority leader in 1981. He went to see Senator Byrd, the Democratic leader, and said: Senator Byrd, I am suddenly the majority leader. I will never know the rules as well as you do, so I will make a deal with you. If you will not surprise me, I will not surprise you. Senator Byrd said: Let me think about it. The next morning he told Senator Baker he would do that.

The reason I mention those two Senators is because, before we get too mired down in our differences, let us think for a moment about what our goal ought to be. The goal for the Senate, to me, is to return the Senate to the way it operated during those 8 years when Senator Byrd and Senator Baker were the leaders of their parties. Four years Senator Byrd was the majority leader and 4 years Senator Baker was the majority leader.

I have talked to staff members, some of whom are still around. Senator MERKLEY's history goes back to Senator Hatfield in 1976, but I first came in 1967 as Senator Baker's legislative assistant, when there was only one legislative assistant per Senator. In 1977, I came back and spent 3 months with Senator Baker when he became the Republican leader, and I followed him pretty closely during the next 8 years.

Here is the way it worked back then.

The majority leader—whether it was Senator Byrd or Senator Baker—would bring a bill to the floor. He would get the bill to the floor because Senators knew they were going to get to debate and amend the bill. The Senator from Oregon is talking about no debates occurring today. Well, of course there are no debates, because when Republicans

come down here with amendments, the majority leader doesn't let us offer them. All those cloture motions he is talking about means the majority leader is cutting off my right to represent my people and offer an amendment in a debate. They are calling a filibuster a cutoff. It wouldn't be a filibuster if the majority leader weren't cutting off my right, which he has done more than the last six majority leaders combined.

But let's go back to what our goal should be. Senators Byrd or Baker would say: OK. The Energy bill or the education bill is up, everybody get their amendments in. They might get 300 amendments filed. At some point, the majority leader would say: I ask unanimous consent that the amendments be cut off. Of course, they would get that after a while because everybody had all the amendments in that they could think of.

You didn't go to the majority leader down on your knees and say: Mr. Majority Leader, may I please offer this amendment or that amendment. You just put your amendment out there, and then they started voting.

Then Senators Byrd and Baker did something else we don't do today, which is why I am talking about using the rules before we change the rules. They debated, they voted; they debated, they voted; they debated; they voted. Of course, 300 amendments are a lot of amendments to get through. So the leaders and the staff would say to the Senator from North Carolina or the Senator from Oregon: Are you sure you want 25 amendments? It is Wednesday night. No, 10 will be enough. On Thursday night they might say: Are you sure you want these five amendments? It is Thursday night. We are going to be here Friday, and we are going to finish this bill. We will be here Saturday if we have to be, and we will be here Sunday. You are going to get your amendments, and we are going to vote on it, but we are going to finish the bill. That is what the leaders did.

Sometimes there would be a piece of legislation that would come up where one side or the other wanted to kill it and so they would try to kill it. That's just like we would do today, if Democrats were to bring up a bill to abolish the secret ballot in union elections. We would do everything we could to kill it. If the House passes a bill and brings it over here to repeal the health care law, the Democrats are going to do everything they can to kill it. That is separate. But most of the time under the leadership of Senators Byrd and Baker, the bill came to the floor, there was bipartisan cooperation, and there were amendments.

Why was there bipartisan cooperation? Because the leaders knew that unless they had it, they wouldn't move an inch. Being good Senators, they wanted to do their jobs. In fact, Senator Baker would often tell his Republican chairmen: Don't even bring the bill to the floor unless the ranking member, the Democrat, is with you. So most of the time, you would have the Democrat and the Republican there together and they would allow amendments, would fight other amendments off, and they would get to a conclusion. There weren't so many filibusters because the majority leader wasn't cutting off the right to debate and calling it a filibuster. This is a word trick is what this is.

I have talked to a lot of my friends on the Democratic side and a lot of Republicans and I think we basically want the same thing. I think we want a Senate that works better. I think it is now a mere shadow of itself. I agree with Senator MERKLEY about that but not because of filibusters. It is because the majority leader is cutting off debate and calling it a filibuster.

The majority leader and the Republican leader I commend today because they have been talking about how we can do better. We all know that changing our behavior will be more lasting than changing the rules. I am glad Senators REID and MCCONNELL are working on this. They have asked Senator SCHUMER and me to work on it some more, and we are going to do that. We have had several meetings and we have another this afternoon and we will keep working. We will consider carefully these proposals or any others that come, and we will see if we can come to some agreement about how to move ahead.

My heartfelt plea is before we change the rules, let's use the rules. Going down through the list of reform suggestions:

The motion to proceed—that is a difficult one for many of us because if you are in the minority the motion to proceed is your weapon to require the majority to give you amendments.

Secret holds—Senator WYDEN tells me he and Senator GRASSLEY have been working on that for 15 years. They have Republican support and Democratic support for it. Maybe this is the time to deal with secret holds. I make my holds public. When I was nominated for the U.S. Education Secretary by President Bush, the Senator from Ohio held me up for 3 months and never said why. I went around to see the Senator Rudman from New Hampshire and asked him what to do. He said when he was nominated by President Ford to the Federal Communications Commission, the Senator from New Hampshire held him up. Finally Rudman withdrew his name and ran for the Senate against the Senator and beat him. That is how Senator Rudman got in the Senate. Secret holds is an area that has had a lot of work and bipartisan support.

The right to offer amendments—the problem I have with altering the current rules is that offering amendments is what we do. I went to see Johnny Cash one time in the 1980s, and I asked him a dumb question, I said: Johnny, how many nights are you on the road? He said: Oh, 200. I said: Why do you do that? He said: That is what I do. If you are on the Grand Ole Opry, you sing. If you are in the Senate, you offer amendments and you debate. That is what we do, that is what we are supposed to do. Yet we have not been allowed to do it.

Talking filibusters—if we are talking about the postcloture period, the problem with that is the majority has not used the rules. If I object to going forward with a bill, the majority, if they think I am abusing the rules, can say OK, Senator ALEXANDER, get down there on the floor because we are going to be here all night. And you can only get 7 hours and then you have to line up 23 other Senators to take 1 hour each, and if you stop talking we are going to put the question to a vote. If you do a number of certain other things we are going to make a dilatory motion. In other words, the majority can make it really hard for a Senator who objects.

Someone said one, two, three, or four Senators can hold this place up. They cannot hold it up. Because if you have 60 votes you can pass anything. If you have 60 votes you can pass anything and Senator Byrd said in his last testimony before the Rules Committee that you can confront a filibuster by using the rules.

The last two things we could do are, No. 1, we could stop complaining about voting. It happens on the Republican side and the Democratic side. If somebody offers an amendment that is controversial and everybody runs up to the leader and says we don't want to vote on that, then too bad. We are here to vote. That is why we are here so we should do that.

The third thing we can do, and Senator Byrd suggested this in his last testimony, is let's get rid of the 3-day work week. There is not enough time for all the Senators to offer their amendments and there is not enough time for the majority to confront the minority if they think the filibuster is being abused if we have a 3-day work week, and we never vote on Friday. We did not vote on Friday one time last year.

Let's use the rules. If you think we are holding something up improperly, confront that Senator. Run over him. You can do it. You have the power to do it if you have 60 votes. In this new Congress there will be plenty of opportunities there.

Finally I am going to take these five suggestions and work with Senator SCHUMER and work with my friends on the other side. They are very thoughtful. Senator UDALL spent a lot of time on this, Senator WYDEN and Senator GRASSLEY spent 15 years. Senator MERKLEY used to be a speaker. We have talked a number of times. I greatly respect his work in his State and the fact that he has seen the Senate for a long period of time. I am taking very seriously everything that is said here. I am just worried about turning the Senate into the House.

We have a majoritarian organization over there. They can repeal the health

care law or they can get rid of the secret ballot in union elections with a majority vote. If you turn this place into that, you just go bam, bam and it is done. The Senate is the place for us to say: Whoa, whoa, let's see if we can get a consensus before we do anything.

When we get a consensus we not only get a better bill, but usually, the country accepts it better. The American people like to see us cooperating. They like to see us coming up with a tax bill or treaty or civil rights bill or a health care bill or a financial regulation bill, where we all have something in it. They feel better about that product. It is the check and the balance that is the genius of our system.

Obviously we can do some things better around here. I am committed to trying. I thank my friends for the amount of time and effort they have given. I am going to take everything they have said very seriously and in the spirit they have offered it. But I hope a part of our solution is that we use the rules before we change the rules because this is the forum to protect minority rights, this is the forum to force a consensus, and we dare not lose that. We dare not lose that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I ask unanimous consent the Senate proceed to the immediate consideration of the bipartisan Wyden-Grassley-McCaskill-Collins resolution to end secret holds, which is at the desk.

The PRESIDING OFFICER. Is there objection?

Mr. ALEXANDER. Madam President, reserving the right to object, as I said earlier, Senator WYDEN and Senator GRASSLEY and Senator MCCASKILL and others have worked on this, some of them for as long as 15 years. They have made significant progress in gaining bipartisan support. I am going to object but only for the reason that this is one of the items we will be discussing and working on over the next few weeks with the hope that perhaps we can get agreement over here and agreement over there. It has been mentioned by all of the speakers today. It is a very serious proposal. But because we do not want to resolve it today, I object.

The PRESIDING OFFICER. Objection having been heard, the resolution will go over under the rule.

The Senator from Oregon.

Mr. WYDEN. Madam President, before he leaves the floor, let me thank Senator ALEXANDER for the discussions he has had with me on this issue. Senator MCCONNELL has also spoken with me about this. I wish we were getting this done today, largely because this would give us a chance on the first day of the Senate's new session to send a message that once and for all we were deep-sixing secrecy, that we were saying public business ought to be done in public. I wish it were being done today but I understand completely the sentiments of the Senator from Tennessee and the fact that he is willing to work with me is something I appreciate.

As I have indicated, there are obviously significant differences between the parties about how to reform the rules of the Senate. What I hope will be done—certainly the very first day that the Senate comes back and is in a position to formally act, which appears to be January 24—is once and for all we would bring Democrats and Republicans together around an extraordinarily important change in the Senate procedures that Senator GRASSLEY and I have been trying to change for literally 15 years. Particularly with the energy and enthusiasm Senator MCCASKILL has brought to the cause, I think we are now on the cusp of being able to finally get this done.

It has been clear that if you walk up and down the Main Streets of this country, people do not know what a secret hold is. Probably a lot of people think it is a hair spray. The fact of the matter is there are practically more versions of secret holds in the Senate than there are in pro wrestling. But what a secret hold is really all about, it is one of the most extraordinary powers an individual Senator has here in the Senate and it can be exercised without any transparency and without any accountability whatsoever. What a secret hold is all about is one Senator can block the American people, the entire country, from learning about a piece of legislation that can involve billions of dollars, scores and scores of people, or a nomination with the ability to influence the lives of all Americans. One Senator can block that consideration without owning up to the fact that Senator is the one who is defying the public's right to know about how Senate business is blocked.

That is wrong. It is not about how Republicans see it, or Democrats see it, it is just common sense. Most people say, when you tell them that a Senator can block an enormously important piece of legislation or a nomination that affects millions of people and they can do it in secret, I can't believe you have those kinds of rules.

The fact is, that is the way the Senate operates. Suffice it to say it is getting worse. A few days ago, for example, Chief Justice Roberts said that the number of vacancies on our courts is creating a judicial emergency. Those are the words of Chief Justice Roberts.

At least 19 Federal judges have been approved by the Senate Judiciary Committee unanimously or near unanimously and never got a vote on the floor of the Senate. Not one Senator has publicly taken responsibility for worsening the judicial crisis that Chief Justice Roberts has been decrying over the last few days. Think about that. The Chief Justice of the United States during the Christmas holidays included in his annual report on the Judiciary that the delay in confirming federal judges is creating an emergency in the judicial system.

Chief Justice Roberts, in my view, is correct. I think we do have an emergency. We have been trying to get several judges in the State of Oregon approved, Senator MERKLEY and I have been working to get this done. But these nominees and others have been blocked and no Member of the Senate will publicly take responsibility for worsening this crisis that Chief Justice Roberts is appropriately so concerned about.

We have tried in the past with legislation to end secret holds. We actually got a law passed at one time to get rid of secret holds. We have tried with pledges from the leadership of both political parties. In every instance, the defenders of secrecy have found their way around the requirements and, in my view, the public interest.

I will make two points and then I want to allow Senator MCCASKILL to have a chance to address this issue. There are two points with respect to why this effort to end secret holds would be different. The first is that every hold here in the Senate, after the passage of this bipartisan resolution, would have a public owner. Every single hold would have a public owner. Second, there would be consequences. In the past, there have not been consequences for the individual who would object anonymously. In fact, the individual who would object would usually send someone else out to do their objecting for them and there would be complete anonymity for, essentially, all concerned because the person who would be objecting would be in effect saying this is not my doing, I am doing it for somebody else.

The heart of this bipartisan compromise is to make sure that every hold has a public owner and there would be consequences. There may be a Senator around here who becomes known as ''Senator Obstruction.'' Senator Obstruction is the one who is trying to block public business. Let him explain it to the American people.

I will have more to say about it in a little bit, and there is the possibility of other colleagues coming to speak. But Senator MCCASKILL has brought the kind of energy and passion to this that has made it possible for us to, as I say, be on the cusp of finally forcing, here in the Senate, public business to be done in public. I thank her for all her help and will allow her to take the time. She said she thought she might speak for around 10 minutes. Senator KLOBUCHAR, who has also been a great and passionate advocate of open government, will also speak, and for colleagues who have an interest we have 30 minutes of time.

I say to Senator MCCASKILL, with appreciation for all she has done, the time is hers.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Madam President, when I arrived in this Chamber 4 years ago at this time, I had no idea what the ways of the Senate were. I had an idea

that this was a place where people came to debate and to have a collegial relationship with fellow Senators across the aisle. There had been a lot of problems with ethical issues in the Capitol. So one of the first things that happened to the class of 2006 was S. 1, and S. 1 was a far-reaching ethics bill that included things such as no more free flights on corporate jets. It included new requirements in terms of gifts from lobbyists, and it also included a provision that I did not know at the time had been worked on by Senator WYDEN and Senator GRASSLEY for many years.

That provision said we were not going to have secret holds anymore. So imagine how great I felt on January 18, 2007, that we had done this comprehensive ethics bill that was going to clean up our act, and that we were not going to have secret holds. Well, I find it ironic that Senator ALEXANDER says: Well, just use the rules. Just use them.

Well, so when I started figuring out that the game around here in the last 18 months had developed into a game of secret holds, I asked my staff: Hey, did we not have something in S. 1 about secret holds? Not knowing really the relationship that language had to Senator WYDEN and Senator GRASSLEY.

So my staff pulled out the legislation and we looked at it. I said: Well, right here it says they cannot do it. So I began coming down to the floor and using the law.

I did exactly what Senator ALEXANDER recommended. I came down here and began making motion after motion, which under the language of that statute would seem to indicate all of the Senators supported—except for a handful—that once you made these motions people would have to come out of the shadows and claim their holds.

Well, that is when I discovered the people who voted for this, or a bunch of them, did not mean it. They did not mean it. It was window dressing. They were not sincere about ending secret holds because we discovered, when we started trying to use that language, some of the folks who voted for it were doing the old switcheroo. When they were called upon under the law to reveal their holds, they would just hand their hold off to someone else.

That is when I began getting frustrated with the games that were being played. I thank Senator WYDEN and Senator GRASSLEY and others who have worked on this, but I will tell you what is the most depressing thing I have heard today: that this is something that has been worked on for 15 years.

Now, seriously, think about that. We have allowed people to secretly hold nominations and the people's business, and there have been Members trying to clean it up for 15 years. We wonder why we are having trouble with our approval ratings.

Nothing is more hypocritical than all of the sanctimonious stuff I am hearing down the hall about the new era, no more business as usual, no more. We are going to have accountability and transparency. But yet we seem to be embroiled, down at this end of the hall, with not even being able to get beyond a secret hold. This should not be hard; this should be easy.

Now, some of the other provisions that are being debated today, I understand there is concern about the power of the minority in the Senate. I think those concerns have been addressed in the resolution that has been presented by Senator MERKLEY and Senator UDALL and Senator HARKIN from Iowa.

But if we cannot get 67 votes to end secret holds and amend the rules, how seriously can we take anybody who claims they want accountability and transparency in government? I mean, this is the hall of fame of hypocrisy. This is not just hypocrisy, it is the hall of fame. So that is why I think we have to get busy and get the secret hold provision done.

I would like to see us get all of these reforms done. I wanted to spend a second on what Senator ALEXANDER's suggestion was. His suggestion was to use the rules. Well, honestly, does he think the way to solve this problem is to force the majority to stay here all night, with staff, spending the taxpayers' money to force someone over and over again to say, ''I object''?

We cannot make the minority talk. So that means the majority, whether it is Democrats or Republicans, has to stay all night and call the question. They do not have to have—I mean, we could do live quorum calls, but that is what we need to do to make this place work? That is his suggestion, to force the people who are objecting and the staff and the people around here to stay here all night every night until someone breaks? That is a good idea?

I think that means someone has probably been around here too long. It does not sound like a good idea, that it is not a commonsense idea that we would be promoting on Main Street in Missouri. I think it makes more sense, if you are the minority and you want to block legislation that you own it. Just own it. Block it. That is what the Senate is about. The minority can continue to block legislation whether the Democrats are in the minority or the Republicans are in the minority. They can block all the legislation they want. They just have to own it. They have to be willing to say they are blocking this for the following reasons—because we think it is important—and let the people decide.

Same thing with holds. You want to hold something, hold it. But let the people decide whether you are being reasonable or whether you are—really what I was disgusted to learn is how many people were using secret holds. In fact, they brag about it. They are using secret holds to get something else. I am going to hold this nominee in this department because I want money for a community center in my town. If you do not give me money for a community center in my town, you cannot get the Deputy Secretary of the Interior through. I mean, I am making up this example, but this was actually going on. It is like you secretly hold something so that you can get them to give you something else. That is the essence of the backroom dealing that people are disgusted with. Own it. Be proud of it. Defend it. Debate it. But do not hide it. That is what this is all about.

I thank all of my colleagues who have worked on this. I just want to close with this comment: Bad habits have consequences, and if we do not take this opportunity to fix what is going on in the Senate—this is not the way the Senate has operated for hundreds of years. If we do not change this path, then we are going to be on this path forever. And if the minority now does not think that when the time comes they may not be in the minority anymore, if we do not think we have not learned from them—seriously?

This place is going to be dysfunctional as far as the eye can see because they will fill the tree and we will just block everything. Then they will block everything and we will fill the tree. This is going to go on forever until there are enough people around here who are willing to set aside the political maneuvering and do what is right for the future of deliberations in a body that we all want to be proud of. But right now we cannot be so proud of the way we operate.

I thank the Senator from Oregon and all of the Senators who have worked on this issue. I hope we can pull back from the brink because that is where we are. We are about ready to institutionalize a way of operating around here that is not something that any of us should be proud of.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. How much time remains on our side?

The PRESIDING OFFICER. The Senator has 13 minutes remaining.

Mr. WYDEN. Madam President, I yield 5 minutes to the Senator from Minnesota.

Ms. KLOBUCHAR. I thank Senator WYDEN for his leadership.

Madam President, as we begin the 112th Congress, I first congratulate my colleagues on how we ended the 111th Congress. We had an incredibly productive lameduck session, ensuring that taxes were not raised on the middle class during an economic downturn, ratifying the START treaty, among other things. We worked together to solve problems. This was not always the case during the last Congress. But we ended on a high note.

As our work begins today anew, we all know there is still a great deal of work to be done. We have a lot of work ahead of us to ensure that American workers can find jobs, to get our private sector economy back on track, to find long-term solutions to our mounting deficit. Because of the urgent business that is in front of us, I am hopeful

that my fellow Senators and my colleagues across the aisle will agree that it is time for change, that it is not time for business as usual.

We have heard from so many of my colleagues who have been working on this issue—Senator UDALL from New Mexico, Senator MERKLEY, Senator HARKIN, Senator WYDEN, Senator MCCASKILL, and also Senator GRASSLEY, which is important work on the secret holds.

The elections on November 2 sent a message to every Member of Congress that the American people are not interested in partisan bickering or procedural backlogs or the gamesmanship and gridlock that prevents elected officials from doing their job. We were not hired by our constituents to hide behind outdated Senate rules as an excuse for not accomplishing things or not taking tough votes. That is just what the current Senate rules are allowing us to do.

I heard a lot from my friend from Tennessee about how we should use the current rules. But the problem I have is that too many people have been abusing the current rules. First, as Senator WYDEN, Senator MCCASKILL, Senator GRASSLEY have so eloquently stated, we have to permanently end the practice known as secret holds, which basically allows one or two Members of the Senate to prevent nominations or legislation from reaching the Senate floor without identifying themselves.

We thought we had this done, as Senator MCCASKILL pointed out, with the ethics bill we passed when we first came into this Chamber. But, unfortunately, once again, those rules were abused. There are some Senators who are playing games with the rules. They are following the letter but not the spirit of the reforms we adopted.

Look at the kind of secret holds we have seen, secret holds preventing the President from assembling the team he needs to run the executive branch. This summer, for example, secret holds were placed on two members of the Marine Mammal Commission for months. The Marine Mammal Commission—held secret in a hold while the Deepwater Horizon oilspill was continuing to play out in the gulf region.

A second example of what we have to get done is filibuster reform. It is a long-standing tradition in the Senate that one Senator can, if he or she chooses, hold the floor to explain objections to a bill. We think of Jimmy Stewart's character, Jefferson Smith, in ''Mr. Smith Goes to Washington,'' as a shining example of how individual conscience can matter because an individual can stay on the Senate floor to the point of exhaustion in order to stymie a corrupt piece of legislation.

Well, that is not how the filibuster works in practice today. Today, an individual Senator virtually has the power to prevent legislation from being considered by merely threatening a filibuster. At that point, the majority leader must file a cloture motion in order to move to that piece of legislation. This adds a great deal of time to an already crowded Senate calendar. This is not governing. This is not how we do the people's business. This is not how we come together to find practical solutions to our common problems.

Our current system is a far cry from Jimmy Stewart. That is why a group of us have been working to get some legislation passed to change the rules going forward. When you think about the history of the Senate—and I listened with great respect as my colleagues talked about the tradition and the importance of the rules of the Senate, about protecting the rules of the minority. None of these proposals will interfere with the rights of the minority to filibuster any piece of legislation.

But when you look at the history of the Senate, it is about tradition. As time goes forward, there have been changes to the Senate rules. Every few decades there are changes to the Senate rules. Look at my former colleague, Vice President Mondale, a great leader who made significant changes to the Senate rules.

This is all about transparency and accountability. I urge my colleagues to support this resolution.

I yield the floor.

The PRESIDING OFFICER (Mr. WHITEHOUSE.) The Senator from Oregon.

Mr. WYDEN. Mr. President, I do not see any of our colleagues who want to speak on the bipartisan efforts to end secret holds, so let me make a couple of comments in wrapping up.

The first is, Senator GRASSLEY and I and others who have been at this for so long have been willing in the past to just put a statement in the CONGRESSIONAL RECORD when, in the handful of instances, we thought it was important to block a particular piece of legislation or a nomination. We felt it was important to be publicly accountable.

All we are asking is that principle of openness, transparency, and government in the sunshine apply to all Members of the Senate.

The fact is, secrecy has real consequences. I mentioned the fact that Chief Justice Roberts has been so concerned about the judicial emergency he has seen develop in the court system. I saw during the lameduck session, on a bipartisan bill Senator CORNYN and I spent many months on to combat sex trafficking, the consequences of a secret hold. When our bill passed the Senate, it went over to the House of Representatives, was passed in the House, and then came back to the Senate and was blocked secretly. And this was a bipartisan bill to allow us to strengthen the tools law enforcement would have in order to fight sex trafficking, to provide urgently needed shelters to sex trafficking victims. A bipartisan bill Senator CORNYN and I spent many months on did not become law during the lameduck session because of a secret hold.

A lot of Senators have seen exactly these kinds of problems with judges and U.S. attorney candidates. We had both from my home State, two judges who couldn't be considered because of a hold and we could not identify who was objecting, the same with the U.S. attorney nominee. These are the real consequences of secret holds.

The big winners in these secret holds are the lobbyists. The lobbyists benefit tremendously from secret holds. Practically every Senator has received requests from a lobbyist asking if the Senator would put a secret hold on a bill or a nomination in order to kill it without getting any public debate and without the lobbyist's fingerprints appearing anywhere. If you can get a Senator to go out and put an anonymous hold on a bill, you have then hit the lobbyist jackpot. No lobbyist can win more significantly than by getting a Senator to secretly object because the Senator is protected by the cloak of anonymity, but so is the lobbyist. With a secret hold, Senators can play both sides of the street. They can give a lobbyist a victory for their clients without alienating potential or future clients.

Given the number of instances where I have heard of lobbyists asking for secret holds, I wish to say that those who oppose our efforts to end secret holds are basically saying we ought to give lobbyists an extra tool, an extension of the tools they already have in order to advocate for their clients and defy public accountability.

We passed stricter ethics requirements with respect to lobbyists. But it looks to me to be the height of hypocrisy if the Senate adopts a variety of changes to curtail lobbying, as has been done in the past, and at the same time allows lobbyists to continue to benefit, as so many special interests have, from secret holds.

This is the opportunity, after a decade and a half, for the public to get a fair shake and for the public interest to come first. We have tried this in the past. We have tried this in the past with pledges and by passing a law and each time the supporters of secrecy found ways around it. But I think the public has caught on.

Suffice to say, there are going to be plenty of differences between Democrats and Republicans with respect to how to reform the rules of the Senate. What I think has come to light is, it doesn't pass the smell test to keep arguing that Senate business ought to be done in secret. The American people don't buy that anymore. They think this ought to be an open institution, a place where every Senator is held accountable.

This time it is going to be different. There are going to be public owners of any hold. There are going to be consequences for any Senator who tries to block a bill or a nomination in secret. This is going to be an important vote when we come back, a very important vote, and finally one that will require

that public business in the Senate be done in public.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business for 7 minutes.

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

(The remarks of Mrs. MURRAY and Mrs. HAGAN are printed in today's RECORD under ''Morning Business.'')

Mrs. HAGAN. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. UDALL of New Mexico. 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. UDALL of New Mexico. Mr. President, with the process we are in right now—and we have had questions back and forth on this whole issue of Senate rules reform—I want to respond to Senator ALEXANDER because Senator ALEXANDER raised some questions, and some of those questions were not answered on our side. So I want to put in a couple responses here.

Senator ALEXANDER asked the question: What is a filibuster? He was asking our side. He was asking in this debate, what is a filibuster? Well, all of us know and we have heard in this debate what a true filibuster is. We saw a hero here on our side in terms of a true filibuster when it came to BERNIE SANDERS just a week or so ago, where he stood up for 8 hours to oppose a tax package on principle. He took the floor and he spoke and spoke passionately.

I say to Senator HARKIN, another example of a true filibuster is from a movie the American public knows the best, a Jimmy Stewart movie, ''Mr. Smith Goes to Washington.'' Senator MERKLEY earlier had some charts on that, and he showed Mr. Smith on the floor, surrounded by other Senators, where he spoke until he collapsed.

Then you have the old-time tales of the Southern Democrats when civil rights legislation was being pushed in the 1950s and 1960s, when a number of what you would say were Northern Senators were pushing an anti-lynching law because lynching was going on in the South. So they were trying to say you cannot do that, and Southern Senators would stand up—I think sometimes the record was in the range of 20 hours or 25 hours where they were completely exhausted from speaking on the floor.

So that is what the American public thinks about a filibuster.

Well, we know that is not what is happening here. I have been here for 2 years, and the only real filibuster I saw was the BERNIE SANDERS filibuster. I asked one of the historians, I think: When was the last one? And they said: Well, you would go back to 1992 and Alfonse D'Amato, where he took 12 hours to talk about an issue in New York that he was passionate about.

So when Senator ALEXANDER asked us, What is a filibuster, that is my description of what a filibuster is.

But what I think the real question is—and I would like Senator ALEXANDER, when he returns, to answer this—is, What impact has the threat of a filibuster had? What impact has the threat of a filibuster had? So people are probably asking: What are we talking about when we say ''the threat of a filibuster''? Well, actually we have been talking about it all day.

First of all, it is the secret holds. As our Presiding Officer, who sits on the Judiciary Committee, knows, they work very hard in the Judiciary Committee. They produce a bipartisan result on these judicial nominations. These judicial nominations come out. They are put on the calendar. Then months and months and months later some of them get up for a vote.

I do not know about the exact number, but my understanding is that we had to send back to the President a number of judicial nominations that had received bipartisan support from the committee. We finished our business in December, and we sent those nominations back, only to have to have the President send them back down again because it is a new Congress. We are going to have to have hearings all over. This is the kind of situation we are in. So that is one specific case of the threat of a filibuster. And we have these all the time.

One of the ones that is the most remarkable to me—and I am not going to pick out the Senator or the exact committee—but a number of us, as Senators, saw a stack of bills, a stack of legislation that had come out, on a bipartisan basis, from one of our committees that was very thick, and it was legislation from 2 years—2 years—of that committee legislating in a bipartisan way, and those Democrats and Republicans working together and doing the hard work, and one Senator—one Senator—held up all of that legislation this last Congress, held it up completely.

That is the threat of a filibuster. You may say: Well, how did that happen? What happens is, the legislation comes out of committee, and a Senator—whom we do not even know; a lot of us suspect after various things that have happened over time, but the Senator comes down and says, in a secret way to his leader: Well, if you bring any of those bills to the floor, I am going to filibuster.

That is what the threat of a filibuster is. But that is an agreement that none of us knows about. So the threat of a filibuster has had an enormous impact on this institution.

Let me describe a couple of other things.

I talked about judicial nominations. As to executive nominations, I come from the era when my father was Secretary of the Interior. I was a kid. I remember when he went into office. In visiting with him about that later, I said: We can't get executive people in place. They don't have their team. He said: TOM, I had my whole team in place the first 2 weeks. So you are talking about the whole team for the Department of the Interior in the first 2 weeks.

I remember the Washington Post did an extensive study of the first year of the Obama administration. So imagine: President Obama takes office. He goes through a year, and he only had 55 percent of his executive nominations in place. So he only had 55 percent of his team.

Those of us who believe in government, believe that government does good things out there, find that appalling because we believe if you put people in place, they will be responsive to citizens on the particular issues of those departments. So that is very important, I believe, getting executive nominations in place. So that is what the threat of a filibuster ends up doing.

I see my colleague from Mississippi, and I do not know whether he is going to step in for Mr. ALEXANDER and ask questions. We are in this questioning back and forth period. Senator HARKIN may want to say something on the question issue here too. What impact has the threat of a filibuster had?

We can hear the argument—Senator ALEXANDER has made this a number of times—look at all the great things you accomplished in the lameduck and look at all the great things you feel you accomplished in terms of health care, the stimulus package, and financial reform. But the reality is, in order to accomplish those in the constant filibuster we were in, we have basically destroyed our institution. As some of the more senior Senators here have told me, the Senate is kind of a shadow of itself.

What I do mean: ''We have destroyed the institution''? Well, it used to be that our big oversight function was to look over the money bills for the government, the appropriations bills. Guess what. Last year we did not do a single appropriations bill on the floor of the Senate. You do not have to go back very far when we used to bring all 12 of those bills to the floor, and we would have 2 or 3 days of lively debate. Every Senator could put in amendments.

Senator HARKIN knows because he is one of the cardinals, he is the chairman of one of these committees. It is a very helpful process, one for the agency to know that all Senators are overlooking that agency, and for a person in Senator HARKIN's position, as the chair of the committee, to know what the concern of the entire body is. But we have given that up. We do not do that anymore, and it is because of the constant filibuster and the threat of filibuster. So you have that situation.

I would think my friend from Mississippi, the Senator from Mississippi,

would be very concerned about this one: We did not do a budget last year. The one way we can impact—if you talk about fiscal responsibility, and you talk about keeping the government under control, and guiding it in the right direction, the one thing you want to do is a budget. You want to pass a budget and set some outlines there.

Well, we did not do a budget last year because we were in a constant filibuster, the threat of a filibuster. And the story goes on and on.

So I say to Senator HARKIN, we are in the question phase right now. I am going to yield the floor. I am sure there is time still on the other side. But I think the question is not, as Senator ALEXANDER raised it, What is a filibuster? The real question out there—for when Senator ALEXANDER returns—is, What impact has the threat of a filibuster had on this institution we love of the Senate?

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I hope the Senator from New Mexico will stay on the floor. I wish to engage in a colloquy with the Senator from New Mexico on the topic on which he just spoke.

I say to my friend from New Mexico, the Senator from Tennessee, as I understand, had propounded the question, what is a filibuster? The Senator from New Mexico has been very eloquent in responding to that, talking about the filibuster. But I think the better question is, what has a filibuster become, because as the Senator pointed out and as Senator MERKLEY pointed out, this whole image of someone standing on the floor and speaking until they drop such as Senator D'Amato or Senator Thurman back in the old days on the civil rights bills or even Senator SANDERS a few weeks ago, that is not really a filibuster any longer. So what has a filibuster become?

Let me go back again a little bit in history. In the 19th century, in the 1800s, the filibuster was used, if I am not mistaken, about 20 times during that whole 100 years. But it was used under a different set of circumstances. In the 1800s, a Senator or a Congressman was elected in November, but the session of Congress lasted until March. The Senators or Congressmen elected in November actually did not take their seats here until a year and a month later, in December of the following year. So sometimes, in this ''lameduck'' session that ended in March, people in the majority party—especially if they had lost the election—would try to ram through a lot of stuff. The minority party would speak until the session ended in March so that nothing would get done, and then they would pick it up in December when the new Senate and House would meet. So it was a means of stopping onerous legislation for a short period of time.

That was in the 19th century. We have a different situation now. So the filibuster is not used to speak now and to slow up one piece of legislation or to stop one piece of legislation; it is used to slow down everything. One case in point: We had before my committee last year a nominee by the name of Patricia Smith to be Solicitor General of the Department of Labor. We had our hearings, I say to my friend from Kansas who is not here right now. We had our hearings in committee. She answered questions, answered written questions. We reported her out of committee. We came here to the floor. We had to file cloture on Patricia Smith to be Solicitor of Labor, so we filed cloture. We got the 60 votes. But as we know, under postcloture you get 30 hours. Well, the minority forced us to use the 30 hours. Senator ENZI, our ranking member, came and spoke for 15 minutes and left, and I sat here for 30 hours and no one spoke. So for 29 hours and 45 minutes we sat here doing nothing, unable to do anything, on a nominee who had over 60 votes. At that time, the record will show, I kept asking: Why are we here?

Why are we using 30 hours of the Senate's time, when nobody is even speaking and we already have the 60 votes for Patricia Smith? That is an example of what the filibuster has become. It has become a tool in order to slow everything down.

For example, nominees. We had nominees who got through here on a 99-to-0 vote after being held up for 6 months. Well, what if, I ask, we have to file cloture on every nominee and then every nominee has a vote on cloture and then you have 30 more hours. If you did that on every nominee, I believe the majority leader said we would be here from January through August doing nothing every day of the week except nominations. How would we ever get anything else done?

The question is, What has the filibuster become? It has become a means whereby a few—this, I guess, would be the question I might propound to my friend from New Mexico or at least suggest that he might respond. Has not the filibuster or the threat of a filibuster become a tool by which one or two or three or four Senators can absolutely slow down or stop things from coming to the Senate? Has not the filibuster become a tool by which one Senator who publicly announces that his goal is total gridlock of the Senate—total gridlock—has not the filibuster then become the tool by which one Senator can impose gridlock on the Senate? Is that not what the filibuster has become?

Mr. UDALL of New Mexico. The Senator from Iowa makes an excellent point. I was here for his talk earlier, where the Senator led with the filibuster and laid it out and Senator ALEXANDER came back and asked these questions. I think the key question is the one the Senator just asked, which is: What has a filibuster become? The Senator seemed to be defending the old-fashioned filibuster that no longer exists. That is the situation we have.

Some of our friends on the other side—I hear them talk about this—are saying this is the filibuster of the past; it is a very pure thing and a wonderful thing. But it has been distorted, manipulated. The filibuster has been twisted in a way that it does exactly what the Senator is talking about—slowing everything down. It is an attempt, in a way, to defeat the majority from governing.

I think the Senator cited the Federalist Papers. One of the biggest dangers in a democracy is if you give the power to the minority to shut down the ability of the majority to govern. If you do that, you have rendered your democracy useless because then you get yourself into a situation, as the Senator from Iowa knows, where they can prevent the majority from doing anything and then run in a campaign and say: Well, they didn't do anything, which is kind of a hypocritical way to approach legislating.

One of the things that is remarkable to me—and I served over in the House of Representatives for 10 years and I know we don't have to take up every House bill the way it is written and we don't have to respond to every bill, but when you hear the fact that 400 House of Representatives bills in 2 years—the last session of Congress—were sent over here and we ended up—the younger Members of the Senate were interested in some of these bills. We looked into them. We found out that these were on veterans issues and many were good bills. We found out they had to do with small business, and they were good bills. We found out they had to do with building the economy and economic growth and those kinds of things and that they were good bills. But we didn't have the time to act upon them because the way the filibuster is being utilized is to defeat our ability to move forward.

The one other area I wish to mention—and I know this is something that concerns our friends on the other side—if you are talking about making government responsible, fiscally responsible, doing oversight over government—and they say they are going to do all this oversight in the House—one of the best ways to do oversight is in an authorization bill. As everybody knows, we have an authorization process, and we have an appropriations process. Well, apparently now, with the studies being done at the Center for American Research—and Senator HARKIN would know this more than others because he serves on the Appropriations Committee—a major part of our appropriations are unauthorized now. I think the figure I saw was close to 40 percent. So that means if these are unauthorized appropriations, it means the side of our Senate and the side of our Congress that deals with authorization, that is an oversight. You go in there in the authorization process and look at an agency and you say: How is this program functioning? Is this program effective, a good program, something that is working?

If the answers come back and you have evidence it is not working, you write in the authorization we are getting rid of that. If you don't do any authorizations at all and the authorization doesn't come to the Senate floor and all Senators don't have an opportunity to participate, then you are giving up that kind of essential oversight. I would think they would be for that. Guess how many authorizations we did last year. How many? We did one. We did it at the very last minute as we went out of town, and that was the Defense Department authorization. That was held up with a filibuster because it had don't ask, don't tell in the bill.

So here we are at war—we have two wars going on. As Chairman LEVIN said, a lot of the things in that bill were to help the military do a better job and help the fighters on the ground in these two wars and we weren't able to get them done at the start of the fiscal year and move forward. So we were able to get it done before we left. I was happy about that. How about intelligence and the huge agencies that run the health care programs and all those? We have not done that oversight.

To the Senator's question what has the filibuster become, it has become something pretty horrible in the history of the Senate. If we don't fix this, we are going to be in a bad way. The way to fix it is the constitutional option. That is the wonderful thing about where we are today.

Today, we are in the first legislative day of the beginning of the 112th Congress. What everybody has told us on that first legislative day is that we can have all these rules proposals. The Senator from Iowa has one and Senator MERKLEY and myself have one and Senator WYDEN. Guess what. If we round up 51 Senators—and they don't have to be only Democrats—who say, No. 1, here are rules changes we want to make with 51 Senators, we can cut off debate on those changes and 51 Senators—a majority—can vote those rules in, and we can fix the situation we have all been talking about here.

I think the Senator's question is the right one. The filibuster has become a procedural morass.

Mr. HARKIN. I thank my friend from New Mexico. I also thank him for his great leadership on the constitutional option. I am a cosponsor of his resolution, which he sent to the desk earlier today. He is right on target. The dead hand of the past cannot bind us. Every Congress, on the first legislative day—as Senator Byrd said himself in the past—has the authority, with 51 Senators, to set our rules—not two-thirds, just 51. We are on that first legislative day today.

I understand the leader will put us into recess so we will stay in the first legislative day when we come back. So we will be on this issue when we come back on January 25.

I wonder if I might explore a little bit with my friends who are here—and the Senator from Oregon has been a great leader in this effort. As a former speaker of the legislature in Oregon, he has lent a great deal of expertise to our thinking and in evolving how we modify our rules to make this place function a little better. I thank Senator MERKLEY for his leadership. A lot of what was in the measure that Senator UDALL sent to the desk earlier today is what Senator MERKLEY has devised. These are things we need to do.

I ask again to bring this up here for maybe a brief discussion, if I might. This is something Senator CORNYN and I got into a little bit earlier. He went on at length about building consensus; that we want to build consensus and have bills over here with a consensus. Well, I agree with that. You try to get as much consensus as possible. Obviously, if you can get 100 Senators, that is nice—or 80 or 70. It is always nice to get as many as possible. I ask my friends, isn't it sometimes true that legislation comes up that can be contentious, and you can open it—I think it ought to be opened in the committee process for amendments. I pointed to the health care bill that we had in our HELP Committee, and the occupant of the chair was so vitally involved with that. We had 54 hours and 13 days of open markup and open session. No Senator was denied the opportunity to offer any amendment on that bill—Republicans or Democrats. Senator Dodd was chairing at the time. We adopted 161 Republican amendments. Imagine that, over 13 days, 161 Republican amendments. As I said, nobody was cut off.

Yet at end of that, when we finally brought it up for a vote, not one Republican voted for it, even though they had a big hand in shaping it. So whenever I hear comments that ''we didn't have a hand in shaping the health care bill,'' I don't understand that. I know in the Finance Committee Senator BAUCUS bent over backward to make sure Senators on both sides could offer amendments and be a part of the process. I say, if they don't want to vote for it in the end, fine; that is their right and privilege. People can vote their conscience and on behalf of their constituents. But we weren't able to get a consensus on it.

So if you have a bill on which you can't get a consensus, does that mean we should stop? As I asked the Senator from Texas, does that mean every bill has to have 60 votes? Is that what we have become—no bill will pass here unless it has 60 votes or more? The Senator from Texas pointed out, correctly, that some bills pass here by unanimous consent. Fine. That is 100 votes. So do they mean we have to have a minimum of 60 to 100 votes in order for anything to pass? What happened to majority rules? What happened to the idea that you only need 51 percent? Isn't that sort of the basis of a democratic government?

Again, I ask my friends about this idea of consensus. Yes, we all want to get that. We all want as many Senators as possible on legislation, and we try hard to do that. But if that is not possible, does that mean that 53 or 54 or 55 or 56 Senators cannot then vote to pass a piece of legislation or an amendment?

I ask my friends, what about this idea of consensus? Have we come to where we have to have a supermajority? Is that the situation we are in now?

Mr. UDALL of New Mexico. The Senator from Iowa and my good friend, the Senator from Oregon, want to speak. The Senator mentioned—and I want to put this quote in the RECORD—the Senator from Texas, Mr. CORNYN, who came to the floor and talked today. One of the reasons I have a real belief that we might have some common ground is he was a judge before he came to the Senate. I think he was on the supreme court in the State of Texas. On this issue of the constitutional option, he wrote a law review article in the Harvard Journal of Law and Public Policy. The name of the article was ''Our Broken Judicial Confirmation Process and the Need for Filibuster Reform.''

Listen to this. This is Senator JOHN CORNYN of Texas:

> Just as one Congress cannot enact a law that a subsequent Congress could not amend by majority vote, one Senate cannot enact a rule that a subsequent Senate could not amend by majority vote. Such power, after all, would violate the general common law principle that one parliament cannot bind another.

He is basically driving home the point that we have the authority today, on the first day of the 112th Congress, the first legislative day, to pull together and take a hard look at the rules. The Senator from Iowa raised a very important issue on consensus. I am going to pass this off to Senator MERKLEY in this colloquy and let him answer that point. Maybe he may have another question.

I wish our friends on the other side of the aisle were here for this discussion. Senator ALEXANDER was here earlier. We had Senator WICKER. But nobody is here to answer the questions we are putting that way, but we are answering the ones this way.

Mr. HARKIN. Mr. President, hopefully, I say to my friend from New Mexico, when we come back on the 25th we will engage in more of this discussion.

I should yield the floor. I wanted to raise that question about consensus because it sounds so good, and we all love consensus. Of course we do. But sometimes we cannot get it. Does that mean then that the majority cannot act if they do not get consensus of over 60? Does that mean the majority simply cannot act?

Mr. President, I leave the question hanging and yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, continuing the conversation, my colleague from New Mexico pointed out the challenge with authorization bills. We

should add to that, during 2010, the Senate did not manage to pass a single appropriations bill. It is dysfunction on top of dysfunction. That is why we are here today.

I put back up the chart of Jimmy Stewart in the well because I think at the heart of this conversation is a notion that, yes, every Senator should be able to hold forth, to share their idea, to advocate that in which they believe, to persuade their colleagues, but not to simply lodge an objection and walk away and never present their case before the American people.

Our good colleague from Tennessee said he wanted to see—how did he put it?—something to the effect of a ''talking your heads off'' form of filibuster, and he referred to Jimmy Stewart.

There is a sense of commonality in our views that if one is going to vote to continue debate, then the debate should continue—it is that simple—so the citizens can see if you have a case to make that makes sense, and they can weigh in and help turn the tide in the direction of the Senator, or that you have no case to make and they want you to sit down and have the Senate get on with its business. That is simple.

There are many ideas for much more radical steps—steps in which we would proceed to say, yes, we will do something different. We will eliminate the filibuster. But that is not the proposal I am speaking to today. It is not the proposal to which many of us are speaking. We are saying, yes, you can keep speaking, but you have to speak. You cannot go on vacation. You cannot hide from the American people. You cannot object and hide. That is not in the tradition of the Senate.

There is a Wall Street Journal article that came out yesterday. I am not sure if it was an editorial or an op-ed, so I will not attribute it to anyone specifically. But it said there is no chance for filibuster reform to address the filibusters on legislation because the Democrats will not want to imperil their ability to obstruct the Republicans when the Republicans are in power someday.

Here we are, we are Democrats, and we are saying we are talking about rules that we have placed against the test of whether we can support these rules, whether in the majority or in the minority. The proposal we signed onto today—the five reforms we have laid out—we have run through the test of saying: Will this meet a fairness standard? Would this be fair if we were in the minority?

One of the proposals is to make sure the minority and the majority get to have amendments. That is a valuable protection for whichever party is in the minority.

Another piece of it is to say, yes, the filibuster can still be used. But you have to invest time and energy and make your case before the American people.

We have believed we can live with that in the minority. If we are going to obstruct the Senate, we are willing to take this floor. We are willing to make our case. But we are saying a Senator should not be able to obstruct and hide. They should not be able to engage in the silent, the secret filibuster but should have to have the talking filibuster.

I applaud my colleague from Iowa, my colleague from New Mexico, and my colleagues who are about to speak—Senator MARK UDALL from Colorado—and say we have a couple weeks now in America to have a debate on the dysfunction and brokenness of the Senate. We are asking the American public to engage, to call your Senators, to share your concerns about a Senate that cannot do authorizations, that has not done appropriations, that leaves hundreds of House bills on the floor, and that cannot fulfill its constitutional responsibility to advise and consent on nominations, thereby undermining our other two branches of government.

This has to be addressed. That is why we are here.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Iowa.

Mr. HARKIN. Mr. President, I thank the Senator from Oregon for his leadership. I want to rephrase my question that I left hanging when I yielded the floor the last time. I see our great friend from New York is here to speak. I will not take more than a minute or two. I want to rephrase the question.

I asked the question: What has the filibuster become? And I further asked a question about consensus. If you do not get a consensus—that is, over 60 people—to agree on something, should then the majority not have the right to act? I want to rephrase that question and put it this way: If consensus—meaning over 60 Senators—if over 60 Senators cannot agree on something, then should the minority have the absolute total veto power over what the majority is proposing? That is the essence of it. If you cannot get a consensus, should the minority have the total, absolute power to determine the outcome?

That is what has happened in the Senate. That is what has become of this filibuster. The end result has become the fact that 41 Senators—if you do not have 60 Senators or more—41 Senators decide what we do, what we vote on, what comes before this body. How does that square with the principle of democratic government and majority rule?

I leave that out there: Should we have and continue to have, if we cannot reach a consensus, should we continue to have veto power by the minority?

I also see the Senator from Colorado here to speak.

I also want to publicly thank the Senator from New York who I see is about ready to speak, the chairman of our Rules Committee. Senator SCHUMER has spent so many hours and so many days this past year on this issue of reforming the Senate rules. He was kind enough to let me testify before his committee and kind enough to actually let me sit with his committee to listen to others.

Senator SCHUMER has been in harness on this issue trying to get us to the point where we can have meaningful changes in the rules so that this place can function a little bit better and a little bit more democratically—with a small ''d,'' not democratically in terms of political affiliation.

I know in the next few weeks Senator SCHUMER is going to be very much involved as one on our leadership team, along with Senator REID and others, seeing what we can do to work things out so we can have a meaningful change in the rules.

Again, I am all for getting rid of secret holds, but that seems to be kind of a no-brainer. That would probably get close to 100 votes. But if that is all we are going to do, that is not a very meaningful change in the rules.

I submit that what Senator UDALL, Senator MERKLEY, and others have introduced, or I submitted myself going on for 15 years now, that is meaningful change in the rules. I know Senator SCHUMER is going to be very much involved in that discussion. I applaud him for his efforts and leadership. We will be back on January 25 to take up this cause again. I know I speak for my friend from Oregon that he is going to be here on the 25th, and my friend from New Mexico and everyone else. We are going to be here because we cannot let this go. We cannot permit the Senate to be so dysfunctional that we cannot respond to the urgent needs of America and our place in the world today. We cannot continue to go downhill as a country and cannot continue to let the Senate be a dumping ground and nothing ever gets done.

These rules need to be changed. We will be back on the 25th to do so. I thank my friend from Colorado for his indulgence.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that Senator SCHUMER be recognized after me for up to 15 minutes.

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

Mr. UDALL of Colorado. Mr. President, before I speak on the matter today, which the group of Senators today so eloquently and powerfully outlined for all of us, I want to acknowledge that the 111th Congress was one of the most productive in history. Legislation we passed will make real changes for American families who are struggling through a tough economy, as the Presiding Officer knows, and with rising health care costs. What we did also will make our military and Nation safe and stronger. We should be proud of the work we accomplished in the previous Congress.

But I have to also say that the last 2 years was a time of unprecedented obstruction and partisanship. If you do

not want to take my word for it, you do not have to go very far to listen to many impartial observers of the Congress who will tell you that it was exactly the case.

I rise today to add my voice to the growing number of Coloradans and Members of the Senate who are deeply concerned about the gridlock that at times has paralyzed our Chamber and prevented meaningful debate.

Many of us read with dismay an article by George Packer in the New Yorker magazine several months ago, which detailed examples of Senate dysfunction.

Americans from both political parties—and Independents as well—have asked whether the rules of the Senate are working to help solve these problems that face us. Some of my colleagues have understandably sought to change or eliminate the filibuster to make it easier to pass important legislation supported by a majority of Senators.

I come to this debate from a somewhat different perspective than my colleagues. I come to this debate with this guiding principle; that is, any attempt to limit the power of the minority by eliminating or weakening the ability to filibuster will simply lead to a further breakdown in what is already a fractured partisan relationship.

While I share much of the frustration expressed by many of our colleagues, I believe we must be thoughtful about how we approach changes to the Senate rules.

Several years ago, Minister Robert Fulghum had everyone using the phrase, ''everything I need to know I learned in kindergarten.'' His essays made the point that the simple rules we teach children about getting along, about being kind to one another, about cleaning up after ourselves apply throughout life.

On one level, you could boil down the debate we are engaging in this week and say what we need are rules that will help us get along better in the Senate's sandbox, and we need to talk with each other more and we need to listen even more than we talk. Why? Because the consequences, if we cannot find a way to work together, are extremely serious.

No problem we face is more troubling or urgent than our economic future. Our unemployment rate is still above 9 percent, and it is much higher in some regions of the country. Home foreclosures are still expected to rise. Even more troubling is this fact: Americans are less optimistic about their economic prospects than they were during the Great Depression. That is a very serious situation.

On top of those grim statistics, we face a massive budget deficit and a crippling debt that not only threaten our long-term economic stability but darken the horizon in a way that discourages investment and innovation that we need to spur American job creation today.

Moreover, our apparent inability to squarely address the problem in a partisan way is a signal to the American people—as if they need further proof—that their institutions of government are not working. And that, in my opinion, is as dangerous as any attack on our country.

Many have remarked that it is past time to have a serious discussion about how to turn our economic situation around. I have faith we can do that, but only if we are able to set aside the ideological differences that have sidetracked our politics, and frankly our policymaking, up to now.

We can't reach the level of bipartisan cooperation we need in this body if we prevent substantive debate and cut off the rights of the minority. But neither can we make necessary progress if Members of the Senate continue to be able to use technical loopholes and procedural gymnastics to hijack the Senate—literally—for days and, in some cases weeks at a time.

That is why today's debate—so ably led by colleagues from across the country—is more than just an esoteric debate about the Senate's rules. It is a critical turning point, and it is why today I am again introducing a resolution which I believe can help reduce the opportunity for gridlock while also encouraging both sides to work together on the most important issues we face in our Nation.

I developed this proposal after listening to and talking with experts on Senate procedure from both sides of the aisle, including the noted congressional scholar Norm Ornstein of the Conservative American Enterprise Institute.

In a nutshell, I propose that by eliminating unnecessary opportunities for delay—without making changes that would jam through legislation at the expense of the minority party—we can improve the way the Senate works and make it more effective and fairer for the American people.

If I might, I want to make a couple of comments on some of the specifics of what I am proposing, similar to what the Senators from Oregon, New Mexico, Iowa, and others have put on the table.

I would first level the playing fields between the majority and the minority on cloture votes and require Senators actually vote in opposition to the bill they are filibustering. Currently, cloture is invoked when three-fifths of the Chamber votes yes, so staying home is the same as voting no, and Members can simply threaten to filibuster and skip town with no recourse.

My proposal would require that Senators show up, debate, and actually vote against a bill if they are conducting a filibuster, by changing the rules to invoke cloture not on three-fifths of the Chamber but invoking cloture when three-fifths of those voting to end debate create an incentive to actually have a meaningful discussion. If Members don't show, the threshold is lowered accordingly—three-fifths of 90 is 54 votes to end debate, three-fifths of 80 is 48 votes to cut off a filibuster, and so on.

Second, I would reduce the number of votes required in debate on a single bill. The Senate rules now allow for a filibuster on a motion to proceed to a bill, a substitute amendment to a bill, final passage after we have already overcome a filibuster on the exact same text—and the list continues. There are three separate opportunities to filibuster before sending a bill to a conference committee. My proposal would eliminate all these opportunities to filibuster except for final passage.

Third, I would shorten the timeframe required to invoke cloture. I would propose we vote 24 hours after cloture is filed, instead of waiting 2 days, as is required today. I would also allow the 30 hours of postcloture debate to be split between the parties, to avoid needless delays. In total, we could shorten the time required for cloture by nearly 40 hours for a single cloture motion.

Fourth, I would end the requirement that amendments be read in their entirety if they have been made available on line at least 24 hours in advance.

Fifth, I would end the requirement that Senate committees seek consent to meet.

Sixth, after I propose that we change the rules to move more quickly on judicial nominations—allowing a final vote immediately after cloture is invoked on a nomination.

Finally, I would provide a way to call up an amendment when a majority leader has filled the amendment tree.

The Senate is famous for great debates and a free amendment process. But in recent years the process of presenting amendments has frequently been shut off by the majority party. So my proposal would, on a limited basis, give Senators the opportunity to present their amendments when they are otherwise being blocked from doing so.

The Senate has been called the world's greatest deliberative body. But what happens if we don't deliberate? I am afraid we risk turning the Senate into an extension of the 24-hour political spin cycle, which seeks to separate us rather than allowing us to work out solutions to the problems we face.

Every day, proud Americans come to our Capitol hoping to watch debates such as those of years past. Many are increasingly dismayed to see a small number of Senators, such as those here today, debating among themselves in an empty Chamber. We don't even require Senators to attend their own filibusters—no ''Mr. Smith Goes to Washington,'' no actual debate.

I want the Senate to work the way Americans envision it does—where Members discuss their differences, cooperate, vote on amendments, and improve legislation for the good of the country.

With that in mind, I hope our colleagues will join me to seize the opportunity we have before us. Let's work

together to improve the way the Senate operates. I want to extend my hand to the Republicans to ask for ideas in how we can improve the way the Senate operates. I want to work with anybody, as I think all my colleagues do, to solve these problems in front of us. We have a responsibility to work together to bring about the cooperation and the problem solving Americans expect and deserve.

Mr. President, I appreciate your attention, I appreciate the important work all my colleagues have undertaken, and I look forward to working with the 99 other Members of the Senate to make the Senate a Senate we know and love and believe is the greatest deliberative body in the world.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I wish to talk a little about the issue we have been discussing, and first let me congratulate my colleagues who have been on the floor on this issue, particularly the Senator from New Mexico, Senator UDALL; the Senator from Oregon, Senator MERKLEY; the Senator from Colorado, also named UDALL; and the Senator from Iowa, Senator HARKIN; and many others who have participated in this debate. They have done a great job today.

The other thing I think I appreciated—and Senator HARKIN helped do this—is there was not just debate, there was actual discussion, even when we didn't agree. I thought it was pretty interesting watching on the TV in my office when Senator ROBERTS came and stood by a desk here on the Democratic side, a desk away from Senator HARKIN, and they didn't agree on the issues but they debated the issues. What a great first-step metaphor for the kind of debates we want to have here on the Senate floor. So this has been a very positive and hopefully prescient opening of the debate to change the rules because we all know that in the last Congress the Senate didn't function effectively and the time for change has come. I want to salute the leaders, as well as Senator KLOBUCHAR, Senator FRANKEN, Senator LAUTENBERG, and so many others, who have been so involved in our discussion and for the work they have done.

I also want to say to my colleagues this is not something that has just happened recently. This idea that all of a sudden this has popped up in the Senate is wrong. Last year, the Rules Committee—and I was urged by Senator UDALL to do this among the first days of the session 2 years ago, and I think we did a pretty extensive and good job—held six hearings that examined the history of the filibuster, trends in the use of the filibuster, secret holds, stalled nominations, and proposals for change. In those hearings, we heard from Senators from both parties who have valuable ideas about the need to reform the filibuster. Senators HARKIN, LAUTENBERG, WYDEN, GRASSLEY, UDALL, UDALL, MCCASKILL, GREGG, and BENNET all testified at the hearings. We also brought former Senators of both parties, scholars, and former Senate staff of both parties to come and testify.

In the first half of the 20th century, filibusters and filibuster threats were relatively rare events. That has been documented already, and our hearings documented it extensively. But since that time, the number has continued to dramatically increase. When you face an average of two cloture motions per week—which is what has happened currently—then we know there is a problem, and it is no mystery that the Senate has been labeled as ''dysfunctional.''

Between 1917 and 1971, there was an average of one cloture motion filed per year. In the 110th and 111th, we had more than 70 cloture motions. These cloture motion counts are a response to the filibuster, and it is distorting the way the Senate does business.

For the legislative branch, hundreds of bills passed by the House in the 111th Congress were not considered, even though they had passed the House by voice vote or with a majority of House Republicans voting yes. The Senate is supposed to be a cooling saucer, not an ice box.

In the executive branch and the judiciary, dozens of judicial appointments were delayed or blocked from floor consideration for months and months in the last Congress. Many of these were approved unanimously by both Democrats and Republicans in committee, yet sat on the Executive Calendar for months because of secret holds. This is dangerous at a time when we need a Federal Government using all its resources to fight terrorism, protect our country, and address our economic needs.

I salute Senators WYDEN, MCCASKILL, and GRASSLEY for focusing our attention on this issue. It is important to end anonymous or secret holds and shine some light on the kinds of long-term delays that can hold up a nomination or a bill for weeks or months or even longer.

Also, during the fiscal year 2010, half of all nondefense spending—$290 billion—was appropriated without legal authority because Congress hadn't reauthorized the programs. The unprecedented threat of a filibuster—not even the actual use of the filibuster—has prevented debate with such frequency that extended deliberation is a dying commodity. Make no mistake about it, the everyday threat of the filibuster does not ensure debate, it restricts it.

Reforming the rules in a thoughtful way would clear the way for more legislating, not less. Filibusters provide a minority of Senators a way to make their voices heard, but they should not provide a way for a minority of Senators or even a single Senator to grind the Senate to a halt regardless of whether they are Democrats, Republicans, or Independents.

Reform will engage the American people and reenergize this institution. This will not end the filibuster or cut off debate. On the contrary, it will pull back the curtain and show the American people what we actually believe and what our deliberations are really about.

There have been many ideas for reform presented by my colleagues that are worthy of discussion. The Senator from New Jersey, Mr. LAUTENBERG, testified before the Rules Committee about his plan, which he called the ''Mr. Smith Goes to Washington'' proposal. Senator MERKLEY, Senator UDALL, and others have developed their own versions of this important concept, which I call the talking filibuster. This talking filibuster idea would require filibustering Senators to keep speaking on the floor after cloture fails, to show clearly their wish to continue debate and to allow them to talk for as long as they wish.

Currently, the only evidence that a Senator is facing a filibuster is the vote on cloture. The Senate floor has evolved into a place where the majority assumes that each bill will be opposed and that little actual debate will occur on legislation. The rules require a vote of three-fifths of the Senators chosen and sworn to end debate on a matter or measure. The very question that is posed to the Senate in a cloture vote is, Is it the sense of the Senate that debate should be brought to a close? Those are the words. If it turns out that enough Senators answer that question: No, we want more debate, then those Senators should actually be required to debate. It is difficult to explain to the American people that the Senators who voted for additional debate are silent when then given that opportunity. If they want to debate, well, then let's debate.

One way we can guarantee fair and meaningful debate after Senators vote on cloture to continue debate—and cloture fails—the Senate remains on that measure and Senators must actually debate the bill. Senators may be recognized one after the other, as long as debate is continuous. If no more Senators seek to debate the issue, then the majority leader can move to close debate.

Obviously, there are technical things that have to be worked out—and we are working hard to do that—to make sure this proposal works and is viable. In the past, attempts at debate have been frustrated by quorum calls or unnecessary motions, all aimed at avoiding actual debate. If we change the rules to encourage extended debate after cloture fails, then the priority during this period will be to either debate the matter or move forward and not play parliamentary games. The American people deserve better of their elected officials than what the Senate has been giving them. Governing is not a game of charades.

The majority will not choose to waste floor time on a matter the minority is committed to stop. But will

the minority choose to filibuster every single piece of legislation if actual debate is required? I don't think so.

That would apply whether Republicans are in the majority or Democrats are in the majority.

In addition to the other worthy options proposed for reform, I think this proposal is strong because it allows the minority the same ability to debate and block legislation—so long as they actually debate. If there is no actual debate, there can be no filibuster, and the Senate can proceed to do its business for the American people.

I believe this modest proposal is one on which both Democrats and Republicans should agree. It could be a point of bipartisan agreement, and I will present it in the bipartisan negotiations happening over the next few weeks.

Of course there are other good-faith proposals that my colleagues have put forward. Many of them are thoughtful. Most all of them would represent meaningful change without altering in a too jarring way the rules of this institution. Nobody wants us to become the House of Representatives. Everyone understands that we should not rule simply by majority vote on every issue. However, we can pull the curtain back and make sure that when people say they want more debate, they debate.

In the next 2 weeks, we should look at these proposals—all of them. During the recess, we need to talk to each other, Democrats and Republicans, about genuine ways to reform this body, to restore the Senate to its traditional role as the world's greatest deliberative body, and to do so in a way that encourages full and open debate—both for the majority which proposes and for the minority which wishes to modify what the majority proposes.

I believe we owe it to the American people to reform the Senate so it functions in a way that best represents their interests.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, first, let me thank the Senator from New York for his very distinguished leadership of the Rules Committee and for the very open and thorough way in which he engaged that committee on these issues of addressing the filibuster and problems that have been caused by its current abuse on the Senate floor. Let me also thank Senators UDALL and MERKLEY, who worked so hard to organize this and who have put together what I think is a very good proposal.

At the outset of my remarks, I ask unanimous consent that I be added as a cosponsor to the rules resolution that is here, at this point.

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

Mr. WHITEHOUSE. The distinguished Senator from Oregon, Mr. MERKLEY, showed a photograph a little while ago of Jimmy Stewart in ''Mr. Smith Goes to Washington.'' That has become the sort of emblematic, signature demonstration of the American Senate filibuster.

There is a scene in that movie that I am sure the Senator is familiar with where a reporter is up in the galleries and is describing the action down here on the Senate floor, is describing Jimmy Stewart—the Senator he represents engaging in the filibuster. The reporter describes the filibuster as ''democracy's finest show . . . the right to talk your head off . . . the American privilege of free speech in its most dramatic form . . . one lone and single American holding the greatest floor in the land . . . bleary-eyed, voice gone.'' That is what we think of when we think of the traditional Senate filibuster. In those days, you stood up and you filibustered against a bill because you were opposed to it, because you hated it, because on principle you wanted to stand and fight against it. That was the old filibuster.

Now when this Chamber is engaged in a filibuster, how does the American public know? When they are watching this floor on C–SPAN and they are looking for a filibuster, they don't see democracy's finest show, they don't see anybody talking their head off, they don't see the American privilege of free speech in its most dramatic form. What they see is a droning, tedious quorum call as the parliamentary staff read off, one by one, the names of Senators who are not present, and this Chamber stands useless during that period. Why is that? Partly it is because when Jimmy Stewart was undertaking his filibuster, he was exercising the right of an individual Senator to take this floor and to hold it and to speak. What is different is that when it is filibuster by party rather than filibuster by one individual Senator, then there is a whole array of procedural mechanisms the minority party has to provoke the majority leader to file for cloture.

Cloture is the filing that allows the majority leader to bring debate to a conclusion and to limit amendments. When cloture is filed, then there is 30 hours mandatory for debate. What has happened here is that the 30 hours mandatory for debate has become the prize, has become the goal of the modern filibuster. That explains why we are no longer filibustering bills we are opposed to when we are in the minority. The minority actually filibusters bills their Members support. They filibuster nominees who get voted through unanimously when the vote is finally held.

What is the filibuster about? It is about forcing cloture and forcing those 30-hour increments of time to be burned up. If you are filibustering the bill itself and you are filibustering the motion to proceed, you have a dual filibuster, and if you are filibustering amendments, you can load on an awful lot of 30-hour periods to the Senate floor and you can prevent anything from being done in those 30-hour periods just by sitting back and doing nothing and objecting when the majority party tries to move to the vote. All it takes is one person waiting in the cloakroom for the minority to force that 30-hour period to run. If you stacked up dozens and dozens of 30-hour periods, what you do is you take up the entire time available to the Senate and you impede this institution in its ability to get its work done.

That is what we are doing right now. That is why I think it is so important that the changes we are recommending restore the Senate to the traditional filibuster. We do it in two ways. First of all, if these rule changes pass, you will not get to filibuster the motion to proceed to the bill and then get to filibuster all over again on the bill and double the filibuster. If you really care about the bill, if you are really opposed to the bill, if you really hate the bill, you can come and talk your head off, but you don't get to do it twice—once on a pure parliamentary measure. That will cut down some of the wasted time, some of these droning hours that you watch on C–SPAN with nothing happening in the Senate and the time being wasted, locked in the filibuster.

There is another rules change that I believe is important. The 30-hour period is called the period for debate. What this rule change would do is, when the debate stops, the 30-hour period stops. Whoever is presiding would simply note that there is no longer debate and would call the vote. You can still debate the whole 30 hours if you want to come here and debate, but when the talking stops, you vote. You are not in a position where you can commandeer 30 hours of Senate time, force the Senate into quorum calls, and defend against going to the vote with one lone Senator back in the cloakroom, able to come out and object whenever the majority tries to move the Senate to a vote and get the Senate back in its business again.

These are two simple repairs to the cloture rule that will make it less of a prize for the minority, that will prevent us from spending all these 30-hour increments droning away in 30-hour filibuster quorum calls, and put the Senate back to where it should be—the great chamber of debate where people actually have to come to the floor, say their piece, and when they are done, we go on to the next piece of work.

I commend everybody who has worked on this. I think it is a very valuable step we are taking. I don't think it is a change away from the traditions of the Senate; I see it as returning to the real traditions of the Senate, of real debate, not just wasting time for wasting time's sake but allowing the Senate to be productive while also allowing Members who have opposition to a bill to state it as forthrightly as they wish, to engage in, as the reporter said in ''Mr. Smith Goes to Washington,'' democracy's finest show, the right to talk your head off, the American privilege of free speech in its most dramatic form.

I thank all Senators present for entertaining my thoughts.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. First, I wish to say I am so pleased to be with colleagues who are standing up for activity on behalf of the citizens, the constituents we represent, to get things done.

I doubt many of us would be happy with a report card we got in either high school or college or whatever education we got beyond that—I doubt we would be proud of any report card that resembles that which we have obtained in this facility, in this great house of debate, in this distinguished body of legislators, one of the most prominent—the most prominent—let me qualify that—legislative body across the world and the envy of so many who think the United States is still one great country.

We want to do the right thing. But here what has happened, we find ourselves in a morass of dilatory activities, things that do nothing but stop progress, and that is the mission we see. I congratulate my colleagues who have taken hold here to make sure we do whatever we can to change the facility.

I have here my picture of Jimmy Stewart, ''Mr. Smith.'' While I am not anxious to admit it, I do, I remember seeing the picture. We need not discuss the precise date, but it was some time ago when I saw this, and it left a vivid impression in my mind. But I cannot tell you what it was about, except that he was one trouper, that he stood on his feet, so many hours it is hard to understand how the body responded to the opportunity, trying to clean things up.

The date of the film was somewhere around the end of the 1930s, 1939, most likely. That was not the exact date, but in that vicinity. Even then, they were discussing what could be done to move things along and how the kind of effort he gave as Mr. Smith was required to honor the people, the responsibility he had to the people.

So we know what kind of report card the legislators here and in the House have gotten from the American people because they are sick and tired of seeing all this empty space, listening to words I could describe more in the vernacular as gobbledygook-gook, not understanding what is going on but knowing very well that nothing is happening that is benefiting them.

So when we see this low public opinion from Americans all across the country, it is because they do not believe we are getting things done that they sent us here for. Each one of us who has been elected, I do not care how popular or how remote, the fact is, you had to work hard to get elected and so proud—and I look today, as I saw person after person hold up their hand to take the oath. I have done it five times here and each time was a thrill. Even as I watched colleagues walk up there and heard their names called and saw them raise their hand, and to feel the pride they felt, I do not care Republican or Democrat, to feel the pride they felt, to be able to take this job on their hands, to get the support of the public in their States, enough to win an election, and then we show the public a lack of activity.

We have been through discussions, speeches made earlier, good ones, describing the number of times the filibuster has been used. If I might ask the majority whip, is it the record number of filibusters ever in the history of the Senate? The Senator from Illinois confirms that. Here we are, and the need has never been greater to get something done to let the American people know their government is there to help them through a crisis, to help them regain their jobs and regain their pride in themselves.

Make no mistake about it; the absence of progress in the Senate promotes bitterness and anger among the American people. Make no mistake; an empty Senate Chamber is no way to respond to the public's needs. All too often this is what happened because the minority now has simply been abusing Senate rules. They can do it. But it is an abuse of the process.

Last year we were locked in a constant struggle to help jobless Americans. Several times we attempted to bring legislation to the floor to extend unemployment benefits for millions of people who had no other source of income, who were in jeopardy of losing their homes and losing their opportunity to care for their families and being personally humiliated and disgraced about that and we could not get an agreement to pass an unemployment benefits bill until it was included with other legislation that had to pass.

Back in June, 59 Senators wanted to restore aid for those workers who had gone without income for weeks. Our colleagues on the other side of the aisle objected and delayed the vote, then left town for a week-long break. By the way, I keep on reminding those hearing me that this is under the disguise of a filibuster, a legal process that is permitted by the Senate rules to be engaged in when there is a disagreement about a piece of legislation or a process that has to take place.

We left more than 1 million Americans in limbo for several agonizing weeks. Our opponents said they were simply filibustering the bill. In other words, they wanted to talk more about the substance. But they did not want to talk about the substance. They did not want the public to hear the truth about their views. But they did not even want to talk on the floor. They just left the Senate empty and silent.

That is why I reintroduced my ''Mr. Smith'' bill. I brought this up initially last March. It is almost a year now since I brought Mr. Smith back to this Chamber. As we know, the legislation is named for Jimmy Stewart's character in the classic movie, ''Mr. Smith Goes to Washington.'' Frankly, we now look, the names are different, the mission is the same. There are those who want to make progress and those who want to do nothing more than delay progress.

As I said earlier, Mr. Smith wanted to make a point, spoke for 23 hours. These days, Senators simply object to the proceeding, walk away, and leave an empty Chamber behind. How are we supposed to create jobs in an empty Chamber? How are we supposed to increase educational opportunities in an empty Chamber? How are we supposed to help keep people in their homes in an empty Chamber?

The ''Mr. Smith'' Act will bring deliberations back to purportedly the world's greatest deliberative body. It will make lawmaking more transparent and Senators more accountable. Members of this body will no longer be able, if we pass this rule change, to be able to launch a filibuster and then skip town, leaving the Senate in a stalemate.

If you have the courage, stand and explain to the American people why you are objecting to things that can help the average family. This is still a recession. Yes, there are a lot of people at the top making lots and lots of money. We have seen it in the newspapers. We have seen the list of billionaires who make that much money in a single year. But we do not see the same pictures of people who are forlorn because they cannot help themselves, and they look to the government to be there with them.

I know from personal experience that my life changed radically when I got out of the Army and was afforded the GI bill. My father died after I enlisted. My mother was a 37-year-old widow. My father was sick for 13 months with cancer. At the time, there were not the products that make pain less acute or that provide more help for recovery. It was not there.

So we had not only the loss of a father—I had joined the Army. When I was 18 years old, I enlisted—we had bills and bankruptcy and life was miserable. The GI bill made the difference in my life. I was able to join two other people in my home city, friends of mine, in creating a company, three of us.

Now it employes 45,000 people. The company is called Automatic Data Processing, better known as ADP, because I got help when we desperately needed it, when my family and I could never think about my going to college. I wound up going to Columbia University, something so far out of sight I never dreamed it was possible. But it was there. There are times when people across the country say to our leadership: Please, give us a chance. Give us a chance to stay in our home. Give us a chance to educate my son and my daughter. They can learn. We do not have the money.

Make sure health care is available, that no matter what your condition of being is, you cannot be precluded from getting insurance. That is what is proposed in the health care bill that right now is in danger of being repealed, if the House takes the action as purported.

So what we are talking about, to summarize, is that we have to get busy and show the people across the country that this is not just a ring for showing how clever a speech can be or cute an idea might be, when all that is being done is stopping progress. Progress. They object to bills being even moved along so they can be considered—anything they can do to obstruct movement.

So we may be unable to bring Mr. Smith back, but we can write real accountability for filibusters and for the sake of a functioning democracy—more than a functioning democracy, a degree of dignity and hope for people who have been hurt by an unemployment record never before seen in the country, with the number of people out of work in the multiple millions, and they say: Mr. Senator, help us. Be there to help us now. We are not looking for charity. We are looking for a hand that will get us started, get this economy going. We owe it to them.

I say to those who want to obstruct it, be brave enough to stand and tell the people here or the people on television or those who read about what we are doing, tell them why it is you are objecting, and then we will restore a degree of confidence in those who serve here, those who work so hard to be elected, and those who can represent the people well.

But we cannot sit in silence, just wasting time. I hope we will come to our senses, make the changes in the rules that will stop the filibuster from being a disguise for inaction.

I yield the floor.

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

Mr. DURBIN. Mr. President, I rise to speak to the issue which has been considered on the floor today by my colleagues. I thank, especially, the Senators from Utah, Oregon, and Colorado, as well as many others, for their leadership in discussing the procedures of the Senate.

When I went home over the break, I spent my time back in Illinois with my wife in my hometown of Springfield and a lot of time around the house and a lot of things had to be considered. I left the decisions of war and peace behind in Washington, DC, and went home to face the real decisions: Are we going to change our cable TV service? Are we paying too much for the Internet? Things that my wife finally put in front of me and said: We need some decisions here.

As I considered those weighty decisions, particularly when it came to cable television and what we would receive in Springfield, I could not help but reflect on the fact that, similar to many Americans, we like to have C–SPAN so we can follow the House and Senate.

You may know in West Virginia, as I know in Illinois, there are people who are obviously suffering from insomnia who watch C–SPAN all the time and find it very restful and sleep inducing.

If they watch the Senate, it is something else. It is not only sleep inducing because of so little activity on the floor of the Senate, it is, in fact, an unfair economic situation that someone is paying a cable TV bill for C–SPAN covering the Senate when we do so little. They ought to get a refund. Families across America are entitled to a refund if they tune in to C–SPAN, Senate version, and watch us day after weary day, with our delightful and talented staff people slowly reading the quorum call and names of the Senators. That is it. If you have watched C–SPAN in the Senate for the last several years, you will see that more often than not, a lot of people say to me: Senator, why is not anything going on in the Senate? When you talk in the Senate, why isn't anybody there? Basic questions an average person might ask. They reflect on what has happened to the Senate, and that is why we are here with this discussion this evening. I thank the Senators who have been involved, including Senator LAUTENBERG.

One of the things that surprised me when I first came to the Senate, I heard this was the world's most deliberative body. This was the place to come to debate the big issues. Today when there was a swearing in of the Senator from North Carolina, one of his predecessors was here, Senator Lauch Faircloth. He was the first Senator I faced off with on the floor over an issue when I was elected 14 years ago. It was an issue involving tobacco which I had been following pretty closely in my congressional career, and he was from the State of North Carolina where tobacco is a big issue. He didn't like my amendment, and he came to the floor. I was offering my first amendment. There was a lady who worked in the Senate named Lula Davis. I had served in the House for 14 years, but I didn't quite know the Senate procedures as well.

I said to her: How much time do I have?

She said: You have 1 hour.

I said: Is that equally divided?

She said: No, Senator, you have 1 hour.

House Members don't get an hour for anything. Five minutes is the usual course, 15 minutes if it is a great deal or if they want to stick around until midnight, they might get a special order for an hour.

Here I was with an hour on the Senate floor to debate my amendment. Senator Faircloth sat on the other side. I stumbled through it. I asked unanimous consent to allow the time to be equally divided between myself and Senator Faircloth so we could debate the amendment. I thought that was fairly reasonable. Senator Faircloth said: I object.

I was stunned. Clearly, here I am with my amendment being as fair as can be, and he is not interested in the debate.

I am not going to pick on him because he reflected the feelings of many Senators here: that they are here on the floor to give speeches, many of them written by very talented staff people, and then leave the floor and go off and do something else. There is very little debate on the floor of the Senate, real debate. I could count on one hand the times I have in 14 years engaged another colleague in an actual debate that went back and forth over the merits of an issue.

One of the things we are discussing tonight is what to do with the rules of the Senate so we engage in more debate—we need it—so that we have less time that is being wasted in the Senate, fewer hours that are being ticked off a clock to reach 30 hours or whatever it happens to be on a cloture motion, and more actual debate so Senators with differing points of view can state their points of view and debate them back and forth and other Senators can then listen, certainly the public can listen and those in the gallery and can decide who has the merits of the debate.

Debate isn't something we should shy away from. It is an important part of the Senate that we should value and that we should honor to make sure the rules create that opportunity.

The Presiding Officer from the State of Oregon has suggested, along with others, that we have more debate and more votes. I think we should. For a time there was this feeling that we had to protect Members of the Senate from controversial votes. That is behind a lot of the decisionmaking that has taken place and brought us to this moment in the history of the Senate.

Perhaps I have a different view of it. But having been on Capitol Hill for a long time in the House and the Senate, I have stacked up many controversial votes, tens of thousands of them. It will be fair game. For any political opponent ever running against me in the future, there is plenty to work with. I don't need to give them something new to beat me over the head with. I have plenty of votes in my past. I think I can defend them for the most part, and I am prepared to do so. I am not afraid of tomorrow's controversial vote. In fact, I think it is part of why we are here.

There was a man who served here many years ago from Oklahoma, Mike Synar of Muskogee. He was one of my closest friends. Synar was an unusual character in the House. He was one who, faced with the choice between taking an easy, noncontroversial way out or a controversial, confrontational approach, would always choose the confrontational approach. He would walk right into the wall of fire and welcome it because he thought it was part

of what he was elected to the House to do. He used to stand up in the caucuses of House Democrats when they would be whining and crying over the thought of facing a controversial vote and say to them: What is wrong with you people? If you don't want to fight fires, don't become a firefighter. If you don't want to cast controversial votes, don't run for the House of Representatives or, in this case, the Senate.

I think the same is true today. Although some of my colleagues face tough election campaigns in tougher States than my home State of Illinois, the fact is, coming here and casting tough and even controversial votes is part of why we were elected and why the people expect us to come and face the music on difficult issues.

Bringing debate back to the floor, bringing more votes to the floor certainly is a move in the right direction.

I say to the Senators from New Mexico, Oregon, and others that their proposal that would allow germane amendments as part of the regular order of the Senate is a move in the right direction. That way the minority and majority get an opportunity to amend a bill. Can it be abused? It can. But making these germane and relevant amendments makes a difference. I can recall one colleague on the other side of the aisle who kept coming to the floor repeatedly, day after day and week after week, to offer the same amendment over and over, even when he was passing the amendment. Sometimes he would pass it; sometimes he wouldn't. But he couldn't help himself. He just had to keep offering it over and over. As he offered this amendment, it didn't enhance the bill. It didn't enhance the debate. It gave him a chance to put out a press release.

One can abuse that process. So making sure the amendments are limited to those that are relevant certainly is a reasonable thing to do.

Let me say a word about the 60-vote margin. The 60-vote margin, as former Vice President Mondale wrote in his guest column recently—I believe, in the Washington Post—was a compromise. In days gone by it took 67 votes to end a filibuster, to bring cloture. Then in the 1970s, Vice President Mondale, then a Senator, joined with others on a bipartisan basis and lowered that to 60 votes. But it was still a rare and unusual thing to do, to filibuster and need a cloture vote of 60 votes. Unfortunately, that 60-vote standard has been corrupted into a new standard for passage of legislation.

Allow me to give two examples. We considered a Wall Street reform bill. There were dozens of amendments offered. The Senator from Oregon had a controversial amendment and waited for days, maybe weeks, for a chance for his day on the floor of the Senate. After about 25 amendments had been offered and considered to the Wall Street reform bill with a standard of a majority vote, I had an amendment relative to interchange fees on debit cards, a controversial amendment. Credit card companies and big banks hated it.

At that point the announcement was made unilaterally, incidentally, the Durbin amendment will require 60 votes. Everything else had been a majority vote to that point. There was no way for me to challenge that. If I wanted my amendment to come to the floor, I had to accept a higher margin to pass it than all the other amendments that had preceded it.

Why? Because the threat of a filibuster was there, a filibuster against my amendment. That threat alone raised the margin and standard for that vote to 60. From the other side's point of view, many of whom opposed my amendment, it is a pretty easy thing to start a filibuster if you don't have to engage personally or make a personal commitment to it. They tossed it out as a standard. Sixty votes became the requirement. Fortunately for me, I had 64 votes and passed it.

The same is not true of another provision which means an awful lot to me, the DREAM Act. The DREAM Act is a reform of our immigration laws that is long overdue for children brought to the United States who are asking for a chance to become legal. They can do it through military service or by education, achieving at least 2 years of college. I have tried for 10 years to pass this measure and repeatedly have had majority support on the floor of the Senate. It has been ruled not enough. You need 60 if you are going to pass the DREAM Act. Just in the last 3 weeks, we had it considered again. It failed by not reaching 60 votes but had 55 votes. So the fact is, establishing this new 60-vote margin has become too commonplace for anything that anyone wants to brand as controversial that might require a filibuster. That has to change. Sixty-vote requirements should be rare in this body. They should be used sparingly, and they should not be applied on a daily basis to any amendment or bill that I or any other Senator at any given moment objects to.

Let me also say when it came to unemployment insurance, I had a little debate with the former Senator from Kentucky, Jim Bunning, now retired, and insisted that he stay on the floor as I repeatedly asked for unanimous consent to extend unemployment benefits. Some Republicans came to the floor and charged that was unfair to ask the Senator from Kentucky to stay on the floor so that he could object to my unanimous consent requests. I am sorry. There were millions of Americans who were not receiving unemployment benefits, and I think it is not unfair to say to the Senator who is objecting to those benefits: Stick around, miss that basketball game you want to see tonight, which he had announced on the floor. Stick around and suffer a little bit because you happen to believe that is the right thing to do.

Eventually, after a matter of days, unemployment benefits were extended. But the point I am getting to is that we have reached a point here that is way beyond the protection of the minority. It is the protection of what I consider to be an indolent approach to the Senate where we want the easiest way around things. We don't want to debate them. We don't want to vote on them. We don't want to face a majority vote that we might lose. So we have contrived a new set of standards, procedures, and rules that we are addressing today as part of this reform conversation.

Many times when Senators file a cloture motion or an objection that is noted by their side of the aisle and then the clock starts to run, the 30 hours, before there is a vote, many times those Senators leave. Before the Senator from Oregon arrived in this body there was one Senator who objected to our moving to a measure, forcing the Senate to stay in session until Saturday, when in the afternoon the time expired and a vote was called. The Senator who objected didn't show up. He wasn't there. We asked where he was. He had to go to a wedding. Really? The rest of us stayed here and waited for the vote that he demanded while he went off to a family social obligation. That is not right.

The good part of the rules changes that are being discussed now would require Senators like that Senator, if they believe the business of the Senate should stop or be delayed, to invest themselves personally in the conversation—to be here. Is that too much to ask? As the Senator from Pennsylvania once said: Earn it and own it. If you believe the business of the Senate should come to a halt for 30 hours, then for goodness' sake have at least the decency and the personal commitment to park yourself at your desk and argue your point of view. If you are too tired to do it or too distracted or can think of something better to do with your time, be my guest and walk through the doors and let the Senate proceed with its business. But if it is important enough for you to stop the business of the Senate, I happen to agree with those who are calling for rules reforms; we should have that change.

We should make those who are invested in it stay and invest their time, their personal commitment to that undertaking.

Finally, the nomination process has been corrupted to a point I don't even recognize. When Chief Justice Roberts chastises the Senate for all of the judicial vacancies in America, I know what he is talking about. In my home district of Illinois, the central district, in normal times there are four district court judges. Currently, we have three vacancies. One judge, Mike McCuskey, is running all over downstate Illinois from courthouse to courthouse to try to keep the criminal calendar going. I am afraid he has little or no time for the civil calendar because of three vacancies.

Two of those vacancies the President nominated judges to fill. The judges

were considered by the Senate Judiciary Committee, reported unanimously by the Senate Judiciary Committee to the Executive Calendar, and I literally begged the Republican side of the aisle and leadership to allow these two to come up for a voice vote since there was no controversy attached with them and a judicial emergency existed in that central Illinois district. They refused. They refused, despite repeated efforts.

I then went to the other side and said: All right, you must have Republican Senators facing the same thing in their States. I found Senator CORNYN of Texas, with exactly the same circumstance. I said: JOHN, you have a noncontroversial nominee. Let's team up together, make it bipartisan so there is no question that we are trying to do anything for a partisan advantage. He said: I am with you. It was not enough. The Republican leadership still objected to filling these vacancies when a judicial emergency existed, though I asked for it repeatedly. That to me is an abuse of the process. If either of those nominees had been controversial, if this was a situation where it was a new, extra judge, some question of whether it was needed, that is another story completely. But we need a nomination process where those who are not controversial are brought up and considered in a timely fashion.

I commend my colleagues because I think each and every one of them has added to this conversation—Senators WYDEN, GRASSLEY, and MCCASKILL, on a bipartisan basis, to do away with Senate holds. Senator UDALL of New Mexico, Senator HARKIN of Iowa, and Senator MERKLEY of Oregon, who is now presiding, I think have had an excellent proposal here of five different changes that would make this a more effective Senate. Senator LAUTENBERG, who spoke just moments ago, had his own proposal. Senator UDALL of Colorado and Senator HARKIN each have a proposal.

It is time for us to sit down on a bipartisan basis to protect the rights of the minority within the Senate, but to bring the Senate procedure into a more efficient and more effective way, not just so C–SPAN viewers are not shortchanged when they sign up for C–SPAN Senate and all they get is an occasional ''Akaka'' or some other name being listed in the quorum call, but actually hear the Senate working for its money.

We can do better. I know what is going to happen now. We are likely to recess for some period of time, and an opportunity presents itself for the leaders on both sides to come together. There is room for us to reach agreement. We can say to the minority: You are going to get your chance for amendments. You always want that. You are going to get it. And we can say to our side: You are going to face some votes on amendments, like it or not. That is part of why we are here. We can have some real debate. We can have an investment in the cloture process that means it is real and personal, and that those who believe in it are taking the time to make sure the Senate continues to function as a responsible part of our government.

Mr. President, at this point I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL of New Mexico. Mr. President, let me first say to our majority whip, Mr. DURBIN of Illinois, that I very much appreciate his long-term effort in looking at rules. I know he signed on to several proposals today. I know he is on the one Senator MERKLEY and I are on, and he is also on the Harkin proposal.

The Senator was here back in those days, and he has seen how much the Senate has changed. So we really appreciate the Senator's contribution to this effort and the remarkable job he has done trying to lead us in these difficult times we are in. It must be tough for somebody like him, who came to a Senate and saw it change over time, and change in the wrong way and get hyperpartisan. I want to say that to the Senator.

I also want to say several of our speakers mentioned things, and I think it is very appropriate to put them in the RECORD because I think when people read the CONGRESSIONAL RECORD, and things are mentioned, it is important they be able to find them quickly.

So the first one is from George Packer, who is a writer with the New Yorker magazine. He wrote a piece called ''The Empty Chamber'' dated August 9, 2010. I commend to my colleagues that article. It was mentioned in the course of the debate and it is an excellent article. He is a very good writer.

Secondly, one of the big scholars on Congress—there are a couple of people out there who study Congress over and over and write books and articles and monitor what we are doing, and one of them is a gentleman by the name of Norm Ornstein. Norm wrote—this was also mentioned in the course of the debate by one of the Senators—and Norm wrote a piece in the New York Times called ''A Filibuster Fix.'' That was on August 27, 2010. I ask unanimous consent that article be printed in the RECORD.

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

[From the New York Times, Aug. 27, 2010]

A FILIBUSTER FIX

(By Norman Ornstein)

WASHINGTON.—After months of debate, Senate Democrats this summer broke a Republican filibuster against a bill to extend unemployment benefits. But the Republicans insisted on applying a technicality in the Senate rules that allowed for 30 more hours of floor time after a successful vote to end debate. As a result, the bill—with its desperately needed and overdue benefits for more than 2 million unemployed Americans—was pointlessly delayed a few days more.

The Senate, once the place for slow and careful deliberation, has been overtaken by a culture of obstructionism. The filibuster, once rare, is now so common that it has inverted majority rule, allowing the minority party to block, or at least delay, whatever legislation it wants to oppose. Without reform, the filibuster threatens to bring the Senate to a halt.

It is easy to forget that the widespread use of the filibuster is a recent development. From the 1920s to the 1950s, the average was about one vote to end debate, also known as a cloture motion, a year; even in the 1960s, at the height of the civil rights debates, there were only about three a year.

The number of cloture motions jumped to three a month during the partisan battles of the 1990s. But it is the last decade that has seen the filibuster become a regular part of Senate life: there was about one cloture motion a week between 2000 and 2008, and in the current Congress there have been 117—more than two a week.

Even though there might be several motions for cloture for each filibuster, there clearly has been a remarkable increase in the use of what is meant to be the Congressional equivalent of a nuclear weapon.

Filibusters aren't just more numerous; they're more mundane, too. Consider an earlier bill to extend unemployment benefits, passed in late 2009. It faced two filibusters—despite bipartisan backing and its eventual passage by a 98–0 margin. A bill that should have zipped through in a few days took four weeks, including seven days of floor debate. Or take the nomination of Judge Barbara Milano Keenan to the United States Court of Appeals for the Fourth Circuit: she, too, faced a filibuster, even though she was later confirmed 99 to 0.

Part of the problem lies with today's partisan culture, in which blocking the other party takes priority over passing legislation or confirming candidates to key positions. And part of the problem lies with changes in Senate practices during the 1970s, which allowed the minority to filibuster a piece of legislation without holding up other items of business.

But the biggest factor is the nature of the filibuster itself. Senate rules put the onus on the majority for ending a debate, regardless of how frivolous the filibuster might be.

If the majority leader wants to end a debate, he or she firsi calls for unanimous consent for cloture, basically a voice vote from all the senators present in the chamber. But if even one member of the filibustering minority is present to object to the motion, the majority leader has to hold a roll call vote. If the majority leader can't round up the necessary 60 votes, the debate continues.

Getting at least 60 senators on the floor several times a week is no mean feat given travel schedules, illnesses and campaign obligations. The most recent debate over extending unemployment benefits, for example, took so long in part because the death of Senator Robert Byrd, a Democrat from West Virginia, left the majority with only 59 votes for cloture. The filibuster was brought to an end only after West Virginia's governor appointed a replacement.

True, the filibuster has its benefits: it gives the minority party the power to block hasty legislation and force a debate on what it considers matters of national significance. So how can the Senate reform the filibuster to preserve its usefulness but prevent its abuse?

For starters, the Senate could replace the majority's responsibility to end debate with the minority's responsibility to keep it going. It would work like this: for the first four weeks of debate, the Senate would operate under the old rules, in which the majority has to find enough senators to vote for

cloture. Once that time has elapsed, the debate would automatically end unless the minority could assemble 40 senators to continue it.

An even better step would be to return to the old ''Mr. Smith Goes to Washington'' model—in which a filibuster means that the Senate has to stop everything and debate around the clock—by allowing a motion requiring 40 votes to continue debate every three hours while the chamber is in continuous session. That way it is the minority that has to grab cots and mattresses and be prepared to take to the floor night and day to keep their filibuster alive.

Under such a rule, a sufficiently passionate minority could still preserve the Senate's traditions and force an extended debate on legislation. But frivolous and obstructionist misuse of the filibuster would be a thing of the past.

Mr. UDALL of New Mexico. Let me finally say to the Senator from Oregon, the Presiding Officer, that I very much appreciate his support both in working with me on the constitutional option and sorting out the details and making sure we have things right and also for his incredible work in terms of pulling together the talking filibuster part of this. I was here today when he showed his charts, and he took our five ideas and, in the most simple form so the American people could understand it, capsulized those in those five charts.

I have been telling my staff—and you need to do this by the end of the debate—we need to find a way to shrink those and put those in the RECORD also because here we are sitting on the floor and we have these charts and we need to somehow have those be a representation also.

So with that, I yield the floor.

RULES REFORM

Mr. BENNET. Mr. President, I rise today in support of reasonable efforts to reform the Senate Rules. The American people expect us to work together to find solutions to the problems of the day. Yet anyone watching this body can plainly see that a few Senate rules no longer work.

I believe we should all be cautious and fair about respecting Senate tradition. But blindly adhering to tradition when the American people need us to take a fresh look helps no one. The rules have been changed before, when they needed to be.

Anyone watching this place over the last 2 years will tell you that a few of the rules no longer serve us. They need to be reformed.

We have seen consensus bills, supported by 80 or 90 Senators, get held up for many months because of a single Senator's secret objections.

And we have moved well beyond the intended use of the filibuster for exceptional circumstances and to provide for extended debate. In fact, the filibuster has been so corrosive to this body that we rarely ever even have debate during filibusters. The average American turns on their TV and only sees endless live quorum calls.

The American people are counting on us to get past the tired partisan bickering. This is not about Democrats and Republicans. It has to be about the American people, what is in their interests. Whether one Senator secretly holding up a nominee's career for a year is in their interests. Whether promoting filibusters that stifle, rather than promote debate, is in their interests. Whether we have to waste valuable Senate calendar days watching time run in silence, on bills everyone knows are going to pass, because the rules require it, is in the American people's interests.

In my short time in the Senate, I have offered a number of reforms which would improve the ability of this body to function and help fix our broken politics.

I introduced a rules reform proposal and have testified before our Rules Committee to explain it to colleagues on the Committee. My proposal would eliminate the filibuster on motions to proceed, that are used to stifle, rather than promote debate. I am all for extended debate, yet filibustering motions to even proceed to measures has the result of actually preventing the Senate from even addressing the important issues of the day.

My resolution would also eliminate secret holds and place a time limit on all holds by individual Senators.

And it would require filibustering Senators to actually show up and vote in order to continue to block legislation. As it is now, if you want to obstruct Senate business, you can just go home. How does this promote debate? My commonsense proposal only requires you to stand up and be counted if you want to filibuster a bill or a nomination.

I don't have a monopoly on good ideas for reform. We have colleagues who have been here for many years with a lot to add to this discussion. And it is also healthy that so many new Members are introducing their own ideas. I am hopeful that we can achieve some consensus for the good of the country.

The PRESIDING OFFICER. The Senator from Mississippi.

RUSSIA

Mr. WICKER. Mr. President, I am speaking today on a very important international foreign policy issue. That will be the subject of my address today. I wanted to come down here the first day of this legislative session, this 112th Congress, and talk about the deteriorating situation with regard to oppression and the rule of law in Russia. I have come to this floor a number of times to share my concern on this subject. I wish to begin this Congress by once again expressing my deep concern for what we see happening just in the recent days in Russia.

I remember looking back in 1990 and 1991 at the hope we had, the optimism we in the West had as we watched the Iron Curtain fall, as we watched the wall tumble in Berlin, and we watched with hope that this would be a new day for people behind the Iron Curtain and a new opportunity for freedom and openness in that society. Unfortunately, year after year, month after month, we have seen since the fall of the Soviet Union a very regrettable and disturbing deterioration in the rule of law in Russia and a move back to the authoritarian rule of old we all remember so well. Recent events in Russia once again cause us to believe this problem is escalating and have caused me to come to the floor today on this subject.

Last month, the leadership of this Senate pushed through, I think in haste, the New START treaty with Russia. I had concerns over the treaty, and I ultimately voted against it. We had a lot more debate that needed to take place. We had dozens of amendments that went undebated and unconsidered and not voted upon by this body, and I regret that. I always thought nuclear arms policy and treaties with regard to our nuclear stockpile should be based on the security of the American people and that the primary issue should be what is in the best interests of the United States. What we saw a lot of in the debate last month was instead an emphasis on New START as the centerpiece of this administration's effort to reset relations with Russia. I certainly support the resetting of our relations with Russia, but I do not believe the New START treaty was the best way to advance this.

But it should concern all of us, it should concern everyone within the sound of my voice, regardless of how we voted on New START that within 2 weeks' time of this body approving the New START treaty, a Russian court issued a second spurious guilty verdict against Mikhail Khodorkovsky and Platon Lebedev. Almost simultaneously, authorities in Russia arrested prominent Russian opposition figure, former Deputy Prime Minister Boris Nemtsov. These events took place within days of each other.

What do these recent events mean? To me, they are two other examples of the way the current Russian leadership does not respect universal values such as the rule of law or freedom of expression and assembly. The Russian Government does not share our commitment to international norms or fostering modernization. Resetting U.S.-Russian relations will be exceedingly difficult while these differences persist.

During the last Congress, I spoke several times on the trial of Mikhail Khodorkovsky and Platon Lebedev. I concluded my most recent remarks by saying that I hoped Russia would choose the right path and somehow justice would prevail in that case. Sadly, it did not. A Russian court issued another politically motivated guilty verdict against these two Russian dissidents. This disturbing verdict reveals that the Russian judiciary lacks independence and that Russian authorities

can act above the law at will. This latest verdict was not only sad for Mikhail Khodorkovsky, Platon Lebedev, and their families, but also for all people, for all of us who seek a more open Russia based on the rule of law.

Prime Minister Vladimir Putin's comments on the case before the verdict was even issued were very troubling indeed. According to the Associated Press, Russia's Prime Minister said that the crimes of the former oil tycoon have been proven—he said this before the verdict was even issued—and that a ''thief should sit in jail.'' Mr. Putin said Khodorkovsky's present punishment is more liberal than the 150-year prison sentence handed down in the United States to financier Bernard Madoff.

Citing the years of advocacy and statements from global leaders, the very respected publication The Economist explained that Putin's comments were ''a humiliating slap in the face of all those foreign dignitaries . . . who had lobbied Dmitry Medvedev, Russia's president, to stop persecuting Mr. Khodorkovsky.'' I agree with the comments contained in the publication The Economist.

In a democracy, courts are independent and the executive branch acts as a separate branch of government with no say in final court decisions. Prime Minister Putin's statement demonstrates that this separation does not exist in Russia.

As if the Khodorkovsky verdict did not make it clear enough that opposition will not be tolerated in Russia, Russian authorities arrested opposition leader and former Deputy Prime Minister Boris Nemtsov on New Year's Eve. This took place during a reportedly peaceful antigovernment rally in Moscow. Approximately 70 others were also arrested. A Moscow court sentenced former Deputy Prime Minister Nemtsov to 50 days in jail for allegedly disobeying police. This arrest was a tremendous disappointment, but it certainly was not a surprise. The Russian Government had recently begun granting permission for semiregular protests. I use the term ''semiregular'' because it was granted only for the last day of months with 31 days.

I met with Mr. Nemtsov last March when he was here in Washington. He came to my office, and we had a very enlightening discussion about the future of Russia. I admired his dedication and commitment to promoting democracy in Russia, and I hope and pray for his safety during the remaining days in a Moscow jail cell.

Sadly, we have learned that not all those who opposed the Russian Government do, in fact, return from Russian jails. Sergei Magnitsky, who was a young Russian anticorruption lawyer employed by an American law firm in Moscow who blew the whistle on the largest tax rebate fraud in Russian history perpetrated by high-level Russian officials, is an example. Magnitsky was arrested shortly after he testified to authorities. He was held in detention for nearly a year without trial, under torturous conditions, and he died in an isolation cell on November 16, 2009, in Russia.

During the 111th Congress, I joined Senators CARDIN and MCCAIN in cosponsoring the Justice for Sergei Magnitsky Act, which would freeze assets and block visas to Russian individuals responsible for Mr. Magnitsky's unfortunate death. In this, the 112th Congress, I will continue to highlight the treatment of opposition figures in Russia and the regrettable erosion of the rule of law.

I urge President Obama and Secretary of State Clinton to make the treatment of opposition figures a central part of our efforts to reset relations with Russia. In order to make progress on other issues, Russia needs to prove it is truly committed to the rule of law and the human rights of all of its citizens, including those who disagree with the government. Without this, our efforts to find common ground on other issues of mutual concern will continue to be undermined.

Mr. President, I yield the floor.

REMEMBERING ELIZABETH RIDGWAY

Mr. DURBIN. Mr. President, I wish to say a few words about Elizabeth Ridgway, an Illinoisan, educator, and hard-working employee of the Library of Congress who recently passed away. Elizabeth died on December 23, 2010, at the young age of 41.

In her role leading the Library's Educational Outreach Division, Elizabeth advocated for America's teachers and worked to provide them with better and expanded resources. In this capacity, she was responsible for administering the Teaching with Primary Sources program. In 2005, I secured authorization language to establish Teaching with Primary Sources to share with students and teachers the educational treasures of the Library of Congress. Many Illinois educators and educational facilities have participated in this program since its inception and, under Elizabeth's guidance, have been instrumental in the expansion of the program.

The numerous programs she directed now reach tens of thousands of teachers nationwide, providing them with important classroom materials, workshops, online and graduate courses, mentoring and grants. Countless students across our nation are benefitting from the Library's collections as a result of Elizabeth's work.

Librarian of Congress James H. Billington said Elizabeth ''was a pioneering humanistic educator of the Internet Age.'' He continued, ''she was admired and beloved by colleagues at all levels of the Library—and by many local librarians and K–12 teachers all over America. . . . We will deeply miss her infectious enthusiasm and selfless dedication.''

I offer my deepest condolences to Elizabeth's family, colleagues, and friends. My thoughts are with all of you. Established by her family since her untimely passing, the Elizabeth Ridgway Education Fund at the Library will help continue her legacy. The lives that she has touched, and the teachers and students who her work has empowered, will be a lasting tribute to her life and her love of education. She inspired many with her dedication and leadership, and I have every confidence that others will continue the work Elizabeth loved so much.

JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, in the closing days of the 111th Congress, a brief flurry of activity led to the confirmation of 19 long-pending judicial nominations. Regrettably, the stalemate that had prevented the Senate from confirming a single nomination between September 13 and December 16 resumed when Senate Republicans denied action on 19 other well-qualified, consensus judicial nominations reported by the Senate Judiciary Committee. Ultimately, these nominations were returned to the President, including 15 nominations that received unanimous or near unanimous support in the committee. I suspect that when the President renominates these qualified individuals, they will be confirmed with overwhelming bipartisan support. The only question will be why we were unable to take action on them sooner.

In his ''Year-End Report on the Federal Judiciary,'' Chief Justice Roberts rightly called attention to the problem facing many overburdened district and circuit courts across the country. The rise in judicial vacancies, which topped 110 in 2010, and an increasing number of judicial emergencies is of great concern to all Americans who seek justice from our courts.

Unfortunately, the unprecedented obstruction of judicial nominations seen in the last Congress, and the dramatic departure from the Senate's longstanding tradition of regularly considering consensus, noncontroversial nominations, marked a new chapter in what Chief Justice Roberts calls the ''persistent problem'' of filling judicial vacancies. A New York Times editorial from January 4, 2011, refers to Senate Republicans' ''refusal to give prompt consideration to noncontroversial nominees'' a ''terrible precedent.'' I agree, and I will ask that the Times' editorial be printed in the RECORD.

Nearly all of the mere 60 district and circuit court nominations the Senate was allowed to consider last year were confirmed with the overwhelming, bipartisan support of the Senate. Yet nearly a third of these nominations—19—were held up for more than 100 days, only to be confirmed unanimously. As the Times editorializes, ''apart from partisan gamesmanship, there was no reason that Republicans

held up these nominations for months only to unanimously approve nearly all of them in the waning days of the lame duck session.'' Among these nominations was that of Kimberly Mueller, nominated to fill a vacancy in the Eastern District of California. Chief Justice Roberts cited this confirmation as one of the most sorely needed. Yet for more than 7 months, the Senate was prevented from considering the nomination to fill this vacancy. Judge Mueller's nomination was unanimously reported by the Judiciary Committee in May; her nomination was unanimously confirmed on December 16. No Senator objected to her qualifications, her record, or her fitness to serve. This sort of delay is the real crisis facing the Federal judiciary.

Lifetime appointments to the Federal bench should not be granted without due consideration. No Senator, Democrat or Republican, should simply rubberstamp the nominations of any President. In the first Congress of the Bush administration, the Democratic majority worked to confirm 100 judicial nominations, turning the page on the Republicans' pocket-filibusters of the 1990s. We proceeded with regular consideration of noncontroversial, consensus nominations, most of which received unanimous support in the Senate. We confirmed 20 nominations during the lameduck session in 2002, including two controversial circuit court nominations which were favorably reported by the Senate Judiciary Committee in the lameduck session. Senate Republicans' decision in December to object to consideration of 19 judicial nominations favorably reported by the Judiciary Committee—including 15 nominations with overwhelming bipartisan support—has established a new low with regard to judicial nominations. They set back the progress we have tried to make in confirming judges.

I suspect that President Obama will renominate these qualified individuals. I hope to work with the Judiciary Committee's new ranking Republican, Senator GRASSLEY, to promptly consider and report these nominations to the full Senate. I hope that Senator GRASSLEY will work with me to ensure the timely confirmation of these and other noncontroversial, consensus nominations, which will help reduce vacancies and address the judicial crisis.

The American people turn to our courts for justice. Likewise, the Senate must return to the time-honored traditions of the Senate, and work together to secure the confirmation of the President's judicial nominations. Judicial vacancies hinder the Federal judiciary's ability to fulfill its constitutional role. Working together, we can restore the judicial confirmation process.

Mr. President, I ask unanimous consent to have printed in the RECORD the New York Times Article to which I referred.

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

[From the New York Times, Jan. 3, 2011]

THE MISSING JUDGES

The annual report on the federal judiciary by the chief justice of the United States is not a place you would normally go for political agitation. But that is just what Chief Justice John Roberts Jr. offered by using a portion of his year-end review to deplore the ''acute difficulties'' created for the justice system by the Senate's slowness in approving President Obama's nominees for federal judgeships.

Justice Roberts is right to be concerned that mounting federal court vacancies are creating crushing caseloads in some jurisdictions and hampering courts' ability to fulfill their vital role. Given his office, we understand why he did not point a partisan finger in his report. But he diluted his message a bit by suggesting that blame for this undermining of the judicial branch rests evenly with both parties. The main culprit is an unprecedented level of Republican obstructionism.

Democrats sought to block a handful of President George W. Bush's controversial nominees for circuit court seats, but were open about stating their objections, and promptly allowed up or down votes on other nominees once approved by the Judiciary Committee.

In the last Congress, Republicans typically refused to publicly explain their opposition to individual nominees and their prolonged blockade of candidates who had cleared the committee either unanimously or with just a couple of negative votes. Between Congress's return from its August recess and the start of the lame duck session, Senate Republicans consented to vote on just a single judicial nomination.

Before adjourning, Senate Republicans allowed action on 19 well-qualified nominees—some of whom had been left in limbo for nearly a year after clearing the Judiciary Committee. That was welcome progress. But apart from partisan gamesmanship, there was no reason that Republicans held up these nominations for months only to unanimously approve nearly all of them in the waning days of the lame duck session.

Partisan obstruction was also the only plausible reason that Republicans declined to allow confirmation of 15 other nominees who were considered noncontroversial and were cleared by the committee after the November election. Those nominations have been returned to the president, ensuring further delays in filling seats when those individuals are renominated and a newly reconstituted Judiciary Committee must hold new hearings.

Four other nominees approved by the committee by a party-line vote were also denied Senate consideration. That list includes Goodwin Liu, a well-qualified law professor and legal scholar whose main problem for Republicans, it seems, is his potential to fill a future Supreme Court vacancy.

The dismal net result, laments Senator Patrick Leahy, the Judiciary Committee chairman, is that the Senate confirmed just 60 district and circuit court judges—the smallest number of judges for the first two years of a presidency in more than three decades.

The Republicans' refusal to give prompt consideration to noncontroversial nominees sets a terrible precedent. It gives Democrats something to consider as they weigh possible rules changes in the Senate to curb the autopilot filibusters and secret holds that mindlessly delay essential business, like the confirmation of federal judicial nominees.

MEDICARE

Mr. GRASSLEY. Mr. President, as we begin the 112th Congress I want to discuss one of my continuing concerns with the Medicare Program. For the last 10 years, I have served most recently as ranking member and previously as the chairman of the Senate Committee on Finance, which has jurisdiction over Medicare. During this time I have led efforts to reform the Medicare payment system and realign incentives in Medicare to promote higher quality and more efficient care. Today, I would like to address one of the flaws in the Medicare payment system: the inaccuracy of the Medicare geographic adjustment factors used for physician practice expense and the adverse impact they have on rural Medicare beneficiaries' access to care. This flaw has for many years resulted in unfairly low payments to high quality areas like my own home State of Iowa and many other rural States.

Medicare payment varies from one area to another based on the geographic adjustments known as the geographic practice cost indices or GPCIs. These geographic adjustments are intended to equalize physician payment by reflecting differences in physician's practice costs. But they do not accurately represent those costs in Iowa or other rural States. They have failed to do the job. They penalize rather than equalize Medicare reimbursement in rural States and discourage physicians from practicing in areas like New Mexico, Arkansas, Missouri, and Iowa because of their unfairly low Medicare rates. Iowa is widely recognized as providing some of the highest quality care in the country yet Iowa physicians receive some of the lowest Medicare reimbursement in the country due to these inequitable geographic disparities.

I introduced legislation to correct these unwarranted geographic payment disparities in the 110th Congress, the Medicare Physician Payment Equity Act of 2008. In the 111th Congress, I introduced the Medicare Rural Health Access Improvement Act of 2009. And when the Senate Finance Committee conducted its markup of health reform legislation in the fall of 2009, I offered an amendment to reform the practice expense geographic adjustment, PE GPCI, that has caused unduly low payments in rural areas due to the inaccurate data and methodology that is used. My amendment provided more equity and accuracy in calculating this adjustment, and it provided a national solution to the problem. It was accepted unanimously by the Senate Finance Committee, and it was included in the Senate health reform bill, the Patient Protection and Affordable Care Act, PPACA, that was enacted last year.

The goal of my amendment was to assure that the statutory mandate of the Social Security Act is met and that the most recent and relevant data is used for these geographic adjusters. The language of section 3102(b) is very

specific. It requires a transitional 2-year period of limited relief to reduce the impact of the current, inequitable practice expense formula in rural areas while a broader analysis of the methodology and evaluation of the data is conducted by the Department of Health and Human Services, HHS. The Secretary is mandated to limit the impact of the existing adjustments by reflecting only one-half of the geographic differences in employee wages and rents in the PE GPCI adjustment for 2010 and 2011 and to hold harmless those localities that would otherwise see a reduction as a result of this adjustment. Most importantly, the provision requires that a longer term solution be implemented in 2012, at which time the Secretary must make appropriate adjustments to the formula to ensure accurate geographic practice expense adjustments.

This 2-year transition in 2010 and 2011 was provided to allow time for a focused, in-depth study by the Centers for Medicare and Medicaid Services, CMS, on the data and methodology used to support a revised PE GPCI formula that would be implemented by January 1, 2012. However, to date CMS has failed to make any significant changes in the sources of the data or the methodology used in calculation of the practice expense adjustment. Although CMS has acknowledged its obligations for an additional study as called for by section 3102(b), they continue to claim that their ''analysis of the current methods of establishing PE GPCIs and [their] evaluation of data that fairly and reliably establish distinctions in the cost of operating a medical practice in the different fee schedule areas meet the statutory requirements'' of section 3102(b), Federal Register, November 29, 2010, Page 73254. I strongly disagree.

When the current Medicare payment system was established, Congress decided that geographic adjustments would be appropriate to equalize physician payment by reflecting differences in physicians' practice costs, and it established the geographic practice cost indices, GPCIs, for physician work, practice expenses, and malpractice premiums. Congress also mandated that HHS use the most recent data available relating to practice expenses in calculating the geographic adjustments for physician practice costs.

However, CMS has long relied upon proxy data sources that bear little to no relevance to actual practice costs, such as using Housing and Urban Development, HUD, apartment rental data to calculate physician office rent. This doesn't have any connection with the cost of office space, let alone a physician's office. Also, the current formula only counts employee wages in four occupations: nurses, clerical personnel and medical technicians but it should reflect employee wages more accurately by also taking into account physician assistants, office administrators, and other more highly compensated specialists commonly employed in practices today. The third category, of ''other'' expense, is considered to be a national market and not adjusted. It should include expenses like office furniture and information technology that cost the same, no matter where you live, but it doesn't. And the weights used by CMS in their methodology are outdated and fail to represent physician practice expenses accurately.

Unfortunately, the more accurate calculation of practice expense costs that was intended to be achieved by my amendment also has been jeopardized by a special interest provision that was added to PPACA behind the closed doors of the majority leader during the Senate floor consideration of health reform. It addresses geographic disparities in Medicare payment but it helps just 5 States at the expense of the other 45 States. It is what I call the ''Frontier Freeloader'' provision. It improves Medicare reimbursement in these frontier States by establishing floors for the hospital wage index and the physician practice expense GPCI. A frontier State is defined as one with 50 percent or more frontier counties, defined as counties with a population per square mile of less than six.

This special deal will ensure that higher payments go to just five rural States in 2011—North Dakota, South Dakota, Montana, Wyoming and Nevada—at the expense of every other State. But the Frontier Freeloader is even more egregious because Iowa and other States like Arkansas and New Mexico that don't benefit from this provision are paying for it! So, taxpayers in your State and mine all the other 45 States—will kick in to pay for this unfair $2 billion Frontier Freeloader carve-out for five States that ends up harming all the other rural States. And that is just the cost for the next few years. The frontier States deal does not sunset, and it is not time-limited. It will continue to benefit so-called ''frontier States'' forever while taxpayers in your State and mine continue to pay the bills. It's another example of how the lack of transparency and the deals made behind closed doors to garner votes last year led to bad policies. And it became law when the President signed the health care reform bill.

I introduced legislation to eliminate the inequitable frontier freeloader provision in the last Congress and to improve Medicare beneficiaries' access to care in all rural States. The Medicare Rural Health Care Equity Act of 2010 would have eliminated this special Medicare reimbursement rate for frontier States and provided additional funds from its repeal to improve reimbursement in all rural States. Iowa provides some of the highest quality care in the country but it does not meet the definition of a frontier State. Certainly Iowa should have been helped since Medicare reimbursement for hospitals and physicians is lower in Iowa than in most of these so-called ''frontier'' States. Medicare also pays much lower rates in other rural States, like Arkansas and New Mexico, but they don't benefit from the Frontier Freeloader because they don't meet the definition of a frontier State. We should improve physician payments for all rural States, not just a select few. And it's unfair to improve hospital payments for just a few States. My legislation would have eliminated those special payments for just five States, and I will be reintroducing that legislation again soon.

The Institute of Medicine, IOM, has been asked by HHS to evaluate the accuracy of the existing geographic adjustment factors and whether the current measures and data are representative of the costs. I have prepared a statement for consideration by the IOM committee charged with this review, the Committee on Geographic Adjustment Factors in the Medicare Program. I urge the IOM to address the inaccuracy of the current geographic adjusters used for physician practice expense, the methodology and data used in their calculation, and the adverse effect of the existing practice expense geographic adjustment factor on rural access to care. I also urge IOM to review the frontier States provision and provide HHS and Congress with recommendations on specific factors that could be used to determine physician practice costs in those States in lieu of the inequitable frontier States floor.

It is my hope that the IOM will carefully consider these comments as it proceeds with its review and develops recommendations and a report to be submitted to HHS and the Congress later this year. I ask unanimous consent that my statement to the IOM be printed in the RECORD.

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

STATEMENT OF SENATOR CHUCK GRASSLEY

(Institute of Medicine, Committee on Geographic Adjustment Factors in the Medicare Program, Jan 5, 2011)

As the senior senator from Iowa and the Ranking Member of the United States Senate Committee on Finance in recent years, I appreciate the opportunity to provide this statement to the Institute of Medicine (IOM) on a study that the IOM has undertaken at the request of the Secretary of the Department of Health and Human Services (HHS) regarding the accuracy of the geographic adjustment factors used for Medicare payment.

For the last ten years, I served either as Ranking Member or as the Chairman of the Senate Committee on Finance, which has jurisdiction over Medicare. During this time, I led congressional efforts to establish more accurate geographic adjusters for Medicare physician payment and to realign incentives in Medicare to promote higher quality and more efficient care. This IOM committee has been asked to evaluate the accuracy of the geographic adjustment factors and to provide their recommendations as to whether the current measures and data are representative of the costs. I would like to address the inaccuracy of the current Medicare geographic adjustment factors used for physician practice expense, the methodology and

data used in their calculation, and the adverse effect of the existing practice expense geographic adjustment factors on rural access to care. I offer these comments for consideration by the committee as it proceeds with its review and develops its recommendations and report to HHS and Congress later this year.

MEDICARE'S FLAWED GEOGRAPHIC ADJUSTMENT FACTORS

Medicare's payment system for physicians is flawed in many ways. One of those flaws is the unjustified geographic disparities in payment that has for many years given unfairly low payments to high quality areas like my home state of Iowa and other rural states. Geographic equity in Medicare payment has been a longstanding issue of major concern to me. The new health care reform law, the Patient Protection and Affordable Care Act (PPACA), includes a provision I authored that makes some much needed changes in the calculation of the geographic adjustment factors that is intended to provide more equitable payments to physicians in rural areas and to improve access to health care for Medicare beneficiaries in rural states.

Medicare payment differences from one area to another based on the geographic adjustments known as the Geographic Practice Cost Indices (GPCIs) are intended to equalize physician payment by reflecting differences in physician's practice costs but they do not accurately represent those costs in Iowa or other rural states. They have been a dismal failure, in fact. They discourage physicians from practicing in rural areas because they create unfairly low Medicare reimbursement rates.

I introduced legislation to correct these unwarranted geographic payment disparities in the 110th Congress, the Medicare Physician Payment Equity Act of 2008, as well as the Medicare Rural Health Access Improvement Act of 2009 in the 111th Congress. In the fall of 2009, I also offered an amendment in the Senate Finance Committee markup of health reform legislation to reform the practice expense geographic adjustment that has caused unduly low payments to physicians in rural areas due to the inaccurate data and methodology that is used.

My amendment was intended to provide more equity and accuracy in calculating this adjustment as well as to provide a national solution to the problems that have arisen from the current unwarranted disparities in Medicare payment due to these geographic adjustments. The amendment was accepted unanimously by the Senate Finance Committee during markup of Senate health reform legislation in September 2009. Section 3102(b) of the Patient Protection and Affordable Care Act (PPACA) that passed the Senate and became law is based on this amendment. It requires HHS to improve the accuracy of the Practice Expense Geographic Practice Cost Index (PE GPCI) data and methodology and to examine the feasibility of using actual data or reliable survey data on office rents and non-physician staff wages. These two PE GPCI inputs, which are the only inputs adjusted to reflect local costs, currently do not measure physician costs. Instead, they rely upon proxies. The current input adjustments are not credible because of their reliance on proxy data sources rather than actual physician practice costs. As a result, some physicians are paid more and others are paid significantly less for the very same service with the same time, effort, and expertise needed to furnish that service to a Medicare beneficiary.

I urge the committee to note the wide differences in physician payment under the GPCIs as currently constructed. At the beginning of calendar year 2010, before the transitional adjustments required by PPACA, a 38.894% difference in Medicare physician payment on average existed between the highest paid and the lowest-paid Medicare Part B payment locality (Alaska and Puerto Rico) for the same Medicare service. The PE GPCI disparity for this same period was even greater, ranging from 1.441 (San Francisco) for the highest to 0.694 for the lowest (Puerto Rico) and 0.821 for the second lowest (the rest of Missouri), with 1.0 being the average. The PE GPCI for Iowa was 0.870. This means that physicians in San Francisco received a PE GPCI adjustment that was 144 percent of the average, while Iowa physicians received an adjustment of just 87 percent.

Survey findings of the American Medical Association (AMA) and others challenge this significant range in payment disparity by showing little measurable distinction in physician practice expenses throughout the country. The AMA PPIS is based on actual physician data, rather than the proxy data upon which CMS relies. Geographic distinctions in physician practice expense payment in rural areas should be supported by accurate and reliable data and calculations. I urge the committee to address this discrepancy between credible surveys, based on real physician cost data, and the PE GPCI range established by CMS.

Section 3102(b) requires a transitional two-year period of limited relief to reduce the impact of the current, inequitable practice expense formula in rural areas while a broader analysis of the methodology and evaluation of the data is conducted by HHS. The Secretary is mandated to limit the impact of the existing adjustments by reflecting only one half of the geographic differences in employee wages and rents in the PE GPCI adjustment for 2010 and 2011 and to hold harmless those localities that would otherwise see a reduction as a result of this adjustment. The provision requires that a longer-term solution be implemented in 2012, at which time the Secretary must make appropriate adjustments to the formula to ensure accurate geographic practice expense adjustments. These statutory adjustments were intended to moderate the negative effects of the existing inaccurate GPCI disparities on low-paid Medicare regions while allowing time for a focused, in-depth study by the Centers for Medicare and Medicaid Services (CMS) on the inputs, weights, and data used in the PE GPCI to support a revised formula that would be implemented as of January 1, 2012.

Congress agreed at the inception of the current Medicare payment system that, to the extent physicians practicing in the various Medicare payment localities face higher or lower practice expense burdens, reasonable distinctions in Medicare payment would be appropriate, and it established the Geographic Practice Cost Indices (GPCIs) for physician work, practice expenses, and malpractice premiums to do so. To support the PE GPCI, Congress directed the Department of Health and Human Services to ''use the most recent data available relating to practice expenses . . . in different fee schedule areas.'' (Social Security Act, Section 1848(e)(1)(D)). The statutory requirement makes it clear that there must be a nexus between data sources and actual physician practice expenses as represented by the inputs of the PE GPCI.

However, CMS has long relied upon proxy data sources that bear little to no relevance to actual practice costs. Furthermore, the weights used by CMS are outdated and fail to represent accurately the relativity in expenses in this dynamic and ever-changing field. It is my understanding that the PE GPCI, in particular, is currently supported by data that is neither relevant to physician practices nor credible to physicians. Physicians who serve the Medicare population must bear the burden of their true practice costs while the Medicare payment system upon which they rely fails to reflect those same practice expense costs fairly and accurately.

The goal of Section 3102(b) is to assure that the statutory mandate of the Social Security Act is met and that the most recent and relevant data is used for these geographic adjusters. The language of Section 3102(b) is very specific in its directions but so far CMS has failed to make significant changes in the methodology or data used in calculation of the PE GPCI. The final CMS CY 2011 Medicare physician payment rule sets forth the results of CMS' sixth 3–year GPCI review. Although CMS acknowledged its obligations for an additional PE GPCI study under Section 3102(b) of PPACA, they stated that their ''analysis of the current methods of establishing PE GPCIs and [their] evaluation of data that fairly and reliably establish distinctions in the cost of operating a medical practice in the different fee schedule areas meet the statutory requirements'' of Section 3102(b) (Federal Register, November 29, 2010, Page 73254).

The most recent CMS review and analysis does not provide a new analysis and evaluation of data but merely treads old ground, looking at the PE GPCI underlying data and its weights along the lines of what other studies have already examined. For example, CMS continues to rely, with little justification, on Housing and Urban Development (HUD) section 8 apartment rent data as a proxy for physician rent even though Section 3102(b) directs CMS to evaluate ''the feasibility of using actual data or reliable survey data developed by medical organizations on the costs of operating a medical practice, including office rents and non-physician staff wages in different fee schedule areas.'' If no suitable nationwide data on rental rates for physician office space currently exist, the IOM should recommend other approaches for CMS to use in studying this issue to come up with more reliable data than HUD apartment rents.

CMS acknowledged in the final physician payment rule for CY 2011 that there is much ongoing analysis of the PE GPCI data that could form the basis of future GPCI changes. They stated that they would ''review the complete findings and recommendations from the Institute of Medicine's study of geographic adjustment factors for physician payment'' along with other HHS activities and continue to study the issues as required by Section 3102(b) (Federal Register, November 29, 2010, Page 73256). CMS will consider the GPCIs for CY 2012 again in the context of their annual physician fee schedule rulemaking beginning in CY 2011 based on information that is available then.

A significantly more comprehensive analysis and detailed evaluation should be conducted for the PE GPCI study mandated by Section 3102(b) than what has been detailed by CMS in its final CY 2011 Medicare physician payment rule. New studies, data, and other approaches must exist or be developed to facilitate reliability and accuracy in identifying actual physician practice expenses and setting weights among those expenses. That is why a two-year transition was provided: to ensure that CMS would have sufficient time to do additional studies, if needed, and come up with more meaningful data than, for example, continuing to use apartment rental data which bears no relation to the cost of a physician's office. I urge the committee to provide CMS with specific recommendations for more accurate methodology that could be used to determine the PE GPCIs and obtain more reliable actual or

survey data sources to be used in these calculations.

THE INEQUITABLE FRONTIER STATES PROVISION

Unfortunately, the more accurate calculation of practice expense costs that was intended to be achieved by Section 3102(b) has been jeopardized by a special interest provision that was added to PPACA behind closed doors during the Senate floor consideration of health reform. The ''frontier states'' provision addresses geographic disparities but helps just five states at the expense of the other 45. It improves Medicare reimbursement in the so-called frontier states by establishing a permanent 1.0 floor for the PE GPCI as well as for the hospital wage index, effective January 1, 2011. A frontier state is defined as one with 50 percent or more frontier counties, defined as counties with a population per square mile of less than six. The frontier states provision ensures that higher Medicare physician payments resulting from a higher PE GPCI adjustment go to just five states in 2011—Montana, Wyoming, North Dakota, South Dakota, and Nevada.

Iowa provides some of the highest quality care in the country but it does not meet the definition of a frontier state. Yet Medicare reimbursement for hospitals and physicians is lower in Iowa than in most of these so-called frontier states. Medicare also pays much lower rates in other rural states that do not meet the definition of a frontier state.

The frontier states provision is even more egregious because taxpayers in all 50 states will help pay the estimated $2 billion cost for a provision that benefits just five states. That amount is the Congressional Budget Office cost estimate of the frontier states provision for the next ten years. A practice expense floor for rural states may be warranted but it should not be an adjustment for just a few select states. This automatic pay increase for frontier state physicians could result in reduced access for Medicare beneficiaries in nearby rural states that do not have the 1.0 PE floor if physicians migrate to those rural areas where Medicare payment has been significantly increased.

Last spring I introduced legislation, the Medicare Rural Health Care Equity Act of 2010, to eliminate the special Medicare reimbursement rates for frontier states. It is imperative to reduce unwarranted geographic disparities and base physician practice expense costs on actual or reliable survey data, not by legislative fiat that improves physician payments for just a few states. Although legislative action would be required to make changes in this regard, I urge the IOM to review this situation and provide recommendations to HHS on whether specific factors should be considered to determine physician practice costs in frontier states if such a floor did not exist.

CONCLUSION

The practice expense geographic adjustment factor has a significant impact on the health care workforce in rural areas, because it plays a major role in the ability to recruit and retain physicians in rural areas who see more patients and work longer hours for correspondingly lower pay. This in turn can result in Medicare beneficiaries in rural areas having reduced access to physicians and other health care practitioners. Twenty percent of the population lives in rural America yet only nine percent of physicians practice there. Shortages of primary care and specialty physicians currently exist in many rural areas yet unwarranted geographic payment disparities make it difficult to improve access for rural Medicare beneficiaries and other patient populations.

The existing inaccurate geographic adjustments by CMS result in unwarranted and unduly low rural reimbursement rates. More current, relevant, and accurate data sources exist and should be used by CMS to make geographic adjustments to Medicare payments, especially in the area of physician practice expense. The current geographic disparities in payment are not based on actual or reliable data, and they put rural Medicare beneficiaries at risk. I urge the committee to recommend that CMS use actual practice cost data rather than the current inaccurate proxies to ensure that Medicare payment reflects true geographic differences in physician practice costs.

START TREATY

Mr. COBURN. Mr. President, the Constitution of the United States is an amazing document. Every day I appreciate the foresight of our Founding Fathers who knew that future Presidents, of any political philosophy, would seek to expand their power and try to impose their will over the legislative branch, the branch closest to the citizens of the United States.

For this reason they added an important clause in article 2, section 2 that says ''He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur;''

Negotiators for the Strategic Arms Reduction Treaty on both sides know the terms of our Constitution, which predates both the Russian Federation and the Soviet Union it replaced.

However, as the Senate considered the Strategic Arms Reduction Treaty, or the START treaty, supporters of the treaty seemed to say that the Senate should abandon its role of advice and just focus on consent. It was repeated many times that any change, no matter how minor or no matter how much it improved the treaty, would be considered a treaty-killer as further negotiation with Russia was inexplicably taken off the table as an option.

The reasonable amendments offered by Republican Senators were all rebuffed. The supporters of the treaty repeated many times how reasonable the amendments were but that the treaty was not the appropriate time to be debating such matters. Authors of amendments involving ensuring a robust missile defense, improving verification to prevent Russia from cheating, and merely mentioning the existence of tactical nuclear weapons were all told that another day is the best time to discuss those matters. However, one of the greatest threats to United States national security is the acquisition of a tactical nuclear weapon by a terrorist organization. Since Russia has a preponderance of the world's tactical nuclear weapons, how can it be that a treaty dealing with nuclear weapons control is not the time to discuss this issue?

Supporters of the START treaty say that after it is ratified the President will be able to go and negotiate further agreements with the Russians on matters important to the United States' interest such as the tactical nuclear weapons. However, both opponents and supporters of the treaty know that there is no intention of this administration to pursue follow-on nuclear agreements with the Russian Federation. There are several reasons for this. We now have no leverage with the Russian Federation since they have already gotten a treaty favorable to their interests. Further, we will be pressing the Russians on other issues impacting our national security such as sanctions on Iran. Supporters of the treaty believe that Russia will be more amenable to our requests when history shows that Russia will act in their interest and are not concerned with existential threats to our national security.

Finally, one of the purposes of any arms treaty is to clarify and inform signatories to the treaty about capabilities and intentions of each side. However, the new START treaty neither clarifies nor informs anyone about the United States' capability and intentions with regards to a national missile defense program. It is clear that the negotiators wanted to avoid this difficult topic knowing that Russia opposes the concept of the United States being able to defend itself from a rogue missile attack. However, by avoiding the topic completely, Russia is forced to consider the mixed messages of the Obama administration withdrawing missile defense capability from Poland and statements by administration officials and Congress calling for a robust four-phase missile defense program. The treaty as written can only cause further instability and confusion on the critical issue of missile defense between the United States and the Russian Federation. Clarifying amendments from Republican Senators regarding missile defense and the United States' intention to deploy technologies against all four phases of ballistic missile flight would have helped the treaty, not killed it. Instead, the lone statement on missile defense in the preamble of the treaty clearly implies that the United States should limit its missile defense in an attempt to limit the need for offensive missiles. The United States has no intention of doing so as it is a national security threat for us to ignore the dangers posed by North Korea and Iran in this area.

Because of these many reasons, I voted against the new Start treaty. While it did pass over my objections, I hope that future Senators will not use the debate we just held in this lame-duck session of Congress as precedent to abdicate their constitutional role for international agreements.

REMEMBERING SENATOR CHARLES SUMNER

• Mr. BROWN of Massachusetts. Mr. President, today I rise to celebrate the bicentennial, January 6, 2011, of the birth of U.S. Senator Charles Sumner, who so ably represented the Commonwealth of Massachusetts in this body

from 1851 until his death in 1874. While I am honored to serve the people of Massachusetts from the physical desk once occupied by Senator Sumner, I rise today in recognition of Charles Sumner's tireless and often solitary quest for racial equality, education reform, and social justice.

By all accounts, Senator Sumner was one of this body's greatest orators; Sumner didn't give speeches, he unleashed them. According to Henry Wadsworth Longfellow, Sumner delivered remarks ''like a cannoneer ramming down cartridges.'' The target of Sumner's verbal fusillade was almost always injustice, especially slavery and the men and institutions that sought to expand or perpetuate it. Yet, even among fellow mid-19th century abolitionists, Charles Sumner's views on racial equality were considered utopian. Years before the Emancipation Proclamation, Sumner called for the abolition of slavery. Decades before the 15th amendment declared that the ''right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude'' and nearly a century before the Voting Rights Act, Sumner insisted that all Black men should have the rights of citizenship.

Charles Sumner was not born into a powerful or wealthy Massachusetts family; his upbringing in Boston was at best modest. Yet his parents insisted that Charles receive the best education available, and he was fortunate enough to attend the acclaimed Boston Latin School, where he excelled and went on to receive degrees from Harvard College and Harvard Law School. Sumner spent his late twenties travelling through Europe and England, where his intellect and education impressed leading officials with whom he formed lasting relationships that proved invaluable to the Union years later when Sumner served on the Foreign Relations Committee.

In May of 1856, Sumner became the victim of one of the most unfortunate incidents in Senate history. Days after Sumner delivered a vitriolic speech against Kansas-Nebraska Act coauthor Andrew Pickens Butler, the South Carolina Senator's nephew, a Member of the House of Representatives, approached Sumner while he was sitting at his Senate desk and beat him unconscious with a metal tipped cane. The attack left Sumner gravely injured, and he did not return to the Senate for 3 years. Sumner's ''Crime Against Kansas'' speech, and the violent retribution for it, further eroded the already strained relations between representatives of free and slave States. In his day, Senator Charles Sumner was considered an extreme, a wild-eyed dreamer whose vision of a society free of institutional racism seemed as unachievable as it was radical. Today, 200 years after his birth, we are the heirs of Charles Sumner's vision. Dozens of streets, schools, and towns across our country bear the name of this outspoken Senator from Massachusetts.

Today, the issue of education reform looms large in our Nation's consciousness. Too many of our public school systems are failing our children. We would be wise to look at the legacy of Senator Sumner. He was one of his era's most vocal advocates for high-quality public schools and argued in the Massachusetts courts for the integration of the Commonwealth's schools. He based his argument on the—at the time—novel concept that the inferior schools to which many children were relegated had lasting effects on their development. In fact, a century later this very argument would underpin our Nation's most famous civil rights case. In 1954, a young Black girl named Linda Brown was prevented from enrolling in an all-White public school that was much closer to her home than the all-Black school she was forced to attend. Her father joined a class action suit against the city's school board, and the resulting case would forever transform American society. The city was Topeka, KS. The case was Brown v. Board of Education. Ironically, the school where she had been denied was known as the Sumner Elementary School. Peering down from somewhere on high, Senator Sumner must have been pleased that injustice was not allowed to stand in his name.

At the time of his death in 1874, Sumner was still agitating for school reform and Federal legislation to repeal all discriminatory laws against Blacks and the tens of thousands of Asians who had immigrated to America and helped build our transcontinental railroad system. The late Senator Robert C. Byrd, a noted historian of the Senate, once wrote, ''After Clay, Calhoun and Webster, no nineteenth-century senator stood higher on the political horizon than did Charles Sumner, nor did any garner more praise, condemnation and controversy than that eloquent Massachusetts senator.'' Today, I am proud to celebrate the bicentennial of Sumner's birth and his incredible service in the U.S. Senate.●

ADDITIONAL STATEMENTS

TRIBUTE TO DARRELL BELL

● Mr. BAUCUS. Mr. President, today I congratulate Darrell Bell for his recent appointment as the U.S. Marshal for the District of Montana. I was pleased to see my colleagues unanimously support the nomination of such an outstanding public servant, and I am confident he will serve the State of Montana admirably. As the former Deputy Chief of Police for the City of Billings—Montana's largest community—Darrell possesses the qualities necessary to successfully lead Montana's U.S Marshal's Office.

For the last three and a half decades, Darrell has served Montana's law enforcement community with passion and expertise. Since 2006, Darrell has served as a criminal investigator for the Montana Department of Justice, Gambling Control Division. Darrell served over 30 years with the Billings Police Department, including 5 years as the Deputy Chief of Police. Originally from Joliet, Darrell graduated from the Montana Law Enforcement Academy and began his career with the Billings Police Department as a patrolman in 1974. Working his way up the ranks, Darrell has served as a sergeant and then lieutenant of the Operations Division as well as captain for the Investigations, Training, and Support Services Division. Upon the request of the Billings city administrator in 2005, then-Deputy Chief of Police Bell stepped in to become the Interim Chief of Police. Darrell has served Montana and his community on the executive boards for High-Intensity Drug Trafficking Areas and the Montana Chiefs of Police.

I received an outpouring of support for Darrell when he was nominated. After reading just a couple of these outstanding letters, I knew that we had the right man for the job. Darrell's peers described him as the ''consummate professional,'' a ''first-class leader,'' and as a person who ''is not afraid to sit down face to face and debate an issue to find a resolution.'' One letter stated that he ''leads by example and many people find his enthusiasm and dedication both inspiring and motivating.'' Montana law enforcement is clearly in good hands.

Darrell has a proven track record of bringing folks together, and working with local, State, and Federal law enforcement officials to provide a safe environment for Montana's communities. Darrell's experience and leadership in law enforcement will truly be an asset for Montana's U.S. Marshal's Office. I again congratulate Darrell and his family, wife Dawn, son Brent, and daughter Lindsay on his appointment, and I applaud his continued service to the State of Montana.●

TRIBUTE TO GENERAL CARROL H. CHANDLER

● Mr. INHOFE. Mr. President, today I wish to recognize and pay tribute to GEN Carrol H. Chandler for over 36 years of exceptional service and dedication to the U.S. Air Force. He will be retiring from Active Duty on March 1, 2011.

He currently serves as the Vice Chief of Staff of the U.S. Air Force, Washington, DC. As Vice Chief, he presides over the Air Staff and serves as a member of the Joint Chiefs of Staff Requirements Oversight Council and Deputy Advisory Working Group. He assists the Chief of Staff with organizing, training, and equipping 680,000 Active-Duty, Guard, Reserve and civilian forces serving in the United States and overseas.

A command pilot with more than 3,900 flying hours in the F–15, F–16, and

T–38, GEN ''Howie'' Chandler has commanded a major command, a numbered air force, two fighter wings, a support group and a fighter squadron—a true testament to his exceptional airmanship, leadership, and judgment. His staff assignments include tours at Headquarters Pacific Air Forces, the Pentagon, Headquarters U.S. Pacific Command, Headquarters U.S. Military Training Mission in Saudi Arabia, and Headquarters Allied Air Forces Southern Europe.

General Chandler grew up in Carthage, MS. He entered the Air Force in 1974 after graduating from the U.S. Air Force Academy. Following graduation, he attended undergraduate pilot training at Laughlin AFB, TX. He excelled throughout his training and after earning his wings was selected to remain at Laughlin AFB to teach future pilots as a T–38 instructor pilot and flight examiner. He continued as an instructor pilot and assistant operations officers at Randolph Air Force Base, TX. Then, as a testament to Captain Chandler's achievements as a T–38 instructor pilot, he was selected to fly the Air Force's premier air superiority fighter, the F–15 Eagle. Stationed at Kadena Air Base, Japan with the 67th Tactical Fighter Squadron, he continued to shine in the air and on the ground as a squadron standardization officer, flight commander, and wing flight examiner. His prowess in the air earned him a selection to become the chief of Air-to-Air Tactics Branch at Headquarters Pacific Air Forces, Hickam Air Force Base, HI. His talents were quickly realized, and he was selected to become the aide-de-camp to the commander-in-chief of U.C. Pacific Command at Camp H.M. Smith, HI, and then the Air Force aide to the Chairman of the Joint Chiefs of Staff, the Pentagon, Washington, DC, positions for which only the elite are selected. Following his assignment at the Pentagon, he was once again stationed at Kadena, where he flourished at every position he held: assistant operations officer of the 44th Tactical Fighter Squadron, chief of standardization and evaluation, operations officer of the 67th Tactical Fighter Squadron, and commander of the 44th Fighter Squadron. Having demonstrated his impeccable leadership, he was selected to be the chief of the Operations Inspection Division at Headquarters Pacific Air Forces at Hickam Air Force Base, HI, and then he deployed to Riyadh, Saudi Arabia, as the chief of Air Force Division, U.S. Central Command Forward, from 1992 to 1994.

In 1994, Colonel Chandler was selected for back-to-back-to-back commands, commanding the 554th Support Group at Nellis Air Force Base, NV, the 33rd Fighter Wing at Eglin Air Force Base, FL, and the 56th Fighter Wing at Luke Air Force Base, AZ. Now, Brigadier General Chandler was selected to become the chief of headquarters staff followed by assistant chief of staff for operations, A–3 Division, of Headquarters Allied Air Forces Southern Europe, Naples, Italy. After being promoted, Major General Chandler returned to Washington, DC to become the director for expeditionary aerospace force implementation, followed by the director of operational plans, deputy chief of staff for air and space operations. Moving from the Pentagon to Langley Air Force Base, VA, he became the director of aerospace operations. General Chandler continued to demonstrate excellence and was selected for promotion to lieutenant general and selected to command Alaskan Command, Alaskan North American Aerospace Defense Command Region, 11th Air Force and Joint Task Force, Elmendorf Air Force Base, AK. Following this assignment, he returned to Washington, DC, to lead as the deputy chief of staff for operations, plans and requirements, Headquarters U.S. Air Force. general Chandler was selected for the rank of general and asked to return once again to the Pacific theater to command the Pacific Air Forces at Hickam Air Force Base, HI. Finally, he was selected to become the second highest ranking officer in the Air Force as the Vice Chief of Staff of the Air Force, where he has served for over a year.

Under General Chandler's leadership, the Air Force handled some of our most challenging issues, including the $40 billion KC–X acquisition program, creation of Air Force Cyber Command, force structure realignment, and creation of Air Force Global Strike Command. Finally, General Chandler led the drive for what I consider the Air Force's most pressing issue: recapitalization. Through General Chandler's leadership, the Air Force secured a budget of $1.7 billion for bomber and air-to-ground weapons, acquired $8.2 billion for fighter and munitions programs, and laid the foundation for $200 million in supplemental munitions funding. The leadership, insight, and dedication of General Chandler have been instrumental in building lasting and trusting relationships with the U.S. Congress, resulting in an overall increase in U.S. national security.

The breadth and depth of General Chandler's assignments and the professionalism with which he has carried them out reflect a keen intellect, an unwavering dedication to the Air Force mission, and an unrivaled grasp of national security policies developed through both personal experience and academic instruction. General Chandler earned a master's degree in management, attended the Executive Program for General Officers at the John F. Kennedy School of Government at Harvard, and the Navy Senior Leader Business Course at the University of North Carolina at Chapel Hill. While he has received many distinguished awards and decorations, it is General Chandler's commitment and sacrifice to this Nation that make him stand out among his peers.

I have the utmost trust in and respect for General Chandler, gained over the past several years through our personal interaction during numerous meetings and hearings, including the annual Altus Quail Breakfast and meetings of the U.S. Air Force Academy's board of visitors, which I have been honored to attend. I will miss his honesty and frankness, a trait that has served him, the Air Force, and this Nation well during his time as a senior Air Force leader.

On behalf of Congress and the United States of America, I thank General Chandler, his wife Eva-Marie, and their three children, Carl, Rose-Marie, and Thomas, for their commitment, sacrifice, and contribution to this great Nation. I congratulate General Chandler on the completion of an exemplary Active-Duty career and wish him and his family Godspeed in the next phase of his life.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, 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 OF THE APPORTIONMENT POPULATION FOR EACH STATE AS OF APRIL 1, 2010, AND THE NUMBER OF REPRESENTATIVES TO WHICH EACH STATE WOULD BE ENTITLED—PM 1

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 Homeland Security and Governmental Affairs:

To the Congress of the United States:

Pursuant to title 2, United States Code, section 2a(a), I transmit herewith the statement showing the apportionment population for each State as of April 1, 2010, and the number of Representatives to which each State would be entitled.

BARACK OBAMA.

THE WHITE HOUSE, *January 5, 2011.*

MESSAGES FROM THE HOUSE SUBSEQUENT TO SINE DIE ADJOURNMENT

ENROLLED BILLS SIGNED

Under authority of the order of the Senate of January 6, 2009, the Secretary of the Senate, on December 23, 2010, subsequent to the sine die adjournment of the Senate, received a

message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

S. 3903. An act to authorize leases of up to 99 years for lands held in trust for Ohkay Owingeh Pueblo.

S. 3481. An act to amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution.

S. 4036. An act to clarify the National Credit Union Administration authority to make stabilization fund expenditures without borrowing from the Treasury.

S. 4058. An act to extend certain expiring provisions providing enhanced protections for servicemembers relating to mortgages and mortgage foreclosures.

The enrolled bills were subsequently signed by the Acting President pro tempore (Mrs. LINCOLN).

Under authority of the order of the Senate of January 6, 2009, the Secretary of the Senate, subsequent to the sine die adjournment of the Senate, received a message from the House of Representatives announcing that pursuant to section 491 of the High Education Act (20 U.S.C. 1098(c)), as amended, and the order of the House of January 6, 2009, the Speaker appoints the following member on the part of the House of Representatives to the Advisory Committee on Student Financial Assistance for a term of 4 years, upon the recommendation of the Majority Leader: Ms. Deborah Stanley of Bowie Maryland.

The message also announced that pursuant to section 205(a) of the Vietnam Education Foundation Act of 2000 (Public Law 106–554), and the order of the House of January 6, 2009, the Speaker appoints the following Member of the House of Representatives to the Board of Directors of the Vietnam Education Foundation, upon the recommendation of the Majority Leader: Ms. LORETTA SANCHEZ of California.

The message further announced that pursuant to section 106 of the Higher Education Opportunity Act (Public Law 110–315) and the order of the House of January 6, 2009, the Speaker appoints the following member of the House of Representatives to the National Advisory Committee on Institutional Quality and Integrity for a term of 6 years, upon the recommendation of the Majority Leader: Dr. George T. French of Fairfield, Alabama.

ENROLLED BILLS SIGNED

Under authority of the order of the Senate of January 6, 2009, the Secretary of the Senate, on December 23, 2010, subsequent to the sine die adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

H.R. 847. An act to amend the Public Health Service Act to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001, and for other purposes.

H.R. 2142. An act to require quarterly performance assessments of Government programs for purposes of assessing agency performance and improvement, and to establish agency performance improvement officers and the Performance Improvement Council.

H.R. 2751. An act to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply.

H.R. 5809. An act to amend the Energy Policy Act of 2005 to reauthorize and modify provisions relating to the diesel emissions reduction program.

H.R. 5901. An act to amend the Internal Revenue Code of 1986 to authorize the tax court to appoint employees.

H.R. 6517. An act to extend trade adjustment assistance and certain trade preference programs, to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, and for other purposes.

H.R. 6523. An act to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The enrolled bills were subsequently signed by the Acting President pro tempore (Mr. WEBB).

MESSAGE FROM THE HOUSE

At 4:23 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to H. Res. 1, resolving that Karen L. Haas of the State of Maryland, be, and is hereby, chosen Clerk of the House of Representatives, and that Wilson S. Livingood of the Commonwealth of Virginia, be, and is hereby, chosen Sergeant-at-Arms of the House of Representatives, and that Daniel J. Strodel of the District of Columbia, be, and is hereby, chosen Chief Administrative Officer of the House of Representatives, and that Father Daniel P. Coughlin of the State of Illinois, be, and is hereby, chosen Chaplain of the House of Representatives.

The message also announced that the House has agreed to H. Res. 2, resolving that the Senate be informed that a quorum of the House of Representatives has assembled, that JOHN A. BOEHNER, a Representative from the State of Ohio, has been elected Speaker, and Karen L. Haas, a citizen of the State of Maryland, has been elected Clerk of the House of Representatives of the One Hundred Twelfth Congress.

The message further announced that pursuant to House Resolution 3, the Speaker appoints the following Members of the House of Representatives to join a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and that Congress is ready to receive any communication that he may be pleased to make: Mr. CANTOR of Virginia and Ms. PELOSI of California.

MEASURES HELD OVER/UNDER RULE

The following resolutions were read, and held over, under the rule:

S. Res. 8. A resolution amending the Standing Rules of the Senate to provide for cloture to be invoked with less than a three-fifths majority after additional debate.

S. Res. 10. A resolution to improve the debate and consideration of legislative matters and nominations in the Senate.

S. Res. 11. A resolution to establish as a standing order of the Senate that a Senator publicly disclose a notice of intent to objecting to any measure or matter.

ENROLLED BILLS PRESENTED SUBSEQUENT TO SINE DIE ADJOURNMENT

The Secretary of the Senate reported that, subsequent to the sine die adjournment of the Senate, she had presented to the President of the United States the following enrolled bills:

On December 23, 2010:

S. 4058. An act to extend certain expiring provisions providing enhanced protections for servicemembers relating to mortgages and mortgage foreclosure.

On December 27, 2010:

S. 118. An act to amend section 202 of the Housing Act of 1959, to improve the program under such section for supportive housing for the elderly, and for other purposes.

S. 841. An act to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for means of alerting blind and other pedestrians of motor vehicle operation.

S. 1481. An act to amend section 811 of the Cranston-Gonzalez National Affordable Housing Act to improve the program under such section for supportive housing for persons with disabilities.

S. 3036. An act to establish the National Alzheimer's Project.

S. 3243. An act to require U.S. Customs and Border Protection to administer polygraph examinations to all applicants for law enforcement positions with U.S. Customs and Border Protection, to require U.S. Customs and Border Protection to initiate all periodic background reinvestigations of certain law enforcement personnel, and for other purposes.

S. 3447. An act to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes.

S. 3481. An act to amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution.

S. 3592. An act to designate the facility of the United States Postal Service located at 100 Commerce Drive in Tyrone, Georgia, as the ''First Lieutenant Robert Wilson Collins Post Office Building''.

S. 3874. An act to amend the Safe Drinking Water Act to reduce lead in drinking water.

S. 3903. An act to authorize leases of up to 99 years for lands held in trust for Ohkay Owingeh Pueblo.

S. 4036. An act to clarify the National Credit Union Administration authority to make stabilization fund expenditures without borrowing from the Treasury.

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–1. A communication from the Deputy to the Chairman, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Designated Reserve Ratio'' (RIN3064–AD69) received during adjournment of the Senate in the Office of

the President of the Senate on January 4, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–2. A communication from the Deputy to the Chairman, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Community Reinvestment Act Regulations'' (RIN3064–AD68) received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–3. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Colombia; to the Committee on Banking, Housing, and Urban Affairs.

EC–4. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to South Korea; to the Committee on Banking, Housing, and Urban Affairs.

EC–5. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the Kingdom of the Netherlands; to the Committee on Banking, Housing, and Urban Affairs.

EC–6. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Notice of Prevention of Significant Deterioration Final Determination for Russell City Energy'' (FRL No. 9245–9) received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2011; to the Committee on Environment and Public Works.

EC–7. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Texas; Emissions Banking and Trading of Allowances Program'' (FRL No. 9246–3) received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2011; to the Committee on Environment and Public Works.

EC–8. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Montana; Attainment Plan for Libby, MT PM2.5 Nonattainment Area and PM10 State Implementation Plan Revisions'' (FRL No. 9246–4) received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2011; to the Committee on Environment and Public Works.

EC–9. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Plans for Designated Facilities and Pollutants; State of Florida; Control of Large Municipal Waste Combustor (LMWC) Emissions From Existing Facilities'' (FRL No. 9246–6) received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2011; to the Committee on Environment and Public Works.

EC–10. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Action to Ensure Authority to Issue Permits under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions: Federal Implementation Plan'' (FRL No. 9245–3) received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2011; to the Committee on Environment and Public Works.

EC–11. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Limitation of Approval of Prevention of Significant Deterioration Provisions Concerning Greenhouse Gas-Emitting Sources in State Implementation Plans; Final Rule'' (FRL No. 9244–9) received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2011; to the Committee on Environment and Public Works.

EC–12. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Determinations Concerning Need for Error Correction, Partial Approval and Partial Disapproval, and Federal Implementation Plan Regarding Texas Prevention of Significant Deterioration Program'' (FRL No. 9245–2) received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2011; to the Committee on Environment and Public Works.

EC–13. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Action to Ensure Authority to Implement Title V Permitting Programs under the Greenhouse Gas Tailoring Rule'' (FRL No. 9245-4) received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2011; to the Committee on Environment and Public Works.

EC–14. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Mississippi: Prevention of Significant Deterioration; Gas Tailoring Rule Revision'' (FRL No. 9244–4) received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2011; to the Committee on Environment and Public Works.

EC–15. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Alabama: Prevention of Significant Deterioration; Greenhouse Gas Tailoring Rule Revision'' (FRL No. 9244–5) received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2011; to the Committee on Environment and Public Works.

EC–16. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Kentucky: Prevention of Significant Deterioration; Greenhouse Gas Permitting Authority and Tailoring Rule Revision'' (FRL No. 9244–6) received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2011; to the Committee on Environment and Public Works.

EC–17. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Action to Ensure Authority to Issue Permits under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions: Finding of Failure to Submit State Implementation Plan Revisions Required for Greenhouse Gases'' (FRL No. 9244–7) received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2011; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. REID of Nevada (for himself and Mr. MCCONNELL):

S. Res. 1. A resolution informing the President of the United States that a quorum of each House is assembled; considered and agreed to.

By Mr. REID of Nevada (for himself and Mr. MCCONNELL):

S. Res. 2. A resolution informing the House of Representatives that a quorum of the Senate is assembled; considered and agreed to.

By Mr. REID of Nevada (for himself and Mr. MCCONNELL):

S. Res. 3. A resolution fixing the hour of daily meeting of the Senate; considered and agreed to.

By Mr. REID of Nevada (for himself, Mr. MCCONNELL, Mr. CARDIN, Mr. AKAKA, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BINGAMAN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BURR, Ms. CANTWELL, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HOEVEN, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KERRY, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. LIEBERMAN, Mr. LUGAR, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED of Rhode Island, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 4. A resolution honoring Senator Barbara Mikulski for becoming the longest-serving female Senator in history; considered and agreed to.

By Mr. REID of Nevada:

S. Res. 5. A resolution electing Gary B. Myrick, of Virginia, as Secretary for the Majority of the Senate; considered and agreed to.

By Mr. REID of Nevada (for himself and Mr. MCCONNELL):

S. Res. 6. A resolution to make effective appointment of Senate Legal Counsel; considered and agreed to.

By Mr. REID of Nevada (for himself and Mr. MCCONNELL):

S. Res. 7. A resolution to make effective appointment of Deputy Senate Legal Counsel; considered and agreed to.

By Mr. HARKIN (for himself, Mr. DURBIN, Ms. MIKULSKI, and Mrs. SHAHEEN):

S. Res. 8. A resolution amending the Standing Rules of the Senate to provide for cloture to be invoked with less than a three-fifths majority after additional debate; submitted and read.

By Mr. LAUTENBERG (for himself, Mr. DURBIN, Mrs. GILLIBRAND, and Mr. MENENDEZ):

S. Res. 9. A resolution to permit the Senate to avoid unnecessary delay and vote on matters for which floor debate has ceased; to the Committee on Rules and Administration.

By Mr. UDALL of New Mexico (for himself, Mr. HARKIN, Mr. MERKLEY, Mr. DURBIN, Ms. KLOBUCHAR, Mr. BROWN of Ohio, Mr. BEGICH, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mrs. SHAHEEN, Mrs. BOXER, Mr. TESTER, Mr. CARDIN, Ms. MIKULSKI, Mr. WARNER, Mr. MANCHIN, Mr. COONS, Ms. STABENOW, Mrs. HAGAN, Mr. ROCKEFELLER, Mr. CASEY, Mr. WHITEHOUSE, Mr. LAUTENBERG, Mr. FRANKEN, and Mr. UDALL of Colorado):

S. Res. 10. A resolution to improve the debate and consideration of legislative matters and nominations in the Senate; submitted and read.

By Mr. WYDEN (for himself, Mr. GRASSLEY, Mrs. MCCASKILL, Ms. COLLINS, Mrs. GILLIBRAND, Mr. BROWN of Ohio, Mrs. MURRAY, Mr. DURBIN, Ms. KLOBUCHAR, Mrs. SHAHEEN, Mr. UDALL of Colorado, Mr. WHITEHOUSE, Mr. BINGAMAN, and Mr. MANCHIN):

S. Res. 11. A resolution to establish as a standing order of the Senate that a Senator publicly disclose a notice of intent to objecting to any measure or matter; submitted and read.

By Mr. UDALL of Colorado (for himself, Mr. DURBIN, and Mrs. SHAHEEN):

S. Res. 12. A resolution to amend the Standing Rules of the Senate to reform the filibuster rules to improve the daily process of the Senate; to the Committee on Rules and Administration.

By Mr. FRANKEN:

S. Res. 13. A bill to require a two-fifths threshold to sustain a filibuster; to the Committee on Rules and Administration.

By Mr. REID of Nevada:

S. Con. Res. 1. A concurrent resolution providing for a conditional recess or adjournment of the Senate and an adjournment of the House of Representatives; considered and agreed to.

By Mr. KERRY:

S. Con. Res. 2. A concurrent resolution authorizing the use of the rotunda of the Capitol for an event marking the 50th anniversary of the inaugural address of President John F. Kennedy; considered and agreed to.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 1—INFORMING THE PRESIDENT OF THE UNITED STATES THAT A QUORUM OF EACH HOUSE IS ASSEMBLED

Mr. REID of Nevada (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 1

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

SENATE RESOLUTION 2—INFORMING THE HOUSE OF REPRESENTATIVES THAT A QUORUM OF THE SENATE IS ASSEMBLED

Mr. REID of Nevada (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 2

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

SENATE RESOLUTION 3—FIXING THE HOUR OF DAILY MEETING OF THE SENATE

Mr. REID of Nevada (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 3

Resolved, That the daily meeting of the Senate be 12 o'clock meridian unless otherwise ordered.

SENATE RESOLUTION 4—HONORING SENATOR BARBARA MIKULSKI FOR BECOMING THE LONGEST-SERVING FEMALE SENATOR IN HISTORY

Mr. REID of Nevada (for himself, Mr. MCCONNELL, Mr. CARDIN, Mr. AKAKA, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BINGAMAN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BURR, Ms. CANTWELL, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, MR. CONRAD, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HOEVEN, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KERRY, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. LIEBERMAN, Mr. LUGAR, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED of Rhode Island, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 4

Whereas the Honorable Barbara Mikulski has had a long and distinguished career as a United States Senator from the State of Maryland;

Whereas Senator Mikulski was first elected to the United States Congress as a member of the House of Representatives in 1976, where she served until winning election to the Senate in 1986;

Whereas Senator Mikulski is the first woman to be elected to statewide office in Maryland;

Whereas, in the 103rd Congress, Senator Mikulski was the first woman to be elected Assistant Senate Democratic Floor Leader;

Whereas Senator Mikulski was the first woman in the Senate Democratic Leadership, serving as Secretary of the Senate Democratic Conference in the 104th through the 108th Congresses;

Whereas in 1997, Senator Mikulski became the most senior woman serving in the Senate;

Whereas Senator Mikulski is the first woman to serve on the Appropriations Committee of the Senate and the first woman to chair the Appropriations Committee's Subcommittee on Commerce, Justice, Science, and Related Agencies;

Whereas Senator Mikulski has not only had a path breaking career, but has won the admiration and respect of colleagues on both sides of the aisle for her hard work, passionate and effective advocacy, commitment to social and economic justice, and willingness to serve as a mentor and role model to other senators; and

Whereas Senator Mikulski has now surpassed the record of former Senator Margaret Chase Smith as the longest serving female Senator in the history of the United States: Now, therefore, be it

Resolved, That the Senate recognizes and honors Senator Barbara Mikulski for becoming the longest-serving female Senator in history.

SENATE RESOLUTION 5—ELECTING GARY B. MYRICK, OF VIRGINIA, AS SECRETARY FOR THE MAJORITY OF THE SENATE

Mr. REID of Nevada submitted the following resolution; which was considered and agreed to:

S. RES. 5

Resolved, That Gary B. Myrick of Virginia be, and he is hereby, elected Secretary for the Majority of the Senate.

SENATE RESOLUTION 6—TO MAKE EFFECTIVE APPOINTMENT OF SENATE LEGAL COUNSEL

Mr. REID of Nevada (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 6

That the appointment of Morgan J. Frankel of the District of Columbia to be Senate Legal Counsel, made by the President pro tempore this day, shall become effective as of January 7, 2011, and the term of service of the appointee shall expire at the end of the One Hundred Thirteenth Congress.

SENATE RESOLUTION 7—TO MAKE EFFECTIVE APPOINTMENT OF DEPUTY SENATE LEGAL COUNSEL

Mr. REID of Nevada (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 7

That the appointment of Patricia Mack Bryan of Virginia to be Deputy Senate Legal Counsel, made by the President pro tempore this day, shall become effective as of January 3, 2011, and the term of service of the appointee shall expire at the end of the One Hundred Thirteenth Congress.

SENATE RESOLUTION 8—AMENDING THE STANDING RULES OF THE SENATE TO PROVIDE FOR CLOTURE TO BE INVOKED WITH LESS THAN A THREE-FIFTHS MAJORITY AFTER ADDITIONAL DEBATE

Mr. HARKIN (for himself, Mr. DURBIN, Ms. MIKULSKI, and Mrs. SHAHEEN) submitted the following resolution; which was submitted and read:

S. RES. 8

Resolved,

SECTION 1. SENATE CLOTURE MODIFICATION.

Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended to read as follows:

''2. (a) Notwithstanding the provisions of rule II or rule IV or any other rule of the Senate, at any time a motion signed by sixteen Senators, to bring to a close the debate upon any measure, motion, other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer, or clerk at the direction of the Presiding Officer, shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the clerk call the roll, and upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question: 'Is it the sense of the Senate that the debate shall be brought to a close?' And if that question shall be decided in the affirmative by three-fifths of the Senators duly chosen and sworn—except on a measure or motion to amend the Senate rules, in which case the necessary affirmative vote shall be two-thirds of the Senators present and voting—then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business.

''Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be proposed after the vote to bring the debate to a close, unless it had been submitted in writing to the Journal Clerk by 1 o'clock p.m. on the day following the filing of the cloture motion if an amendment in the first degree, and unless it had been so submitted at least one hour prior to the beginning of the cloture vote if an amendment in the second degree. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

''After no more than thirty hours of consideration of the measure, motion, or other matter on which cloture has been invoked, the Senate shall proceed, without any further debate on any question, to vote on the final disposition thereof to the exclusion of all amendments not then actually pending before the Senate at that time and to the exclusion of all motions, except a motion to table, or to reconsider and one quorum call on demand to establish the presence of a quorum (and motions required to establish a quorum) immediately before the final vote begins. The thirty hours may be increased by the adoption of a motion, decided without debate, by a three-fifths affirmative vote of the Senators duly chosen and sworn, and any such time thus agreed upon shall be equally divided between and controlled by the majority and minority leaders or their designees. However, only one motion to extend time, specified above, may be made in any one calendar day.

''If, for any reason, a measure or matter is reprinted after cloture has been invoked, amendments which were in order prior to the reprinting of the measure or matter will continue to be in order and may be conformed and reprinted at the request of the amendment's sponsor. The conforming changes must be limited to lineation and pagination.

''No Senator shall call up more than two amendments until every other Senator shall have had the opportunity to do likewise.

''Notwithstanding other provisions of this rule, a Senator may yield all or part of his one hour to the majority or minority floor managers of the measure, motion, or matter or to the majority or minority leader, but each Senator specified shall not have more than two hours so yielded to him and may in turn yield such time to other Senators.

''Notwithstanding any other provision of this rule, any Senator who has not used or yielded at least ten minutes, is, if he seeks recognition, guaranteed up to ten minutes, inclusive, to speak only.

''After cloture is invoked, the reading of any amendment, including House amendments, shall be dispensed with when the proposed amendment has been identified and has been available in printed form at the desk of the Members for not less than twenty-four hours.

''(b)(1) If, upon a vote taken on a motion presented pursuant to subparagraph (a), the Senate fails to invoke cloture with respect to a measure, motion, or other matter pending before the Senate, or the unfinished business, subsequent motions to bring debate to a close may be made with respect to the same measure, motion, matter, or unfinished business. It shall not be in order to file subsequent cloture motions on any measure, motion, or other matter pending before the Senate, except by unanimous consent, until the previous motion has been disposed of.

''(2) Such subsequent motions shall be made in the manner provided by, and subject to the provisions of, subparagraph (a), except that the affirmative vote required to bring to a close debate upon that measure, motion, or other matter, or unfinished business (other than a measure or motion to amend Senate rules) shall be reduced by three votes on the second such motion, and by three additional votes on each succeeding motion, until the affirmative vote is reduced to a number equal to or less than an affirmative vote of a majority of the Senators duly chosen and sworn. The required vote shall then be an affirmative vote of a majority of the Senators duly chosen and sworn. The requirement of an affirmative vote of a majority of the Senators duly chosen and sworn shall not be further reduced upon any vote taken on any later motion made pursuant to this subparagraph with respect to that measure, motion, matter, or unfinished business.''.

SEC. 2. SPECIAL CONSIDERATION OF AMENDMENTS POSTCLOTURE.

Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by inserting at the end the following:

''After debate has concluded under this paragraph but prior to final disposition of the pending matter, the Majority Leader and the Minority Leader may each offer not to exceed 3 amendments identified as leadership amendments if they have been timely filed under this paragraph and are germane to the matter being amended. Debate on a leadership amendment shall be limited to 1 hour equally divided. A leadership amendment may not be divided.''.

SENATE RESOLUTION 9—TO PERMIT THE SENATE TO AVOID UNNECESSARY DELAY AND VOTE ON MATTERS FOR WHICH FLOOR DEBATE HAS CEASED

Mr. LAUTENBERG (for himself, Mr. DURBIN, Mrs. GILLIBRAND, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 9

Resolved,

SECTION 1. AMENDMENT TO THE STANDING RULES OF THE SENATE.

Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by—

(1) inserting after the second undesignated subparagraph the following:

''Following the filing of the cloture motion and prior to the cloture vote, as long as the matter on which cloture has been filed remains the pending matter—

''(1) there shall be no dilatory motion, including dilatory quorum calls, in order; and

''(2) if, at any time, no Senator seeks recognition on the floor, it shall be in order for the Majority Leader to put the question on cloture as long as any applicable filing deadline for first degree amendments has passed.''; and

(2) inserting after the fifth undesignated subparagraph (after the amendment by paragraph (1)) the following:

''If, at any time after cloture is invoked on an executive nomination or a motion to proceed, no Senator seeks recognition on the floor, it shall be in order for the Majority Leader to put the question on which cloture has been invoked.''.

SENATE RESOLUTION 10—TO IMPROVE THE DEBATE AND CONSIDERATION OF LEGISLATIVE MATTERS AND NOMINATIONS IN THE SENATE

Mr. UDALL of New Mexico (for himself, Mr. HARKIN, Mr. MERKLEY, Mr. DURBIN, Ms. KLOBUCHAR, Mr. BROWN of Ohio, Mr. BEGICH, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mrs. SHAHEEN, Mrs. BOXER, Mr. TESTER, Mr. CARDIN, Ms. MIKULSKI, Mr. WARNER, Mr. MANCHIN, Mr. COONS, Ms. STABENOW, Mrs. HAGAN, Mr. ROCKEFELLER, Mr. CASEY, Mr. WHITEHOUSE, Mr. LAUTENBERG, Mr. FRANKEN, and Mr. UDALL of Colorado) submitted the following resolution; which was submitted and read:

S. RES. 10

Resolved,

SECTION 1. DEBATE ON MOTIONS TO PROCEED.

Rule VIII of the Standing Rules of the Senate is amended by striking paragraph 2 and inserting the following:

''2. Debate on a motion to proceed to the consideration of any matter, and any debatable motion or appeal in connection therewith, shall be limited to not more than 2 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees except for a motion to go into executive session to consider a specified item of executive business and a motion to proceed to consider any privileged matter, which shall not be debatable.''.

SEC. 2. ELIMINATING SECRET HOLDS.

Rule VIII of the Standing Rules of the Senate is amended by inserting at the end the following:

''3. No Senator may object on behalf of another Senator without disclosing the name of that Senator.''.

SEC. 3. RIGHT TO OFFER AMENDMENTS.

Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by inserting at the end the following:

''After debate has concluded under this paragraph but prior to final disposition of the pending matter, the Majority Leader and the Minority Leader may each offer not to exceed 3 amendments identified as leadership amendments if they have been timely filed under this paragraph and are germane to the matter being amended. Debate on a leadership amendment shall be limited to 1 hour equally divided. A leadership amendment may not be divided.''.

SEC. 4. EXTENDED DEBATE.

Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended—

(1) by striking the second undesignated paragraph and inserting the following:

'' 'Is it the sense of the Senate that the debate shall be brought to a close?' And if that question shall be decided in the affirmative by three-fifths of the Senators duly chosen and sworn—except on a measure or motion to amend the Senate rules, in which case the necessary affirmative vote shall be two-thirds of the Senators present and voting—then cloture has been invoked. If that question shall be decided in the negative the Senate shall enter a period of continuous debate on the measure, motion, or other matter pending before the Senate, or the unfinished business. A period of continuous debate shall continue as long as the subject of the cloture vote is the pending business. During a period of continuous debate, if a Senator seeks recognition to speak, that Senator shall be recognized and the Presiding Officer shall not entertain any motion or quorum calls. If during a period of continuous debate, no Senator seeks recognition, then the Presiding Officer shall note that the period of continuous debate has ended and cloture shall be considered invoked.''; and

(2) in the last undesignated paragraph by inserting ''or during a period of continuous debate'' after ''is invoked''.

SEC. 5. POST CLOTURE DEBATE ON NOMINATIONS.

The second undesignated paragraph of paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by inserting at the end the following: ''If the matter on which cloture is invoked is a nomination, the period of time for debate shall be 2 hours.''.

SENATE RESOLUTION 11—TO ESTABLISH AS A STANDING ORDER OF THE SENATE THAT A SENATOR PUBLICLY DISCLOSE A NOTICE OF INTENT TO OBJECTING TO ANY MEASURE OR MATTER

Mr. WYDEN (for himself, Mr. GRASSLEY, Mrs. MCCASKILL, Ms. COLLINS, Mrs. GILLIBRAND, Mr. BROWN of Ohio, Mrs. MURRAY, Mr. DURBIN, Ms. KLOBUCHAR, Mrs. SHAHEEN, Mr. UDALL of Colorado, Mr. WHITEHOUSE, Mr. BINGAMAN, and Mr. MANCHIN) submitted the following resolution; which was submitted and read:

S. RES. 11

Resolved,

SECTION 1. ELIMINATING SECRET SENATE HOLDS.

(a) IN GENERAL.—

(1) COVERED REQUEST.—This standing order shall apply to a notice of intent to object to the following covered requests:

(A) A unanimous consent request to proceed to a bill, resolution, joint resolution, concurrent resolution, conference report, or amendment between the Houses.

(B) A unanimous consent request to pass a bill or joint resolution or adopt a resolution, concurrent resolution, conference report, or the disposition of an amendment between the Houses.

(C) A unanimous consent request for disposition of a nomination.

(2) RECOGNITION OF NOTICE OF INTENT.—The majority and minority leaders of the Senate or their designees shall recognize a notice of intent to object to a covered request of a Senator who is a member of their caucus if the Senator—

(A) submits the notice of intent to object in writing to the appropriate leader and grants in the notice of intent to object permission for the leader or designee to object in the Senator's name; and

(B) not later than 1 session day after submitting the notice of intent to object to the appropriate leader, submits a copy of the notice of intent to object to the Congressional Record and to the Legislative Clerk for inclusion in the applicable calendar section described in subsection (b).

(3) FORM OF NOTICE.—To be recognized by the appropriate leader a Senator shall submit the following notice of intent to object:

''I, Senator _____, intend to object to _____, dated _____. I will submit a copy of this notice to the Legislative Clerk and the Congressional Record within 1 session day and I give my permission to the objecting Senator to object in my name.'' The first blank shall be filled with the name of the Senator, the second blank shall be filled with the name of the covered request, the name of the measure or matter and, if applicable, the calendar number, and the third blank shall be filled with the date that the notice of intent to object is submitted.

(b) CALENDAR.—Upon receiving the submission under subsection (a)(2)(B), the Legislative Clerk shall add the information from the notice of intent to object to the applicable Calendar section entitled ''Notices of Intent to Object to Proceeding'' created by Public Law 110–81. Each section shall include the name of each Senator filing a notice under subsection (a)(2)(B), the measure or matter covered by the calendar to which the notice of intent to object relates, and the date the notice of intent to object was filed.

(c) REMOVAL.—A Senator may have a notice of intent to object relating to that Senator removed from a calendar to which it was added under subsection (b) by submitting for inclusion in the Congressional Record the following notice:

''I, Senator _____, do not object to _____, dated _____.'' The first blank shall be filled with the name of the Senator, the second blank shall be filled with the name of the covered request, the name of the measure or matter and, if applicable, the calendar number, and the third blank shall be filled with the date of the submission to the Congressional Record under this subsection.

(d) OBJECTING ON BEHALF OF A MEMBER.—If a Senator who has notified his or her leader of an intent to object to a covered request fails to submit a notice of intent to object under subsection (a)(2)(B) within 1 session day following an objection to a covered request by the leader or his or her designee on that Senator's behalf, the Legislative Clerk shall list the Senator who made the objection to the covered request in the applicable ''Notice of Intent to Object to Proceeding'' calendar section.

SENATE RESOLUTION 12—TO AMEND THE STANDING RULES OF THE SENATE TO REFORM THE FILIBUSTER RULES TO IMPROVE THE DAILY PROCESS OF THE SENATE

Mr. UDALL of Colorado (for himself, Mr. DURBIN, and Mrs. SHAHEEN) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 12

Whereas the Senate has operated under the cloture rules for many decades;

Whereas there has been a marked increase in the use of the filibuster in recent years;

Whereas sweeping, monumental legislation affecting economic recovery, reform of the healthcare system, reform of the financial regulatory system, and many other initiatives all were enacted in the 111th Congress after overcoming filibusters;

Whereas both parties have used the filibuster to prevent the passage of controversial legislation and confirmation of qualified nominees;

Whereas the Senate rules regarding cloture serve the legitimate purpose of protecting the rights of the minority;

Whereas there are many areas where the rules of the Senate have been abused, and can make way for changes that will improve the daily process of the Senate; and

Whereas bipartisan cooperation can overcome nearly any obstacle in the United States Senate, changing the Senate rules must also be done with bipartisan cooperation: Now, therefore, be it

Resolved,

SECTION 1. CHANGING VOTE THRESHOLD TO PRESENT AND VOTING.

The second undesignated subparagraph of paragraph 2 of rule XXII of the Standing

Rules of the Senate is amended by striking ''duly chosen and sworn'' and inserting ''present and voting''.

SEC. 2. MOTIONS TO PROCEED.

Paragraph 2 of rule VIII of the Standing Rules of the Senate is amended to read as follows:

''2. Debate on a motion to proceed to the consideration of any matter, and any debatable motion or appeal in connection therewith, shall be limited to not more than 4 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees except for—

''(1) a motion to proceed to a proposal to change the Standing Rules which shall be debatable; and

''(2) a motion to go into executive session to consider a specified item of executive business and a motion to proceed to consider any privileged matter which shall not be debatable.''.

SEC. 3. NO FILIBUSTER AFTER COMPLETE SUBSTITUTE IS AGREED TO.

Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by inserting at the end the following:

''If a complete substitute amendment for a measure is agreed to after consideration under cloture, the Senate shall proceed to a final disposition of the measure without intervening action or debate except one quorum call if requested.''.

SEC. 4. NO FILIBUSTER RELATED TO COMMITTEES ON CONFERENCE.

Rule XXVIII of the Standing Rules of the Senate is amended by inserting at the end the following:

''10.(a) Upon the majority leader making a motion to disagree with a House amendment or amendments or insist on a Senate amendment or amendments, request a conference with the House, or agree to the conference requested by the House on the disagreeing votes of the two Houses, and that the chair be authorized to appoint conferees on the part of the Senate, debate on the motion, and any debatable motion or appeal in connection therewith, shall be limited to not more than 4 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

''(b) A motion made by the majority leader pursuant to subparagraph (a) shall not be divisible and shall not be subject to amendment.''.

SEC. 5. TIME PRECLOTURE.

Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended—

(1) in the first subparagraph of paragraph 2, by striking ''one hour after the Senate meets on the following calendar day but one'' and inserting ''24 hours after the filing of the motion''; and

(2) in the third undesignated paragraph, by striking the second sentence and inserting ''Except by unanimous consent, no amendment shall be proposed after the vote to bring the debate to a close, unless it had been submitted in writing to the Journal Clerk 12 hours following the filing of the cloture motion if an amendment in the first degree, and unless it had been so submitted at least 1 hour prior to the beginning of the cloture vote if an amendment in the second degree.''.

SEC. 6. DIVISION OF TIME POSTCLOTURE.

The fourth undesignated subparagraph of paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by inserting ''(to be equally divided between the majority and the minority)'' after ''thirty hours of consideration''.

SEC. 7. ELIMINATING DEBATE TIME POSTCLOTURE ON NOMINATIONS.

The second undesignated paragraph of paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by inserting at the end the following: ''If the matter on which cloture is invoked is a nomination, the Senate shall immediately proceed to vote on final disposition of the nomination upon invoking cloture on the nomination under this paragraph.''.

SEC. 8. ALLOWING COMMITTEES TO MEET WITHOUT CONSENT.

Paragraph 5 of rule XXVI of the Standing Rules of the Senate is amended by—

(1) striking subparagraph (a); and

(2) redesignating subparagraphs (b) through (e) as subparagraphs (a) through (d), respectively.

SEC. 9. READING OF AMENDMENTS.

Paragraph 1 of rule XV of the Standing Rules of the Senate is amended by inserting at the end the following:

''(c) The reading of an amendment may be waived by a nondebatable motion if the amendment has been printed in the Congressional Record and available for at least 24 hours before the motion.''.

SEC. 10. ALLOWING AMENDMENTS WHEN AMENDMENTS PENDING BY A LIMITED MOTION.

Rule XV of the Standing Rules of the Senate is amended by adding at the end the following:

''6.(a) If an amendment is pending and except as provided in subparagraph (b), a nondebateable motion shall be in order to set aside any pending amendments in order to offer another germane amendment. No Senator shall offer more than 1 such motion in any calendar day and the Senate shall consider not more than 5 such motions in any calendar day.

''(b)(1) A nondebateable motion shall be in order to waive the requirement of germaneness under subparagraph (a).

''(2) A waiver motion under this subparagraph shall require three-fifths of the Senators duly chosen and sworn.

''(c) An affirmative vote of three-fifths of the Senators duly chosen and sworn shall be required to sustain an appeal of a ruling by the chair on a point of order raised under this paragraph.''.

SENATE RESOLUTION 13—A BILL TO REQUIRE A TWO-FIFTHS THRESHOLD TO SUSTAIN A FILIBUSTER

Mr. FRANKEN submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 13

Resolved,

SECTION 1. AMENDMENT TO THE STANDING RULES OF THE SENATE.

The second undesignated paragraph of paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by striking ''And if that question shall be decided in the affirmative by three-fifths of the Senators duly chosen and sworn'' and inserting ''And if that question is decided in the affirmative and there are not negative votes by more than two-fifths of the Senators duly chosen and sworn''.

SENATE CONCURRENT RESOLUTION—PROVIDING FOR A CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID of Nevada submitted the following concurrent resolution; which was considered and agrees to:

S. CON. RES. 1

Resolved, by the Senate of the United States (the House of Representatives concurring), (That (a) when the Senate adjourns or recesses on any day from Wednesday, January 5, 2011, through Monday, January 10, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned or recessed until 10 a.m. on Tuesday, January 25, 2011, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and

(b) when the House adjourns on the legislative day of Wednesday, January 12, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, January 18, 2011, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first; and when the House adjourns on any legislative day from Wednesday, January 26, 2011, through Friday, January 28, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, February 8, 2011, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Majority Leader of the Senate, or his designee, after consultation with the Minority Leader of the Senate, or his designee, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate recesses or adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand recessed or adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

SENATE CONCURRENT RESOLUTION 2—AUTHORIZING THE USE OF THE ROTUNDA OF THE CAPITOL FOR AN EVENT MARKING THE 50TH ANNIVERSARY OF THE INAUGURAL ADDRESS OF PRESIDENT JOHN F. KENNEDY

Mr. KERRY submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 2

Whereas John Fitzgerald Kennedy was elected to the United States House of Representatives and served from January 3, 1947, to January 3, 1953, until he was elected by the Commonwealth of Massachusetts to the Senate where he served from January 3, 1953, to December 22, 1960;

Whereas on November 8, 1960, John Fitzgerald Kennedy was elected as the 35th President of the United States; and

Whereas on January 20, 1961, President Kennedy was sworn in as President of the United States and delivered his inaugural address at 12:51 p.m., a speech that served as a clarion call to service for the Nation: Now, therefore, be it

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

SECTION 1. USE OF THE ROTUNDA OF THE CAPITOL FOR AN EVENT HONORING PRESIDENT KENNEDY.

The rotunda of the United States Capitol is authorized to be used on January 20, 2011, for

a ceremony in honor of the 50th anniversary of the inaugural address of President John F. Kennedy. Physical preparations for the conduct of the ceremony shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that Kayti Fan be granted the privilege of the floor for the remainder of today.

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

Mr. WICKER. Mr. President, I ask unanimous consent that Josh Davis, a legislative fellow on my staff, be granted privileges of the floor during the remainder of today's session.

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

NOTICE: REGISTRATION OF MASS MAILINGS

The filing date for 2010 fourth quarter Mass Mailings is Tuesday, January 25, 2011. If your office did no mass mailings during this period, please submit a form that states ''none.''

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510–7116.

The Public Records office will be open from 9 a.m. to 6 p.m. on the filing date to accept these filings. For further information, please contact the Public Records office at (202) 224–0322.

AUTHORIZING USE OF THE ROTUNDA

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 2.

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

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 2) authorizing the use of the rotunda of the Capitol for an event marking the 50th anniversary of the inaugural address of President John F. Kennedy.

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

Mr. REID. Mr. President, we run through these resolutions, and sometimes don't understand the importance of what we do to individuals. I just read about a half an hour ago one of the nicest letters I have ever received from Caroline Kennedy regarding this. When I think of Ted Kennedy, when I came to the Senate he was somebody I could never believe I would be working with. As you come into my Capitol office, as you walk in the door, I have a letter that was sent to me by President Kennedy between the time he was elected and before he was inaugurated. Ted used to come in to my office and many times he would look at that letter from his brother. He said, ''And that's his real signature.'' It was a letter to me congratulating me on establishing the first Young Democrat Club at Utah State University. And then to have this wonderful letter from Caroline.

These things we do affect people and there is no better example than that nice letter I got from Caroline today regarding her father and saying thanks for doing this for my father.

I further ask that the concurrent resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to this measure be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 2) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 2

Whereas John Fitzgerald Kennedy was elected to the United States House of Representatives and served from January 3, 1947, to January 3, 1953, until he was elected by the Commonwealth of Massachusetts to the Senate where he served from January 3, 1953, to December 22, 1960;

Whereas on November 8, 1960, John Fitzgerald Kennedy was elected as the 35th President of the United States; and

Whereas on January 20, 1961, President Kennedy was sworn in as President of the United States and delivered his inaugural address at 12:51 p.m., a speech that served as a clarion call to service for the Nation: Now, therefore, be it

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

SECTION 1. USE OF THE ROTUNDA OF THE CAPITOL FOR AN EVENT HONORING PRESIDENT KENNEDY.

The rotunda of the United States Capitol is authorized to be used on January 20, 2011, for a ceremony in honor of the 50th anniversary of the inaugural address of President John F. Kennedy. Physical preparations for the conduct of the ceremony shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, after consultation with the chairman of the Select Committee on Intelligence, and pursuant to the provisions of Public Law 107–306, as amended by Public Law 111–259, announces the appointment of the following individuals to serve as members of the National Commission for Review of Research and Development Programs of the United States Intelligence Community: Gilman Louie of California and Troy Wade of Nevada.

BEGINNING THE 112TH CONGRESS

Mr. REID. Mr. President, this has been an exciting day, the beginning of the 112th Congress. It has been I think a historic day. The debate has been very good. The exchange between the Republican leader and I set the stage, I hope—at least that is what I believe—for the conversation that came later from Democrats and Republicans about how this place is going to run. I think that has been very constructive for the Senate and for the country.

ORDERS FOR TUESDAY, JANUARY 25, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess under the provisions of S. Con. Res. 1, until 10 a.m. on Tuesday, January 25; that following the prayer and the pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each; I finally ask that the Senate recess from 12:30 to 2:15 p.m. to allow for the weekly caucus meetings on that date.

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

PROGRAM

Mr. REID. Mr. President, rollcall votes are possible on Tuesday, January 25. Senators will be notified when votes are scheduled.

RECESS UNTIL TUESDAY, JANUARY 25, 2011, AT 10 A.M.

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that it recess under the previous order.

There being no objection, the Senate, at 7:33 p.m., recessed until Tuesday, January 25, 2011, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

JIMMIE V. REYNA, OF MARYLAND, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT, VICE HALDANE ROBERT MAYER, RETIRED.

VICTORIA FRANCES NOURSE, OF WISCONSIN, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SEVENTH CIRCUIT, VICE TERENCE T. EVANS, RETIRED.

GOODWIN LIU, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE A NEW POSITION CREATED BY PUBLIC LAW 110–117, APPROVED JANUARY 7, 2008.

JAMES E. GRAVES, JR., OF MISSISSIPPI, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT, VICE RHESA H. BARKSDALE, RETIRED.

CAITLIN JOAN HALLIGAN, OF NEW YORK, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT, VICE JOHN G. ROBERTS, JR., ELEVATED.

EDWARD CARROLL DUMONT, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT, VICE PAUL R. MICHEL, RETIRED.

BERNICE BOUIE DONALD, OF TENNESSEE, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SIXTH CIRCUIT, VICE RONALD LEE GILMAN, RETIRED.

SUSAN L. CARNEY, OF CONNECTICUT, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT, VICE BARRINGTON D. PARKER, RETIRED.

ARENDA L. WRIGHT ALLEN, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA, VICE JEROME B. FRIEDMAN, RETIRED.

ANTHONY J. BATTAGLIA, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA, VICE M. JAMES LORENZ, RETIRED.

CATHY BISSOON, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA, VICE THOMAS M. HARDIMAN, ELEVATED.

JAMES EMANUEL BOASBERG, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA, VICE THOMAS F. HOGAN, RETIRED.

VINCENT L. BRICCETTI, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE KIMBA M. WOOD, RETIRED.

LOUIS B. BUTLER, JR., OF WISCONSIN, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WISCONSIN, VICE JOHN C. SHABAZ, RETIRED.

CLAIRE C. CECCHI, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY, VICE JOSEPH A. GREENAWAY, ELEVATED.

EDWARD MILTON CHEN, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA, VICE MARTIN J. JENKINS, RESIGNED.

MAX OLIVER COGBURN, JR., OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF NORTH CAROLINA, VICE LACY H. THORNBURG, RETIRED.

MAE A. D'AGOSTINO, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF NEW YORK, VICE FREDERICK J. SCULLIN, JR., RETIRED.

ROY BALE DALTON, JR., OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA, VICE HENRY LEE ADAMS, JR., RETIRED.

SARA LYNN DARROW, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF ILLINOIS, VICE JOE B. MCDADE, RETIRED.

EDWARD J. DAVILA, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA, VICE MARILYN HALL PATEL, RETIRED.

CHARLES BERNARD DAY, OF MARYLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MARYLAND, VICE PETER J. MESSITTE, RETIRED.

MARCO A. HERNANDEZ, OF OREGON, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF OREGON, VICE GARR M. KING, RETIRED.

PAUL KINLOCH HOLMES III, OF ARKANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF ARKANSAS, VICE ROBERT T. DAWSON, RETIRED.

MARK RAYMOND HORNAK, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA, VICE DONETTA W. AMBROSE , RETIRED.

AMY BERMAN JACKSON, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO, VICE GLADYS KESSLER, RETIRED.

RICHARD BROOKE JACKSON, OF COLORADO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO, VICE PHILLIP S. FIGA, DECEASED.

STEVE C. JONES, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA, VICE ORINDA D. EVANS, RETIRED.

JOHN A. KRONSTADT, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE FLORENCE—MARIE COOPER, DECEASED.

ROBERT DAVID MARIANI, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF PENNSYLVANIA, VICE JAMES M. MUNLEY, RETIRED.

MARINA GARCIA MARMOLEJO, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS, VICE SAMUEL B. KENT, RESIGNED .

JOHN J. MCCONNELL, JR., OF RHODE ISLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF RHODE ISLAND, VICE ERNEST C. TORRES, RETIRED.

SUE E. MYERSCOUGH, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF ILLINOIS, VICE JEANNE E. SCOTT, RESIGNED.

JOHN ANDREW ROSS, OF MISSOURI, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MISSOURI, VICE CHARLES A. SHAW, RETIRED.

ESTHER SALAS, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY, VICE KATHARINE SWEENEY HAYDEN, RETIRED.

DIANA SALDANA, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS, VICE GEORGE P. KAZEN, RETIRED.

JAMES E. SHADID, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF ILLINOIS, VICE MICHAEL M. MIHM, RETIRED.

KEVIN HUNTER SHARP, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF TENNESSEE, VICE ROBERT L. ECHOLS, RETIRED.

MICHAEL H. SIMON, OF OREGON, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF OREGON, VICE ANCER L. HAGGERTY, RETIRED.

AMY TOTENBERG, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA, VICE JACK T. CAMP, JR., RETIRED.

MICHAEL FRANCIS URBANSKI, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF VIRGINIA, VICE NORMAN K. MOON, RETIRED.

KATHLEEN M. WILLIAMS, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE DANIEL T.K. HURLEY, RETIRED.

DEPARTMENT OF JUSTICE

VIRGINIA A. SEITZ, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE JACK LANDMAN GOLDSMITH III, RESIGNED.

ANDREW L. TRAVER, OF ILLINOIS, TO BE DIRECTOR, BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES. (NEW POSITION)

DENISE ELLEN O'DONNELL, OF NEW YORK, TO BE DIRECTOR OF THE BUREAU OF JUSTICE ASSISTANCE, VICE DOMINGO S. HERRAIZ, RESIGNED.

TIMOTHY J. FEIGHERY, OF NEW YORK, TO BE CHAIRMAN OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES FOR A TERM EXPIRING SEPTEMBER 30, 2012, VICE MAURICIO J. TAMARGO, TERM EXPIRED.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

JAMES XAVIER DEMPSEY, OF CALIFORNIA, TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2016. (NEW POSITION)

ELISEBETH COLLINS COOK, OF ILLINOIS, TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2014. (NEW POSITION)

DEPARTMENT OF JUSTICE

JAMES MICHAEL COLE, OF THE DISTRICT OF COLUMBIA, TO BE DEPUTY ATTORNEY GENERAL, VICE DAVID W. OGDEN, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

DEPARTMENT OF DEFENSE

MICHAEL VICKERS, OF VIRGINIA, TO BE UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE, VICE JAMES R. CLAPPER.

JO ANN ROONEY, OF MASSACHUSETTS, TO BE PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS, VICE MICHAEL L. DOMINGUEZ.

FEDERAL RESERVE SYSTEM

PETER A. DIAMOND, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR THE UNEXPIRED TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 2000, VICE FREDERIC S. MISHKIN.

DEPARTMENT OF COMMERCE

KATHRYN D. SULLIVAN, OF OHIO, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE PHILLIP A. SINGERMAN.

MARINE MAMMAL COMMISSION

FRANCES M.D. GULLAND, OF CALIFORNIA, TO BE A MEMBER OF THE MARINE MAMMAL COMMISSION FOR A TERM EXPIRING MAY 13, 2012, VICE VERA ALEXANDER, TERM EXPIRED.

DEPARTMENT OF TRANSPORTATION

ANN D. BEGEMAN, OF VIRGINIA, TO BE A MEMBER OF THE SURFACE TRANSPORTATION BOARD FOR A TERM EXPIRING DECEMBER 31, 2015, VICE CHARLES D. NOTTINGHAM, TERM EXPIRED.

DEPARTMENT OF ENERGY

PETER BRUCE LYONS, OF NEW MEXICO, TO BE AN ASSISTANT SECRETARY OF ENERGY (NUCLEAR ENERGY), VICE WARREN F. MILLER, JR., RESIGNED.

DEPARTMENT OF THE INTERIOR

DANIEL M. ASHE, OF MARYLAND, TO BE DIRECTOR OF THE UNITED STATES FISH AND WILDLIFE SERVICE, VICE SAMUEL D. HAMILTON.

UNITED STATES TAX COURT

MAURICE B. FOLEY, OF MARYLAND, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS. (REAPPOINTMENT)

DEPARTMENT OF THE TREASURY

JENNI RANE LECOMPTE, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE MICHELE A. DAVIS, RESIGNED.

DEPARTMENT OF STATE

KURT WALTER TONG, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS UNITED STATES SENIOR OFFICIAL FOR THE ASIA-PACIFIC ECONOMIC COOPERATION (APEC) FORUM.

OVERSEAS PRIVATE INVESTMENT CORPORATION

JAMES A. TORREY, OF CONNECTICUT, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2013, VICE DIANNE I. MOSS, TERM EXPIRED.

DEPARTMENT OF STATE

JOSEPH M. TORSELLA, OF PENNSYLVANIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS FOR U.N. MANAGEMENT AND REFORM, WITH THE RANK OF AMBASSADOR.

JOSEPH M. TORSELLA, OF PENNSYLVANIA, TO BE ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, DURING HIS TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS FOR U.N. MANAGEMENT AND REFORM.

DAVID BRUCE SHEAR, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SOCIALIST REPUBLIC OF VIETNAM.

DEPARTMENT OF VETERANS AFFAIRS

ALLISON A. HICKEY, OF VIRGINIA, TO BE UNDER SECRETARY FOR BENEFITS OF THE DEPARTMENT OF VETERANS AFFAIRS, VICE PATRICK W. DUNNE, RESIGNED.

DEPARTMENT OF STATE

DANIEL L. SHIELDS III, OF PENNSYLVANIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BRUNEI DARUSSALAM.

PAMELA L. SPRATLEN, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KYRGYZ REPUBLIC.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

ERIC G. POSTEL, OF WISCONSIN, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE JACQUELINE ELLEN SCHAFER, RESIGNED.

OVERSEAS PRIVATE INVESTMENT CORPORATION

TERRY LEWIS, OF MICHIGAN, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2011, VICE C. WILLIAM SWANK, TERM EXPIRED.

TERRY LEWIS, OF MICHIGAN, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2014. (REAPPOINTMENT)

DEPARTMENT OF STATE

NILS MAARTEN PARIN DAULAIRE, OF VIRGINIA, TO BE REPRESENTATIVE OF THE UNITED STATES ON THE EXECUTIVE BOARD OF THE WORLD HEALTH ORGANIZATION, VICE JOXEL GARCIA.

SUE KATHRINE BROWN, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO MONTENEGRO.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

MARTHA WAGNER WEINBERG, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2016, VICE HERMAN BELZ, TERM EXPIRED.

NATIONAL COUNCIL ON DISABILITY

CLYDE E. TERRY, OF NEW HAMPSHIRE, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2013, VICE JOHN R. VAUGHN, RESIGNED.

DEPARTMENT OF LABOR

LEON RODRIGUEZ, OF MARYLAND, TO BE ADMINISTRATOR OF THE WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR, VICE PAUL DECAMP.

NATIONAL SCIENCE FOUNDATION

CORA B. MARRETT, OF WISCONSIN, TO BE DEPUTY DIRECTOR OF THE NATIONAL SCIENCE FOUNDATION, VICE KATHIE L. OLSEN.

NATIONAL COUNCIL ON DISABILITY

JANICE LEHRER-STEIN, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2013, VICE VICTORIA RAY CARLSON, TERM EXPIRED.

NATIONAL SCIENCE FOUNDATION

KELVIN K. DROEGEMEIER, OF OKLAHOMA, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION FOR A TERM EXPIRING MAY 10, 2016. (REAPPOINTMENT)

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

PAULA BARKER DUFFY, OF ILLINOIS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2016, VICE HARVEY KLEHR, TERM EXPIRED.

AARON PAUL DWORKIN, OF MICHIGAN, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2014, VICE KAREN LIAS WOLFF, TERM EXPIRED.

CATHY N. DAVIDSON, OF NORTH CAROLINA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2016, VICE MARVIN BAILEY SCOTT, TERM EXPIRED.

CONSTANCE M. CARROLL, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2016, VICE TAMAR JACOBY, TERM EXPIRED.

ALBERT J. BEVERIDGE III, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2016, VICE JAMES DAVISON HUNTER, TERM EXPIRED.

NATIONAL MEDIATION BOARD

THOMAS M. BECK, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2013, VICE ELIZABETH DOUGHERTY, TERM EXPIRED.

NATIONAL LABOR RELATIONS BOARD

TERENCE FRANCIS FLYNN, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING AUGUST 27, 2015, VICE PETER SCHAUMBER, TERM EXPIRED.

LAFE E. SOLOMON, OF MARYLAND, TO BE GENERAL COUNSEL OF THE NATIONAL LABOR RELATIONS BOARD, VICE RONALD E. MEISBURG, RESIGNED.

OFFICE OF SPECIAL COUNSEL

CAROLYN N. LERNER, OF MARYLAND, TO BE SPECIAL COUNSEL, OFFICE OF SPECIAL COUNSEL, FOR THE TERM OF FIVE YEARS, VICE SCOTT J. BLOCH, RESIGNED.

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

STEPHANIE O'SULLIVAN, OF VIRGINIA, TO BE PRINCIPAL DEPUTY DIRECTOR OF NATIONAL INTELLIGENCE, VICE DAVID C. GOMPERT, RESIGNED.

DEPARTMENT OF VETERANS AFFAIRS

STEVE L. MURO, OF CALIFORNIA, TO BE UNDER SECRETARY OF VETERANS AFFAIRS FOR MEMORIAL AFFAIRS, VICE WILLIAM F. TUERK, RESIGNED.

EXTENSIONS OF REMARKS

HONORING THE DICKSON STRING QUARTET AT THE UNIVERSITY OF MISSOURI-ST. LOUIS

HON. WM. LACY CLAY
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. CLAY. Mr. Speaker, I rise today to recognize the members of the Dickson family who are committed to their education and love for the art of music. That is why parents Raymond and Theresa Dickson chose to simultaneously enroll four of their children at the University of Missouri-St. Louis. Music Majors Ashley, Benjamin, Brandon and Daniel Dickson receive lessons and recite together as a string quartet, under the tutelage of the ''Arianna String Quartet'', the University's quartet-in-residence. It is believed to be the only resident quartet in a public university in the United States. The Dickson family chose Florissant, Missouri to maintain a strong support structure for their University students.

Prior to moving to Florissant, Raymond, Theresa and their ten children had been living in Battle Ground Washington a suburb of Portland, Oregon for several years. The children were home-schooled. Most of them elected to learn an instrument. Over time, four of the eldest Dickson's began performing together as the Dickson String Quartet.

While honing their skills at the Britt Festival in Jacksonville, Oregon, they caught the collective ears of the Arianna String Quartet, who were guest instructors at the two-week string quartet academy. ''When people hear them, I don't think they can help but be drawn in,'' Arianna violist Joanna Mendoza told University of Missouri-St. Louis Magazine.

The feeling was mutual for the Dickson's, who desired a continuation of their studies with the Arianna. Working with the university, members of the Arianna were able to create an opportunity for the four Dicksons to enroll together and learn as an ensemble with University of Missouri-St. Louis' resident quartet.

With the Dickson String Quartet ranging in age from 16 to 20 and never having attended a public school at the time of their enrollment at University of Missouri-St. Louis, Raymond and Theresa decided to move their family to maintain a support structure for the new university students.

The Dickson students have thrived at University of Missouri-St. Louis. They've quickly established a reputation as leaders and role models in the Department of Music and Pierre Laclede Honors College. They participate in several performance ensembles, play together as ''the quartet for worship'' at their local church and have several standing ovations through their performances as a sibling quartet.

Mr. Speaker, I am honored to pay tribute to the Dickson family and I urge my colleagues to join me in honoring them.

JUSTICE AND EQUITY FOR MEMBERS OF THE UNITED STATES MERCHANT MARINE

HON. BOB FILNER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. FILNER. Mr. Speaker and colleagues, I rise today to correct an injustice that has been inflicted upon a group of World War II veterans, the World War II United States Merchant Mariners.

World War II Merchant Mariners suffered the highest casualty rate of any of the branches of service while they delivered troops, tanks, food, airplanes, fuel, and other needed supplies to every theater of the war.

Compared to the large number of men and women serving in World War II, the numbers of the Merchant Mariners were small, but their chance of dying during service was extremely high. Enemy forces sank over 800 ships between 1941 and 1944 alone.

Unfortunately, this group of brave men was denied their rights under the G.I. Bill of Rights that Congress enacted in 1945. All those who served in the Army, Navy, Marine Corps, Air Force or Coast Guard were recipients of benefits under the G.I. Bill. The United States Merchant Marine was not included.

The Merchant Marine became the forgotten service. For four decades, no effort was made to recognize the contribution made by this branch of the Armed Services. The fact that Merchant Seamen had borne arms during wartime in the defense of their country seemed not to matter.

No legislation to benefit Merchant Seamen was passed by Congress until 1988 when the Seaman Acts of 1988 finally granted them a ''watered down'' G.I. Bill of Rights. Some portions of the G.I. Bill have never been made available to veterans of the Merchant Marine.

In addition, they still have not received proper recognition as veterans for Social Security purposes. If they had the ''veteran'' designation, their Social Security would be calculated as if they had earned $160 more a month than they did earn during their time in service in the Merchant Marines. Of course, what this means is a smaller Social Security check, now that they are retired.

While it is impossible to make up for over 40 years of unpaid benefits, I propose a bill that will acknowledge the service of the veterans of the Merchant Marine and offer compensation for years and years of lost benefits. H.R. 23, the ''Belated Thank You to the Merchant Mariners of World War II Act of 2011,'' will pay each eligible veteran a monthly benefit of $1000, and that payment would also go to their surviving spouses. It will also give them the Social Security that they are due by providing them with the status of ''veteran'' under the Social Security Act.

The average WWII-era Merchant Marine is now well into his 80s. Many have outlived their savings. An increase in their Social Security and a monthly benefit to compensate for the loss of nearly a lifetime of ineligibility for the G.I. Bill would be of comfort and would provide some measure of security for veterans of the Merchant Marine.

I urge my colleagues to join me in supporting and co-sponsoring this legislation. We can fix the injustices endured by our Nation's Merchant Marines by passing H.R. 23 as quickly as possible.

HONORING TANNER JOSEPH DALMAN

HON. SAM GRAVES
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Tanner Joseph Dalman. Tanner is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 397, and earning the most prestigious award of Eagle Scout.

Tanner has been very active with his troop, participating in many scout activities. Over the many years Tanner has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Tanner has earned the rank of Senior Patrol Leader. Tanner has also contributed to his community through his Eagle Scout project. Tanner designed and constructed an open shelter for Jesse James Park in Kearney, Missouri, a task that included many long weekends this past fall.

Mr. Speaker, I proudly ask you to join me in commending Tanner Joseph Dalman for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

THE SENIORS' HEALTH CARE FREEDOM ACT

HON. RON PAUL
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. PAUL. Mr. Speaker, I rise to introduce the Seniors' Health Care Freedom Act. This act protects seniors' fundamental right to make their own health care decisions by repealing federal laws that interfere with seniors' ability to form private contracts for medical services. This bill also repeals laws which force seniors into the Medicare program against their will. When Medicare was first established, seniors were promised that the program would be voluntary. In fact, the original Medicare legislation explicitly protected a senior's right to seek out other forms of medical insurance. However, the Balanced Budget Act

of 1997 prohibits any physician who forms a private contract with a senior from filing any Medicare reimbursement claims for two years. As a practical matter, this means that seniors cannot form private contracts for health care services.

Seniors may wish to use their own resources to pay for procedures or treatments not covered by Medicare, or to simply avoid the bureaucracy and uncertainly that comes when seniors must wait for the judgment of a Center from Medicare and Medicaid Services (CMS) bureaucrat before finding out if a desired treatment is covered.

Seniors' right to control their own health care is also being denied due to the Social Security Administration's refusal to give seniors who object to enrolling for Medicare Part A Social Security benefits. This not only distorts the intent of the creators of the Medicare system; it also violates the promise represented by Social Security. Americans pay taxes into the Social Security Trust Fund their whole working lives and are promised that Social Security will be there for them when they retire. Yet, today, seniors are told that they cannot receive these benefits unless they agree to join an additional government program!

At a time when the fiscal solvency of Medicare is questionable, to say the least, it seems foolish to waste scarce Medicare funds on those who would prefer to do without Medicare. Allowing seniors who neither want nor need to participate in the program to refrain from doing so will also strengthen the Medicare program for those seniors who do wish to participate in it. Of course, my bill does not take away Medicare benefits from any senior. It simply allows each senior to choose voluntarily whether or not to accept Medicare benefits or to use his own resources to obtain health care.

Forcing seniors into government programs and restricting their ability to seek medical care free from government interference infringes on the freedom of seniors to control their own resources and make their own health care decisions. A woman who was forced into Medicare against her wishes summed it up best in a letter to my office, ". . . I should be able to choose the medical arrangements I prefer without suffering the penalty that is being imposed." I urge my colleagues to protect the right of seniors to make the medical arrangements that best suit their own needs by cosponsoring the Seniors' Health Care Freedom Act.

INTRODUCTION OF A BILL TO ESTABLISH A NATIONAL COMMISSION ON PRESIDENTIAL WAR POWERS AND CIVIL LIBERTIES

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. CONYERS. Mr. Speaker, today I introduce a bill that will create a national commission to examine fundamental questions regarding national security, civil liberties, and the rule of law. These include: What actions are permitted in the name of national security? What rights and liberties should a free people demand? Can the so-called Imperial Presidency be controlled?

These questions take on greater significance every year. The power of the Presidency seems to grow and grow under both parties, and the ability of our democratic institutions to constrain it seems more and more uncertain.

In the current political atmosphere, I believe that an expert commission with appointments made by both branches and individuals of both parties would be uniquely positioned to evaluate the issues and propose steps that the Congress can take to enhance both our liberty and our security for generations to come.

INTRODUCTION OF THE BALANCED BUDGET CONSTITUTIONAL AMENDMENT

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. GOODLATTE. Mr. Speaker, I rise to reintroduce legislation that will amend the United States Constitution to force Congress to rein in spending by balancing the federal budget.

We have a spending addiction in Washington, D.C., and it has proven to be an addiction that Congress cannot control on its own and which is bringing dire consequences. We have gone in a few short years from a deficit of billions of dollars to a deficit of trillions of dollars. We are printing money at an unprecedented pace, which presents serious risks of massive inflation. Our national debt recently surpassed an astonishing $14 trillion and continues to rapidly increase, along with the waste associated with paying the interest on that debt.

Our first Secretary of State, Thomas Jefferson, warned of the consequences of out-of-control debt when he wrote: ''To preserve [the] independence [of the people,] we must not let our rulers load us with perpetual debt. We must make our election between economy and liberty, or profusion and servitude.'' Unfortunately, it increasingly appears that Congress has chosen the latter path.

Our current Secretary of State, Hillary Clinton, issued a similar warning when she recently declared: ''I think that our rising debt levels [sic] poses a national security threat, and it poses a national security threat in two ways. It undermines our capacity to act in our own interest, and it does constrain us where constraint may be undesirable. And it also sends a message of weakness internationally.'' Despite these warnings, Congress has refused to address this crisis.

Congress' spending addiction is not a partisan one. It reaches across the aisle and afflicts both parties, which is why neither party has been able to master it. We need outside help. We need pressure from outside Congress to force us to rein in this out-of-control behavior. We need a balanced budget amendment to our Constitution.

That is why I am introducing this legislation, which garnered 179 bipartisan cosponsors in the 111th Congress. This bill would amend the Constitution to require that total spending for any fiscal year not exceed total receipts and require the President to propose budgets to Congress that are balanced each year. It would also provide an exception in times of war and during military conflicts that pose imminent and serious military threats to national security.

Furthermore, the legislation would make it harder to increase taxes by requiring that legislation to increase revenue be passed by a true majority of each chamber and not just a majority of those present and voting. Finally, the bill requires a 3/5 majority vote for any increases in the debt limit.

Our federal government must be lean, efficient and responsible with the dollars that our nation's citizens worked so hard to earn. We must work to both eliminate every cent of waste and squeeze every cent of value out of each dollar our citizens entrust to us. Families all across our nation understand what it means to make tough decisions each day about what they can and cannot afford and government officials should be required to exercise similar restraint when spending the hard-earned dollars of our nation's citizens.

By amending the Constitution to require a balanced budget, we can force the Congress to control spending, paving the way for a return to surpluses and ultimately paying down the national debt, rather than allow big spenders to lead us further down the road of chronic deficits and in doing so leave our children and grandchildren saddled with debt that is not their own.

This concept is not new—49 out of 50 states have a balanced budget requirement.

Our nation faces many difficult decisions in the coming years, and Congress will face great pressure to spend beyond its means rather than to make the difficult decisions about spending priorities. Unless Congress is forced to make the decisions necessary to create a balanced budget, it will always have the all-too-tempting option of shirking this responsibility. The Balanced Budget Constitutional amendment is a common sense approach to ensure that Congress is bound by the same fiscal principles that guide America's families each day.

I urge support of this important legislation.

THE ILLEGAL IMMIGRATION ENFORCEMENT AND SOCIAL SECURITY PROTECTION ACT

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. DREIER. Mr. Speaker, the roots of our broken immigration and employer verification system can be traced to three underlying factors: too many unreliable documents, including the Social Security card; a faulty employment verification system; and lax enforcement. The cornerstone of any immigration and border security reform plan must include an effective employment verification system and enhanced enforcement of our immigration laws. My bill, H.R. 98, the Illegal Immigration Enforcement and Social Security Protection Act, provides a strong foundation on which to build upon.

The 1986 Immigration Reform and Control Act created the I–9 system for employers to verify the work authorization status of prospective employees. Currently, there are 26 documents that individuals can use in 102 different combinations to establish work authorization status in the U.S. While well intentioned, this

program forces employers to be identification experts while allowing unscrupulous employers to hire illegal immigrants.

The 1996 Illegal Immigration Reform and Immigrant Responsibility Act sought to improve reliability of the I–9 system by creating the Basic Pilot Program, now known as E-Verify, which allows employers, on a voluntary basis, to use an online system to verify the work authorization status of new employees by checking validity of the Social Security numbers with the Social Security Administration. The implementation of this program has been a step in the right direction. However, several studies have found that the E-Verify program is unable to detect identity fraud, allowing those with valid, but stolen documents, to secure employment.

H.R. 98 builds on the E-Verify program by creating an easy to use electronic verification system based on a secure, tamper-proof Social Security card, which employers can use to electronically verify the work authorization status of prospective employees. The new card includes a digitized photo of the cardholder, as well as an encrypted electronic signature strip, allowing employers to instantaneously verify a prospective employee's work authorization status with the Department of Homeland Security's Employment Eligibility Database, either through a toll-free number or electronic card-reader.

H.R. 98 also increases penalties for employers who hire illegal immigrants or fail to verify their employment eligibility by increasing fines to $50,000 from $2,000, applying jail sentences of up to 5 years per offense, and requiring the employer to pay for deportation. In addition, the bill adds 10,000 new DHS personnel whose sole responsibility will be to enforce employer compliance and prosecute those who illegally employ illegal immigrants.

Mr. Speaker, with newly improved document standards, employers will have a much higher degree of confidence in their hiring decisions. This will help to prevent the hiring of unauthorized workers and stop illegal immigration.

HONORING DANIEL FRANCIS BURKE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Daniel Francis Burke. Daniel is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 397, and earning the most prestigious award of Eagle Scout.

Daniel has been very active with his troop, participating in many scout activities. Over the many years Daniel has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Daniel has earned the rank of Senior Patrol Leader. Daniel has also contributed to his community through his Eagle Scout project. Daniel designed and constructed an open shelter for Jesse James Park in Kearney, Missouri, a task that included many long weekends this past fall.

Mr. Speaker, I proudly ask you to join me in commending Daniel Francis Burke for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

INTRODUCING THE SOCIAL SECURITY BENEFICIARY TAX REDUCTION ACT AND THE SENIOR CITIZEN'S TAX ELIMINATION ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. PAUL. Mr. Speaker, today I am pleased to introduce two pieces of legislation to reduce taxes on senior citizens. The first bill, the Social Security Beneficiary Tax Reduction Act, repeals the 1993 tax increase on Social Security benefits. Repealing this increase on Social Security benefits is a good first step toward reducing the burden imposed by the Federal Government on senior citizens. However, imposing any tax on Social Security benefits is unfair and illogical. This is why I am also introducing the Senior Citizens' Tax Elimination Act, which repeals all taxes on Social Security benefits.

Since Social Security benefits are financed with tax dollars, taxing these benefits is yet another example of double taxation. Furthermore, ''taxing'' benefits paid by the government is merely an accounting trick, a shell game which allows members of Congress to reduce benefits by subterfuge. This allows Congress to continue using the Social Security trust fund as a means of financing other government programs, and masks the true size of the federal deficit.

Instead of imposing ridiculous taxes on senior citizens, Congress should ensure the integrity of the Social Security trust fund by ending the practice of using trust fund monies for other programs. This is why I am also introducing the Social Security Preservation Act, which ensures that all money in the Social Security trust fund is spent solely on Social Security. At a time when Congress' inability to control spending continues to threaten the Social Security trust fund, the need for this legislation has never been greater. When the government taxes Americans to fund Social Security, it promises the American people that the money will be there for them when they retire. Congress has a moral obligation to keep that promise.

In conclusion, Mr. Speaker, I urge my colleagues to help free senior citizens from oppressive taxation by supporting my Senior Citizens' Tax Elimination Act and my Social Security Beneficiary Tax Reduction Act. I also urge my colleagues to ensure that moneys from the Social Security trust fund are used solely for Social Security benefits and not wasted on frivolous government programs.

INTRODUCING THE CAGING PROHIBITION ACT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. CONYERS. Mr. Speaker, today I rise to introduce the Caging Prohibition Act of 2011, a much needed reform to our election system. I believe that we should continue to focus on improvements to our election system in this Congress leading up to the presidential cycle next year. As we begin to focus election fixes and greater voter protections, this legislation can make a critical contribution to such efforts. Prohibitions on voter caging will ensure that our democracy lives up to the belief that every eligible citizen is entitled to the right to vote.

Voter caging, though just recently given media attention, is a disenfranchisement tactic that has been around for over 50 years. This undemocratic tactic often involves sending mail to voters at the addresses at which they are registered to vote. Should such mail be returned as undeliverable or without a return receipt, voters' names are placed on a ''caging list,'' that list then being used to challenge voters'' eligibility.

Those suggesting that voter caging is necessary to weed out ineligible voters must recognize this practice is unreliable and dangerous for such purposes. Mail may be returned as undeliverable for any number of reasons unrelated to an individual's eligibility to vote. For example, mail is returned due to typos, transposed numbers, new street names, and improper deliveries.

Voters in my home state of Michigan have been subjected to voter caging controversies in the last two Presidential elections. In the 2008 Election, a voter caging strategy meant to politically capitalize on the subprime mortgage crisis was identified. Those voters whose homes had been subjected to foreclosure were targets for caging on the basis that they no longer resided at the addresses at which they registered to vote.

During the 2004 Election, challengers monitored every single one of Detroit's 254 polling stations. This strategy was consistent with a Michigan lawmaker's effort to ''suppress the Detroit vote.'' It was widely accepted that this statement was synonymous with ''suppress the Black vote,'' as Detroit is 83 percent African American.

Our most vulnerable voters—racial minorities, language minorities, low-income people, the homeless, and college students—always seem to be targeted for caging and other voter suppression campaigns. However, all voters are susceptible to voter intimidation and suppression. For example, during the 2004 election, Ohio and Florida caging lists included the names of soldiers whose mail had been returned as undeliverable because they were stationed overseas.

It is because no one is immune to caging and other disenfranchisement tactics, that I have introduced the Caging Prohibition Act. This bill is really quite simple, as it one, requires election officials to corroborate their caging documents with independent evidence before a voter can be deemed ineligible. And two, limits all other challenges that do not come from election officials to those based on personal, first-hand knowledge.

By eliminating caging tactics, we restore what has been missing from our elections—fairness, honesty, and integrity. I ask that my colleagues in the Congress join me in supporting the Caging Prohibition Act of 2011. Please stand with me in protecting the very core of our democracy.

HONORING ALAN ROBERT WILKIN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Alan Robert Wilkin. Alan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 397, and earning the most prestigious award of Eagle Scout.

Alan has been very active with his troop, participating in many scout activities. Over the many years Alan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Alan has earned the rank of Assistant Patrol Leader. Alan has also contributed to his community through his Eagle Scout project. Alan helped record names and other information for Mt. Olivet Cemetery in Kearney, Missouri in an effort to help genealogists and locate one particular lost plot for the trustees.

Mr. Speaker, I proudly ask you to join me in commending Alan Robert Wilkin for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN MEMORY OF DR. DEAN WYATT

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. KUCINICH. Mr. Speaker, I rise to pay tribute to an outstanding public servant, Dr. Dean Wyatt. For 18 years, Dr. Wyatt worked as a public health veterinarian with the USDA's Food Safety and Inspection Service. At great risk to his own career, Dr. Wyatt distinguished himself as an advocate of improved federal oversight of food safety and humane handling rules at regulated slaughter plants. His tragic death from a brain tumor is a terrible loss to the country.

I had the honor of receiving Dr. Wyatt's testimony before the House Oversight Committee's Subcommittee on Domestic Policy in March of last year. He stepped forward to call attention to animal cruelties that he had observed at federally regulated slaughter facilities and to deep-seated problems in USDA's enforcement of the Humane Methods of Slaughter Act.

Even after he was diagnosed with his fatal illness, Dr. Wyatt continued to advocate for reform. His proposal to establish an ombudsman at the agency, which USDA is now implementing, is just one of many ways he has made a lasting impact.

Dr. Wyatt's truth-telling did not make him popular with his agency superiors. Indeed, over the years he endured their disapproval and condemnation. Yet he spoke up: not just for animals but also for fellow inspectors and veterinarians in USDA. He spoke up for all of those who are dedicated to ensuring meaningful compliance with the law, over the resistance of corporate interests and, at times, the agency itself. He remained true to his mission until his death. He will be deeply missed, and his spirit will live on as an inspiration to those whose lives he graced.

INTRODUCTION OF THE SOCIAL SECURITY PRESERVATION ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. PAUL. Mr. Speaker, I rise to protect the integrity of the Social Security trust fund by introducing the Social Security Preservation Act. The Social Security Preservation Act is a rather simple bill which states that all monies raised by the Social Security trust fund will be spent in payments to beneficiaries, with excess receipts invested in interest-bearing certificates of deposit. This will help keep Social Security trust fund monies from being diverted to other programs, as well as allow the fund to grow by providing for investment in interest-bearing instruments.

The Social Security Preservation Act ensures that the government will keep its promises to America's seniors that taxes collected for Social Security will be used for Social Security. When the government taxes Americans to fund Social Security, it promises the American people that the money will be there for them when they retire. Congress has a moral obligation to keep that promise.

Everyone acknowledges that the federal deficits are unsustainable. Social Security reform is necessary to ensure the federal debt does not create a serious economic crisis that could devastate those, like Social Security recipients, living on fixed incomes. Preventing the use of Social Security trust fund monies for non-Social Security purposes is a necessary first step in reforming Social Security in a manner that does not hurt those currently relying on the system. I therefore call upon all my colleagues, to stand up for America's seniors and taxpayers by cosponsoring the Social Security Preservation Act.

VOTING OPPORTUNITY AND TECHNOLOGY ENHANCEMENT RIGHTS ACT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. CONYERS. Mr. Speaker, today I rise to introduce the Voting Opportunity and Technology Enhancement Rights or VOTER Act of 2011. I introduce this legislation, more than 200 years after the founding of our democracy, because we have yet to realize a government that is truly representative of the principle, ''of the people, by the people.'' Not until every eligible voter has the opportunity to cast a ballot and have that ballot counted, will we have a truly democratic government.

Though the 2010 elections did not present the widespread irregularities and improprieties that were witnessed during the 2000 and 2004 elections, it was still an election in which voter disenfranchisement was attempted and accomplished. Voters' names were still missing from voter rolls. Voter harassment and intimidation complaints were still registered with Federal officials.

In fact, over the years, the methods that are used to disenfranchise voters have become more sophisticated as evidenced during the 2008 Election. For example, in my home state of Michigan, in the midst of the current subprime mortgage crisis, a strategy to challenge a voter's eligibility based on home foreclosure status was devised.

In Virginia, a flyer telling Democrats to vote on Wednesday, November 5, 2008, circulated. Similar tactics were present last fall, with complaints coming in from areas as diverse as Harris County, Texas, and even the state of Kansas.

We should recognize that anything short of a perfect election system is unacceptable and work on a bipartisan basis in seeking corrective action. To that end, I have introduced VOTER so that we may work towards a more perfect system, one that reflects legitimacy, integrity, and inclusivity. VOTER will protect and expand voting rights in Federal elections, as well as ensure the proper administration of Federal elections.

VOTER will: (1) provide for a uniform Federal write-in absentee ballot; (2) require states to provide for a verified audit trail; (3) count provisional ballots cast in the proper state; (4) properly allocate voting machines and poll workers; (5) provide for election day voter registration; (6) protect against improper purging of registration lists; (7) mandate early voting; (8) require verification and audit ability for punch cards; (9) simplify voter registration requirements; (10) allow voter identification by written affidavit; (11) provide for a study of nonpartisan election boards; (12) strengthen the EAC with funding and resources; (13) mandate the use of publicly available open source software; (14) restrict voting machine companies from engaging in political activities; (15) give greater deference to voter intent during recounts; (16) prohibit deceptive practices and intimidation; (17) prohibit caging and other questionable challenges; (18) restore voting rights to former felons; and (19) treat Election Day as a Federal holiday.

Some of these initiatives have already been implemented by states, the success of which was observed during the 2010 elections. There are 32 states that currently provide early voting, including Florida, a state that witnessed over 1 million voters turn out to the polls the weekend before the 2008 election. There are also 29 states that currently provide no-excuse absentee voting by mail.

Such practices were critical to managing an unprecedented voter turnout in the 2008 elections. More than 130 million people turned out to vote, the highest turnout in any presidential election. With this many longtime and new voters engaged in the 2008 election process, I suspect that voter participation will only increase in 2012.

As such, we must pledge to fight for election reform this Congress. The right to vote and to have that vote counted is one of our democracy's most fundamental principles. It is with VOTER that I intend to protect this fundamental principle, and I ask that my colleagues in this Congress join me in this fight for fair and just elections.

SUPPORTING THE JAMES ZADROGA 9/11 HEALTH AND COMPENSATION ACT

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. ISRAEL. Mr. Speaker, I rise today to speak in support of the 9/11 Health and Compensation Act.

We all know where we were on that fateful morning. If we were lucky, we were safe and with loved ones and far from Ground Zero.

But there are thousands of others who were not so fortunate, and who are reminded of those attacks every day—whether that's because they lost a family member or a friend, or because they cannot breathe after spending weeks cleaning the rubble of our fallen Twin Towers.

It is those first responders whose health we have a solemn obligation to watch over, and they number in the thousands—over 13,000 sick World Trade Center responders, more than 53,000 whose health is being monitored and 71,000 who were exposed to poisonous toxins.

They are firefighters, police officers, EMTs, construction workers and volunteers—just people who saw a fire and ran towards it to see how they could help—ran into the fire—and they remain in need.

They come from every single state in the Union and nearly every Congressional District. The health of these men and women is truly a national duty. With this bill, we can fulfill that duty.

It establishes the World Trade Center Health Program to monitor and treat responders whose injuries were caused by exposure to airborne toxins or any other adverse condition resulting from the attacks, and ensures that there is a network of health care providers around the country to care for anyone enrolled in the program. The bill also sets up the World Trade Center Survivor Program to provide screenings, treatment and follow-up monitoring to survivors and those living in the surrounding areas.

No one asked these men and women to go do what they did. They shouldn't have to ask us for quality health care. I strongly urge my colleagues to vote yes.

THE UDALL-EISENHOWER ARCTIC WILDERNESS ACT

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. MARKEY. Mr. Speaker, 50 years ago, on December 6, 1960, President Dwight D. Eisenhower set aside the core of the Arctic National Wildlife Refuge in Alaska. In so doing, President Eisenhower began the bipartisan legacy of protecting this majestic national treasure. 20 years later, in 1980, Representative Mo Udall succeeded in doubling the size of the Refuge.

Now it is time that we finish the job these great Americans began 50 years ago. Now it is time to permanently protect the Coastal Plain. The Congress needs to pass legislation designating it as wilderness.

If we don't enact permanent protections for the Refuge, oil companies and their allies in Congress will continue to push for short-sighted plans to drill one of our last pristine wild places.

Just last year, the BP Deepwater Horizon disaster led to more than 4 million barrels of oil spilling into the Gulf of Mexico. It was the worst oil spill in the history of the United States. The blobs of oil washing up on Gulf beaches recalled the ghosts of Valdez, and of Santa Barbara.

As we learned from the BP oil spill, the oil companies are prepared to drill ultra-deep, but they are not prepared to do it ultra-safe. Or respond ultra-quick.

What we did discover is that their response plans for a Gulf oil spill included plans to evacuate walruses from the warm waters off Louisiana, even though they had not called the Gulf home for 3 million years.

This disaster was born from boosterism from the oil industry. Boosterism led to complacency. And complacency led to disaster.

When it comes to the Arctic Refuge, we've heard the same boosterism for years. The oil companies and their allies repeat a list of talking points: Drilling has a small footprint. It will not spoil habitats. Drilling can be done in an environmentally safe manner.

Now the oil companies and their allies want to open the Refuge and undo 50 years of protections and eons of solitude, all for less than a couple pennies at the pump more than two decades from now.

Instead of looking for the last drops of oil on Earth, we should be harnessing the wind and the sun to power our economy and create new, safe American jobs.

And unlike an oil well, you don't need a blowout preventer on a solar panel. There's no such thing as a ''tragic wind spill.''

When we look upon the Refuge decades from now, will we see a monument to America's commitment to our natural heritage, or will we see the abandoned wells and spilled oil as a monument to our insatiable thirst for oil? Will the Refuge remain a monument to America's wisdom or will our children and grandchildren only be able to see polar bears, caribou and other iconic animals carved in stone, monuments to our lack of foresight and innovation?

Now is the time to create a refuge for the American people from hundreds of billions of dollars we spend every year on foreign oil. Now is the time to create a refuge from the fossil fuel policies that have devastated the economy of the Gulf. Now is the time to protect the Arctic Refuge.

STATEMENT ON SENATOR BARBARA MIKULSKI

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. HOYER. Mr. Speaker, today, Senator BARBARA MIKULSKI, my colleague from the State of Maryland, becomes the longest-serving woman Senator in American history. It's a fitting milestone for a public servant who has been a trailblazer for her entire career. From her beginnings as a social worker and community activist, Senator MIKULSKI's career has always been motivated by a deep commitment to open doors of opportunity, to serve the people of Maryland, and to carry their voices to Washington.

In 1986, Senator MIKULSKI became the first Democratic woman elected to the Senate in her own right, as well as the first woman elected to statewide office in Maryland's history. Since then, her constituents have returned her to office four times—a sign of the seriousness and skill she brings to her work in the Senate. For decades, BARBARA MIKULSKI has been an inspiration and a role model to women in public life, mentoring generations of women leaders. I congratulate her on today's important milestone, and I wish her all the best in her continuing service to our State and its people.

INTRODUCING THE IDENTITY THEFT PREVENTION ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. PAUL. Mr. Speaker, today I introduce the Identity Theft Prevention Act. This act protects the American people from government-mandated uniform identifiers that facilitate private crime as well as the abuse of liberty. The major provision of the Identity Theft Prevention Act halts the practice of using the Social Security number as an identifier by requiring the Social Security Administration to issue all Americans new Social Security numbers within 5 years after the enactment of the bill. These new numbers will be the sole legal property of the recipient, and the Social Security Administration shall be forbidden to divulge the numbers for any purposes not related to Social Security Administration. Social Security numbers issued before implementation of this bill shall no longer be considered valid federal identifiers. Of course, the Social Security Administration shall be able to use an individual's original Social Security number to ensure efficient administration of the Social Security system.

Mr. Speaker, Congress has a moral responsibility to address this problem because it was Congress that transformed the Social Security number into a national identifier. Thanks to Congress, today no American can get a job, open a bank account, get a professional license, or even get a driver's license without presenting his Social Security number. So widespread has the use of the Social Security number become that a member of my staff had to produce a Social Security number in order to get a fishing license!

One of the most disturbing abuses of the Social Security number is the congressionally authorized rule forcing parents to get a Social Security number for their newborn children in order to claim the children as dependents. Forcing parents to register their children with the state is more like something out of the nightmares of George Orwell than the dreams of a free republic that inspired this Nation's founders.

Congressionally mandated use of the Social Security number as an identifier facilitates the horrendous crime of identity theft. Thanks to Congress, an unscrupulous person may simply obtain someone's Social Security number

in order to access that person's bank accounts, credit cards, and other financial assets. Many Americans have lost their life savings and had their credit destroyed as a result of identity theft. Yet the Federal Government continues to encourage such crimes by mandating use of the Social Security number as a uniform ID!

The Identity Theft Prevention Act also prevents the Federal Government from establishing any form of national ID. In 2005, Congress attempted to turn state driver's licensing into a national ID; however, resistance to this unconstitutional and costly mandate on the states has been so intense that today, for all intents and purposes, the Real ID mandate has been nullified. The Identity Theft Prevention Act simply puts the nail in the coffin of the Real ID and similar schemes, thus protecting Americans from having their liberty, property, and privacy violated by private and public sector criminals.

Some members of Congress will claim that the federal government needs the power to monitor Americans in order to allow the government to operate more efficiently. I would remind my colleagues that, in a constitutional republic, the people are never asked to sacrifice their liberties to make the jobs of government officials easier. We are here to protect the freedom of the American people, not to make privacy invasion more efficient.

Mr. Speaker, while I do not question the sincerity of those members who suggest that Congress can ensure that citizens' rights are protected through legislation restricting access to personal information, the only effective privacy protection is to forbid the federal government from mandating national identifiers. Legislative ''privacy protections'' are inadequate to protect the liberty of Americans for a couple of reasons.

First, it is simply common sense that repealing those federal laws that promote identity theft is more effective in protecting the public than expanding the power of the federal police force. Federal punishment of identity thieves provides cold comfort to those who have suffered financial losses and the destruction of their good reputations as a result of identity theft.

Federal laws are not only ineffective in stopping private criminals, but these laws have not even stopped unscrupulous government officials from accessing personal information. After all, laws purporting to restrict the use of personal information did not stop the well-publicized violations of privacy by IRS officials or the FBI abuses of the Clinton and Nixon administrations.

In one of the most infamous cases of identity theft, thousands of active-duty soldiers and veterans had their personal information stolen, putting them at risk of identity theft. Imagine the dangers if thieves are able to obtain the universal identifier, and other personal information, of millions of Americans simply by breaking, or hacking, into one government facility or one government database?

Second, the federal government has been creating proprietary interests in private information for certain state-favored special interests. Perhaps the most outrageous example of phony privacy protection is the ''medical privacy'' regulation, that allows medical researchers, certain business interests, and law enforcement officials access to health care information, in complete disregard of the Fifth Amendment and the wishes of individual patients! Obviously, ''privacy protection'' laws have proven greatly inadequate to protect personal information when the government is the one seeking the information.

Any action short of repealing laws authorizing privacy violations is insufficient primarily because the federal government lacks constitutional authority to force citizens to adopt a universal identifier for health care, employment, or any other reason. Any federal action that oversteps constitutional limitations violates liberty because it ratifies the principle that the federal government, not the Constitution, is the ultimate judge of its own jurisdiction over the people. The only effective protection of the rights of citizens is for Congress to follow Thomas Jefferson's advice and ''bind (the federal government) down with the chains of the Constitution.''

Mr. Speaker, those members who are not persuaded by the moral and constitutional reasons for embracing the Identity Theft Prevention Act should consider the American people's opposition to national identifiers. The numerous complaints over the ever-growing uses of the Social Security number show that Americans want Congress to stop invading their privacy. Furthermore, according to a survey by the Gallup company, 91 percent of the American people oppose forcing Americans to obtain a universal health ID.

In conclusion, Mr. Speaker, I once again call on my colleagues to join me in putting an end to the federal government's unconstitutional use of national identifiers to monitor the actions of private citizens. National identifiers threaten all Americans by exposing them to the threat of identity theft by private criminals and abuse of their liberties by public criminals, while diverting valuable law enforcement resources away from addressing real threats to public safety. In addition, national identifiers are incompatible with a limited, constitutional government. I, therefore, hope my colleagues will join my efforts to protect the freedom of their constituents by supporting the Identity Theft Prevention Act.

THE ANGELES AND SAN BERNARDINO NATIONAL FORESTS PROTECTION ACT

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. DREIER. Mr. Speaker, I have the honor of representing the Foothill communities at the base of the San Gabriel Mountains. Included in my district are the Angeles and the San Bernardino National Forests. These National Forests are two of the most widely visited forests in the Nation. In addition, they provide over 30 percent of the drinking water for Los Angeles County alone. Unfortunately, this area is also prone to devastating wildfires. Ensuring the public safety of our first responders and residents remains a top priority of mine. That is why I have been working for over a year with multiple parties on a proposal to assist our firefighters and preserve recreational activities in the region.

It is also vital that we continue to care for our natural resources. The Angeles and San Bernardino National Forests Protection Act, which I am introducing today, adds approximately 17,700 acres of forest lands to the Cucamonga and Sheep Mountain Wilderness Areas. With their close proximity to dozens of communities, the Angeles and San Bernardino National Forests provide residents with an opportunity to easily enjoy the public lands in their own backyard. It is my hope that this legislation will protect this area for the benefit of future generations.

Throughout this entire process, my number one focus has been to protect our firefighters and other first responders who are responsible for keeping lives, homes and communities safe from approaching fires. I have worked closely with the Los Angeles and the San Bernardino County fire departments and have incorporated their suggestions on how we can make their job easier and safer. I am pleased that this legislation has the support of both the Los Angeles County and the San Bernardino County fire departments as well as the support of local fire chiefs. I will continue to work with our fire departments to ensure they have the resources needed to do their job as safely and effectively as possible.

This legislation also calls on the Forest Service to reduce the severe maintenance backlog that exists in both the Angeles and San Bernardino National Forests and to restore valuable recreational opportunities that were lost in the devastating 2009 Station Fire. Numerous facilities and trail markers were damaged during this fire and my legislation calls on the Forest Service to restore the facilities impacted in the Station Fire. This will allow individuals and families to enjoy our public lands for many years to come.

I also want to take this opportunity to note that this legislation will not impact any existing private property or water rights in this area. Multiple recreational uses, including horseback riding as well as hiking currently occur in these National Forests and these activities must be allowed to continue.

As this legislation works its way through the legislative process, I will keep working with all of the interested parties to ensure that our first responders can safely and securely protect our communities from forest fires while also preserving recreational opportunities for everyone.

HONORING INLAND HOSPITAL

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. MICHAUD. Mr. Speaker, I rise today to recognize the accomplishments of Inland Hospital in Waterville, Maine.

Inland Hospital is a 48-bed, not-for-profit, community hospital that was founded in 1943 by a group of osteopathic physicians with a vision of providing compassionate care that focused on the whole patient, not just the disease. Today, that patient-centered approach is alive and well at Inland, where staff provide the kind of care we all want for our own families. Patients are treated with respect and dignity and benefit from an open communication process that delivers an extraordinary experience and the best possible medical outcome.

Inland Hospital has been recently recognized as one of the nation's top rural hospitals

by the Washington, DC based Leapfrog Group. The Leapfrog Survey, which launched in 2001, focuses on four critical areas of patient safety: the use of computer physician order entry to prevent medication errors, standards for doing high-risk procedures, protocols and policies to reduce medical errors and other safe practices recommended by the National Quality Forum and adequate nurse and physician staffing. In addition, hospitals are measured on their progress in preventing infections and other hospital-acquired conditions and adopting policies on the handling of serious medical errors, among other things.

Inland Hospital has displayed a tremendous commitment to providing the best quality health care for their patients. I am proud to congratulate the employees, providers, board members and volunteers for their dedication to providing the best care to our rural communities. Their skills, compassion and dedication make this hospital a well-deserved award recipient.

Mr. Speaker, please join me in recognizing Inland Hospital for their devotion to ensuring that patients and families receive the best possible health care.

A TRIBUTE TO ROGER MILLIKEN

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. WILSON of South Carolina. Mr. Speaker, South Carolina has lost a titan of industry and a visionary to establish the modern Republican Party with the loss of Roger Milliken of Spartanburg.

On this historic day of swearing-in the largest number of Republican Congressmen from South Carolina is more than 130 years, it is fitting to recognize the benefactor of establishing the two-party system in our state with an editorial from The Spartanburg Herald-Journal published December 31, 2010.

ROGER MILLIKEN LEFT HIS IMPRINT ON MOST ASPECTS OF LIFE IN THE UPSTATE

ENDURING LEGACY

No one in the 20th century had the impact on Spartanburg that Roger Milliken did.

The businessman, philanthropist, political mover and conservationist, who died Thursday, affected most aspects of life in the Upstate.

Spartanburg has the business climate it enjoys today because of Milliken. He saw the potential in this area and brought his corporate headquarters and his research center here. Milliken's presence and leadership led to the tremendous investment that European textile equipment manufacturers made in Spartanburg, and that international presence helped bring BMW here.

Milliken doggedly fought to protect the nation's textile industry and American jobs from foreign competition. At the same time, he rebalanced his own business to adjust to world markets, finding new areas in which to compete. His foresight included knowing when to step down from the leadership of his company and paving the way for it to continue without him.

Milliken was a political leader, supporting candidates in local, state and national politics. Long before South Carolina enjoyed its early spot in the presidential primary season, national candidates came to Spartanburg, raising the community's profile, because of the need to secure Milliken's support.

He invested in the educational life of this community. Wofford and Converse colleges would not be the institutions they are today without his generous support. He helped found Spartanburg Day School.

Milliken recognized that this region would need first-class air transportation to compete with other areas and attract industry. He helped establish Greenville-Spartanburg International Airport, and the airport commission, for the first time in its more than 50-year history, now has to look for a new chairman. It would be appropriate for the airport to be renamed in Milliken's honor.

He also left his mark on Spartanburg in a very visible way. He was passionate about trees, creating arboretums at his research center and on the Wofford campus. His Noble Tree Foundation has helped to improve the environment in many cities.

One of Spartanburg's most popular parks is not a public park at all. It is the grounds of the Milliken Research Center, a beautiful landscape planted with a multitude of diverse trees. It has been open to the public so that generations of Spartanburg families have been able to enjoy feeding ducks at the pond or walking the sunny grounds.

Many wealthy businessmen focus on building their companies, their wealth and their power. Milliken was accomplished in these areas, but he also focused on building this community and region.

His legacy includes the education and transportation systems we rely on today, an economic climate that enabled Spartanburg to weather the loss of the textile industry and even much of the beauty of this community.

Milliken left instructions that his epitaph would read simply, ''Builder.'' It is accurate. More than anyone else in the previous century, Roger Milliken built Spartanburg.

INTRODUCING THE PRESCRIPTION DRUG AFFORDABILITY ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. PAUL. Mr. Speaker, I rise to introduce the Prescription Drug Affordability Act. This legislation ensures that millions of Americans, including seniors, have access to affordable pharmaceutical products. My act removes needless government barriers to importing pharmaceuticals and it protects Internet pharmacies, which are making affordable prescription drugs available to millions of Americans, from being strangled by federal regulation.

The Prescription Drug Affordability Act brings competition to the market for pharmaceutical products by allowing anyone wishing to import a drug to simply submit an application to the FDA, which then must approve the drug unless the FDA finds the drug is either not approved for use in the U.S. or is adulterated or misbranded. This process will make safe and affordable imported medicines affordable to millions of Americans. Mr. Speaker, letting the free market work is the best means of lowering the cost of prescription drugs.

I need not remind my colleagues that many Americans impacted by the high costs of prescription medicine have demanded Congress reduce the barriers which prevent American consumers from purchasing imported pharmaceuticals. Congress has responded to these demands by repeatedly passing legislation liberalizing the rules governing the importation of pharmaceuticals. However, implementation of this provision has been blocked by the federal bureaucracy. It is time Congress stood up for the American consumer and removed all unnecessary regulations on importing pharmaceuticals.

The Prescription Drug Affordability Act also protects consumers' access to affordable medicine by forbidding the federal government from regulating any Internet sales of FDA-approved pharmaceuticals by State-licensed pharmacists.

As I am sure my colleagues are aware, the Internet makes pharmaceuticals and other products more affordable and accessible for millions of Americans. However, the federal government has threatened to destroy this option by imposing unnecessary and unconstitutional regulations on Web sites that sell pharmaceuticals. Any federal regulations would inevitably drive up prices of pharmaceuticals, thus depriving many consumers of access to affordable prescription medications.

In conclusion, Mr. Speaker, I urge my colleagues to make pharmaceuticals more affordable and accessible by removing barriers to the importation of pharmaceuticals and protecting legitimate Internet pharmacies from needless regulation by cosponsoring the Prescription Drug Affordability Act.

MARDEE XIFARAS: SOUTHCOAST WOMAN OF THE YEAR

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. FRANK of Massachusetts. Mr. Speaker, the New Bedford Standard Times, an excellent newspaper, regularly recognizes leaders of the community that it serves by designating a SouthCoast Woman of the Year and a SouthCoast Man of the Year. This year's SouthCoast Woman of the Year is an extraordinary person, who is a leader in so many fields of endeavor that I think the Standard Times must have been tempted to call her ''Women of the Year.''

MarDee Xifaras is an able attorney, who has been a leader politically, economically, educationally, and in civic affairs in general. Most recently she has been a spearhead in getting the State of Massachusetts to take over the Southern New England Law School, creating for the first time in Massachusetts a state university law school, to the great benefit of the population of that area, and I believe to the practice of law in Massachusetts, by providing a source of socially-conscious graduates for years to come.

MarDee Xifaras is an extraordinary force for a wide range of good causes, and I am delighted that she has been recognized by the New Bedford Standard Times, but not surprised. I've had the benefit of her advice, counsel and friendship, as did my late and much-missed predecessor, Gary Studds, whose work in this body benefitted enormously from her input, as has mine.

Mr. Speaker, as an example of what citizenship is at its best, at a time when we very much need that, I ask that the New Bedford Standard Times article about Woman of the Year MarDee Xifaras be printed here.

[From SouthCoastToday.com, Jan. 2, 2011]

MARDEE XIFARAS: SOUTHCOAST WOMAN OF THE YEAR

(By Jack Spillane)

A bogus study pretending to be an independent report. Last-minute telephone calls from an incumbent governor twisting arms.

The smearing of a small law school's reputation by people on the boards of competing larger schools.

And ultimately, the slurring of an entire region of the state as not having enough of a talent pool to merit a public law school.

Margaret ''MarDee'' Xifaras dealt with every conceivable insult and underhanded political tactic when it came to the unsuccessful 2004–2005 fight to merge the Southern New England School of Law with the University of Massachusetts Dartmouth. But she did not get down into the gutter with her opponents.

Instead, Xifaras, the then-chairman of the SNESL board of trustees, went hack to work running the small, private Dartmouth law school in the same determined way that it had operated for more than two decades.

She also went to work leading the effort to meticulously document the legal and financial case that would make a 2009–2010 effort to absorb the school into UMass Dartmouth unassailable.

MarDee Xifaras' leadership achieved what very few SouthCoast political or public officials of any kind have done over the last half century. She went up against the state's Boston-centric power establishment and won.

And she won hands down.

For her efforts coordinating the campaign to establish a state law school in Massachusetts, a school that has now been located in Southeastern Massachusetts, Margaret D. Xifaras is the 2010 Standard-Times SouthCoast Woman of the Year.

Nominations for the award came from the community and members of the newspaper staff. Recipients were selected by a newsroom committee.

LEARNING LESSONS

''Out of the '04, '05 negativity and bad experience, came some lessons,'' Xifaras remembered of that first law school fight.

The impulse of some might have been to sue the private law schools—Suffolk University and New England School of Law—that coordinated the effort to prevent UMass from competing with them.

Instead, Xifaras waited for an opportune time when the numbers worked for the establishment of a state law school. And then she coordinated with SNESL Dean Robert Ward and UMass Dartmouth Chancellor Jean MacCormack to devise a new financing plan under which the state law school would be a self-sustaining arm of the university, needing no assistance from the government.

Both savvy and practical, Xifaras hired O'Neil & Associates, the state's best-wired P.R. firm to help her navigate the state's notoriously provincial political waters. She also kept an eye on her own governing board, re-documenting for them once again the case as to why SNESL donating $23.5 million worth of its own assets to the state made sense for the school's development in the long run.

Xifaras' skill in coalition-building ultimately helped UMass and SNESL build an iron-clad case that convinced Secretary of Education Paul Reville, Commissioner of Higher Education Richard Freeland, and finally Gov. Deval Patrick himself that a UMass law school was the right thing to do.

In effect, they convinced the powers-that-be to give access to legal education to middle- and working-class students previously disenfranchised in Massachusetts. And they convinced them that the most cost-effective way to do it was by accepting SNESL's existing Dartmouth campus as a donation.

''If there's anything we were over the years, it was determined,'' said Xifaras.

THE STUDENT FACTOR

Xifaras and the UMass and SNESL boards had one more huge asset: the SNESL students themselves —the primarily working- and middle-class students who had risen up 25-odd years ago, and with the help of interested area lawyers, created a fledgling law school out of little more than their own imaginations and desire.

After being victimized by the 2005 stealth political campaign, the SNESL Student Bar Association hired one of the school's most successful graduates, Lee Blais, and sued Suffolk University, along with a onetime official of the Romney administration.

They sued for nothing less than public corruption.

They charged that Suffolk and a former Romney official turned lobbyist, Charles Chieppo, had colluded to try to keep the proposed UMass law school from competing with a lower-priced public school.

And though the case was never settled, the Board of Higher Education as much as admitted wrongdoing in the merger application process. It agreed to write a ''letter of understanding'' pledging the state to a fair, rigorous and documentable process when, and if SNESL and UMass ever tried to unite again.

''They succeeded because of the basic unfairness, and violation of due process that occurred,'' Xifaras said.

And because of the tenacity of the students and their lawyer.

''We didn't allow ourselves to get out-litigated,'' Xifaras said.

''Lee Blais, at every turn was doing depositions, fighting back motions to dismiss, fighting back motions for dismissal for lack of standing.''

Blais may have been taking the depositions, but it was Xifaras, according to Blais, who was the general planning the battle.

''She's someone who can plot out a strategy and implement a strategy,'' he said. ''She's one of the most effective leaders I've ever met.''

Blais also credited Xifaras with having the necessary political skills and vision.

She understood the politics of the state of Massachusetts—who could help and who couldn't, what would work and what wouldn't, he said.

Further, she understood the great rationale for a public law school itself in Massachusetts—a school that could focus on the need for lawyers to devote some segment of their careers to public service.

''Her skills, not only in the area of politics, but in the area of public policy, are just incredible,'' Blais said.

THE POLITICAL MAVEN

Robert Ward, the longtime dean of SNESL, said Xifaras recommended a key change in approach for the second application.

It would be all about UMass and the need for a public law school, and not about addressing SNESL's need for American Bar Association accreditation (a process that usually demands the resources of a larger school.) ''That subtle twist is the kind of thing that really good lawyers do,'' said Ward. ''You look into the dominant narrative and, you sort of find a way to tell your story in a way that resonates.''

At the time of the second merger application, the nation was consumed by a large debate over health insurance, Xifaras noted, and whether there should be ''a public option'' for health insurance. In the same way, she decided, UMass would argue for a public option for an affordable legal education.

Xifaras said the SNESL board had been inspired by the establishment of the state medical school in Worcester 40 years ago, also for students of limited means. And in 2009, the time was ripe for making an argument that Massachusetts needed an affordable, public law school, a school that, like UMass Medical, would train lawyers to dedicate at least part of their careers to public service.

Already, the new public law school has awarded 35 scholarships for that purpose.

''It was up to MarDee to rethink the rationale of going forward,'' Ward said.

''There has to be someone to find the right note. And that, again—because of her political savvy—that's what happened,'' he said.

UMass Dartmouth Chancellor Jean MacCormack said that while it was clear that SNESL's $23.5 million campus and experienced law-school faculty offered an opportunity to the university, the university brought to SNESL the size and the resources necessary to win accreditation.

But Xifaras' charisma and political skills, MacCormack said, allowed the vision to happen. ''She's incredibly optimistic in the face of huge obstacles,'' she said.

And the dividends of the state law school being located in Southeastern Massachusetts will be even more apparent in the future, MacCormack predicted.

''This is going to be a legacy activity,'' she said. ''You're going to see more people coming to the South Coast. Already, of these students, 50 percent of them come from out of state.''

A PERSONAL BATTLE

Winning the battle to establish a state law school was impressive under any circumstances, but few knew that Xifaras won it while beating back a flare-up of the breast cancer she first defeated some 14 years ago.

Xifaras, 65, is amazingly matter-of-fact about her life-or-death battles.

Although she admits to some personal, private moments of emotion, in the end, she said she simply didn't want to waste time or energy feeling sorry for herself.

She just did what needed to be done with the cancer—on the first round she had chemotherapy, radiation therapy and a stem-cell transplant—and last year, she bad two more nodes removed.

Xifaras maintains a busy work schedule that's complemented not just by her effort to establish the law school, but by her longtime work as a sought-after political operative for the Democratic Party.

She has played key campaign management roles in the presidential efforts of everyone from Ted Kennedy to John Kerry to Barack Obama, not to mention local political efforts like the congressional campaigns of Paul and Niki Tsongas.

On top of all that, Xifaras works in a busy law practice (she's one of Mayor Scott Lang's law partners), and fills in as grandma for her daughter Amy, a law school student with a four-month old.

By the way, that's a throwback to Xifaras' own career when back in the mid-1970s she used to put in 10–plus hour days traveling back and forth to Boston University law school, while she had two children still in diapers and one who was in pre-school.

''I think back on it—if this alternative (a local law school) had been available to me at that time, clearly I would have gone,'' she said.

Xifaras said she didn't need to attend a big-name school for the public-service career she had in mind. She needed a school like UMass Law.

''My orientation was always more of a community-based orientation. Doing regular work for regular folks in a terrific, down-to-earth setting,'' she said.

BELOVED BY HER PEOPLE

If you ask the people who've worked closely with MarDee Xifaras how she pulled off leading the charge for the state law school, or any of her other impressive life accomplishments, they'll tell you she just has this remarkable ability to ''connect'' with people.

By the way, Xifaras has also been a Peace Corps volunteer in Africa; a fellow at the Fletcher School of Diplomacy at Tufts; an MBA from UMass Dartmouth; a grassroots political organizer and one of the moving forces behind Gerry Studds' first anti-war campaign for Congress.

Xifaras is startlingly, and charmingly, straightforward. She seems to understand that human beings are not perfect entities, and she has the ability to meet them where they live and inspire them to be better.

''It is the privilege of a lifetime to work with her,'' Ward said; ''The quality of my life improved dramatically when I met her.''

Jay Lynch, Xifaras' vice chairman on the SNESL board, said that often it was only Xifaras' personal connections that kept the public law school dream alive.

''She never gave up on it,'' he said.

Xifaras succeeds, Lynch said, because she reaches people. She never badmouths folks, even opponents—either in public or in private—he noted.

''I think it was her unique ability to connect with everyone involved,'' he said.

Perhaps the most impressive endorsement comes from Michelle Keith, a 2009 graduate of SNESL, and one of the mid-life law students for whom Xifaras seems to have fashioned the public law school.

Keith met Xifaras at a Women's Bar Association event, one of the many ongoing community events that Xifaras has made sure take place at SNESL over the years.

Keith, a homemaker who had homeschooled her two children; said she went to SNESL because she loves both Greater New Bedford and the school's public service ethic.

She passed the bar on her first try.

She compares MarDee Xifaras to George Bailey in the Christmas film classic ''It's a Wonderful Life,'' And she calls SNESL the ''Savings and Loan'' bank that, in the classic movie, granted mortgages to low-income and middle-class people.

Xifaras, Keith said, really looks out for the school's students and advocates with them for public service to the community.

''There's a lot of successful people out there, but they go about it without any sense of honor,'' she said.

MarDee ''has an inherent sense of honor and that's rare.''

HONORING ROBERT JOSEPH PENCE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Robert Joseph Pence. Robert is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 397, and earning the most prestigious award of Eagle Scout.

Robert has been very active with his troop, participating in many scout activities. Over the many years Robert has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Robert has earned the rank of Assistant Patrol Leader. Robert has also contributed to his community through his Eagle Scout project. Robert aided the City of Kearney, Missouri by repainting many of the town's fire hydrants.

Mr. Speaker, I proudly ask you to join me in commending Robert Joseph Pence for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING A REMARKABLE PUBLIC SERVANT, THE HONORABLE TOM VANDERGRIFF

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. BURGESS. Mr. Speaker, I rise today to remember a remarkable public servant, the Honorable Tom Vandergriff. Judge Vandergriff began his 55 year long public service career as the youngest elected mayor of Arlington, Texas. There he made great strides to bring economic opportunity and expansion to the area with the luring of a General Motors plant, Six Flags theme park, and by bringing the Texas Rangers to the city.

These developments were no small task as it took thirteen years to bring Major League Baseball to North Texas and the positive effects can be felt through the vitality of Arlington as well as the Dallas-Ft. Worth Metroplex to this day.

Six years later, he went on to become the first Congressman of the 26th district of Texas in 1983. Although he only served one term, he played a fundamental role in establishing the office and representing the district.

For more than 25 years, Vandergriff served as County Judge of Tarrant County which includes more than 1.7 million residents and is one of the most populous in the United States. He retired from his role in 2007.

It is my great honor to recognize Judge Tom Vandergriff for his dedication, innovation, and insight that he has contributed to the North Texas region. I will always remember those exciting radio broadcasts when Judge Vandergriff was ''the voice of the Texas Rangers'' in the 1970s. My thoughts and prayers are with his family and friends. He was a great public servant, and all North Texans are thankful for his servitude.

CREATING JOBS, NOT EXPLODING THE DEFICIT

HON. RICK LARSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. LARSEN of Washington. Mr. Speaker, day one of the 112th Congress and House Republicans are already violating their campaign promises and the needs of the American people. The set of rules they introduced today will explode our debt and deficit, kill our economic recovery and make the House of Representatives less transparent.

Like a lemming, the set of budget rules contained in this package will push us further off the deficit cliff. It breaks the promise so many of us made to reduce the deficit and control the debt by refusing to pay for tax cuts for the wealthiest of Americans and forces future generations to foot the bill. Over the cliff like a lemming; but I suppose there is nothing like a little lemming to go with tea.

Instead of transparency, this set of rules confers ''King for a Day'' status to one Member of the House of Representatives—allowing him to set the entire budget for the federal government without any public input.

The last time this country allowed that was never. Only before we were a country did a king set our budget. And now Republicans are set to give this authority again to one person, the Chairman of the House Budget Committee, a person I admire as a Member of Congress—as a King, not so much.

And, in the next few days, the new House majority wants to repeal help for seniors on prescription drugs and take away consumer protections from families battling insurance problems. This effort will add $143 billion to the deficit over the next ten years.

This is all happening while we should be focusing on the economic recovery that is underway thanks to the tough decisions that the last Congress made. We need to redirect our focus to the economy and stop exploding the deficits and debt.

INTRODUCING THE SOCIAL SECURITY FOR AMERICAN CITIZENS ONLY ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. PAUL. Mr. Speaker, today I introduce the Social Security for American Citizens Only Act. This act forbids the Federal Government from providing Social Security benefits to noncitizens. It also ends the practice of totalization. Totalization is where the Social Security Administration takes into account the number of years an individual worked abroad, and thus was not paying payroll taxes, in determining that individual's eligibility for Social Security benefits.

Hard as it may be to believe, the United States Government already provides Social Security benefits to citizens of 17 other countries. Under current law, citizens of those countries covered by these agreements may have an easier time getting Social Security benefits than public school teachers or policemen.

Obviously, this program provides a threat to the already fragile Social Security system, and the threat is looming larger. The prior administration actually proposed a totalization agreement that would have allowed thousands of foreigners to qualify for U.S. Social Security benefits even though they came to, and worked in, the United States illegally. Adding insult to injury, this proposal could have allowed the Federal Government to give Social Security benefits to non-citizens who worked here for as little as 18 months. Estimates of what this totalization proposal would cost top $1 billion per year.

Despite a major public outcry against extending Social Security benefits to those who entered this country illegally, a version of this proposal actually passed the other body in the

109th Congress. That the executive branch would propose, and part of the legislative branch would endorse, using Social Security monies to reward those who have willingly and knowingly violated our own immigration laws is an insult to the millions of Americans who pay their entire working lives into the system and now face the possibility that there may be nothing left when it is their turn to retire.

Even if the current Congress rejects all proposals to allow those who entered the country illegally to receive Social Security benefits, the only way to guarantee a future administration will not revive this scheme is for Congress to put an end to totalization once and for all. I therefore call upon my colleagues to stop the use of the Social Security Trust Fund as yet another vehicle for foreign aid by cosponsoring the Social Security for American Citizens Only Act.

STATEMENT OF SUPPORT FOR H.R. 44, THE GUAM WORLD WAR II LOYALTY RECOGNITION ACT

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Ms. BORDALLO. Mr. Speaker, today I have introduced H.R. 44, the Guam World War II Loyalty Recognition Act, a bill that would implement the findings of the Guam War Claims Review Commission. Since being elected to the House of Representatives 8 years ago, I have introduced a version of this legislation in each Congress. Last Congress, this bill titled H.R. 44 passed the House on four separate occasions, once as standalone legislation and three times as part of the annual National Defense Authorization Acts.

This bill would implement the recommendations of the Guam War Claims Review Commission, which was appointed by Secretary of the Interior Gale Norton and established by an Act of the 107th Congress (Public Law 107–333). The Review Commission, in a unanimous report to Congress in June 2004, found that there were significant disparities in the treatment of war claims for the people of Guam as compared with war claims for other Americans. The Review Commission also found that the occupation of Guam was especially brutal due to the unfailing loyalty of the people of Guam to the United States of America. The people of Guam were subjected to forced labor, forced marches, internment, beatings, rapes and executions, including public beheadings. The Review Commission recommended that Congress remedy this injustice through the enactment of legislation to authorize payment of claims in amounts specified. Specifically, the bill would authorize discretionary spending to pay claims consistent with the recommendations of the commission.

It is important to note that the Review Commission found that the United States Government seized Japanese assets during the war and that the record shows that settlement of claims was meant to be paid from these forfeitures. Furthermore, the United States signed a Treaty of Peace with Japan on September 8, 1951, which precludes Americans from making claims against Japan for war reparations. The treaty closed any legal mechanism for seeking redress from the Government of Japan, and the United States Government has settled claims for U.S. citizens and other nationals through various claims programs authorized by Congress.

The House of Representatives has continually been supportive of this legislation, passing the bill with bi-partisan support in 110th and 111th Congresses. The issue continues to stall in the Senate despite support from the administration and supportive Senators. In the 111th session of Congress, I worked to add the text of H.R. 44 to the National Defense Authorization Act for fiscal year 2010. This was unsuccessful because of the objections of Senators regarding the precedent that this legislation may establish notwithstanding the findings of the Guam War Claims Review Commission, which found that no new precedent was being made and that its recommendations were based on similar claims programs for similar circumstances. However, as a compromise, report language was added to the final statement of managers which called for additional hearings to review Guam War Claims matter in the 2nd Session of the 111th Congress. The House Armed Services Committee upheld its commitment and held a hearing on December 2, 2009 to further investigate the purpose and need for enacting H.R. 44. Last year, I worked again to include compromise language for H.R. 44 in National Defense Authorization Act for fiscal year 2011. Given the time constraints for floor time at the end of the session, the Guam War Claims provision had to be removed by the Senate in order for the final defense authorization bill to pass by unanimous consent in the Senate.

However, during negotiations on the defense authorization bill for fiscal year 2011 there was agreement that payment of claims to descendants of survivors of the Japanese occupation who suffered personal injury should be removed from the legislation. I accepted this compromise because I felt it was important to bring closure to this issue and that the objections to this provision by some Senators cannot be overcome at this time. As such, the bill I introduce today is compromise language that removes such claims payments and reflects the agreed upon compromise reached during negotiations on last year's defense authorization bill.

Congressional passage of this bill this Congress has a direct impact on the future success of the military build-up. The need for Guam War Claims was brought about because of mishandling of war claims immediately following World War II by the Department of the Navy. The long-standing inequity with how Guam was treated for war reparations lingers today. If we do not bring this matter to a close I believe that support for the military build-up will erode and impact the readiness of our forces and the bilateral relationship with Japan.

Mr. Speaker, resolving this issue is a matter of justice. This carefully crafted compromise legislation addresses the concerns of several Senators, and has the approval of both Senator JOHN MCCAIN and Senator CARL LEVIN. This bill represents a unique opportunity to right a wrong because many of the survivors of the occupation are nearing the end of their lives. It is important that the Congress act on the recommendations of the Guam War Claims Review Commission to finally resolve this longstanding injustice for the people of Guam.

THE FAIR AND SIMPLE TAX ACT OF 2011

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. DREIER. Mr. Speaker, our top priority is to get our economy going again. Helping families keep more of their hard-earned money and providing businesses with additional resources to invest in their operations will help create jobs and get our economy back on track.

The Fair and Simple Tax (FAST) Act is a commonsense plan that will provide certainty in the tax code and a boost to the economy. The bill cuts the current 6-bracket tax structure in half and employs three simple rates of 10, 15, and 30 percent. By reducing marginal rates and preserving major deductions, including mortgage interest, charitable, state and local taxes, the child tax credit and the personal exemption, the FAST Act provides working Americans with more money for their needs.

The FAST Act also addresses the need to get our economy moving again by providing important investment incentives and creating new opportunities for workers and job creators alike. As American businesses continue to participate in the global economy, the FAST Act makes domestic employers more competitive by reducing the corporate tax rate from the highest in the world to a more competitive rate. In order to encourage innovation and boost entrepreneurship, the FAST Act provides a permanent extension of the Research and Development Tax Credit. In addition, under the FAST Act, the tax code rewards, not penalizes, success by reducing the individual capital gains tax rate from 15 percent to 10 percent and indexing the tax for inflation.

The FAST Act is based on the principle that Americans deserve a tax code that is fair and easy to understand. This year, Americans are projected to spend $392 billion preparing their taxes. To make this process easier, the FAST Act creates a simple, one-page tax filing form that employs the simplified marginal rate structure.

This bill brings a sense of fairness to the tax code by permanently repealing the Death Tax and indexing the Alternative Minimum Tax (AMT) to inflation. In doing so, the FAST Act ensures that fewer taxpayers will be impacted by the AMT each year. In addition, the bill permanently extends the 2001 and 2003 tax relief measures.

As Americans seek to save money for retirement, education and other needs, the FAST Act provides incentives to encourage individuals to save more. The FAST Act creates three new, tax-free savings accounts: the Retirement Savings Account, the Lifetime Savings Account, both providing a $5,000 tax-free contribution, and the Lifetime Skills Savings Account, which provides a $1,000 tax-free contribution. Each provides Americans with additional ways to save money for their future needs.

Americans should have more control, not less, over their health care expenses. That is why the FAST Act creates a $7,500 tax deduction for individuals and a $15,000 tax deduction for families who do not have access to employer-sponsored health coverage. This expanded deduction provides individuals and

families with additional assistance to purchase health care and allows unspent funds to be allocated to a Health Savings Account (HSA).

Mr. Speaker, the FAST Act reforms the tax code to provide permanent tax relief and clarity for American families and businesses, while encouraging innovation and entrepreneurship vital to our economic recovery. I encourage all my colleagues to join me in this pro-growth economic policy.

HONORING SEBASTICOOK VALLEY HOSPITAL

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. MICHAUD. Mr. Speaker, I rise today to recognize the accomplishments of Sebasticook Valley Hospital in Pittsfield, Maine.

Founded in 1963, the Sebasticook Valley Hospital was started by local citizens who were concerned about the health and well-being of their families, neighbors and employees of the region. The hospital continues to honor that legacy and commitment by being accountable at all levels of the organization in meeting the changing health care needs of the local communities. Sebasticook Valley continues to strive for improvement in services and to ensure that their patients receive the best possible service for their health care needs.

Sebasticook Valley Hospital has been recently recognized as one of the nation's top rural hospitals by the Washington, DC-based Leapfrog Group. The Leapfrog Survey, which launched in 2001, focuses on four critical areas of patient safety: the use of computer physician order entry to prevent medication errors, standards for doing high-risk procedures, protocols and policies to reduce medical errors and other safe practices recommended by the National Quality Forum and adequate nurse and physician staffing. In addition, hospitals are measured on their progress in preventing infections and other hospital-acquired conditions and adopting policies on the handling of serious medical errors, among other things.

Sebasticook Valley Hospital has displayed a tremendous commitment to providing the best quality health care for their patients. I am proud to congratulate the employees, providers, board members and volunteers for their dedication to providing the best care to our rural communities. Their skills, compassion and dedication make this hospital a well-deserved award recipient.

Mr. Speaker, please join me in recognizing Sebasticook Valley Hospital for their devotion to ensuring that patients and families receive the best possible health care.

INTRODUCING THE IDENTITY THEFT PREVENTION ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. PAUL. Mr. Speaker, today I introduce the Identity Theft Prevention Act. This act protects the American people from government-mandated uniform identifiers that facilitate private crime as well as the abuse of liberty. The major provision of the Identity Theft Prevention Act halts the practice of using the Social Security number as an identifier by requiring the Social Security Administration to issue all Americans new Social Security numbers within five years after the enactment of the bill. These new numbers will be the sole legal property of the recipient, and the Social Security administration shall be forbidden to divulge the numbers for any purposes not related to Social Security administration. Social Security numbers issued before implementation of this bill shall no longer be considered valid federal identifiers. Of course, the Social Security Administration shall be able to use an individual's original Social Security number to ensure efficient administration of the Social Security system.

Mr. Speaker, Congress has a moral responsibility to address this problem because it was Congress that transformed the Social Security number into a national identifier. Thanks to Congress, today no American can get a job, open a bank account, get a professional license, or even get a driver's license without presenting his Social Security number. So widespread has the use of the Social Security number become that a member of my staff had to produce a Social Security number in order to get a fishing license!

One of the most disturbing abuses of the Social Security number is the congressionally authorized rule forcing parents to get a Social Security number for their newborn children in order to claim the children as dependents. Forcing parents to register their children with the state is more like something out of the nightmares of George Orwell than the dreams of a free republic that inspired this nation's founders.

Congressionally mandated use of the Social Security number as an identifier facilitates the horrendous crime of identity theft. Thanks to Congress, an unscrupulous person may simply obtain someone's Social Security number in order to access that person's bank accounts, credit cards, and other financial assets. Many Americans have lost their life savings and had their credit destroyed as a result of identity theft. Yet the federal government continues to encourage such crimes by mandating use of the Social Security number as a uniform ID!

The Identity Theft Prevention Act also prevents the federal government from establishing any form of national ID. In 2005, Congress attempted to turn state driver's licensing into a national ID, however, resistance to this unconstitutional and costly mandate on the states has been so intense that today, for all intents and purposes, the Real ID mandate has been nullified. The Identity Theft Prevention Act simply puts the nail in the coffin of the Real ID and similar schemes, thus protecting Americans from having their liberty, property, and privacy violated by private and public sector criminals.

Some members of Congress will claim that the federal government needs the power to monitor Americans in order to allow the government to operate more efficiently. I would remind my colleagues that, in a constitutional republic, the people are never asked to sacrifice their liberties to make the jobs of government officials easier. We are here to protect the freedom of the American people, not to make privacy invasion more efficient.

Mr. Speaker, while I do not question the sincerity of those members who suggest that Congress can ensure that citizens' rights are protected through legislation restricting access to personal information, the only effective privacy protection is to forbid the federal government from mandating national identifiers. Legislative ''privacy protections'' are inadequate to protect the liberty of Americans for a couple of reasons.

First, it is simply common sense that repealing those federal laws that promote identity theft is more effective in protecting the public than expanding the power of the federal police force. Federal punishment of identity thieves provides cold comfort to those who have suffered financial losses and the destruction of their good reputations as a result of identity theft

Federal laws are not only ineffective in stopping private criminals, but these laws have not even stopped unscrupulous government officials from accessing personal information. After all, laws purporting to restrict the use of personal information did not stop the well-publicized violations of privacy by IRS officials or the FBI abuses of the Clinton and Nixon administrations.

In one of the most infamous cases of identity theft, thousands of active-duty soldiers and veterans had their personal information stolen, putting them at risk of identity theft. Imagine the dangers if thieves are able to obtain the universal identifier, and other personal information, of millions of Americans simply by breaking, or hacking, into one government facility or one government database?

Second, the federal government has been creating proprietary interests in private information for certain state-favored special interests. Perhaps the most outrageous example of phony privacy protection is the ''medical privacy'' regulation, that allows medical researchers, certain business interests, and law enforcement officials access to health care information, in complete disregard of the Fifth Amendment and the wishes of individual patients! Obviously, ''privacy protection'' laws have proven greatly inadequate to protect personal information when the government is the one seeking the information.

Any action short of repealing laws authorizing privacy violations is insufficient primarily because the federal government lacks constitutional authority to force citizens to adopt a universal identifier for health care, employment, or any other reason. Any federal action that oversteps constitutional limitations violates liberty because it ratifies the principle that the federal government, not the Constitution, is the ultimate judge of its own jurisdiction over the people. The only effective protection of the rights of citizens is for Congress to follow Thomas Jefferson's advice and ''bind (the federal government) down with the chains of the Constitution.''

Mr. Speaker, those members who are not persuaded by the moral and constitutional reasons for embracing the Identity Theft Prevention Act should consider the American people's opposition to national identifiers. The numerous complaints over the ever-growing uses of the Social Security number show that Americans want Congress to stop invading their privacy. Furthermore, according to a survey by

the Gallup company, 91 percent of the American people oppose forcing Americans to obtain a universal health ID.

In conclusion, Mr. Speaker, I once again call on my colleagues to join me in putting an end to the federal government's unconstitutional use of national identifiers to monitor the actions of private citizens. National identifiers threaten all Americans by exposing them to the threat of identity theft by private criminals and abuse of their liberties by public criminals, while diverting valuable law enforcement resources away from addressing real threats to public safety. In addition, national identifiers are incompatible with a limited, constitutional government. I, therefore, hope my colleagues will join my efforts to protect the freedom of their constituents by supporting the Identity Theft Prevention Act.

INTRODUCTION STATEMENT: H.R. 40 THE COMMISSION TO STUDY REPARATION PROPOSALS FOR AFRICAN-AMERICANS ACT

HON. JOHN CONYERS, Jr.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. CONYERS. Mr. Speaker, I am pleased to re-introduce H.R. 40, the Commission to Study Reparations Proposals for African-Americans Act. Since I first introduced H.R. 40 in 1989, we have made substantial progress in elevating this issue in the national consciousness. Through legislation, state and local resolutions and litigation, we are moving closer to a full dialogue on the role of slavery in building this country.

At this time, however, I must acknowledge the passing of a major voice in the reparations debate, Dr. Ronald Walters. From his position in the academy—Professor at the University of Maryland and head of its African American Leadership Institute—Dr. Walters led the debate on reparation that touched both the grassroots and scholarly communities. His wisdom and clarity will be missed, but never forgotten.

As evidenced by recent events, the sin of slavery is one that continues to weigh heavily upon us. Following the lead of other churches, the Episcopal Church formally apologized for its role in slavery on October 4, 2008. Florida became the sixth state to apologize for slavery on March 26, 2008, following Virginia, Maryland, North Carolina, Alabama and New Jersey. During the internationally renowned Sundance Film Festival, Traces of the Trade, a documentary in which descendants of the largest U.S. slave trading family confront this painful history, screened in January of 2008.

In the 110th Congress, the House passed a slavery apology bill on July 29, 2008, in which the House issued a formal apology for slavery. The Senate followed on July 18, 2009, with the passage of S. Con. Res. 26 which was sponsored by Tom Harkin of Iowa. Moreover, in recognition of the 200th anniversary of the abolition of the transatlantic slave trade on January 1, 1808, both the House and Senate passed legislation creating a commemoration commission, which was signed into law on February 5, 2008, and is currently awaiting funding. I believe that such Federal efforts are significant steps toward proper acknowledgment and understanding of slavery and its implications, but our responsibilities on this matter are even greater.

The establishment a commission to study the institution of slavery in the United States, as well as its consequences that reach into modern day society, is our responsibility. This concept of a commission to address historical wrongs is not unprecedented. In fact, in recent Congresses, commission bills have been put forward.

In 1983, a Presidential Commission determined that the internment of Japanese Americans during World War II was racist and inhumane, and as a result, the 1988 Civil Liberties Act provided redress for those injured by the internment. However, the internment of Japanese Latin Americans in the United States during World War II was not examined by the Commission, resulting in legislation calling for a commission to examine this oversight. Legislation establishing a commission to review the injustices suffered by European Americans, European Latin Americans, and Jewish refugees during World War II has also been proposed.

H.R. 40 is no different than these other commission bills. H.R. 40 establishes a commission to examine the institution of slavery and its legacy, like racial disparities in education, housing, and healthcare. Following this examination, the commission would recommend appropriate remedies to Congress, and as I have indicated before, remedies does not equate to monetary compensation.

In the 110th Congress, I convened the first Congressional hearing on H.R. 40. With witnesses that included Professor Charles Ogletree, Episcopal Bishop M. Thomas Shaw, and Detroit City Councilwoman JoAnn Watson, we began a formal dialogue on the legacy of the transatlantic slave trade. This Congress, I look forward to continuing this conversation so that our Nation can better understand this part of our history.

Attempts to eradicate today's racial discrimination and disparities will be successful when we understand the past's racial injustices and inequities. A commission can take us into this dark past and bring us into a brighter future. As in years past, I welcome open and constructive discourse on H.R. 40 and the creation of this commission in the 112th Congress.

INTRODUCTION OF A 3-PART BALANCED BUDGET CONSTITUTIONAL AMENDMENT

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 5, 2011

Mr. GOODLATTE. Mr. Speaker, I rise to reintroduce legislation that will amend the United States Constitution to force Congress to rein in spending by balancing the federal budget.

We have a spending addiction in Washington, D.C., and it has proven to be an addiction that Congress cannot control on its own and which is bringing dire consequences. We have gone in a few short years from a deficit of billions of dollars to a deficit of trillions of dollars. We are printing money at an unprecedented pace, which presents serious risks of massive inflation. Our national debt recently surpassed an astonishing $14 trillion and continues to rapidly increase, along with the waste associated with paying the interest on that debt.

Our first Secretary of State, Thomas Jefferson, warned of the consequences of out-of-control debt when he wrote: ''To preserve [the] independence [of the people,] we must not let our rulers load us with perpetual debt. We must make our election between economy and liberty, or profusion and servitude.'' Unfortunately, it increasingly appears that Congress has chosen the latter path.

Our current Secretary of State, Hillary Clinton, issued a similar warning when she recently declared: ''I think that our rising debt levels [sic] poses a national security threat, and it poses a national security threat in two ways. It undermines our capacity to act in our own interest, and it does constrain us where constraint may be undesirable. And it also sends a message of weakness internationally.'' Despite these warnings, Congress has refused to address this crisis.

Congress' spending addiction is not a partisan one. It reaches across the aisle and afflicts both parties, which is why neither party has been able to master it. We need outside help. We need pressure from outside Congress to force us to rein in this out-of-control behavior. We need a balanced budget amendment to our Constitution.

That is why I am introducing this legislation, which is a common sense, 3-part balanced budget Constitutional amendment. This bill would (1) amend the Constitution to require that total spending for any fiscal year not exceed total receipts; (2) require that bills to raise revenues pass each House of Congress by a 3/5 majority; and (3) establish an annual spending cap such that total federal spending could not exceed 1/5 of the economic output of the United States.

The bill would also require a 3/5 majority vote for any increases in the debt limit.

The legislation provides an exception in times of war and during military conflicts that pose imminent and serious military threats to national security.

Our federal government must be lean, efficient and responsible with the dollars that our nation's citizens worked so hard to earn. We must work to both eliminate every cent of waste and squeeze every cent of value out of each dollar our citizens entrust to us. Families all across our nation understand what it means to make tough decisions each day about what they can and cannot afford and government officials should be required to exercise similar restraint when spending the hard-earned dollars of our nation's citizens.

By amending the Constitution to require a balanced budget, establish measurable spending limits, and make it harder to raise taxes, we can force the Congress to control spending, paving the way for a return to surpluses and ultimately paying down the national debt, rather than allow big spenders to lead us further down the road of chronic deficits and in doing so leave our children and grandchildren saddled with debt that is not their own.

49 out of 50 states have a balanced budget requirement, and it is time that the federal government had one too.

Our nation faces many difficult decisions in the coming years, and Congress will face great pressure to spend beyond its means rather than to make the difficult decisions

about spending priorities. Unless Congress is forced to make the decisions necessary to create a balanced budget, it will always have the all-too-tempting option of shirking this responsibility. A Constitutional balanced budget requirement, combined with the spending and tax limitations in this legislation, will set our nation's fiscal policies on the right path. This is a common sense approach to ensure that Congress is bound by the same fiscal principles that guide America's families each day.

I urge support of this important legislation.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, January 6, 2011 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JANUARY 7

9:30 a.m.
Budget
To hold hearings to examine the United States economic outlook focusing on challenges for the monetary and fiscal policy.
SH–216

Daily Digest

HIGHLIGHTS

Senate convened the first session of the One Hundred Twelfth Congress.

Senate agreed to S. Con. Res. 1, Adjournment Resolution.

Senate

Chamber Action

Routine Proceedings, pages S1–S70

Measures Introduced: Fifteen resolutions were introduced, as follows: S. Res. 1–13, and S. Con. Res. 1–2. **Pages S63–64**

Measures Passed:

Notification to the President: Senate agreed to S. Res. 1, informing the President of the United States that a quorum of each House is assembled. **Page S6**

Notification to the House of Representatives: Senate agreed to S. Res. 2, informing the House of Representatives that a quorum of the Senate is assembled. **Page S6**

Fixing the Hour of Daily Meeting: Senate agreed to S. Res. 3, fixing the hour of daily meeting of the Senate. **Page S6**

Honoring Senator Barbara Mikulski: Senate agreed to S. Res. 4, honoring Senator Barbara Mikulski for becoming the longest-serving female Senator in history. **Pages S6–13**

Electing the Secretary for the Majority: Senate agreed to S. Res. 5, electing Gary B. Myrick, of Virginia, as Secretary for the Majority of the Senate. **Page S14**

Appointment of Senate Legal Counsel: Senate agreed to S. Res. 6, to make effective appointment of Senate Legal Counsel. **Page S14**

Appointment of Deputy Senate Legal Counsel: Senate agreed to S. Res. 7, to make effective appointment of Deputy Senate Legal Counsel. **Page S14**

Adjournment Resolution: Senate agreed to S. Con. Res. 1, providing for a conditional recess or adjournment of the Senate and an adjournment of the House of Representatives. **Page S15**

Authorizing the Use of the Capitol Rotunda: Senate agreed to S. Con. Res. 2, authorizing the use of the rotunda of the Capitol for an event marking the 50th anniversary of the inaugural address of President John F. Kennedy. **Page S68**

Appointments:

Senate Legal Counsel: The Chair, on behalf of the President pro tempore, pursuant to Public Law 95–521, appointed Morgan J. Frankel as Senate Legal Counsel for a term of service to expire at the end of the 113th Congress. **Page S14**

Deputy Senate Legal Counsel: The Chair, on behalf of the President pro tempore, pursuant to Public Law 95–521, appointed Patricia Mack Bryan as Deputy Senate Legal Counsel for a term of service to expire at the end of the 113th Congress. **Page S14**

National Commission for Review of Research and Development Programs of the United States Intelligence Community: The Chair, on behalf of the Majority Leader, after consultation with the Chairman of the Select Committee on Intelligence, and pursuant to provisions of Public Law 107–306, as amended by Public Law 111–259, announced the appointment of the following individuals to serve as members of the National Commission for Review of Research and Development Programs of the United States Intelligence Community: Gilman Louie of California and Troy Wade of Nevada. **Page S68**

Administration of Oath of Office: The Senators-elect were administered the oath of office by the Vice President of the United States. **Pages S4–5**

Unanimous Consent Agreements:

Authority for Select Committee on Ethics: A unanimous-consent agreement was reached providing that for the duration of the 112th Congress, the Ethics Committee be authorized to meet during the session of the Senate. **Page S14**

Time for Roll Call Votes: A unanimous-consent agreement was reached providing that for the duration of the 112th Congress, there be a limitation of

15 minutes each upon any roll call vote, with the warning signal to be sounded at the midway point, beginning at the last 7½ minutes, and when roll call votes are of 10 minute duration, the warning signal be sounded at the beginning of the last 7½ minutes. **Page S14**

Authority to Receive Reports: A unanimous-consent agreement was reached providing that during the 112th Congress, it be in order for the Secretary of the Senate to receive reports at the desk when presented by a Senator at any time during the day of the session of the Senate. **Page S14**

Recognition of Leadership: A unanimous-consent agreement was reached providing that the Majority and Minority Leaders may daily have up to 10 minutes each on each calendar day following the prayer and disposition of the reading of, or the approval of, the Journal. **Page S14**

House Parliamentarian Floor Privileges: A unanimous-consent agreement was reached providing that the Parliamentarian of the House of Representatives and his four assistants be given the privileges of the floor during the 112th Congress. **Page S14**

Printing of Conference Reports: A unanimous-consent agreement was reached providing that, notwithstanding the provisions of Rule XXVIII, conference reports and statements accompanying them not be printed as Senate reports when such conference reports and statements have been printed as a House report unless specific request is made in the Senate in each instance to have such a report printed. **Page S14**

Authority for Appropriations Committee: A unanimous-consent agreement was reached providing that the Committee on Appropriations be authorized during the 112th Congress to file reports during adjournments or recesses of the Senate on appropriations bills, including joint resolutions, together with any accompanying notices of motions to suspend Rule XVI, pursuant to Rule V, for the purpose of offering certain amendments to such bills or joint resolutions, which proposed amendments shall be printed. **Page S14**

Authority for Corrections in Engrossment: A unanimous-consent agreement was reached providing that for the duration of the 112th Congress, the Secretary of the Senate be authorized to make technical and clerical corrections in the engrossments of all Senate-passed bills and joint resolutions, Senate amendments to House bills and resolutions, Senate amendments to House amendments to Senate bills or resolutions, and Senate amendments to House amendments to Senate amendments to House bills or resolutions. **Page S14**

Authority to Receive Messages and Sign Enrolled Measures: A unanimous-consent agreement was reached providing that for the duration of the 112th Congress, when the Senate is in recess or adjournment, the Secretary of the Senate is authorized to receive messages from the President of the United States, and—with the exception of House bills, joint resolutions and concurrent resolutions—messages from the House of Representatives; and that they be appropriately referred; and that the President of the Senate, the President pro tempore, and the Acting President pro tempore be authorized to sign duly enrolled bills and joint resolutions. **Page S14**

Privileges of the Floor: A unanimous-consent agreement was reached providing that for the duration of the 112th Congress, Senators be allowed to leave at the desk with the Journal Clerk the names of two staff members who will be granted the privilege of the floor during the consideration of the specific matter noted, and that the Sergeant-at-Arms be instructed to rotate staff members as space allows. **Page S14**

Referral of Treaties and Nominations: A unanimous-consent agreement was reached providing that for the duration of the 112th Congress, it be in order to refer treaties and nominations on the day when they are received from the President, even when the Senate has no executive session that day. **Page S14**

Authority to Introduce Measures: A unanimous-consent agreement was reached providing that for the duration of the 112th Congress, Senators may be allowed to bring to the desk, bills, joint resolutions, concurrent resolutions and simple resolutions, for referral to appropriate committees. **Page S14**

A unanimous-consent agreement was reached providing that the first day for the introduction of bills and joint resolutions in the 112th Congress be Tuesday, January 25, 2011. **Page S15**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report of the apportionment population for each state as of April 1, 2010, and the number of Representatives to which each State would be entitled; which was referred to the Committee on Homeland Security and Governmental Affairs. (PM–1) **Page S61**

Nominations Received: Senate received the following nominations:

Jimmie V. Reyna, of Maryland, to be United States Circuit Judge for the Federal Circuit.

Victoria Frances Nourse, of Wisconsin, to be United States Circuit Judge for the Seventh Circuit.

Goodwin Liu, of California, to be United States Circuit Judge for the Ninth Circuit.

James E. Graves, Jr., of Mississippi, to be United States Circuit Judge for the Fifth Circuit.

Caitlin Joan Halligan, of New York, to be United States Circuit Judge for the District of Columbia Circuit.

Edward Carroll DuMont, of the District of Columbia, to be United States Circuit Judge for the Federal Circuit.

Bernice Bouie Donald, of Tennessee, to be United States Circuit Judge for the Sixth Circuit.

Susan L. Carney, of Connecticut, to be United States Circuit Judge for the Second Circuit.

Arenda L. Wright Allen, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Anthony J. Battaglia, of California, to be United States District Judge for the Southern District of California.

Cathy Bissoon, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

James Emanuel Boasberg, of the District of Columbia, to be United States District Judge for the District of Columbia.

Vincent L. Briccetti, of New York, to be United States District Judge for the Southern District of New York.

Louis B. Butler, Jr., of Wisconsin, to be United States District Judge for the Western District of Wisconsin.

Claire C. Cecchi, of New Jersey, to be United States District Judge for the District of New Jersey.

Edward Milton Chen, of California, to be United States District Judge for the Northern District of California.

Max Oliver Cogburn, Jr., of North Carolina, to be United States District Judge for the Western District of North Carolina.

Mae A. D'Agostino, of New York, to be United States District Judge for the Northern District of New York.

Roy Bale Dalton, Jr., of Florida, to be United States District Judge for the Middle District of Florida.

Sara Lynn Darrow, of Illinois, to be United States District Judge for the Central District of Illinois.

Edward J. Davila, of California, to be United States District Judge for the Northern District of California.

Charles Bernard Day, of Maryland, to be United States District Judge for the District of Maryland.

Marco A. Hernandez, of Oregon, to be United States District Judge for the District of Oregon.

Paul Kinloch Holmes III, of Arkansas, to be United States District Judge for the Western District of Arkansas.

Mark Raymond Hornak, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

Amy Berman Jackson, of the District of Columbia, to be United States District Judge for the District of Colorado.

Richard Brooke Jackson, of Colorado, to be United States District Judge for the District of Colorado.

Steve C. Jones, of Georgia, to be United States District Judge for the Northern District of Georgia.

John A. Kronstadt, of California, to be United States District Judge for the Central District of California.

Robert David Mariani, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

Marina Garcia Marmolejo, of Texas, to be United States District Judge for the Southern District of Texas.

John J. McConnell, Jr., of Rhode Island, to be United States District Judge for the District of Rhode Island.

Sue E. Myerscough, of Illinois, to be United States District Judge for the Central District of Illinois.

John Andrew Ross, of Missouri, to be United States District Judge for the Eastern District of Missouri.

Esther Salas, of New Jersey, to be United States District Judge for the District of New Jersey.

Diana Saldana, of Texas, to be United States District Judge for the Southern District of Texas.

James E. Shadid, of Illinois, to be United States District Judge for the Central District of Illinois.

Kevin Hunter Sharp, of Tennessee, to be United States District Judge for the Middle District of Tennessee.

Michael H. Simon, of Oregon, to be United States District Judge for the District of Oregon.

Amy Totenberg, of Georgia, to be United States District Judge for the Northern District of Georgia.

Michael Francis Urbanski, of Virginia, to be United States District Judge for the Western District of Virginia.

Kathleen M. Williams, of Florida, to be United States District Judge for the Southern District of Florida.

Virginia A. Seitz, of the District of Columbia, to be an Assistant Attorney General.

Andrew L. Traver, of Illinois, to be Director, Bureau of Alcohol, Tobacco, Firearms, and Explosives.

Denise Ellen O'Donnell, of New York, to be Director of the Bureau of Justice Assistance.

Timothy J. Feighery, of New York, to be Chairman of the Foreign Claims Settlement Commission of the United States for a term expiring September 30, 2012.

James Xavier Dempsey, of California, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2016.

Elisebeth Collins Cook, of Illinois, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2014.

James Michael Cole, of the District of Columbia, to be Deputy Attorney General (Recess Appointment).

Michael Vickers, of Virginia, to be Under Secretary of Defense for Intelligence.

Jo Ann Rooney, of Massachusetts, to be Principal Deputy Under Secretary of Defense for Personnel and Readiness.

Peter A. Diamond, of Massachusetts, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2000.

Kathryn D. Sullivan, of Ohio, to be an Assistant Secretary of Commerce.

Frances M.D. Gulland, of California, to be a Member of the Marine Mammal Commission for a term expiring May 13, 2012.

Ann D. Begeman, of Virginia, to be a Member of the Surface Transportation Board for a term expiring December 31, 2015.

Peter Bruce Lyons, of New Mexico, to be an Assistant Secretary of Energy (Nuclear Energy).

Daniel M. Ashe, of Maryland, to be Director of the United States Fish and Wildlife Service.

Maurice B. Foley, of Maryland, to be a Judge of the United States Tax Court for a term of fifteen years.

Jenni Rane LeCompte, of the District of Columbia, to be an Assistant Secretary of the Treasury.

Kurt Walter Tong, of Maryland, a Career Member of the Senior Foreign Service, Class of Counselor, for the rank of Ambassador during his tenure of service as United States Senior Official for the Asia-Pacific Economic Cooperation (APEC) Forum.

James A. Torrey, of Connecticut, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2013.

Joseph M. Torsella, of Pennsylvania, to be Representative of the United States of America to the United Nations for U.N. Management and Reform, with the rank of Ambassador.

Joseph M. Torsella, of Pennsylvania, to be Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Representative of the United States of America to the United Nations for U.N. Management and Reform.

David Bruce Shear, of New York, to be Ambassador to the Socialist Republic of Vietnam.

Allison A. Hickey, of Virginia, to be Under Secretary for Benefits of the Department of Veterans Affairs.

Daniel L. Shields III, of Pennsylvania, to be Ambassador to Brunei Darussalam.

Pamela L. Spratlen, of California, to be Ambassador to the Kyrgyz Republic.

Eric G. Postel, of Wisconsin, to be an Assistant Administrator of the United States Agency for International Development.

Terry Lewis, of Michigan, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2011.

Terry Lewis, of Michigan, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2014.

Nils Maarten Parin Daulaire, of Virginia, to be Representative of the United States on the Executive Board of the World Health Organization.

Sue Kathrine Brown, of Texas, to be Ambassador to Montenegro.

Martha Wagner Weinberg, of Massachusetts, to be a Member of the National Council on the Humanities for a term expiring January 26, 2016.

Clyde E. Terry, of New Hampshire, to be a Member of the National Council on Disability for a term expiring September 17, 2013.

Leon Rodriguez, of Maryland, to be Administrator of the Wage and Hour Division, Department of Labor.

Cora B. Marrett, of Wisconsin, to be Deputy Director of the National Science Foundation.

Janice Lehrer-Stein, of California, to be a Member of the National Council on Disability for a term expiring September 17, 2013.

Kelvin K. Droegemeier, of Oklahoma, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2016.

Paula Barker Duffy, of Illinois, to be a Member of the National Council on the Humanities for a term expiring January 26, 2016.

Aaron Paul Dworkin, of Michigan, to be a Member of the National Council on the Arts for a term expiring September 3, 2014.

Cathy N. Davidson, of North Carolina, to be a Member of the National Council on the Humanities for a term expiring January 26, 2016.

Constance M. Carroll, of California, to be a Member of the National Council on the Humanities for a term expiring January 26, 2016.

Albert J. Beveridge III, of the District of Columbia, to be a Member of the National Council on the Humanities for a term expiring January 26, 2016.

Thomas M. Beck, of Virginia, to be a Member of the National Mediation Board for a term expiring July 1, 2013.

Terence Francis Flynn, of Maryland, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2015.

Lafe E. Solomon, of Maryland, to be General Counsel of the National Labor Relations Board.

Carolyn N. Lerner, of Maryland, to be Special Counsel, Office of Special Counsel, for the term of five years.

Stephanie O'Sullivan, of Virginia, to be Principal Deputy Director of National Intelligence.

Steve L. Muro, of California, to be Under Secretary of Veterans Affairs for Memorial Affairs.

Pages S68–70

Messages from the House: **Pages S61–62**

Measures Held Over/Under Rule: **Page S62**

Enrolled Bills Presented: **Page S62**

Executive Communications: **Pages S62–63**

Statements on Introduced Bills/Resolutions: **Pages S64–68**

Additional Statements: **Pages S60–61**

Privileges of the Floor: **Page S68**

Quorum Calls:

One quorum call was taken today. (Total—1) **Page S5**

Recess: Senate convened at 12:04 p.m. and recessed, pursuant to the provisions of S. Con. Res. 1, at 7:33 p.m., until 10 a.m. on Tuesday, January 25, 2011. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S68.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 173 public bills, H.R. 2, 21–192; 3 private bills, H.R. 193–195; and 34 resolutions, H.J. Res. 1–8; H. Con. Res. 1–5; and H. Res. 1–21 were introduced. **Pages H33–48**

Additional Cosponsors: Will appear in next issue.

Reports Filed: Reports were filed on December 23, 2010 as follows:

Report on the Activity of the Committee on Small Business for the One Hundred Eleventh Congress (H. Rept. 111–695) and

Report on the Activities of the Committee on Education and Labor During the 111th Congress (H. Rept. 111–696).

Reports were filed on December 30, 2010 as follows:

Activities Report of the Committee on Veterans' Affairs, 111th Congress (H. Rept. 111–697) and

Summary of Activities of the Committee on Science and Technology for the 111th Congress (H. Rept. 111–698).

A report was filed on December 31, 2010 as follows:

Report on Legislative and Oversight Activities of the House Committee on Homeland Security for the 111th Congress (H. Rept. 111–699).

Reports were filed on January 3, 2011 as follows:

Report on Activities of the Committee on Appropriations, 111th Congress (H. Rept. 111–700);

Report on Legislative and Oversight Activities of the Committee on Natural Resources During the 111th Congress (H. Rept. 111–701);

Report on the Activity of the Committee on Financial Services for the 111th Congress (H. Rept. 111–702);

Report of the Committee on Agriculture Activities During the 111th Congress (H. Rept. 111–703);

Activities and Summary Report of the Committee on the Budget, 111th Congress (H. Rept. 111–704);

Committee of the House Committee on Oversight and Government Reform for the 111th Congress (H. Rept. 111–705);

Report on the Activity of the Committee on Energy and Commerce, 111th Congress (H. Rept. 111–706);

Summary of Activities of the Committee on Standards of Official Conduct for the 111th Congress (H. Rept. 111–707);

Report on the Legislative and Oversight Activities of the Committee on Ways and Means During the 111th Congress (H. Rept. 111–708);

Final Staff Report for the 111th Congress from the Select Committee on Energy Independence and Global Warming (H. Rept. 111–709);

Report of the Activities of the Committee on Armed Services for the 111th Congress (H. Rept. 111–710); and

Summary of Legislative and Oversight Activities of the Committee on Transportation and Infrastructure for the 111th Congress (H. Rept. 111–711).

Pages H32–33

Certification of Election: The Clerk announced that Certificates of Election covering 435 seats in the One Hundred Twelfth Congress had been received and the names of those persons whose credentials show that they were regularly elected as Representatives in accordance with the laws of their respective States would be called. Without objection, the Representatives-elect were directed to record their presence by electronic device in order to determine whether a quorum was present. **Pages H1–2**

Call of the States: On the Call of the States, 434 Members reported their presence, Roll No. 1.

Pages H1–2

Election Credentials for the Resident Commissioner and Delegates: The Clerk announced that credentials have been received showing the elections of the following: Honorable Pedro R. Pierluisi, Resident Commissioner from the Commonwealth of Puerto Rico; Honorable Eleanor Holmes Norton, Delegate from the District of Columbia; Honorable Madeleine Z. Bordallo, Delegate from Guam; Honorable Donna M. Christensen, Delegate from the Virgin Islands; Honorable Eni F.H. Faleomavaega, Delegate from American Samoa; and Honorable Gregorio Sablan, Delegate from the Commonwealth of the Northern Mariana Islands. **Page H2**

Election of Speaker: The Honorable John Boehner of Ohio was elected Speaker of the House of Representatives and received 241 votes. The Honorable Nancy Pelosi received 173 votes, The Honorable Dennis Cardoza received 1 vote, the Honorable Jim Cooper received 1 vote, The Honorable Jim Costa received 1 vote, The Honorable Steny Hoyer received 1 vote, The Honorable Marcy Kaptur received 1 vote, The Honorable John Lewis (GA) received 2 votes, the Honorable Heath Shuler received 11 votes, and one Member voted present (Roll No. 2). Earlier, the Clerk appointed Representatives-elect Daniel E. Lungren (CA), Brady (PA), Kaptur, and Ros-Lehtinen to act as Tellers. **Pages H2–3**

Escort Committee: The Clerk appointed the following committee to escort the Speaker-elect to the Chair: Representatives-elect Cantor, Pelosi, McCarthy (CA), Hoyer, Hensarling, Clyburn, Sessions, Larson (CT), Price (GA), Becerra, McMorris Rodgers (WA), Israel, Carter, Van Hollen, Noem, George Miller (CA), Tim Scott (SC), DeLauro, Walden, Cuellar, Dreier, Wasserman Schultz, Roskam, Bass (CA) and the members of the Ohio delegation: Representatives-elect Kaptur, LaTourette, Kucinich, Tiberi, Ryan, Turner, Schmidt, Sutton, Latta, Jordan, Fudge, Austria, Chabot, Gibbs, Johnson, Renacci, and Stivers. **Pages H3–4**

Administration of the Oath of Office to Members of the 112th Congress: The Dean of the House, the Honorable John D. Dingell, administered the oath of office to the Speaker. The Speaker then administered the oath to the Members, Resident Commissioner, and Delegates. **Page H6**

Election of Majority and Minority Leaders: The Chairman of the Republican Conference, Representative Hensarling, announced the election of Representative Cantor as the Majority Leader. The Chairman of the Democratic Caucus, Representative Larson (CT), announced the election of Representative Pelosi as the Minority Leader. **Page H6**

Election of Majority and Minority Whips: The Chairman of the Republican Conference, Representative Hensarling, announced the election of Representative McCarthy (CA) as the Majority Whip. The Chairman of the Democratic Caucus, Representative Larson, announced the election of Representative Hoyer as the Minority Whip and Representative Clyburn as Assistant Democratic Leader. **Page H6**

Administration of the Oath of Office: Representative-elect Sullivan presented himself in the well of the House and was administered the oath of office by the Speaker. **Page H6**

Electing Officers of the House of Representatives: The House agreed to H. Res. 1, electing the following officers for the House of Representatives: Karen L. Haas, Clerk; Wilson S. Livingood, Sergeant-at-Arms; Daniel J. Strodel, Chief Administrative Officer; and Father Daniel P. Coughlin, Chaplain. **Page H6**

On a division of the question, rejected the Larson (CT) amendment that sought to elect John Lawrence as Clerk; Alexis Covey-Brandt as Sergeant-at-Arms; and Yelberton Watkins as Chief Administrative Officer. **Page H6**

Notify the Senate that a Quorum Has Assembled: The House agreed to H. Res. 2, to inform the

Senate that a quorum of the House has assembled and of the election of the Speaker and Clerk.

Pages H6–7

Notify the President of the Assembly of the 112th Congress: The House agreed to H. Res. 3, authorizing the Speaker to appoint Members of the House to a joint committee to notify the President of the assembly of the Congress. Subsequently, the Speaker appointed Representatives Cantor and Pelosi to the committee. Later, Representative Cantor announced that the Committee had notified the President that a quorum of each House had assembled and was ready to receive any communication that he may be pleased to make. Page H7

Notify the President of the Election of the Speaker and the Clerk: The House agreed to H. Res. 4, authorizing the Clerk to inform the President of the election of the Speaker and the Clerk.

Page H7

Adopting Rules for the One Hundred Twelfth Congress: The House agreed to H. Res. 5, adopting the Rules of the House of Representatives for the One Hundred Twelfth Congress, by a yea-and-nay vote of 240 yeas to 191 nays, Roll No. 6, after the previous question was ordered by a yea-and-nay vote of 238 yeas to 188 nays, Roll No. 4. Pages H7–27

Rejected the Crowley motion to commit H. Res. 5 to a select committee composed of the Majority Leader and the Minority Leader with instructions to report it forthwith back to the House with an amendment, by a yea-and-nay vote of 191 yeas to 240 nays, Roll No. 5. Page H26

Agreed to the Cantor motion to table the Norton motion to refer H. Res. 5 to a select committee of five members, to be appointed by the Speaker by a yea-and-nay vote of 225 yeas to 188 nays, Roll No. 3. Pages H10–11

Election of Members to Certain Standing Committees: The House agreed to H. Res. 6, electing Members to certain standing committees of the House of Representatives. Page H27

Election of Members to Certain Standing Committees: The House agreed to H. Res. 7, electing Members to certain standing committees of the House of Representatives. Pages H27–28

Designation of Minority Employees: The House agreed to H. Res. 8, providing for the designation of certain minority employees. Page H28

Daily Hour of Meeting: The House agreed to H. Res. 10, fixing the daily hour of meeting of the First Session of the One Hundred Twelfth Congress.

Page H28

Assembly outside of the District of Columbia: The House agreed to H. Con. Res. 1, regarding consent to assemble outside the seat of government.

Page H28

Whole Number of the House: Under clause 5(d) of Rule 20, the Chair announced to the House that the whole number of the House is 434. Page H29

House Office Building Commission: The Chair announced that Representatives Cantor and Pelosi will serve as members of the House Office Building Commission with the Speaker. Page H31

Appointment Authority: Agreed that during the One Hundred Twelfth Congress, the Speaker, Majority Leader, and Minority Leader be authorized to accept resignations and to make appointments authorized by law or by the House. Page H28

Extension of Remarks: Agreed that during the One Hundred Twelfth Congress, all Members be permitted to extend their remarks and to include extraneous material within the permitted limit in that section of the Record entitled ''Extensions of Remarks''. Page H28

Succession of the Speaker of the House: Read a letter from the Speaker wherein he designated Representative Cantor to act jointly with the Majority Leader of the Senate, or his designee, in the event of the death or inability of the Speaker, to notify Members of the House and Senate of any reassembly.

Page H31

Morning-Hour Debate: Agreed to the procedures regarding the format for morning-hour debate for the first session of the One Hundred Twelfth Congress. Pages H28–29

Adjournment Resolution: The House agreed to S. Con. Res. 1, providing for a conditional recess or adjournment of the Senate and an adjournment of the House of Representatives. Page H31

Presidential Message: Read a message from the President wherein he transmitted a statement showing the apportionment population for each State as of April 1, 2010, and the number of Representatives to which each State would be entitled—referred to the Committees on the Judiciary and Oversight and Government Reform and ordered to be printed (H. Doc. 112–5). Page H31

Senate Message: Message received from the Senate today appears on page H27.

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings today and appear on pages H10–11, H25, H26, H26–27. There was one quorum call, Roll No. 1, which appears on pages H1.

Adjournment: The House met at 12 noon and adjourned at 5:50 p.m.

Committee Meetings

COMMITTEE ORGANIZATION

Committee on Rules: Met for organizational purposes. Committee adopted its rules of procedure for the 112th Congress.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D1245)*

H.R. 1061, to transfer certain land to the United States to be held in trust for the Hoh Indian Tribe, to place land into trust for the Hoh Indian Tribe. Signed on December 22, 2010. (Public Law 111–323)

H.R. 2941, to reauthorize and enhance Johanna's Law to increase public awareness and knowledge with respect to gynecologic cancers. Signed on December 22, 2010. (Public Law 111–324)

H.R. 4337, to amend the Internal Revenue Code of 1986 to modify certain rules applicable to regulated investment companies. Signed on December 22, 2010. (Public Law 111–325)

H.R. 5591, to designate the airport traffic control tower located at Spokane International Airport in Spokane, Washington, as the ''Ray Daves Airport Traffic Control Tower''. Signed on December 22, 2010. (Public Law 111–326)

H.R. 6198, to amend title 11 of the United States Code to make technical corrections. Signed on December 22, 2010. (Public Law 111–327)

H.R. 6278, to amend the National Children's Island Act of 1995 to expand allowable uses for Kingman and Heritage Islands by the District of Columbia. Signed on December 22, 2010. (Public Law 111–328)

H.R. 6473, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program. Signed on December 22, 2010. (Public Law 111–329)

H.R. 6516, to make technical corrections to provisions of law enacted by the Coast Guard Authorization Act of 2010. Signed on December 22, 2010. (Public Law 111–330)

S. 30, to amend the Communications Act of 1934 to prohibit manipulation of caller identification information. Signed on December 22, 2010. (Public Law 111–331)

S. 1275, to establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports. Signed on December 22, 2010. (Public Law 111–332)

S. 1405, to redesignate the Longfellow National Historic Site, Massachusetts, as the ''Longfellow House-Washington's Headquarters National Historic Site''. Signed on December 22, 2010. (Public Law 111–333)

S. 1448, to amend the Act of August 9, 1955, to authorize the Coquille Indian Tribe, the Confederated Tribes of Siletz Indians, the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw, the Klamath Tribes, and the Burns Paiute Tribe to obtain 99-year lease authority for trust land. Signed on December 22, 2010. (Public Law 111–334)

S. 1609, to authorize a single fisheries cooperative for the Bering Sea Aleutian Islands longline catcher processor subsector. Signed on December 22, 2010. (Public Law 111–335)

S. 2906, to amend the Act of August 9, 1955, to modify a provision relating to leases involving certain Indian tribes. Signed on December 22, 2010. (Public Law 111–336)

S. 3199, to amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss. Signed on December 22, 2010. (Public Law 111–337)

S. 3794, to amend chapter 5 of title 40, United States Code, to include organizations whose membership comprises substantially veterans as recipient organizations for the donation of Federal surplus personal property through State agencies. Signed on December 22, 2010. (Public Law 111–338)

S. 3860, to require reports on the management of Arlington National Cemetery. Signed on December 22, 2010. (Public Law 111–339)

S. 3984, to amend and extend the Museum and Library Services Act. Signed on December 22, 2010. (Public Law 111–340)

S. 3998, to extend the Child Safety Pilot Program. Signed on December 22, 2010. (Public Law 111–341)

S. 4005, to amend title 28, United States Code, to prevent the proceeds or instrumentalities of foreign crime located in the United States from being shielded from foreign forfeiture proceedings. Signed on December 22, 2010. (Public Law 111–342)

H.R. 6398, to require the Federal Deposit Insurance Corporation to fully insure Interest on Lawyers Trust Accounts. Signed on December 29, 2010. (Public Law 111–343)

H.R. 6517, to extend trade adjustment assistance and certain trade preference programs, to amend the Harmonized Tariff Schedule of the United States to

modify temporarily certain rates of duty. Signed on December 29, 2010. (Public Law 111–344)

S. 3386, to protect consumers from certain aggressive sales tactics on the Internet. Signed on December 29, 2010. (Public Law 111–345)

S. 4058, to extend certain expiring provisions providing enhanced protections for servicemembers relating to mortgages and mortgage foreclosure. Signed on December 29, 2010. (Public Law 111–346)

H.R. 847, to amend the Public Health Service Act to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001. Signed on January 2, 2011. (Public Law 111–347)

NEW PRIVATE LAWS

S. 4010, for the relief of Shigeru Yamada. Signed on December 22, 2010. (Private Law 111–1)

S. 1774, for the relief of Hotaru Nakama Ferschke. Signed on December 22, 2010. (Private Law 111–2)

COMMITTEE MEETINGS FOR THURSDAY, JANUARY 6, 2011

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No committee meetings are scheduled.

Next Meeting of the **SENATE**

10 a.m., Tuesday, January 25

Senate Chamber

Program for Tuesday: Senate will be in a period of morning business.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Thursday, January 6

House Chamber

Program for Thursday: Reading of the Constitution of the United States by Members of the House of Representatives. Consideration of H. Res. —A resolution to Cut Congress's Budget.

Extensions of Remarks, as inserted in this issue

HOUSE

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